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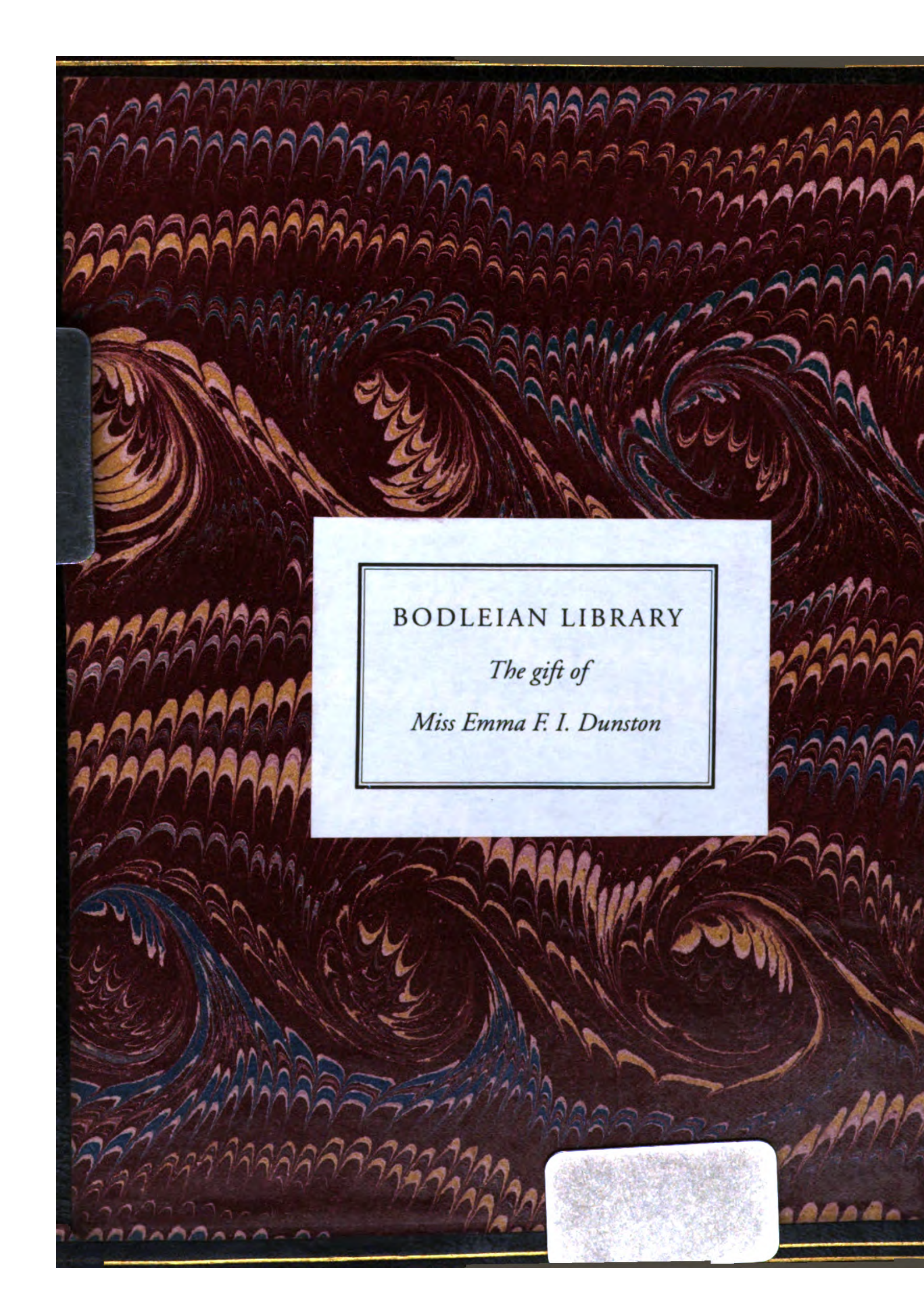
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Horae
Decanicae Rurales



The background of the image is a classic marbled paper pattern, often referred to as a 'shell' or 'peacock' pattern. It features intricate, swirling designs in shades of dark brown, black, and deep blue, with occasional flecks of gold or light tan. The pattern is dense and covers the entire surface. In the center, there is a white rectangular label with a thin black border. The text on the label is centered and reads: 'BODLEIAN LIBRARY' in a serif font, followed by 'The gift of' in an italicized serif font, and 'Miss Emma F. I. Dunston' in an italicized serif font. There is a small, dark rectangular mark on the left edge of the marbled paper, and a white, rounded rectangular mark at the bottom center.

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The gift of

Miss Emma F. I. Dunston

CHURCH UNION SOCIETY.—The following is the extract from the sermon of the Rev. Prebendary Lear, preached in the Cathedral, on the anniversary of the Church Union Society, August 10, referring to the late Prebendary DANSEY, which we alluded to in our last *Journal*: —

And this Society may well remind us of another, who has not long since been taken from us, and who, by his learning and activity, by a devotion of the powers both of his mind and body to the service of the Church in this diocese, and indeed in a wider sphere, testified that he desired “to do good,” and to follow the example of his Saviour, Christ. It will help to illustrate our subject; and it will be right on the first anniversary of this Society since his death,—a Society the objects of which he greatly promoted, and of which he acted as Secretary for many years,—if I dwell for a few minutes on the memory of William Dansey, Prebendary of this Cathedral, and a Parish Priest in this diocese. For the last few years, from illness and infirmity, he has retired from the more active service of his master, and bequeathed his work to other hands. But as we look back some ten or twenty years, we find this man of God quickened himself and quickening others foremost in works by which he now speaketh, in the building and restoring of churches and schools, in the work of missions, in gathering up the alms of churchmen, to expend on many cases of need. And though thus actively employed, he neglected not that important part of every minister’s work—the “attendance to reading”—the giving himself to study—becoming himself learned, that he might better teach others. The books that he has left behind him testify to this. By these he has drawn forth from obscurity much which might otherwise have perished; by these he has aided the more full organization of the Church throughout this and other dioceses; by these he may help the revival and good ordering of Rural-Decanal Chapters, as to the success of which, at the present time, we in this diocese have reason to be hopeful. This Society he greatly assisted whilst he acted as its Secretary; the work that it was set on foot to do he had earnestly at heart, and being ever a promoter of order and discipline, he loved it, and gave himself to it, because (to use his own words) he “considered it as approximating in its conception at least nearer to a true church organization and action, with less of a secular air and character about it, and more of a comprehensive catholic beneficence than any institution of modern days.” He “desired to extend its machinery by branch associations into the rural deaneries of the



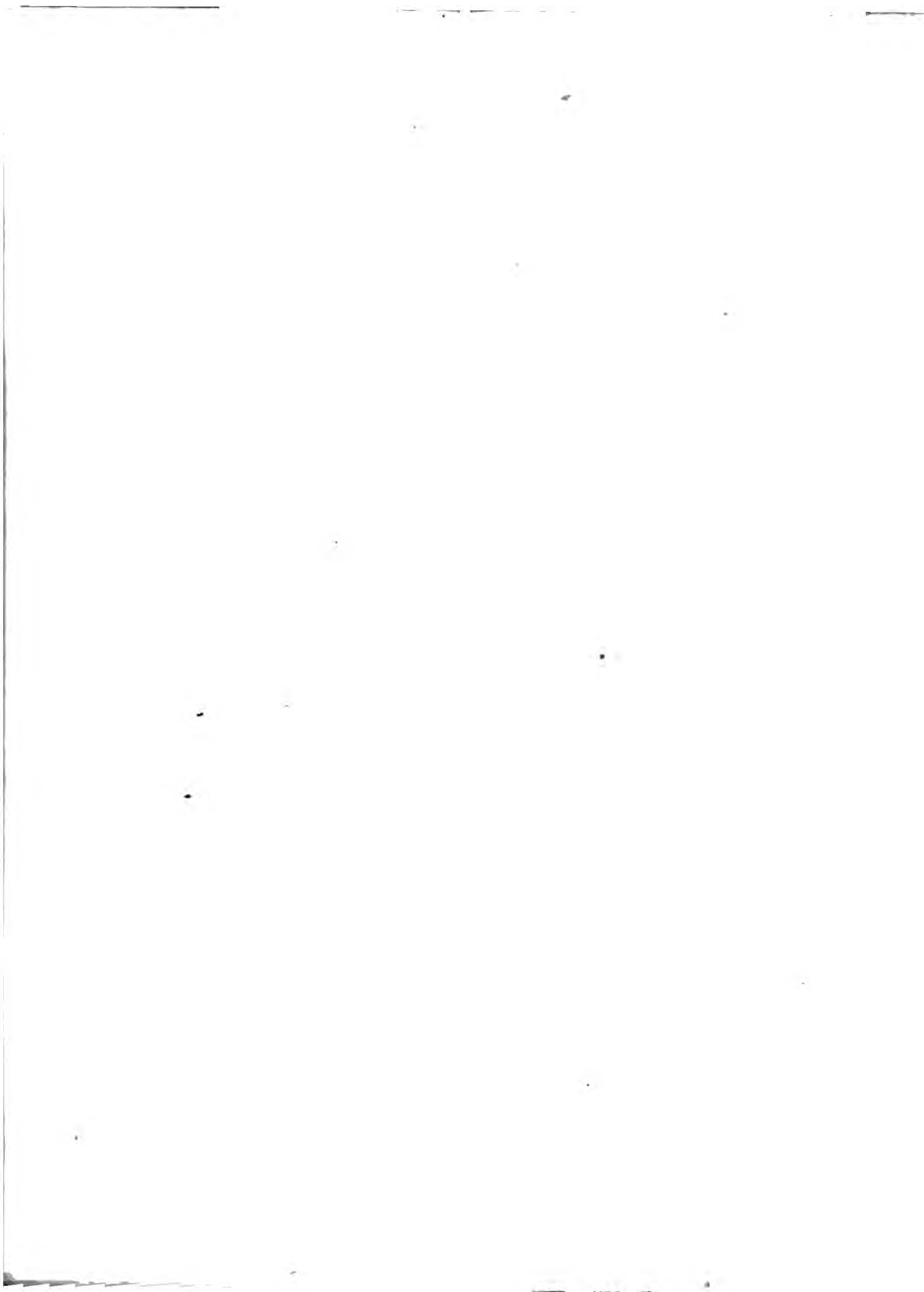
diocese," and thus to gather together into one common fund, the alms of the charitable, that they might be distributed by authorized almoners to the different necessities of the Church. Thus, in theory and practice, by his life and conversation, by goodly thoughts and deeds, did he seek, like his great Master, whose standard he surely set before him, and with whom we trust he now lives, to "go about doing good;" and of him we may humbly and hopefully add, in the words of the text, both of his life and death, that "God was with him."

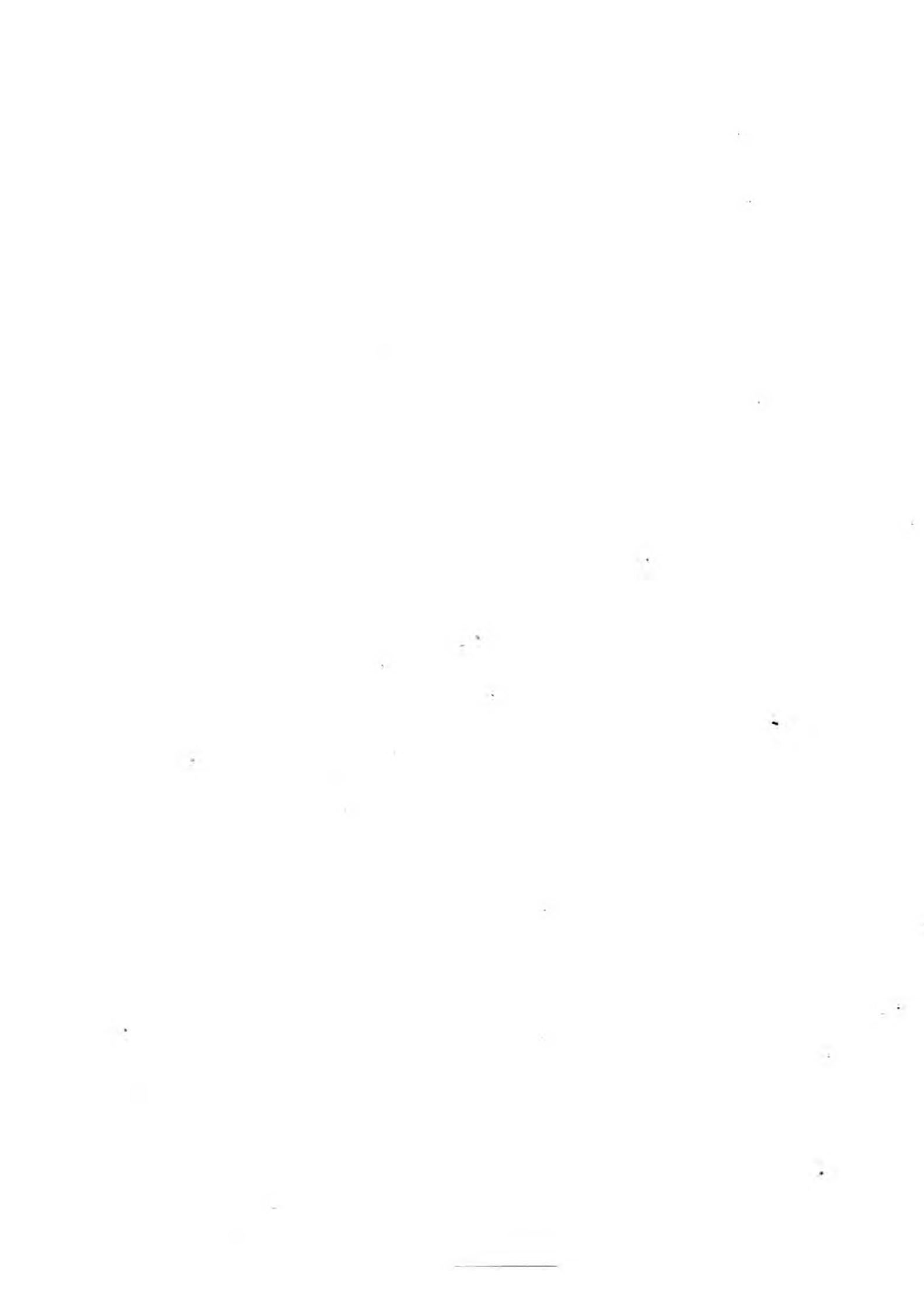


and, the
author-
Thus,
goodly
, whose
trust he
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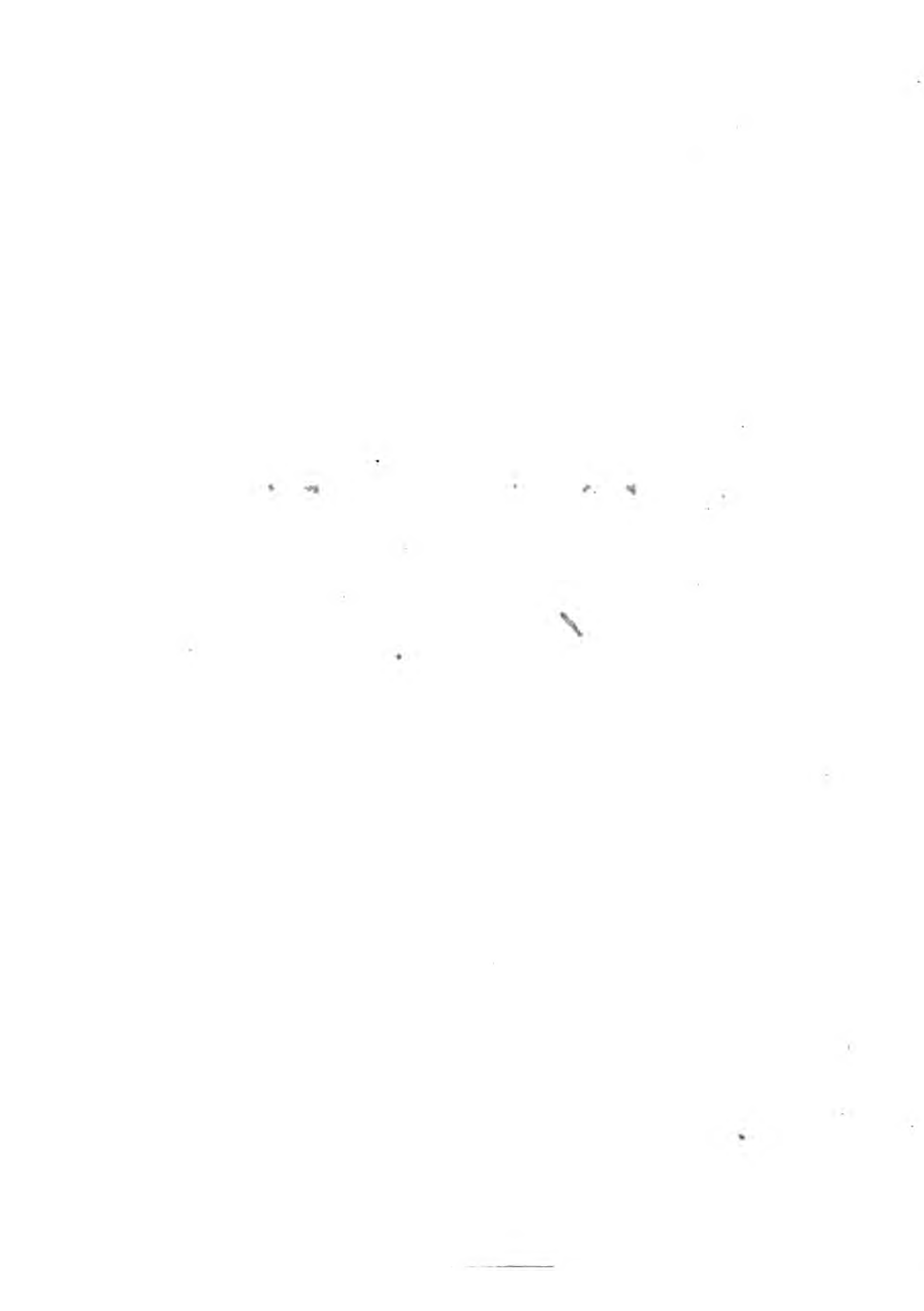
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Georgiana Burnings
from her Uncle -
Edward.

1854



Horae Decanicae Rurales.

BEING AN ATTEMPT TO ILLUSTRATE,

BY A SERIES OF NOTES AND EXTRACTS,

The Name and Title,

The Origin, Appointment, and Functions,

Personal and Capitular,

OF.

Rural Deans.

WITH

A FEW INCIDENTAL REMARKS ON THE RISE AND DECAY

OF

Rural Bishops,

AND ON THE INCARDINATION OF

Parochial Clergy.

TO WHICH IS ADDED,

An Appendix of Documents, Ancient and Modern.

BY

WILLIAM DANSEY, A.M.

RECTOR OF DONHEAD ST. ANDREW,

Rural Dean OF CHALKE, WILTS.

VOL. I.

LONDON.

J. BOHN. G. & F. RIVINGTON. J. COCHRAN. J. BOHN.

MDCCCXXXV.



ΙΩΒ. κεφ. η'. 8, 9, 10.

ΕΠΕΡΩΤΗΣΟΝ ΓΑΡ ΓΕΝΕΑΝ ΠΡΩΤΗΝ,
ΕΞΙΚΝΙΑΣΟΝ ΔΕ ΚΑΤΑ ΓΕΝΟΣ ΠΑΤΕΡΩΝ·

ΧΘΙΖΟΙ ΓΑΡ ΕΣΜΕΝ, ΚΑΙ ΟΥΚ ΟΙΔΑΜΕΝ,
ΣΚΙΑ ΔΕ ΕΣΤΙΝ ΗΜΩΝ Ο ΒΙΟΣ ΕΠΙ ΤΗΣ ΓΗΣ·

Η ΟΥΚ ΟΥΤΟΙ ΣΕ ΔΙΔΑΞΟΥΣΙ, ΚΑΙ ΑΝΑΓΓΕΛΟΥΣΙ ΣΟΙ,
ΚΑΙ ΕΚ ΚΑΡΔΙΑΣ ΑΥΤΩΝ ΕΞΑΞΟΥΣΙ ΡΗΜΑΤΑ;

TO THE RIGHT REVEREND
THE LORD BISHOP OF SALISBURY

THIS HUMBLE ATTEMPT
TO ILLUSTRATE THE OFFICE

OF

DEAN RURAL,

IS DEDICATED,

AS A TOKEN OF OFFICIAL AND PERSONAL RESPECT,

BY HIS LORDSHIP'S

OBLIGED AND FAITHFUL SERVANT,

THE AUTHOR.

Synod. Laodicea. CAN. LVII. A.D. CCCLXIV.

ΟΥ ΔΕΙ ΕΝ ΤΑΙΣ ΚΩΜΑΙΣ ΚΑΙ ΕΝ ΤΑΙΣ ΧΩΡΑΙΣ ΚΑΘΙΣΤΑΣΘΑΙ ΕΠΙΣΚΟΠΟΥΣ,
ΑΛΛΑ ΠΕΡΙΟΔΕΥΤΑΣ.

Isidorus Mercator.

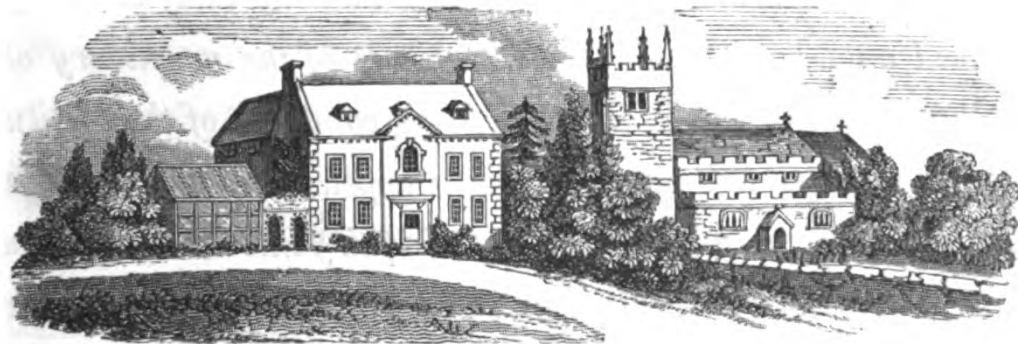
NON OPORTET IN VILLIS ET VICIS EPISCOPOS ORDINARI, SED *Visitatores*, ID EST,
QUI CIRCUMEANT, CONSTITUI.

Concil. Ticinen. CAN. XIII. A.D. DCCCL.

PROPTER ASSIDUAM ERGA POPULUM DEI CURAM, SINGULIS PLEBIBUS *Archipresbyteros* PRÆESSE VOLUMUS; QUI NON SOLUM IMPERITI VULGI SOLICITUDINEM GERANT, VERUM ETIAM EORUM PRESBYTERORUM, QUI PER MINORES TITULOS HABITANT, VITAM JUGI CIRCUMSPECTIONE CUSTODIANT, ET QUA UNUSQUISQUE INDUSTRIA DIVINUM OPUS EXERCEAT, EPISCOPO SUO RENUNTIENT.

Gibson's Codex Jur. Eccles. TIT. XLII. CAP. VIII.

THE *Chorepiscopi* HAD THE INSPECTION, UNDER THE BISHOP, OF THE CLERGY IN THE COUNTRY, AND OF THOSE PARTS OF THE DIOCESE WHICH WERE REMOTE FROM THE EPISCOPAL SEE; TILL, IN THE COUNCIL OF LAODICEA, ANN. 360, IT WAS ORDAINED, THAT NO BISHOPS SHOULD BE PLACED IN COUNTRY VILLAGES, BUT ONLY ΠΕΡΙΟΔΕΥΤΑΙ, *Itinerant* OR *Visiting Presbyters*.



Preface.

NON abs re mihi visum est fore, si quæpiam afferrem, ut
faciliùs ad memoriam revocarentur sanctissima priorum instituta,
quibus observatis, nostra CHRISTIANA RESPUBLICA et aucta est semper
et conservata. JOH. FRANC. PICI, MIRANDULÆ DOMINI, *De Reformandis
Moribus Oratio.* FASCICULUS RERUM, p. 417.



THE object of the following pages is sufficiently
explained by the title prefixed to them. The
circumstances, to which their commencement, pro-
gress, and completion are owing—though of little
importance—may be thus briefly stated.

Having been requested by my venerable diocesan, soon after his
accession to the see of Sarum (A.D. MDCCCXXV.), to accept the appoint-
ment of rural dean—then recently revived in the diocese—I was
naturally desirous of obtaining what information I could on the
history and constitution of the office.

Though latterward fallen into disuse and decay in most dioceses of Great Britain and Ireland, it was evident that the rural Deanship had once formed an essential and influential part of the machinery of our country church-police : while, in the existing condition of the institution, vestiges of its elder and better economy appeared, sufficient to excite attention and interest, and to challenge inquiry into its by-gone days. But how and where curiosity was to be gratified by further investigation, was a question more easily started than replied to.

Ordinary books of reference, glossaries, and digests of church-law, rather awakened curiosity than satisfied it ; and existing functionaries, so far from having any knowledge of the past history of their charge, were (too like the writer) insufficiently acquainted even with its present capacities.—Where, then, was a Dean rural, in his novitiate, to look for further instruction ? Theoretically and practically ignorant of ruri-decanal polity, how was he to supply the manifold defects of Thomassin, Van Espen, Gibson, Burn, and other canonists, and, for his own amusement and edification, to re-construct the office in the fulness of its original type ?

There was, apparently, but one course open—to set to work on his own account—to go to the fountain-heads of intelligence—

— Integros accedere fontes,
Atque haurire——

—to explore the archives of ecclesiastical antiquity, and supply the desiderata of epitomists by more extensive personal researches.

Let it suffice, that this course was determined on, and forthwith commenced ; though without any the most distant thought, at the time,

of laying the result before the public. With a view to my own instruction alone, and with no ulterior object, I began, in the intervals of more important studies and avocations, a diligent examination of the tomes of the Councils, foreign and domestic, and an extensive perusal of works devoted to the history, antiquities, and discipline of the Church; carefully noting down whatever, in the course of my reading, appeared to throw any light on the particular object of my investigation—the economy of the office of Dean rural¹.

The accidental discovery, about this time, within the precincts of my own Deanry, of an autograph sheet on the same subject by a former Dean, tended not a little to quicken my antiquarian ardour. This

(¹) The *General Collection of Councils* referred to in the course of this work, under the usual abbreviation of *SS. CC.*, is that edited by Colet with Mansi's *Supplement*. Wilkins's *Concilia Magnæ Britanniae et Hiberniae* so entirely supersede Spelman's, that the former, under the title of *CC. M. B. et H.*, are alone quoted. The *Concilia Germaniae*, by Schannat, Hartzheim, Scholl, and Neiffen, I regret, did not find their way to my library till the greater part of the sheets had been worked off. Some few novel items of rural-deanial duty, scattered through that valuable collection, are consequently lost to the body of the work. It was impossible to incorporate them in the then printed pages; and to have added them as foot-notes at the vacant ends of chapters would have been attended with more trouble and expense than the information they conveyed seemed to justify. It is some satisfaction, however, that the *Provincial and Diocesan Collections* of many German and Belgian churches (before in my possession) had anticipated the most important branches of deanial service found in the *General Collection*.

Still, that nothing might be wanting in illustration of continental usages, which it was in my power to supply, I have been induced to add to the Appendix of documents, in the bulk, all such canons, articles, and instructions, from the collection alluded to, as circumstances, over which I had no controul, prevented my incorporating in the classified functions of earlier pages.

was an Address to the Clergy of the Decanate of Chalke, by John Priaulx, D.D. on the occasion of his appointment to the charge of Dean-rural by Bishop Seth Ward, A.D. MDCLXVII., and professed to give a brief account of the nature, use and end of the office:—under which title, it was committed to the press, with a few explanatory notes, and a short memoir of the author, in the year MDCCCXXXII.¹

At this point, perhaps—after having fulfilled the subordinate duty of an editor—it had been wise in me to have arrested my pen, and taken leave of the public; sensible as I had gradually become, in the progress of my labours, that undertakings, of the nature of the present, cannot be brought to a satisfactory completion, in the retirement of a country parsonage, by a private individual, enjoying neither opportunities of intercourse with others, more conversant than himself, with the objects of his research; nor with books, more pregnant with information, than those on his own shelves;—not able, from his parochial engagements, to visit muniment-rooms and register-offices, and too utterly unknown to the public rightfully to solicit, or reasonably to expect, attention to inquiries by letter:—“Cogito, quàm sit magnum dare aliquid in manus hominum: nec persuadere mihi possum, non et cum multis et sæpè tractandum, quod placere et sempè et omnibus cupias.”

Could I have foreseen, at first, the difficulties and disadvantages

(¹) Dr. Priaulx's little Tract is reprinted in the Appendix—Salisbury Documents. The tract and notes being frequently referred to in the course of the following work, the editor thought it better to annex them. The notes of this *second* edition contain much new matter, the result of farther research upon the subjects treated of in the learned Doctor's text.

I should have to contend with in preparing these sheets for the press, and which I have been able only imperfectly to overcome by increased labour and expence, however desirous of adding to my own knowledge of decanal polity, I certainly should never have thought of imparting it to others;—had I earlier felt them, I had never pledged myself that Dr. Priaulx's little Breviary should be followed, after a time, by a more copious and formal treatise of my own. But I had been guilty of this imprudence at an early period of my labours. I had seen the annexed sheets gradually increasing in number and matter, far beyond what was required to gratify personal curiosity, or to capacitate a dean rural for the satisfactory fulfilment of the abridged duties of his calling (the original incentives to the undertaking);—and, in an evil hour, I ventured to think, far too hastily, that what had given me amusement in the compilation might possibly impart the same to other deans rural in the perusal—at a time, more especially, when the office was being restored in many of the dioceses of Great Britain and Ireland.

It was then that I thought, some day or other, of throwing these notes and extracts—“disjecta membra”—into a readable shape, and pledged myself to their publication.

The appearance of the present volumes shews the effort made to redeem that pledge,—with what success, others must decide,—the author himself alone vouching for the arduousness of the task. Driven to depend almost exclusively on my private resources (for, with the exception of three or four valuable communications, I have received no extraneous aid), I felt it incumbent on me to persevere with patient resolution, and to spare neither trouble nor expence in

amassing information, and rendering the publication, to which I had committed myself, as perfect as circumstances would allow.

Accordingly, I procured, “vel prece vel pretio¹,” every printed volume likely to afford the least instruction on the topics of my inquiry:—I examined, culled, digested, and arranged, to the best of my humble ability, all the notices illustrative of the ancient and modern economy of the Decanal office of the country:—heterogeneous and widely-scattered as I found them, in works, for the most part, of unwieldy bulk and expensive rarity, I reduced them into² some sort

(¹) The only important works bearing on the subject, which I have not been able, either in England or on the Continent, to purchase, borrow, or even obtain a sight of, are Zeltner's *Tractatus de Periodeutis Veteris Ecclesiæ Restituendis*, and Schmidt's *Dissertatio de Synodis Archidiaconorum et Archipresbyterorum in Germaniâ*. The former might probably have thrown some further light on the origin of Deans rural in the Christian church, the latter on their capitular duties. Morifan's *Diatriba de Protopapâs*—a work of rarity in this country—long eluded my research; but it at last turned up at a sale of Biblical curiosities at Ghent. Zeltner and Schmidt remain, at the present hour, among the *Opuscula Desiderata* of my library; and I shall feel greatly obliged to any of my readers, who can put me in the way of procuring them.

(²) The arrangement of the work needs all the qualification here given to it. It is confessedly perplexed and unsatisfactory. But, in deprecation of censure, I would plead the necessity of compiling it, as it were, piece-meal, and the difficulty of casting into a readable shape confused and multifarious scraps, so collected. Faults of composition and classification, now manifest in print, were not so perceptible in manuscript, or they would have been corrected. Even, at the present time, an effort would be made by transposition and condensation, to amend manifold blemishes (for much of the text might be abridged, and much again might descend into the foot-notes), but that I am afraid, if I were to begin to cancel, I should scarce know where to stop; and perhaps, in the end, should change the essential character of the work—which is intended rather as an explanatory index to the writings of others (more particularly to *Conciliar Collections*) than as an original work on rural-Decanal polity.

of order and arrangement. Not a few extracts also from unpublished MSS. I incorporated in the text, and entire documents in the Appendix.

Some of the extracts from books will be found, I am afraid, not strictly in keeping with the title. I have digressed a little (more perhaps than was necessary), in order to elucidate the rural economy of the elder Greek church (the mother-church of Christendom)—the eastern chorepiscopate (the prototype, as is said, of our western archiepiscopate)—and the incardination of presbyters on country cures. And, while alluding to such “irrelevant excursions,” yet farther, I fear, must I implore the reader’s patience during the many pages devoted to the rural polity of the British and Anglo-Saxon churches, the institution of ecclesiastical parishes, and location of priests therein. Lastly, for a long foot-note or two annexed to this department—on the first introduction of Christianity into our island—on the evidence of its uninterrupted continuance among us, and of that of its primitive apostolical ministry, and the independence of the latter of the church and bishop of Rome—I have no justification to allege, but the deep interest of the subjects to every Protestant Englishman.

On the facts and references adduced, such as they are, the reader may rely with implicit confidence. At least, I am sure, I have not intentionally misled him on any one single point:—οὐκ ἐκὼν ἐξαμαρτάνω, in Plato’s words, ἀλλ’ ἀμαθία τῆ ἐμῆ. If I err, it is from sheer ignorance, not from wilful misrepresentation. Every fact has its voucher in *juxta-position*; unless, perchance, from mere inadvertency, a marginal reference has been omitted. And, to atone for such omission (if such there be), it will be found, on other occasions,

that two or more authorities have been cited in proof of one and the same fact ; that the more curious reader might have greater opportunities of pursuing the subject, at his leisure, and authenticating the veracity of the author.

To guard against misconception, as much as possible, I have thought fit, like the Annalist of the Reformation, “to set down things in the very words of the records and originals, and of the authors themselves, rather than in my own, without framing and dressing them into more modern language : whereby the sense is sure to remain entire, as the writers meant it. Whereas by affecting too curiously to change and model words and sentences, the sense itself is often observed to be marred and disguised.” I have generally allowed the councils of the different churches to speak in their own canonical language—Greek, Latin, French—and the cited glossariographers and legists have the same privilege of communication. It had been an implied insult to a modern dean rural to have supposed him incapable of holding converse with ecclesiastics of distant times and climes in other language than his vernacular. For the same reason, the documents of the Appendix are left in their original tongue, save those of the church of Russia alone, which it was thought better to translate for the English reader.

I should have been glad to have rendered the historical notices of the institution of deans rural, prefixed to each diocese of England, in Part II. of the Appendix, more perfect than, for the most part, they are ; and, with that view, I circulated, a few years since, the queries¹

(¹) The date of the first institution of rural deans in the different dioceses of Great Britain and Ireland?

of the subjoined foot-note, soliciting information upon the points there specified. But, I regret to say, with very partial success. Very few replies were elicited; and scarce more than one to the extent required for perfecting the ruti-decanal history of any single diocese. I merely mention this, in order to account for defects in a department of the work which no industry of mine could supply. But I am rather inclined to attribute my disappointment to the unimportance of the querist (πλὴν ὀλίγων τὸ πλεόν τῆς ἐκκλησίας μέρος, οὐδ' ἐξ ὀνόματος ἡμᾶς ἴσασιν) than to a want of interest in the subject inquired about.

Imperfect, however, as these volumes are, and no one can be more alive to their defects than the compiler himself, they will be found to contain a greater body of information on the subject of which they profess to treat, than any work already before the public. Indeed, they profess to bring under one point of view¹ all that has been

By whom, (bishop, archdeacon, or clergy, separately or conjointly) of old, and at present, elected and appointed in the same?—whether by *oral* declaration, or by formal commission *in scriptis*?—if the latter, the form of such instruments?—the duties entrusted to *deans rural* in modern days, and the duration of their tenancy of office?—any *peculiar usages*?

(¹) Nothing appertaining to the office of *dean rural* in any historical, canonical, or conciliar collection, within the compiler's knowledge, is omitted in the following pages. Under one or other of the many sections of the work, or its *Appendix*, every item of duty will be found, that has ever been exercised by a *dean rural*. Some quotations, perhaps, may be incorrectly placed, and others may be deemed scarce worthy of the notice taken of them, so long after the period at which they have ceased to interest us, in consequence of the abolition of the duties themselves by the Reformation. But, while I ask pardon for the former in the reasons already given in an earlier note, the latter must stand excused in the strict and peremptory rule under which I placed myself, of excluding *nothing* in the least degree bearing on the subject.

written on the rural archipresbyteral office, and thereby to save others, who may be ignorant of its history, and curious to investigate it, the labor improbus of searching for themselves amongst the original authorities out of which they are compiled. So that, if ever our ecclesiastical rulers should think it advisable to revise this department of church-discipline—to bestow on their rural delegates more of a legal existence than they at present enjoy—to establish Deans rural on a more uniform footing, than at this time obtains, throughout the dioceses of Great Britain and Ireland—and to give them increased efficiency by the legitimate restoration of any portion of their antiquated functions; (and there never was a time, seemingly, when it was more desirable to give¹ the utmost efficiency to those ecclesiastical authorities which the wisdom of our forefathers in the Christian church hath interposed between the bishop and the incumbent)—if any such general measure should be attempted by those to whom alone it belongs

(¹) An additional reason for the establishment of Deans rural upon some general and efficient system at the present moment, will be found in the projected abolition of peculiar jurisdictions—an event most fervently to be desired; but which, if discipline is to be *effectually* sustained in those hitherto neglected places, will necessarily require an increase of parochial visitors, subsidiary to the diocesan and arch-deacon.

The *Report of the Ecclesiastical Commission* (A.D. MDCCCXXXV.), under the head of *Territory*, suggests, “that it will be highly expedient to place every parish within a Deanry, and every Deanry within an archdeaconry.” And further, “that all parishes, not specified in the *Report*, which are locally situate in one diocese, but under the jurisdiction of the bishop of another diocese, shall become subject to the jurisdiction of the bishop of the diocese within which they are locally situate.” Such places have been *hitherto* exempt from ruri-decanal visitation, and generally in a wretched condition as to discipline. See *H. D. R.* Vol. I. pp. 200—320.

—the hierarchy of the kingdom—they may here see the usages of the church in respect of the institution, both at home and abroad, cited and expounded, from the earliest to the latest period of its history.

In conclusion, the reader is respectfully solicited to bear in mind what the work professes to be—An attempt (only an attempt) to illustrate, by a series of notes and extracts, the name and title, the origin, appointment, and functions, personal and capitular, of rural deans¹. Such is the aim and object of the work: and it follows, of course, that it must be built up of a lengthened catalogue of authorities, derived for the most part from monuments of church-legislation;—the author, or rather compiler, being a mere reporter of the dicta of others—a textuary, if you will, of canonists and councils. Be it so! I would not wish to arrogate to my ΠΑΡΕΡΓΟΝ an originality to which I well know it has no claim.

To the following most Rev. and Right Rev. Prelates, and others, I beg leave to tender my respectful and grateful acknowledgments, for information and documents communicated in furtherance of these labours.

(¹) The duties of the office are circumscribed by the extracts and authorities quoted. I have, in no case, gone beyond the limitation they imposed on me. However desirable it might have been, for the sake of filling up what was wanting in an imperfect portraiture, to have taken a little more licence of description, I have preferred making the best show I could with the materials in hand, to any *the least* departure from authenticated facts, into the region of fiction;—with the aid of which, perhaps, I might have sketched a more perfect, and therefore more attractive picture, but its likeness to the original might have been, in the same degree, doubtful.

To the Archbishop of Canterbury—for a copy of the Commission of rural Dean, lately used in that diocese, on the occasion of the office being revived ;—and for an unsolicited licence to consult any works bearing on the subject of deans rural in¹ the Lambeth Library ;—which, I regret, I have not been able to avail myself of, in consequence of my distance from the metropolis, and the more important calls of parochial duty.

To the Bishop of London—for an interesting communication on the modern usages of the diocese of Chester—and for a reference to Mr. Ward (the deputy registrar of that see), as capable of supplying the more ancient customs :—whereby the Appendix of Documents has been augmented with many curious, original instruments of decanal institution, patents, &c., not before made public ;—the same having been most courteously supplied by Mr. Ward, immediately on application.

To the same learned Prelate—for such information as the registry of the diocese of London affords respecting the supposed primary institution, and subsequent revival of the order of rural deans in that see ; and for copies of the Commission and Instructions lately made use of by his Lordship.

To the Bishop of Salisbury, my respected diocesan—for the loan of two accurate transcripts of documents connected with the see of Sarum

(¹) By the kind assistance of the Rev. W. Vaux, prebendary of Winchester, and late chaplain to the Archbishop of Canterbury, I have been enabled to procure, from the Lambeth Library, a copy of the *Patent* of Dr. Briggs, as dean of Southmalling in the county of Suffex. The *Instrument* will be found under the section of the Appendix devoted to the diocese of Chichester.

(beautifully copied from the original *Ms.* by Mr. W. T. Alchin of Southampton, under the eye, and at the cost of Bishop Burgefs)—the *Vetus Registrum Sancti Osmundi*, and the *Notitiæ Sethi Episcopi Sarum*;—from both of which, much instruction has been received, and much valuable unpublished matter, appertaining to the diocese of Sarum, has been added to the *Documentary Appendix*.

To the Bishop of Lincoln—for the modern usages of the diocese of Lincoln—in one of the archdeaconries of which, the office has been lately revived, after a long suspension.

To the Bishop of Peterborough—for the existing state of the institution in the diocese of Peterborough.

To the Bishop of Worcester—for documents connected with the restoration of the office in that diocese.

To the Bishop of Llandaff—for a list of the rural deaneries of the diocese of Llandaff, their subdivisions, and the number, respectively, of their contained parishes.

To the Bishop of Bangor—for the Commission employed by the late Bishop Majendie, and by himself, in the see of Bangor.

To the Dean of Norwich—for impressions of several rare rural-decanal seals, and a brief history of the ancient office to which they appertained in the diocese of Norwich—communicated by the kindness of Dr. Sutton.

To the Archdeacon of Winchester—for the modern Commission of the dean rural of the diocese of Winchester.

To the Archdeacon of Barnstable—for the usages of the bishopric of Exeter—more particularly of the archdeaconries of Barnstable, Exeter, and Totness.

To the Rev. J. Wallis of Bodmin—for those of the archdeaconry of Cornwall.

To the Rev. Dr. Bandinel, Bodleian Librarian—for an engraving of the seal of the rural dean of Ospringe, in Kent.

To the Rev. H. H. Norris, Rector of South Hackney, for documents connected with the diocese of Gloucester, and for the loan of several rare works on ecclesiastical polity.

To the Rev. C. Fleet, Rector of Durweston, in the county of Dorset—for the Instrument used by Bishop Kaye on the occasion of his reviving deans rural in the diocese of Bristol.

To the Rev. J. H. Wyndham, Rector of Corton, in the county of Somerset—for the Formula of Institution employed by Bishop Law in the diocese of Bath and Wells.

To the Rev. C. Burlton, Fellow of New College, Oxford—for the Commission of the deans rural of the diocese of Oxford, under Bishop Bagot.

To C. P. Cooper, Esq., Secretary to the Record Commission—for a copy of the Valor Ecclesiasticus Henrici VIII., to which frequent references are made in the course of the work; and from which some documents have been incorporated in the Appendix.

To Joshua Watson, Esq., of Park Street, Westminster—for the First

Report from his Majesty's Commissioners appointed to consider the state of the Established Church with reference to Ecclesiastical Duties and Revenues—which document has enabled me to annex to each diocese of the Appendix (Part II. *English Documents*) the suggested territorial reforms laid before Parliament.

Lastly, my special thanks are due to the Rev. R. Blackmore, of Donhead Saint Mary, Wilts, British Chaplain at Cronstadt—for Archbishop Platon's Instructions to the Blagochennoi of the diocese of Moscow and Kaluga, and for the Imperial Ustafz respecting the Probsts of the Lutheran Church of Russia.

 Postscript.

*IT is now more than three years since I stated, in a Postscript to Dr. Priaulx's little Tract on Deans rural, that my object in soliciting information from those capable of supplying it, was not a mercenary one—that I had no gainful end in view, in the projected publication of my *Horæ Decanice Rurales*—that my sole design—in a literary point of view, a very humble one—was to collect into a compendious form, out of bulky and expensive tomes, which few had inclination, and yet fewer opportunity to explore, the widely-scattered notices of the ancient and modern duties of Deans rural—to compare, to classify, to explain them;—and, while drawing forth from black-lettered obscurity the*

obsolete and antiquated usages of early church-polity, to point attention to such as appeared capable of being revived, to the furtherance of ecclesiastical discipline, and the general interests of the Christian community.

Such, at that time, was my object ; and, in strict conformity with it, the following sheets have been prepared for the press. But there is one qualification, which I would wish here to subjoin, as respects any contingent pecuniary advantage from their publication—and for that purpose I have requoted the above words. I did not, at the time of writing them, expect any possible gain to my purse from the labours then in progress—far otherwise—and therefore I did not, by anticipation, dispose of that which was never likely to be realized. But, it has since been hinted to me, that some trifling profit may possibly accrue : and if so, I would wish at once to divert it from myself to a purpose more congenial to the spirit with which the work was undertaken and completed—which certainly had nothing to do with gain. I should never have thought of soliciting information from others, with the most distant chance of enriching myself.

While, then, I declare, in all sincerity and truth, that, if any measure of success should bless these my labours in illustration of rural parochial government, I humbly offer up the praise of it to HIM, WHO hath given me the habit of patient study which hath led to their advancement and completion ; I would add, that if any measure of pecuniary profit should result from the work, it is my wish and intention to devote it to HIS glory, by augmenting with it the scanty endowment of a National School, just on the eve of being established in my parish, for the religious education of the children of the poor—

*to “breed them up in the nurture and admonition of the LORD”—
an appropriation of a contingent surplus scarce likely to be realized
—but, if realized, not at variance, I hope, with the animus of my
former declaration.*

*Donhead Saint Andrew Rectory,
August 20, 1835.*



ΔΙΔΑΣΚΑΛΕΙΟΝ ΔΙΚΑΙΟΣΥΝΗΣ.



ORDER AND ARRANGEMENT OF THE CONTENTS.

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Horae Decanicae Rurales.

PART I.

The Name and Title.

SECTION I.

SUMMARY VIEW OF THE **T**ITLES APPLIED TO THE **D**EAN **R**URAL: THE
RELATIVE ANTIQUITY OF THE MOST APPROPRIATE **T**ITLES.

MANY have been the names and titles of the rural dean, at different periods and places, if we may believe glossariographers, and admit, as his appellatives, all that conjecture has collected in their columns. But of these, some do not pertain to the dean at all; others are of local and partial application:—two only can be called his rightful property; viz. **Archipresbyter**¹, with its synonymes, derived from presbyteral primacy; and **Decanus**², from a presidency over ten, either persons or places.

See Spelman. et Ducang. Glossar. Macri Hiero-lexic. et Hoffinan. Lexic. in vocibus Archipresbyter, Chorepiscopus, Corba, Corbanus, Curio, Decanus, Parochus, Plebanus, Protopapas, et Protopresbyter.

(¹) “*Quemadmodum inter episcopos episcoporum primus, sive antiquissimus, dici cœpit archiepiscopus, et inter diaconos primus, sive cæteris antiquior, dictus est archidiaconus, ita primus presbyterorum archipresbyter vocatur, quasi presbyterorum primus, sive præfectus.*”

Aug. Barbosa de Canonis et Dignitatibus, cap. VI. p. 64.

(²) “*Decanos vocant eò quòd sint denis præpositi.*”

Augustin. de Moribus Ecclesie, L. I. c. XXXI.

Gibson's *Cod. I.E.A.* Tit. XLIII. c. VIII. p. 971.
Somner's *Antiq. of Canterbury*, Part I. p. 175.

The former is the more ancient title, being that by which ecclesiastic *deans* of all kinds, whether cathedral, urban, or rural, have been generally known in the records of the church from their first creation, and are still designated in the writings of canonists.

Thomassin. *V. et N. E. D.* Part I. L. II. c. III. p. 221.
Morin. *de S. O.* Part III. Exerc. XVI. c. II. p. 215. c. III. p. 218.

Though of Greek extraction, the term *archipresbyter* is of Latin origination and application; the oriental church employing the less imperious style of ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ¹, ΠΡΩΤΟΙΕΡΕΥΣ, and subsequently ΠΡΩΤΟ-

SS. CC. Tom. III. col. 88, 89.
Battely's *Cant. Sacr.* Part IV. c. II.
Hist. Eccl. L. VI. c. IX. p. 323.
Hist. Eccl. L. VIII. c. XII. p. 341.
Annot. ad H. E. Socrat. loc. cit. not. 2.

(¹) So Arfacius, who succeeded Chrysofom in the bishopric of Constantinople, is styled (*in Actis synodi ad Quercum, A.D. cccciii.*) ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ and Martyrius *πρωτοδιάκονος*. But, inasmuch as St. Stephen is called, in the Greek *Menology*, *protodeacon* and *archdeacon*, and the Πέτρος τις ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ τῆς ἐν Ἀλεξανδρείᾳ ἐκκλησίας of Socrates is the identical *archpriest*, Peter of Sozomen—ἐπητιᾶτο Θεόφιλος τὸν τότε ΑΡΧΙΠΡΕΣΒΥΤΕΡΟΝ, κ.τ.λ.—the sameness of the respective offices is shewn under the diversity of title. (See *Centur. Magdeburg.* Cent. v. cap. VII. p. 735. *de gradibus personarum.*) And Goar, in his version of the *Euchologium*, invariably translates ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ by *archipresbyter*.

Jacobi Goar. *Eucholog. Græcor.* p. 287.
Bevereg. *Synod.* Tom. I. pp. 438, 9.

Valesius, the learned editor of Socrates, however, considers the terms *archpriest* and *protopriest* not convertible: for several *archpresbyters* occur in particular churches, he says; but never more than one *protopresbyter*:—*archpresbyters* again, in villages and towns, successors of the *chorepiscopi*, but *protopresbyters* only in cities; whence, in the *Euchology* of Goar, ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ τῆς πόλεως. And yet, let me observe, the ΠΡΩΤΟΠΑΠΑΔΕΣ of Balsamon *ad Can.* VIII. *Antioch* have to do with the *country*; answering to the *πρεσβυτέροις τοῖς ἐπὶ χώρας πρωτεύουσι* of Aristenus on the same canon: and Suicer says of the *protopapa*, that he clearly is "*vel primus presbyter, vel sanè archipresbyter Latinorum.*" And, more to the point, it will be hereafter seen, in a passage cited from the tomes of the councils (*Manfi Supplement. ad SS. CC.* Tom. VI. col. 352.), that the title of *protopresbyter* is applied to the *dean-rural* in the council of Reussen of the year MDCCXX. Tit. IX.

Theaur. Ecclef. Tom. II. col. 876. in v. πρωτοπαπᾶς.

ΠΑΠΑΣ¹—in harmony with their early nomenclature, which gave to the archdeacon of the east the title of πρωτοδιάκονος — distinctions still observed in the same church in the orders of proto-hierey or protopope, and protodeacon. King's Greek Church, p. 267. and MS. Add.

Protopresbyter, however, being a title of mere precedence, is not so appropriate to our western dean as archipresbyter, which implies governing power and authority in addition to bare rank; though, in the Greek church, the two names are evidently used synonymously, the ΑΡΧΙΠΡΕΣΒΥΤΕΡΟΣ of Sozomen being the ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ of Socrates. *See Morifan. de Protopapís Diatriba. cap. III. p. 40, seqq.* Sozomen. H. E. L. VIII. c. XII. p. 341. Socrat. H. E. L. VI. c. IX. p. 323.

Applied to the chief spiritual officer under the bishop *in matrici ecclesiá*², the Greek terms appear, for the first time, in the church-history of the fifth century; the Latin title archipresbyter (for we have no instance of protopresbyter in that language—at least, none of ancient

(¹) When the presbyters of the Greek church began to be called παπαῖ—papæ, papades, or papates, the protopresbyterí became protopapæ—a title which occurs for the first time, I believe, in Scylitzes; who mentions Stylian as a protopapas (circiter A.D. DCCCCLXIII). On the word papas, see Morifan. cap. IV.—It seems that πάπας signified episcopus, and παπᾶς presbyter—“*ut paulatim desinere inter episcopos id nomen cæpit, ita circumflexâ pronunciatione, elatum crevit deinde inter presbyteros,*” says the author of the *Diatribè* on protopopes.

(²) “*Matrix ecclesia propriè ea dicebatur in quâ episcopus ipse cum presbyterio suo, quod nunc capitulum canonicorum dicitur, residebat, cathedralis hodiè vocatur.*” In the Latin councils it is variously called, *cathedra — matrix cathedra — civitatenfis ecclesia*:—in the Greek, ματρικίον—κυριακὸν τῆς πόλεως. From which last term, κυριακὸν (“the Lord’s House, because erected not to man, but to the honour of our Lord and Saviour”) is derived the Saxon *Kyrík*, the Scotch *Kyrk*, Suicer. T. E. Tom. I. col. 321. in v. Ματρικίον. Cave’s Primitive Christianity, c. VI. p. 135.

Epist. iv. ad Rusticum, circa med.

date) occurs a century earlier, in an epistle of St. Jerome, (A.D. CCCLXXVIII.) “*Singuli ecclesiarum episcopi, singuli archipresbyteri, singuli archidiaconi, et omnis ordo ecclesiasticus suis rectoribus nititur:*”—and in the tomes of the councils, for the first time, in the seventeenth canon of the fourth council of Carthage, (A.D. CCCXCVIII.)

SS. CC. Tom. II. col. 1438. Edit. Colet.

—“*Ut episcopus gubernationem viduarum, et pupillorum, ac peregrinorum, non per seipsum, sed per archipresbyterum, aut per archidiaconum agat.*”

Synodic. T. II. Annot. ad Can. 1. Conc. Chalced. p. 108. CC. Illustr. Hartman. et Ruellii, T. II. p. 354.

These are the earliest notices I have met with of the title of archpriest in the Christian church; unless, indeed, the Latin version of the Arabic canons of the council of Nice, (A.D. CCCXXV.) (deemed by Baronius, Hartman, Du Pin, Bishop Beveridge, Johnson, Van Espen, and others, a spurious and supposititious augmentation of the authentic code of this œcumenic synod¹) be admissible authority for a higher antiquity; in the fifty-seventh canon of which occurs the following passage—“*Proto-*

Pandect. Canon. Tom. II. Annot. in CC. Conc. Ancyr. p. 178. c. XV.

and English Church. “*Cum autem,*” says Beveridge (drawing from the title a most important and reasonable inference), “*hæc communis fuerit majoribus nostris ecclesiæ cujuslibet templive denominatio, veri nobis simillimum videtur, prima Christianæ religionis semina à Græcis hinc dispersa fuisse. Neque enim existimandum est, quòd Latini Græcum nomen ecclesiis imponent.*”

Tractatus Historico-Canonic. ad Cann. Conc. P. II. sec. IV. p. 9.

(¹) After noticing the objections to their authenticity, Van Espen concludes, “*his aliisque argumentis persuasum est hodiè eruditibus, à Nicænâ synodo 20 duntaxat canones, qui et vulgò sub ejus nomine leguntur, editos fuisse: rejectis ut suppositiis 80 canonibus Arabicis à Turriano editis; et ab Abrahamo Ecchelenfi Maronitâ synodi Nicænæ vindicatis; quos per errorem et ipsi Romani correctores pro veris agnoverunt in notis ad can. 12. dist. 16.*” Dr. Grier says, in his valuable epitome, the number of the Nicene Canons never exceeded twenty;

Epitome of CC. p. 45.

although Turrian enumerates no fewer than eighty.

papa verò, id est, archipresbyter quoque honoretur in absentia episcopi tanquam episcopus, quia est loco ejus, et caput sacerdotum, qui sub potestate ejus sunt in ecclesia &c.”

SS. CC. Tom. II. col. 318. et CC. Illustr. Tom. II. p. 339.

In accordance with the above authorities, Jablonski assigns the origin of the order to the fourth century, and so also Mosheim. See the former's *Institutiones Historiæ Christianæ*, Tom. I. p. 99, and the latter's *Ecclesiastical History*, Vol. I. p. 357. Maclaine's *Translation*.

At all events, we have evidence of the use of the title in question many centuries before that of Decanus—“decem presbyteris prælatus;”—for the latter is not found, in application to *spiritual* church-governors, till the reign of Charlemagne, in a constitution of which supposed date it will be presently mentioned, and in a rule of Hincmar's *capitula* addressed to his archdeacons, (*A. D.* DCCCLXXVIII):—and subsequently to the former, but antecedently to the latter date, in the *Decreta* of Pope Eugene II., the sixth canon of which enacts¹, “Nullus in Decanum vel archidiaconum, nisi diaconus vel presbyter, ordinetur. Qui si ordinari contempserint, honore suscepto priventur.”

Honorii Gemm. Animæ, c. 182. de Sacerdotibus.

Hincmari Opera, Tom. I. p. 738.

SS. CC. Tom. IX. col. 640.

The author of the treatise *de Beneficiis Ecclesiasticis*, published at Paris in 1734, is mistaken, when he affirms (*Vol.* I. p. 85) that the title of Decanus is seen for the first time in the council of Clermont, can. 3. (*A. D.* Mxcv.)

(¹) The SS. CC. *sparfim* repeat this canon; and a council of Saumur, held under the archbishop of Tours (*A. D.* MCLIII), enforces it in the case of Deans rural by name. “Can. v. *De archidiaconis, archipresbyteris, et decanis ruralibus ad ordines promovendis.*” See Van Espen *de ætate et qualitate beneficiandorum, in Jur. Eccles. Univ.* P. II. Tit. XIX. cap. I. pp. 463, seqq.

SS. CC. Tom. XIV. col. 138.

In the age of Charlemagne it first appears: and we look in vain for it in church-records of earlier date.

Lib. VI. c. XIV.
p. 464.

SS. CC. Tom. VI.
col. 1487.

Ejusd. col. 1598.

Reginon. de
Discipl. Ecclef.
L. II. art. 69.

SS. CC. Tom.
VII. col. 406.

Molan. de Ca-
nonicis, L. II.
c. VI. p. 149.

SS. CC. Tom. IX.
col. 28. 601.

Not that I am ignorant that the title δεκάδαρχος (*decanus*) occurs in the Ecclesiastical History of Evagrius in the *sixth* century, Σιττας δέ τις τῶν ἐν Μαρτυροπόλει δεκαδάρχων, κ.τ.λ.: nor that we have “*Petrus in Christi nomine decanus &c.*”, as the last of the subscriptions to the fifth council of Toledo (*A.D.* DCXXXVI). The former example has nothing to do with church-economy; and, as to the latter, I am inclined to think that the marginal reading of “*diaconus*” should be substituted; and I would extend the same emendation to the signature of “*Clemens decanus &c.*”, subscribed to the seventh council of the same place (*A.D.* DCXLVI).

To the council of Rouen in France I have elsewhere referred for the title, as borne by *laical* persons, connected with the church-police of that country, not dissimilar to our modern church-reeves, guardians, or wardens (circiter *A.D.* DCL): “*Can. xv. ut decani in civitatibus et in vicis publicis viri veraces et DEUM timentes constituentur &c.*” And I here add St. Jerome, *Epist.* XXII. (*A.D.* cccc); St. Augustin. *de Mor. Eccl.* L. I. c. XXXI. (*A.D.* cccc); Cassian. *de Inst. Mon.* L. IV. c. VII. (*A.D.* ccccXL); St. Benedict (*A.D.* dxx); and the *capitula* of Charlemagne, *de decanis et præpositis &c.* (*A.D.* DCCLXXXIX); for early instances of its use in monastic polity.

SECTION II.

Archipresbyter—DIFFERENT KINDS OF Archpresbyters.



WITHOUT entering into the question, whether the Archipresbyter (“*summus presbyter*,” Honorii *G. A.* cap. LXXXII. *de Sacerdotibus*, “the *Head-presbyter*,” Gibson *Cod. I. E. A.* Tit. VIII. cap. II.) was necessarily the senior presbyter,—seniority in those pristine days being dependent on πρωτοκλησία, and not προγενεσία, priority of ordination, and not of birth, when found disunited¹,—or at what time such a custom, seemingly long dominant in the western church, (though Boehmer is inclined to doubt its having

Salmastius *de Primatu papæ*, pp. 8, 9.
Thomassin, *V. et N. E. D. de B.* Pars I. L. II. c. III. Tom. I. pp. 221, 222.

(¹) A very early council of Rheims enacts (*A. D.* DCXXX.) Can. XIX. *SS. CC.* Tom. VI. col. 1435.
“*Ut in parochiis nullus laicorum archipresbyter præponatur: sed qui senior in ipsis esse debet, clericus ordinetur.* From which it would appear that laics had been in the habit of usurping this title,—some civil power, perhaps, being attached to it: at least, the words “*Qui senior in ipsis esse debet*,” would rather indicate it. “*Vox enim illa senior jam tum dominum significabat*,” says Thomassin. Tom. I. p. 224. And such seems to be the interpretation put upon this canon by the author of a modern work “*de Christianæ ecclesiæ primæ, mediæ, et novissimæ ætatis politiâ*,” who writes “*cum sæc. VI. ineunte illis (archipresbyteris) demandari cœpisset cura tum parœciarum urbis, tum ruralium, paulatim eorum potestas patere cœpit, eo ut ab ipsis optimatibus munus illud summoperè optari, ac quandoque usurpari cœperit, præsertim in Galliis.*”

Alexii Aurelii *Pellicia*, L. I. Sect. II. p. 143.

ever prevailed, *Jur. Eccl. Protestant. L. I. T. XXIV. §. XLIX.*) yielded to the higher claims and more just pretensions of personal merit¹, which had early obtained the preference and headship in the east;—it will suffice for the purposes of our present inquiry, that archpriests, to what cause soever owing their primary advancement, were, in the sixth century², of two kinds,—cathedral or urban, and vicar or rural,—and have so continued to the present day.

De Sacris Ecclesie Ministris, ac Beneficiis, L. I. c. VIII.

“*Urbanis dicuntur,*” in the words of Duarenus, “*qui in urbe et in majore ecclesia officio suo funguntur. Cum enim episcopus propter absentiam fortè vel occupationes suas, non possit omnia episcopi munia vel solus, vel unà cum presbyteris obire, sed curas suas cum eis partiri necesse habeat; utilius visum est ex presbyteris unum cæteris præponere, qui ea quæ ad presbyterorum officium pertinent, partim ipse exequatur, partim aliis facienda præscribat; quàm omnibus simul presbyteris id committere, ne contentio aliqua inter ipsos ex communi administrationis oriretur — . . Archipresbyteri vicari nullam*

Observations on the first Apost. Canon. p. 5. Theol. Eccl. Tom. II. col. 825.

De Syned. Veter. Ebraeor. L. I. c. XIV. col. 1120. fol. edit.

Annotat. ad Socrat. H. E. L. VI. c. IX. sec. v. p. 323.

Richard. Analysis CC. Gen. et Part. Tom. III. p. 36.

“Presbyters were so called,” says Bishop Burnet, “not from their age, as they were men, but from the age of their Christianity.” “*Nomen est non ætatis*” (scil. *πρεσβύτερος*) in Suicer’s words, “*sed officii et dignitatis.*” It is a remark of the learned Selden, in explanation of the titles of *seniores, presbyteri, &c.*, that the same latitude was extended to these terms when used in lay-polity; “*apud Anglos antiquitus vocabantur eldersmen seu aldermen, quasi seniores, non propter senectutem, cum quidam adolescentes essent, sed propter sapientiam.*”

(¹) “*Archipresbyter,*” says Valesius, “*nomen honoris est, non vetustatis. Episcopi enim ex presbyterorum collegio eos quos vellent archipresbyteros eligebant, ut docet Liberatus in Breviario, cap. XIV.*”

(²) “*Sexto circiter sæculo, distincta fuere archipresbyterorum genera duo, ut alius archipresbyter urbanus esset, ruralis alius.*”

in urbe potestatem, nullum ministerium habent, sed in majoribus celebrioribusque pagis constituuntur. Ac singulis, præter ecclesiæ propriæ curationem, certarum ecclesiarum, certorumque presbyterorum, qui videlicet per minores titulos habitant, inspectio, observatioque committitur.” See also Morin. *de Sacris Ordinationibus* Pars III. Exercit. XVI. cap. II. 2, 3. p. 215. Boëhmer. *Jus Ecclesiast. Protestant.* Tom. I. L. I. Tit. XXIV. pp. 582-3. and Morifan. *de Protopapâ* cap. VII. p. 104. where the twofold distinction is extended to the Greek as well as the Latin church:—“*quemadmodum in occidentali ecclesiâ archipresbyterorum duo genera erant, quorum alii quidem, quos urbanos dicebant, cathedralibus ecclesiis incardinati essent; alii verò, quos rurales, rusticos, forenses, paganos, bicanos cognominabant, pagorum presbyteris, post sublatum præsertim usum chorepiscoporum, ita mandato episcopi præessent, ut plebis capita, parochique constituerentur: haud secùs in ecclesiâ Græcâ, præter cathedralium protopapas, seu primos post episcopum in ecclesiâ cathedrali presbyteros, innumeri occurrunt locorum protopapæ, et plebium curiones.”*

Diatriba de Protopapâ cap. VII. I. p. 104.
 πρωτοπαπᾶς
 Curio. Ducang.
 in *Gloss. med. Græc.*

The distinction, here made, is the popular one, generally received; but Bishop Kennett's is somewhat different;—though he refers to Duarenus as his authority. Severing altogether the cathedral archipresbyteri from the deans rural of his interesting episode, the parochial antiquary says of the latter, “These deans were constituted over a certain number of churches within a large city, and were then called *decani urbani* and *bicani*; or else over the like extent of country churches, and were then strictly called *decani rurales*.” Gibson, too, applies *urbani* in the same limited sense, to the exclusion

Parochial Antiquities, Vol. II. p. 339.

Cod. I. E. A.
 Tit. XLII. c. VIII

of cathedral deans, but *bicaní* he uses as a synonyme of *rurales*¹.

Upon this view, the reader will perceive that urban and *bican* deans were merely rural deans², set over

Van Espen *Jur. Eccles. Univ.*
P. I. Tit. XII.
cap. 11. p. 58.

(¹) A farther distinction between cathedral or urban deans, and deans-rural or *Decani Christianitatis*, is derived from the superior rank of the former—" *Archipresbyteri rurales nullam dignitatem, sed merum officium habere censentur; ac in omnibus suis functionibus ab instructionibus episcoporum dependent; archipresbyteratus vero cathedralis vera est dignitas; muniaque de jure vel consuetudine annexa, jure dignitatis, id est, jure ordinario sicuti archidiaconi habent; ideòque nec pro arbitrio episcoporum tolli aut diminui possint.*"

In *Les Loix Ecclésiastiques de France*, we find the following particularities of duty specified as belonging to the *archiprêtres* of the Gallican church.

Les Loix Eccles. de France &c.
par M. Louis De
Hericourt.
Analyse, p. 73.

"Titre XXIV. De l'office de l'archiprêtre. Dans le septième et dans le neuvième siècles, les fonctions de l'archiprêtre de l'église cathédrale étoient de veiller sur tous les curés de la ville, qu'on appelloit alors cardinaux; de leur faire observer les ordonnances de l'évêque; d'offrir le saint sacrifice en l'absence de l'évêque aux jours solennels; d'entendre la confession de tous les prêtres, et de leur imposer des pénitences. (Il y a encore des archiprêtres dans quelques églises cathédrales, qui font l'office, à certains jours, en l'absence de l'évêque; mais qui n'ont aucune juridiction sur les curés de la ville épiscopale: on voit encore dans d'autres diocèses des curés qui ont le titre d'archiprêtres de la ville, auxquels cette qualité ne donne que quelques marques de distinction, sans aucune juridiction sur leurs confrères. L'archiprêtre de la ville étoit soumis à l'archidiacre.)

"Les archiprêtres de la campagne, qu'on appelle communément *doyens ruraux*, doivent veiller non-seulement sur les peuples, mais encore sur la conduite des curés qui sont dans l'étendue du *doynne*; faire observer exactement la discipline ecclésiastique, et rendre un compte fidèle à l'évêque de tout ce qui se passe."

Antiq. of Canterbury, P. 1.
p. 175.

(²) So Somner understands and applies the title:—" It remains that I speak somewhat of the *Dean*, an ecclesiastical officer set to over-see a certain number of parishes, amongst which are those of our *city*, and a necessary member in the ecclesiastical or spiritual government of the same. We call him a *rural dean*."

parochial churches and their incumbents, *in urbe* or *in vico*, distinct from cathedral deans, whose presidency was only over persons. But I prefer the popular notion of Bishop Atterbury (no very high authority in these matters) because it is supported by the *Summa Silvestrina* fol. xxxix. (which makes the “archipresbyter civitatis” the same as “*A. ecclesiæ cathedralis, qui alio nomine dicitur decanus,*”) and by such learned canonists as Cardinal Hostiensis, Panormitan, Lyndwood, Augustin Barbofa, Ferro Manrique, Galzanetti, Van Espen, Molanus, and others, as well as the above cited author *de Sacris Ecclesiæ Ministeriis ac Beneficiis*.

Archidiaconal Charge to the Clergy of Totnefs, 1708.

To quote only a few:—“*Est autem duplex archipresbyter,*” writes Augustin Barbofa, “*unus urbanus, et alius ruralis seu foraneus: urbanus est qui in urbe degens dignitati præest cathedrali, vel collegiatâ ecclesiâ; ruralis verò, vel foraneus, qui ruri ecclesiæ præest parochiali, seu plebanæ et hic propriè videtur dici decanus . . . non quòd necessariò decem præesse debeat, sed quia factâ translatione à perfectione denarii numeri decanus solet appellari omnis ille, qui alicujus ordinis primus, et præcipuus est.*” *De Archipresbytero cap. vi. (Lugduni MDCXXXIV.)*

Augustini Barbofæ de Canonici et Dignitatibus cap. vi. p. 64.

“*Archipresbyteri sunt in duplici differentiâ,*” says Ferro Manrique, “*alii namque dicuntur civitatisenses . . . alii autem rurales, seu plebani archipresbyter ruralis seu plebanus sollicitudinem plebanæ suæ, tam in rusticos, quàm sacerdotes in divinis et vitæ circumspeditione gerant.*”

D. M. F. Manrique de Præcedentiis et Prælationibus Ecclesiasticis, Quæst. vi. p. 36. 1.

See Panormitan. Tom. II. p. 73; Hostiensis Tom. I. fol. cxix.; Galzanettus *de Jure publico*, L. III. Tit. xxii.; *de Archipresbyteris et Decanis*, pp. 230, 231; Van Espen *I. E. U.*, Part I. Tit. vi. *de Decanis Christianitatis*, p. 29.; et Tit. xii. cap. ii. p. 58.; Joannes de Deo *Pœnitential*.

Molan. *de Canonis*, L. II. c. VIII. p. 157.

cap. XI. Molanus, having noticed the archipresbyteri cibitatenses, subjoins "*reliqui verò pastores pastorum usitatè dici solent decani rurales, vel decani Christianitatis: sed hodiè archipresbyteri suarum regionum dici malunt.*"

Ley's *Defensive Doubts &c.* p. 44.

"To speake in the phrase of the present age," says the scrupulous pastor of Great Budworth, "the urban we may call cathedrall deans; the bican, deanes rurall." See also Downame's *Defence of his Consecration Sermon*, L. I. chap. 8. p. 188-9. and, for the fourfold division of deans according to the Ecclesiastical Law of England, see Burn's *E. L.* Vol. II. p. 75. **D**eans and **C**hapters.

Decret. Pars I. Distinct. XXV. de Ecclef. Offic.

From these brief, but sufficient definitions and explanations of archipresbyteral duties, the reader will understand, IN LIMINE, their distinction, nature, and character: though our present business is only with the titles of the office, not with its duties. Of the first here defined, the urban or cathedral archpriest—his origin and office—it is foreign to my purpose to say any thing, otherwise than as sharing, with his more humble namesake, the title of archipresbyter and decanus, or assimilating, in some of his functions, with his bican representative. His particular duties in the primitive church, localized in an episcopal city, we learn from a letter of Isidore¹, bishop of Seville, to Ludifred, bishop of Corduba, (*A. D.* DXCV.)—incorporated in the canons of the council of Toledo, (*A. D.* DCXXXIII.)—from a decretal of Pope Leo IV. (*A. D.* DCCCL.), and

(¹) Gratian refers to Isidore and the council of Toledo as his authorities; but I find no such passage in the letter of the bishop of Seville, nor in any council of Toledo. There is no notice whatever of the archpresbyter in the letter to the bishop of Corduba, published in the *SS. CC.* Tom. VII. col. 434, seqq. See Baluzii *Notæ ad Gratianum*, D. 25. c. 1., *ad calcem* Antonii Augustini *Dialog. &c.* Lib. II. p. 455.

other later sources¹:—and those of the bican or rural archpriest, exercised “*per minores titulos*,” over the clergy distributed amongst the country churches, we learn from a canon of the council of Pavia, (A.D. DCCCL.)—recited *αὐτολεξεῖ*, and confirmed by a council of Rome, otherwise called of Ravenna, (A.D. DCCCIV.)—of which more anon.

Decretal. Gregor. IX., l. 1. T. XXIV. de Offic. Archipresb.

Cann. Conc. Anonymi SS. CC. Tom. XI. col. 706.

Nearly three centuries before the council of Pavia, bican archpresbyters are recorded in the nineteenth canon of the council of Tours, (A.D. DLXVII.)—the earliest notice², perhaps, of these functionaries extant: for they are certainly not so ancient as cathedral deans; inasmuch as fixed parish priests were of much later institution than the college of presbyters, and consequently

SS. CC. Tom. VI. col. 539.

(¹) See *De officio Decani CC. M. B. et H. Tom. I. pp. 497—499.* and more fully pp. 535 and 741—for the duties of the cathedral dean in England. The latter references state the usages of the churches of Lincoln and Sarum, the former those of Lichfield. —For continental usages, see Boëhmer. *Jus Eccles. Protest.* Lib. I. Tit. XXIV. § L. and Corvin. *de person. et benefic. eccles.* Lib. I. Tit. XX. n. 6. The *Registrum Sancti Osmundi*, a valuable MS. lately transcribed, under the auspices, and at the cost, of Bishop Burghes of Sarum, is full on the subject of the cathedral dean's duties. See fol. 1, 2, 3, 4.

(²) The *tituli* were the smaller churches; so called from this circumstance, that the presbyters, who officiated in them, were called by the names of the places where they were erected, i.e. received titles, which fixed them to those particular cures.

Mosheim's E. H., Cent. IV. P. II. p. 394. Vol. I. note 9.

(³) Whether the following canon of the second council of Bracara, the metropolis of Gallicia, (A.D. DLXIII.) refer to urban or bican archpriests, or both, I leave to the reader to determine;—probably to the former only:—“VI. *Item placuit, ut de rebus ecclesiasticis tres æquæ fiant portiones; id est, episcopi una, alia clericorum, tertia in reparatione vel in luminariis ecclesiæ: de quâ parte sive archipresbyter, sive archidiaconus, illam administrans, episcopo faciat rationem.*”

SS. CC. Tom. VI. col. 521.

Mirac. L. I. c. 78.
 L. II. c. 22.
De Glor. Confess.
 c. 5.
Vit. Pat. c. 9.

the rulers of the former, than those of the latter. However, that archpresbyters were distributed in rural districts in the sixth century, is clear from the writings of Gregory, bishop of Tours, who died before its close¹. We there find the following notices of them. “Archipresbyter parochiæ Nemausensis, &c.” “Archipresbyter qui tunc locum illum regebat, &c.” “Cum archipresbyter loci Eulalius clericos convivii invitasset, Edatius verò alius presbyter viduis ac pauperibus reliquis edulium præpararet, &c.” “Archipresbyter Mereensis vici, &c.” All which passages seem to indicate that archpriests were localized in country parishes, and invested with a general superintendence of others adjoining, in addition to their own personal cures, or, at least, with parochial rule and governance of other presbyters, in the sixth century.

(¹) Gregory, bishop of Tours, or, as he is often called, Georgius Florentius Gregorius, was born at Auvergne, about the year DXLIV., and died at Rome in the year DXCV.

SECTION III.

Decanus—THE IDENTITY OF Deans Rural AND Archpresbyters Rural.

THE title of Decanus or Dean (for the primary signification of which, *see* Suicer's *Glossar. Archæolog.* p. 164. *Theſaurus Eccleſiaſticus*, in voce Δεκανός, Tom. I. col. 834.), whether applied to ſecular or eccleſiaſtical office, has its origin in a preſidency over *ten*, either perſons or places. “ΔΕΚΑΝΟΣ à δεκάς,” according to Sir Henry Spelman, “*in militia dictus eſt, qui decem præfuit militibus; in monaſteriis, decem monachis; in eccleſiâ majori, decem præbendis; in epiſcopatûs diviſione, decem clericis ſeu parochiis; in centuriæ ſive hundredi diſtinctione, decanîæ ſuæ ſodalibus.*”

The dean rural, with whom alone, of the many¹ here defined, we have any concern, was ſo called becauſe he uſually had charge over *ten* country pariſhes and their clergy²:—“*dicuntur decanî,*” ſays Lyndwood, “*eò quòd*

(¹) The reader will be amused, and perhaps edified, with Ley's description of the different ſorts of Deans (if he chance to poſſeſs the book) in “*Defenſive Doubts, Hopes and Reaſons, for Refuſall of the Oath, impoſed by the ſixth canon of the late ſynod.*” London, 1641. pp. 44, ſeqq. “*Fiſt of Deanes,*” ſays the paſtor of Great Budworth in Cheſhire—“*The doubt is, What Deanes are here meant—The reaſon, Becauſe in the whole canon law there is no title of the degree of a deane (ſaith Azorius) &c. &c.*”

(²) But the ſame latitude obtained in *rural* as in *urban* appointments, in reſpect of numbers: for “*nothing more common,*” in Fuller's words, “*than*

Gibſon Codex I.E.A. Tit. XLII. cap. VIII. p. 971.

Gloſſar. Archæolog. p. 164.

Provincial. l. 1. Tit. 2. p. 15. gl. in v. Decanob ruralc8.

History of Waltham Abbey, p. 6.

decem clericis (rektoribus ecclesiarum, Spelman. Glossar. Archæol. in voce) sive parochiis præsent, secundum Papiam."

Regin. I. l. 1.
p. 291.
Burchard. I. XIX.
c. XXVI. p. 205.
Gratian. I. Dis.
L. c. LXIV. p. 71.

Thomassin. V. et
N. E. D. de B.
Part II. l. 1.
c. v. Tom. I.
p. 225.

The identity of the office of the latter and of the country archpriests is clearly proved from the ancient *constitution*—heretofore erroneously attributed to the council of Agatha (*A.D.* DVI.), and by Reginon, Burchard, and Gratian, admitted into their several compilations, as one of its canons—wherein these functionaries are enjoined under both titles, identified with each other, to attend at the church-door on penitential service at the commencement of Lent. The words of this *constitution* (which, as not being found in any of the *canons* of that council now extant, I have, on competent authority, already ventured to appropriate to the time of Charles the Great—with the church-discipline and titles of which period it harmonizes well, while it is at variance with those of the earlier date alluded to,) are these:—
“ *Ubi adesse debent decani¹, id est, archipresbyteri parochiarum, cum testibus, id est, presbyteris pœnitentium, qui*

“ than to wean terms from their infant and original sense, and by custom to extend them to a larger signification; as *dean* afterwards plainly denoted a superiour over others, whether fewer than ten, as the *six* prebendaries of Rochester; or more, as the *three-and-thirty* of Salisbury.” See also Dr. Nicholls’s comment in *Mant’s Prayer Book*, Introduction, p. xviii. in v. “*every dean*;” and Augustin Barbosa *de Canon. et Dignitat.* c. vi. p. 64. before quoted.

Downame’s *De-
fence of his Con-
secration Ser-
mon*, L. I. chap.
viii. p. 189.

(¹) “As the archipresbyteri in latter times were called *decani*,” says Dr. Downame, “urban or cathedral deans, so the presbyters of the citie (πρεσβύτεροι τῆς πόλεως—*conc. Neocæsar.* c. 13. *civitatenses presbyteri—conc. Agath.* c. 22.) were in proceſſe of time called *canonici* and *prebendarii*, and the company of them, which had beene called *presbyterium*, was termed *capitulum*, in English *chapter*.”

eorum conversationem diligentè inspicere debent &c." Their sameness is farther established by a passage in the capitulary of Toulouse (A.D. DCCCXLIII.), under Charles the Bald, which speaks of the archpriests as actually constituted in their deanries—cap. III. "*Statuant episcopi loca convenientia per decanias, sicut constituti sunt archipresbyteri &c.*"—by a canon of the synod of Treves (A.D. DCCCCXLVIII.), cited, with the latter to the same effect, by Father Rouvière, in his *History of St. John's Monastery at Rheims*—"Archipresbyteri, qui et decani rurales appellantur &c."—by the council of Clermont (A.D. MXCV.), "*ut nullus sit archipresbyter, quod alicubi dicitur decanus &c.*"—by the councils of Tours (A.D. MCLXIII.), and of Rome (A.D. MCLXXIX.), "*Decani quidam vel archipresbyteri ad agendas vices episcoporum &c.*"—by a rescript of Pope Innocent III. (A.D. MCCXIV.)—"Archipresbyteri, qui à pluribus decani nuncupantur &c."—by a second council of Treves (A.D. MCCCX.)—"Decani rurales seu forenses archipresbyteri &c."—and lastly, by a constitution of Pope Benedict XII. (A.D. MCCCXXXV.), "*Decanis ruralibus duntaxat exceptis, qui in aliquibus regionibus archipresbyteri nominantur.*"

Karoli Calvi et
successorum ca-
pitula. v. c. III.

P. Roverii Reo-
maus &c. p. 629.

SS. CC. Tom.
XII. col. 830.
can. III.

SS. CC. Tom.
XIII. col. 304.
can. VII. col.
470. capit. I.

Decretal. Gre-
gor. IX. l. 1.
T. XXIII. c. VII.

Thef. Anecd.
T. IV. col. 245.

Spelman. Concil.
Vol. II. p. 504.
SS. CC. Tom.
XV. col. 424.

Upon these many averments, we may, assuredly, conclude the identity of the archipresbyteral and decanal charges:—upon which point, indeed, I should have been less full and particular¹, had not Mr. Johnson, the learned and laborious translator of our *Ecclesiastic*

(¹) As nearly all the evidence to be hereafter adduced respecting the duties of these ecclesiastics is cited upon a full conviction that their office was the same under either title, it seemed important to establish the fact of identity upon incontrovertible grounds.

*Eccl. Laws &c.
Addenda,
A.D. MLXIV.*

*CC. M. B. et H.
Vol. I. p. 547.
Vol. II. p. 393.
and p. 465.
Whitaker's *Hist.
of Manchester*,
Vol. II. p. 380.*

*Glossar. ad
Scriptor. X.
Ducang. in voce.
Politia Eccl.
Angl. c. I. p. 3.
& c. IX. p. 88.*

*Descript. I. E.
P. I. sec. III.
Cofin. Tab. XII.*

Laws, controverted it in his notes upon the Saxon institutes.—“Very egregious mistakes,” says the vicar of Cranbrook, “have been committed by a famous antiquarian in relation to these officers called rural deans. He supposes them to have been the same with the arch-presbyters of the seventh and eighth century; which may be confuted by looking into the *Decretal*, L. I. Tit. xxiv. xxv.” But the reader will acknowledge that Bishop White Kennett, to whose able work on *Parochial Antiquities* Mr. Johnson alludes, might adduce strong evidence for his assertion, in the cases of continental church-policies already referred to; and, were the issue yet dubious, in consequence of foreign examples being inadmissible, might accumulate on them our insular *constitutions*—the archpriests of Ireland being therein said to be the presidents of the rural deanries in MCCXVI; and archpriests or deans being expressly mentioned in a *Bull* of Pope John XXII. to the clergy of England in MCCCXVII; and in the *Process* of Grenefeld, archbishop of York, during the years MCCCX and MCCCXI; and yet farther might he support his view by the united functions of Somner, Ducange, Dr. Mocket, and Dr. Zouch:—“*Quem recentiores decanum ruralem*,” says the antiquarian of Canterbury, “*et exteri archipresbyterum bitanum, antiquiores Angli decanum Christianitatis vocarunt*.” “—*decantibus præficiuntur rurales decani*,”—Dr. Mocket remarks, “*antiquis archipresbyteris non multum dissimiles* :”—and again less qualifiedly, “*decani rurales veteris ecclesiæ chor-episcopis et archipresbyteris regionariis haud dissimiles* :”—and Dr. Zouch, “*Sub archidiaconis constituuntur decani rurales, qui olim archipresbyteri rurales dicebantur*.”—Need I add the asseveration of Mr. Whitaker, the Historian of

Manchester, that “the rural dean is *the same* ecclesiastical officer as the archpresbyter or archpriest?” or the much earlier opinions of Spelman, Rouvière, Morin, Thomassin, and others, to the same point?—Nay, Mr. Johnson himself, in his *Ancient and Present Church of England*, acknowledges that “archpresbyters and rural deans are *much the same*.”

Part. I. c. VIII.
p. 64.

The date of this change of name may be fixed, on the authority of the first-cited constitution, about the close of the eighth or the commencement of the ninth century; and the inducement to it, the division of dioceses at that time into decennaries or deanries; over which archpriests, previously existent as subordinate, vicarious church-governors, were *then* placed with the new title of deans, in accordance with the prevalent civil polity of the time, and invested with vastly augmented jurisdiction, in consequence of the decay and abolition of chorepiscopi. “Archpresbyteri dicti videntur decani,” says Morin, “*eo quod antiquitus dioceses erant per decanias divisæ¹, quibus præerant archpresbyteri.*” (Ex Capit. Caroli Calvi c. 3.

Van Espen *Jur. Eccl. Univ.* P. I. Tit. vi. cap. i. p. 29.

See Spelman, *Gloss. Archæol.* in v. decanatus, p. 166.

De Sacris Ordinat. P. III. Exercit. xvi. c. II.

(¹) “Dioceses have been subdivided into inferior precincts,” says Nathaniel Bacon, “called deanries or decanaries, the chief of which was wont to be a presbyter of the highest note, called decanus, or archpresbyter. The name whereof was taken from that precinct of the laypower, called decennaries, having ten presbyters under his visit, even as the decenners under their chief.”

Historical and Political Discourse &c. chap. XII. p. 23.

“*Aucta diocesi episcoporum,*” says Boëhmer, “*hanc in plures decanatus distribuerunt et singulis decanatus seu archpresbyterum præfecerunt, quem archpresbyterum ruralem dixere, qui presbyterorum ruralium curam habebant.*” See Van Espen *J. E. U.* Part I. Tit. VI. cap. I. p. 29: wherefore, by Pierre Rouvière the decanate of Oscar is called decania archpresbyteralis—an archpriest being the ecclesiastical governor of the deanry.

Jus Ecclesiast. Protestant. L. I. Tit. XXV. sec. XLIX.

Reomaus p. 629.

Cave's *Primitive Christianity*,
P. I. c. 8. p. 222.

Ducangii
Glossar. in voce.

Thomassin. *V. et N. E. D.* Tom. I.
Part II. L. I. c. V.

Stat. Synod. Dioc. Ypres.
Tit. VII. c. I.

Reomaus &c.
p. 629.
de decania archipresbyterali,
Oscarenfis decanus.

Concil. Galliae Tom. III.) And very reasonable, indeed, it was, that the bishop (who was, "according to the notation of his name, σκοπός, a watchman and sentinel, and therefore obliged ἐπισκοπεῖν, diligently and carefully to inspect and observe, to superintend and provide for, those that were under his charge,") should take advantage of new civil divisions of his παροικία, for the purpose of meting out to certain deputies, already constituted in the church, well-defined districts of supervision. For being unable to inspect personally all his widely-scattered congregations, after the multiplying of country churches; and archipresbyterates ("districtus archipresbyteri ruralis") being, like the elder chorepiscopates, ecclesiastical territories of indistinct limitation, (indeed we know nothing about them beyond this—that their extent was settled, and the capital of each appointed by the absolute authority of the bishop; a particular church in every district being exalted into a pre-eminence over the rest, and the rector of the one made the superintendant of the others) he would gladly, for the better ordering¹ of his diocese, merge the uncertainty of the spiritual in the certainty of the secular distribution, the archipresbyterate² in the decanate, and

(¹) "*Utilitèr in omnibus episcopatibus,*" says the bishop of Ypres in Flanders, "*recepta est cujusque diœcesis in decanatus partitio &c.*" On the score of conveniency alone, as far as I can see, is the division of dioceses into deanries preserved in our ecclesiastical books, in modern days, where the dean exists not. For regulating the attendance of the clergy on the different synodal visitations of the bishop and his archdeacons, the district is still useful; but would be far more so, if it had its local ordinary.

(²) "*Vetus fuit harum decanatarum institutio,*" observes Pierre Rouvière, "*reique ecclesiastica in agris opportunissima. Cum enim ad presbyteros*

the title of archpriest in that of dean-rural; and, therefore, Thomassin uses the terms archipresbyteratus and decanatus as equally signifying these ecclesiastical divisions of the diocese.

On this subject of the analogy of secular and ecclesiastical office, here briefly alluded to, in the ninth century, Walafred Strabo has written at large, in his *Comparatio Ecclesiasticorum Ordinum et Secularium*; and, more to the point of our inquiry, Bishop Kennett in his *Parochial Antiquities*; as the next division of our subject, on the origin of the decanal office of the country, will shew.

De Exordiis et Incrementis Rerum Ecclesiasticarum cap. 31.

presbyteros rure degentes extendere se continuo non possent episcoporum aut archidiaconorum vigilantia, collocati fuere per intervalla, in quibusdam quasi excubiis presbyterorum aliqui decani, vel archipresbyteri vocati, ut ceterorum presbyterorum ac plebis moribus, vice episcopi aut archidiaconi invigilarent."

"The craft of the prelates," says Nathaniel Bacon of our Saxon bishops, "was to distribute their spiritual offices through the kingdom, so as to influence and direct every part of the temporal government, and to actuate the whole for the church's good. Thus every temporal officer had a spiritual concomitant."

Historical and Political Discourse &c. Part I. c. XII. p. 23.

Horæ Decanicae Rurales.

PART II.

The Origin of the Office.

SECTION I.

THE ORIGIN OF Deans Rural IN GENERAL.—Chorepiscopi.

A Humble Proposal for Parochial Reformation &c. chap. VII. p. 30.



WHEN, where, and by whom, rural archpriests or deans were at first instituted, we in vain endeavour to learn, in the silence of ecclesiastical history relative to their primary establishment. Our knowledge of them is derived, not from the records of their institution, but from their names and acts mentioned in the tomes of the councils, and other church-authorities of high antiquity. These exhibit them in settled power and influence, exercising their ministerial functions in aid of the diocesan bishop, wherever the calls of parochial visitation required additional superintendants, delegate representatives of the supreme *ἐπίσκοπος*, for satisfying spiritual wants, and supporting local discipline in new Christian communities.

*Van Espen
I. E. U. P. I. Tit.
VI. cap. 1. p. 29.*

The date of their first appearance in the western church, as far as it *can* be ascertained, has been incidentally stated under the former division of our subject. The circumstances, likewise, under which both urban

and rural deans are supposed by Duaren to have arisen in the church, have been briefly delivered in the definitions of their respective duties, cited from that eminent canonist's treatise *De Beneficiis* &c. Of the origin of the cathedral dean I purpose to say no more. Of the dean-rural's institution in particular, Morin thus reasonably expresses himself, having just before suggested the probable origin of the urban functionary—“*Pullulante ecclesiâ, et radices, palmitiesque per agros et vicos diffundente, archipresbyteris opus fuit, qui non modò presbyterorum urbicorum, sed etiam rusticorum curam gererent. Satis tum non fuit aliquem presbyterum honore et concessu aliis præferri. Necessè fuit unum cæteris præfici, et sollicitudinem episcopalem cum autoritate sublevare. Multiplicatis enim per varias diœcesis parœcias presbyteris, difficile fuit episcopis solis tot presbyterorum et parœciarum sollicitudinem habere. Itaque unum cæteris præposuerunt, qui iis invigilaret, leviora quæque corrigeret, et de difficilioribus ad episcopum referret.*”

Morin. de Sac.
Ordinat. P. III.
Exercit. XVI.
c. II. p. 215. III.

To this learned writer, we readily grant the reasonableness of his view of the origin of the archipresbyteral economy in the abstract, and its excellent adaptation to the purposes mentioned—the spiritual surveillance, under the bishop, and in his name, over rural presbyters and their flocks. Still the office appears not, till some centuries after Christianity had extended itself from urban to rural districts, and the bishop's increased labours had long needed helpmates in the latter quarters. How, then, was the ecclesiastical discipline of the country in the mean while supported, and the affairs of the more distant parts of the diocese looked after, before the institution of deans rural, and while as yet the arch-

See Morin. de
Sacris Ordinat.
P. III. Exerc. IV.
c. I. p. 42. IX.

deacons had no relation to the diocese, but only to the episcopal fee? (Gibson *C. I. E. A.* Tit. XLII.) Were there any episcopal substitutes of earlier days, from whose delegate capacity our rural archpresbyters may be supposed to have derived, in any degree, the type and character of their vicarage?

Dark as is the history of the *decanal* office as to time and place of origin, and fruitless any attempt to elucidate it, out of the scanty church-documents bearing on its elder days, we know thus much:—archpriests or *deans* were not the first officers to whose vicarious protection under the city-bishop, the church, in her wisdom, committed the infant regiment of her rural ministers and converts. Before the date of such creation, there were “chosen out of the fittest and gravest persons,” certain episcopal deputies—*vicarii episcoporum*¹—denominated *chorepiscopi*—*τῶν χωρῶν* or *τῆς χώρας ἐπίσκοποι*—“whose business it was,” in the language of Dr. Cave, “as *subordinate* sort of bishops—country or (as amongst us they have been called) *suffragan bishops*, to superintend and inspect the churches in the country, that lay more remote from the city where the episcopal fee was, and which the bishop could not always inspect and oversee in his own person.”

Suicer. *T. E.*
χωρεπίσκοπος.

Primitive Christianity, P. 1.
p. 223.

B. I. C. V. Tom. 1.
p. 40. *Neocæsar.* can. LVIII.
p. 45. *Antioch.*
can. LXXXVII.
—LXXXIX.
Routh's Reliq.
Sacr. V. 111.
p. 461. *Conc.*
Neocæsar.
can. XIII.
Ducang. Gloss.
in voce Ἐθου-
ἐπίκοπος.

Of these *villan bishops* and *vican* or rural priests—*χωρεπίσκοποι*, *that is*, and *πρεσβύτεροι ἐπιχώριοι* or *πρεσβύτεροι ἐν ταῖς κώμαις καὶ χώραις*—the ancient Greek councils make mention at the *same* time, as if of contempora-

(¹) “*Primitus institutos ab episcopis chorepiscopos ferè constans est sententia, ut essent eorum vicarii in vicis ac pagis, et episcopalia in iis munera minoris momenti obirent.*”

neous establishment, or, at least, co-existent in country districts;—the presbyters¹ generally distributed, one or

(¹) Dr. Maurice is of opinion that the first *fixed* presbyters were at Alexandria: and, certainly, Sozomen observes it as a singularity of that diocese, that auxiliary, or parochial churches, were in his day appropriated or committed to so many certain fixed presbyters. (*Hist. Eccl.* L. I. c. xv.)—Indeed, as early as the middle of the third century, Dionysius, bishop of Alexandria, seems to have congregated at Arsenoëta in Egypt τὸν πρεσβυτέρους καὶ διδασκάλους τῶν ἐν ταῖς κώμαις ἀδελφῶν. lib. II. *De Promis.* apud Euseb. *H. E.* VII. 24. Later in the same century there is distinct notice of a localized parochial priest in a village of Mesopotamia (*Acta Disputationis* Archelai Episcopi et Manetis Heresiarchæ—*circiter A. D.* CCLXXVIII) “. *Manes autem fugiens advenit ad quendam vicum longè ab urbe positum, qui appellabatur Diodori. Erat autem presbyter loci illius, nomine et ipse Diodorus, quietus et mitis, &c.*”—cap. XXXIX. See Bishop Wake's *Visitation Charge A. D.* MDCCIX. pp. 3, 4. and a passage cited from Euseb. *Hist. Eccles.* L. II. c. III. in note (d), p. 4.—Epiphanius, in his discourse of the Arian and Miletian heresies, (it is the remark of Dr. Maurice,) speaks of fixed presbyters as particular and singular in the church of Alexandria; while, in other churches, which had *titles* as early, the presbyters were moveable at pleasure.

At Rome, particular *titles* are not annexed to the names of presbyters till towards the end of the fifth century; when, as we now sign ourselves rectors and vicars of such a place, the Roman priests (then, probably, *fixed* in their respective cures) subscribed themselves, “*Cælius Januarius Presbyter Tituli Vestinæ, Martianus Presbyter Tituli Sanctæ Cæcilie &c.*” Whereas before, they merely signed generally, Priest of Rome &c.

It is a curious fact, let me add, and worthy of notice, as bearing upon the antiquity of *our* visitational duties, that *visiting presbyters* first appear about *A. D.* CCC, in an epistle of Peter archbishop of Alexandria; and again in an epistle of the Egyptian bishops about the same time:—*presbyteral superintendants* seeming to synchronize, in the date of their institution, with that of the parochial clergy in Egypt; over whom they presided subordinately to the urban bishops, and instead of the *chorepiscopi*, who are not there found at all.

When the example was once set of assigning “precincts to every church

Vindication of Diocesan Episcopacy, p. 65.
Routh's Reliq. Sacre, Vol. III. p. 477.

Vol. IV. p. 230.

Slater's *Original Draught* &c. in answer to Lord King, c. VIII. p. 297.

Diocesan Episcopacy, ubi supra.
Bingham's *Eccl. Antiq.* B. IX. c. VIII. note 4 & 5.

Brett's *Account of Church Government and Governours*, cap. VII. p. 170.

Routh's *Reliq. Sacre*. Vol. III. pp. 348, 382.

Eccles. Politic. B. V. 80. p. 433.

Boëhmer. *Dif-
fert. V. de Christ.
Coetibus in vicis
et agris*, p. 305.

more to each place (after they had ceased¹ to live in community with the bishop, and to itinerate at his command) through the towns and villages of the east, as Christianity extended from city to country—the *chor-episcopoi* occupying such more important sites²—*metrocomiæ* perhaps, (*matres vicorum capita inter omnes vicos*)—as were secondary only to the episcopal cities.

church or title, and appointing to each presbyter a certaine compassse whereof himselfe shoulde take charge alone, the commodiousefneffe of this invention caused all parts of Christendome to follow it, and, at length, amongst the rest, our owne churches, about the year DCXXXVI,” says Hooker, (but this is an error—ED.) “became divided in like manner. But other distinction of churches, there doth not appeare any in the Apostle’s writings save onely, according to those cities wherein they planted the gospell of Christ, and erected ecclesiasticall colledges.” See Duarenus *de Sacris Ecclesiæ Ministr. ac Benef.* L. I. c. VII. pp. 20, 21.; also Wharton’s *Defence of Pluralities*, pp. 53, 54. Parker’s *Account of Church Government for six hundred years*, pp. 136, 137. and Burnet *on the First Apostolical Canon*, pp. 33, 34.

Vade-Mecum,
Vol. II. pp. 11,
18, 19.
*Bevereg. Syno-
dic.* Vol. I. pp.
10. 19. 21.

(¹) It is fairly deduced by Mr. Johnson from the fifteenth, thirty-first, and twenty-second *Apostolical Canons*, that there were, in those early times—the nonage of the Christian institution in respect of its outward polity—no such thing as priests acting independently of their bishop at that date, viz. the latter end of the second century. The diocesan and his clergy lived together in a body, in constant communion with each other, in the city or other capital place of the diocese, then called *παροιμία*—(“A lively resemblance whereof remaineth in the *deaneries* and chapters of cathedrall churches”—says Dr. Downam). Equally certain is it, at a later period, from the thirteenth canon of the *Neocaesarean council*, held about the same time as the *Ancyran* (A.D. CCCXIV.), that there were *then* country priests and churches in places remote from the city—one step towards the division of dioceses into what we now call parishes. See Bingham’s *Eccles. Antiq.* B. v. c. VI. 4, 5. on this subject.

Vade-Mecum,
Vol. II. pp. 79, 80.

Spelmanni *Gloss.*
Archæol. in voce,
p. 410.

(²) “*In metrocomiis, non episcopi, sed ΧΩΡΕΠΙΣΚΟΠΟΙ et ΠΕΡΙ-ΟΔΕΥΤΑΙ (id est circuitores) instituti olim, ut can. 57. Concil. Laodic. can. 10. Concil. Antioch. can. 6. Concil. Sardic. Hæ vicorum matres erant*

Such, it is rational to suppose, was the distribution of the rural priesthood, with its appropriate hierarchy, in the East; where the old Greek synods recognise three distinctions of *παροικίαι*—those *ἐν αἷς ἐπίσκοποι ἐχειροτονοῦντο*—a second class denominated *ἐγχώριοι*, and a third *ἀγροικικαί*.—To adapt which, with any degree of confidence, to the different grades of the priesthood, is beyond my power. The first were the urban bishops' districts; the latter two were rural *παροικίαι*—*μικραὶ καὶ οὐ πολυπληθεῖς* (Zonar.); and the *chorepiscopus*, probably, dwelt in the larger of them—*ἐν μέσοις ἀγροῖς καὶ κώμαις*, and not *ἐν ἐσχατίαις* (“*the outfields*”—as Dr. Chalmers would say) (Aristen.), that is, in the *ἐγχώριοι*, and not in the *ἀγροικικαί*—though both were subject to his inspection, and all to the city bishop or diocesan. See Bishop Taylor's *Episcopacy Asserted*, sect. XLIII. p. 216, seqq. *Works* by Heber, Vol. VII. and Slater's *Original Draught* in answer to Lord King, p. 104. The latter of whom very justly remarks, that these villan bishops, though bishops *in villages*, were not confined each to a single village: they had *territorial*, not congregational jurisdiction.

See Zonaras & Aristenus ad Can. XVII. Conc. Chalced. Bevereg. Synod. Vol. I. pp. 134, 135.

Zeigler. de Episcopis, c. XIII. de chorepisc. XXI. p. 216. Routh Opuscul. Eccles. Vol. II. p. 467.

erant (the mother churches) *ut metropoles civitatum. Unde forsàn Cephacastellum*, act. 3. Concil. Chalced. *in hâc subscriptione*—*Noe Episcopus Cephacastelli subscripsi. Et nos in Galliâ Narbonensi Metrocomias nunc Capcastles appellamus. Phil. Berterius Pithanon, dia-triba* I. c. 6. pag. 71.”

These *metrocomiæ* were, in after days, the sites of the *baptismales ecclesiæ*, over which the plebium archipresbyteri or deans rural presided. “*His maximè baptismalibus ecclesiis, quæ aliarum velut matres erant,*” says Thomassin, “*præficiabantur archipresbyteri, et hinc curam atque strenuitatem suam in plebes parochosque sui decanatûs omnes explicabant;*” as, in earlier days, the *chorepiscopi* superintended the churches of their *chorepiscopate*.

Zeigler de Episcopis, c. XIII. p. 216. de chorepiscopis.

But the distinction, as to incumbencies, is not sufficiently marked, in Greek records of the incardination of the clergy below the rank of the urban bishop, to admit of more than conjecture, as to where the *chorepiscopus* dwelt, and where the ordinary parochial minister alone. Nor is any light thrown upon the subject by the Latin versions of the canons; who variously and indiscriminately render the same Greek terms by *presbyteri ruris*, as Dionysius and Cresconius; *presbyteri forastici*, as Martin of Braga; *presbyteri vicani*, as, in much later days, Gertian Hervet, &c. &c. And the local titles, bestowed on the *chorepiscopi* in either language, are not more distinctive of the character of their rural residences.

Filesci *Paroecia*,
cap. II. p. 25.

B. I. C. Tom. I.
p. 123.
— *App.* p. XXVI.
— *App.* p. LXX.

N. Alexandri
Differt. Eccles.
Trias—Quæstio
de chorepiscopiis,
pp. 166, seqq.

Bevereg. *Synod.*
Vol. I. *Conc. Laodicea*.
c. LVII.
p. 479.
Conc. Sardic.
c. VI. p. 490.

De Sac. Ordinat. P. III. Ex-
erc. IV. c. I.
Rights of the
Clergy, p. 127.

Indeed, all we know about their *incumbencies*, is just this—after the church began, in Jeremy Taylor's words, “to put a bridle” on the *chorepiscopi* by canon, and they were refractory and disobedient under the imposed restrictions, it was determined that no more persons of episcopal rank should be ordained in country places generally—*ἐν ταῖς κώμαις καὶ ἐν ταῖς χώραις—ἐν κώμῃ τινὶ ἢ βραχεῖα πόλει, ἥτινι καὶ εἷς μόνος πρεσβύτερος ἐπαρκεῖ*:—and thence we infer that, before that restriction, such as were called *chorepiscopi* were ordinarily *there* resident, in the most central and convenient, at least, if not the most important sites, within their respective jurisdictions,—“*extra urbem*,” says Morin, “*in pagis, vicis, et oppidulis*”—and Mr. Nelson—“*in the largest villages* of every diocese;”—though they never signed themselves as in connexion with any particular place, when subscribing the councils at which they were present, but merely “*Palladius chorepiscopus*,” “*Seleucius chorepiscopus*,” &c. In the *Capitularies* of Charlemagne (L. VII. c. 187), they

are called “*billani episcopi*,” and by Hincmar (*Opusc.* 33. cap. 16. p. 437) “*bitani*.” But see Bishop Beveridge *ad can.* XIII. *Ancyran.* in Routh’s *Reliq. Sacr.* Vol. III. p. 486. also the councils of Laodicea and Sardica above quoted: Le Jau *de Auctoritate Pontificis*, Lib. IV. p. 588-9; Morfan. *de Protopapis*, c. VIII. II. p. 105, seqq.; and for the usage of Great Britain in selecting “*noted and populous towns*” for her urban bishops’ sees, *vide* Gibson’s *C.I.E.A.* Tit. VIII. cap. I., and for the subsidiary or suffragan bishops of England, appointed by the 26 Hen. VIII. c. 14. “*who had their sees in towns, and not in cities*,” see Dr. Burn’s *Ecclesiastical Law*, Vol. I. p. 227.

The view which the learned Selden takes of this part of the economy of the Greek church, as far as it has any bearing on the origin of endowments, may be learnt from the following brief episode, devoted to the subject, in his *History of Tythes*:—but he is, I should say, with all due deference to his profound antiquarian knowledge in general, decidedly in error, when he disallows any broad difference between *presbyteri parochiani* and *chorepiscopi*.

History of Tythes, chap. VI. III. pp. 80, 81.

“*As metropolitick sees, patriarchats (exarchats also in the eastern church) and bishopricks, those greater dignities, were most usually at first ordained and limited according to the distinction of seats of government, and inferior cities, that had been assigned to the substitutes or vicarii of the Præfecti-prætorio or Vice-Royes of the East or West empire; so were parishes appointed and divided to several ministers within the ecclesiastick rule of those dignities, according to the conveniences of country-towns and villages; one or more or less (of such as being but small territories might not by the canons*

Conc. Sardic. cap. VI.

be bishopricks) to a parish; the word *paræcia* or *parish* at first denoting a whole bishoprick (which is but as a great parish), and signifying no otherwise than diocese, but afterward being confined to what our common language restrains it. The curates of those parishes were such as the bishop appointed under him to have care of souls in them, and those are they which the old Greek councils call *πρεσβύτεροι ἐπιχώριοι*, or *οἱ ἐν ταῖς χώραις*, or *ἐν ταῖς κώμαις πρεσβύτεροι*, that is, *presbyteri parochiani*, within the bishoprick, neither were the *ἑπορίσκοι* much different from them. These had their parishes assigned to them; and in the churches where they kept their cure, the offerings of devout Christians were received, and disposed of in maintenance of the clergy and relief of distressed Christians, by the *æconomi*, deacons or other officers thereto appointed under the bishop &c.—But we are going astray. The reader who may wish for information on the usages of the eastern church—the parent of all our institutions in Christian polity—is referred to Archbishop Wake's *Visitation Charge* at Leicester (MDCCIX), as bishop of Lincoln. He will there find an excellent summary of the subject, as bearing on the ancient rights and privileges of the church.

Such minute particulars are unimportant to the main drift of our present inquiry; which would only go to prove, that, in very early days, there were in the country what we call parochial presbyters with local cures, subject to the supervision of episcopal coadjutors of urban bishops:—the necessity, reasonableness, and lawfulness of which organization of her priesthood by the Christian church, my predecessor of the deanry of Chalke has advocated in his instructive researches into the

Conc. Neocæsar.
cap. LVIII.
Conc. Antioch.
capp. LXXXVII.
—LXXXIX.
Leg. Aleman.
cap. XIII. *Conc.*
Gangr. can.
LXVII.

Bishop of Lin-
coln's *Charge*,
pp. 3, seqq.

See Mosheim's
Eccles. History,
Cent. I. Part II.
c. II. XIII. p. 106.
Vol. I. Mac-
laine's *Trans-*
lation.

origin of the *decanal* office—shewing the practice of delegating to trustworthy superintendants the care and management of certain parts of ecclesiastical concerns, to be “grounded upon several precedents in the word of God.”—For these, and my notes in farther explanation of “this partition of things belonging to the episcopal function in the eastern church,” together with the origin, regulation, and dissolution of the first-appointed bishop’s deputies—“commanded to be esteemed very honourable” by the Neocæsarean fathers,—I must refer my readers to the illustrated reprint of the autograph annexed—requesting their attention, however, previously, to some farther remarks on the *chorepiscopal* office at its zenith and decline, and on its gradual transition into *archipresbyteracy*, in which it finally merged, both in the eastern and western churches.

Let me not be misunderstood, when employing the terms *subordinate* and *vicarious* in reference to these rural prelates. I would not have it supposed that the *chorepiscopi* were ever, in point of *order*, other than *genuine* bishops, from the period of their first appearance to that of their final abolition:—however equivocal their character, in the opinion of the sceptical historian of the *Decline and Fall*, and however unwilling De Soto, De Marca, Morin, Natalis Alexander, Van Espen, and our own Selden, to grant them the full measure of their holy calling¹.

Hist. of Rome,
Vol. II. p. 214.
note. 4to. Edit.

(¹) Raban Maur, Hammond, Cofin, Cave, Beveridge, Bafnage, Johnson, Bingham, Boëhmer, Weifman, and, *instar omnium*, the very learned President of Magdalen College Oxford, Dr. Routh, editor of the *Reliquiæ Sacræ & Opuscula Ecclesiastica*, being all arranged on the side of their

Differt. v. §. iv.
pp. 300, seqq.

Cap. XIII. *Ob-*
serv. ix. pp. 334,
seqq.

Boëhmeri *Dif-*
fert. I.E.A. ad
Plin. Secund. et
Tertull. Diff. v.
§. iv. p. 301. and
See pp. 304, seqq.

Ejusdem
§. VIII. pp. 308,
seqq.

Their very name and origin, and the constitution of their office, prove their prelatical dignity, as Boëhmer has luminously shewn in his *Dissertationes Juris Ecclesiastici Antiqui ad Plinium Secundum et Tertullianum*; and more briefly, in his *Observationes Selectæ*, annexed to the end of the 1st Vol. of the archbishop of Paris's learned treatise *De Concordiâ Sacerdotii et Imperii*.

There is no authority, the German asserts, for supposing that the *chorepiscopi* enjoyed not the full powers of the episcopate, in a state of independency, up to the period of the council of Ancyra.—“*Eandem dignitatem in agris habebat ὁ προεστὼς quam in civitatibus, eadem utrobique, autore Justino, munia obibat, et ita omnimoda episcoporum tam ruralium quam civitatenfium erat ἰσοτιμία. Neque enim ante sæculum iv. ullum potest adduci testimonium, ex quo planum reddi posset, vel nomine hos episcopos in agris constitutos ab urbicis distinctos fuisse. Adhuc sæculo III. simpliciter vocati sunt episcopi &c.*”¹

But when the polity of the church began to conform itself to that of the state, their condition worsened. Before that, all bishops were on an equal footing—the *chorepiscopi* being so many *συλλειτουργοὶ*, or *comministri*, or colleagues, of the bishops of cities, and not *vicarii episcoporum*, correctly speaking, till a later date. There was

their *plenary* episcopal rank and function (and they are only a title of what might be cited), must assuredly outweigh the whole crew of dissentients; many of whom, from sinister motives, would degrade the *chorepiscopal* order, and amalgamate it with presbyteracy.

(¹) See notes to Priaulx's *Brief Account*, 10. p. 10. for an example; and see references there cited, and also Mr. Johnson's admirable note to *can. x. Antioch.* in *Code of the Universal Church, Vade-Mecum*, Vol. II. p. 93. and Weismanni *Historia Ecclesiastica* Vol. I. p. 434.

no such thing as subjection of rural to urban prelates, till the Ancyran fathers originated the limitation of the chorepiscopal function¹—gradually more and more abridged by other councils; till, at last, nearly all their authority being taken away, the straitened chorepiscopi could do little or nothing *proprio jure*, but acted almost entirely by delegation. And then it was, that the title of *episcoporum vicarii*, or bishops' deputies², was applied to them, the very title employed by our own Lyndwood to designate deans rural, "*quasi qui ἐν χώρᾳ ἐπισκοπῆς constituti et locum ejus tenentes.*" From this state of deteriorated authority of billan bishops, the transition was easy enough, with a little more curtailment, to bisitatorial archipresbyteracy.

*Provinc. L. 1.
T. II. gl. in v.
eorum vices.
Walon. Meffalin.
de Episc. et
Presbyt. p. 312.*

(¹) At this and later date, Mr. Lewis says, their office was, to preside over the country clergy, and inquire into their behaviour, and make report thereof to the city bishop: and also to provide fit persons for the inferior service and ministry of the church. And, to give them some authority, they had the following privileges conferred upon them. 1. They were allowed to ordain readers, subdeacons, and exorcists, for the use of the country churches; but they might not ordain priests nor deacons without the special leave of the city bishop, under whose jurisdiction both they and the country were. 2. They had a power to confirm those who were newly baptized in country churches. 3. They had power to grant letters dimissory to the country clergy who desired to remove from one diocese to another. 4. They had liberty to officiate in the city church in the presence of the bishop and presbyters of the city, which country presbyters had not. 5. They had the privilege of fitting and voting in synods and councils.

*Lewis's Essay
on Suffragan
Bishops, p. 6.*

*Conc. Antioch.
can. x.*

*Conc. Antioch.
can. VIII.*

*Conc. Neocæsar.
can. XIII.*

*See Routh's Re-
liquiæ Sacræ.
Vol. III. p. 486.*

(²) In the *Manual according to the use of Sarum*, the suffragan seems to be called the bishop's deputy; since, in the charge there given "to godfathers and godmothers," they are charged, "to lerne the child, or se that he lerned the *Pater noster*, *Ave*, and *Credo*, after the lawe of all holy church, and in all goodly haste to be confermed of my lord of the diocese, or of his depute."

*Fol. XXXIII.
a. Ed. 1554.*

See Bishop J. Taylor's *Episcopacy Asserted*, sect. xxxii. pp. 130, 131. Vol. vii. *Works*, by Heber; and Blondel. *Apolog. pro sentent. Hieronymi de Episcopis et Presbyteris*, sect. iii. p. 95.

Accordingly, it was on the abolishing and antiquating of these officers, (of whom I fear the reader will think too much has been already said, and will ill bear what remains behind) that Duaren supposes bítan archpriests or deans were brought into general use—invested with powers much inferior to their mitred predecessors, and less likely, by approximation of rank, to become offensive to urban episcopacy—“*quibus neque episcopi nomen attributum est,*” says the canonist of Bourges, “*neque aliud quicquam eorum, quæ episcoporum propria sunt: ne fortassè ipsis audaciæ atque insolentiæ illius, propter quam dejecti fuerant minuti isti episcopi, occasio præberetur.*”

De Sacris Ecclæs. Minister. ac Benefic. L. I. c. ix. p. 23.

Gloss. Archæol. in voce, p. 134.

In which opinion, he is supported by Sir Henry Spelman;—who, having stated that the chorepiscopus was “*idè institutus, vel potius substitutus, ut dum episcopus civitatem, hic vicarius ejus, rus et villas curaret,*” concludes his glossarial remarks in the following words:—“*Chorepiscoporum munus cum nomine sensim antiquatum, abolevit (nec pridem) ecclesia: subinductis verò in eorum vicem (qui episcopis liberiùs cedunt, et humiliori jure contenti sunt) archipresbyteris, aliàs decanis ruralibus, et plebanis.*” See Thomassin and Morin beyond; Nelson's *Rights of the Clergy*, p. 271; *A Humble Proposal for Parochial Reformation*, c. i. p. 15; and Pegge's *Letter to Ducarel on Bishops in Partibus Infidelium*, p. 22. *Bibliotheca Topographica Britannica*, N°. xxviii.

Such, assuredly, was the relative position of these

spiritual office-bearers, the one to the other, in the church at large, both in the east and west;—the rural or *bican* archipresbyter or protopresbyter, the head presbyter of the country, in general terms, succeeding the chorepiscopus¹:—in the west, immediately and by name,—without the intervention of any other title,—in the east, mediately and under the changeful appellations of ΠΕΡΙΟΔΕΥΤΗΣ, ΕΞΑΡΧΟΣ, ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ, and ΠΡΩΤΟΠΑΠΑΣ—bisitor, exarch, protopriest, and protopope. In the west, no canon of any synod substitutes the lower for the higher dignity, till many centuries after the thing had taken place;—indeed, none, within my knowledge, till the twelfth century. But in the east, such a canon is found in the fourth century,—the provincial council of Laodicea (*A.D.* CCCLXIV.) confirmed by the œcumenic council of Chalcedon (*A.D.* CCCCLI.), distinctly substituting bisitatorial presbyters, delegate superintendants of the spiritual concerns of the country, entitled ΠΕΡΙΟΔΕΥΤΑΙ, in the place of *billan* bishops; in compliance with the Sardican canon, which had forbidden the erecting episcopal sees in country villages,² “left the name and dignity of a bishop,” in Burnet’s language, “should be vilipended.”

CC. M. B. et H.
Vol. I. p. 547.

SS. CC. Tom. I.
col. 1539. *Tom.*
IV. col. 1681.

Bevereg. Synod.
Tom. I. p. 490.
& *B. I. C. V.*
Tom. I. p. 132.
App. p. LXXXII.

On Rural Bi-
shops. Observa-
tions &c. p. 48.

(¹) “*Recentiorem esse hanc vocis protopapæ notionem adpositè monuit cl. Mazochius,*” says Morifan, “*quòd nusquam priùs adparuerint hujusmodi protopapæ, nisi è medio sublatis in Græciâ chorepiscopis; ac suoapte veluti regiminis ingenio, substitui in pagis oportuit, qui quædam illorum officia supplerent, ut periodeutis, mutato nomine, subrogatos fuisse exarchos tradunt.*”

Morifanus de
Protopapæ, cap.
VII. p. 115.

(²) The church, being apprehensive “left the wandering employment of the chorepiscopi should reflect dishonour on the episcopal office,” (at least such was one plausible plea for the alteration,) “appointed these presbyters itinerant in their room; who, being tied to no certain place, were to go up and down the country, to observe and correct what was

Cave's P. C.
Part I. c. VIII.
p. 224.

SS. CC. Tom. VI. col. 539.

Annott. p. 198. Synod. Tom. II.

In the councils of the western church, the Laodicean ΠΕΡΙΟΔΕΥΤΗΣ—the visitor of Dionysius and Cresconius, the curator of Salmasius and Suicer—has no place by his eastern name, though functionally he appears to be the archpresbyter or dean rural:—under the former of which appellatives, he is recorded, for the first time, in the nineteenth canon of the council of Tours (A.D. DLXVII). Wherever found, and under whatever title, the officer in question is, in rank and capacity, below the villan bishop and above the villan presbyter, as is evident from the passages cited by Bishop Beveridge from Justinian and Gennadius, in his learned *annotations* on the fifty-seventh canon of the synod of Laodicea. See Burnet's *Supplement about Rural Bishops*, annexed to his *Observations on the first canon of the Apostles*, p. 49.

Granting, however, that, in the east, the ΧΩΡΕΠΙΣΚΟΠΟΣ of the third century became the ΠΕΡΙΟΔΕΥΤΗΣ¹ of the

Observat. x. ad calcem P de Marc. de C. S. et J. Tom. I. p. 337.

Jus Ecclesiast. Protestant, l. III. Tit. XXXIX. § XXII.

SS. CC. Tom. IV. p. 535.

Tom. v. p. 45.

amifs.” Or, it may be, as suggested by Justus Henning Boëhmer, that the ΠΕΡΙΟΔΕΥΤΑΙ owed their institution to the circumstance of the χθορεπίσκοποι having pertinaciously resisted the continual interference of the urban bishops with the exercise of their episcopal functions; in consequence of which the latter, being desirous to get rid of them, appointed visitors in their stead, to superintend and inspect the country churches. “*Ita villanis ecclesiis schema quoddam et umbram officii episcopalis*” (says he elsewhere) “*quod explicuere ΠΕΡΙΟΔΕΥΤΑΙ, relinquere voluerunt, ut faciliori operâ et sine murmuratione χθορεπίσκοποι extingui possent.*” See Archdeacon Parker's *Account of Church Government for the first six hundred years*, pp. 155, seqq.

(¹) In the council of Chalcedon, presbyters bearing the title of ΠΕΡΙΟΔΕΥΤΑΙ are noticed—ὁ εὐλαβέστατος πρεσβύτερος καὶ ΠΕΡΙΟΔΕΥΤΗΣ Ἀλέξανδρος (act. IV.)—Βαλέντιόν τινα πρεσβύτερον καὶ ΠΕΡΙΟΔΕΥΤΗΝ (act. X.)—and again, in the fifth council of Constantinople, Σέργιος πρεσβύτερος καὶ ΠΕΡΙΟΔΕΥΤΗΣ. See Bingham's *Eccles. Antiq.* L. II. c. XIV. 12.

fourth, the ΕΞΑΡΧΟΣ, perhaps, under the bishops afterwards, and lastly the ΠΡΩΤΟΠΑΠΑΣ¹, with its various synonymous titles in the writings of the canonists and scholiasts of the Greek church, (for proofs of the truth of which positions, in the commentaries of Balsamon, Zonaras, Aristenus, and Blaftares, the reader is referred to my annotations on Dr. Priaulx's *Brief Account* annexed) —how, it will be asked, passed this *eastern* visitor into the *western* church? and why should it be supposed, that the rural archpresbyter of the latter derived the constitution of his spiritual superintendency from the ΠΕΡΙΟΔΕΥΤΗΣ of the former?—The probability of the circumstance, founded on the similarity of their office and their geographical distribution, is all we can allege in support of the notion, that the Asiatic visitor is the archetype of the European dean rural.

First;—as to their similarity of function—take Balsamon's exposition of the Laodicean canon—*ἄλλοι μὲν κᾶνονες ἐν ταῖς κώμαις καὶ ἐν τοῖς χωρίοις ΧΩΡΕΠΙΣΚΟΠΟΥΣ καὶ πρεσβυτέρους καθίστασθαι διορίσαντο· ὁ δὲ παρῶν κανῶν ΠΕΡΙΟΔΕΥΤΑΣ παρακελεύεται γίνεσθαι καὶ μὴ ἐπισκόπους· ἵνα μὴ γένηται εὐκαταφρόνητος ἢ ἀρχιερωσύνη. ΠΕΡΙΟΔΕΥΤΑΙ Δὲ εἰσιν οἱ σήμερον προβαλλόμενοι παρὰ τῶν ἐπισκόπων ΕΞΑΡΧΟΙ. οὗτοι γὰρ περιοδεύουσι καὶ ἐπιτηροῦσι τὰ ψυχικὰ σφάλματα, καὶ καταρτίζουσι*

Justell. Notæ ad B. I. C. V. Tom. I. pp. 89, 90. Bevereg. Synod. Tom. I. pp. 479, 480. & Tom. II. p. 198.

(¹) "*Ut apud nos,*" says Morisani, "*chorepiscopi rurales archipresbyteri, decanique Christianitatis, ita et apud Græcos suffecti sunt protopapa plebium curiones.*" And in the twelfth century, Aristenus had written in his gloss on the tenth canon of Antioch and the letter of St. Basil on the subject of the chorepiscopi—*ΧΩΡΕΠΙΣΚΟΠΟΙ δὲ εἰσιν, οἱ σήμερον ἐν ταῖς κώμαις καὶ χώραις ΠΡΩΤΟΠΑΠΑΔΕΣ λεγόμενοι. See Routh's Reliquiæ Sacræ, Vol. III. p. 439.*

Diatriba de protopapâ, c. VII. p. 110.

τοὺς πιστοὺς.—and that of Zonaras—ΠΕΡΙΟΔΕΥΤΑΙ δὲ λέγονται, διὰ τὸ περιέρχεσθαι, καὶ καταρτίζειν τοὺς πιστοὺς μὴ ἔχοντας καθέδραν οἰκείαν. (See more, in my notes to Priaulx.)

Annot. ad can. LVII. Laodicen. Synodic. p. 192.

—Next, hear Bishop Beveridge's gloss on the same ΠΕΡΙΟΔΕΥΤΑΙ—" *Hi presbyteri erant, qui nullo certo loco addicti, episcopi nomine rusticanas paræcias circummeuntes, eas visitabant ; unde circuitores et bisitatores dicti sunt.*"

B.I.C.V. Tom. I. p. 90. vide Tractat. de Visit. Episc. per A. Episc. Midenf. A.D. MDCXCVI. pp. 4, 5.

—Next, Justellus's—who cites them in a letter of Gregory the Great, under the same title of bisitors, in the Latin church—" *Visitatores ecclesiarum, clerique eorum, qui cum ipsis per non suæ civitatis parochias fatigantur, aliquod laboris sui capiant, te disponente subsidium.*" Gregor. L. III. Ep. 11. ad Maximian. Episc. Syracus.

Account of Church Government for 600 years, p. 157. Morfan. de Protopapîs, c. VII. p. 120.

—And lastly, Petrus de Marca's—who *wrongly* identifies the chorepiscopus and ΠΕΡΙΟΔΕΥΤΗΣ (for, if the same, we surely may ask, with Archdeacon Parker, Why was one abrogated, and the other substituted in his place? and why, let me add, amongst the Syro-Maronites, should both ecclesiastics be, now-a-days, continued? Why? but that they *ever* were as quite distinct in the elder Greek church, as they *at present* are amongst the Christians of Mount Libanus, where they have totally different allotments of office to perform)—but *rightly* qualifies the ambulatory character of the ΠΕΡΙΟΔΕΥΤΗΣ with "*nisi aliter visum fuerit episcopo, qui periodeutam alicui ecclesiæ vicanae adscribere potest, collato et adjuncto munere cæteras visitandi. Quæ videtur mens fuisse Synodi Laodicenæ; cum antè chorepiscopi ministerium clero civitatis adscriptum potiùs videretur quàm vicanae alicui ecclesiæ affixum.*"

De Concord. Sacerd. et Imper. L. II. c. XIII. Tom. I. p. 284. 4to. Edit. Bam-baziæ. et Boëhmer. Observat. X. ad calcem Tom. ejusdem, p. 357.

Now, it is in the delegate character of this bisitatorial function, and, more particularly, in the latter constitution

of it, that the ΠΕΡΙΟΔΕΥΤΗΣ¹, uniting the office of a parochial incumbent and that of a visitor, approximates most closely to the archpresbyter-rural of the west, as found amongst ourselves:—and it is, when not so specially connected by local ties to a circumscribed and particular supervision, with incumbency—καθέδραν οικείαν μὴ ἔχων, “*nulli sedi adscriptus*”—that the same officer assimilates with the foraneous vicar or dean rural of the archdiocese of Milan. Nor is he, indeed, under the latter type, without his counterpart in Spain; where, Augustin Barbosa tells us, are “*visitatores aut vicarii foranei, quorum operâ episcopus in totâ utitur diœcesi*”—in fact, rural archpresbyters or deans. But whether commissioned at large, or otherwise, the *periodeutæ* of old were, in Boëhmer’s words, “*quasi procuratores et episcoporum vicarii*,” and, as such, “*regiones episcoporum circumibant et visitabant*.” And such, in the modern orthodox Russian church, are the diocesan representatives of the old *periodeutæ*, called, in the Russian language, *Blagochennie* (see extracts from Archbishop Platon’s *Instructions* in the Appendix)—and such, in the Lutheran church there established, are the *Probsts*, answering to the *Blagochennie*. (See extracts from the *Statutes* of the Lutheran church of Russia in the Appendix.)

Zonaras ad Can.
LVIII. Conc.
Laodicen.

De Canonicis et
Dignitatibus,
c. vi. p. 68.

Appendix, Rus-
sian Documents.

Secondly;—with regard to their geographical distribution.—It is not unworthy of repetition, that the first

(¹) “*Visitor, ΠΕΡΙΟΔΕΥΤΗΣ, appellatur chorepiscopus in concilio Laodicensi: eoque nomine pulcherrimè spiritualis hæc jurisdictio declaratur. Cùm enim vicarii foranei episcoporum essent, et ii prorsùs qui postea dicti sunt detani rurales, in visitando maximè eo tractu, qui eorum fidei et administrationi creditus fuerat, spiritale suum imperium, jurisdictione et charitate temperatum, explicabant.*”

Thomassin. V. et
N. E. D. Tom. I.
Part I. L. II.
cap. I. § X. p. 217.

synodical notice of the ΠΕΡΙΟΔΕΥΤΗΣ is in the provincial council of Laodicea, in the fourth century; that of the archpresbyter-bícan, in the council of Tours, and in the writings of Gregory, bishop of that see, in the sixth century: and that it is the opinion of the learned, that there was an early connexion between the Gallican and Asiatic churches¹. Irenæus, bishop of Lyons, the first founded Christian establishment of Gaul, was a disciple of Polycarp, bishop of Smyrna; and many of the missionaries of the former church are reported to have been

See Burton's
*Lectures on Ec-
cles. History,*
lect. xx. p. 172.

*Origines Litur-
gicæ*, Vol. I.
pp. 108, 9.

Conc. Laodic.
can. XIX. C. C.
E. U. in B. I. C. V.
Tom. I. p. 51.

Hist. Eccles.
Bedæ, lib. II.
c. II. CC. M. B.
et H. Vol. I. p. 25.

Roberts's *Ap-
pendix*, No. VI.
p. 316. *Disserta-
tion on the Hist.*
of the Anc. Brit.
Church.

(¹) The original sameness of the ancient liturgies of the exarchate of Ephesus (the churches, that is, of Asia and Phrygia, including Laodicea), and primitive Gaul, is reasonably entertained by Mr. Palmer in his *Origines Liturgicæ*; and it is a curious fact, that, whereas the latter essentially differed from the Roman, the Alexandrian, and the Great Oriental, its variation from the last, viz. that of Basil and Chrysostom, is distinctly pointed out as being in that very part which is so carefully regulated by the nineteenth canon of Laodicea. Whence the learned author infers the previous existence in the Asiatic exarchate of a primitive liturgy (probably of apostolical origin) identical with the Gallican, and subsequently conformed to the Oriental by the interference of the canon in question.—Let me subjoin, as interesting to ourselves—

There is no trace of more than two primitive liturgies in the west—the Gallican and Roman. The former seems to have prevailed in Gaul and Spain, and probably in Britain: at least the British differed from the Roman, as appears from the answer of Augustine to the British bishops at the Worcestershire conference—the “*cætera quæ agitis moribus nostris contraria*,” the customs contrary to the Roman customs: whence is inferred the sameness of the Gallic and British rites and ceremonies of worship. See Spelman. *Brit. Conc.* Tom. I. p. 167; and Stillingfleet's *Orig. Brit.* c. IV. The British church observed the rule of the Gallican, as to the time of keeping Easter: and as the church of Lyons followed the doctrines of Irenæus, who received them from Polycarp, the disciple of St. John, so the British church referred their doctrines decisively to the same Apostle.

disciples of the disciple of St. John. From Asia, therefore, the church of Gaul may reasonably be supposed to have originally derived her ecclesiastical rites, customs, and discipline, founded, in all probability, on the instructions given by St. John to the seven churches of that country (of which Laodicea was one), and more or less modified, *at a later period*, by such canons as were enacted by the councils of the parent church for the subsequent regulation of her own polity. In Asia Minor, chorepiscopi originally abounded, and subsequently periódeutæ. If, therefore, from Asia came the polity of the Gallican church, it is not unreasonable to suppose that from Asia came the institution of subordinate rural visitors into the diocese of Tours; where they first appear in Western Europe, nearly two hundred years after their creation in the east; but as soon, perhaps, as the economy of the western church admitted or required parochial visitation by other than bishops.

Revelation,
chap. I. v. 11. &
chap. III. v. 14.

Upon these dark points, where so much is left to conjecture, I venture not to hazard an opinion, but merely suggest the probability of the above hypothesis.

“ I would have none to ymagine that I take upon me peremptorily to determine anie thing in this matter of antiquitie, as being not ignorant with what obscurities questions of this nature are involved; espetially where helpe of auncient monuments is wanting. My purpose onely is to pointe unto the ffountaines, and to compare the present state of thinges with the practice of auncient tymes; thincking I have done well if hereby I maie give occasion of further inquirie unto those who have greater judgment and more leifure to boulte out the truth of this busines.”

Usher's MS.
Treatise on Herenaches &c.
Hale's *Appendix to Tithe Tract,*
P. II. p. 61.

Archd. Parker's
Account of Ch.
Government,
p. 155.

Bevereg. Synod.
Tom. I. p. 439.

SS. CC. Tom. IX.
col. 695—826.
Conc. Aquisgr.
II. capit. II.
can. IV.

Though the archpresbyteral or protopresbyteral, peridental or visitatorial, office was intended by the ancient councils of the church to supersede the chorepiscopal, and did eventually do so; still it was a long time before this change of polity was finally consummated. For effecting the object, the canons were, for the most part, topical, and concerned only particular provinces: so that we find the church, about this date, says Archdeacon Parker, variously governed, in some places by country bishops, in others by visiting presbyters, and in some dioceses by both. Even in the Greek church, it would appear from Balsamon's commentary on the tenth canon of the synod of Antioch, chorepiscopí and protoparades co-existed—*κεκωλυμένον ὑπο τῶν κανόνων ἐστὶν, ἐπισκόπους γίνεσθαι εἰς βραχείας πόλεις καὶ κώμας, καὶ διὰ τοῦτο ἐχειροτόνουν εἰς ταύτας πρεσβυτέρους, ἧτοι ΠΡΩΤΟΠΑΠΑΔΑΣ, καὶ ΧΩΡΕΠΙΣΚΟΠΟΥΣ*. In the Latin church of the ninth century, the superior functionary co-existed with the inferior,—the former, we may suppose, in a waning, the latter in a nascent state; and the bishop had the advantage of the triple ministration of chorepiscopus¹, archpresbyter, and archdeacon:—to whom, collectively, the title of “*episcoporum ministerii adiutores*” is applied by the third capitular of Louis the Pious, chap. v., and that of “*episcoporum ministri*,” by the second council of Aix-la-

Canones Arabici
ex editione Al-
fonsi Pisani et
Francisci Tur-
riani in Hart-
man. et Ruel.
CC. Illustr.
Tom. II.

(¹) In the full enumeration of ecclesiastical officers in the Latin version of the Nicæno-Arabic canons (of very doubtful, or no authenticity) annexed to the genuine Nicene code, archpresbyters are also joined with chorepiscopí and archdeacons at a much earlier date (*A.D.* cccxxv). But there, probably, urban or cathedral archpriests are meant. The fifty-eighth canon speaks of the chorepiscopus and archdeacon “*tanquam duæ manus et duæ alæ, quibus episcopus volat.*”

Chapelle (*A. D. DCCCXXXVI.*), in the latter part of chap. II. *de vitâ et doctrinâ inferiorum ordinum.* From whence may be inferred the compatibility of their contemporaneous jurisdiction, as well as their general subjection to one superior.

And why should they not have been co-existent in extensive dioceses? For the archdeacon being, in those days, a close attendant on the bishop in the episcopal city, resident there, and only occasionally, and on special business, sent, as a commissary or mandatary, into the country (more often on secular than on spiritual affairs), there was room enough for the employment of the other two in their purely spiritual capacities, without interference with each other's privileges, or those of the urban bishop. To the chorepiscopus, or villanus episcopus, of the date alluded to, we readily assign¹ a general superintendency over the whole country region and its villages, remote from the episcopal see, and the exercise therein of certain episcopal functions, gradually more and more curtailed to the period of their final annihilation, in lieu of the urban bishop; who "himself looked to the metropolis and the daughter-churches by a general supervision:"—To the archpresbyter, we grant a partial superintendency over a certain number of parishes of a particular district, within the precincts of which he was himself incumbent².

Battely's *Can-
tuaria Sacra,*
Part IV. chap. II.
p. 139.

Taylor's *Epi-
scopacy Asserted,*
XXXVII.

(¹) "*Chorepiscopi ministerium est,*" says Ebbo, bishop of Rheims, "*omnem sacerdotalem totius regionis sibi commissæ conversationem corrigere atque dirigere &c.*" See P. de Marca *de C. S. et I.* Lib. II. cap. XIV. Tom. I. p. 293. 4to. Edit.

*Opusc. Ebbon.
de Min. Eccl.
Remaus.*

(²) So Dr. Cofin, *Tab. XI.* seems to divide these functionaries:—"per totam aliquam diœcesim; ut episcopi titulares qui olim chorepiscopi,

*Prima Linea-
menta præsentis
Politeiæ Eccle-
siasticæ Angliæ,
nunc*
MDLXXXIX.

Such an arrangement of ecclesiastical officers—each respecting the rights and privileges of the other, and all having the common good of the church at heart—appears to us as if it must work well, and be productive of much advantage. But it was not so;—harmony did not, long together, reign between the bishops and their mitred rural deputies¹, who were continually put down, and again restored, according to the temper of diocesans, for several centuries; till the church, becoming, at last, weary of the continual clashing of episcopal and chorepiscopal interests, determined, in the time of Charlemagne²,

Capitular. L. vi. cap. 121.

nunc episcopi suffraganei vocantur &c. &c.—In parte aliquâ diœceseos, ut archipresbyteri (quos decanos rurales vocant) atque nunc plerumquæ adhibentur ad convocandum clerum.—Significandum eis nonnihil ab Ordinario (ut fit) per literas.—Inducendum in beneficia vice archidiaconi remotiùs agentis.”

On the causes which induced the popes to change the chorepiscopi into titular bishops, see Nelson's *Rights of the Clergy*, p. 127; also Boëhmer. *Dissertat. v. de Christianorum cœtibus in vicis et agris*, § VIII. p. 308. *D. I. E. A.*

Origines Ecclesiast. I. II. cap. XIV. § XII. Tom. I. p. 199.

(¹) Mr. Bingham alleges other causes for their final suspension and abolition—“*Jam verò potestas chorepiscoporum*” (I quote from Grifchovius's version) “*labascebat, et ad deteriorem statum inclinata gradatim imminuebatur, donec tandem sæculo IX. fictis et fabricatis decretalibus et in scenam productis, haud veri nominis episcopi esse dicerentur: atque ita per paparum tyrannidem in ecclesiis occidentalibus prorsus abrogarentur.*”

Capitular. Reg. Francor. Lib. VI. c. 121. Tom. I. p. 327.

(²) “*Placuit ne chorepiscopi à quibusdam deinceps fiant, quoniam hactenus à nescientibus sanctorum patrum et maximè apostolorum decreta, suisque quietibus ac delectationibus inservientibus facti sunt. Idcirco et olim persèpè, et nostro, à sanctâ apostolicâ sede sunt prohibiti; et ne deinceps à quoquam, tam ordinante, quàm ordinari cupiente, talis præsumptio assumatur, à cunctis regni nostri episcopis est in synodo canonico prohibitum.*” And the same was decreed by several other councils (see Ducange in voce *chorepiscopus*): but yet, for all that, they struggled on

on

on the entire suspension of the latter order; (as far at least as such an object could be effected by canon; for many bishops "*suis quietibus ac delectationibus inhærentes*," still continued to depute the labours of the episcopate to their inhibited representatives of the country,) and apportioned the several duties to the city bishops, archpriests, and rural deans.—"*Nomen primùm sustulerunt episcopi, ne ampliùs superbiendi illis occasionem daret: deinde officia bipertiti sunt. Quæ episcoporum erant propria, ut ordinare, ecclesias consecrare, confirmare, et ejusmodi cum nullo presbytero ab eo tempore ampliùs communicarunt, sed sibi solis reservarunt. Cætera verò quæ ad jurisdictionem, et ecclesiæ regimen pertinent, archipresbyteris, et decanis ruralibus potissimùm attribuerunt. Unde etiam antiquitùs paulo post chor-*

Morin. *de Sacr. Ordinat.* P. III. Exercit. IV. c. VI. p. 57. II.

on for a long time after, and were not totally abrogated, as Peter de Marca observes out of Sigebert, till the end of the eleventh century. See De Soto *de Institutione Sacerdotum qui sub episcopis animarum curam gerunt*, p. 340-41; Dodwell's *Separation of Churches*, cap. XXIII; Archdeacon Parker's *Account of Church Government*, p. 160; and Boëhmer *Jus Ecclesiast. Protestant.* Lib. III. Tit. IV. § XXXI, XXXII.

"*Damnatus tamen non ubique chorepiscopus*," says Matthæus, "*et utut centiès damnatus, episcoporum ignaviâ tamen, tum seculi negotiis obsessi et impediti, dum otio suo consulunt, paulatim revixit &c.*" And so Natalis Alexander — "*Chorepiscopos fovit episcoporum in sacris ministeriis obeundis desidia. Homines scilicet laici ad episcopalem dignitatem honoribus et divitiis opimam eVecti, onera illi conjuncta ferre dedignabantur, ideòque illa in chorepiscopos transferebant, dum interim ipsi liberiùs genio suo indulgerent.*" A further reason for the continuance of these prelates may be found in the opportunity thereby afforded to kings and rulers of putting off the election of urban bishops to vacant sees, and receiving into their own pockets, or those of their courtiers, during vacancies, the difference between the larger income of the superior ecclesiastics and the limited stipend of their substitutes.

De Nobilitate &c. L. II. c. XL. p. 632.

De Chorepiscopis Dissertatio, p. 187.

episcoporum extinctionem archipresbyteri à multis decani rurales vocabantur, ut notat Innocentius III.

*Vet. et Nov.
Eccl. Discipl. de
Benef. Tom. I.
P. I. L. II. c. v.*

Nor does Thomassin's appropriation of the antiquated duties of the chorepiscopate differ from Morin's; save that he grants a share of them to the ruling deacons—
“*Proximo post chorepiscopos loco erant archipresbyteri, quo factum est ut ubi sublatum est illorum collegium, in maximam partem potestatis et ministerii eorum adoptati hi fuerint, parte reliquâ in archidiaconos refusâ:*”—in

*De Concordia
Sacerd. et Imper.
L. II. c. XIV.
Tom. I. p. 294.*

which latter remark, he is supported by Peter de Marca, who grants to the archdeacons “*sollicitudinem animad-*

*De Sacr. Ordina-
tion. B. III. Ex-
ercit. IV. c. VI.
p. 57. III.*

vertendi in presbyteros et pagorum visitandorum, quæ præter cætera chorepiscopis competebat;” but takes no notice whatever of the portion of those duties which fell to archpresbyters:—whereas Morin looks upon the latter as having enjoyed them prior to their being shared by the archdeacons—“*Postea nescio quo casu plurimum imminuta est archipresbyterorum autoritas, et cum archidiaconis contra jus antiquum communicata.*”

*Thomassin. V. et
N. E. D. Part I.
L. II. c. I. 16.
p. 218.*

Elsewhere, Thomassin, cursorily glancing at the decayed office of the chorepiscopus during the sixth and seventh centuries, yet farther notices the strong affinity which it would have borne to the rural archpresbyter's, had the latter enjoyed¹ a greater territorial extent of parochial jurisdiction: “*hoc saltem dicemus, cum archipresbyteris ruralibus magnam chorepiscopis affinitatem inter-*

*Colet. Not. ad
Can. Arabic.
Conc. Nicæn.
SS. Conc. Tom.
II. col. 317.*

(¹) —Which more extensive jurisdiction obtained at a later date in the diocese of Milan, in the case of the foraneous vicars of Archbishop Borromeo.—“*ad vicem chorepiscoporum, quibus jam non opus est, accedunt nunc visitatores quos vocant, in Mediolunensi ecclesiâ, vicarios foraneos: hi sunt sacerdotes probati, quos episcopus deligit, et certas regiones diocesis suæ attribuit inspiciendas et lustrandas, ut in civitate suâ gregem qui*

cessisse, si horum fidei plures essent mandatæ subjectæque parochiæ." Lastly, Filefac affirms the identity of the Greek *periodeutæ* and Latin *deans rural* in these words—
 “*Si jus canonicum Latinorum sequi vellemus periodeutas non alios significare quam archipresbyteros seu decanos rusticanos diceremus :*” and Natalis Alexander states the devolution of chorepiscopal visitation and correction to archdeacons and *deans rural* :—“*Sollicitudinem lustrandi rusticanas parochias, et corrigendi presbyteros, quæ chorepiscopis competebat, in archidiaconos et decanos rurales transfuderunt episcopi.*” See also Morifan. *de Protopapæ*, cap. vii. p. 108. to the same point; and particularly, p. 115. where he says expressly that the *protopapæ plebium curiones* succeeded the *chorepiscopi*.

Paroecia, cap. iv. p. 59.

Dissertatio de Chorepiscopis, p. 188.
Dissert. Eccles. Trias.

Diatriba de Protopapæ.

But enough :—To multiply authorities on so clear a point as the origin of the rural archipresbyterate or decanate (for me may, with Thomassin, use the terms as signifying the same jurisdiction) out of the chorepiscopate, appears altogether unnecessary; and therefore I need not accumulate on the many names already adduced in support of the opinion, those of Goar¹, Valefius²,

qui extra civitatem est, quasi præjens intueri et curare possit: quibus qui primi nomen hoc imposuerunt, videntur mihi nomen chorepiscopi ab inspiciendis regionibus interpretati.”

(¹) “*Ο ΠΡΩΤΟΠΑΠΑΣ—qui et ΠΡΩΤΟΪΕΡΕΥΣ: archipresbyter est, et antiqui chorepiscopi, ꝛ non nominis saltem potestatis successor: nam et in insulis Venetorum Lectores instituit, et de rebus ecclesiasticis dijudicat. Ubi plures sacerdotes concelebrant, primas ipse tenet, et ἐκφωνήσεις profert: et tandem, ut loquitur Codinus cap. i. πρῶτός ἐστι τοῦ βήματος, φέρων τὰ δευτερεῖα τοῦ ἀρχιερέως:—unde et in vicis, episcopo absente, reliquis sacerdotibus semper præeminet, et in eos jus exercet.”*

Jacob. Goar.
Eucholog. p. 287.
 not. 25.

(²) “*Archipresbyteri in vicis et oppidis interdum constituebantur, quippe qui successerant in locum chorepiscoporum.”*

Valefii *Annotationes Socrat. Hist. Eccl.*
 L. vi. c. ix.
 Sec. v. p. 323.

M. A. de Dominis¹, Stillingfleet, Downname, Colet, Richard, Blondel, Brett, Pegge, Nelson, and others. The fact speaks for itself; and, as Morin has observed, the words of the thirteenth canon of the Pavian council (*A. D.* DCCCL.), repeated in that of Rome or Ravenna (*A. D.* DCCCCIV.), indirectly confirm the correctness of our view.

The canon referred to is an important one; and therefore I quote it in full, with some of its annexed glosses:

Decr. Greg. IX.
L. I. T. XXIV.
c. IV.
Hostiensis in
Comment. fol.
CXIX.
SS. CC. Tom.
IX. col. 1070. &
Tom. XI. col.
706.
Canones Conci-
lii Anonymi.

“ Propter assiduam erga populum DEI curam, singulis plebibus archipresbyteros præesse volumus; qui non solum imperiti vulgi sollicitudinem gerant, verùm etiam eorum presbyterorum, qui per minores titulos (ecclesias gl. Host.) habitant, vitam jugi circumspeditione custodiant, et quâ unusquisque industriâ divinum opus exerceat, episcopo suo renuntient (quod solus episcopus est iudex ordinarius in suâ dyocesi de jure communi, gl. Host.) Nec obtendat episcopus non egere plebem archipresbytero; quasi ipse eam gubernare valeat; quia etsi valdè idoneus sit, decet tamen ut partiatur onera sua; et sicut ipse matrici ecclesiæ (cathedrali, majori titulo, gl. Host.) præest, ita archipresbyteri præsint plebibus², ut in nullo titubet ecclesiastica

(¹) See M. A. de Dominis *de Republicâ Ecclesiasticâ*, L. II. c. IX. p. 291.

(²) In accordance with which presidency over the *ecclesiæ baptismales* of the country, here denominated *plebes*, the earliest attestation of the country archpriest, which has come under my notice, gives him the title of archipresbyter de plebe. It is subscribed to a grant of Benedict, bishop of Adria, *A. D.* MLIV.—“*Petrus archipresbyter de plebe Sancti Cassiani firmavi.*”

Muratori Antiq.
Med. Æv. Tom.
VI. col. 364.

col. 413.

The cited Pavian canon being an important document, the reader will not deem the remarks of Muratori upon it irrelevant. “*Ex his habes,*” says this laborious compiler, “*ruri fuisse matrices sive primarias parochias, plebis*

solicitude ; cuncta tamen (subaudi majora et dubitabilia, gl. Hofst.) referant ad episcopum, (præter minora quæ ipse determinare potest, cum habeat ordinariam jurisdictionem, gloss.) Nec aliquid contra ejus decretum ordinare præsumant : (subaudi etiam leve, cum enim archipresbyter et archidiaconus vicarii sunt episcopi, patet quod episcopus potest eos, nisi consuetudo obstet contraria, quandocunque voluerit prohibere, vel eorum sententias revocare, gloss. Hofst.)”

We here see granted to rural archpresbyters (in the first canon of the western church that gives them *plenary* institution, and clearly distinguishes them from the urban officers) the whole of the chorepiscopal functions, save those alone of the highest grade (as collations to holy orders &c.); which the bishops resumed and retained in their own hands; inasmuch as these were incommunicable powers, and could not, canonically, be delegated to persons not of episcopal dignity. And so close was the approximation, and indistinct the line of demarcation between archpresbytership at its zenith, and chorepiscopacy at its decline, that the privileges of urban bishops were, at one time, as much infringed by the ambitious interference of their unmitred deans, as they had previously been by that of their mitred suffragans.

Even when the church had decreed, in more than one

plebis appellatione distinctas, ubi baptismus celebrabatur ; quibus qui præficiabantur, archipresbyteri consuevère vocari. Erant autem et aliæ minores parochiæ (minores tituli-capellæ) archipresbytero ita subjectæ, ut quoties de ibi collocando rectore sive presbytero ad confessiones audiendas, aliaque præter baptismum, aliaque peragenda, electio spectaret non solum ad episcopum, sed etiam ad archipresbyterum.” After which, he quotes examples of the latter's “*jus constituendi rectores in minoribus titulis.*”

*Chronica Ger-
vasii, Scriptor.*
x. col. 1447.

SS. CC. Tom.
xliii. col. 304.
can. vii. & col.
425. can. xv.
Decret. Gregor.
IX. l. v. T. iv.

council, the entire abolition of chorepíscopí, and had, by the canon above cited, and many others, strictly defined the duties of their successors, (so that there should be no more confusion of privileges in the administration of spiritual affairs,) we find the rural archpriests, like their chorepiscopal predecessors, transgressing the boundary line within which conciliar law had placed them, and at an annual rent (“*sub annuo pretio*”—“*pro certâ pecuniæ quantitate*”)—simoniacally purchasing of their diocesan bishops a sort of episcopal rank and judicial consequence: till at length, in the twelfth century, the councils of Tours (*A. D. MCLXIII.*), and of Rome (*A. D. MCLXXIX.*), viewing the practice, as, at once, a burden and disgrace to the church, and subversive of its discipline, inhibited it, on pain of deprivation¹.

This, however, was, confessedly, on the part of the bishops, an improper delegation of some of the higher powers of episcopacy to unlawful hands, at the price of a bribe; and, on the part of rural deans, an ambitious attempt to enlarge the exercise of their privileges under

(¹) The origin of the abuse, and the interference of the papal see for its suspension, are thus recorded by Pierre Rouvière, in his *Historia Monasterii S. Joannis Reomaensis in Tractu Lingonenfi*:—“*Munus eorum, (scil. decanorum ruralium) etsi initio fuit, curare plebem agrestem, minorumque titulorum presbyteros; tamen lapsu temporis eo processit, ut jurisdictione episcopali parte aliquâ augetur. Hic enim est, quod in hoc Tabulario Reomaensi alibique passim tam crebra reperiantur decanorum de rebus ecclesiasticis judicia et arbitria, quæ superioribus sæculis non tam faciliè occurrunt. Eo verò progressâ est aliquando eorum potestas, ut præter illa, quæ erant ordinis nihil non autoritatis episcopalis exercerent, conductâ annuo precio episcopi jurisdictione. Quæ res cum Alexandro III. visa esset non parùm periculosa, sordida, atque ecclesiæ onerosa, sic sanxit in Concilio Turonensi. ‘Quoniam in quibusdam partibus*

a certain *prestatio* or payment, similar to that, perhaps, by which archdeacons, at one time, obtained an amplification of their powers.

But that archpriests, with their legitimate and usual capacities, were suitable successors of billan bishops in the west, may be inferred from the fact, that, in certain dioceses, the former are expressly stated to have been substituted for the latter; as the *periodeutæ* were substituted for the *chorepiscopi* of the east. In Ireland, for instance, we learn, from the preamble to the *constitutions* of Simon de Rochfort or *de Rupe forti*, bishop of Meath (A.D. MCCXVI.), that the legate John Paparo, cardinal of St. Laurence in Damasco, and legate from Pope Eugene III. to the Irish, ordained, in a general synod, held (A.D. MCLII.), in the abbey of Mellifont, or, as some say, at Kells or Kenanufe in Meath,—“*inter alias salubres constitutiones, tunc et ibidem factas, ut decedentibus chorepiscopis, et exiliorum sedium episcopis in Hiberniâ, in eorum locum eligerentur, et succederent archipresbyteri à dioecesanis constituendi, qui cleri et plebis sollicitudinem*

Ware's Works
by Harris, Vol. I.
p. 141.
& O'Conor's
Rerum Hibern.
Script. Veter.
Vol. I. *Prolego-*
mena, CLVI.

CC. M. B. et H.
Vol. I. p. 547.

partibus decani quidam vel archipresbyteri ad agendas vices episcoporum, seu archidiaconorum, et terminandas causas ecclesiasticas sub annuo precio statuuntur, quod ad sacerdotum gravamen, et subversionem judiciorum non est dubium redundare, id ulterius fieri prohibemus. Quod si quis de cætero fecerit, removeatur à clero: episcopus autem, qui hoc sustinuerit, et ecclesiasticam jurisdictionem suâ patitur dissimulatione perverti, districtione canonicâ percellatur. Ita refert can. Quoniam. Ne prælati vices suas &c. Desit, ut opinor, haud diu postea hæc corruptela, sed decanis sua nihilominus mansit jurisdictio, quam describit concilium Coloniense. ‘Quosdam accepimus,’ inquit, ‘impedire decanos rurales quominus possint officia, et jurisdictionem suam exercere, synodos liberè celebrare, et excessus corrigere, qui et ipsi intelligant se excommunicationem à jure, et canonibus latam incurrere.’ ”

See Appendix,
Ireland.

gerant infra suos limites, et ut¹ eorum sedes in totidem capita decanatum ruralium erigerentur &c." After which follows a copious list of canons regulative of the transmuted office,—all of them of a visitatorial and inspectional character, in order to the reformation of the church and clergy.

Gloss. Archæol.
in voce, p. 151.

And in the same country, according to Sir Henry Spelman, the title by which the dean rural was known, viz. *corba*, was derived, by a barbarous contraction, from *chorepiscopus*:—" *Corba eminentioris loci fuit atque idem qui decanus ruralis, plebanus, archipresbyter, seu chorepiscopus: à quo et nomen (barbarâ contractione) videtur sortitus. Hibernici enim (litteras b et p confundentes) eundem Coppach et Corbach vocant. Cop pro chor, pach, et bach, pro pisc et bisc pronunciantes².*"

Account of Ire-
land, Vol. II.
c. xxv. pp. 455,
seqq.

(¹) From this, remarks Wakefield, we are enabled to form a pretty correct idea of the state of the ancient Irish hierarchy. Ireland was full of *chorepiscopi*, *billage* or rural bishops. In Meath there were, Clonard, Duleek, Kells, Trim, Ardracran, Dunshaghlin, Slane, Foure, Skrine, Mullingar, Loughfeedy, Athunry, Ardnurchor, and Ballyloughort. In Dublin were, Swords, Lusk, Finglas, Newcastle, Tawney, Salmon-Leap or Leixlip, Bray, Wicklow, Arklow, Ballymore, Clondalkin, Tallaght, and O'Murthy; which included the rural deaneries of Castledermot and Athy. These were all rural deaneries; and, of course, rural sees, before the year MCLII. "If the number of rural deaneries," says Ledwich, "at their first erection, and afterwards, in consequence of Paparo's regulation, could be discovered, from records in the Vatican, or elsewhere, it would give us the number of rural sees. The rural deaneries, in the common, are not correct, else I might easily have adduced them. Our bishops, I suppose, might have amounted to above three hundred." See also the Rev. W. H. Hale's *Essay on Tithes*, Part II. p. 53. & notes 1, 2, 3.

Ledwich's *Antiq.*
pp. 82, 83.

Archbishops of
Armagh, p. 101.
Vol. I. Works.

(²) See Ware's *Antiquities of Ireland* by Harris, Vol. II. chap. xxxv., of the *Corbes* or *Corbanes*, *Erenachs*, or *Herenachs*, &c. "The *comorban* or *corbe* is supposed by Usher" (in a treatise written on the subject in

“*Quos Græci chorepiscopos, hoc est certarum regiuncularum in quâlibet diœcesi speculatores,*” says the synod of Augsburg, “*alii archidiaconos, alii archipresbyteros vocant, in nostrâ ecclesiâ cathedrali, quo ad certum districtum mœniis Augustanæ civitatis adjacentem archidiaconi, in reliquâ verò diœcesi decanorum ruralium nomine censentur.*”

SS. CC. Tom. XIX. col. 1301.

In the church of St. Martin at Utrecht, according to Molanus, the first of the subdeacons, or the archisubdeacon, has the title of chorepiscopus, and exercises the office of archipresbyter or dean rural; being not “*chori decanus,*” but “*decanus ruralis,—seu primus inter decanos rurales, quem Leodii decanum decanorum vocant.*” And to the same root may be traced the *churí* or *churojo* of the eastern Maronites—the name by which the archpresbyter or *local parochus*, according to Dominic Macer, is distin-

Molan. de Canonis, l. 11. c. XXXII. p. 264.

Macri Hiero-Lexic. in voce, p. 147.

in MDCIX.) “to be the same with chorepiscopus or archipresbyter, was of a higher dignity than the herenach, canonically ordained priest, and stated in the mother-church. He had also the first stall in his own church, and an empty stall in the cathedral. The commorban is called in the scholar’s certificate given by Sir John Davis, plebanus, *quia plebi ecclesiasticæ præest*, having the superintendence over the rest of the body; and so he is called in the said grand inquisition under the county of Cavan, where it is said also, that the plebanus or corbe is the head of a larger sept than the herenach, and sometimes of several septs, and hath sometimes several herenachs subject to him; but that the herenach was head of a smaller sept, which only was subject to him. The herenach was admitted only to the first tonsure, and never to the priesthood. Both corbe and herenach were anciently married men, till celibacy was enjoined the clergy; and we find their sons succeeding to their offices; and the lay-abbot in Wales was under the same circumstances. They were subject likewise to the bishop’s visitations, to whom they gave a subsidy at their entrance, and were chargeable with proxies and refectons, and, like others of the clergy, were liable to sequestration for cause; of which there is a precedent in the archbishop of Dublin’s registry, as to the corbe,

See Cod. MSS. Carew, p. 96. (600—608.) MSS. Lambeth.

guished; to whom the bishop, at the time of institution, gives the pastoral staff of office.

But this *churí* or *churojo*, as he is called in the language of the people of that country, is rather to be considered an urban ecclesiastic, on the authority of the last synod of Libanus, quoted by Morisan in his *Diatriba de Protópapís*, than as connected with the villages.

Morifani de
Protópapís *Dia-*
triba, cap. VII.
pp. 112, 113.
Waddington's
Greek Church,
pp. 10, 11.

The Maronites (who are chiefly inhabitants of Mount Libanus), when they retained the *chorepíscopí* in their towns and villages, established *períodeutæ* under them, but had no *protópapes* as *plebíum curíones*, such not being required in addition to the rural *círcumcursators*. *Protópapes* obtained only in the episcopal city—and there, one only, who was the bishop's vicar. “*In ecclesiá orientali*,” says the synod of Libanus, “*episcopus in urbe habet vicarium, qui protópapa, protópresbyter, archípresbyter, et à nobis churí appellatur: in singulis vicis, et pagis chorepíscopos constituit: períodeutas autem, seu cí-*

corbe, in the government of Archbishop Walton, in MCCCCLXXIII.”—pp. 235-6.—See the Rev. W. H. Hale's *Appendix to his Essay on Tithes*, Part II., containing an extract from Usher's unpublished treatise on the Herenach, Termon, and Corban lands, in the Lambeth Library. Upon these officers, see also T. D. Whitaker's *History of Whalley*, Book II. chap. i. p. 42. “With what exactness,” says he, after having described the peculiarities of the Irish functionaries, “do the several characters of these kindred offices in the church of Ireland apply to the *Dean* of Whalley! For, like the herenach, he had *honorem villæ*; like the *plebanus*, he had patronage and jurisdiction over several dependent churches, together with a vicar and chaplain of his own; and like the *corban*, his function was hereditary, tenable also by persons in inferior orders, and compatible with the married state.” It does not appear, that this anomalous personage was a rural *Dean*.—In his person were united the rights of patron, incumbent, ordinary, and lord of the manor. But it has not been found, that he ever had a seal of office.

cumcursatores, atque visitatores ordinat, quorum cura est, vicos omnes, et pagos circumobire, et cunctos ad rectæ vitæ, sanæque doctrinæ normam efformare. Horum autem dignitas perpetua est, quia per manus impositionem traditur, tametsi propter delictum suspendi possint ab officio, et amoveri." The rarity of Morisani's *Diatribes on Greek protopopes* in this country will, I trust, defend my introduction of a few more particulars respecting these Syro-Maronite ecclesiastics at the conclusion of this division of my labours. I scarce know where else to admit them, and they are far too curious to be entirely passed over.

In the presence of the urban bishop, neither the protopope, nor the rural bishop, nor the circumcursator, exercise their functions:—their usual ensigns of office are laid aside:—they neither bear the cross in their hand, nor the mitre on their head, unless expressly licensed so to do by the diocesan. But, in the absence of the latter, the protopope in the cathedral, and the chorepiscopus in the country, on solemn days and festivals, occupy the first place in the choir, and wear the mitre—leaving the higher seat of the bishop unoccupied. When all these oriental sub-dignitaries are convened before their superior prelate, the archpriest or protopope of the city has the precedence of the chorepiscopus, and the latter ranks above the perideuta. Again, as to the ecclesiastical ornaments alluded to—the protopope is the bearer of two crosses, a mitre, and a pastoral staff:—the perideuta is not entitled to a mitre, but only to a cross, and a shepherd's crook, in token of the commission, with which he is invested, of superintending the diocesan flock,—for he is a diocesan officer. The insignia of the chorepiscopus are the same as those of the archpresbyter of the cathedral.

Morisani. de
Protopapish,
p. 114.

See the Russian documents of the Appendix; and Dr. Brett on *Bishops Suffragan*, c. XII. pp. 230, seqq. on the chorepiscopi of Alexandria, Bohemia, &c.

Anglia Sacra,
Vol. I. p. 64.
Dr. Fiddes's
Collect. to Life
of Wolfey, p. 91.

From Mr. Wharton, it appears that our chorepiscopi or suffragans of the west were allowed the *baculus pastoralis*; and Mr. Anstis is of opinion, that they wore mitres with a slit in the front, in order to distinguish them from the superior prelates. See the seal of the Suffragan Bishop of Philadelphia below engraven. It is probably the only seal of a bishop *in partibus infidelium* now remaining; and if so, a curiosity of no small regard¹.

Pegge in *Archæol.* Vol. VII.
p. 362. XXXVIII.

(¹) The seal is below engraven for the sake of exhibiting the insignia of office of the Anglican chorepiscopus. It presents to our view the effigy of Bishop Swillington *in pontificalibus*, standing in a tabernacle, with a heart in his right hand, and a cross in his left. The coat underneath the figure is, a fesse charged with three pellets between three tons, and the inscription runs S. DOÑI. TOME. EPISC. PHILADELPHIENSIS.

Thomas Swillington, Pegge tells us, was prebendary of Stow in Lindsey, in the church of Lincoln, and appointed suffragan to John Longland, bishop of that see, with the title of *Philadelphia*, July 15, MDXXXIII. The exercise of his episcopal function was confined to the two archdeaconries of Lincoln and Leicester.



SECTION II.

THE ORIGIN OF Deans Rural IN ENGLAND.—INSTITUTION OF PARISHES AND PAROCHIAL CLERGY.

BEFORE the division of parishes, the endowment of parochial churches, and incardination of presbyters in country cures, it were vain, of course, to look for deans rural in England¹. A few remarks, therefore, on these preliminary measures, will neither be uninteresting, nor irrelevant. They will aid us in our investigation of the specific subject of the present section—the origin of the decanal office in our own island.

(¹) "*Vox παροικία parœcia in antiquis ecclesiæ scriptoribus et canonicis conciliorum, territorium, sedem, sive ditionem ad episcopum pertinentem perpetuò significat: quo sensu hodiè vox diœcesis à nobis vulgò usurpatur, adeò ut unusquisque episcopus suam haberet παροικίαν, quam episcopali autoritate gubernabat.*" But, subsequently, it came to signify a parish, as at present understood; in which sense it is used by Theodoret, in his epistle to Leo M. and in the seventeenth canon of the œcumenic council of Chalcedon. See P. de Marca *de C. S. et I.* Lib. II. c. XIII. 3. Bilson's *Perpetuall Gouvernement of Christs Church*, chap. II. p. 184. Edit. MDXCIII, and Slater's *Answer to Lord Chancellor King's Enquiry*, &c. pp. 31, seqq. (which, by the way, so far satisfied his lordship, that he gave the author some preferment; though the dissenters continue to quote his lordship's *Primitive Christianity* as if it had never been abundantly refuted, even to the conviction of its noble author)—also see Burton's *Eccles. Lectures*, XII. p. 359.

Beveregii Cod.
Can. Eccl. Prim.
L. II. c. V. p. 218.

Theodoret.
Epist. III.
Routh Script.
Eccl. Opusc.
Tom. II. p. 467.

Downname's
Consecration
Sermon, p. 25. &
Defence, B. II.
c. I. p. 8.
Kennett's *Cafe*
of *Impropriations*, sub initio.
Stillingfleet's
Eccl. Cafes,
Works, Vol. III.
p. 649.
Cawdrey of *Pa-*
tronage, pp. 18,
feqq.
Burnet's *Pasto-*
ral Care, c. X.
Southey's *Hift.*
of the *Church*,
Vol. I. c. VI.
pp. 79, feqq.

The *παροιμία* was here, at first, as elsewhere, the *διοίκησις* (*vide* Suicer. *T. E.* in *v. διοίκησις. v.*)—the whole episcopal district—in which the bishop and his clergy lived together at the cathedral¹ or mother-church (so called, says Panormitan, “*quia sicut mater generat, ita et ecclesia baptismalis regenerat,*” Tom. II. p. 73), and performed in one spot the public offices of religion to the congregated worshippers of a whole diocese; or supplied the few widely-scattered chapels, field-churches, or oratories, in the more remote parts of the country, with spiritual instruction and consolation, by the instrumentality of itinerant priests; who themselves, here and there, erected such local houses of prayer, out of the means supplied by the liberality of bishops and contributions of converts; while the munificence of pious kings and princes, in places of the greatest resort, gave being to cathedrals or diocesan temples.

Selden's *History*
of *Tythes*, c. 9. 1.
p. 250.

Churches were, doubtless, erected here, soon after the first preaching of the Gospel²—probably in the first

The Description
of *England*, B. II.
c. I. p. 135.

(¹) “These churches are called cathedrall,” says Holinshed, “because the bishops dwell or lie neere unto the same, as bound to keepe continually residence within their jurisdictions, for the better oversight and gouernance of the same: the word being derived *à cathedrâ*, that is to saie a chaire or seat where he resteth, and for the most part abideth. At the first, there was but one church in everie jurisdiction, wherinto no man entred to praie, but with some oblation or other toward the maintenance of the pastor: for as it was reputed an infamie to passe by anie without visitation: so it was a no lesse reproch to appeare emptie before the Lord. And for this occasion, also, they were builded verie huge and great, for otherwise they were not capable of such multitudes as came dailie unto them, to heare the word, and receive the sacraments.”

Collier's *Eccles.*
Hift. of Gt. Bri-
tain, B. I. Cent.
I. pp. 3. 6, feqq.

(²) To what particular apostle Britain is more immediately beholden for its acquaintance with the truths of Christianity, it is said to be

century:—for, though the earliest teachers may have congregated their auditors at crosses in the open air; it is inconceivable, how Christianity could be long and extensively received amongst the people, in such a climate as ours, without churches¹, or, at least, some convenient houses, or other places in the nature of churches, appointed for the exercise of devotion. And we know, on incontrovertible evidence, that, in the second century, Britain had generally received the Gospel—the “*Britannorum inaccessa Romanis loca*” were, in Tertullian’s words, “*Christo subdita*.” Nor less certain is the institution of bishops², priests, and deacons, among us;—

Tertullian. *adversus Judæos*, p. 212.

Lloyd’s *Church Government of Great Britain*, c. III. p. 71, seqq.

be difficult to determine. But the evidence which proves that a Christian church was planted here by some of the apostles, and most probably by the great apostle of the Gentiles, is assuredly entitled to grave consideration. The reader, who may be desirous of pursuing the subject (too extensive to be here incidentally discussed), will find all he can require to establish St. Paul’s claim, in Bishop Stillingfleet’s *Origines Britannicæ*, chap. I. pp. 35, seqq.; Bishop Burgess’s very learned “*Tracts on the Origin and Independence of the Ancient British Church*,” (2d Edit. London, MDCCCXV); “*Remarks on the Western Travels of St. Paul*,” (London, MDCCCXX); “*A Charge to the Clergy of Sarum*” (MDCCCXXIX), pp. 11, seqq.

See also Nelson’s *Companion for the Fasts & Festivals*, chap. XI. pp. 111, seqq.

(¹) Professor Burton says, there is no evidence of Christians assembling in what would now be called a church, before the third century. The charge of having neither altars, images, nor temples, was brought against them as late as *the beginning* of the third century. Still I think they must have had buildings of some kind or other for their religious worship in Britain before this date. Bede says the British Christians *restored their churches* after the Dioclesian persecution. So that they must have existed before that event. See Brett’s *Account of Church Government* &c. p. 169. 2d Edit.

Lectures on Eccl. History, Lect. XXIII. p. 279.

(²) The council of Arles in France (A.D. CCCXIV.) was attended by three British *bishops* (probably the three metropolitans of York, London, and Caerleon?), by one *presbyter*, and one *deacon*:—all of whom

Lloyd’s *Church Government*, c. III. p. 72. Cave’s *Church Government*, c. v. p. 245.

subscribed,

whereby the form of church-government was complete, and, spiritually speaking, the British church fully established. See Dr. Burton's *Thoughts on the Separation of Church and State*, pp. 3, seqq.

Strong, however, and uninterrupted as is the evidence of a visible church¹ in these realms, through, what is

Annot. in Can. Conc. Nicæn. I. Synod. Tom. II. p. 78.
Routh's Reliq. Sacræ, Vol. IV. pp. 94-5.
History of the Anglo-Saxons, Vol. I. B. I. c. VIII. pp. 83, seqq.

subscribed, or rather prefixed their names. "*Unde simul constat,*" says Bishop Beveridge, "*non episcopos tantum, sed presbyteros et diaconos istis diebus hinc constitutos esse, ac proinde perfectam etiam ecclesiam, toto ecclesiasticarum personarum numero absolutam.*" (*Vide plura in loco.*)

The *civitates* of Britain, at the time alluded to, were thirty-three; of which thirty were in England and Wales: and Mr. Turner thinks that the ecclesiastical concerns of each *civitas* were regulated by a diocesan bishop; over whom was a superior bishop in each province, answerable to our metropolitans, though not distinguished with the title of archbishops. See Wharton *de Episcopis Londinensibus*, pp. 4, 5. and Whitaker's *History of Manchester*, Vol. I. B. I. c. XI. pp. 402, seqq.

Matth. Westmonast. ad. ann. 586.

Annotationes ad Can. Conc. Nicæn. Primi, p. 58.
Bedæ E.H.G.A. L. I. cap. XXV. L. V. cap. XXIV.

(¹) The light of the Gospel having been introduced into Britain, was never afterwards extinguished. When driven from the interior provinces by the devastating sword of the pagan Saxon, the British church withdrew with its hierarchy into the fastnesses of Wales and Cornwall; and was there existing as an apostolical, independent church, ("*αὐτοκέφαλος,*" says Bishop Beveridge, "*nulli extraneo episcopo, sed suo soli metropolitano subjacens,*") when Augustine arrived in the Isle of Thanet (A.D. DXCVI).—Nay more—preserving its integrity for a century and a half and beyond, after the monk had commenced, with his forty coadjutors, the labours of re-converting the then heathenized inhabitants of the interior of the island. See the bishop of St. Asaph's admirable annotations on the sixth Nicene canon; Borlase's *State of Christianity in Cornwall*, § III. p. 340. *Antiq. of Cornwall*; Cave's *Dissertation concerning the Government of the Ancient Church*, c. v. pp. 248, seqq., and Soames's *Bampton Lectures*, p. 453.

The evidence of each successive age most clearly proves, as Bishop Burgess has long since shewn in his profound and accurate researches on the subject, that Christianity was *at no period extirpated* from Britain. (See Pagitt's *Christianographie*, P. III. pp. 6, seqq.; *The Continuance*

nance

called, the British period of our ecclesiastical history, viz. the first six hundred years after Christ—there is no trace of a parochial clergy in the modern acceptation of the term:—nay more—for two centuries, or nearly so, after

Bishop of Lincoln's (Wake) *Visitation Charge*, MDCCIX. p. 26.

nuance of Christianity in Britaine; and Roberts's *Appendix*, N^o. vi. *History of the Ancient British Church*; and Bishop Burgess's *Tracts* before quoted, pp. 96. 125, seqq.

In the first century we have the preaching of the Gospel in Britain by the great apostle of the Gentiles—Παῦλος—κήρυξ γενόμενος ἐν τε τῇ ἀνατολῇ καὶ ἐν τῇ ΔΥΣΕΙ—δικαιοσύνην διδάξας ὅλον τὸν κόσμον, καὶ ἐπὶ τὸ τέρμα τῆς ΔΥΣΕΩΣ ἑλθὼν—κ.τ.λ.

Clemens Roman. *ad Cor.* p. 8.

In the second—the public avowal and protection of Christianity by Lucius, a British prince—“the first Christian king in the world”—(A.D. CLXVII.—CLXXVI.)—“called by the Britons *Leber Maur*, The Great Brightness.” By whose means, undoubtedly, the Christian church in our isle (Stillingfleet's *Origines Britannicæ*, chap. II. p. 62.) was cherished and advanced, though not originally founded. For we cannot award him the plenary praise of Michael Drayton's muse, as—

Bedæ *H.E.G.A.* L. I. c. IV. Carte's *General Hist. of England*, Vol. I. B. II. VIII. Cave's *Church Government*, c. V. p. 245.

“ That good king, to whom we chiefly owe
This happiness we have, Christ crucified to know.”

Drayton's *Polyolbion*, Song 8. p. 273.

See Stevenfon's *Supplement to Bentham's Ely*, Remarks, pp. 145, seqq. “King Lucius.” Hale's *Primitive Church of the British Isles*, pp. 106, seqq., and Roberts's *Chronicle of the Kings of Britain*, B. III. pp. 90, 91. and notes.

Selden's *notes*, p. 277.

In the third and fourth, the Dioclesian persecution—“*omnibus ferè anteactis diuturnior atque immanior*”—in which St. Alban, our proto-martyr, and Aaron and Julius, “*legionum urbis cives*,” and many others, fell.

Bedæ *E.H.G.A.* L. I. capp. VI. VII. Henr. Huntingdon. *Hist.* L. I. p. 305.

In the fourth, the presence of a deputation of British bishops at the councils of Arles (A.D. CCCXIV.), Sardica (A.D. CCCXLVII.), and Ariminum (A.D. CCCLIX.)—“the most avouchable evidence,” in Fuller's words, “of Christianity flourishing in this island in this age”—

Bingham's *Eccles. Antiq.* B. IX. c. VI. 20. & notes there. *Church History*, Cent. IV. B. I. p. 24. Drayton's *Polyolbion*, Song 8. p. 247.

“ — When the primer church her councils pleas'd to call,
Great Britain's bishops there were not the least of all,
Against the Arian sect at Arles having room,
At Sardica again and at Ariminum.”

In

the landing of Augustine and his companions in the Isle of Thanet (*A.D.* dxcvi.), we are told by a high authority in these matters, Archbishop Wake, "there were no such things as either parish-churches, properly so called, or

Bedæ *E.H.G.A.*
l. i. c. xvii.
CC. M. B. et H.
Vol. i. p. i. ac.
446. p. 2. ac. 449.

In the fifth, the synod of Verulam (against Pelagianism; which, at that time, in Bede's language, "*fidem Britannorum fœdâ peste commaculaverat*")—where were present, in addition to the British prelacy, Germanus bishop of Auxerre, and Lupus bishop of Troyes—"Apostolici patres,"—"qui ad confirmandam fidem gratiæ cœlestis Britannias venerunt." See Smith's *notæ ad Bedam*, p. 54; Carte's *General History of England*, Vol. i. B. III. III. pp. 182, seqq., and Dr. Hales's *Primitive Church of the British Isles*, p. 131.

Bedæ *E.H.G.A.*
l. i. c. xxi.
Nennii Hist.
c. 38. Wilkins's
not. ad Concil.
Britan. ac. 449.

In the same century—a second synod, three years afterwards, against the same heresy, at which attended Germanus again, and Severus bishop of Triers, a disciple of Lupus. When, likewise, the incestuous marriage of King Vortigern with his own daughter was condemned by the bishop of Auxerre and the whole British clergy in council assembled.

Grier's *Epitome*
of the Councils,
p. 83, 84.

In the same century—two or more Irish synods recorded by Wilkins: and others again, which the industry of Sir W. Betham has lately brought to light, held about the year ccccl. (*Irish Antiquarian Researches.*)

CC. M. B. et H.
Vol. i. p. 8.
ac. 519.

In the sixth, the celebrated synod of Menevia—a general convention of all the bishops and clergy on account of the Pelagian controversy, at Llanddewi Brefi, under Archbishop David; who removed the metropolitan church from Caerleon to Mynyw—"ab urbe legionum ad suam Meneviam"—("since, holy David's Seat"—Drayton) St. David's. See Bale and Wilkins in *CC. M. B. et H.* Vol. i. p. 8, note; Stillingfleet's *Origines*, c. v. p. 348; Rapin's *England*, Vol. i. B. II. p. 43; and Carte's *England*, B. III. III. p. 186. Tyrrell's *General History of England*, Vol. i. B. III. p. 149; and Hoare's *Giraldus Cambrensis*, Vol. II. B. II. c. I. and *Annotations* by Sir R. C. H.

Polyolbion,
Song 5. p. 263.
& Selden's *Il-*
lustrations.

Collier's *Eccl.*
Hist. of Gt. Bri-
tain, B. I. Cent.
vi. p. 56. & Stil-
lingfleet's *Orig-*
ines, c. v. p. 350-1.
Bedæ *E.H.G.A.*
l. II. cap. II.
CC. M. B. et H.
Vol. i. p. 24. See
note ex Spel-
man. *ibid.*

In the same—the synod of Victoria, also in Wales, for the confirmation of the acts of the preceding synod of Menevia. (*Ex Giraldo Cambrens. de Vitâ S. David.* lect. 9.)

In the seventh, the meeting of the bishops or doctors of the Britons with Augustine at Augustinaes-ac; and at a second fuller synod, when the British bishops (*septem Britonum episcopi, et plures viri doctissimi maximè de nobilissimo eorum monasterio, quod vocatur linguâ Anglorum*

Bancor-

fettled priests to officiate in them." But this is rather assumed as probable than proved as certain. The state of the case I believe to be this:—The historical docu-

Bancornaburg, cui tempore illo Dinooth abbas præfuisse narratur) delivered their ever-memorable protest against the Pope's authority, and all communion with the church of Rome:—when "the rude schismatics, in the form of the clerical tonsure, and in the day of the celebration of Easter, obstinately resisted the imperious mandates of the Roman pontiffs." So writes the infidel Gibbon.—We care little for the sarcasm intended to be conveyed; while the fact itself is so fully acknowledged. (*D. & F. V. III. p. 624.*) See the abbot of Bangor's answer, refusing subjection to Austin and the Pope, in Wilkins, *CC. M. B. et H. Vol. I. pp. 26, 27*; Carte's *England, Vol. I. B. III. XIII. p. 224*; Rapin's *England, Vol. I. B. III. p. 68*; Tyrrell's *England, Vol. I. B. IV. pp. 160, seqq.*; and *The Chronicle of the Kings of Britain, pp. 175, seqq.*, and Roberts's notes. Upon which answer, Nathaniel Bacon remarks—"This was the Britons' resolution, and they were as good as their word; for they maintained the liberty of their church *five hundred years* after this time; and were *the last* of all the churches of Europe that gave their power to the Roman beast; and in the person of Henry the Eighth, that came of that blood by Teuther, *the first* that took away that power again."

Stillingfleet's
Origines, c. v.
pp. 356, seqq.

Historical & Political Discourse
&c. Part I. c. v.
p. 13.

But, Mr. Johnson says, soon after Bede finished his Ecclesiastical History (*A.D. DCCXXXI.*), "the Welsh as well as English became entirely Romanists;"—while others, with more truth, have held, that there is evidence of the British church having maintained its independence of the see of Rome as late as the year *DCCCCIV.* (*See Collier's Church History, B. III. p. 171*), and even till the conquest of Wales by Henry I. See Archdeacon Goddard's second *Visitation Charge* to the clergy of Lincoln, *MCCCCXX. p. 27, note*, and again *note p. 82.* "Notwithstanding an insulated fact or two which mark communications with Rome, and even deference to it," says the archdeacon, "though not subjection, the British church may be said to have subsisted throughout the Saxon times in the remote parts of the island, nor was it finally merged in the church of England till the conquest of Wales under Henry the First." See Bishop Burgess's note on *British Ordination, Tracts on the Origin of the British Church, Appendix, p. 318.* "In Ireland," writes Mr. Roberts, "it continued to the reign of Henry II." *Appendix, N^o. VI.*

Ancient & Present Church of England, Vol. I.
p. 4.

Hist. of Ancient Brit. Church,
p. 323.

Selden's *Hist. of Tythes*, c. 9. 1. p. 249.

Wharton's *Defence of Pluralities*, pp. 51, seqq. pp. 71, seqq. Dr. Field's *The Church*, B. v. p. 740.

ments are few that have come down to us, bearing upon the polity of the ancient British church; and those few give us no reason to suppose that the practice of this island, in respect of its then imperfect church-economy, differed from what was uniformly received through those parts of Christendom of which we have the best testimony remaining:—in all of which, a system of collegiate union and missionary instruction seems uniformly to have preceded the appropriation of presbyters to particular cures—in accordance with which the bishop and his *clerus* continued to live together at the cathedral, and to perform the ordinances of religion there and abroad, as occasion required; until such time as the ecclesiastic economy of the diocese was matured for clerical residence on endowed country cures. ¹The latter point, the British church, as distinguished from the Anglo-Saxon, is supposed by Selden, Wharton, Inett, Wake, and others, never to have attained. At least, no evidence of the fact, worthy of credit, has descended to our times; and, in the absence of such, the general custom of Christendom is applied to the British church; which is concluded never to have had an incardinated parochial ministry.

Still, *auxiliary* churches, or *villican* chapels of ease to cathedrals or mother-churches, were erected by the British bishops and missionary clergy, out of the contributions

Parochial Antiquities, Vol. 1. p. 35.

(¹) The story of the *parish-priest* of Cump-ton, *i.e.* Long-Cump-ton in Warwickshire, waiting on Augustine on his way to the conference of the British bishops in the remoter parts of Mercia, and complaining of the non-payment of tithes by the lord of the manor, is rejected, with its miraculous accompaniment, as an absurd legend:—indeed, were it, in all its circumstances, true, Bishop Kennett remarks, it would carry back *parochial incumbency* to a very early date.

of the faithful, in different parts of the country, remote from the episcopal sees. Of the fact of such erections no doubt exists. They are, again and again, noticed in Bede and other writers, as well as the parent edifices. They are mentioned also in those most authentic records of contemporary matters of church-history, the synods of the day, in the tomes of the councils of Great Britain and Ireland. To particularize seems scarce necessary. Let it satisfy the reader, that ages before the Gregorian missionaries and their Saxon converts began, "*convenire, psallere, orare, missas facere, prædicare, et baptizare,*" in the much-vaunted church of St. Martin by Canterbury, the native Britons had erected that edifice—" *ecclesia in honorem Sancti Martini antiquitùs facta,*" says Bede, "*dum adhuc Romani Britanniam incolerent:*" and there the Christian Bertha, Queen of Kent, had been wont to pray with her chaplain, Bishop Luidhard, and a Christian congregation. Ages before the Romanists obtained their licence "*ecclesias fabricandi vel restaurandi*" on British soil, the aboriginal "*fideles Christi*" had constructed places of worship¹ in various parts of the island; and,

Beda: *H. E. G. A.*
L. I. c. xxvi.

Stevenfon's
Supplement to
Bentham's Ely,
Notes, pp. 11, 12.

(¹) Many churches and parishes still retain the names of British saints; not only in Wales and Cornwall (where we should expect to find them), but in the bowels of England, and in Huntingdonshire more, perhaps, than in any other midland county. The churches of Evesham, Avalon (Stillingfleet's *Origines B.* c. i. p. 26), Manchester (St. Michael's), Dover Castle, and other places, are supposed to have been of British origin, equally with St. Martin's by Canterbury. See Stillingfleet's *Ecclesiastical Cases*, Vol. i. pp. 125, seqq., and an interesting account of the Anglo-Roman Church of Brixworth in Northamptonshire, in the *British Magazine*, Supplement Dec. MDCCCXXXIII. pp. 746, seqq.; also see Hart's *Medula Conciliorum*, cap. v. pp. 38, seqq., a valuable synopsis, highly creditable to its compiler.

Kennett's *Case of Impropriations*, p. 5.
Whitaker's *Hist. of Manchester*,
V. II B. II. c. XI.
§ 111. pp. 440.
446.

when the Diocletian¹ “*turbo persecutionis*,” which had razed them to the ground, had blown over, the same *indigenæ* had again restored them—“*progressi in publicum fideles Christi, qui se tempore discriminis sylvis ac desertis abditivæ speluncis occultaverant, renovant ecclesias ad solum usque destructas, basilicas sanctorum martyrum fundant, construunt, perficiunt, &c.*”

A Defence of Pluralities,
p. 66.

In those early days, any pious priest, who designed to instruct the country people, Mr. Wharton thinks, might, with the approbation and licence of the bishop, build to himself a church—“a plain and humble conveniency of divine worship”—and therein, after consecration duly performed, might teach as many of “the neighbouring rustics” as chose to attend upon him.

Synod. S. Patric. &c. CC. M. B. et H. Vol. I.
p. 3.

To such non-parochial foundations, the twenty-third canon of the Irish episcopal synod (*A.D.* cccclvi.), seems to refer—“*Si quis presbyterorum ecclesiam ædificaverit, non offerat, antequàm adducat suum pontificem, ut eam consecret, quia sic decet*,” (c. 23), &c. And such were those of Dubritius, in South Wales (*A.D.* ccccxc.); whose primitive church-establishment, recorded in an anonymous *MS.*² of the Cottonian Library (since printed in

Lactant. de Mort. Persec. c. 15.

(¹) Though Constantius, the Roman governor of Britain at that time, had an inclination to favour the Christians, yet it was not in his power to dispense with the Imperial edicts, and he complied so far with them as to demolish the churches.

Defence of Pluralities, p. 67.

(²) This ancient author *de Fundatione Ecclesiæ Landavenfis* (who wrote *circiter A.D.* mcxx, as Wharton thinks) has been misunderstood. Far from proving the division of dioceses into parishes, and affixing certain priests to them, the *MS.* only shews that the province of South Wales (*Dextralis Britannia*) was then divided into several dioceses, and bishops ordained in every one of them: the term *parochia* being the ancient ecclesiastical

the *Monast. Anglican.* Tom. III. p. 188), is cited by Selden, in his *History of Tythes*—“*Videns sanctus Dubritius largifluam potentum manum erga sibi commissam ecclesiam, paritatus est discipulos, mittens quosdam discipulorum suorum per ecclesias sibi datas; et quasdam fundavit ecclesias; et episcopos per dextralem Britanniam coadjutores sibi, ordinatis parochiis suis, consecravit.*”

Chap. 9. 1.
pp. 249, seqq.

These churches of the Irish and Welsh archbishops, like the earliest of the Anglo-Saxon foundations of after-date, (witness that noted by Bede “*in villâ comitis cujusdam qui vocabatur Puch,*” who invited the bishop of Hexham to consecrate it; and a second “*comitis vocabulo Addi,*” consecrated by the same prelate—since called South and North Burton) *circiter A.D. dcc,* had some kind of limits of adjoining villages or towns, and so were in that respect *parochial*: but the *parochiæ* were limited only in regard of the ministering presbytery, and the several functions of the bishop’s chaplains—“*episcopi clerus*”—sent, as occasion required, from the cathedral or religious house adjoining, to preach the word and administer the sacraments within appointed circuits. Still, the larger provinces of the prelates being denomi-

Bedæ *E.H.G.A.*
L. V. c. IV. c. V.
& Smith’s *notæ.*

Selden’s *Hist. of Tythes*, c. 9. 11.

ecclesiastical name of a diocese. As for the supply of country churches, this testimony seems rather to imply, that it was performed by *itinerant* priests, whom Dubritius sent in their turns out of his own college. However, afterwards, when the Britons were driven into Wales, and were fully settled in it, that country being become populous thereby, they found it necessary to divide it into parishes, and to assign priests to them. For in the laws of Howel Dha, king of Wales, made about the year DCCCCXL, there is mention made of the house of the parish priest, “*domus Capellani villæ,*” in every village. Although the division was even then so imperfect, that frequent subdivisions were subsequently made; as appears from the thirty-fifth law of the same king.

Ejusd. p. 69.

Spelman. *Concil. Angl.* Tom. 1. p. 409.
Collier’s *Eccl. Hist.* B. III. p. 178.
Ejusd. p. 413.

Wharton's *De-
fence of Plurali-
ties*, pp. 63, seqq.

nated *parochiæ*, these little districts of delegate ministration assumed, it may be from analogy, the same appellation, being the contracted dioceses of subordinate ambulatory clergymen; but not, strictly speaking, parishes in the ordinary acceptation of the word, though such they have erroneously been supposed to be.

Kennett's *Cafe
of Impropria-
tions*, p. 3.
Stillingfleet's
*True Antiquity
of London: Ec-
cles. Cafes*, V. 11.
p. 578.

While this primitive arrangement prevailed, in the nonage and immaturity of Christian discipline and practice, the missionaries dispensed the word and sacraments abroad; and, returning from their holy circuit to the centre of unity, the episcopal college, reported to their diocesan the state of his *παροικία*, and the success of their evangelizing tours. So long, then, there was no call for the surveillance of local *υδανς*,—the Christian flock either being habitual worshippers *coram episcopo*, in pre-sential communion with him, or constantly reported to him by the delegated emissaries of his college, the diocesan priests.

Selden's *Hist. of
Tythes*, c. 9. 1.

Bedæ *Hist. Eccl.*
L. I. c. XXVII. &
L. IV. c. XXVII.

Wharton's *De-
fence of Plural.*
p. 74.
Alewin. *de Pon-
tif. et Sanct.*
Ébor. v. 1289.

The duration of this simple church-polity is not exactly known. In the British times it doubtless commenced; though little or no testimony, as I have said, is extant to declare the ecclesiastical usages of those primitive times; and, after a period of pagan darkness and persecution (which drove the ancient insular clergy into Wales and Cornwall), the same economy again appears in the days of the Anglo-Saxons; a community and collegiate life of the bishop and his clergy being appointed for the model of the latter church by Pope Gregory at its first establishment; and the system of itinerant preaching and dispensing the word and sacraments, by temporary ministers dispatched from the associated body, being generally practised when venerable Bede—“*presbyter*

eximius meritis”—finished his church-history (A.D. DCCXXXI).¹

Nay, it would appear, from his celebrated *Epistle to Archbishop Ecgbert* on the state of religion in *Northumbria* (A.D. DCCXXXIV.), that those parts were almost utterly destitute of spiritual assistance, not only from bishops, but from missionary presbyters also. The former not only neglected to visit, in person, the villages and hamlets of the inaccessible and mountainous woodlands, but sent no officiating ministers from the episcopal college, supported though it was by the general fund of

Carte's *General Hist. of England*, Vol. 1. B. III. XVII. pp. 242, seqq.

(¹) The usage of the British church and people in respect of itinerancy, about the year ccccxc, has been already declared, in a passage cited from the *M.S. History of Llandaff*: “If any credit is to be given to the ancient *lives* and *legends* of the *British* bishops and saints, this was the practice at that time in the *British* church: That the bishops at their cathedrals, and holy abbots and doctors in several parts of the diocese, should educate and maintain great numbers of priests in a collegiate life, and preside over them; who in their turns should travel about and instruct the lay Christians in all the circumjacent territories; and that being done, return to the college, and give way to others to succeed them in the same employment.” But, on the other side of the question, see Mr. Whitaker's remarks in his *History of Manchester*, Vol. II. B. II. c. IX. § II., and also *Epist. Gildæ. Scriptores*, xv. pp. 23, seqq. *Increpatio in Clerum*.

Bedæ *H.E.G.A.* Lib. III. c. XXVI.

Wharton's *Defence of Pluralities*, p. 68.

In reference to the English Saxons (A.D. DCLXIV.), itinerancy is pointedly shewn in the following anecdotes of our great ecclesiastical historian—“*Si quis sacerdotum in vicum fortè devenerit, mox congregati in unum vicani verbum vitæ ab illo expetere curabant. Nam neque alia ipsis sacerdotibus aut clericis vicos adeundi, quàm prædicandi, baptizandi, infirmos visitandi, et (ut breviter dicam) animas curandi, causa fuit.*” And before, in the same chapter—“*ubicunque clericus aliquis aut monachus adveniret, gaudentè ab omnibus tanquàm Dei famulus exciperetur. Etiam si in itinere pergens inveniretur, accurrebant, et flexâ cervice vel manu signari, vel ore illius se benedici gaudebant. Verbis quoque*

*Epist. V. Bedæ
ad Ægberct.
Antist. Edit.
Smith, p. 307.
l. 25.*

the diocesan tithes¹, levied on the deserted districts—
“ Audivimus enim et fama est,” writes the presbyter to his metropolitan, *“ quia multæ villæ ac viculi nostræ gentis in montibus sint inaccessis et saltibus dumosis positi, ubi nunquam multis transeuntibus annis sit visus Antistes qui ibidem aliquid ministerii aut gratiæ cælestis exhibuerit, quorum tamen nec unus quidem à tributis Antistiti reddendis esse possit immunis; nec solum talibus locis desit Antistes, qui manus impositione baptizatos confirmet, verum etiam omnis doctor, qui eos vel fidei veritatem, vel discretionem bonæ ac malæ actionis edoceat, absit.”*

The archbishop himself being unable to attend to all

quoque horum exhortatoriis diligentè auditum præbebant” &c. And again elsewhere—*“ Erat quippe moris eo tempore populis Anglorum, ut veniente in villam clerico vel presbytero, cuncti ad ejus imperium verbum audiri confluerent, libentè ea quæ dicerentur audirent, libentius ea quæ audire et intelligere poterant operando sequerentur.”*

*H.E.G.A.L. III.
c. II. l. II.
c. XIV.*

Facilities of local worship were then most rare. Churches were very widely scattered. In the part of *Northumbria*, denominated *Bernicia*, (Northumberland and the South of Scotland between the Tweed and Firth of Forth) we are assured, on the high authority of Bede (*A.D.* DCXXXV.), there was no church or altar erected—*“ nullum fidei Christianæ signum, nulla ecclesia, nullum altare, &c”*—save only the church of St. Oswald. In *Deira* (Lancaster, York, Westmoreland, Cumberland, and Durham) no oratories, or baptisteries, save one *basilica* alone in the *villa regia* of *Camptonum*. For an account of the structure and materials of many Saxon churches, see *Turner's History of the Anglo-Saxons*, Vol. II. B. XII. c. v. pp. 415, seqq., and *Hart's Medulla Conciliorum*, c. v. pp. 38, seqq.

*Kennett's Case
of Impropriations,
p. 3.*

(¹) While the necessities of the country were thus upon occasion supplied, it did not alter the state of the ecclesiastical patrimony; which still remained invested in the bishop for the common uses of religion, as devoted solely to God and his clergy. Out of the general fund the bishop gave to each officiating minister the dividend to which he was entitled for the spiritual duties he performed at the bishop's mandate.

the ministrations of religion in all parts of his vast diocese, the writer urges the appointment of assistant itinerant presbyters and teachers—“ *quia latiora sunt spatia locorum, quæ ad gubernacula tuæ diœcesis pertinent, quàm ut solus per omnia discurrere, et in singulis viculis atque agellis verbum Dei prædicare, etiam anni totius emenso curriculo, sufficias; necessarium satis est, ut plures tibi sacri operis adjutores adsciscas, presbyteros videlicet ordinando, atque instituendo doctores, qui in singulis viculis prædicando Dei verbo, et consecrandis mysteriis cœlestibus, ac maximè peragendis sacris baptismatis officiis, ubi opportunitas ingruerit, insistant.*”

Ejusd. p. 306.
l. 33.

At this date, then, we may conclude, the system of missions from the episcopal college, ill supported as it was in certain parts of Northumbria, was the only mode of propagating the truths of the Gospel amongst the unconverted, and supplying the returning wants of spiritual ministration amongst the faithful. At least, the only material modification of it (if modification it can be called) was in such parts of the country, as Christianity most prevailed, wherein, says Bishop Stillingfleet, “encouragement was given for building churches, at a convenient distance from the cathedral, and settling a number of presbyters together there, which were afterwards called collegiate churches:—to which the great and devout men of that time gave liberal endowments, that they might the better attend the service of God there, and in the country about them.” Whence other zealous intinerants, again, issued forth upon the same footing as from the episcopal college, to convert and instruct the circumjacent inhabitants; and continued so to do, as long as the missionary system of evangelizing

Bingham's *Eccles. Antiquities*,
B. v. c. vi. 5.
B. ix. c. viii. 6.

Stillingfleet's
Pref. to Eccles. Cases, Works,
Vol. III. p. 615.

Wharton's *Defence of Plural.*
p. 68.

prevailed—till, in short, the country was parochialized.—
And when did this important innovation take place?

The idea of parishes, viewed in the light of “districts bounded in regard of the profits from the people therein,” in Fuller’s words, “payable only to a pastor incumbent there,” is inconsistent with the community of ecclesiastical profits jointly enjoyed by the bishop and his clergy during the greater part of the eighth century. But towards its close, Christianity having rapidly advanced, and “devotion,” to use Selden’s phrase, “having grown firmer,” the establishment of proper parochial cures was generally commenced by the bishops¹ and kings², in their respective manors, and, more especially, by the opulent thegns³, the great landed proprietors of

Church Hist.
Cent. VII. p. 80.
Sherlock’s
Charge at Visitation, MDCCLIX.

Bishop of Lincoln’s
Visitation Charge, MDCCIX.
p. 26.
Kennett’s *Case of Impropriations*, p. 6.

Bede *E.H.G.A.*
Lib. III. cap. VII.

(¹) “*Birinus episcopus Dorcincæ &c. . . factis dedicatisque ecclesiis, multisque ad Dominum pro ejus labore populis advocatis, migravit ad Dominum.*”

Whitaker’s
Whalley, B. II.
c. I. p. 38, note.

(²) “*Inter alias quas fabricavi ecclesias, &c.*” *Carta Ethelberti Regis in Monast. Anglican.* Tom. I. p. 24. The earliest lay foundations of churches noticed by Bede, are those before cited of Counts Puch and Addi (*circiter A.D.* DCC.)—but about *A.D.* DCCC. they appear to have been common, if we may credit the charters of confirmation made by Bertulph, king of Mercia, and others, to the abbey of Crowland, on the authority of Ingulphus.

Burnet’s *Pastoral Care*, chap. X.
p. 231. *Clergyman’s Assistant*.

(³) To this origin we trace the history of private patronage:—the manorial lords, having founded and endowed local churches out of their own private resources, obtained, in return for their liberality, the right of presenting to each a competent pastor, approved by the bishop, and amenable to his jurisdiction, for institution and induction to the same. And our churches, to all appearance, are still, generally, presentable to by the legal representatives of the very parties who built them originally, formally settling upon them, respectively, at the same time, from land of their own, a dowry of glebe, and the tithes of their own estates. See Dr. Bruton’s *Thoughts on the Separation of Church and State*, pp. 7, seqq.

Soames on *Patronage of Livings*, in *Brit. Magazine*,
No. XX. p. 285.

the Anglo-Saxons, who were desirous of the benefit of *resident* priests, for themselves and vassals, on their own extensive domains, and of having the limits of the same made permanent ecclesiastical divisions, within which they might partake of the offices of religion, without being compelled to have recourse to a distant cathedral, collegiate, or mother church. These foundations had, probably, proceeded more rapidly, had it not been for the mania¹ then dominant of erecting monasteries (so strongly animadverted on by Bede), which in many districts diverted the bounty of the rich from the more salutary direction of parochial establishments. However, by degrees, each estate and commensurate parish obtained its appropriate place of worship—a filial church subordinate to the maternal temple of the diocese, with a resident incumbent and distinct endowment of its own². So much being “restrained from the common treasury of the diocese,” and perpetually annexed, with the bishop’s sanction, to each new creation, as was sufficient for the

Collier’s *Eccles. Hist. of Gt. Britain*, B. 111. pp. 229, seqq.

Wharton’s *Defence of Pluralities*, p. 90.

(¹) King Edgar boasted that he had erected forty-seven monasteries.

Turner’s *Hist. of the Anglo Saxons*, Vol. I. p. 398.

(²) To the following beautiful episode of the Historian of Craven, not inapposite to the text at this point, the reader, I am sure, will readily grant the meed of approbation:—“I would ask,” says Mr. Whitaker, “whether, at the foundation of parishes, and for many centuries after, it were possible to devise a method of supporting an incumbent equally wise and proper with that of a manse, glebe, and tithes?—The pastor was not to be a vagrant among his flock; an house therefore was to be provided for him; he wanted the common necessaries of life (for it was held, at that time, that even spiritual men must eat and drink), and money there was none to purchase them; a moderate allotment, therefore, of land was also required. But the growth of grain, a process which demands much care and attention, would have converted the incumbent, as it has been well and frequently urged of late, into an illiterate farmer. It was proper, therefore,

The Hist. & Antiquities of the Deanery of Craven &c. p. 5. 2d Edit.

maintenance of a *separate* officiating minister upon each demesne. This practice being generally received, at last, an uniformity obtained in this innovation of parochial right. See Sir Thomas Ridley's *View of the Civile and Ecclesiastical Law*, p. 216, note, and Whitaker's *History of Whalley*, B. II. c. I. pp. 37, 38.

Stillingfleet's
Bonds of Resign.
Works, Vol. III.
p. 723.

At first, these precincts were much larger, and cast into such-like divisions in each diocese, (the bishop of Worcester thinks,) as, at present, constitute our rural deanries—varying in size according to the difference of the several circuits of the founders' demesnes,—and were subsequently subdivided;—but, whatever their magnitude, there is no record of localized parochial presbyters attached to any such particular incumbencies in England, till after the middle of the eighth century.

Johnson's *Ec-
cles. Laws*, Vol. I.
DCCXL.

It is true, that the advocate of earlier incumbencies might allege the first and second of Ecgbert's *Excerpta* in proof of such a notion. They, *seemingly*, evidence the fact, "that parish-churches began *then* to be built apace in the province of York," as Mr. Johnson deduces

therefore, that the glebe should be restricted within such limits as would suffice for the production of milk, butter, cheese, animal food, and such other articles as require little labour; while the bread-corn, and other grain of the minister, should be supplied by the industry of his parishioners. And if the minister fed the people, as it was his office to do, with "the bread that endureth," there was an harmony, as well as equity, in requiring that *they* should feed him in return with that "which perisheth." But this primitive and pleasing reciprocation of good offices too quickly ceased to be universal; and the common corruption of our nature will supersede the necessity of inquiring, whether the evil began with the subtraction of tithes or teaching. The declension would be mutual; and law, not love, would soon become the measure both of the one payment and the other."—*The History and Antiquities of the Deanery of Craven*, &c. Edit. 2. p. 5.

from Can. 1.—“ *Ut unusquisque sacerdos ecclesiam suam cum omni diligentia ædificet, &c.*” And the twenty-third, twenty-fourth, twenty-fifth, and twenty-sixth canons go, apparently, to establish the same point. But, it must be borne in mind, that the date of this compilation is unknown. The vicar of Cranbrook places it *A.D.* DCCXL.; Spelman and Wilkins, *A.D.* DCCL.; and others much later—as late as the tenth century. The truth, perhaps, may be, that, though the archbishop, whose name the *Excerptions* bear, was the founder of the *code*, about the time first specified, his successors and others augmented, curtailed, and transposed its contents at discretion; incorporating many canons of the ninth and tenth centuries with the authentic collection of the first *amanuensis*, Hucarius. So that this code of the province of York, as it now appears, with the many augmentations of Ecgbert’s successors, (the work probably, as a whole, of some learned monk of the tenth century,) is no evidence of the state of clerical settlements during the archbishop’s occupation of that See (*A.D.* DCCXXXIV—DCCLXVI). The rules are, almost entirely, copies and extracts from *continental* canons; which circumstance alone would render them inadmissible as testimony of our insular condition, at that or any other time: for they do not appear to have been ever received or ratified by any English council.

But, towards the close of the eighth century, we have other indisputable proof of presbyters appropriated to particular churches.—In the synod of Celcyth (*A.D.* DCCLXXXV.) it is ordered, “ *Omni anno in synodalibus conventibus ab episcopis singularum ecclesiarum presbyteri, qui populum erudire debent, de ipsa fide diligentissime*”

CC. M. B. et H.
Vol. 1. pp. 102-3.

CC. M. B. et H.
Vol. 1. p. 146.
can. 1.

examinentur, &c." And again, in a second synod of the same place (*A.D.* DCCCXVI.), all the servants of God are bade to assemble "*per singulas parochias in singulis quibusque ecclesiis,*" at the death of the bishop, to chant thirty psalms for his departed soul, and perform other ceremonies of fasting and prayer:—where, it would seem, parishes limited as in later days, are to be understood.

Selden's *Hist. of Tythes*, c. 9. IV.

As such foundations increased, the necessity of sending itinerant priests through the dioceses diminished, and at last wholly ceased;—so that we have no mention of them later than the synod of Cloveshoe¹ (*A.D.* DCCXLVII.); in the ninth canon of which, they are enjoined to a due exercise of their functions of baptizing, teaching, and visiting, "*per loca et regiones laicorum, quæ sibi ab episcopis provinciæ insinuata et injuncta sunt, &c.*"

CC. M. B. et H.
Vol. I. p. 96.
Notes to Bishop of Lincoln's Charge, MDCCLXIX.
pp. 26, 27.

Kennett's Case of Impropriations, pp. 4, seqq.

History of Manchester, Vol. II.
p. 371.

The instituting of parishes, and proportioning of churches to them, was certainly a slow and gradual work of many generations—several causes and persons conspiring to it—as Selden, Wharton, Stillingfleet, Wake, and Kennett, have abundantly proved. And, against the authority of such writers, so profoundly learned in ecclesiastical antiquities, few, I should think, will be found to subscribe to Mr. Whitaker's bold and gratuitous assertion, that "all parishes were formed immediately on the Saxon conversion, or even established previously for

Whitaker's Hist. of Manchester, Vol. II. p. 393.

(¹) This Cloveshoe, where several councils were held in the eighth and ninth centuries, has been generally, but wildly, supposed to be Cliff, at Hoo in Kent. It was certainly in Mercia, as the kings of Mercia were constantly present. And it was plainly Glevum, Clevum, or Gloucester, being Clou's or Clove's Hoo or castle, and Gloucester being also part of Mercia at that time.

ages among the Britons of the provinces." See Blackstone's *Commentaries*, Introduction, § iv.

Leaving, however, this much-ventilated subject—the obscurity of which is not a little increased by the different interpretations of the word *parochia*—it will suffice for us that a large number of parochial settlements were appointed towards the close of the eighth century, and, by its completion, the ecclesiastical division of dioceses, and “parochial limits of the parishioners’ devotions,” were grown sufficiently common for the ordinary instruction of the people to be *wholly* left to the *parish priests*, and itinerancy *entirely* abolished¹.

Wharton's *Defence of Pluralities*, p. 85.
Selden's *Hist. of Tythes*, c. 9. 1v.

How soon, after the organization of the rural clergy upon this new footing, archpresbyters were appointed to overlook them and their flocks, it is difficult to determine. Scope is afforded for the commencement of their inspectional services, in aidance of the bishop, at the date referred to: but it does not appear, that they were called into being till more than two centuries after. At least, no church-record affords any tidings of them within the writer's knowledge.

In France, the first foundation of parish churches and ordinary cures was much earlier than in England; and so also was the bican archpresbyteral institution of higher

(¹) Presbyters are often recorded in Domesday-book as resident, where there is no mention of churches, and are supposed to have given titles to places so circumstanced—as *Priest's-town* or *Preston*, *Prefcot*, *Prest-wich* &c. :—in the same way as *kirks*, *churches*, or *ecclesiæ*, when such edifices were rare, gave to the favoured towns, or villages around them, the names of *Kirkby*, *Kirkham*, *Ormeskirk*, *Eccles*, *Eccles-ton*, *Eccles-hall*, &c. The etymology of *Cross-ton*, perhaps, may be traced to some cruciform object of adoration.

antiquity in the former than in the latter country. In French councils and capitularies, mention is made of rural parishes¹ and priests in the fifth century, and of archpresbyters in the sixth.

But, probable as it is, that the whole machinery of the Gallican church-police² would speedily find its way into Britain, from the constant intercourse between the

Muratori *Antiq. Med. Ævi*, Tom. VI. col. 359, seqq.

(¹) And in Italy, according to Muratori, parochial divisions were as early as the fourth century. "*Ad sæculum vulgaris epochæ quartum præcipuè pertinet paræciarum, sive ut appellare solemus, parochiarum divisio, et assignata parochio cuicumque populi portio regenda. Et primo quidem instituti fuere parochi in urbibus, tum in agris, ut Christianorum multitudini in dies crescenti pastorum præsentium ope faciliùs confuleretur. Baptismales autem ecclesiæ procedente tempore ejusmodi ecclesiæ appellatæ sunt, quod baptisterium et jus baptizandi fideles, antea uni urbis cujusque ecclesiæ reservatum, commune factum fuit cum ruralibus quoque parochialibus ecclesiis, ne in incommodum infantium baptizandorum vergeret nimia sacri fontis distantia. Ruralium dixi: nam quod est ad urbanas parochias, longè serius iis facta est venia ministrandi baptismatis. Nempe olim erat cuicumque civitati una baptismalis basilica, plerumque penes cathedralem, ad quam deferre opus erat quoslibet civitatis pueros sacrâ undâ lustrandos Plebes quoque nuncupabantur parochiales ecclesiæ, unde ad nos manavit Italica vox Pieve. Plebis quippe nomine olim designabatur collectio fidelium, sub uno sacerdote posita: quo sensu etiam diæceses interdum occurrunt appellatæ plebes,*" &c. With the first part of this statement on *rurales parochiæ*, Thomassin also agrees. See his *Vetus et Nova Ecclesiæ Disciplina*, Tom. I. P. I. L. II. c. XXII. x. p. 292.

The authority of Christian Princes over Synods, &c. p. 154.

Hist. of Ancient Brit. Church.

(²) "That there was all along, in these days, a very near affinity between the polity of France, and that of our own country, in its ecclesiastical, as well as in its civil establishment, might from many instances evidently be made appear," says Archbishop Wake. See also Hales's *Primitive Church of the British Isles*, p. 68; *Collectanea Cambrica*, N^o. VI.; and Roberts's *Visitation Sermon*, MDCCCXII. notes p. 20, and *Appendix*, N^o. VI. p. 316.

two countries; such does not appear to have been the case as to this particular department of spiritual office. The system of country archipresbyterates or decanates, with their attached superintendants, does not appear amongst us till the eleventh century—owing, perhaps, to the magnitude of our first parochial divisions, and paucity of distinct congregations and incumbencies, which for a time called not for such appointments. Besides—such as they were, they were visited, every year, by the highest ecclesiastical officer. The bishops annually “went about their dioceses in order to an inquiry and correction of miscarriages,” visiting parochially every church, and manse, and pastor, and flock. They visited, indeed, before the division of parishes at all. The council of Cloveshoe, under Archbishop Cuthbert, orders diocesans to visit their *parochiæ* (dioceses) once a year, and to teach the people of all conditions and of both sexes “*utpote eos qui raro audiunt verbum DEI*;” prohibiting all pagan observances &c. (can. III.); and the same injunction is repeated in the council of Celcyth (*A.D.* DCCLXXXV. can. III.). After the division of parishes, annual episcopal visitations continued to be parochially made, as appears from the *constitutions* of Archbishop Odo (*A.D.* DCCCCXLIII. can. III.); “the bishops going about their dioceses every year, and vigilantly *preaching* the word of God.”

Stillingfleet's
Eccl. Cases,
Vol. I. p. 145.

CC. M. B. et H.
Vol. I. pp. 95.
146. 213.

Johnson's *Ec-
cles. Laws*,
DCCCCXLIII.

While, then, church-discipline was thus supported by the diocesan in his own person throughout the whole *parochia*, we have no reason to expect the introduction of any official deputies; and none accordingly are found between the bishop and presbyter with any office or jurisdiction in the diocese at large. By degrees, however,

the ecclesiastical condition of the country changed; and the spiritual government of the faithful became too arduous for *one* episcopal overseer or visitor to manage. Parishes, originally co-extensive with the largest manorial limitations — commensurate, as I have said (*see* p. 74.), with our modern rural deanries—were again and again subdivided; till, at last, they reached the comparatively small bounds, and multiplied distinctions, which now, for the most part, obtain. Every new proprietor, by grant or purchase, of a partitioned lordship, was naturally desirous of a new place of worship¹, a resident minister, and parochial circuit, proper to his own estate—accommodations, which the diocesan pastor liberally ceded for the advancement of Christianity.

Thus with the division of lordships², churches and parishes simultaneously multiplied. And, notwithstanding the reservations in favour of the *seniores ecclesiæ*—the mother-parish churches—of Edgar's and Canute's days, (whereby those churches, in case of new ones being erected within their limits, were entitled to two-thirds of the tithes and oblations of the elder *parochia* in its

Johnson's *Eccl. Laws*,
DCCCCLVIII. c. 2.
MXVII. c. II.

Johnson's *Ancient & Present Church of England*, Part I.
ch. IX. p. 68.
See Kennett's *Impropriations*, App. No. v. p. 6.

Pastoral Care, c. X. *Clergyman's Assistant*, p. 235.

Girald. Cambrenf. *Desc. Wall.* L. II. c. VI.

(¹) In Spain, and some other countries, no patron can alienate an advowson, but by selling the manor to which it belongs; and still, by our law, if the lord of a manor grant to another person his manor, *cum pertinentiis*, the advowson or patronage of any church or churches, appendant to that manor, passes to the purchaser, or other grantee, though there be no express mention of the advowson; nay, though the words *cum pertinentiis* be omitted. Bishop Burnet says the separating an advowson or presentation, and selling them off from an estate to which the endowment was annexed, obtains in no other nation or church than our own.

(²) "*Ecclesiæ verò istorum omnes ferè tot personas et participes habent, quot capitalium virorum in parochiâ genera fuerint.*"

fullest extent), the daughter-churches, “by connivance of the time,” became possessed of an equitable share of the parochial rights, and participated, at the same time, in the temporal heritage of their parents; that is, as far as the lands situate around the new creations were once tributary to the old, the latter were entirely deprived of them, and the secondary benefices therewith permanently endowed—saving alone the church-scot to the mother-church, which was continued to her as a mark of superiority.

Thence it happened, that in the reign of the Confessor the very great number of churches (strange as it may found to modern ears, and scarce credible after all the ravages of the Danes in the ninth century¹) was a subject of complaint: the new foundations, by the subtraction of large portions of tithe of the primary dotations, greatly impoverished the old parochial incumbencies—*“Multis in locis modò sunt tres vel quatuor ecclesiæ, ubi tunc temporis una tantùm erat, et sic (decimæ singulorum sacerdotum) cæperant minui.”* (A.D. MLII.) The maintenance of officiating priests was much lessened from this additional cause—that the clergy, having been in affluence while their larger parishes were undivided, did not at that time exact their rights to the full; and the same

See Turner's Hist. of the Anglo-Saxons, Vol. I. B. III. c. V. p. 228.

LL. Eccles. S. Edward. CC. M. B. et H. Vol. I. p. 311. can. IX.

Johnson's Ancient & Present Church of England, Vol. I. p. 17. Collier's Eccles. History, B. III. p. 228.

(¹) Alfred's interesting allusion to these ravages, in his Preface, while contrasting the former and then state of the kingdom, shews the number of well-furnished churches in the ninth century to have been considerable— “I also remember,” says the king, “how I saw, before that every thing was ravaged and burnt, that the churches through all the English nation stood full of vessels and books, and also of a great many of the servants of God &c.!” The churches, at that time, were, for the most part, built of wood, and therefore soon destroyed by fire.

Turner's Hist. of the Anglo-Saxons, Vol. I. B. V. c. I. p. 296.

being neglected were, in a great measure, subsequently lost: while, at the same time, the very cantonment of the tithes amongst a greater number of poor clerks rendered their payment more necessary.

Wharton's *Defence of Plural.*
pp. 98, 99.

However, notwithstanding the complaints of the primary foundations, the secondary structures advanced, gradually and progressively, to the state of perfect benefices, and were invested with distinct glebe and tithes, apart from the mother-parish-church, as the latter, in its day, had been portioned off from the cathedral endowment¹. Before, or about, the time of the Confessor, this innovation on the elder parochial division was completed; and the ecclesiastical bounds of parishes generally fixed, as they have since obtained throughout England—(see *LL. Eccl. Edgar. R. cc. vi. ix. xv. Canut. R. c. xiii*)—the diversity of our present parishes in size originating in the endless diversity of the several circumstances of the founders' possessions.

Ducangii *Gloss.*
Tom. I. *in voce.*

To reduce and preserve the multiplied parochial cures within the pale of discipline, we may suppose, that, about this time, a certain number of incumbencies or *presbyterates* were thrown together, and constituted an *archipresbyterate*²—“*districtus archipresbyteri ruralis*”—at the

Gibson's *Codex*
I. E. A. Tit. viii.
cap. I. Vol. I.
p. 171.

(¹) In honour of the cathedral church, and in token of subjection to it, as the bishop's fee, every parochial minister, within the diocese, pays to the bishop an annual pension, called anciently *cathedraicum*: which acknowledgment is supposed to have taken rise from the establishment of distinct parishes, with certain revenues, and thereby the separating of those districts from the immediate relation they had borne to the cathedral church. Mr. Johnson seems to consider the *cathedraicum* the same as *church-scot*: see *Ancient and Present Church of England*, Vol. I. p. 15.

(²) Or the *archipresbyterate* may represent Bishop Stillingfleet's primary parochial division, a section of the diocese corresponding to the modern

sole and arbitrary appointment of the bishop of the diocese; or, as population thickened, within the limits of the same, and new churches arose, that a certain number of contiguous cures, in classes of *ten*¹ or more (the ecclesiastical in this matter copying the civil state) were severed off from the primary jurisdiction, and modelled into *Deanries*²; or, in other words, dioceses were broken into *archipresbyterates*, and these again remodelled into *decanates*, and placed by the diocesan under the vicarious tutelage of *deans rural*: who still preserved, in ecclesiastical language, the title of *archpriests*³.—“*Archipresbyteri dicti videntur Decani*,” says Morin, “*eò quod antiquitus diœceses erant per decanias divisæ, quibus præerant archipresbyteri; ut videre est in capitul. Carol. calv. c. III. T. III. Conc. Gallie.*”

See Thomassin.
V. et N. E. D.
Tom. I. P. II.
c. v. p. 225. v.

Morin. de *Sacris*
Ordinat. P. III.
Exerc. XVI. c. II.
p. 217. x.

modern rural deanry; wherein was originally one church—the *matrix ecclesia*—with its incumbent minister; whose huge parish was subsequently cantoned into minor *presbyterates*; over which the elder priest presided, as the *plebanus* of the continent over his *minores tituli*; and continuing to dwell at the principal town or place (the *metrocomia*, where was the original *matrix ecclesia*), exercised, as *archpriest*, ecclesiastical rule over the whole jurisdiction, churches, presbyters, and people. See the note from Holinshed, below.

(¹) “Within the diocese of Worcester,” Bishop Stillingfleet says, “in two *deanaries* of it, there are to be found in Domesday-book above twenty parish churches: in the *deanary* of Warwick, ten; and in the *deanary* of Kingstone, fifteen.

Preface to Eccl.
Cases, XII.

(²) Rapin notes, that in the days of Alfred the secular clergy had taken possession of the monasteries, from whence the monks had been driven by the Danes; and lived there in common, under the direction of an *archpriest*.

Hist. of Eng-
land, Vol. I.
B. IV. p. 112.

(³) “As the number of Christians increased,” writes Holinshed in *The Description of England*, “so first monasteries, then finally parish churches, were builded in every jurisdiction: from whence I take our *deanerie*

Hist. of Manchester, Vol. II.
B. II. c. IX. § III.
p. 380.

Thomassin. *V. et N. E. D.* Tom. I.
P. I. L. II. c. VI.
p. 227. I.

Some such ecclesiastical arrangement as that alluded to, probably, took place in England about the middle of the eleventh century, if not earlier, in imitation of the economy long before established in the Gallican churches; whence, in Mr. Whitaker's opinion, the whole of our spiritual police emanated. Whether, however, this notion be admitted or not, there were canons enough of influential councils, bearing upon the office in question, to make known its utility, and pave the way for its introduction from the continent into England—witness the second of Tours, the *Capitulars* of Charlemagne, and the Pavian and Lateran *councils*, cited in earlier pages.—In the latter it had been expressly decreed, (both at Ticinum and at Rome) “*ut singulae plebes archipresbyterum habeant.*” Where the word “*plebes,*” Thomassin remarks, much to our present purpose, “*plurium parochiarum tractum designat, quibus constat unus decanatus. Quot plebes, totidem debent esse archipresbyteri, qui sollici-*

churches to have their originall, now called mother churches, and their incumbents *archpreests*; the rest being added since the conquest, either by the lords of everie towne, or zealous men, loth to travell farre, and willing to have some ease by building them neere hand. Unto these *Deanerie* churches also the cleargie in old time of the same *Deanerie* were appointed to repaire at fundrie seasons, there to receive wholesome ordinances, and to consult upon the necessarie affaires of the whole jurisdiction; if necessitie so required: and some image hereof is yet to be seene in the north parts. But as the number of churches increased, so the repaire of the faithfull unto the cathedralls did diminish: whereby they now become especiallie in their nether parts rather markets and shops for merchandize, than solemn places of praier, whereunto they were first erected.” *Second Booke*, chap. I. of *the Ancient and Presente State of the Church of England*, p. 135. See also Stavely's *Hist. of Churches in England*, c. VII. pp. 108, seqq.; Stillingfleet's *Eccles. Cases*, p. 650. and *the fourfold division of churches there stated ex LL. Canuti Regis.*

tudinem gerant, non laicorum tantum fidelium, sed parochorum. Sicut episcopus matriæ præest ecclesiæ, ita archipresbyteri præsent plebibus, &c." By which explanation this archipresbyteral regiment is made to fall in with our then civil state as founded by Alfred;—the constitution of which is said to have bestowed on the first representative of the archpriest's office, in ante-Norman England, the title of *Decanus*; as the final clause of the same canon, "*cuncta tamen referant ad episcopum,*" (the bishop being the author of the appointment) distinguished it by the adjunct of "*episcopi.*"

To pursue the subject of the *Dean rural's* origin no further—it is certain, that, in the year MLII., this then important personage appears, for the first time, in the tomes of the councils of Great Britain and Ireland, under the style and title of *Decanus Episcopi*¹—in which capacity he takes cognisance of the violation of the peace within his *Deanry*, and, with the earl and king, receives a share of the emendation or fine of £.8 awarded upon it—the king having one hundred shillings, the earl of the county fifty shillings—"*Decanus autem episcopi in cujus decanatu pax fracta fuerit reliquos decem*"—which words can be applied only to the office of rural *Deans*, according to the respective districts which they had in the parts of every diocese. "There could be no breach of the king's peace," says Sir H. Spelman, glossing upon this canon, "but it must also break the peace and unity of the church; therefore, the bishop's *Dean*, in whose *Deanry* the peace was broken, had ten shillings for his part of the mulct or fine thereof."

L.L. Edward.
Conf. cap. 31.
Spelman. *Gloss.*
Archæol. p. 165.
Gibson *C.I.E.A.*
Tit. XLII. c. VIII.

Ancient Govern-
ment of England.
Reliq. Spel-
p. 50.

(¹) *Decanus episcopi*—"idem qui vulgò *Decanus Ruralis aut Christianitatis.*"

Carpentier: Ap-
pend. ad Ducang.
Tom. II. col. 16.

Under the government of the Saxons the *dean* rural seems to have had more to do with civil than spiritual office, and, in that respect, to have differed from the *bican archpresbyter* of the continent of the same and earlier date. When the *archpresbyterate* was converted into the *decanate*, and the *archpriest* into the *dean*, the office itself seems to have been somewhat secularized, and the officer made a sort of country magistrate. But, in truth, the notices of the *dean* are so scanty, and the authority of the church and state so blended together among the Saxons, in supporting the common interests of religion and government, that we cannot pretend to explain the nature and extent of the particular duties that devolved on him in their ecclesiastical polity apart from their civil. As far as they go, the laws of King Edward and their additaments are authentic memorials (I believe—though Atterbury questions, in part, their genuineness) of the ecclesiastical regime of the eleventh century; and I would that they were more full on the subject of our inquiry, instead of throwing, as is the case, little light upon it!

See Wilkins,
Not. ad LL.
Ecclef. S. Edw.
Vol. I. p. 310.
Charge to the
Archdeaconry of
Totness,
MDCCVIII.

Codex I. E. A.
Vol. II. Tit. XLII.
cap. VIII. p. 971.

Origines Angli-
canæ, Vol. II.
c. III. p. 66.

The *dean* of these laws being called *decanus episcopii*, “without doubt,” Bishop Gibson argues, “was appointed by the bishop, to have the inspection of the clergy and people, within the district in which he was incumbent, under him, and him alone.”—But so much is left to conjecture, as to the constitution of his office, that Dr. Inett, drawing a different conclusion, is inclined to view him, not as a localized functionary with a settled district of supervision, but rather as a spiritual emissary, like the archdeacon of that day, a diocesan officer, with occasional delegations of power from the bishop, as circum-

stances required;—a different personage quite from the incumbent dean rural of after-days. And yet, the laws of the Confessor, be it remembered, speak of the “*Decanus in cujus Decanatu &c.*” as if the officer intended were in immediate connexion with a particular deanry, and not a remote non-resident delegate, dispatched on emergencies from the episcopal see. That he was a residentiary officer, again, is the opinion of Mr. Whitaker; who views the code of the Confessor as a document that may be relied on, and draws from it a general inference that the rural dean was everywhere *settled*, and the rural deanry everywhere laid out, among our Saxon ancestors—an inference by no means warranted.

LL. Edward. Confess. cap. 31. & Scriptores post Bedam, p. 607. Rog. Hoveden. Annal. Legg. Will. Senior. C. I. E. A. ubi supra, p. 971. Hist. of Manchester, B. II. c. IX. § III. CC. M. B. et H. Vol. I. p. 311.

If the officer called “*minister episcopi*” in the tenth canon of the same code be, as is reasonably entertained, the same functionary as the “*Decanus episcopi*” of the thirty-first canon, we have an extension of his powers from matters connected with the *king's peace*, to that of the management of an *ordeal-trial*. Mr. Johnson, however, does not apply the “*bishop's minister*” to the dean, but to the *archdeacon*, “*or whatever officer the bishop thought fit to send.*” Who more fit than the local ordinary, the dean of the district, in which the *ordeal* was to be held? Collier interprets the phrase by the *bishop's official*. On the Anglo-Saxon *ordeals*, see Wilkins *LL. Inæ*, p. 27; Collier's *Eccles. Hist. of Great Britain*, B. III. p. 231; and Turner's *History of the Anglo-Saxons*, Vol. II. chap. VIII. p. 266. 4to. edit.

Eccles. Laws, MLXIV. note (g).

Eccles. History, B. III. p. 228.

I do not say positively that the first rural archpresbyter, or dean, was not a diocesan emissary of the nature referred to by Dr. Inett; nor that the type of his office was not founded on the eastern model of the see of Laodicea;

where the *perioideuta* was sometimes a resident curator, sometimes, and perhaps more frequently, an itinerant coadjutor of the urban bishop—after the abolition of the *chorepiscopus*, who was the city-bishop's previous helpmate.—There is every reason to suppose the fifty-seventh canon of Laodicea known to the Anglican church at the time of the synod of Celcyth; in the fourth canon of which it is decreed, “*ut synodalia edicta universalium sex conciliorum cum decretis pontificum Romanorum sæpiùs lectitentur, observentur, et juxta eorum exemplar ecclesiæ status corrigatur, ut ne quid novi ab aliquibus introduci permittatur, ne sit schisma in ecclesiâ Dei.*”

From whence it may be inferred, that the church of England received the whole body of canons and codes contained in the first six general councils, and, of course, those of the topical councils ratified and confirmed by them (*see* the second Volume of the Clergyman's *Vade-Mecum* by Mr. Johnson), of which collection the Laodicean decrees formed a part.

CC. M. B. et H.
Vol. i. p. 147.

Ecclef. Laws,
DCCLXXXV. note,
can. IV.

Preface, cxiii.

The ancient church of our island had ever a great regard to the *Orientalis*; as appears from another clause of the canon just cited, whereby it is enacted that the English monks and regulars should use the habits of the *Orientalis*.—So that, it is possible, our church may have derived the visiting presbyter's office *direct* from the East, instead of receiving it *mediately* from France.

The evidence, however, such as it is, of the first *Dean rural* of Britain—the *Decanus episcopii*—(whether the officer be of Oriental or Gallican derivation) would, assuredly, lead us to suppose him a local incumbent invested with a capacity to visit and correct defaults within his jurisdiction, rather than a mere diocesan mandatary.

In the kingdom of France, where the ecclesiastical records have been more carefully preserved, and our ecclesiastical notices are more numerous and accurate, the Deans were, undoubtedly, not diocesan emiffaries, but local incumbents. “We see them,” says Mr. Whitaker, “established in their Deanries, and making visitations in them, as early as DCCCL; and, even several years earlier, invested with a considerable authority, and acting as ecclesiastical judges immediately below the archdeacon and bishop.” For this statement Mr. Whitaker cites as his authorities, Hincmar. p. 716. Tom. I. *Articles of En-* p. 393.
quiry made by the Deans; and Baluzius, c. 860 & 1123. Tom. I. I suppose these were the most ancient examples which this very learned antiquary could produce. But, the reader will have seen, my researches have been more successful, and have carried back the office in France to the *sixth* century—to the council of Tours¹ (A.D. DLXVII.)—a period when, according to Baronius, church-discipline

History of Manchester, Vol. II
B. II. c. IX. § 111.
p. 380.

SS. CC. Tom. VI.
col. 539.

(¹) There is a canon of this council of Tours well worthy of notice in these our days, when the usages of antiquity are, from sinister motives, so often misrepresented with regard to the distribution of church property;—though Mr. Hale, in his admirable treatise “*on the supposed existence of a quadripartite and tripartite division of tithes in England, for maintaining the clergy, the poor, and the fabric of the church*,” and in his *evidence* before Parliament on the same subject, has set that fallacy at rest for ever, as far as regards our own country:—to one of the recipients of the bounty in question, the canon of Tours referred to applies—viz. the poor.—So far from the Gallican church having been, at that time, alone burthened with the poor, the council orders that the inhabitants of each place, lay and clerical, should support their own poor;—“*Ut unaquæque civitas pauperes et egenos incolas alimentis congruentibus pascat secundum vires, ut tam vicani presbyteri, quàm cives omnes, suum pauperem pascant: quo fiet ut ipsi pauperes per civitates alias non vagentur.*” (Concil. Turon. II. A.D. DLXVII.)

SS. CC. Tom. VI.
col. 536.

Baronii *Annal.*
Ecclesiast. Tom.
VII. col. 776.

was very energetically supported by the Gallican prelates, —“ *ob complures S. episcopos, qui præerant diversarum provinciarum ecclesiis, vigebat magnoperè ecclesiastica disciplina &c.*” Vitan archpresbyters are there noticed, as in the full exercise of their inspectionary powers: and they are again and again mentioned, as I have already observed in the first branch of our inquiry, in the writings of Gregory of Tours, a little before the date of the council referred to. But to return home:—

Conc. Berghamst.
CC. M. B. et H.
Vol. I. p. 60.

Cann. sub Ed-
gardo Rege, c. VII.
CC. M. B. et H.
Vol. I. p. 225.

Whether the decanal office of the country was of much, or even any, higher antiquity in the British isles, than the eleventh century, I cannot discover¹:—the probability is, that it was not. The non-existence of a generally distributed parochial clergy before that date, was a bar to its institution. There was no call for the office; and there is no trace of its existence. The duties of the continental archpresbyter were thrown on the ordinary priest of England by the seventh canon of the *Dooms Ecclesiastical* of King Withred (*A.D.* DCXCVI), and by the sixth of King Edgar's *Canons* (*A.D.* DCCCCLX). From the former, it is clear, that the priest was thought

Whitaker's *Hist.*
of Whalley, B. II.
c. I. pp. 31, 32.

Pp. 39, 40.

(¹) A naked traditional account of an earlier dean is preserved in the curious memoir, the *Status de Blackburnshire*. The story states, that the incumbents of *Whitechurch* under the *Leigh* (Walley) wrote themselves, and were usually styled, not rectors, but deans; of which the reason is supposed to be, that, on account of the remote and almost inaccessible situation of the place, entangled with woods and overrun with wild beasts, the bishops of Lichfield devolved upon them a large portion of ecclesiastical jurisdiction, reserving only to themselves the decision of certain difficult and important cases: that this constitution remained for four hundred and seventy years before the conquest &c. &c. Dr. Whitaker considers this ecclesiastical not to have been a rural dean. See some remarks upon his anomalous semi-secular character, in an earlier page.

to be under obligation to present offenders to the bishop —“ *Si sacerdos injustum concubitum permiserit &c. :*” and by the latter, such a presentment is expressly taught; —“ *Docemus etiam, ut quilibet sacerdos in synodo enunciet, si in parochia sua noscat aliquem erga DEUM contumacem, vel qui in peccatum mortale malè inciderit, quem ad emendationem inclinare nequit, vel non audet propter seculares.*”

Had the Dean of King Edward's laws, viewed in the character of a spiritual supervisor of morals and religion (such as he was in his archpresbyteral capacity in France) been in existence at the date of the Berghamstead synod, or even the later *Canons* of Edgar, the duty of delating offenders &c. had, probably, devolved on him; —such having been the accusatorial office of his countertype of France, many centuries before the latter date, and more than a century and a quarter before the former.

Again, the *Laws of satisfaction for violation of orders*, of the aforesaid King Withred (*A.D.* DCXCVI), recite the different *Ecclesiastical Degrees*, and the fines or emendations to be paid by persons guilty of violating them; but there is no notice of any functionary between the priest and bishop: nor does any such appear in the *Dialogue* of Ecgbert (*A.D.* DCCXXXIV); one of the responses of which apporions the *quantum* of penance and price, inflicted by the church, for the murder of a bishop, a presbyter, a deacon, and a monk. If archdeacons and archpresbyters were then in existence in the English church, they were not rated in the scale of appreciation. The legislative arithmetic, by which every person among the Anglo-Saxons was valued at a certain

CC. M. B. et H.
Vol. i. p. 62.

Ejusd. p. 84.

sum, denominated his *were*, took no cognifance of them by any fuch compensatory payment. But fee the remarks prefently following.

Gibfon's *Cod. I. E. A.* Vol. 11. p. 971.

The learned author of our *Ecclefiastical Codex* remarks (Tit. XLII. cap. VIII. of rural Deans), that “the office is mentioned in the laws of Edward the Confessor, as an office of antiquity at that time.” But I do not fee that the words of the particular canon referred to authorife the opinion that the office was one of *long standing*, here in England, at the period in queftion, (if fuch be Gibfon's meaning,) though it was on the continent of Europe. Indeed, for the reafons juft ftated, it probably could not have been.

CC. M. B. et H. V. 1. p. 245. *A. D.* DCCCCLXVII. *Scriptor.* x. *Chron. J. Bromton,* col. 871. *CC. M. B. et H.* Vol. 1. p. 302. *A. D.* MXXXIII.

But upon this fubject of the antiquity of the office, it may, in paffing, be obferved, (indeed I owe it to Mr. Brewfter, the author of the *Collectanea Ecclefiastica*, not to pafs it over unnoticed,) that the “*præfectus epifcopi*” of King Edgar's *Laws Ecclefiastical* (III. *de decimis*)—the “*sacerdos epifcopi*” of John Bromton's text of the fame,—and the “*præpofitus epifcopi*” of Canute's *Laws Ecclefiastical* (VIII. *de decimis reddendis*), may poffibly mean the Dean rural; as the terms “*præfectus*” and “*præpofitus*” are often applied to urban Deans, and may, by parity of construction, be transferred to bican alfo. See Ducange's *Gloffar.* in voce *Præpofitus*, Tom. v. p. 759., and Wharton's *Anglia Sacra*, Vol. 1. pp. 431. 448. 559, for examples.—Upon thefe tithe-cansons of Edgar and Canute, and the officers employed in adminiftering them (called by Dr. Inett “the bifhop's *deputies*”), I fhall have occafion again to fpeak, under the head of rural chapters, as courts of Chriftianity for the recovery of church-dues;—merely here fubjoining, that the more ufual interpreta-

Origines Anglicanæ, Vol. 11. p. 59.

tion of the term “*Praepositus Episcopi*” is the Bishop’s Reeve¹: see Dr. Brady’s *Glossary*, p. 59.

As no precise time can be determined when the office of rural dean first began, and no writers have assigned the cause or reason of its institution in this country, the Vicar of Ambrosden expresses a conviction that its *very existence* is to be primarily sought in an imitation of the civil economy of the state. The parallel drawn of the lay and clerical *politia* of the day by this learned writer—in ecclesiastical antiquities *ἀνὴρ πολλῶν ἀντάξιος ἄλλων*—is ingenious; but, in my opinion, however strong the analogy pointed out between the two, there are obstacles to the admission of the hypothesis that the rural *deanship* of the church *originated* in an imitation of the jurisdiction of the tithing-man of the state. Still, the parallel is so nicely worked out by Kennett, so interesting in its details, and so pertinent to this part of our subject, that I am induced to lay it before the reader in the words of the author;—premising, that he does not profess to investigate the original institution and jurisdiction of rural deans beyond our own church and nation, nor attempt to extend the resemblance to any other countries than those having the like civil government.

“In the external policy of the Christian church,” says Dr. Kennett, “several ecclesiastical offices of dignity and power were modelled² by the examples of

(¹) Mr. Collier, in his version of the third canon of Edgar’s *Constitutions*, introduces the bishop himself, instead of his officer, as the tithing-arbitrator, in conjunction with the sheriff and the parson of the parish. Of Canute’s *canon* he takes no notice.

Eccles. History of Gr. Britain, B. III. p. 186.

(²) Thus spake the seventeenth canon of the Œcumenic Council of Chalcedon, *sub fine*—*τοῖς πολιτικοῖς καὶ δημοσίοις τύποις καὶ τῶν ἐκκλησιαστικῶν παροικιῶν ἢ τάξις ἀκολουθεῖται.* (EDITOR.)

Routh Opuscul. Eccles. Vol. II. p. 411.

places and persons in the civil government. It was so in the primitive¹ ages through the East and Western empires, where (as if the church by this compliment courted the favour and protection of the state) the titles and pre-eminence of patriarchs, primates, metropolitans, and some other dignitaries, took the rise and foundation from the temporal powers, that is, from their different exercise of government in cities and countries. The office of rural Deans was undoubtedly owing to the same emulation of following the methods and forms of civil government; and therefore, as in this northern kingdom, for the better conservation of peace, and the more easy administration of justice, every hundred was divided into ten districts or tithings; each tithing made up of ten friborgs, each friborg of ten families; and in every such tithing ‘*statuerunt justitios super quosque decem friborgos, quos Decanos possumus appellare, Anglicè vero Тенгерод, i. e. caput de decem²;*’ which justices, or civil Deans, were to examine and determine all lesser causes between villages and neighbours; to levy the fines or emendations according to legal forfeitures; to compose all occasional differences, and prescribe the measures of

LL. Edward.
Confess. 32. de
centurionibus.

Hittorpii de Di-
vinis Cathol.
Ecclef. Officiis,
Tom. I. col.
695-6.

(¹) See Walafrid Strabo’s *Comparatio ecclesiasticorum ordinum et secularium*, in his work ‘*De exordiis et incrementis rerum ecclesiasticarum*,’ cap. 31: also the running gloss of Muratori upon the lower grades of ecclesiastic and secular offices of the same author, in his *Antiquitates Mediæ Ævi*, Dissertat. decima, Tom. I. col. 519. (EDITOR.)

(²) *Caput de decem*—*Decembir*—Spelman. *Margin. Annot. Glossar. Archæol.* p. 248. See also Dugdale’s *Origines Juridicæ* c. x. *Court Baron*, p. 25. “*Decanus, Friboroughed or Headborough.*” The occasion of the lay-institution is given in full by Sir Henry Spelman, from the original laws c. xx. *loc. cit. Glossar. Archæol.*—and translated in *The Ancient Government of England*, p. 51. (EDITOR.)

fatisfaction; and, for this purpose, to keep their stated meetings for complaint and inquiry; but to refer all greater or more criminal causes to the superior justices, or those who had jurisdiction over the whole hundred¹. So, in compliance with this secular method, the spiritual governors, the bishops, divided each diocese into *deaneries* or tithings, each of which was the district of ten parishes or churches; and over every such district they appointed a *dean*, who should in like manner reconcile the differences of Christian neighbours; and receive complaints, and inquire into grievances, and impose the lesser censures of the church: and for this purpose to hold their solemn chapters, and preside in them, and judicially determine all matters of less concern; but to refer the cognisance of all greater causes, and suffer appeals to the superior courts of Christianity, and so on, to the supreme ecclesiastical judicature².”

LL. Edward. Confess. cap. 33. de hundredis.

(¹) “The lords of the hundred, by the laws of Hen. I. c. 8., were to hold their courts twelve times in the year, *i. e.* once a month; especially a full appearance was required twice a year. So the *deans* had their synods.”

W. K. MSS. 200. Par. Antiq. Vol. 11. p. 338.

“The like similitude between the earl and the bishop; both their estimations valued alike in the laws of King Ethelstan; and two schirenotes every year, as two episcopal synods.”

(²) The like office of *deans* began very early in the greater monasteries, observes Bishop Kennett, especially in those of the Benedictine order; where the whole convent was divided into decuries, in which the *dean* or tenth person presided over the other nine; took an account of all their manual operations; suffered none to leave their station, or omit their particular duty, without express leave; visited their cells or dormitories every night; attended them at table, to keep order and decorum at their meals; guided their conscience; directed their studies, and observed their conversation; and for this purpose held frequent chapters, wherein they took public cognisance of all irregular practices; and imposed

Parochial Antiquities, Vol. 11. pp. 339, seqq.

Regul. S. Bened. 63. et Synod. Mogunt. 1. c. 10.

B. Isidor. de Eccl. Offic. L. 11. c. 15.

“ These **Deans** were constituted over such a number of churches within a large city, and were then called **Decani urbani** and **bicani**; or else over the like extent of country churches, and were then strictly called **Decani rurales**. And, indeed, the tithing-men in the state, and the rural **Deans** in the church, had the extent of their jurisdiction and the exercise of it so much alike, that the one could be no less than a transcript of the other. And, therefore, it is farther observable, that we meet with no such offices as rural **Deans** in Italy or Spain; but, I think, only in England, France, and Germany, or those northern parts, where the like custom in civil policy prevailed. And as hundreds and tithings kept their name, when they bare no longer a strict relation to the number of villages or people; so likewise the rural **Deaneries** conti-

Alteferra Ascet.
L. II. cap. 9.

Synod. Aquif-
gran. can. 55.

Monast. Angli-
can. Tom. III.
pp. 241. 386.

imposed some lesser penances; but submitted all their proceedings to the abbot or prelate, to whom they were accountable for their power, and the abuses of it. And in the larger houses, where the numbers amounted to several decuries, the senior **Dean** had a special pre-eminence, and had sometimes the care of all the others devolved upon him alone. And therefore the institution of **cathedral Deans** was certainly owing to this practice. When in episcopal sees the bishops dispersed the body of their clergy by affixing them to parochial cures, they reserved a college of priests or secular canons for their counsel and assistance, and for the constant celebration of divine offices in the mother or cathedral church; where the tenth person had an inspecting and presiding power, till the senior or principal **Dean** swallowed up the office of all the inferior, and in subordination to the bishop was head or governor of the whole society. His office, as described in the churches of Lichfield and Coventry and St. Paul's, was to have authority over all the canons, presbyters, and vicars; to give possession to them when instituted by the bishop; to inspect their discharge of the cure of souls; to convene chapters, and preside in them; there to hear and determine proper causes; and to visit all churches once in three years within the limits of their jurisdiction.

nued, when they lost their first allusion to ten parishes or churches, and the district of them was contracted or enlarged at the pleasure of the bishop¹.”

“ Though some deanries do still retain the primitive allotment of ten churches, especially in Wales, where the most ancient usages continue in the diocese of St. Asaph, the deanries of Bromfield and Yale, and of Kidwen; in Bangor diocese, the deanries of Llin and of Llivon; in the diocese of Landaff, the deanry of Ufk; in that of St. David’s, the deanry of Emlin, have the precise number of ten parish churches. And several other deanries, that upon their new division were made up of two conjoined, or three contracted into two or one, do now contain the number of fifteen, twenty, or thirty churches, according to the division so made. As for instance, the present deanry of Burcester is made up of thirty-one parish churches: of which the one church of Ambroden being excepted, as before the Reformation being in the deanry of Codesdon, the remaining thirty do expressly answer the three distinct deanries of Curtlington, Islip, and Burcester, of which the two former were annexed to the latter.” Dr. Whitaker, in his *History of Richmondshire*, Vol. II. p. 210, notices that the rural deanry of Kendal consists of ten parishes, and that of Kirkby

(¹) “ *Totum Angliæ Regnum,*” says Dr. Cosin, “ *ratione ecclesiasticæ* Regni Angliæ
Gubernatio
Ecclesiastica,
cap. IV. *in eo jurisdictionis, dividitur in duas archiepiscopales provincias—Cantuariensem et Eboracensem. Utraque provincia in suas episcopales diœceses, singulæ propemodùm diœceses, præsertim quæ majores sunt, in archidiaconatus, quandòque quartam partem diœcesis continentes; decanatus, quibus præficiuntur rurales decani antiquis archipresbyteris non multùm dissimiles, et complectentes plerumque decem parœcias, quas concilium Chalcedonense Regionales vocat; &c.*” (EDITOR.)

Lonsdale of the same number : though of the latter, five are in Lancashire, four in Yorkshire, and one in Westmoreland, p. 276. See also *Hist. of Manchester*, Vol. II. B. II. c. IX. p. 381.

Plausible as is this theory of the parochial antiquary, and true to the extent of affording a satisfactory explanation of the nature of the local jurisdiction, and the probable origin of the name of *Dean*, applied to the tenant of the archipresbyteral office—an application, confessedly, synchronizing in its date with the state-polity alluded to, or immediately succeeding it¹—it still appears to me to have little or nothing to do with the rise of the spiritual charge itself; which, as identical with that of the rural archpresbitership, is traced to a much earlier date than the secular office of tything-man, and found where the latter never existed. Lay influence may have modified the form and extent of the ecclesiastical jurisdiction, but cannot be said to have originated an office more ancient than its fancied archetype.

*Charge to the
Clergy of Tot-
ness, MDCCVIII.*

Accordingly, by Atterbury, when archdeacon of Totness, the scheme of Kennett was objected to, as founded in error. “It is untrue,” says he, “that the institution of rural *Deans* was peculiar to Germany, Gaul, Great Britain, and the northern parts of Europe; but altogether unknown to Italy, till the time of Cardinal

*Muratori Anti-
quitat. Medii
Ævi, Dissertat.
Decima, Tom. I.
col. 520.*

(¹) The date of the institution of civil *Deanries* or *Decaniæ* is not exactly known; on the continent it obtained earlier than among ourselves; but no where for nearly six hundred years after Christ. On the authority of Baluzius, Muratori places it at the close of the sixth century—“*primus, qui regionem civitati subjectam in centenas et Decanias divisisse creditur, fuit Chlotharius II. Rex Francorum circiter Annum Christi DXCv.*”

Borromeo¹. The ground of that error was a false notion entertained by Kennett, that the dean rural in the church answered to the tything-man in the state, and had the same extent of jurisdiction; which led him to imagine that *that* portion of a bishopric, which we call a rural deanry, was to be found in no countries but where the like civil distribution into tythings prevailed. I need oppose nothing to this opinion beyond the authority of Sir H. Spelman, in that part of his glossary which he himself printed; where he tells us, that the rural deanry answered (not to the secular tything, but rather and more nearly) to the county hundred. ‘*Decanatus dicitur de portione episcopatus, centuriæ seu hundredo comitatus respondentis, et decano olim suppositâ!*’ ”

Glossar. Arch.
in v. decanatus,
p. 166.

Equally unsatisfactory is the hypothesis of the bishop of Peterborough to the accurate and penetrating research of Mr. Whitaker, the Historian of Manchester; who, from his examination of the deanries of Lancashire, shews “the folly of the inconsistent relations, which have been equally adopted as true,—that deanries were made in the church in order to correspond with the *tythings*, and

History of Man-
chester, Vol. II.
p. 393.

(¹) Dr. Kennett and Dr. Atterbury rarely agreed upon any subject. But I believe the latter is here right. The facts of history are certainly against the hypothesis of the bishop of Peterborough. We have found many instances of this sacerdotal dignity in Italy and Spain, in the course of our inquiry: and, if the case were otherwise, the non-occurrence of the office (in Italy at least) would be readily accounted for in the reason alleged by Thomassin, (for he seems to agree with Kennett, as to there being no such officers in Italy) viz. the smallness of Italian bishoprics, and consequent needlessness of subordinate decanal jurisdictions. But, in truth, archpriests or deans were of early institution in Italy, though not exactly on the same footing as they were subsequently placed by the reforming archbishop of Milan.

V. et N. E. D.
Tom. II. P. II.
L. III. c. LXXVI.
p. 794. III.

to agree with the *hundreds* in the state. The uniformity of the ecclesiastical and civil tything is asserted by Bishop Kennett. The sameness of the *Deanry* and the hundred is affirmed by Dr. Warner. And both accounts are equally adopted by Dr. Burn in his *Ecclesiastical Law*. But they are as wrong as they are contradictory." "This strange mistake," continues Whitaker, "has so far influenced Bishop Kennett, that falsely supposing the tythings of the state to have been instituted by Alfred, and obliged not to make the copy more ancient than the original, he therefore dates the ecclesiastical tything below the age of Alfred, and asserts the latter to have been in no kingdom that had not the former; when the latter was confessedly in Wales, and actually in Ireland, Hungary, Bohemia, and Poland, where the former never was."

What, then, after all this hypothesis, contradiction, and uncertainty, may we assume to have been the true reasons of the first rise and institution of this office in England?

Ecclef. Cases.
Works, Vol. III.
p. 654.
Atterbury's *Ar-*
chidiaconal
Charge,
MDCCVIII.

There were many things, the Bishops Stillingfleet and Atterbury, with great probability, conjecture, which contributed to letting the archdeacons, and archpresbyters or rural *Deans*, into a part of the ecclesiastical jurisdiction¹;

Jus Ecclesiast.
Protestant. I. III.
Tit. XXXIX.
Tom. III. p. 576.



(¹) The causes that originated the *Dean's* archetype in the Eastern church of Asia Minor, as assigned by Boëhmer, are worth noticing—
“(Cur *periodeutæ instituti.*) § XXIII. *Hoc sæculo, variis intestinis malis notabili, officium periodeutarum in quibusdam ecclesiis demùm invaluit, tum quod episcopi primarii propter quotidiana cum Arianis aliisque certamina, ferè à solitudine debitâ visitandi ecclesias avocarentur, et synodis hinc inde convocatis interesse, ab ecclesiâ suâ abesse juberentur; tum etiam quod quorundam provincia seu diœcesis jam latius extensa esset,*

and these were, “ the laying aside the *chorepiscopi* in the Western parts,” (of which so much has been already said), “ as taking too much upon them”—and the public services to which the bishops, as the king’s barons, were obliged under the Norman government. This pressure of secular business, added to attendance at all ecclesiastical synods, occasioned¹ temporary delegations of the whole episcopal jurisdiction to some officers, and of certain parts of it to others, erected for this purpose, from whom the bishops preserved a right of appeal;—there being, in the words of Jeremy Taylor, “ no canon, or personal declamatory clause, against a bishop giving more or less of his jurisdiction by way of delegation.” Nay, we may go further; and say, with Mr. Johnson, that in the codes of the primitive and universal church, examples occur of every kind of spiritual authority, exercised by bishops principally, being, on occasions, delegated to presbyters, except that of ordination alone. See *Capitul. Regis Carolomanni* (*A.D.* DCCCLXXXIII.) cap. 7. apud Thomafs. *V. et N. E. D.* Tom. I. P. II. L. I. c. v. p. 225. II.

Lewis's Essay on Suffragan Bishops, p. 7.

Episcopacy Asserted, § L. Works, Vol. VII. p. 268.

Preface to *Vade-Mecum*, p. lxxii.

From the conjectures of the cited bishops of Wor-

effet, cui solius episcopi visitatio annalis haud sufficebat. Hâc de causâ hanc partem muneris sui, quod visitatione frequentissimâ explicandum erat, vicariis quibusdam concediderunt, qui a nutu episcoporum dependebant, omnia ad episcopum referebant, et auctoritate episcopi per diœcesin circumibant &c.”

(¹) “ It is probable,” says Lord Bacon (somewhat out of temper, seemingly, with these delegations of the hierarchy), “ that bishops when they gave themselves too much to the glory of the world, and became grandees in kingdoms, and great counsellors to princes, then did they delegate their proper jurisdictions, as things of too inferior a nature for their greatness &c.”

Of the Pacification of the Church, Works, Vol. II. p. 534.

Origines Anglicanæ, Vol. II. chap. III. p. 64. William I. *Ann.* MLXXXV.

cester and Rochester, again, Dr. Inett in part differs, starting a supplemental hypothesis of his own, by no means unreasonable.—“The separation of the ecclesiastical and civil courts¹, and setting up the consistory,” remarks the author of the *Origines*, “made it necessary to change the forms and circumstances of ecclesiastical proceedings, to introduce such new officers as were needful to convene and cite the parties concerned to attend the process, and to execute the sentence; and that, the better to suit the conduct of church affairs to those of the state, and make this new establishment to answer the ancient division of the kingdom into counties and hundreds, the bishops of England did, about the year MLXXXV, divide their dioceses into archdeaconries and deanries, and, to fit theirs to the branches of the civil authority, took the archdeacons, the urban, and rural deans, into a share of their jurisdiction, and fitted

CC. M. B. et H. Vol. I. pp. 84, 212, 225.

See Johnson's *Ecclef. Laws*, note, MLXIV.

(¹) This separation was made by William I. But before that period, and, it may be, from the first introduction of Christianity, the bishop, both in England and elsewhere, had a separate court for matters purely spiritual, distinct from the secular courts. This is shewn by the tenth answer of *The Dialogue of Ecgbert* (A.D. DCCXXXIV.), in Wilkins; by *The Ecclesiastical Laws of Hoel Dda*, L. II. c. XXVIII. (A.D. DCCCXLIII.); and by the seventh of King Edgar's *Canons* (A.D. DCCCCLX.). Indeed, from the latter may be inferred the existence, in the tenth century, of a subordinate ecclesiastical court invested with a delegate power from the bishop, the final referee of appeal. “*Docemus etiam*,” says Edgar's canon, “*ut nullum negotium, quod inter sacerdotes est, deferant ad iudicium seculare, sed componant ac pacificent illud proprii illorum socii, vel transferant ad episcopum, si opus fuerit* :”—which may be considered as preparing the way for the “*Justitia Episcopi*,” the judge deputed by the bishop, or the bishop's spiritual law, the “*Decanus*,” or “*minister episcopi, cum clericis suis*,” of Edward the Confessor's laws, the superintendant of the rural clergy in chapter assembled.

their titles to, or rather borrowed them from, the district they assigned them; and that hence it came to pass, that the archdeacons, whose courts were to answer those of the county, had usually the county for their district, and their titles from the district in which they acted: and the names of rural deanries seem to be taken from the hundreds, and were, and generally are, the same to this day."

It is not unlikely, Dr. Inett allows, that the personal services of the bishops, as barons, might have some influence upon this affair in England. "But whatever effects the laying aside of the bishops may have had in other western nations, there is no visible reason to believe that it had any influence on the English church; for that church was not founded till the inconvenience of the authority exercised by the *chorepiscopi* was become visible, and provided against by the canons of the Christian church; and that office was never received in England till after the Norman conquest¹; and then the introducing

Origines Anglicanae, Vol. II. chap. III. § XVI. p. 64.

(¹) And yet Bishop Lloyd of St. Asaph observes, in his notice of Patrick's conversion of the Irish nation, his ordination of thirty bishops, and Nennius's tale (see *Scriptores* xv. p. 113. cap. LIX.), whereby they are increased to three hundred and sixty-five &c., that "perhaps the meaning might be, that beside those thirty bishops which Patrick ordained for the bishops' sees, he also ordained as many suffragans as there were rural deanries, in each of which there were eight or nine parish-priests, taking one deanry with another. If St. Patrick would so far consult the ease of the bishops, or the people's convenience, he might do it without altering the species of the church-government." But on the truth of this tale of St. Patrick, see Dr. Maurice's doubts in his *Defence of Diocesan Episcopacy* in answer to Clarkson, pp. 153, seqq.; also Ledwich's *Antiquities of Ireland*, pp. 82, 83. and Jamieson's *Account of the Ancient Culdees of Iona*, pp. 335, seqq. And although Holinshed says of the office of "the cathedrall

An Historical Account of Church Government &c. c. IV. p. 92.

the authority of rural deans¹, was so far from having its beginning from the ceasing of the office of suffragans to diocesan bishops, that, in all probability, the general settlement of archpresbyters, or rural deans, and suffragan bishops in England, were usages derived from the same original and much of the same date, and had their beginning from the separation of the ecclesiastical from the

*The Description
of England,
B. II. c. I. p. 135.*

cathedrall deane," that it was "a calling not knowne in England before the conquest;" yet both the chronicler and the author of the *Origines* are, probably, mistaken. Of the existence of the cathedral dean before the conquest there can be no doubt. And the following passage from Mabillon's *Benedictine Annals* makes the chorepiscopal institution more ancient in our island than has been generally supposed. "*Non longè à loco ubi stetit Sancti Petri monasterium extra civitatem Cantuarie, in parte itidem orientali, exstabat vetus Sancti Martini ecclesia, ubi Augustinus sedem suam primitus fixerat. Istic episcopus, veriùs chorepiscopus, institutus fuit, qui vices archiepiscopi absentis in omnibus gerebat, et monachos sibi ex majori ecclesia, monachus ipse, in obsequium assumebat. Idem solemnitates in sede metropolitanâ celebrare solitus, archidiaconi etiam officium agebat, clericos archiepiscopo subjectos corripiens et emendans: cum prior seu decanus majoris ecclesiæ eos, qui in ecclesiis sibi subditis debebant, corrigeret.*" *Annales Benedictini*, Lib. x. xvi. Tom. i. p. 274. See also *Acta Benedict. sæcul. vi. Pars II. p. 656. note (a)*, from Gervasius Doroberniensis in *Actis Pontificum Cantuar.* cap. de Egelnotho, and Battely's *Cantuaria Sacra*, Pars III. pp. 131, seqq. Gervase says, that "formerly the archbishop of Canterbury had a chorepiscopus, who resided in the church of St. Martin without Canterbury, whose office upon the coming in of Lanfranc was abolished, as we hear it was done in all parts of the earth." *Decem Scriptor.* col. 1650. As Lanfranc came into England with William I., it is clear, the chorepiscopal office was of earlier date than the conquest. Lanfranc refused to consecrate any more bishops of St. Martin on account of their scandalous poverty. See *Brit. Magaz.* Vol. II. p. 345.

(¹) Deans rural exercised jurisdiction in Normandy before the Duke of Normandy became king of England. See *Concilia Rotomagensis Provinciæ*, Part 1.

civil courts, and the variety of causes occasioned by the subtilities of the canonists, and the prevailing power of the clergy, which drew so much business into their hands, as made it impossible for the bishops to attend all the parts of the ecclesiastical jurisdiction. And, though some advances were made towards this change, in the latter end of the eleventh, and in the beginning of the twelfth century, yet, it seems probable, it was never generally settled in England, till the latter end of the thirteenth, or the beginning of the fourteenth.”

“At least thus much is evident, that whereas neither the name nor the office of the suffragan bishops are to be found in the canons or histories of the English church before the conquest, and but very little of them for above an age after; from the latter end of the thirteenth and the fourteenth century, down to the Reformation, our histories are everywhere full with their names and offices: and there is scarce a registry in any bishop’s office, that does not afford us light enough to ascertain the names and the powers of their respective suffragan bishops¹ and rural deans.”

“But whenever archdeacons and rural deans were

(¹) Dr. Pegge, who distinguishes between *chorepiscopi* and bishops *in partibus infidelium*, says the latter commenced about A.D. MCCCXXV, and were instituted to assist archbishops and bishops in large dioceses, and to perform all prelatial duties in exempt monasteries. The diocesan bishops, either for their own ease, or because of their necessary absence in embassies, or attendance at court &c., procured them to be consecrated, to reside in their stead. And the monasteries did the same, making some of their own order bishops by the aid of the Pope, and thereby keeping aloof from the jurisdiction of the diocesan. See *A List of the Suffragan Bishops in England*, by the Rev. H. Wharton, in Pegge’s *Account of Suffragans*, pp. 29, seqq.

Letter to Ducarel, p. 23. *Bibl. Topog. Brit.* No. XXVIII. *Strype’s Life of Cranmer*, p. 36.

Ejusd. p. 66.

introduced," he elsewhere adds, "we certainly do not hear much of them till the usurpations of the bishops of Rome gave reputation to the canon law, and brought every thing into the consistory, that either was really, or could be pretended to be, fit for the cognifance of the church."

CC. M. B. et H.
Vol. i. p. 547.

With all respect to Dr. Inett, I subjoin the fact, that, at the first adoption of the dean rural in Ireland (*A. D.* MCLII.), it is expressly stated that he succeeded the *chor-episcopus*:—the villan prelates and such as occupied smaller sees being removed, the churches, which had previously been the seats of the prelacies, were made the capitals of deanries, and archpriests instituted in them by the bishop in lieu of *chor-episcopi*.

Hist. of Craven,
p. 481. Edit. 2.

In the twelfth century, the subscriptions of rural deans to documents are by no means uncommon. Among the attestations of some ancient charters connected with the deanry of Craven in Yorkshire, Dr. Whitaker notices, in the year MCLXXXVI, a dean of Craven who was rector of Arncliffe; and, about half a century earlier, the same rural dignity and title, enjoyed by a rector of Kettlewell.

Hist. of Norfolk,
Vol. v. See *Du-*
ration of Office.

A rural dean of Thetford in Norfolk is recorded by Mr. Blomfield in the year MCLXXV. But these are dates of yesterday, in comparison with that assigned to the primary decanal institution of the north of England by the Historian of Manchester:—"Greatly is the learned Bishop Kennett mistaken," says the Fellow of Corpus Christi College, "in supposing the office of the archdeacon to have been less ancient than that of the dean. The one was just as ancient as the other. As greatly mistaken is he, in his attempt to magnify the antiquity of rural deans; when, unfaithful to his own design, he dates the

History of Man-
chester, Vol. II.
p. 381.

commencement of them some time subsequent to the reign of Alfred. And his antagonist, Mr. Johnson, has wandered still farther from the truth, in his contrary design to lower their antiquity, when he reduces it even to the eleventh or twelfth century. The rural dean was constituted at the same time with the parish priest: and Lancashire was partitioned into deaneries very early in the seventh century."

The latter asseverations, be it remembered, stand proofless in the historical references of the antiquarian: *Ejusd.* p. 393. and glad as we should be to discover, there or elsewhere, evidence of the facts asserted, we cannot but doubt, in the absence of such, the existence of deans rural in England at the period alluded to.

The archdeacon, in my humble opinion, claims a *higher* antiquity here, than the archpresbyter rural. The latter appears not till the eleventh, or, at the very earliest, the tenth century,—supposing, that is, with Brewster, the *praefectus episcopi* of Edgar to be the dean rural (*see* page 92). Whereas archdeacons had existence long before; though the sort of jurisdiction they exercised be problematical. By the one hundred and seventh canon of the *Excerptions* of Ecgbert (called *A.D.* DCCL.), they are charged to see that prisoners have relaxation on Sundays. But, this being an Orleans canon (*A.D.* DL.), and added to the *Excerpta* we know not when, may be objected to as evidence. Not so the great council of Baccandeld, under Cynewulf, king of Wesssex (*A.D.* DCCXCVIII), *Ejusd.* p. 162. where an archdeacon (Wilfredus) is the last of the subscribers. Mr. Somner notices seven archdeacons of Canterbury in the ninth century: and, from *the Laws of the Northumbrian priests*, it is evident that the office *Antiq. of Cant.* Part IV. c. IV. *CC. M. B. et H.* Vol. I. p. 218.

was then (*A.D.* DCCCCL) one of importance; during the whole of which period we have no traces of the rural dean's existence in our island.

SS.CC. Tom. vi.
col. 539.
A.D. DLXVII.

On the continent, it is true, in the Gallican church, there are much earlier notices than with us: but no where, I believe, antecedent to archdeacons. See Bingham's *Eccles. Antiq.* B. II. c. XXI.; Atterbury's *Rights and Powers &c.* pp. 321, 322.; and Brett's *Church Government and Governours*, cap. IX. pp. 180, seqq.; and, on the other side of the question, whereby the antiquity of the archidiaconal jurisdiction is reduced below the conquest, see Nicholson's *Preface to the Scottish Historical Library*, pp. XXI, seqq., who doubts the authenticity of the signature of Wilfrid above referred to, and affirms the *Northumbrian canons* to be "younger than they seem to be, and borrowed from abroad; being only dressed up (*à la mode d'Anglois*) with Saxon penalties and mulcts."

Scottish Historical Library in
Preface, p. XXII.
Eccles. Cafes,
Vol. I. p. 146.

The learned archdeacon of Carlisle is decidedly opposed to Atterbury's statements in his *Rights and Powers &c.*, and roundly asserts, "that no archdeacon ever exercised any jurisdiction in England till some time after the conquest; that is, till the canon-law was established here:"—in which opinion, he is supported by Bishop Stillingfleet. But the antiquity of this office is not the object of our inquiry. See Bishop Gibson's *Codex I. E. A.* Vol. II. Tit. XLII. cap. VIII. p. 969, of *Archdeacons*, and Mr. Nelson's *Companion for the Festivals and Fasts*, p. 387.

Horae Decanicae Rurales.

PART III.

The Election and Institution of Deans Rural.

SECTION I.

THE RIGHT OF ELECTION.

WE proceed to a most important division of our subject—the authority by which rural deans are constituted in the church—to whom do they owe their primary institution?—Upon this question their titular distinctions in ancient councils, capitularies &c., will throw some light, as far as the usage of the Western church is concerned; while, in respect of the East, it has been again and again stated, that the institution to the primary *chorepiscopal*, and to the secondary *perioideutal* offices, was exclusively vested in the diocesan bishop. The *chorepiscopi*, at first, and the *perioideutae*, afterwards, were appointed by the prelates to whom they were ancillary—the latter deputies being the *deans rural* of the Eastern church. Nor did the case, essentially, differ in the West. Sharers, from their first establishment, in the administration of ecclesiastic jurisdiction and discipline, their names in the Latin church point out their ministerial relation to the bishop, as the person from whom their delegated powers originally emanated.

*See Priaulx's
Brief Account
&c. p. 2.*

*Beveregii Sy-
nodic. Tom. II.
Annot. p. 198.
Ad Can. Lao-
dicens. LVII.*

SS.CC. Tom. IX.
col. 695. 826.
Wilkins LL.
Anglo-Sax. et
Civ. p. 197.
CC. M. B. et H.
Vol. I. p. 506.

Southey's *Book*
of the Church,
Vol. I. c. VI. p. 84.

Dr. Field of the
Church, Booke v.
SS.CC. Tom. VI.
col. 536.

On meeting with the designations—“*Episcoporum ministerii adjutores*” (capit. III. Ludov. Pii, A.D. DCCCXXVIII.) —“*Episcoporum ministri*” (Concil. Aquisgran. II. c. IV. A.D. DCCCXXXVI.)—“*Minister,*” “*Sacerdos,*” “*Decanus Episcopi*” (LL. Edward. A.D. MLII.)—“*Decani vel archipresbyteri ad agendas vices episcoporum*” (Concil. Turon. can. VII. A.D. MCLXIII.)—“*Decani constituti sub episcopis*” (Concil. Londin. A.D. MCC.) &c. &c., in reference to rural deans or archpriests, we cannot hesitate to connect their appointment and employment with the bishop. Still it appears, from the earliest records of the office that have come down to us, in the West, that these functionaries were originally *chosen* by their own clergy, subject to the bishop's approval, and were only indebted to the latter for their *confirmation*—an act which he might execute or not, at his own pleasure. And when their institution had been ratified by the diocesan, they could not subsequently be displaced by him, according to the seventh canon of the second council of Tours (A.D. DLXVII.), without the joint consent of the electors. Such, at least, is the Dean of Gloucester's interpretation of the canon, “*Ut episcopus nec abbatem, nec archipresbyterum, sine omnium suorum compresbyterorum et abbatum consilio, de loco suo præsumat ejicere, neque per præmia alium ordinare, nisi facto concilio tam abbatum quam presbyterorum suorum, quem culpa aut negligentia ejicit, cum omnium presbyterorum consilio refutetur;*” and he extends it to our rural functionaries. See also can. XI. (*ex synod. incerti loci* A.D. DCXVI.) SS.CC. Tom. VI. col. 1395.¹

(¹) This canon also inhibits the appointment of archpriests *per præmia* (simoniacally) both spiritual and laical :—for sometimes it seems the latter were

How long such a power of electing and continuing archpriests in office remained with vicar or rural presbyters is unknown;—probably, for no long period: though the privilege of recommending to the bishop, and, in some places, even of nominating persons eligible to the duty, has been permanently exercised by them. Be that, however, as it may, it is quite clear, on the authority of Isidore, that about the year DCXXXIII of Christ, the archpresbyteral office of the country was *elective*; the *electors* being, by *delegation*, the archdeacon, clergy, and people: “*Si in plebibus archipresbyteri obierint, aut pro aliquo reatu exinde ejecti fuerint, archidiaconus (speciali auctoritate episcopi—nisi hoc habeat de consuetudine præscripta, gloss.) quantum ocius proficiatur illuc, et cum clericis, et populis (al. presbyteris, in marg.) ipsius plebis electionem faciat; quatenus dignus pastor domui DEI constituatur; et dum ordinatur, ejus providentiâ ipsa plebs custodiatur.*” And the same may be inferred

Decret. P. I.
Dist. LXIII.
c. XX.

were instituted:—“*Ut abbates, vel archipresbyteri, absque culpâ de ecclesiastico ministerio removeri non debeant: nec per præmia nullus abbas vel archipresbyter ponantur. Quod si quis facere præsumperit, communionem privetur. Nec sæculares archipresbyteri ponantur. Forfitan si talis fuerit, quem pro merito personæ in solatium ecclesiæ pontifex necessarium esse judicet, ut sine ejus defensione paræciani illi se defensare non possint.*” But laical archpresbyters are forbidden by the nineteenth canon of the council of Rheims before cited (A.D. DCXXX.)—“*Ut in parochiis nullus laicorum archipresbyter præponatur: sed qui senior in ipsis esse debet, clericus ordinetur.*” And see also can. XVI. (*ne decanatus rurales pro pretio conferantur*) of the Council of Rouen (A.D. MCCXIV.)—“*Inhibemus ne decanatus rurales ad tempus vel in perpetuum pro pecuniâ vel aliquo pretio conferantur alicui, sicut statutum est in conciliis Lateranensi et Turonensi: eos qui contra hoc venerint decernentes, præter pœnas in conciliis comprehensas, juxta prælatorum arbitrium, gravi pœnâ puniendos.*” And can. XXIV. (A.D. MCCXXXI.)

SS.CC. Tom. VI.
col. 1395.

SS.CC. Tom. VI.
col. 1435.

Concilia Rotomagensis Provinciae, Part I.
p. 113.

p. 136.

SS. CC. Tom. IX.
col. 1164.

from the council of Cisalpine bishops, held for the settlement of ecclesiastic discipline, at Pavia (*A.D.* DCCCLV.); which admits the people as co-electors—(unless “*electionis consortium*” mean no more than the presence of the people for suffrage of public testimony, and not of formal choice)—and, like the council of Tours before cited, disallows the displacement of archpriests by the bishop, after institution, except for criminality, or ill-usage of the churches under their administration—a curious exemplification of which is afforded in the conclusion of the following extract; “*Sanè removenda quorundam laicorum procacitas, qui hoc solo obtentu, quòd ad electionis consortium admittuntur, archipresbyteris suis dominari præsumunt: et quos tanquàm patres venerari debuerunt, velut subditos contemnunt. Hi igitur intra proprii juris terminos sunt redigendi, et si extraordinariam dominationem in ecclesiis exercere præsumperint, regia sunt disciplinâ coercendi. Ipsi verò qui ad gubernandas plebes legitimè proveci sunt, nullatenùs à suis episcopis repellantur, nisi aut in alicujus criminis reatum inciderint, aut easdem plebes malè tractaverint. Tollenda est enim prava omnino consuetudo, quæ in quibusdam locis oriri cæpit: quia nonnulli archipresbyteri vel aliorum titularum custodes, fruges, vel aliarum ecclesiarum redditus, ad proprias domos abducunt. Quidam vero aliorum possessiones conducunt, ut in eis quæ ab ecclesiis suis malè subtraxerunt recondant, &c.*”

Such authority of election, exercised by these parties, was, probably in all cases, by special permission of the bishop; as it is, wheresoever prevalent with the clergy of the present day; the diocesan possessing a clear negative on the election in the privilege of confirming or

superfeding it. And to the same concession, originally, may be assigned the elective character of the urban or cathedral dean; who, at his first institution, was nominated out of the college of presbyters by the bishop alone, as his vicarious superintendant in the episcopal church; but subsequently became independent of the bishop, as far as election went, and only beholden to him for a ratification of the chapter's nomination. By which early grant, the urban archpriest's appointment was lost in perpetuity to the diocesan:—not so, however, the dean rural's; which, if at any time surrendered to an inferior constituency, was generally again recovered at the will, and exercised at the discretion, of the bishop, with or without archidiaconal, clerical, and popular interference, at his personal choice, he having *de jure* “the *sole*ship of election;” although, in modern days, we have heard of archdeacons *prescribing* against their bishop in the exercise of this branch of his authority.

Gibson's *Codex*
I. E. A. Vol. II.
Tit. XLII. cap.
VIII. p. 971.

Of the parochial laity, as joint electors, we hear nothing after this date; nor is it probable that such a power, seeing, in the fore-cited Pavian council, the abuse to which it was liable, was long entrusted to their hands. But archdeacons, having grown up to a permanent participation of other episcopal duties, seem to have continued thence forward (*viz.* from the days of Isidore) sharers also—by *sufferance*, I should say, rather than *right* of office (for how could any archdeacon *prescribe* against his bishop)—in the appointment of rural deans in many dioceses. For which intervention, more or less at all times dependent on custom, an early sanction is alleged in the thirteenth canon of Hincmar's *Capitula*, addressed to his archdeacons Guntar and Odelhard,

(A.D. DCCCLXXVIII.); wherein the archbishop enjoins the latter officers to proceed to the election of DEANS with due consideration, and to constitute them *conditionally* in case of his absence,—reserving to himself the power of *confirmation* or *deprivation*, as he might deem expedient, on being made acquainted with their choice. “*Si Decanus in ministerio vestro,*” says he, “*aut negligens, aut inutilis et incorrigibilis fuerit, vel aliquis eorum obierit, non inconsideratè Decanum eligite. Et si ego in propinquo sum, ad me illam electionem referte. Et si ego in longinquo sum, Decanum illum qui electus est interim constituite, donec ad meam notitiam electio illa referatur, ut meâ constitutione aut confirmetur, aut immutetur.*”

Hincmari Opera,
Tom. I. p. 738.
SS. CC. Tom. X.
col. 25.

Arnulphi Lexo-
viensis Episcopi,
Epist. XXVII.

A letter of Arnulph, bishop of Lisieux, gives the archdeacon the right of presenting the archpriest to the bishop, who had the power of refusing him institution, if he thought him unworthy of the office: but, at the same time, he could not proceed, against the will of the archdeacon, to a second institution; “*cùm ei in archidiaconatu suo alius quodammodo archidiaconus annascatur.*”

Nor was the bishop’s reservation of a *veto* upon the election less marked, in cases where the clergy enjoyed, by custom or constitution, a delegated power of choice. Witness in the church of Ferrara: where, though the “*constitutiones*” of the “*parochi*” of that state, confirmed by the bishop (A.D. MCCLXXVIII.), give to the subject “*capellani*” of the “*parochia*” the privilege of electing their own archipresbyter, or, as he is denominated in the gloss of Muratori, “*caput congregationis parochorum,*” (provided, that is, they made their choice within fifteen days from the date of a vacancy by death); yet the statutes reserve to the diocesan a *veto* on presentation.

Antiquitates
Medii Ævi,
Tom. VI. col.
436. 440.

And, supposing the parochial incumbents, here called capellanes, not to comply with the instructions passed "*pro suæ congregationis regimine*," in this particular, the elective capacity devolved on the bishop—" *quum archipresbyter viam carnis ingressus fuerit universæ, capellani infra quindecim dies proximos futuros archipresbyteri electionem facere teneantur, ipsam electionem confirmandam aut infirmandam nostro domino Ferrariensi episcopo præsentantes: alioquin præfata electio ad ipsum dominum episcopum devolvat.*"

So great, however, was the ascendancy and influence which archdeacons had attained in these appointments in the twelfth century, and so subordinate the decanal to the archidiaconal functions, that in a canon of the great Lateran council (A.D. MCLXXIX.) under Alexander III., regulative of the visitatorial expenses of rural deans and higher dignitaries, the former are specifically denominated, from their subjection, "*Decani constituti sub archidiaconis:*"—which subjection is repeated and made absolute by the decretal epistle of Pope Innocent III. (A.D. MCCIV.)—" *Archipresbyteri, qui à pluribus decani nuncupantur, (that is, rural deans, for deans of cathedral churches were never subject to archdeacons—Dr. Brett) archidiaconi¹ jurisdictioni se noverint subjacere:* and, yet farther,

SS. CC. Tom.
XIII. col. 419.
can. IV.

Decret. Gregor.
IX. L. I. Tit.
XXIII. VII.
Account of
Church Govern-
ment, &c.
cap. VIII. p. 183.

(¹) "*Statuimus et præcipimus quod omnes presbyteri et decani rurales obediant archidiaconis suis in omnibus licitis et honestis, eorum jura et nostra observent et faciant observari. XIV. I. Statuta synodalia ecclesiæ Leodiensis,*" A.D. MCCLXXXVII.

SS. CC. Tom.
XIV. col. 1134.

" *Ordinatio vicariæ de Pyryton cujus eccl'ia appropriatur abbatiæ de Tewkesbury, MCCCCL.—Item dictus vicarius et successores sui invenient et exhibebunt unum decanum ruralem ad deserviend. Ordinariis loci in decanatu de Powlett quotiens hujusmodi onus ad dictam eccl'iam juxta consuetudinem d'eti decanatus evenire contigerit.*" Reg. Mell.

W. K. M. & G. Ed.
Par. Antiq. V. II.
p. 351.

confirmed by the reply to the question, "*Utrum Decani rurales, qui pro tempore statuuntur, ad mandatum tuum solum, vel archidiaconi, vel etiam utriusque, institui debeant vel destitui, si fuerint amovendi*"?—To which the papal answer is:—"Ad hoc breviter respondemus, quod cum ab omnibus, quod omnes tangit, approbari debeat; et cum commune eorum (i.e. of the bishop and archdeacon) decanus officium exerceat; communiter est eligendus, vel etiam amovendus."

Whitaker's *Hist. of Manchester*, Vol. II. B. II. c. IX. § III. p. 383.

Provinciale, L. II. T. I.

L. I. Tit. II. gl. v. decanos rurales.

L. III. T. XXII. gl. v. decanorum.
L. I. Tit. II. gl. v. eorum vices.

L. II. T. I. gl. in v. decanos.

Const. Dom. Othon. de VII. Sacram. gl. in v. decanatum suorum, p. 10.

Though equally an ordinary, equally a prelate, with the archdeacon and bishop, the dean rural of England, as well as the continent, was subordinate and ministerial to both—being early and repeatedly called the dean of the archdeacon and bishop. Wherefore the doctrine of the Roman rescript is transferred by the bishop of St. David's to his *Provinciale*: "*Dicit Innocentius*," observes Lyndwood in his commentary in *v. Decani rurales*, "*quod sunt personæ habentes quædam officia communiter spectantia ad episcopum et archidiaconum, et idè communiter eorum receptio et amotio pertinet ad utrumque*:"—in another place he calls them "*Decani temporales ad aliquod ministerium sub episcopo vel archidiacono (al. archiepiscopo) exercendum constituti*:"—in a third, "*qui sub archidiacono quandoque certum ministerium habent*:"—in a fourth, "*vicarii episcoporum et archidiaconorum (al. archiepiscoporum)*:"—in a fifth, "*ministri tam episcoporum, quod archidiaconorum, (non tamen aliorum ordinariorum)*." And to the same purpose speaks the glossary of John de Athon on the *Legatine constitutions* of Otho:—"Decanatus rurales, et per consequens decani ibi, præfecti sunt ipsorum archidiaconorum; sed certè salvâ consuetudine locorum tam præfici debent decani tales, quàm etiam

amoveri, per episcopum et per archidiaconum simul de jure;”—where, says Gibson, the clause, “*salvâ consuetudine locorum,*” explains the gloss (“*secundum consuetudinem loci*”) on the word “*communitèr,*” in the foregoing constitution of Innocent III. See *Summa Silbestrina*, P. I. *de Archidiacono*. 9. fol. xxxviii. and *Hostiensis de Offic. Archidiaconi*, Tom. I. fol. cxvi. The latter of which commentators seems to have correctly interpreted the text as of local and not general application—“*secundum consuetudinem Franciæ*’— *in aliquibus ecclesiis constituuntur tales decani per episcopum et archidiaconum communitèr ad quædam officia eis communitèr exercenda: nec instituuntur in aliquâ ecclesiâ nec confirmantur: immò quasi ministeriales et officiales sunt utriusque, et pro magnâ parte non constituuntur perpetuò, sed ad tempus. Ubi ergò talis vel similis non est consuetudo, hoc quod ibi dicitur non vendicat sibi locum.*”

Codex I. E. A.
Vol. II. Tit. XLII.
cap. VIII. p. 971.

Hostiensis super primo decretal.
Tom. I. fol. CXVI.
col. 3. & *Panormitan.* Tom. II.
p. 70.

Nor does Atterbury’s interpretation of the canon law in reference to English usage differ from that of the Cardinal, Lyndwood, Gibson, and others. Ever since the first-cited letter from the Roman see, the bishop of Rochester affirms, the archdeacon’s authority has intervened, with that of the bishop, (as in the diocese of Exeter,) towards appointing deans rural; except where, by grant, composition, or custom immemorial, things have been otherwise ordered; as the case was in the diocese of Canterbury, where, thirteen years after the

Visitation Charge to the Clergy of Totness, MDCCVIII.

(¹) “*De droit commun,*” says *Les Loix Ecclésiastiques de France*, “*les Doyens Ruraux dépendent de l’archidiacre et de l’évêque, qui doivent les élire et les déposer conjointement; (mais il y a des diocèses où l’évêque nomme seul les Doyens Ruraux; d’autres où ils sont élus par les curés du Doyenné, qui les présentent à l’évêque).*”

Analyse des Decretales. Titre XXIII. Part I.
p. 73.

Somner's *Antiquities of Canterbury*, P. I. Appendix, No. LX. p. 66.

No. LIX. p. 65.
See *Appendix to Supplement*, Part II. p. 60.
Brett's *Account of Church Government and Governours*, c. x. p. 188.

T. D. Whitaker's *Richmondshire*, Vol. I. p. 34.
Mr. Ledger's *Book Diocæs. Registr. Cestr.* p. 1.

date of this rescript, a special grant was made to the archdeacon of the *institution* and *destitution* of rural deans by Stephen Langton, the archbishop, in the following words—previously revoking his own official's appointment of them *ex consuetudine*— “ *Statuimus ut archidiaconi Cant. qui pro tempore fuerint, decanos constituent, et amoveant pro suæ voluntatis arbitrio, prout meliùs viderint expedire in Dioc. memoratâ, et sibi respondeant sicut decet, cum absurdum sit, ut alius eos constituat quàm is qui eis debeat præesse, et cui respondere tenentur, præsertim cum ipsis (decanis) referentibus, corrigere debent (archidiaconi) cæterorum errata.*” And in a personal grant to Archdeacon Hubert by Archbishop Wetherhead (surnamed Le Grand), two years afterwards, the “ *institutiones et destitutiones decanorum*” are continued; but with the saving clause, “ *præhabito consilio nostro.*” The archdeacon of Canterbury had not lost this privilege in the latter end of the seventeenth century;—for it is said, that when Archbishop Sancroft would have nominated rural deans in his diocese, he was opposed by his archdeacon, Parker.

Again, before the foundation of the see of Chester, the archdeacons of Richmond and Chester¹ (while their jurisdiction was so preposterously extensive as it was—each indeed having an unlimited ordinary jurisdiction in his own archdeaconry) could appoint their vice-archdeacons and rural deans at pleasure, and remove them

(¹) On the extinction of the two jurisdictions, the endowments which had been attached to them from the twelfth century were transferred to the episcopal see, with this *proviso*, that there should still continue two *titular* archdeacons, with yearly stipends of 50*l.* each, out of the old revenues.

without rendering a reason. And to shew the irresponsible power of the archdeacons within their archdeaconries, the rural deans constituted by them could not be called upon to attend the archbishop's courts, nor could aids be imposed, nor a church, nor clerk be suspended by the metropolitan within their limits. This is particularly recorded in the old *Meiger* or *Vouchier* of the archdeaconry of Richmond, in reference to that archdeacon:—" *Item archiñus ponet suá auctoritate vice archiñ et decanos in suo archiñatu quoscunque voluerit et amovebit et deponet eos sine omni contradictione. Præterea verò vice-archiñus et decani non tenentur venire ad placita archiepiscopi nisi sponte voluerint, &c.*" (*Ex transcripto Vet. Libr. vocati the old Meiger or Vouchier &c.*) And the same obtained with regard to the archdeacon of Chester.

Libertates archidiaconatus Richmondiæ, MCC. XIII. penes Registr. diocef. Cestr.

But in Ireland, two years after the promulgation of the fore-cited papal epistle of Innocent III., we find the bishop of Meath still retaining, and enforcing, the exclusive right of nomination to rural archipresbyterates; "*vacante per mortem, aut alio quovis modo archipresbyteratus officio, eligendus est per nos, aut successores nostros successor, quia jurisdictionem suam à nobis haurit.*" In the diocese of Melun (*A.D.* MCCI.), Innocent III. continued to the bishop the institution and destitution of deans-rural, independent of archidiaconal interference, though the ruling deacons formally laid claim to it, "*asserentes quòd, eis inconsultis, non licet aliquem instituere in decanum:*" while the bishop of Melun affirmed, on the other hand, that the appointment and removal of these officers, throughout the diocese of Melun, had *ever* been granted by the papal see to *his* predecessors. The dispute

CC. M. B. et H. Vol. I. p. 547.

Præclara Eccles. Disciplin. Monument. ad calcem Theodori Poenitential. pp. 720, 721. Ex Chartulario Ecclesie Meldensis.

ran high; and the parties having assembled at the cathedral of Melun, for the sake of settling it, the pope decreed, with the consent of the bishop and archdeacons, "*pro bono pacis,*" "*quod rurales decanos Meldensis episcopus, archidiaconis inconsultis, possit eligere, instituere, et mutare, salvâ tamen fidelitate quam de conservando jure archidiaconorum consueverunt præstare.*"

SS. CC. Tom.
xiv. col. 270.
can. x.

Harris's *Ware's*
Works, Vol. I.
p. 290. *Ex Re-*
gistr. Swain.
Tom. I. p. 279.

SS. CC. Tom.
xxi. col. 43.

Thomassin.
V. et N. E. D.
T. II. P. II.
L. III. c. 76.

Const. et De-
cret. Synod. Sa-
lisburg, Con.
xxv. cap. iv.
pp. 121, 122.

Usage always ruled the point. In the diocese of Poitiers (A.D. MCCLXXX.), Bishop Walter inhibits the retirement of deans rural from office without his permission; and therefore we may infer that he appointed them:— "*Inhibemus archipresbyteris et decanis, ne recedant absque licentiâ nostrâ: et injungimus eisdem, quod antequàm recedant, scribant et nobis referant excessus factos contra jurisdictionem ecclesiasticam.*" In Ireland, again, (A.D. MCCCXXX.) during the vacancy of the see of Derry, Archbishop Swain being guardian of the same for the time being, conferred on Donat O-Kerulan, one of his sub-guardians, the rural deanery of Magthya, in the diocese of Derry, to *continue* during pleasure. And, at a much later period, in Italy itself, (between the two opposite precedents of Innocent III. quoted from the canon law, rescript against rescript,) Borromeo, the celebrated archbishop of Milan, appropriated to himself the *right* of election, on the occasion of establishing among his parochial clergy the spiritual supervisors termed *vicarii foranei*; whom he made amenable to himself *alone*, and amotive at his will and pleasure:— "*Hi vicarii voluntate episcopi ab officio amoveri semper possint; ac si malè id administraverint, pœnas dent ejusdem episcopi judicio.*"

Such was their constitution, too, in the archdiocese of Salisbury (A.D. MDLXIX.)— "*Rurales decani à suis episcopis*

consecuti cum auctoritate officium et dignitatem, tales se reddant, ut conceptæ de ipsis expectationi, et suo muneri, ac suorum episcoporum satisfaciant voluntati &c." And in our own country, about the same date, the archdeacon was entirely deprived of all participation in the appointment, unless perchance he happened to be the ordinary (which alone the bishop was *de jure*), when he was capacitated to appoint. It was not to be supposed that our Reformers would have much respect for papal edicts upon this or any other branch of polity; and accordingly, we find, that it was decreed by the compilers of the projected *Reformatio Legum Ecclesiasticarum* to this effect: "*Decanatus quilibet archipresbyterum rusticorum habeat, vel ab episcopo vel ecclesiæ ordinario præficiendum.*" But in the following chapter "*De Archidiaconis,*" these superior officers are enjoined to see that the archpresbyters duly performed their functions (cap. vi. p. 96).

In the provincial council of Cologne, under Archbishop Herman (*A.D.* MDXXXVI.), *pro reformatione clericorum et cæremoniarum ecclesiæ*, the twentieth canon gives to the archdeacons the *sole* power of election and admission:—"*Archidiaconis nostris incumbit, ne ullos inidoneos officiales aut decanos rurales deligant aut admittant, sed ad has functiones viros tantum assumant, cum doctrinâ præstantes, tum vitæ innocentis inculpataque, qui nullius criminis labe notabiles, officium suum irreprehensibilitè exequantur.*" While, on the other hand, in direct variance therewith, the council of Malines (*A.D.* MDLXX.) enacts, cap. III. (*De Decanis Christianitum*):—"*Archipresbyteri rurales in singulis diæcesibus pro discretione episcoporum assumantur, qui possint pastoribus vitâ, consilio, et*

De Ecclesiâ et Ministris ejus, illorumque officii. cap. v. p. 95.

SS. CC. Tom. XIX. col. 1293.

SS. CC. Tom. XXI. col. 595. Synod. Prov. Mech. p. 43.

exemplo prodesse ; et non pluribus præficiantur ecclesiis, quàm possint commodè regere ; ac sint arbitrio episcoporum amovibiles.” But the cause of this *exclusive* jurisdiction being vested in the bishop may be, as suggested by Van Espen, that the entire archidiaconal power had in Belgium merged in the episcopal.

To the latter learned canonist we are indebted for the farther usages of the Belgian churches in reference to the appointment and constitution of this trust :—

Van Espen *Jur. Eccl. Univ.* P. I. Tit. VI. c. I. p. 29.

“ IV. *Moribus Belgii passim obtinuit, ut non tantùm episcopi soli pro suo arbitrio decanos rurales constituent, sed insuper libertas eis sit, quemcunque è presbyteris, quem huic officio maximè judicant convenire, eligere ; nec solet officium archipresbyteratûs ulli determinatæ parochiæ aut dignitati, vel beneficio esse annexum.*”

“ *Similiter in potestate episcopi est, districtum decanorum vel extendere, vel limitare ; imò et unam decaniam sive districtum archipresbyteratûs in plures dividere ; aut plures in unum conflare.*”

“ V. *Functiones quoque et potestas decanorum à commissione seu instructione, quam ab episcopis accipiunt, unicè dependent : unde in litteris, quibus archipresbyter ruralis constituitur, inseri consuevit hæc clausula : archipresbyterum districtûs N. te nominamus et deputamus cum facultatibus hujusmodi archipresbyteris concedi solitis ac consuetis juxta instructiones datas.*”

Strype's *Annals,* V. I. P. I. c. xxvii. p. 479.

But to return to our own country :—In the year MDLXII, among the ecclesiastical regulations then intended, one was, “ That in every deanry in the country, there may be constituted by the bishop, one grave and discreet priest, to be archipresbyter or decanus ruralis.” Which act of constituting, by the canons of MDLXXI.

(*Liber canonum &c. de archidiaconis*), supposes the previous recommendation of the archdeacon¹; “*peractâ visitatione, archidiaconus significabit episcopo, quos invenerit in quoque decanatu, eâ doctrinâ et judicio præditos, ut digni sint, qui² pro concione doceant populum, (‘for preachers in those days were rare’—Gibson,) et præsent aliis. Ex illis episcopus potest delectum facere, quos velit esse decanos rurales.*”

CC. M. B. et H.
Vol. IV. p. 264.

Sparrow's Col-
lection of Ar-
ticles &c.

To the bishop the same power of nomination is continued by the fifth canon of *His Majesty's Declaration concerning Ecclesiastical Affairs* (A.D. MDCLX.):—“**Rural**

CC. M. B. et H.
Vol. IV. p. 562.

(¹) May I notice, at this point, a *formula* of the Romish Church in England, of the time of Charles the First, by which, Richard Smith, bishop of Chalcedon, appoints his archdeacon, and gives him the power of electing his own deans rural?—The original document is stated to be in St. Gregory's seminary at Paris, by the author of *The Church History of England* (Dodd, I believe), whence I transcribe the following extract:—“ Quò verò clerus, et populus tuâ sollicitudine, curâ, ac diligentia, in via virtutis incedat, et bonorum operum fructus ubique profemines, volumus ut totum districtum tuum semel saltem in singulis annis in propria personâ visites; et duos vel plures presbyteros, viros idoneos, atque integræ et probatæ vitæ, in prædicto districtu tuo, eligas, qui munus decanorum ruralium obeant in locis intra districtum tuum à te præstituendis, præstòque sint rationem tibi continuò reddere de moribus presbyterorum, et prædictarum personarum laicarum intra terminos tui districtûs degentium, seu commorantium. Quorum virorum, ita à te electorum, nomina ad nos destinabis, ut, literarum nostrarum vigore approbationem, et confirmationem consequantur &c.” Part VI. char. I. Book III. art. IV. *Records of the Clergy*, p. 152.

(²) In the diocese of Winchester, the dean rural, annually elected upon the old foundation, preaches two visitation sermons during his year of office; and the same custom obtained in the days of Atterbury (archdeacon of Totness MDCCVIII.), and still obtains, in the diocese of Exeter:—probably, in both cases, founded on this canon, which was interpreted as referring to *Visitation* sermons.

Atterbury's Ar-
chidiaconal
Charge,
MDCCVIII.

Deans, as heretofore, to be nominated by the bishop of the diocese." While in the diocese of Kilmore, during the episcopate of the primitive Bishop Bedell, the old custom, of the clergy electing their own Deans, returned :

Burnet's *Life of Bedell*, p. 184.

CC. M. B. et H. Vol. IV. p. 538.

—“ *Ut secundum pristinam et antiquam hujus diœceseos Kilmorensis constitutionem, in tribus ejus regionibus tres Decani sint, ab ipsis ministris ejusdem Decanatûs eligendi, qui vitam et mores cleri jugi circumspicione custodiant, et ad episcopum referant, ejusque mandata accipiant, et, quoties opus erit, per apparitorem Decanatûs ad compresbyteros suos transmittant.*”

CC. M. B. et H. Vol. IV. p. 638.

In *The Proceedings in Convocation about Rural Deans* (A.D. MDCCX.), the Upper House seems to have been unwilling to admit the doctrine of Innocent's rescript, so often alluded to, but rather inclined to restore to the district clergy the pristine capacity of electing their own Deans, subject to episcopal sanction alone. “That the clergy of every Deanry, or the greater part of them, shall chuse a person qualified” (i.e. “beneficed within the Deanry, as rector, vicar, or perpetual curate, resident upon his benefice or cure, of the elder and graver sort of the clergy, and a graduate in one of the two universities within this province”) “who shall be presented by the archdeacon or other ordinary to the bishop for his approbation; and when approved, shall be appointed by the bishop under his hand to execute the said office for the term of three years, unless cause should appear to the bishop for altering the said term.”

The latter part of this projected canon was pertinaciously resisted by the Lower House, in their eagerness to advance the privileges of their own members, by investing archdeacons with the joint-power of dismissing,

as well as appointing, deans rural, according to the papal decree, and the glosses of John de Athon and Lyndwood on the *legatine* and *provincial constitutions*:—or, at least, they would have carried, as an indispensable amendment, that the archdeacon's consent should be first obtained, before the bishop proceeded to the authoritative act of displacement.

On the continent, ten years after this convocational war about the rural-decanal constitution in England, the council of Reuffen issued the decree following, without noticing in whom the right of electing rural protopresbyters lay; but appointing them pastors of the pastors of their deanries, and correctors of sacerdotal faults and failings, personally or by *delation* to the bishop, as *the head of their jurisdiction*. “*Quoniam protopresbyterorum (decanorum ruralium) officium gravius est, quàm existimatur: monet sancta synodus, ut ii tantùm assumantur, qui zelo, pietate, doctrinâ, et eruditione cæteris præluceant, ex secularibus si idonei inter eos fuerint; sin minus ex regularibus. Ipsi vero secum cogitent, se esse constitutos pastorem sui districtus pastores, eâque de causâ, nisi ipsorum defectus corrigant, vel ad episcopum deferant, suoque officio accuratè fungantur, cæterorum animas de ipsorum etiam manibus requirendas esse.*”

Concilium Reuffenorum, (A.D. MDCCXX.)

Manfi Suppl. ad SS. CC. Tom. VI. col. 353.

As to decanal appointments in modern days, the same *consuetudo locorum*, as we have above referred to, has much influence over them. There is no *general* rule of election and institution. Every diocese adheres to its own customs. In some places, the mandate of election proceeds, by the bishop's grant, from the archdeacon alone, as (to quote from our insular usages) in the diocese of Canterbury, and, at one time, seemingly, in

Somner's Ant. of Cant. loc. citat.

Atterbury's *Visitation Charge*,
 MDCCVIII.
 Strype's *Annals*,
 V. II. P. II.
Appendix, No.
 XXXII. p. 698.

that of Lincoln (*see*, in the *Appendix*, "*admonitio episcopalis archidiacono facta de sumptibus decano rurali allocandis*:"—in others, from the bishop and archdeacon jointly, that is, from the bishop through the archdeacon, as now-a-days in the diocese of Exeter¹, where the clergy are the actual electors:—in others, again, from the bishop alone, as in the dioceses of London, Bath and Wells, Norwich, Oxford, Winchester, Gloucester, St. David's, and Salisbury,—in the latter of which the office is, at present, on the authority of our venerated diocesan himself, entirely dependent on the *personal jurisdiction* of the bishop;—the archdeacon having nothing to do with the appointment, except so far as the bishop may desire him to mention the names of clergymen eligible to the duty;—which has been occasionally done by the rural presbyters themselves;—but in neither case with any power of nomination, as an official right. Such likewise was the constitution of the office in the days of Bishop Ward, and also in those of Bishop Fisher, in the diocese of Sarum. And yet, to shew how much the usages of the church have varied, at different periods, in relation to the economy of this office, even in the same diocese, we find traces of an opposite custom to that now prevalent, in the early constitutions of the see of Sarum.

(¹) "*Volumus etiam ut decanatus Plympton sicut ab antiquo solet et autentico scripto bonæ memoriæ I. Exon. ep'i plenius et melius testatur eccl'ie de Plympton remaneat, ita scilicet ut clericus per te et successores tuos et canonicos archd'o Tottoniæ qui pro tempore fuerit presentetur, et curam decanatus per eum suscipiat—quod ep'us et ejus officiales repellendi illos qui per vos fuerint presentati nullam prorsus habeant potestatem.*" *Inter privilegia monasterii de Plimton. Temp. Ivelii prioris. Reg. Plimton MS. Not. MS. Add. Kennett's Par. Ant. V. II. p. 353.*

In the *Constitutiones factæ in pleno cap'lo eccl'ie Sarum in festo Assumpt. B. Virginis, anno MCCXXII.*, this clause occurs: "Decani etiam rurales de communi consensu d'ni e'pi et archid'orum instituantur et destituantur." And in the canon "de decanis instituendis," of the *Aliæ Constitutiones Ægidii Saresberiensis Episcopi (A.D. MCCLVI.)*, is the following injunction: "Statuimus, ut cum decani rurales idonei ab archidiaconis fuerint instituti, nobis et successoribus nostris præsententur ad sacramentum corporale præstandum:"—clearly shewing, that, in the days of Bishops Poore¹ and Bridport, the institution of deans rural was partially, at least, a matter of archidiaconal concernment in our diocese. Nor, indeed, in that of Winchester², has the act of appointing been always with the bishop, to the

Reg. Osmond.
E'pi Sarum M8.
apud W. K. in
M8. 2dd.

CC. M. B. et H.
Vol. i. p. 715.

See I. Filefaci
Selector. L. II.
p. 97. de Corpor.
Sacram.

(¹) Bishop Poore drew up a body of *constitutions* at a diocesan synod, subsequent to the year MCCXXII, for the regulation of his see. They are divided into eighty-seven canons; of which the penultimate commands the archdeacons to take care that the laws are duly observed;—to give copies of them to the rural deans, who are to transcribe them, and furnish the rectors and vicars within their precincts.

Collier's *Eccl.*
Hist. of Great
Britain, B. v.
p. 440.

(²) In the diocese of Winchester, there are, at present, two foundations of rural deans, *the old and new*—the latter instituted a few years since by Bishop Sumner, and appointed solely and exclusively by his authority (*see Appendix, Winchester Documents*)—the former of ancient standing and peculiar constitution; whereby the clergy are empowered to elect a person, at the archidiaconal visitation, to fill the *nominal* office of dean rural, and to preach at the two subsequent visitations of the archdeacon and bishop's commissary (in Surrey). But the office is in fact, Archdeacon Hoare informs me, a mere nullity, except for preaching; for which purpose the election is annual, and the dean changed. This ancient foundation, though thus limited by usage, it is expressly provided by the bishop, is not to be affected by his new appointment. The latter is general throughout Hants and Surrey: the older institution, on the authority of Archdeacon Bayley, obtains not in Hants.

CC. M. B. et H.
Vol. II. p. 299.

exclusion of the archdeacon ; though in the present age the latter is no party to it :—for in the *synodal constitutions* of Bishop Woodloke (A.D. MCCCVIII.) it is stipulated “*quòd de cætero, tam Decani, quàm apparitores eorum, per nos, aut officialem nostrum, archidiaconum, vel officialem eorum, communiter eligantur, et amoveantur similiter communiter per eosdem.*”

Interpreter in
verb. Dean.
R. C. of Deans
and Chapters,
c. VII. p. 53.

Indeed, so good a case of seeming right to a participation in the appointment of *deans rural* generally, in England, do the archdeacons put forward, that Dr. Cowell in his *Interpreter*, and Dr. Godolphin in his *Repertorium Canonicum* (the latter copying the former), have composed their definition of *dean rural* in accordance with it—influenced, no doubt, by the papal rescript of Innocent III :—“*A person having ecclesiastical jurisdiction over other ministers and parishes near adjoining, assigned unto him by the bishop and archdeacon, being placed and displaced by them.*” Still it is the writer’s firm conviction that no archdeacon can lay legal claim to co-election with the bishop ; whose office *alone* it is *de jure* to appoint *deans rural* in his diocese.

In the most recent revival of “the ancient use of *deans rural*” in England (viz. in the diocese of London, where, while I am writing — December MCCCXXXIII— they are just appointed), the act of appointment was exercised by the bishop ; but the *deans* are to *assist* the archdeacons in the execution of their office, and to act *in subordination* to them ; which seems to be, in my humble opinion, as judicious a mode of rendering the institution of *deans rural* efficient, without the risk of rendering it offensive to the intermediate functionaries, the archdeacons, as can be devised.

“ Although there are instances, in times past and present, of the clergy electing Deans among themselves,” says an anonymous author, “ yet considering they are to correspond with their bishop, to act many things in his name and by his authority, and to be accountable to him, it is but meet he should have the choice of them, as for the most part he formerly had.”

A Humble Proposal for Parochial Reformation &c. chap. XIX. pp. 120, 121.

“ The wise election of the Dean rural is a matter of the greatest importance, and requires the greatest care ;” for “ he must be one that sincerely loves God and the church, and hath a tender regard to the souls of men. He must also be furnished with sound learning, and with dexterity to manage men and business :”—“ the peace and safety of the church, the stopping of heresie and schism, the preventing the growth of popery, and chiefly the recovering of decayed piety among the people, depending on the judicious appointment of this officer.”

“ If all the qualifications requisite cannot easily be found in every Deanary, yet it is necessary to go as near them as possible ; but especially to provide men of clear reputation for unblameable behaviour, and of discreet zeal for the honour of God and advancement of religion.”

SECTION II.

The Method of Institution.

HAVING done with the *right* of election and appointment of deans rural—in whom it *primarily* rested, and in whom *by delegation*—we naturally inquire, in the next place, *how*, or *by what method*, were these officers instituted in the church¹?—by oral declaration, or by formal commission *in scriptis*?—If by the latter, are any such *formulae* of institution known to antiquaries?

After assiduous search—not in the archives of public libraries, nor in the manuscriptal records of episcopal muniment-rooms, (for I enjoy no such opportunities of investigation,) but in printed books of easier access and perusal—I am compelled to reply, to the best of my belief, that none have been ever given to the public of a date antecedent to the sixteenth century; and it is said by a far higher authority in these matters, the vicar of Ambrosden, that none exist in manuscript. At least Dr. Kennett replies to the bishop of Lincoln's question

(¹) It were absurd to think of recovering any authentic instruments of institution of the Eastern deans rural—the *periodeutæ* of Asia Minor, or of the subsequent *exarchi* or *protopapades*. But see Goar. *Euchol. Græcor.* p. 271. and again p. 277. and note p. 287; also notes to Dr. Priaulx's *Brief Account* &c., for a form of ordination of a *protopapas*. *Qu.* Was this form used at the ordination of *bican* as well as *urban protopopes*?

upon this point, that he had met with none in the course of his researches :—“ As farr as my present thoughts can reach,” Kennett writes, “ I believe the rural *deans* were long appointed by the diocefan without any formal commiffion *in scriptis*, and invested in the office by the delivery of the *common feal*, which at the death of each *dean* was returned to the bifhop, or committed into custody by his order, to be given to a fucceffor at the bifhop’s nomination.”

Miss. Addend.
Parochial Antiquities, Vol. II.
pp. 356, 357.

Oral declaration or nomination, and tradition of the *decanal feal*, feems to have been the ordinary way of intituting *deans* rural in England ; and this, probably, at the times of epifcopal vifitation. Had there been deeds of commiffion, heretofore in ufe, they would have been found in fome of the diocefan registers¹ ; but there is not the leaft intimation of any fuch, in an authentic form, to the very time of the Reformation ;—at leaft, in reference to *deans* rural, ftrictly fo called : though many formal conveyances² occur of the *deanship* of the court

Kennett, *ubi fuprà*, p. 357.

(¹) White Kennett particularly notices, that no deeds of commiffion are feen in the worthy Dr. Hutton’s moft accurate collections from the rolls of H. Wells and R. Grofthead, bifhops of Lincoln, nor in thofe of Walt. Grey of York.

(²) “ *Frater Johannes eccl’iæ Cant. minister humilis—dilecto filio magistro P. nuper Decanatûs eccl’iæ beatæ Mariæ de Arcubus London. custodi salutem—dilectum filium mag’rum Rogerum de Rothewelle clericum nostrum in eccl’iâ B. Mariæ de Arcubus prefecimus in Decanum—vobis mandamus—ut sigillum Decanatûs eidem Rogero liberetis. Dat. apud Favresham IX. cal. Octob. A.D. MCCLXXIX.*” By which it feems plain, that, upon the deceafe of the *dean*, another clergyman was made keeper of the *feal*, till the archbifhop appointed a fucceffor, who had feifin of his office by delivery of the faid *feal* without any other delegation in writing. Which nomination and transmitting the *feal* was the ordinary way of intituting rural *deans*.

Kennett, *pag. citat.*

of arches, in the archbishop's registers,—an office heretofore attached to the rectory of the church of St. Mary-le-Bow, or *B. Mariæ de Arcubus*—the incumbent of which was once rural or urban dean of London—the dean of Christianity¹—having under his peculiar district the churches exempt from the diocesan, and subject to the archbishop's immediate jurisdiction.

The non-appearance of formularies of decanal institution in diocesan registers, while they abound in the archiepiscopal, is accounted for by Kennett in his *M.S.* letter to the bishop of Lincoln:—"The dean of the arches or peculiars in London kept his customary rights, and obtained some new prerogatives, because there was no archdeacon to restrain him: whereas in other ordinary deaneries, the respective archdeacons had so cramped the authority of rural deans, (nay, in some dioceses had extorted from the weaker bishops the power of constituting and removing them at pleasure,) that I presume," says the antiquary, "there was no great solemnity in appointing men to execute the declining office, commonly bestowed by *verbal nomination and tradition of the seal.*"

Wherever there was express designation by *writ* or *patent*, it was in the usual form of the ordinary's dele-

Ubi supra,
p. 358.

Oughton's *Ordo
Judiciorum Pro-
legomena*, x. xl.

(¹) "*E' cæteris in urbe Londinensi paræciis,*" says Oughton, "*jamdiù fuerunt et adhuc extant numero tredecim, sub jurisdictionis peculiaris privilegio, distinctæ et omninò exemptæ; quæ nempe ejusdem diæceseos episcopo nullatenus subjaceant, sed ipsissimo metropolitano, quâ ordinario, immediatè subjectæ remanent; quarum una est illa parochia Sanctæ Mariæ de Arcubus, et habebatur quasi præcipua,*" &c.

"*Ob arcuatam basilicam, in quâ, pro tribunali, sedere solebat, Decanus de Arcubus.*"

gating any other official or commissary, *mutatis mutandis*. And White Kennett acknowledges it as probable that there may have been short instruments of conveying the ordinary trust of dean rural, though not remaining upon record¹. Be it so, or otherwise, antecedent to the epoch referred to by the learned author; many such documents have been met with in diocesan registers, since that event, in England, and a few short formulæ of institution of deans on the continent (one of which has been already quoted, *see* p. 122.) are seen in Van Espen, *I. E. U.* Part I. Tit. vi. cap. i. p. 29.

See *Chronica*
W. Thorn. *Script.*
x. col. 1976.
Decanatus ordi-
nati per Abba-
tem '1 ho. Fyn-
don.

On the twenty-fourth of May MDLI, Bishop Bird (the first prelate of the new see of Chester) granted the office of rural dean of Kendal, Lonsdale, and Catheric deanries, to Thomas Bland for life ("*durante vitâ suâ naturali*") by patent, (*see* the document, with several others, in the Appendix—*Chester Documents*—N^o. I.) These patents, as formulæ of institution, are curious, and have never before been laid before the public. From them it appears, that the principal registrar of the diocese did not interfere with the decanal jurisdiction, but that the deans had separate registrars of their acts appointed by the bishop. (*See* Appendix N^o. II.) In MDCXV², the office of

Ms. Sedgwick-Book
penes Registr.
dioc. Cestr.

(¹) It is certain the next successor to Peckham, Archbishop Winchelsey, made a dean of St. Mary Arches by these express letters-patent.—"*Robertus Cant. ar. ep'us dilecto filio mag'ro Henrico de Nassington canonico eccl'ie Linc. salutem. Officium decanatus eccl'ie Beatæ Mariæ de Arcubus London. cum suis juribus et pertinentiis univ'ersis, et exercitium jurisdictionis ejusdem—tibi committimus per presentes—dat. apud Otteford. 3. kal. Jun. MCCXCV.*"

Kennett, *pag.*
citat.

(²) At the present time, the whole decanal jurisdiction is exercised by the commissary of Richmond (an officer created MDCLI, but whose patent does not appear till twenty-five years after the foundation of the see,

Ms.

rural dean of all the deanries of Richmond archdeaconry (save only Amoudernefs) was united with that of commissary, and granted by *patent* for life to Edmund Mainwaring and Mark Pickering (*see Appendix N^o. v.*), and subsequently to Joseph Cradock (including Amoudernefs) in MDCXXXVI, who continued *patentee* of all the *decanates* at the time of the Restoration in MDCLX. Confirmations of other such *patents* appear in the acts of the dean and chapter of Chester of later date, all parties acknowledging the separate jurisdiction of the deans rural (*see Remonstrance of the dean and chapter, and Answer of the bishop, A.D. MDCLXII, Appendix N^o. VII.*), and cautiously preserving it in the successive particular and general *patents* for a century afterwards.

CC. M. B. et H.
Vol. I. p. 547.

There anciently obtained in some dioceses a custom of swearing deans rural to the observance of certain articles at the time of their institution; of which the first notice I have met with is in the seventh canon of the Meath Constitutions (A.D. MCCXVI.), to this effect:—“*Ut in admissione ad officium juramentum præstent de fidei executione sui officii. Item de inquirendo et præsentando nobis et officialibus nostris nomina et cognomina omnium et singulorum infra suos decanatus, qui publicè et notoriè defa-*

Ms. Ledger Book, pp. 34 & 52), and archdeacon of Chester, the rural deanries being all vested in them; and, by right of the ancient office of dean rural, their jurisdiction is considerable, though the archdeacons of Richmond and Chester, as such, have no jurisdiction whatever—that is, in their archidiaconal capacity alone—the same having been surrendered to the crown at the institution of the fee, and vested in the bishop, who has not thought fit to give to the archdeacons any jurisdiction, and they are entitled to none by the charter but what he chooses to bestow on them, with the salary of 50*l.* to each.

mati aut vehementer suspecti sunt de aliquo crimine aut infamiâ, per auctoritatem nostram puniend. et corrigend." &c. See hereafter, under *Visitatorial duties*—**H. D. R.** Part IV. Sect. II.

About forty years later we read of the *sacramentum corporale* as being taken by **DEANS** rural of the diocese of Salisbury, on their presentation to the bishop, after institution by the archdeacon. See the *Constitutiones aliæ* of Giles Bridport (A.D. MCCLVI.), can. *de decanis instituendis*: and on the nature of the corporal sacrament ("*Tactis corporaliter sacrosanctis evangelis in publico corporaliter subeant sacramenta.*" Const. Siculæ, L. I. Tit. LIX.) See Ducange *Glossar.* Tom. III. col. 884.

CC. M. B. et H.
Vol. I. p. 715.

The obligation of an oath, I have no doubt, continued to be imposed on these officers subsequently, though the *Concilia Magnæ Britanniæ et Hiberniæ* of Wilkins afford no record thereof till the provincial Scotch council of Edinburgh (A.D. MDXLIX.); wherein it is enacted, "*quod decani ante susceptionem sui officii jurent de fidei ejus administratione in omnibus,*" &c., as hereafter cited in full, under *visitation duties*.

CC. M. B. et H.
Vol. IV. p. 49.
can. XIII.

In the *patent* of **DEAN** rural of the **DEANRIES** of Kendal, Lonsdale, and Catheric, to Thomas Bland, A.D. MDLI, it is said, "*Tibi in virtute juramenti tui coram nobis de officio prædict. fideliter exequend. in hâc parte prius præstit. damus et concedimus,*" &c. : and the oath is again referred to in the bishop's *Charge to the DEANS*, A.D. MDXCIV. ; but, as if it ceased to be exacted, the words occur in no subsequent *patent*.

See Appendix,
Chester Patents,
No. I.

Ditto Charge,
Ditto, No. III.

The Rouen collection of councils presents us with the form of the **DECANAL** oath, as it was administered in the diocese of Evreux (A.D. MDLXXVI). It appears among

CC. Rotomag.
Prov. P. II.
p. 398.

the statutes of the summer synod, under the title "*de Decanis Ruralibus*;" and is thus introduced—"*Ne frustra lex et statutum detur, si nemo sit qui observet, vel observari in nostrâ absentia procuret, præcipimus Decanis ut tanquàm ex altâ speculâ prospiciant in omnes, ac fidelitèr deferant delinquentes et contumaces: in quem finem damus ipsis potestatem citandi quoscunque sine alio mandato speciali, et prohibemus ne conniveant, vel cum ullo pretio interposito transigant sub pænâ erga nos perfidiæ, et perjurii in DEUM contra juramentum, quod omnibus synodis volumus ab illis in nostris manibus fieri et renovari, cujus hæc est forma ex sanctis canonibus sumpta—*

Ego N. Decanus de N. iuro per DEUM vivum et hæc sancta evangelia quòd amodo in antea quidquid novi, aut audivi, aut postmodum inquisiturus sum quod contra voluntatem DEI, aut rectam Christianitatem in Decanatu mihi commissò factum sit aut factum erit, si in diebus meis evenerit, et ad cognitionem meam pervenerit, aut indicatum mihi fuerit, synodalem causam esse et ad ministerium domini mei episcopi pertinere: quòd nec propter amorem, nec propter timorem, nec propter pretium, nec propter parentelam, nullatenùs celabo prædicto domino meo episcopo, aut ejus missò, cui hoc inquirere jusserit, aut ejus officariis. Sic me DEUS adjuvet et hæc Sancta Dei Evangelia."

*Notitiæ Sethi
Episcopi Sarum,
Transcript,
p. 339.*

We have recorded the administration of an oath to the deans rural of the diocese of Salisbury by Bishop Bridport in the middle of the thirteenth century. An oath was also administered to them by Bishop Ward in the latter part of the seventeenth century. The *Articles of Enquiry* drawn up by him (soon after his installation) for the use of the deans rural of his diocese are yet extant in his *Common-place Book*, and are headed, "*Officium*

Decanorum Ruralium ad quod juramento astringendi."

See Appendix, *Salisbury Documents*.

From the form of the Dean's oath, set down by the diligent Dr. Godolphin in his *Repertory*, as in old times administered, the then authority and jurisdiction of this rural officer in England may be sufficiently understood. The exact date of the instrument I am unable to ascertain. It is in vain sought for in an authentic shape of earlier publication. The duties enumerated are found dispersed through ancient councils, but no where so compendiously and formally drawn up. Nor have I met with any genuine form of decanal jurament in actual use in modern days, except in one diocese of England. Godolphin's is to this effect:—

Repertor. Canon. in App. p. 6. (23.)

A Humble Proposal for Parochial Reformation, p. 31.

Articles ministered to Rural Deans.

" I, *A. B.*, do swear, diligently and faithfully to execute the office of Dean rural within the deanry of *C.*

" 1. I will diligently and faithfully execute, or cause to be executed, all such proccesses as shall be directed unto me from my lord bishop of *E.* or his officers or ministers, by his authority.

" 2. *Item*, I will give diligent attendance, by myself or my deputy, at every consistory-court, to be holden by the said reverend father in God, or his chancellor, as well to return such proccesses as shall be by me or my deputy executed; as also to receive others, then unto me to be directed.

" 3. *Item*, I will, from time to time, during my said office, diligently inquire, and true information give unto the said reverend father in God, or his chancellor, of all the names of all such persons within the said deanry of *C.*

as shall be openly and publickly noted and defamed, or vehemently suspected of any such crime or offence, as is to be punished or reformed by the authority of the said court.

“ 4. *Item*, I will diligently inquire, and true information give of all such persons and their names, as do administer any dead men’s goods, before they have proved the will of the testator, or taken letters of administration of the deceased intestates.

“ 5. *Item*, I will be obedient to the right reverend father in God, *I.* bishop of *N.*, and his chancellor, in all honest and lawful commands; neither will I attempt, do, or procure to be done or attempted, any thing that shall be prejudicial to his jurisdiction, but will preserve and maintain the same to the uttermost of my power.”

CC. M. B. et H.
Vol. iv. p. 638.

In the *Resolutions of the Upper House*, consequent on the *Report of the Committee of the two Houses of Convocation about Rural Deans*, (A.D. MDCCX.), no oath was proposed, but it was ordered “ that *A Paper of Instructions* from the bishop shall be given to every rural dean, *without fee or reward*¹, directing him how and in

(¹) If we may believe the violent anti-episcopal author of “ *A Short View of the Prælatial Church of England*,” there was once a custom of exacting a fee on the administration of the oath of office to deans rural. Among the means of episcopal aggrandizement, it is there alleged, with no good intent towards our apostolical hierarchy, that one source of wealth to prelates was—“ By making rurall deanes yearely (where they be) in every deanry:—and for the oath taken, some pay 8s. 6d. or a noble, but no benefit to the deanry at all, but to execute bishop’s mandates.”

A Short View of the Prælatial Church of England, MDCXLI.

Eccles. Courts' Report, MDCCXXXII. pp. 517, 518. Appendix C. Part VII. No. 1.

At present, I am not aware that any payment is made for his commission by the dean rural of England, except in the province of York: where,

what manner to execute that office; and that every Dean shall *solemnly promise*, in the presence of the bishop, or any other person appointed by him, to execute the said office according to such instructions, to the best of his skill and power."

Such may be said to be the general usage at present in the dioceses of Great Britain and Ireland, wherever rural Deans exist. Some sort of instrument passes mediately or immediately from the bishop, his official, or archdeacon, to the Dean, investing him with full powers to execute the trust, for a definite, or indefinite period, as the case may be; and, at the same time, instructing him *how* he is to perform its particular duties. In Cornwall, where I am informed "the office has *never* (?) been discontinued," the ancient custom of administering an oath, at the time of institution, yet survives, with other primitive peculiarities connected therewith. The office is there, as it was in Lyndwood's days *generally* in England (*see* the next *section*) *annual*. The bishop's mandate passes from the vicar-general and commissary of the diocese, under his official seal, to the archdeacon—"charging and commanding him to monish, or cause to be monished, all the clergy of his archdeaconry before

Ex. Epist. Autograph, Rev. I. Wallis de Bodmin.

See Appendix, Exeter Forms, No. 1.

where, in the list of fees taken in the exchequer and prerogative courts, appears "*Commission for a rural Dean, 5s. 4d. (Judge) 3s. (Registrar).*" But in parts of that province the Deanal office is one of considerable emolument, and held by *patent* for life (*viz.* in the archdeaconries of Chester and Richmond), so that the functionary may well pay for his commission. See *Table of Fees &c. N^o. 1.* beginning "*For business certified by rural Deans:*" — Deans rural in general have "*no comings-in,*" and therefore had need have *no goings-out*, beyond what they unavoidably incur in the fulfilment of their ordinary duties of parochial visitation, and attendance on the citations of their diocesan.

him assembled on any competent and convenient day and place, then and there to elect, and nominate, one fit and convenient clerk of each *Deanry*, to be the *Dean rural* of each *Deanry*, within the archdeaconry for the year ensuing:—and giving him free power and lawful authority to administer in due form of law to each and every of the *Deans rural*, who shall be elected in pursuance of the mandate, the usual and accustomed oath for the faithful execution of their respective offices”—to this effect:—

See Tenor Juramenti &c. Appendix Exeter Forms, No. 11.

“ You shall swear well and truly to execute the office of a *Dean rural* within your *Deanery*, for the year ensuing; you shall diligently, in the year, visit all churches and chapels within your *Deanery*, as also all parsonages and vicarage houses; you shall make true presentments of such defects as you shall find therein, and also the defects of books, ornaments, and other utensils and furniture, belonging to each church or chapel; you shall either, by yourself or deputy, faithfully execute, or cause to be executed, all such processes and mandates as shall be sent to you from your ordinary, and make true returns of the same.—So help you God.”

Till within these few last years, the oath was usually administered, immediately after dinner, at the table where the clergy dined, on the occasion of the archdeacon visiting the respective *Deanries* of his jurisdiction—holding, *that is*, his synodal visitations in each—(the time selected for the appointment, under the episcopal mandate, as most convenient for the assembled clergy to elect their *Deans rural*); but the present archdeacon of

Cornwall (the Rev. John Sheepshanks) thinking it more decorous to hold the election and administer the oath, when the clergy are called over, at the altar, after divine service, that course is now constantly pursued. *Instructions* are afterwards delivered to the dean for the execution of his office, with a *Book of Forms* for making his presentments; copies of which are delivered to the churchwardens, who are called upon, in the subsequent year, to answer inquiries as to their conduct in discharging such presentments:—and this is done, before the archdeacon, in the presence of the deans rural.

See Appendix,
Exeter Forms,
No. 111.

In the Appendix of documents will be found numerous tables of instructions for deans rural from the ninth century downwards to the present time. They are culled from authentic sources in print and manuscript, and may be relied on for their authenticity.

But before I conclude this section on the subject of the investiture of deans rural, I must again cite the *Mss.* letter of White Kennett to the bishop of Lincoln, pregnant as it is with much pertinent and sensible suggestion to the point. “If your lordship do not think it sufficient to ordain rural deans by *oral declaration* at your times of visitation,” writes the vicar of Ambroden to Bishop Gardiner, “but to give them *particular commissions* to authorize them (which indeed will look more solemn and authentic), your lordship may use a short and general form; such as one of the foregoing, (see pp. 131—133); or such as is now commonly used in creating an official or surrogate; or such, *mutatis mutandis*, as now constitutes a dean of arches. Or else your lordship may have a new form drawn up, which shall decently mention the good old custom, and the

Mss. Addenda:
Parochial Antiquities, Vol. II.
p. 358.

benefits of restoring it, and so delegate the person to exercise the office of Dean of Christianity within such a known Deanery, without specifying the acts or bounds of his authority ; because these must be limited or enlarged, as the prudence of governors shall direct, or indeed as the iniquity of times will bear. For at first, my lord, the archdeacons and officials, &c. will be jealous of them, and will create disturbance, if there be any seeming trespass upon their accustomed rights,' &c.

SECTION III.

The Duration of Office of Deans Rural.

BY whomsoever deans rural may have been, at different periods of their history, constituted and appointed, and in whatsoever way, the office itself has *generally* been, and still continues, in most dioceses (as we have already hinted), of a temporary nature, the powers with which it is invested by delegation being revocable at the will of the delegator.—“*Ruralis archipresbyter non dignitas est,*” *Analysis CC. Gen. et Part. Tom. III. p. 36.* says Richard, “*sed simplex ad episcopi voluntatem revocabile officium.*”

This precariousness of title is implied in the passages, already cited from foreign canonists, on the removal of deans rural, when occasion required it; and it is expressly affirmed by our own Lyndwood—“*eorum officium est temporale et non perpetuum,*”—differing in that respect from the decanal dignity in cathedral, collegiate, and such like churches, “*quibus perpetuò intitulantur.*” *Provincial. l. II. T. I. gl. decani rurales.* —“*Sunt hi decani temporales ad aliquid ministerium sub episcopo vel archidiacono (al. archiepiscopo) exercendum constituti;—nec habent institutionem canonicam tanquam in beneficio.*”—And again, “*quolibet anno mutantur decani, et fiunt novi.*” *l. II. Tit. I. gl. omni anno.* To the same purport writes John de Atho, in his earlier glossary on the *Legatine Constitutions* of Cardinal Otho, in the canon “*ne causæ matrimoniales*

judicibus imperitis committantur;”—“*non est perpetuus* (scil. decanus ruralis) *et sic consuetudinem præscribere non posset,—sed est amotivus ab officio ad nutum superioris, cujus est minister.*” And once more the Bishop of St. David’s, on the same point of prescription—“*cum tales decani rurales* ¹ *non sint perpetui, et quicquid faciunt, non suo sed alieno nomine faciunt, etiam ratione consuetudinis præscribere non possunt.*”

Provincial. L. II.
T. I. gl. audire
præsumant.

Tit. XCII. c. v.
p. 95.

CC. M. B. et H.
Vol. IV. p. 638.

Part I. p. 176.

Similar was the intended regulation of the office in the *Reformatio Legum Ecclesiasticarum*—“*Munus autem ejus (archipresbyteri rustici) erit annuum.*” But in the *Proceedings in Convocation about Rural Deans*, in the reign of Queen Anne, the period of decanal tenancy, recommended by the *Upper House*, was three years;—“unless cause should appear to the bishop for altering the said term;”—or, as the latter clause was amended by the *Lower House*,—“unless great cause should appear to the bishops and archdeacons having jurisdiction, or to the bishop where there is no archdeacon having jurisdiction, for displacing them sooner.”

True, therefore, it is, as remarked by the Historian of the *Antiquities of Canterbury*, that rural deans were “generally amotive, and removeable *ad nutum constituentis* :”—but there have been exceptions to the rule.

In some places, by virtue of custom and the grants of bishops, they enjoy a *perpetual* jurisdiction, subordinate only to the bishop and archbishop;—they are “*vicarii*

Gibson’s Cod. I.
E. A. Vol. II.
Tit. XLII. cap.
VIII. p. 972.

(¹) Which was the reason, Gibson observes, why the seals the deans rural had for the due return of citations, and the dispatch of such business as they were employed in, had only the name of the office (and not, as other seals of jurisdiction, the name of the person also) engraven on them.

episcopi et archiepiscopi," and have power of acting by themselves or deputies. Of this nature are the deans of Shoreham, Croydon, and other the archbishop's peculiars; who have archidiaconal jurisdiction under the archbishop, and are subject to him alone. The official principal, vicar-general, or commissary of the archbishop, have no concurrency of jurisdiction in these deanries; but appeals lie from the dean to the official principal, and they are subject to the archbishop's visitation by himself or his vicar-general.

Godolphin's *Reperitorium Canonium*, chap. vii. p. 53.

Under the title of *decani rurales*, modern writers also, sometimes, place the deans¹ of *Battle*, *Bocking*, *Middleham*, *St. Burian*, *Guernsey*, and *Jersey*, all of whom are perpetual, and in our days are more correctly called deans of peculiars; though several, or perhaps all, may

Burn's *Eccles. Law*, Vol. II. p. 118.

(¹) *Battle* or *Battell—De Bello*—is an ancient deanry of Suffex, a peculiar jurisdiction without a chapter. See Dugdale's *Monasticon Anglicanum*, Part XIX. p. 239. *New Edit.*

Bocking is the head of the archbishop's peculiars in Effex and Suffolk; four of which are situated in Effex, and three in Suffolk; and all subject to the dean of Bocking, as archiepiscopal commissary. See Morant's *Effex*.

Middleham is a collegiate church in the gift of the crown, with jurisdiction, privileges, and exemptions, unimpeached and undiminished to the present day. The dean has the probate of wills, and some other rights of ecclesiastical jurisdiction within his parish, together with a court, an official, and a seal of office. "The paroch chirche hath beene, as sum wene," says Leland, "a collegiate chirche. The parson is yet caulled the dean of Midleham. Richard the 3d lay at itt, and collegiated the chirche there, but Henry the 7th toke the new college land awaye."

T. D. Whitaker's *Richmondshire*, Vol. I. p. 339.

St. Burian enjoys its *decanal* dignity immediately under the crown; the dean exercising an independent jurisdiction in all ecclesiastical matters within the parish and its dependencies. He is rector, and entitled

See Borlase's *Antiquities of Cornwall*, Tanner, p. 67.

have sprung originally from **DEANS** rural. Indeed, Sir Henry Spelman so thinks with regard to some of them: —“*Sunt etiam in rure,*” says he, “*decani pauculi, nulli collegio præfecti, sed jurisdictione quâpiam gaudentes, ut decanus Croideniæ in comitatu Surriæ, decanus de Bello, i. Battel, in comitatu Cantii, &c. Videntur ex ruralium decanorum genere fuisse: quod hinc ab episcopo, illinc ab archidiacono, vel exhaustum omninò est, vel pristino splendore denudatum.*”

Gloss. Archæiol.
p. 165.

Gibson's *Codex,*
I.E.A. Tit. XLII.
c. VIII. p. 972.

But to come to less equivocal **DEANS**:—In the diocese of Norwich, the continuance of **DEANS** rural in office seems to have been *perpetual*, and their admission more solemn than elsewhere. For, in the time of Archbishop Witlesey, while that see was vacant, *collations* to several rural **DEANRIES** occur (whereas in other places they are called *admissions* only); and, in an ancient metropolitical visitation of the same diocese, the first in every **DEANRY** is such

Whitaker's *Cathedral of Cornwall,* c. I. p. 21.
&c.
Lyson's Cornwall, p. 49, seq.

to all the tithes of *St. Burian*: where also a visitation court is held in his name, churchwardens sworn, and wills proved, &c. The appeal from his court is directly to the king in council. Three prebends were attached to this royal peculiar from the Conquest downwards; but before the Reformation, **DEAN** and prebendaries had deserted *St. Beriana* and her shrine. “*Ther longeth to S. Buryens a deané and a few prebendarys,*” says Leland, “*that almost be nether ther.*” Leland's *Itin.* VII. 127. This ancient sanctuary, with its titular **DEAN**, has not much, assuredly, in common with the constitution of an ordinary rural **DECANATE**.

The **DEANRIES** of *Guernsey* and *Jersey* present more points of resemblance; and, on that account, I have selected from their *canons and constitutions ecclesiastical* of the reign of James I. some few regulations of the **DECANAL** office, its character and functions, as then appointed in those remote parts of the diocese of Winchester. These extracts are distributed, either as text or foot-notes, under the various heads to which they apply. See Falle's and Morant's *Jersey*, and Berry's *Guernsey*.

an one, *perpetuus decanus*¹. To which may be added, says the bishop of London, what we find before, in the register of Archbishop Peckham; who commands the bishop to sequester “*proventus omnium decanatum, in*

(¹) On the collation of Henry Goldwell to the deanry of Cranwich in Norfolk, this injunction is entered: “*Et episcopus virtute obedientiæ, firmiter injunxit omnibus et singulis abbatibus, prior. rector. vicar. curatis, &c. tam clericis quàm laicis per dict. decanat. quod Henrico Goldwello decano perpetuo eorum, obediant paritèr et intendant in omnibus licitis, canonicisque mandatis.*”

Lib. Instit.
Norwic.

The dean of Rockland-Toft in Norfolk exercised jurisdiction over thirty rectors and vicars besides the three parishes within the bounds of his own incumbency: he was, as well as the other deans, Mr. Blomefield tells us, collated by the bishop. All the deanries had peculiar seals appropriated to them. They were not *temporary*, or *durante episcopi bene placito*, but *perpetual* offices; and were often resigned and exchanged for other preferments in the church. Mr. Blomefield gives a list of the deans of Rockland from *A.D.* MCCCXV. to *A.D.* MCCCCXCVIII.; of those of Thetford from *A.D.* MCLXXV. to *A.D.* MCCCCXX.; of Cranwich from *A.D.* MCCCXV. to *A.D.* MDIX.; of Breccles from *A.D.* MCCCX. to *A.D.* MCCCCLXVI.; of Hingham from *A.D.* MCCCVII. to *A.D.* MCCCCLXVII.; of Norwich city from *A.D.* MCCXVI. to *A.D.* MDXIX.; of Humiliart or Humble-yard from *A.D.* MCCLVI. to *A.D.* MCCCCXLVII.; of Derswade from *A.D.* MCCXVI. to *A.D.* MCCCCXCVIII.; of Redenhall from *A.D.* MCCCXXVI. to *A.D.* MDXXXIV.; of Burnham from *A.D.* MCCXVIII. to *A.D.* MCCCCXCIV.; of Blofield from *A.D.* MCCLVI. to *A.D.* MCCCXLVII.; of Fincham from *A.D.* MCCL. to *A.D.* MDXVIII.; of Repps from *A.D.* MCCCIV. to *A.D.* MCCCXXXIX.; of Lynn from *A.D.* MCCCXV. to *A.D.* MDXLIII.; of Holt from *A.D.* MCCCXVIII. to *A.D.* MCCCCXXXIX.; of Brisley from *A.D.* MCCC. to *A.D.* MCCCCLII.; of Broke from *A.D.* MCCLVI. to *A.D.* MCCCCXXXVI.; of Hitcham from *A.D.* MCCCXIV. to *A.D.* MCCCXLIX.; of Flegg from *A.D.* MCCLVI. to *A.D.* MCCCCXLV.

Blomefield's
Norfolk,
Vol. I. p. 473.
Vol. II. pp. 52.
228. 271. 422.

Vol. IV. p. 63.
Vol. V. pp. 124.
358.

Vol. VII. pp. 39.
211. 363.
Vol. VIII. pp. 181.
530.
Vol. IX. pp. 400.
471.
Vol. X. pp. 107.
312.
Vol. XI. p. 145.

About *A.D.* MDXL. the rural deanries came all into the bishop's hands, and their jurisdictions into the archdeacons. Being valuable preferments, they were taxed for their annual profits to their respective deans in the Norwich taxation.

quibus decani, et in sacerdotio constituti, non faciunt personalem residentiam ¹.”

T. D. Whitaker's
Hist. of Whal-
ley, B. II. c. I.
p. 42.

Again,—If the anomalous personage, so fully and amusingly described by Dr. Whitaker, under the title of Dean of Whalley, can be considered a rural Dean, we have an example of the office being *hereditary*. But, close as this strange personage approximates to the corban of Ireland (in being compounded of patron, incumbent, ordinary, and lord of the manor), and aware, as I am, that Sir Henry Spelman views the corban as the counterpart of the Dean rural of England, I cannot subscribe to the accuracy of the opinion which would confound these ecclesiastics under the same general character.

Ley's *Defensive*
Doubts, &c. p. 50.

A less doubtful exception to the office's limitation, the pastor of Great Budworth affords, in the notice bestowed upon it in his *Defensive Doubts, hopes, and reasons, for refusall of the Oath, imposed by the sixth canon of the late synod*—“In this diocesse (Chester), the Deanes for many yeares past have had a great part of episcopall jurisdiction shared among them,” says John Ley;—“and this, by *patent* for lives or yeares, from the bishops, allowing sometimes larger, sometimes lesse authority, unto them.”—Which statement I find confirmed by a manuscript *Ledger* in the possession of Mr.

See Appendix,
Chester Patents.

(¹) Bishop Kennett's *Mss.* additions to his own copy of his *Parochial Antiquities* cite the following extract from the register of John Drokenesford, bishop of Bath and Wells (A.D. MCCCIX.—MCCCXXIX.)

Registr. Joh.
Drokenesford
ep'i. B.W.

“MCCCXXV. 13. kal. Octob. Joh. de Roulesham *ad officium archipresbyteratus in eccl'ia de Pokyngton secundum formam ordinationis dicti archipresbyteratus qui penes d'num remanet ad present. d'næ Aliciæ de Knovil dictæ eccl'ie et archipresbyteratus patronæ.*”

Ward, the present deputy registrar of that diocese, who kindly granted me permission to consult the same.

Though in the year MCC, it is clear, that the rural deans or vice-archdeacons, as they are often denominated in the *Ledger-book*, were removeable at the will of the archdeacons, yet, it is presumed, that, at the time of the erection of the see of Chester (out of the surrendered jurisdictions of the two archdeaconries of Richmond and Chester) the rural deans held their offices for life; as they, beyond all doubt, subsequently did. At the period alluded to, rural deans were subsisting, and did not surrender their functions as the archdeacons did, but continued (as before placed by the archdeacons) in their respective deantries under the diocesan bishop of the new see; who deemed it expedient, from time to time, as the decanates dropped in, to continue to perpetuate them by *patents for lives*¹; the deans being still possessed of the same subordinate jurisdiction which they had exercised under the archdeacons;—a jurisdiction obtained by long custom, distinct from the ordinary jurisdiction of the diocese; and entitled to independent actuaries, registrars, &c. of its own.

Mss. Ledger,
pp. 1, 2, seqq. &
pp. 70, seqq.

Ejusdem, p. 6.

The engraving of the name with the office on the *seal* of the rural deans of Manchester, Mr. Whitaker remarks, of itself proves the appointment to have been there *for life*:—indeed the same perpetuity belonged to it, as to the other decanates of the old archdeaconry of Chester, of which it formed a part—a perpetuity, which, the cited

Whitaker's History of Manchester, Vol. II.
pp. 391—398.

(¹) See the evil of this system of *patents for lives*, as practised in the diocese of Chester, in the estate of that diocese in the time of Bishop Bridgeman, printed from the *Mss. Ledger-Book*. Appendix of documents of this *see*, N^o. VI.

historian affirms with his wonted positiveness, universally attached to the office at its first institution¹.

*Constitut. et
Decret. Synod.
Salisburg. xxv.
cap. v.*

In the archdiocese of Salzburg, it seems, *deans rural* were wont to hold on beyond the bishop's pleasure, "*ita ut sibi persuadeant, se eo officio, et jurisdictione, ob quamcunque causam non posse destitui:*"—to counteract which uncanonical notion, the synod of MDLXIX decrees, that all elected *deans* shall appear before the ordinary for institution, and afterwards perform the duties of their office to his entire satisfaction, as the condition of their continuing to hold the same;—" *Qua in re,*" concludes the constitution, "*neque alicui fit injuria, cum hujusmodi munera, mera sint episcoporum officia, quibus suis providere ac consulere debent ovibus, sibi à spiritu sancto commissis.*"

In some places, where our rural functionary enjoyed a *perpetuity* of tenure, (and such, we are told, was the constitution of his charge not unfrequent on the continent, and at first, perhaps, in many dioceses of Great Britain,) it is said, that he was distinguished by the less common title of *plebanus*²—" *à regimine plebis*"—a title,

Filefaci Parœcia, p. 49.

*Strype's Mem.
of Cranmer, Ap-
pendix, No. XXII.*

(¹) What was the duration of office of the ancient *chorepiscopi*, I do not remember to have any where seen. But it is at least questionable, whether it was not for life. Not so that of the bishops *in partibus infidelium* of England. Their commission, at and after the Reformation, was revocable.

*Duties & Rights
of the P. Clergy,
Works, Vol. III.
p. 651.*

(²) Upon the nature of this title, Bishop Stillingfleet affords light, as it obtained in England soon after the first institution of a parochial clergy: and from him it would appear, that the *plebanus* of those days was not the same, essentially, as our *dean rural* of after-days, however identified in the columns of glossariographers. "There were some cures," says he, "which had chapels of ease belonging to them; and they who officiated in them, were called *capellani*, and had their sub-

sistence

which, Filefac thinks, originated in the days of Pope Lucius III. (*circa annum* MCLXXXI.), as synonymous with *paræcus*: but very many *perpetual* deans rural were not plebaní, and very many plebaní were not deans rural.

The term *plebanus* is of very rare occurrence in our English councils, (indeed I remember to have met with it only once or twice); but in Tuscany, the *Summa Silvestrina* notes that the “*archipresbyter ruralis communiter dicitur plebanus alibi decanus.*” And, from the treatises of Augustin Barbofa *de Canonicis et Dignitatibus* &c., and Ferro Manrique *de Præcedentiis et Prælationibus Ecclesiasticis*, in Spain also, the title of *plebanus* is common amongst the canonists. “*Plebans,*” says Johnson,

Pars I. de Archipresbytero, fol. xxxix. *Ecclef. Laws, &c.* Vol. II. An. MCCCLXIII.

sistence out of the oblations and obventions, and were often *perpetual* and *presentative*. And where the incumbents had several chapels of ease, and only assistants to supply them, the canon law doth not call them *rectores*, but *plebani*; who had a sort of peculiar jurisdiction in lesser matters; but still they were under the bishop’s authority in visitations and other ecclesiastical censures, because the care of the whole diocese belonged to him *jure communi*, &c.” And here let me add, that somewhat of this character may still attach to the *Dean rural* abroad: or why, otherwise, would he have to perform, among the duties of the *plebanate*, that of preaching and teaching *in ecclesia plebanali*, (as the mother church of subordinate daughter-chapels,) imposed upon him by Galgagnetti on the authority of the council of Trent, in *sess. v. de reformat.* “*archipresbyter verò ruralis presbyterorum, et laicorum plebanie sue curam gerit, contra tamen decretum episcopi nihil ordinare potest.—Sed et ipse, et alii omnes parochiales, vel curatas ecclesias habentes, tam in civitatibus, quàm in vicis per se, vel alios idoneos, si legitime impediti fuerint, diebus saltem dominicis, festisque solemnibus, plebes sibi commissas, pro sua et earum capacitate pascant salutaribus verbis: docendo ea, quæ scire omnibus necessarium est ad salutem, annunciandoque eis cum brevitate, et facilitate sermonis vitia, quæ eos declinare, et virtutes, quas sectari oporteat, ut pœnam æternam evadere, et cœlestem gloriam consequi*

Tractatus (Leandri Galgagnetti) *de Jure Publico*, Lib. III. Tit. XXIII. p. 231. Venetiis, MDCXXIII. folio.

“are the *same* with *deans rural*, only some say that they were perpetual.” See *C. M. B. et H.* Vol. III. p. 73; Thomassin. *V. et N. E. D.* Tom. I. Part. II. L. I. c. v. p. 226. VIII.; and Dr. Whitaker’s *Hist. of Whalley*, B. II. c. I. p. 42.

Whether *temporary* or *perpetual*, the appointment to the office of *dean rural* was on no account to be simoniacally conferred:—“*Inhibemus*,” says the fourteenth canon of a Parisian council (*A. D.* MCCXII.), repeated *αὐτολεξεῖ* in the sixteenth of the council Rouen (*A. D.* MCCXIV.), “*ne decanatus rurales ad tempus vel in perpetuum¹ pro pecuniâ vel aliquo pretio alicui conferantur, sicut statutum est in concilio Lateranensi et Turonensi. Eos qui contra hoc venerint decernentes, præter pœnas in conciliis com-*

SS. CC. Tom.
XIII. col. 824.
869.

consequi valeant,” &c. See the learned remarks of Muratori, in his seventy-fourth dissertation, *Antiquit. Med. Ævi*, Tom. VI. on the ecclesiastical incumbents termed *plebani* and *archipresbyteri*—and a Bull of Pope Alexander III. (*A. D.* MCLXVIII.), Tom. VI. col. 423. confirming to a *pleban* the subject churches of his *plebanate*: and at p. 441, one of Archbishop Anselm of Ravenna, confirming to an *archipresbyter* his subordinate *capellæ* &c. (*A. D.* MCLVI.)

See Appendix,
Chester Patents.

(¹) Despite of prohibitory canons, certain rents were anciently paid by the rural *deans* of Chester to the bishops of that see; as appears from the following clause in one of their patents, “*Reddendo nihilominus annuos redditus ex dictis decanatibus exeuntes nobis et successoribus nostris debito modo et temporibus consuetis* :” and from the same, or the like clauses, in all other *patents* of the rural *deans*:—in some of which the sum payable is particularly expressed. The rents amounted formerly only to 24*l.* 10*s.* 8*d.*, till about two hundred years ago; when the value of money having advanced, the bishops advanced them to 100*l.*, the sum they had to pay to their archdeacons. Such a reservation of an annual payment out of the *decanal* jurisdiction, although, in common cases, it would be a forfeiture of the office and the power of granting it (by the *stat.* 5 & 6 Edw. VI.), being here founded on ancient custom, does not place it within the prohibitory statute.

Dr. Andrew’s
opinion in *Wils.*
Ledger-Book,
penes Registr.
Diocef. Cestr.

prehensas, juxta prælatorum arbitrium gravi pœnâ plec- tendos." And the eighteenth canon of a Spanish council (*incerti loci circiter A.D. MCCXVI.*) enacts, "*cum archi- presbyteratus spiritualem jurisdictionem habeant; districtè prohibemus ne archipresbyteratus sub aliquâ pensione ad terminum alicui concedatur.*"

SS. CC. Tom.
XIII. col. 1036.

The office of dean rural, now-a-days, in England is generally held *durante episcopi beneplacito*. But in the diocese of Exeter it is an annual appointment, and in that of Winchester it is the same, in the instance of the older institution (still nominally kept up); while in the new foundation, under Bishop Sumner, it is of unlimited duration.

There are reasons, in the writer's opinion, why deans rural should not be so often as annually changed. To say nothing of the improbability of *all* the clergy of any deanry being equally well qualified, and equally conveniently placed to fulfil the duties of parochial visitation (for where the office is annual it is usually by rotation), it is scarce possible for any dean, however well situated with regard to the parishes subject to his inspection, and bent upon performing the duties of his station, to be really efficient of much good within so short a period of service as one year. He may inspect and order repairs, without doubt, but there is little chance of his seeing them executed before his short-lived authority will have expired. In many cases a second and a third parochial visitation may be required, to insure the completion of necessary alterations and reparations by churchwardens and others: and how can this be effected upon one consistent plan by an ever-changing functionary?

The dean rural should be appointed for an indefinite

period—that is, for as long as the bishop may think fit to depute to him the trust—which will generally be as long as the dean is resident within the jurisdiction, and performs the duties of his calling to the satisfaction of his employer—*quamdiù se benè gesserit*.

In some cases it is necessary to divide established rural deaneries into two, three, or four jurisdictions, according to their extent, and to allot a superintendant to each, in order to secure the full advantages of parochial visitation to every church and manse, with as little trouble as possible to the bishop's vicarious inspectors. But whatever the extent of supervision, whether over ten, fifteen, or twenty parishes (few jurisdictions contain less than the first or more than the last number), in every instance, the office will be more efficiently exercised, if it be of unlimited duration. The circumscribed period of his officialty deprives the annually-elected dean of the great inducement to vigilance and activity, which the more permanent functionary enjoys in the conscious certainty of being able to carry forward and complete any required measures of amelioration by his personal agency.

The evils of the annual system of election and change are pointed out by Dr. Atterbury in his archidiaconal Charge to the Clergy at Totness: and wherever the officer is subject to yearly mutation, the advice of the archdeacon is worth attending to, as it suggests the only means of palliating an acknowledged imperfection—“When deans rural are chosen,” says Atterbury, “it were to be wished that they would, as soon afterwards as conveniently they can, set about the work, without deferring it, as they too often do, to the very time of the expiration of their office; when they have neither leisure

Atterbury's *Archidiaconal Charge*,
MDCCVIII.
Correspondence by Nichols,
Vol. II.

nor inclination to make due inquiries, or, at least, due presentments upon them; but satisfy themselves with the promises of the respective persons, incumbents, to set things right, without having time left sufficient to *oblige* them to perform those promises; which are made again, perhaps, to the next Dean rural, towards the close of his office also, with as little effect as they were to the former: and thus dilapidations and the decays of churches increase without end and without remedy.”

Horæ Decanicae Rurales.

PART IV.

The Personal Functions of Deans Rural.

SECTION I.

INTRODUCTORY SUMMARY OF PERSONAL DUTIES.

OF the *personal duties* of the oriental dean rural (if we may so call the Laodicean ΠΕΡΙΟΔΕΥΤΗΣ—the successor of the ΧΩΡΕΠΙΣΚΟΠΟΣ) we have said as much, in our preceding pages, as the brief notices of his office in the records of the Eastern church will warrant. Referring the reader to *Part II. § I. pp. 37, seqq.* of the present work—to the notes annexed to Dr. Priaulx's *Brief Account &c.*—to Suicer's *T. E. in voce*—and to Balsamon, Zonaras, Aristenus, Justellus, and Beveridge *ad Can. LVII. Laodicen.*—for farther information respecting the oriental officer (whose character is no otherwise known to us than by the canon of his primary institution, and the commentaries upon it), we will proceed at once to the *personal functions* of the occidental dean, as exhibited in the definitions and glosses of our ablest canonist, Bishop Gibson, and the authorities cited, or referred to, in his *Codex of Ecclesiastical Law*.

These descriptions summarily dispatched, we will

Sarum Documents in Append.
Beveridge. Synod.
dic. Tom. I.
pp. 479, seqq.
Tom. II. p. 198.

See Part I. § II.
pp. 8, seqq.

afterwards take up the canons illustrative of the office in detail—collected, with considerable care, from the whole range of European councils, church-histories, and other authentic documents—and digested and arranged upon such a plan as to afford the clearest and fullest information respecting the *visitation*, *synodical*, and other multifarious branches of the Dean rural's *personal duty*:—noticing, in our progress, any occasional points of resemblance between the eastern and western ecclesiastics, which a more particular examination of the Decanal duties of the Latin church may call to our recollection in the glosses of scholiasts and commentators on the *chorepiscopal* and *periodental* of the Greek.

“The proper office of a rural Dean¹, however constituted,” says Gibson, “was the *inspection* of the lives and manners of the clergy and people, within their district, in order to be *reported* to the bishop.” In the body of the canon law (already cited in the Latin, in *Part II.* § I. *Decr. Greg. IX. L. I. Tit. XXIV. c. IV.* *Codex I. E. A. Tit. XLII. c. VIII. Vol. II. p. 972.*) it is so described; and, in Dr. Field's version of

(¹) The personal rank of the rural archpresbyter forms a question, seemingly, of difficult solution to the canonists. After a brief exposition of the opinions of others, Michael Ferro Manrique, a Spanish canonist, thus resolves it:—“*Archipresbyteri rurales seu plebani dicuntur esse in aliquâ dignitate saltem largè, etiamsi conventum aut collegium non habeant; sed solum plebem suam et clericos ipsius, quibus præfint:*”—his reasons being—“*quâ tales archipresbyteri habent, qualem jurisdictionem, nedum in sollicitudine et curâ divinorum et plebanæ, verum in renunciando episcopo, et ad illum referendo cuncta, quæ in plebibus acciderint.*” Inasmuch as they are “*præsides et prælati et ordinarii et possunt minora negotia decidere tanquàm judices habentes jurisdictionem, et graviora referre, ergò positi sunt in aliquâ dignitate, &c.*” Lastly, touching precedence, he subjoins, rural archpriests “*tanquàm prælati præcedunt omnes in ecclesiis plebis suæ, etiam rectores parochialium.*”

Tractatus de Præcedentiis et Prælationibus Ecclesiasticis, Quæst. VI. pp. 38, 39, 40.

Dr. Field of the
Church Booke,
v. p. 507.
See Morin. De
Sac. Ordinat.
P. III. Exerci-
tat. XVI.
de Archipresb.
cap. II. p. 217. x.
Thomassin. V. et
N. E. D. P. I.
L. II. c. VI.
pp. 226, seqq.
Duaren. De S. E.
M. ac B. I. I.
c. VIII. p. 22.

the same title, in the following terms—"That each division of the people of God in their severall limits have their archpresbyter, who may not only take care of the rude and ignorant multitude, but may also with continuall circumspection observe and looke unto the life and conversation of the presbyters, which dwell in the *lesser titles*, and shew unto the bishop with what diligence each of them performeth the worke of God. Neither let the bishoppe contend and say, that the people committed to his charge need no archpresbyter, as if he himselfe were able sufficiently to governe the same; because, though he be exceeding worthy, yet it is fit he should divide his burthens, that as he is over the mother church, so the archpresbyters may be over the people abroad, that the ecclesiasticall care stagger not, or be not too weake in any thing. Yet, notwithstanding, let them referre all things to the bishop, neither let them presume to order any thing against his liking and decree."

Reformatio LL.
Eccles. Tit. de
Ecclesiâ et Mi-
nistris ejus. c. v.

Parochial Anti-
quities, Vol. II.
p. 368.

The like description of the office is also found in the *Reformatio Legum*, of which I quote Bishop Kennett's version—foreseeing that I shall have occasion to cite many clauses of the Latin text in the sequel:—"That every deanery should have a rural archpresbyter appointed by the bishop, or by the ordinary of the church, whose office should be annual; who, as a watchman, should continually supervise the presbyters, deacons, churchwardens, and sextons, that all of them discharge their respective duty. Who should inquire of all idolaters, heretics, simoniacs, bawds, whores, adulterers, fornicators, persons who had two wives or two husbands, forcerers, witches, calumniators, blasphemers, sodomites, drunkards, forgers, and perjured witnesses in testamentary

causes, and all violators of the ecclesiastic laws, and the injunctions of the bishop. And should have authority to cite before them and to examine all persons suspected of such crimes; and then within ten days should return in writing to the bishop or ordinary of the place the whole matter of the accusation, whether by public fame, or attested by the deposition of witnesses, or justly suspected. And if any person refuse to come to him when duly cited by the apparitor, he shall be censured as contumacious, &c. And within every six months the said rural dean should inform the bishop or ordinary of the place, how many sermons had been preached in his deanery within that space of time."

"And where, in the plan that was under consideration Codex I. E. A. Vol. II. Tit. XLII. cap. VIII. p. 972. ann. MDLXII," continues Gibson, "the same duty is laid out, it is expressly added,—*But the said dean not to determine any thing in those matters.*"

"This report to be made to the bishop concerning the manners of the clergy, and people, rendered them *necessary attendants* on the episcopal synod or general visitation, which was held for the same end of inspecting in order to reformation: and they might on account of the informations given by them be sometimes called *Testes Synodales*; but not, I conceive, exclusive of the *Testes Synodales* properly so called, or that these succeeded the rural deans in the office of detecting (however those things have been affirmed); since they have no such title given them, in any canon or constitution, that I have met with; and it is also certain, that the calling-out the *Testes Synodales* at synods, was in practice, long before the *declining state* of the rural deans." (See Section III. EDITOR.)

Decr. Greg. IX.
Lib. I. Tit. XXIV.
c. IV. EDITOR.

Leg. Edward.
Confess. c. 32.
EDITOR.

Kennett's *Parochial Antiquities*, Vol. II.
EDITOR.

Van Espen
I. E. U. P. I.
T. VI. c. III. p. 30.
EDITOR.

“ But however, at first, the office of rural Deans was merely inspection; by degrees they became possessed of a power to judge and determine in smaller matters; and therefore, upon the forementioned rule of the canon law, (quoted entire, with its gloss, in earlier pages, from the council of Pavia *A.D.* DCCCL.), at the words *cuncta tamen referant ad episcopum*, the gloss describes the improvement of their power by custom, *præter minora, quæ ipsi archipresbyteri determinare possunt, cum habeant ordinariam jurisdictionem*:—which is, in effect, the same constitution that we find in the laws of Edward the Confessor, concerning the *Decemvir*, or the *Head-man* of every tything, in the state: *Isti inter villas et vicinos causas tractabant, et secundum forisfacturas emendationes capiebant, et concordationes faciebant, videlicet, de pascuīs, pratis, messibus, et de litigationibus inter vicinos, et innumeralibus hujusmodi decertationibus, quæ humanam fragilitatem infestant, et eam incessantè oppugnant. Cum autem causæ majores erumpebant, referebantur ad superiores eorum justitios, &c.*”

“ This then was the *standing* office of rural Deans,— To inspect the manners of the people and clergy, to determine lesser matters themselves, and to report the rest to their ecclesiastical superior¹. But, as to other branches of power (such as inductions, inquisitions, *de Jure Patronatūs*, custody of vacant benefices, trial of causes by delegation, and the like) which have been

(¹) — “ *Recogitare debent archipresbyteri, se esse constitutos pastorum et ecclesiasticorum sui districtūs pastores; ipsarumque parochiarum vice-episcopo directioni intendere; ut vel ipsi defectus corrigant, vel ad minus episcopum de omnibus plenè instruant.*” EDITOR.

placed to their account, as *branches of the office*; in these they seem only to have been *occasionally* employed by their ecclesiastical superiors, to whom they swore obedience at their admision. And therefore the saying that they were *sometimes employed* in such matters, would have been less apt to *mislead* the reader, than the representing such duties, wherein they were but *occasionally* employed, as *powers of right* belonging to the office."

"It hath been also affirmed, that *parochial visitations* are part of the office: and it is true, that where the *Lateran* council determines the *retinues* of *visitors*, and allows to *archdeacons* five or seven horses; it is added, *Decani constituti sub episcopis* (al. *ipsis*, in marg.) *duobus equis contenti existant*: but I may venture to say, that, though the said *Lateran* canon is transferred by the *bulk* into the canons of the council of *London*, ann. MCC.; yet in all the Provincial and Legatine Constitutions, or the glosses upon them, there is not the least intimation of their being *parochial visitors*, or their having any *concern* therein; which work, by the whole tenor of them, is supposed to belong wholly to *archdeacons*, as the legal administrators of that branch of the episcopal jurisdiction."

Hitherto Bishop Gibson and his authorities.—But, perhaps, it will not be going too far in the humble collector of these notes on the *decanal office* of the country, to say, that the learned canonist, in the foregoing statement, is at issue with other antiquaries, and possibly mistaken.

It is difficult to say what were permanent powers of right, and what of temporary delegation. Strictly speaking, the former were very few; and, such as they were,

Van Espen
Jur. Ecclef.
Univ. Part I.
Tit. VI. cap. V.
p. 31.

perhaps, more extensively annexed to the office on the continent than in England, and in some places here than in others; and so seeming contradictions may be reconciled. “*Circa hæc aliaque jura et officia archipresbyterorum notandum, illa plurimum ex consuetudine, et instructionibus, seu facultatibus, quæ archipresbyteris in singulis diæcesibus dari consueverunt, dependere et variari; adeò ut ex consuetudine aut decreto unius diæcesis quoad similia ad alias diæceses ordinariè non liceat inferre.*”

Antiquities of
Canterbury,
Part I. pp. 175,
176.

Mr. Somner acknowledges the *undefined* nature of the office of DEANS rural. “Their jurisdiction,” says he, “for ought that I can find, is not so certain, nor particularly laid down any where, as it can be said to be, of this or that form, or to be thus or thus bounded out. And therefore as they are generally amotive, and removeable *ad nutum constituentis*, so is it arbitrary to the superior that ordains them, I suppose, with decency and order, what charge or business they shall undergo.”

Be their powers what they may—we judge of them alone by their exercise; and however subordinate our rural ordinary may at all times, and in all places, have been, the great machine of ecclesiastical discipline having been principally conducted and applied by his agency in *country* districts, he must be viewed as an important personage in the by-gone days of his plenary jurisdiction—such as the following pages will shew him to have once possessed *at least* by episcopal commission. An officer to whose personal vigilance, subordinate to, or a part from, the archdeacon, as the case might be, the bishop conigned the vicarious visitation of the rural cantonments of his diocese—the supervision of the clergy therein as to manners and function—the detection of vice—the

support of churches and ecclesiastical mansions—and the care of all things which concerned the public worship of Almighty God—cannot have been other than a most influential member of our rural church-police, while capacitated to fulfil and actually discharging such grave and vital duties; and, in the ratio of his *then* importance, an interesting subject of antiquarian investigation to modern ecclesiastics.

SECTION II.

PAROCHIAL VISITATION.



TO begin with an essential branch (as the writer believes) of the dean rural's personal functions—the cardinal duty on which nearly all the rest depend—*parochial visitation*:—Never at any period, according to the compiler of our *Codex of Church Law*, did the rural archpresbyter attain to the *right of parochial visitation*; though a *parochial visitor*, by episcopal delegation, he has *ever* been, in every Christian country, from his *first* establishment to the *present* time.

Gibson's
C. I. E. A.
Vol. II. Tit. XLII.
c. VIII. p. 972.

Jur. Ecclef.
Univ. Part I.
Tit. VI. cap. V.
p. 31.

“*Archipresbyteris sive decanis ruralibus incumbere curam parochiarum suorum respectivè districtuum extra dubium est,*” Van Espen observes, “*adeòque jus est archipresbyteris visitandi dictas parochias, quotiès id necessarium aut utile videbitur, ut debitam parochiæ notitiam habere queant.*”

Of the Church
Booke, v. p. 507.

“Touching the power and authority of these archpresbyters,” says Dr. Field, “. . . they were twise in the yeare to *visite* all the churches within the limits subject to them, to see what was there amisse, defective, or weake, that so they might either reforme, supplie, or strengthen the same.”

Antiquities of
Canterbury,
Part I. p. 176.

“By *custom* warranted by *law*,” Mr. Somner writes, “many of them had a kind of jurisdiction¹ to *visit* their

Repertor. Canon.
Appendix, p. 3.
(12)—p. 7. (25.)

(¹) Dr. Godolphin enumerates the several officers, to whom, under the bishop, the due execution of ecclesiastical laws is entrusted, and who “are

to

deanry, and to inquire of crimes and defamations happening in the same, especially by the clergy, and to take cognifance thereof; correcting, for the fmaller offences, by themselves; and for the rest, referring them to the superior, the bishop, namely, or archdeacon, at the next fynod, chapter, or visitation, reporting unto them what they found, like as did the *Irenarchæ* and *Apparitores* of old, their *notoria* to the magistrate."

"They had *power to visit* and hear causes," says Mr. Johnson, "and a sort of authority, latterward, to correct delinquent clergymen, but not to proceed to censure, &c." *Ancient and Present Church of England, P. 1. c. VIII. p. 64.*

Such an opinion, again, in modern days, the learned civilian Dr. Andrews expresses:—"They had by law *the right of visitation* both of the laity and inferior clergy. In fmaller matters they had *a right* of judging; but in those of a higher nature, they were to refer to the bishop, and to follow his directions. They had an *ordinary* jurisdiction within their deanries: their attendants at the time of *visitation* were restrained, and their demands of *procurations* regulated by the canon law." *Dr. Ledger's Book ex Registr. Diocef. Cestr. p. 73.*

This early capacity, by Bishop Kennett also denominated *a right of visitation*, and stated to have been long retained, and exercised *ex consuetudine* over all the churches, as well as clergy, of their deanries twice a-year (for all *visitations* were at first parochial), Gibson, as I *Parochial Antiquities, Vol. II. p. 360.*

to make inspection into the manners of each particular diocese—the chancellor, commissaries, archdeacons, officials, and deans rural." And then (25) he says—"for the government of the church, and correction of offences by the aforesaid officers, *visitations* of parishes and dioceses were allowed, that so all possible care might be taken to have good order kept in all places of the diocese." See also Molanus *de Canonicis*, L. II. c. VIII. pp. 158-9.

Codex I. E. A.
Tit. XLII. c. VIII.
p. 972.

History of Man-
chester, Vol. II.
pp. 384. 394.

have said, altogether denies to deans rural in England. "In all the *Provincial* and *Legatine Constitutions*, and the *glosses* upon them," writes the canonist, "there is not the least intimation of their being *parochial visitors*¹, or having any concern therein."

Here, however, Mr. Whitaker asserts the bishop of London to have made "a great mistake;" for that the rural dean, as the ordinary and prelate of his deanery, like the archdeacon and bishop, *personally visited* every beneficed clergyman and church; and, like them, had a right to a *procurator* from each, or one day's entertainment for himself and his attendants. And assuredly, unless invested by the bishop with a *visitatorial* capacity, in some sense or other of the term, rural deans could not have performed their duties of inspection in aidance of their supreme head, the urban diocesan:—acting in whose name, the primary objects of their office was to examine the demeanour of the clergy and the conduct of the laity, and to promote the important interests of religion in both: and the secondary, to inspect the state of the structure, and the condition of the furniture, in the rural churches; and to keep the ecclesiastical houses in good repair.

CC. M. B. et H.
Vol. II. p. 105.

(¹) Archbishop Peckham seems to acknowledge them as *parochial visitors* in his letter to Anian bishop of St. Asaph (*A.D.* MCCCLXXXIV.), hereafter quoted. He orders them to be *procured for* by the rectors and vicars of the diocese.

Provincial. Lib.
III. Tit. XXII.
p. 224.

In Lyndwood's gloss upon the words *alii ordinarii* in Archbishop Stratford's *visitation* constitution (*A.D.* MCCCLXII.), rural deans are not excluded, though, it must be confessed, they are not named. The glossographer writes—" *archidiaconis æquales, et inferiores eis*"—which explanation will assuredly admit decanal ordinaries. See the Meath Constitutions, iv. v. vi. beyond.

“*Cum archipresbyteri omnibus pastoribus et ecclesiasticis sui districtus superintendere, et invigilare debeant,*” says Van Espen; “*attendere quoque, num nihil in parochiis sibi subjectis, ad earum debitum regimen et curam animarum spectans negligatur; nihil evidentius, quàm inter primas archipresbyterorum obligationes, esse parochiarum sibi subjectarum exactam, et frequentem visitationem, quâ mediante in notitiam parochiarum venire, et corrigenda corrigere, aut ad episcopum corrigenda referre queant.*”

Jur. Ecclesiast. Univerf. P. 1. Tit. VI. cap. III. p. 30.

I am inclined to believe that they were *parochial visitors* of very early days—established, in all likelihood, at the abolition of the *chorepiscopi* to this department of office:—nay, as *perioeutæ*, with whom, in earlier pages, we have endeavoured to assimilate them, they were essentially *visitors*—“*episcoporum vicarii, qui regiones episcoporum circumibant et visitabant, auctoritate quâdam episcopali, quâ etiam defectus emendâsse, et alia quæ visitationum necessitas postulabat, peregisse videntur.*” *Visitation* was an attribute of their office even before it was delegated to the principal deacons; who, under the title of archdeacons, at their original institution, had no relation to the rural diocese at large, but only to the episcopal see.

Boëhmer. Jus Eccles. Protest. L. III. Tit. XXXIX. § XXIII. Codex I. E. A. Tit. XLII. c. VIII. Vol. II. p. 969.

But that rural deans or archpresbyters, or even *perioeutæ*, ever parochially *visited* their subject churches otherwise than by express or implied permission and authority of their diocesan, I am far from affirming:—indeed, there is not a tittle of evidence, that they ever exercised this, or any other branch of duty, except as episcopal delegates “in substitution and vicarage.” So true is it, as asserted by Richard, that rural archpresbyters, deans rural, and foraneous vicars, act not, “*nisi per com-*

Analysis CC. Gen. et Part. Tom. III. p. 36.

missionem, quæ ad episcopi nutum revocari potest;" like their archetypes the ΠΕΡΙΟΔΕΥΤΑΙ of the east, of whom Boëhmer says, "*Hi vicarii à nutu episcoporum dependebant, omnia ad episcopum referebant, et auctoritate episcopi per diocesin circumibant.*" (loc. citat.)

SS. CC. Tom. vi.
col. 1461.

In this delegate capacity, presbyters acted as *visitatores* at a very ancient date, in the Western church, as they did under the title of *περιόδευτæ* in the East. See Routh's *Reliq. Sacræ*, Vol. III. pp. 348. 382; and notes to Priaulx's *Treatise*, N^o. XXXIII.¹ The bishop had power granted to him by the fourth council of Toledo (A.D. DCXIII.), of investing *presbyters* or deacons, vicariously, with the exercise of parochial *visitation*:—every diocesan being, by himself or deputy, obliged to *visit annually* all the churches and parishes of his diocese. "*Quod si ipse aut languore detentus, aut aliis occupationibus implicatus, id explere nequierit, presbyteros probabiles (probabilis vitæ. Burchard. L. I. c. LXXXVII.) aut diaconos mittat, qui*

Of the Church,
B. v. p. 509.

(¹) According to the decree and direction of the Toledo Council, "we shall find," says Dr. Field, "that bishops hindered by other employments, sickness, weakness, or age, so that they could not go in person to visit their churches, sent some of their *chiefe presbyters* or deacons, but especially the *chiefe deacons*, to performe the worke of visitation for them, because they being the *chiefe* among the deacons, which are but church-servants, were more attendant about them for dispatch of all publick businesses, than presbyters. These *chiefe deacons*, or archdeacons, at first they sent onely to visit, and to make report, but not to sententiate any man's cause, or to meddle with the correcting or reforming of any thing; but afterwards in proccess of time they were authorized to heare and determine the smallest matters, and to reforme the lighter and lesser offences: and therefore in the councill of Laterane under Alexander the Third, it is ordered that the archdeacon shall not give sentence against any one. But in the councill of Rhoane it is appointed,

et reditus basilicarum, et reparationes, et ministrantium vitam inquirant:" Can. XXXVI.—"which is the original," says Bishop Stillingfleet, "of the archdeacon's *visitation*;" and, I would add, of the dean rural's, in the Latin church.

Eccles. Cafes,
Vol. I. p. 77.

The council of Chalon in France protects the parochial clergy from the intrusion of civilians in the character of *visitors* (at variance alike, says the canon, with established custom, and canonical regulation) unless specially invited by the archpresbyter of the district;—which would indicate that the local clergy were, there and at that time, subject to the latter's peculiar and exclusive inspection under the diocesan bishop: Can. XI. In the same office of *personal visitation* Rheginon associates the archpriest with the bishop and archdeacon at a later date.

SS. CC. Tom. VII.
col. 398.

De Disciplin.
Eccles. Lib. II.
No. LVII.

Agreeing, then, with the bishop of London in his unqualified negation of all power in rural deans to *visit de jure* (if such be the author's meaning in the above-cited passage) independent of the diocesan, at least in England (for to the canons and customs of his own

appointed, that the archdeacon and archpresbyter shall be fore-runners to the bishop, and shall reforme the lighter and smaller things they finde to be amisse."

"Hence in time it came, that archdeacons much used by bishops, as most attendant on them in the visitation of their churches, and reforming some smaller disorders, at length by prescription claymed the correction of greater things, as having of long time put themselves into the exercise of such authority. And thus the deacons, or at least the chiefe of them, the archdeacons (which at first might not fit in the presence of a presbyter, but being willed by him so to doe) in the end became, by reason of this their employment by the bishop, to be greater, not onely than the ordinary presbyters, but than the archpresbyters themselves." &c.—See Bishop Marsh's *Charge to the Clergy of Peterborough*, MDCCCXIII. pp. 16, seqq.

country alone Gibson alludes); we will proceed to adduce, in chronological order, such memoranda of *visitation measures* conducted by *deans rural*, as the councils of Great Britain and the continent present; in order to shew the important fact, that they did *visit* “by substitution and delegation” under the sanction of the church¹—beginning with a curious manual of instructions to *deans*—(“*Capitula quibus de rebus magistri et decani per singulas ecclesias inquirere, et episcopo renuntiare debeant*”) from Hincmar, archbishop of Rheims, bearing date *A.D.* DCCCLII.—the earliest, I believe, on record for regulating *ruri-decanal* inquiries by *visitation*. From this document, which the reader will find in the *Appendix*, it is evident that *rural deans*, established in their *deanries*, made annual *parochial visitations* in France, in the middle of the ninth century: and, from the obligation imposed on them to deliver yearly in July their *visitation returns* to the archbishop, may be inferred the vicarious character of their inspectional journeys.

Hincmari Oper.
Tom. I. Capitula
et Coronationes.
SS. CC. Tom. X.
col. 5, seqq.

Boëhmeri Jus
Ecclesiast. Pro-
testant. Lib. III.
Tit. XXXIX.
§ XXXV.

Out of this *Rhemish formula* of the middle of the ninth century, probably, sprung the more copious instructions of *Rheginon* towards its close—“*Instructio de his, quæ in visitationibus ecclesiarum episcopum vel ejus ministros per vicos, pagos, et parochias suæ diœceseos in-*

(¹) The power of the diocesan bishop to delegate to *archpresbyters rural* his *visitatorian* right of *parochial inspection*, as often as may be expedient for the due conservation of the churches and manes of his diocese, cannot be doubted—when he can do it to *any presbyter-rural*;—and the same is capable of such a commission of *visitation*. The bishop of *Chichester* authorized two clergymen (*A.D.* MDCLXXXVI.) to *visit* every church, *parsonage-house* &c., within an *archdeaconry* of his diocese, and to make their return to him, or his *vicar-general*.

(Commissio pro
visitatione pa-
rochiali.)
Gibson Cod.
I. E. A. Append.
p. 1550. XVIII.

quirere olim oportuit." The latter table is supposed by Baluzius *ad Reginon.* p. 533. to have been in general use in Western Europe; though the abbot of Prüm compiled his *Disciplina Ecclesiastica*, more especially, for the German churches.

The celebrated council of Rome under Alexander III. (A.D. MCLXXIX.) writing expressly on the subject of *visitation*, and confirmed by our own provincial council of London (A.D. MCC.), under Archbishop Hubert, and by the *Legatine Constitutions* of Cardinal Othobon (A.D. MCCLXVIII.), sets a limitation to the *visitatorial* retinue of rural deans, as well as that of superior church-dignitaries; — "*Quocirca statuimus quòd archiepiscopi parochias visitantes, pro diversitate provinciarum et facultatibus ecclesiarum, quadraginta vel quinquaginta evocationis numerum non excedant: cardinales verò viginti quinque non excedant* (these are omitted at London); *archidiaconi quinque aut septem; decani, constituti sub ipsis, duobus equis existant contenti.*" And why should the canon be thus restrictive upon the latter functionaries if they never visited parochially? "*His omnibus,*" subjoins Thomassin, "*jus erat visitationis et procurationis;*" and to all alike is forbidden, in their retinue, the 'accompaniment of

SS. CC. Tom. XIII. col. 419. can. IV. *Annal. R. de Hoveden Script. post. Be-dam*, p. 807.

V. et N. E. D. de B. P. III. L. II. c. XXXIII. V. III. p. 376.

(1) Three years after this council of Lateran, the following curious indulgence to the Berkshire clergy was issued by Pope Alexander:—

"ALEXANDER PAPA CLERICIS,
PER ARCHIDIACONATUM BERKESIRE CONSTITUTIS,
INDULGET NE CANES, VEL ACCIPITRES
ARCHIDIACONO EXHIBEANT.

"ALEXANDER EPISCOPUS, servus servorum Dei, dilectis Filiis Clericis, per Archidiaconatum Berkesire constitutis, Salutem et Apostolicam Benedictionem.

Collier's *Ecclef. Hist.* Appendix, A.D. MCLXXXII Hen. II. 29.

"Cum

hounds and hawks, frequent appendages of dignity in those days, both in lay and clerical life: "*nec cum canibus venatoriis et avibus proficiscantur, sed ita procedant, ut non quæ sunt sua, sed quæ Jesu Christi quærere videantur: nec sumptuosas epulas quærant, sed cum gratiarum actione recipiant, quod honestè et competentè fuerit illis ministratum.*" And to archdeacons and rural deans, in particular, exactions on the clergy are strictly inhibited in the sequel of the same council—" *Archidiaconi verò, sive Decani nullas exactiones, vel tallias¹ in presbyteros, sive clericos exercere præsumant.*" See Boëhmer "*de censibus, exactionibus et procurationibus,*" in *Jus Ecclesiasticum Protestantium*, Tom. III. Lib. III. Tit. XXXIX. § CI. p. 633.

All these visitors, as above stated, were allowed their

" *Cum nobis sit, quamquam immeritis, omnium Ecclesiarum cura commissa; sicut officii nostri debito, cogimur providere ne subditi superioribus debitam reverentiam subtrahant et honorem, ita quoque volumus præcavere, ne a majoribus subditi valeant indebite prægravari; ea propter, quieti vestræ paterna sollicitudine providentes, auctoritate vobis Apostolica indulgemus, ne Canes vel Accipitres ARCHIDIACONO vestro cogamini exhibere, nec eum pluries, quam semel in anno recipere, tunc ei per diem unum et noctem necessaria ministraturi, cum septem tantum equitaturis, et personis totidem, et tribus servientibus peditibus.*

" *Nulli ergo hominum liceat hanc paginam nostræ concessionis infringere, vel ei ausu temerario contraire.*

" *Si quis autem hoc attemptare præsumpserit, indignationem Omnipotentis DEI, et beatorum Petri et Pauli, Apostolorum ejus, se noverit incursum.*

" *Dat. Lateran. VIII. KL. Martii.*

" *Filis sericis coloris flavi.*"

(1) Tallia—" *Census vel tributum quod viritum exigitur.*" Spelman. *Gloss. Arch.* in voce. " *Exactio, impositio*"—Ducang. *Gloss. M. et I. L.* in voce.

customary *procurations*, originally in provisions, but subsequently in pecuniary composition¹; the churches to be *visited* having the privilege of withholding payment unless the duty of *visitation* was duly performed; “*cum procuratio aliud non sit*,” says Peter Quivil in the Exeter synod (A.D. MCCLXXXVII.), “*nisi sustentatio visitantis*.” To the like purport a continental synod of the same year (*Statuta Synodalia Ecclesiæ Meldensis* (A.D. MCCLXXXVII.)), in its twenty-fifth canon, writes—“*Prohibemus ne archidiaconi vel decani rurales aliquas exigant procurationes, nisi legitime visitaverint. Prohibemus sub pœnâ suspensionis subditis eorum, ne solvant procurationes, vel aliquid loco*

CC. M. B. et H.
Vol. II. p. 151.

Theſaur. Anecd.
Tom. IV.
col. 897.

(¹) Visitation procuration became gradually so fixed and certain, that it was frequently redeemed, or changed into a pecuniary payment, observes Mr. Whitaker, as early as the year MCC.; and has long settled into a positive sum. It was very wisely appointed at first, as a provision for the maintenance of the ordinary and his attendants during the time of visitation, and to preclude that natural fear of expence which might abridge the frequency, and contract the particularity, of this useful exertion of discipline. But this end is now answered no longer. The first departure from the designation reduced it into a pecuniary payment. Custom soon ascertained the particular sum. And the lowered value of money has rendered the latter insignificant. It is no longer sufficient for the purposes, for which it was originally imposed. And the very useful, the parochial, visitation has therefore contracted itself into little more than a formal and hasty one by *Deaneries*. Visitations are now, for the most part, synodal, and not parochial—in consequence of the visitor availing himself of the indulgence which the law grants in special cases, where every church cannot be conveniently repaired to: “*et si commodè vel absque difficultate accedere ad unamquamque non poterit; de pluribus locis ad unum congruum clericos et laicos studeat convocare, ne in illis visitatio postponatur*.” From this indulgence, and the great extent of dioceses and jurisdictions beyond what they originally were, grew the custom of citing the clergy and people to *attend visitations* at particular places. See Gibſon’s note *ad can.* LX. (A.D. MDCIII.)

Whitaker’s Hist.
of Manchester,
Vol. II. p. 385.
See also John-
ſon’s Eccl. Laws,
V. II. A.D.
MCCCXXXVI.
note.

Sext. Decr. I., III.
T. XX. c. 1.

Gibſon’s Codex
I. E. A. Tit. XLII.
cap. III. p. 958.

procuracionis, nisi legitimè visitantibus. Ita cum requisiti fuerint super hoc, si opus fuerit, fidem faciant sacramento, ne prædicti archidiaconi vel Decani numerum in Lateranensi concilio constitutum excedant. Et moderatas faciant expensas, ne longi temporis victum brevis hora consumat." And another synod at the same place, in its ninety-fourth canon, de procuracione Decanorum—"præcipimus presbyteris omnibus ne recipiant Decanos ad procuraciones, nisi cum duobus equis; quod si contrarium factum fuerit, contra presbyterum et Decanum graviter procedemus."

col. 906.

Statuta Synodalia Eccles. Cenomanensis. Thef. Script. Veter. Tom. VII. col. 1401.

Restrictions are indiscriminately passed on archidiaconal and Decanal *visitations* by the councils of the day;—that they be not onerous to the clergy in point of expence; while, at the same time, it is enacted, that, at all events, they be performed. So, that of Le Mans (A.D. MCCXLVII.), in its canon *de officio Decanorum*, orders, "ut Decani quamlibet sibi subjectam ecclesiam visitent annuatim personaliter et prioratus: et si procuraciones voluerint ommittere, nullatenus tamen visitationem omittant." That of Saumur (A.D. MCCLIII.) not only confirms the canons of earlier synods, pertinent to these matters, obliging the functionaries in question to an observance of them, but particularly, and by name, forbids to rural archpriests the substitution of officials in *parochial visitation*, personal ministrations being their bounden duty.

SS. CC. Tom. XIV. col. 138. can. VIII.

SS. CC. Tom. XIV. col. 399. can. VIII.

The canon *de officio archipresbyterorum* of the synod of Clermont (A.D. MCCLXVIII.), so corroborative of the *visitatorial power*, and declaratory of the points of inquiry, to which the attention of the Deans was to be directed, claims our special notice:—"Statuimus, ut archipresbyteri quamlibet sibi subjectam ecclesiam visitent annuatim personaliter. Et si procuracionem ommittere voluerint, nulla-

tenùs tamen visitationem omittant. Item inquirent summarè de omnibus notoriis : et si quid est quod scandalum generet ibidem in populo, sive clero, et quod per se non poterunt corrigere, nobis vel officiali nostro referant infra mensem : ut secundum relationem ad plenam inquisitionem descendamus, et corrigamus, sicut nobis videbitur expedire.

“ Item quærant, utrum ecclesiis vel prioratibus impositæ fuerint novæ impensiones ab abbate, vel ab alio aliquo, absque consensu nostro. Et si invenerint, nobis renunciënt fidelitèr absque morâ.

“ Item præcipimus, quod archipresbyteri, quandò procuraciones recipiunt, duorum equorum numerum non excedant, prout in Lateranensi et in provinciali concilio est statutum. Et si exceßerint, procuratio denegetur.” The canon then proceeds to prohibit them meddling with judicial causes without special mandate, on pain of excommunication ; or uttering interdict or excommunication, except by the authority of their superiors, &c.

The synod of Saintes (A.D. MCCLXXXII.) forbids all pecuniary composition, (which had, indeed, been previously restricted till *after visitation* performed, for fear of abuse), and enjoins archdeacons and archpriests to be satisfied with two *fercula* by way of provision, to sojourn with the *visited* only one night, and to abstain from extortion of every kind. That of Liege (A.D. MCCLXXXVII.) orders, that no allowance whatever be made to the same personages “ *ratione visitationis, nisi ad ecclesias specialitèr visitationis causâ venerint vel acceßerint.*” “. . . . et cum archidiaconi vel decani rurales visitaverint,” says another canon of the same church, “ *et ad aliquam ecclesiam pervenerint, quæ visitanti per se ad aliqua non sufficit, tunc duas vel plures conjungant, et eas uno die visitent, et*

Stat. Synod. Eccles. Leodiensis, can. vi.

SS. CC. Tom. XIV. col. 1135. XIV. III. See also Theaur. Anecdol. Tom. IV. col. 494.

tunc expensas illius visitationis ab ipsis ecclesiis visitatis pro rata cujuslibet recipiant, nec aliquam pecuniam ab ipsis ecclesiis habeant, quam quod expensæ illius visitationis solvantur."

CC. M. B. et H.
Vol. II. p. 105.

In the diocese of St. Afaph (A.D. MCCLXXXIV.), the rural deans or local officials are ordered, by the letter of Archbishop Peckham, addressed to the diocesan bishop and clergy, to be *procured for* by the rectors and vicars — "*Decanos verò rurales vel officiales locales volumus à rectoribus et vicariis procurari, nisi fortè ab iisdem pro necessitate aliquâ invitentur.*" See also the Chichester

CC. M. B. et H.
Vol. I. p. 690.

Provincial.
p. 224.

Thefaur. Anec-
dot. Tom. IV.
col. 926.

Synodal Statutes of Bishop Richard de la Wich (A.D. MCCXLVI.)—Archbishop Stratford's *Visitation Canon* A.D. MCCCXLII.)—Lyndwood's *gloss* in v. *alii ordinarii*; and the "*Instructio Decanorum tam in cursu visitationis, quàm extra,*" in the *Statuta Synodalia Ecclesiæ Meldensis* (A.D. MCCCLXV.), in our *Appendix*.

CC. M. B. et H.
Vol. II. p. 580.

Johnson's Eccl.
Laws, Vol. II.
ann. MCCCXXXV.

SS. CC. Tom. xv.
col. 424.

But the most important of all documents, in corroboration of the *visitatory* capacity of rural deans, or, at least, second only to the quoted canon of the great Lateran council (A.D. MCLXXIX.), is the "*Constitutio Benedicti PP. XII. super procurationibus visitantium*" (A.D. MCCCXXXV.)—wherein, among the *procurations* of other ecclesiastical *visitors*, those of rural deans, "*qui in aliquibus regionibus archipresbyteri nominantur,*" are authoritatively regulated and established,—the same being in England the sum of ten turons, at the rate, as the Pope informs us, of twelve turons to the floren of Florence (4s. 4d. Spelman *in v.*). The passage is so explicit on the subject, that I extract it:—"*Illud quoque, quod archidiaconis superiùs duximus ordinandum, locum habere volumus in decanis, præpositis, aliisque personis ecclesiasticis*

superiùs non expressis, quibus visitationis officium et procurationis receptio ex privilegio apostolicæ sedis, vel de jure, seu de consuetudine, competere dignoscitur: decanís ruralibus dumtaxat exceptis, qui in aliquibus regionibus archipresbyteri nominantur; circa quos, in receptione hujusmodi procurationis, id quod statutum est de aliis archipresbyteris, volumus observari."

Nor are their *visitatorial* dues forgotten in the plan of reformation, compiled by the bishop and chapter of Liege (A.D. MCCCXLVI.), and confirmed by Pope Nicholas V. Two new species of perquisites are there allotted to our deans of Christianity, entitled *cathedraticum* and *obsonium*; but they are to be satisfied with a quarter of the archidiaconal dues:—"Ne decaní Christianitatum" (called in the next clause 'decaní rurales') "*sub colore visitationis ficto, vel illius remissione recipiant de suis quartis capellis pecunias annuas, nisi personalitèr visitaverint, et cum effectu. Et tunc stent contenti quartá parte illius, quod archidiaconis pro integrá ecclesiæ visitatione debetur. Et idem volumus observari in solutione obsonii et cathedratici ipsarum quartarum capellarum dictis decanís faciendá."*

SS. CC. Tom.
XIX. col. 43.

Before we finish what is hitherto unnoticed, in councils of later date, of the inspectional duties of deans rural, we must recur to the famous *Irish Constitutions* (first published by Bishop Wilkins from a MS. in the bishop of Clogher's possession); in which is seen the fullest account of any of our insular councils of the duties of archipresbyteral *visitation*, as exercised in certain parishes of the diocese of Meath, during the episcopate of Simon de Rochfort (A.D. MCCXVI).

The *fourth, fifth, and sixth constitutions* particularly

specify the subjects of examination at the annual *visitation*s of rural archpriests; omitting altogether other *visitors* of every denomination.

CC. M. B. et H.
Vol. i. p. 547.

“ IV. *Ut archipresbyteri quotannis, et sæpiùs si opus fuerit, personalitèr visitent statum et conditionem omnium ecclesiarum infra suos decanatus; et si qua ecclesia reparatione indigeat, hortentur gregem Dominicum ad earum reparationem, actaque visitationis ad nos in proximâ synodo transmitti curent. Videant etiam an domus pastorum et capellanorum sint sartæ tectæ; corruptelas morum in populo reformare studeant, et si quas abstergere nequeant, ad synodum dioecesanam referant, ut de iis emendandis cum concilio cleri deliberare possit.*”

“ V. *Item ut procurent fidele transcriptum ad nos in synodo transmitti de statu et conditione librorum, vasorum, vestimentorum, et aliorum ornamentorum et supellectilium in ecclesiis infra suos decanatus, et de iis reficiendis, quoties expedit, statuamus.*”

“ VI. *Curent insuper pœnitentias canonicas à nobis vel officialibus nostris impostas delinquentibus debitè, et eâ, quæ decet, solemnitate peragi, et perimpleri in ecclesiis infra suos limites, quibus ipsi cum presbyteris parochialibus intersint, tanquam testes, ut quâ humilitate et devotione pœnitentiæ laboribus defuncti sunt, testificare possint.*”

The *eleventh constitution*, copying the Lateran canon already cited, inhibits “*exactiones vel tallias* :”—from the frequent repetition of which interdictory clause in the councils of the time, it is manifest that, both here and abroad, our archpriests were wont to transgress in that respect. Indeed, it was to correct abuses of this kind, before the issuing of the Lateran edict, that a certain number of *visitors* were appointed, under Henry II.

(A.D. MCLXX.), to an inquisitorial tour through the different counties of England, and instructed “to enquire, in every bishopric, what, and how much, and for what cause the archdeacons, or rural deans, took of any one; and the whole was to be written down:” or, in the words of the original chronicler, “*quid, et quantum, et quâ de causâ, archidiaconi vel decani injustè et sine iudicio ceperint—et hoc totum scribatur:*”—for, at that date, these officers of the church held their judicial courts of Christianity, occasionally, at the times of *visitation*.

Dr. Brady's
*Hist. of Eng-
land*, p. 309.

*Chronica Ger-
vasii, Scriptores*
x. col. 1411.

From the fact of the issue of this commission of inquiry, our *suspensions* are, at least, excited of the purity of the archpresbyteral character here at home: but in the Gallican church, the charges are positive and highly criminatory of the *visiting* archpriest¹,—losing nothing of their heinousness in Ley's amusing version of the original anecdote of “the zealous preacher in the council of Rhemes”—who “complained that the archpresbyter went about in *visiting* of his circuit, selling all fortes of finnes, murder, adultery, incest, sacrilege, perjury, and thereby filling his purse; the same whereof coming to the eare of the bishop, hee sends for him, that hee may have a share with him: upon demand he denieth, upon deniall they

*Defensive
Doubts, Hopes,
and Reasons, &c.*
pp. 49, 50.

(¹) Indeed, in very early days, it was arraigned—the latter part of the second chapter of the second council of Aix-la-Chapelle (A.D. DCCCXXXVI.) condemns the avarice of archpresbyters and other episcopal servants in its fourth canon:— . . . “*Comperimus quorundam episcoporum ministros, id est chorepiscopos, archipresbyteros, et archidiaconos, non solum in presbyteris, sed etiam in plebibus parochiæ suæ avaritiam potius exercere, quàm utilitati ecclesiasticæ dignitatis inservire, populique salutis consulere. Quam negligentiam, immò eorum execrabile ac damnabile cupiditatis vitium omnes in commune deinceps vitandum statuimus &c.*”

SS. CC. Tom. IX.
col. 826.

*Sermo cujusdam
ad Cler. in Conc.
Rhem. in Oper.
S. Bernard. col.
736. Tom. II.*

wrangle: but at last hee knowing that if the bishop be against him hee must forgo his gaine, hee yieldeth him a part: and so, faith that preacher, are Herod and Pilate reconciled against Christ." But let us have the original — "*Archipresbyter circuit obedientiam sibi creditam; et ut impleat saccum suum, tradit sanguinem justum. Vendit nempe homicidia, adulteria, incestus, fornicationes, sacrilegia, perjuriam; et usque ad summum implet manticam suam. Famâ igitur volante innotescit episcopo talis quæstus; et accersito archipresbytero: 'Da mihi,' inquit, 'partem meam.' At ille: 'Nihil dabo tibi.' E contra episcopus: 'Si non dederis mihi,' inquit, 'partem meam, auferam tibi omnia.' Fitque altercatio maxima, et propter avaritiam fit discordia. Postea vero archipresbyter revolvens secum, quod auctoritate episcopi fungatur potestate istâ, et quod sine gratiâ ipsius nihil possit; perversè conversus: 'Pœnitet,' inquit, 'me, accipe partem tuam, et insuper de meâ quod beneplacitum fuerit;' et reconciliantur. Heu! sicut Herodes et Pilatus reconciliati sunt, et Christus crucifixus est; sic nihilominus isti reconciliantur, et pauperes Christi spoliati sunt."*

*Defensive
Doubts, &c.
p. 49.*

This was, indeed, in the language of the pastor of Great Budworth, "lashing out beyond their line;" and if there were any chance of a recurrence of such abuses, "either by the connivence, or by the corruption of the bishops in later times," it is well "that the archpresbyters have had lesse to doe, and so done lesse evil¹."

*Strype's Annals
of the Reforma-
tion, Vol. II.
P. II. p. 696.*

(¹) To check the like abuses in the visitational circuits of commissaries and officials, Bishop Freak suggests the propriety of instituting Deans rural or superintendants within the diocese of Norwich (A.D. MDLXXX). Of the visitations of the former he says—"What felling of the people's sins, without any regard or consideration of duty at all; what unfiling of

Return we now from these corrupt practices of our predecessors in office, (and, criminal as they were, they still shew the responsible *visitatorial* character of the person exercising the functions of archpriest, and are so far to the point,) to the period at which we suspended our investigation of the personal duties of deans rural, for the sake of reviewing the Meath canons.

In the ecclesiastical councils of the fifteenth century (to proceed chronologically), the same inhibitory clauses, as we have before cited from earlier councils, continue to be applied to archdeacons and rural deans, relative to *procurations*. The council of Tours (*A.D.* MCCCXLVIII.) enacts that there be no payment without due previous

visitation. “*Archidiaconi, archipresbyteri, decani, et alie personæ ecclesiasticæ de jure aut consuetudine ecclesias visitantes si non debitè visitaverint, nihil percipiant &c.*”

SS. CC. Tom. XIX. col. 76. can. IX.

And the provincial council of Angers of the same year again places the greediness of deans and others in *procurational* matters under restraint:—“*Prohibemus ne de cætero dispensatione legitimâ super hoc cessante, archidiaconi, archipresbyteri, decani, ultra unam procurationem recipere unâ die, sive unum locum visitatum, sive plura etiam loca visitare sufficeret, ad procurationem integram persolvendam, quoque modo præsumant; nec etiam si non debitè visitabunt, quidquam percipiant.*” See also *Appendix Concil. Constantiensis*, L. v. c. II. (*A.D.* MCCCXVI.)

SS. CC. Tom. XVI. col. 1121.

The “*constitutio*” of Cardinal Campegius “*ad remo-*

Fasciculus Rerum, p. 425.

of verdicts for money; what manifold corruptions and briberies are used by abuse of registers; all the whole country, with detestation, seeth. And thereupon most men, by the abuse, do utterly contemne all ecclesiastical government.”

vendos abusus" (A.D. MDXXIV.) ratifies to rural deans an authoritative inspection of the property of the church in the following clause:—" *Domos quoque, fundosque dotales beneficiorum collapsos instaurent possessores, quantum necessitas postulaverit, reparataque in debitâ structurâ conservent, et per archidiaconos et decanos rurales, ac alios, ad quos de jure vel consuetudine spectat, ubi negligentes fuerint, per subtractionem proventuum, autoritate nostrâ, arctius compellantur.*" The same inspectional duties are imposed on rural deans in the *Liber Synodalis* of the bishop of Seez (A.D. MDXXIV.)—" *Quòd singulis mensibus decani rurales habeant visitare suos decanatus, casus, crimina, et excessus subditorum inquirendo. Quòdque ecclesiarum rectores de suorum parochianorum delictis et excessibus publicis et scandalosis ipsos decanos informare studeant, sub pœnâ 50 solidorum Turonensium. Qui decani nos et ecclesiam nostram episcopalem Sagiensem terminis sibi præfixis informare tenebuntur.*"

CC. Rotomag.
Prov. P. II. p.
437. Synodi
Sagienses.

" *Item volumus eosdem decanos (ut melius crimina, casus, et excessus subditorum cognosci valeant) in quâlibet visitatione ad minus interrogent decem personas fide dignas, notabiles et omni exceptione majores, de statu et regimine nostrorum subditorum in eodem loco manentium: atque de prædictarum constitutionum, et aliarum per nos aut prædecessores nostros constitutarum observatione.*"

SS. CC. Tom.
XIX. col. 1301.

The synod of Augsburg (A.D. MDXLVIII.), in its seventh canon, orders archpresbyters to *visit parochially* twice a year; and whatsoever corruptions, spiritual or temporal, they cannot personally correct, to present officially to the bishop at the episcopal see, if urgent, or at the next following diocesan synod, if there be no danger from procrastination:—and this they are to do in obedience

to their oath. Moreover, they are specially charged, in their *visitatorial* progresses, to see that no images or pictures be erected in their district churches, without the previous permission of the bishop; and to collect all heretical works, and uncanonical liturgies and ordinations, and to send them to the bishop without delay.

Plenary power of *visitation* is granted to rural Deans in the German churches by the *Formula Reformationis* of the same year, under the head *de Visitatione*:—"Decani rurales, territorii, seu regiunculæ suæ ecclesias singulis quibusque annis visitare debent. Ad hoc enim negotium in partem sollicitudinis episcopalis vocati sunt." Indeed, they are tied down to the same form of *visitatorial* inquiry in their several subdivisions of the diocese, as the bishop in the whole:—"Ad hanc formam visitent quoque, et inquirent, ac pœnitentiam injungant archidiaconi et Decani rurales in suis regiunculis; graviora verò, et quæ per seipfos emendari nequeunt, referant ad episcopum, et synodum episcopalem, publico judicio submittenda, eorum enim visitationes parvæ quædam et particulares sunt synodi, synodo majori subjectæ, et secundum ejus judicium dirigendæ." See also *Synodales Constitut. Arboricensis Diœcesis* (A.D. MDL.) Statut. xxxix. CC. Rotom. Prov. P. II. p. 289; and the Statutes of the diocese of Lisieux, in the same collection, p. 481.

As *visitors*, again, they are acknowledged, in the provincial Scotch council held in Edinburgh (A.D. MDXLIX.), whose duty it is to see that the dress of the clergy be in all respects canonical—"super quibus per singulos Decanos in eorum visitationibus, et si quis fuerit, fiat diligens inquisitio, &c." (can. iv. *de vestibus clericorum*). And again (can. xiii. *de visitationibus*) it is decreed,

*Reformationis
Formula &c.
p. 28.
Lovanii,
MDXLVIII.*

*CC. M. B. et H.
Vol. IV. p. 48, 49.*

“ *Quid nonnunquam publici excessus, tam majores quam minores, per Decanos et alios visitatores occultari et dissimulari dicuntur, eò quòd pecuniarios quæstus à concubinariis et adulteris accipere non erubescant, faciendo eos in tali fæditate sordescere, quòd Decani ante susceptionem sui officii jurent de fideli ejus administratione in omnibus, et cum excessus majores eorundem commissariis deferunt, non prius recipiantur ab eis, quàm illi denuò jurati fuerint, quòd omnes et singulos excessus majores, tam publicos quàm privatos, sibi per assisas et inquisitiones utrobique delatos, absque gratiâ et favore, prece vel pretio, nullis penitus omiſſis, commissariis tradant, qui si reperti fuerint in præmissis culpabiles, perjurii, amissionis officii, et aliis arbitrariis pænis per ordinarium infligendis subjaceant; et super hoc sollicitè inquirent commissarii, prout domino ordinario sunt responsuri:” and lastly, in a council of the same province (A.D. MDLI. confirmed A.D. MDLIX.) it is ordered (can. XIV. *de clandestinis matrimoniis, et banis, et registris curatorum*) that the Deans rural of the province “ *in suis visitationibus diligentem indaginem faciant, et deficientes ad commissarios referant,*” &c.; and they are farther noticed in the eighth and ninth canons in the same capacity.*

CC. M. B. et H.
Vol. IV. pp. 71,
72.

See Appendix,
Chester Documents.

What *visitatorial* jurisdiction the rural Deans of the diocese of Chester enjoyed during the existence of the unlimited *ordinary* powers of the archdeacons of Richmond and Chester, and while they were within the diocese of Lichfield and Coventry, it is now impossible to ascertain: but since the foundation of the new bishoprick, many of the rural-Decanal *patents* granted by the bishop, and confirmed by the Dean and chapter of the cathedral, appear in their books, and some few of the *patents* themselves.

From these it would appear, that much of the surrendered jurisdiction of the old archdeacons was delegated to the *deans rural* (all having merged in the bishop by the charter of foundation); and the archidiaconal *right of visitation* continued to survive in the *visitatorial powers* of the *deans rural*; who, whatever they may have done in earlier days, certainly, after the change of the ecclesiastical regime, being armed with an episcopal jurisdiction by virtue of their patents and the usage of the archdeaconries, as *vicarii episcopi*, visited their *deanries* twice a year, convened before them the churchwardens, received their presentments, and corrected upon them all offences ecclesiastical (incest, adultery, and some others excepted), and proved the wills and granted administrations of all persons whose effects amounted not to 40*l.* (knights, esquires, and clergymen, excepted); and, in case any persons whatever subject to their visitations refused attendance at them, the deans proceeded against them by ecclesiastical censures, in the same manner as the bishop or his vicar-general does upon an episcopal visitation. They were also entitled to the usual places of judicature for holding their visitations; and if they were obstructed therein by any person subject to their jurisdiction, they might admonish, and, upon non-compliance, excommunicate. For the oath of canonical obedience is not personal to the bishop, but to his jurisdiction, and extends to an obedience to the rural *deans* who act by his authority.

It is probable that the *deans* possessed these powers *ab antiquo*; for, in a *patent* granted to a chancellor of the diocese only twenty years from the first foundation of the see, after a *general* grant without exceptions, there

*Ms. Redger.
Book ex Registr.
Dioc. Cestr.
pp. 71, 73.*

is an *additional* one made to him of the place of rural dean of three rural deanries, to do all things which *ab antiquo* belonged to that office," specifying in detail these *visitation* duties. And again, in the document drawn up at the convention of the bishop and deans rural in the palace at Chester, A.D. MDXCIV., the deanal power of *visitation* is distinctly set forth, and the particulars thereof enforced in the way of order or monition from the diocesan to the rural deans.

See Appendix,
Chester Documents,
No. III.

Eccles. Courts'
Report,
MDCCCXXXII.
Mr. Ward's Evidence,
p. 181.

The rural dean of Chester (for the twelve deanries are now consolidated) continues his *visitation-court* (A.D. MDCCCXXX.) for swearing in churchwardens, proving wills, and granting administrations, where the effects are under 40*l.* And over the eight deanries of the archdeaconry of Richmond, an officer bearing the title of commissary presides, invested with the deanal jurisdiction of testamentary matters, *visitation* duties &c.¹, but in which capacity he *visits parochially* does not exactly appear. Mr. Ward, in his evidence before the ecclesiastical courts' commissioners, "apprehends that he *visits parochially*, as commissary."

Ejusd. p. 190.

Synod. Trident.
sefs. XXIV.
cap. III.
SS. CC. Tom. XX.
col. 158.

The council of Trent continued to rural deans the power of *visitation* under certain regulations, established in their twenty-fourth session:—"Archidiaconi, Decani, et alii inferiores in iis ecclesiis, ubi hactenus *visitationem exercere legitime consueverunt, debeant quidem assumpto Notario de consensu episcopi deinceps per seipso tantum*

Eccles. Courts'
Report, p. 346.

(¹) It is customary in the diocese of Chester, before episcopal *visitations*, and preparatory thereto, for *inhibitions* of the rural dean of the archdeaconry of Chester, and of the commissary of the archdeaconry of Richmond, to take place.

ibidem visitare:" and they were to transmit their *visitation-acts*, inquisitions, and all other instruments, to the diocesan bishop within a month. The particular objects of attention to the *visitors* are pointed out, as being, to preserve sound orthodox faith, to expel heresy, to support morality, to correct vice, to exhort people to religion, innocency, and peace; and, as occasion might require, and prudence dictate, to promote the general interests of the Christian community. From the persons *visited parochially*, throughout their respective districts, the officers were not to receive any thing but "frugal and moderate diet, which might be given," in Brent's version, "either in kind or money; yet so, that if there was a custom in any place not to receive so much as these, it was to be observed." The Historie of the C. of Trent, p. 786.

The Cambray council (A.D. MDLXV.) bids the *deans of Christianity* ("decani rurales quos Christianitatis appellant") to *visit* their district schools every six months, or, at least, once a year, and diligently to certify the ordinary of their state of discipline. Indeed, it appears from Zypæus that a *concordate* was entered into between the bishop and the archdeacons of the diocese of Cambray, that *neither* should *personally visit*, but that the *deans of Christianity* should be the *visitatorial representatives* of each, by mutual agreement. SS. CC. Tom. XX. col. 1397. cap. vi. Van Espen Jur. Eccles. Univ. Part I. Tit. XII. cap. I. p. 57.

Accordingly, in the *Acts* of the diocesan synod under Archbishop Maximilian (A.D. MDLXVII.), the *visitatorial* duties of the archpresbyters or deans of the parochi are thus laid down:—"Cap. I. Cum archipresbyteri munus sit ecclesiarum quarundam sollicitudinem genere, easque singulari quâdam annuâ visitatione recognoscere. Volumus et mandamus, ut quàm diligentissimè advigilent ne quid in Decreta Synodi Cameracensis, fol. 3. c. I. II.

illis ecclesiis desit, quod ad divinum officium pro sua dignitate peragendum requiritur.” “Cap. II. *Cum autem DEUS in spiritu et veritate adorandus sit, sollicitè etiam prospiciant Decani nostri in ecclesiarum visitatione. An non irreperint in eas aliqua superstitiosa et vana, in cæremoniis, processionibus, peregrinationibus, imaginum et reliquiarum ac sanctorum veneratione, quibus mentes Christianæ à sincero Dei cultu sensim dimoveri possint. Ubi verò hujusmodi aliquid compertum habuerint, volumus nobis nostrisque vicariis quamprimùm denunciari &c.*”

Constitut. et Decret. Synod. Salisburg. Const. LXII. cap. VI. p. 320. et cap. XIV. p. 326.

The synod of Salzburg (A.D. MDLXIX.) orders the appointed *visitatores* of the diocese to solicit all the information they can from the archdeacons and rural *deans*, in furtherance of their *general parochial visitation*; and then proceeds to say, that the *special visitations* of these inferior officers are not thereby superseded; but that they are to be executed by them notwithstanding, and the results of their inquiries to be laid before the superior visitors within a month. Moreover, the council enacts, that the rural *deans* themselves shall be visited, and examination made “*de illorum officiis, an eisdem satisfaciant, et quomodo, an sint sufficientes, solliciti, prudentes, expediti, et justi, vel injusti, avari, munerum cupidi, pœnas pecuniarias imponentes, personarum acceptores, delicta non punientes, sed dissimulantes, justitiam et æquitatem petentibus morem non gerentes, et ad id genus alia, quæ ad se spectant, præstent, necne.*”

SS. CC. Tom. XXI. col. 608.

The Malines council (A.D. MDLXX.) promulgates the Trent decrees respecting *visitation* generally; and orders that rural *deans*, where they were not in the habit of *visiting* churches, should be immediately invested with that power;—the bishop taking care that their *procura-*

tions (“*subsidia visitationis*”) should be sufficiently remunerative for the labour and expence of *visitation*; and that whatever was immoderate in the way of charge upon the clergy, should be corrected.

The statutes of the diocesan synod of Ypres (*A.D.* MDLXXVII.) ratify the like capacity of *visitation* to Deans of Christianity, on the authority of the Trentine fathers; —the bishops delegating to their rural deputies the right of *visiting* the churches of their *deantries* on such years as they themselves are unable to *visit*: on which occasions the Deans are to follow the rules of episcopal *visitation* laid down by the council of Trent—the substitutes acting in the name and by the authority of their employers, and being fully capacitated to carry forward the whole *visitatorial* inquiry into the conduct of church-officers, the condition of church ornaments and utensils, the state of church-fabrics, parsonages, &c. For all which vicarious trouble, it is decreed—“*Ut in nullâ parochiâ etiam si minima sit, decano secundum præscripta statuta visitanti, detur infra octo aut decem stuferos: in nullâ autem, etiam maximâ, accipiat ultra dalerum vel coronatum: in mediis verò servetur mediocritas, habitâ ratione laboris et consuetudinis.*” Any *extraordinary* labour is to be paid for in *extra procuration*. See also *Stat. Synod. Diœc. Ypres.* (*A.D.* MDCIX.) Tit. III. cap. VI. and, particularly, in the documentary Appendix, the extract from the *Decreta et Statuta Primæ Synodi Diœcesanæ Brugensis, A.D.* MDLXXI. *De diversis decanorum Christianitatis officiis.* The duties of *visitation* are there so minutely detailed, I have thought the document worthy of being copied.

*Stat. Synod.
Diœc. Ypres.
Tit. VII. c. XIII.*

cap. xx. See
also cap. XXI.

A few years later, Charles Borromeo, in the fifth council of Milan (*A.D.* MDLXXIX.), imposed on his *Vicarii*

*SS. CC. Tom.
XXI. col. 462.*

Foranèi the inspection of the rural clergy, their churches, church-furniture &c., by *personal visitation* and examination, conducted according to the items of the following manual of instructions:—The *Foraneous Vicars* are to inquire—

SS. CC. Tom.
xxi. col. 462.

. “ *Qui parochorum in primis zelus in animarum salute procurandâ; quæ in sacramentis ministrandis sedula diligentia; quàm frequens in pascendis verbo DEI fidelibus officium; quæ denique in omnibus parochialis muneris partibus vigilantia, quæve assiduitas.—Quæ populi in Christianæ caritatis operibus exercitatio, quàm religiosus festorum dierum cultus, quàm pia in ecclesiis conversatio, quæ in doctrinæ Christianæ scholis frequentia: tum de aliis piis sodalitatibus disquirant, tum denique de reliquâ omni ejusdem populi disciplinâ, et in viâ domini progressu.*

“ *Post videant, qui singularum ecclesiarum, præsertim parochialium status, an si quæ instaurationem desiderant; an debito cultu fraudantur; an sacris vestibus, ornamentis, supellectileque ecclesiasticâ, ad cultum necessariâ, instructæ sunt; an denique ullâ ex parte incultæ.*

“ *Postremò an si aliqua sunt provincialium, diæcesanarumque synodorum decreta, edicta, visitationum præscripta, aliave episcopalia jussa, quæ executionem non habeant; quid item impeditenti, aut difficultatis, aut denique cause sit, quamobrem eorum executioni non sit locus, &c.”* (See also on *Foraneous Vicars*, their qualities, and *inquisitorial* duties, the council of Rome under Benedict XIII., SS. CC. Tom. xxi. col. 1864.)

Again, the council of Rouen (A.D. MDLXXXI.) orders, in its twenty-seventh canon, that *Deans* rural follow the canons of inquiry there copiously laid down for episcopal

visitation, “*et visitationis à se factæ infra mensem rationem reddent episcopo, et depositiones testium, ac integra acta ei exhibere tenebuntur.*” (CC. Rotomag. Prov. Part I. 214.)—and the like charge is imposed on them by the council of Tours (A.D. MDLXXXIII.), SS. CC. Tom. XXI. col. 850; and of Malines (A.D. MDCVII.), SS. CC. Tom. XXI. col. 1462.—the latter publishing certain heads of inquiry for the use of the archpresbyters in their *visitatorial* proceedings.

In the seventeenth and eighteenth centuries we find the same trust continued to them. In the *Spicilegium Ecclesiasticum* of Lunig, these precepts are recorded as given to *decanal visitors* of Julien and its surrounding district (A.D. MDCII.)—“*Decani exigant à scabinis et juratis tabellam Brogh Zettul (h.e. specificationem delictorum judici denuntiatorum) aut copiam authenticam. Ut viri zelosi et integri in fide scabini synodales eligantur. Ut communia puncta et interrogatoria scabinis communicent, super quibus tenebantur facere inquisitionem et dare informationem.*”

A chapter of the diocesan synod of Ypres (A.D. MDCIX.) prolongs to *deans rural* the *visitatorial* powers they enjoyed by the earlier synod of MDLXXVII: and a subsequent council (A.D. MDCXXX.) makes them downright *inquisitors* into the manners and habits of the rural clergy, the employment of their time at home and abroad, their studies, hours of confession, &c. &c.; all which they are to pry into, by the most searching personal *visitation*.—The synod of Antwerp (A.D. MDCX.) confers on them the fullest *visitatorial* authority; and bids them lay their *acta visitationis* before the bishop— . . . “*Visitantibus vero decanis ruralibus, tanquam à nobis missis, omnem debitam*

SS. CC. Tom.
XXI. col. 637.

Lunichii II.
Spicileg. Eccles.
p. 183.

Stat. Synod.
Dioc. Ypres.
Tit. XVIII.
c. VI.

Stat. Synod.
Dioc. Antwerp,
p. 328-29.

Tit. XXIV. cap.
III. p. 385.

reverentiam et assistentiam ad exequendam commissionem à nobis injunctam exhibeant,” says Miræus, “*et si aliqua ad reformationem aut bonum ecclesiæ facientia sciant, benevolè suggerant.*” See also *Ordinationes Joannis Malderi Episc. Antwerp. (A.D. MDCXXX.)*

*Statuta Synodi
Buscoducensis,
Tit. xv. cap. iv.
p. 85.*

A chapter of the synod of Bois-le-duc (*A.D. MDCXII.*) is expressly dedicated to archipresbyteral *visitation*:—“*Archipresbyteri, seu decani parochias sibi commissas cum Xenodochiis, capellis, et confraternitatibus, assumpto secum notario, vel saltem aliquo presbytero, quotannis secundum instructionem illis dandam, auctoritate nostrâ visitent, ac de vitâ, fide, et moribus parochorum, sacellanorum, custodum, ludimagistrorum, ædituorum, ac gubernatorum mensæ Sancti Spiritûs, reliquorumque incolarum sese diligentèr informent, ac advertant, an piis foundationibus, eleemosynis, et oneribus beneficiorum et officiorum ecclesiasticorum laudabiliter satisfiat, itemque utrùm ecclesiæ reparatione egeant, et cæmeteria benè occlusa sint: nec sacramentalium et ornamentorum ecclesiæ, atque scholarum visitationem prætermittant &c.*”

*SS. CC. Tom.
xxi. col. 1595.*

A canon *de visitatione* of the council of Bourdeaux (*A.D. MDCXXIV.*) associates our rural archpresbyters with other ecclesiastic *testes* for the more effectual conduct of parochial inquisition.—Cap. XXI.—III. “*Archipresbyteri seu decani in singulis diæcesibus constituti, jugi circumspeditione mores clericorum, statum et ordinem parochiarum, ac etiam laicorum, sollicitè observent et prospiciant, deque iis omnibus singulo quoque mense episcopum certiozem faciant. Et ne propter archipresbyteratûs distantiam minus officio suo satisfacere possint: in cujuslibet archipresbyteratûs tractu, duo rectores aut plures pii ecclesiastici testes synodo diæcesanâ ab ordinario nominati et electi, archipresbyteris seu decanis adjungantur, qui zelo regiminis ecclesiastici*

inflammati, sedulò invigilent, et ordinarium statis temporibus, de statu, conditione, et excessibus hujusmodi archipresbyteratùs certiore faciant: possintque ordinarii archipresbyteris, decanis, et testibus synodalibus inquisitionum seu informationum conficiendarum, sine alio speciali mandato, facultatem, quo citiùs quæcumque vitia purgentur, et cuncti in ordine contineantur, concedere: quas inquisitiones et alias probationes ab iisdem perfectas, teneantur officiales recipere, et ex iisdem ad alia juris remedia procedere."

The synod of Saint Omer (A.D. MDCXL.) writes—
 “*Decani in visitationibus suis scholas non prætermittant, sed singulis semestribus visitent, et accuratè inquirant, &c.*”

*Stat. Synod.
Dioc. Audom.
Tit. XVIII. c. IX.
p. 88.*

—That of Namur (A.D. MDCLIX.) admonishes all archpresbyters, “*Ut annales visitationes obeuntes, et aliàs diligentè inquirant, quibus rebus pastores se impendant, ut si quos otio deditos repererint, ne nihil agendo malè agere discant, eos actionibus ecclesiastico homine dignis incumbere, et per bona opera certam suam vocationem facere procurent &c.*” The same duties are imposed by the synod of Bruges—“*Sedulò inquirant archipresbyteri in suis visitationibus de vitâ, doctrinâ, et moribus curatorum et aliorum presbyterorum; ac præceptorum seu magistrorum; et cujus sint qualitatis, fidei, et nominis ac famæ.*”

*Van Espen
I. E. U. Pars I.
Tit. VI. cap. III.
p. 30.*

And the synod of Ypres legislates with the same degree of latitude and particularity.

*Tit. VII. cap. 11.
apud Van Espen.*

The latest instructions to deans rural of the diocese of Malines enforce *visitation*—“*Ut potissimam officii sui partem, visitationem curent archipresbyteri, sedulò, accuratè, et cum timore DEI perficere, et præcipuè invigilare, ut altaria et sacramentalia, ipsaque templa nitida serventur, pastoresque ipsi, quoad obligationes et functiones suas pastorales exacti sint et diligentes, an quo studio, quove exercitio*

Ejusd. P. II.
Tit. XXXIV.
c. VIII. p. 674.
ex Synodo
Mechlin.

otium pellant. Quarè non plures uno die visitabunt ecclesias, quàm commodè possunt." And farther—that timely and seasonable repairs of ecclesiastical houses be attended to, and their fabric not allowed by gradual decay to fall into utter ruin and waste, the synod decrees—" *Archipresbyteri, ubi ipsis id juris ex consuetudine competit, domos pastorum et beneficiarum singulis annis seriò visitent; et quandò eas reparatione indigere advertent, eam mox fieri mandent et non obediens denuncientur episcopo, vel ejus vicario generali, ut ad debitas reparationes faciendas, prout juris et rationis fuerit, compellantur, et pro præteritâ negligentâ etiam puniantur*¹." (Tit. XXII. c. VII.)

CC. Rotomag.
Prov. P. II.
p. 252.

"*Les Doyens de la Chrétienté et ruraux,*" says the synod of Bayeux (A.D. MDCLXII.), "*auront soin de faire une fois l'an les visites de presbytères, de dresser leurs procès verbaux de l'état auquel ils les trouveront, et les mettront aux greffes de nos officialitez, &c.*"

Decr. Synodal.
D. Maximil.
Henr. Archiep.
Coloniens. Tit. II.
cap. x. II. p. 13.
See Stat. Dioc.
cef. Gandav. Tit.
XVI. c. III. p. 74.
A.D. MDCL.

Again,—the *Synodal Decrees* of the archbishop of Cologne (A.D. MDCLXII.) order—" *Ut de pastorum, vice-pastorum diligentia, et ætatis tenerioris profectu nobis constare possit, decani rurales quoties visitant, convocatâ juventute breve examen catecheticum instituant: quidquid verò memorabile contigisse notaverint, in Acta suarum visitationum nobis &c. . . . exhibenda referant;*"—and subsequently the same *institutes* detail the points of inquiry to be particularly attended to by the *deans* visiting their parochial clergy. See Part II. Tit. v. c. VI. II.

Alterâ Epistola
Pastoralis Dom.
Humb. Gulielm.
Arch. Mechlin.
p. 68.

(¹) In the pastoral letter of the Belgian primate (A.D. MDCC.) the archpriests are charged "*Ut diligentiores magisque exactas per districtus suos instituant visitationes juxta earundem visitationum interrogatoria typis edita &c.*"

Our next examples are adduced from the Anglo-Gallic isles of Jersey and Guernsey—which were anciently, we are told by an anonymous author, two rural *deanries* of the bishopric of Constantia, in the dukedom of Normandy, and their sole *visitors* in church affairs, their respective *deans*, each possessing the same power as our chancellors and archdeacons at present enjoy. Nor is their ecclesiastic constitution otherwise altered in modern days, than that they are members of the diocese of Winchester; having been annexed thereto soon after the Reformation¹. Their jurisdiction was then settled, fees were appointed to the *deans*, and a revenue established; but the functionaries themselves were then, and still remain, accountable to their diocesan bishop for the due performance of their *visitatorial* charge, like the corresponding officers in England.

A Humble Proposal for Parochial Reformation &c. by I. M. p. 35.

Heylin's *Life of Laud*, MDCXXXVII.

The duties of these *deans* rural, in respect of *visitation*, are thus expressed in the twenty-third rule of *the canons and constitutions ecclesiastical* granted to the isles, in the reign of James the First: “*Le Doyen accompagné de deux ou trois ministres visitera une fois en deux ans chaque paroisse en sa personne, et donnera ordre qu'il y ait presche le jour de la visitation, ou par soy même, ou par quelqu'un par luy appointé; et se fera la dite visitation*

Cæsarea by Falle & Morant. *Appendix*, No. x. p. 206.

(¹) King John had it in contemplation to place the islands under the diocese of Exeter; and Henry VII. actually procured the Pope's Bull for placing them within the jurisdiction of Salisbury; which he cancelled, and obtained another for Winchester. But this last, though even entered in the then bishop's register (Langton), never took effect; and Queen Elizabeth at last fixed them in that see. The Bull of Pope Alexander VI., for transferring them from Constance to Winton, may be seen in Falle's *Appendix*, N^o. IX. p. 195.

Berry's *Hist. of Guernsey*, p. 241.

pour ordonner que toutes choses appartenantes à l'église, au service de DIEU, et administration des sacremens, soyent pourveûes par les surveillans, et le temple, cimitière, et maison presbytériale soyent entretenues et réparées: et aussy recevra information des dits surveillans (ou faute à iceux à faire leur devoir) du ministre, de toutes offences et abus qui seront à réformer en aucun, soit ministre, officiers de l'église, ou autres de la paroisse; et recevra le dit dopen pour la dite visitation 40 sols de la rente du Thrésor à chaque fois.— Equally extensive are the powers bestowed on the dean of Guernsey in the commission of Bishop Brownlow North to Dean Durand,— “in his stead, authority, and name, according to law, to visit the churches and other ecclesiastical places, and the clergy and people subject to his jurisdiction &c. &c.” Indeed Dicey says, “The deans of both the islands pretend that their office carries with it *all* delegated jurisdiction, without any need of permission or commission from the bishop;” and if so, they are *visitors de jure*— nay, I have been told, that they can *prescribe* against the bishop?

Berry's *Hist. of Guernsey*, p. 263.

Dicey's *Hist. of Guernsey*, p. 51.

Notitiæ Sethi
Episcopi Sarum
fol. 339. See
Appendix, Salis-
bury Documents.

Towards the close of the seventeenth century, Bishop Seth Ward of Sarum invested his deans rural with considerable *visitation* powers; as the following *formula of instructions* indicates. They were authorized—“1. To view *infra decanatum*—churches, chancels, parsonage and vicarage-houses, hospitals, almshouses, church-houses, and free schools, *semel in 6 mensibus, saltem in anno*, and to present decays to the Bp̄ or chancellor.”

“2. To observe—parsons, vicars, curats—as to conversation, performance of duty, conformity to laws, diligence in reading service, administering sacraments, preaching,

catechising, preparing for confirmation, marryeing &c.” —“ churchwardens, as to performance of duty—scholermasters, as to teaching and catechising scholars, bringing to church on Sundays and holydays; and to acquaint the Bp̃, if amifs.”

“ 3. *To examine* differences, and compose or delate to Bp̃, reports of scandalous offences *contrà Leges Eccles.*”

“ 4. *To execute* or *cause to be executed* mandates, orders sent *immediatè ab episcopo, mediante archidiacono.*”

“ 5. *To acquaint* Bp̃ if any conventicles, disorders &c.”

“ M̃d. hospitals—terriars—registers of christenings, marriages, burials.”

In the convocational proceedings about rural Deans in England (A.D. MDCCX.), the second resolution of the *Upper House* suggests the propriety of a canon declaratory of the *visitatorial capacity* of Deans rural:—“ To enquire into the manners of the clergy and people, to *visit* and examine the state of parochial churches and chapels, with the chancels of the same, together with the ornaments and utensils thereunto belonging, as also the manners of rectors and vicars, and all ecclesiastical endowments &c. &c.” To which resolution the *Lower House* desires an amendment to the effect that rural Deans should be first “ *duly commissioned* by the bishop or archdeacon, or other ordinary,” so to *visit*:—indicating thereby that rural Deans have no such power by virtue of their office; and anticipating, perhaps, that the exercise of it, as a matter of right, independent of special commission, would interfere with the privileges of archdeacons. While, at the same time, the *Lower House* acknowledges the obligation of rural Deans to execute the

CC. M. B. et H
Vol. IV. p. 642.

commission of *visiting* parochially, whenever enjoined so to do by superior authority.

So the matter at present rests. No constitution has ever been drawn up to ratify any part of these Proceedings of Convocation;—which, of course, leaves the rural-decanal capacities just as they were before the royal mandate issued.

Two documents alone, on the topic of decanal *visitation*, remain unnoticed—the one domestic—the other foreign. The first is a clause of Bishop Gibson's published *Instructions to Rural Deans of the Diocese of London*:—"The dean rural is likewise, as occasion shall require, to inspect the churches, chancells, and chapels, and the houses belonging to the parsons and vicars within his district, and to give information of their decays and dilapidations to the ordinary."

Gibson *Codez*
I. E. A. Append.
§ xv. c. xix.
p. 1550. See
London Docu-
ments in Appen-
dix.

With the foreign canon, we close our long catalogue of authorities;—and worthy of particular notice it is, as reviving the eastern title of *protopresbyter* in application to the dean rural. It is the ninth canon—*de protopresbyteris, sive decanis ruralibus*, of the council of Reussen (A.D.) MDCCXX.)—"Præter ea, quæ à sancto synodo ad officium protopresbyteri spectare constitutum est, ut scilicet diligentè referant ad ordinarios, si quos decretorum synodaliū violatores, si quos officii parochialis negligentiores, si quos popinarum frequentatores, percussōres, aut aliàs scandalosos, sive presbyteros, sive laicos, sub suâ jurisdictione compererint; illud omninò addendum censuit debere eos episcopo, vel alteri visitatori assistere per suum decanatum, ut ipsum de statu ecclesiarum, et moribus ministrorum instruere possint."

Manf. Suppl. ad
SS. CC. Tom. vi.
col. 352.

"Insuper teneantur visitare proprium decanatum anno

subsequenti visitationem generalem, non solum, ut de iis, quæ modo diximus, ac de cæteris, quæ continentur in instructione generali diligentèr inquirant; verùm etiam ut decreta, et reformationes ejusdem generalis visitationis executioni mandari curent. In obeundâ hâc visitatione, caveant, ne quid prorsus accipiant, aut extorqueant, præter victualia pro suâ, alteriusque domestici personâ, ac duobus equis; alioquin præter pœnas, quas statuit sancta synodus titulo sexto gravissimè ab episcopo puniantur."

That we have adduced evidence enough, in the many pages devoted to the subject, of "a sort of *visitatorian capacity*," in rural deans of ancient and modern days, the reader will readily acknowledge. The capacity can be no longer doubted. The church, in her conciliar decrees, has acted upon it for more than a thousand years—nay—from the first institution of the office in the east and west, with little or no interruption, to the present hour. Tedious though the enumeration of authorities be in proof of the fact, I could not otherwise have established a controverted duty of the last importance. While endeavouring to do so, I have cited many items of deanial service connected with and performed during *visitation* progress, and thereby have added somewhat to the reader's knowledge of the personal functions of the rural archpriesthood.

But, whatever may have been the pristine character of that power, when these now humble functionaries were linked with archbishops and cardinals, and their retinues made the subject of canonical limitation throughout Western Europe, as we see they were—if it ever attained to the dignity of an ordinary jurisdiction (which on the continent it seems extensively to have done), it was only

locally and partially so in England, and, for the most part, of short-lived exercise. Not so the archidiaconal power of *visitation*;—this, like the *decanal*, originally a *delegate* jurisdiction emanating from the bishop, became by *continual* grants an *ordinary* one, and eventually almost (in many places, quite) extinguished the other¹. See Van Espen *Jur. Eccles.* P. I. Tit. XII. c. I. § VI.; and Boëhmer *Jus Eccl. Protestant.* L. I. Tit. XXIII. de *Officio Archidiaconi*, Tom. I. p. 545, seqq., and L. III. Tit. XXXIX. Tom. III. p. 578.

But here it must be observed, that the vicar of Am-broden, who considers the antiquity of *deans* rural greater than that of archdeacons, looks upon the former as the earliest *rightful parochial visitors* under the diocesan bishop, and supposes them to have lost their privilege of *visitation* in the way following. “When archdeacons

*Parochial Anti-
quities*, Vol. II.
p. 360.

*Ecclesiastical
Courts' Report*,
MDCCCXXXII.
p. 85.



(¹) *Deans* rural in no cases, I believe, *visit* peculiars. Even bishop's peculiars are *not visited* by them. In the diocese of Exeter there are thirty-six episcopal peculiars, which are *visited* by no *deans* rural, and are indeed so far exempt from the jurisdiction of the bishop himself, that he never *visits* them, even in his triennial visitation. Parochial churches within peculiars are generally in most wretched condition. Such jurisdictions should be abolished: discipline can never be sustained effectually, while they exist. In the *deanry* over which the writer presides, there are three of these ecclesiastical anomalies. To one of which there is, probably, no counterpart in all England;—it is a parish wherein a Roman-catholic peer is both lay-rector and lay-bishop, and appoints, or not, as he chooses a stipendiary chaplain over many hundred Protestant souls. The church is ruinously dilapidated: and its doors have been closed against the church-going population for nearly two years (*Sept.* MDCCCXXXIV.)—See Bishop Burnet's account of the origin of these blemishes of our Ecclesiastical Constitution, in the *History of the Reformation*, Vol. I. Book III. p. 522; Vol. V. Book VI. p. 634. Oxford Edit. MDCCCXXIX.

grew up to be vicars-general of the bishop and ordinaries in the diocese, then they assumed to themselves so much of the *visitatorian* power, that the rural deans could no longer *visit*, but in subordination to these new masters; and as a mark of inferiority and subjection, they were allowed to go their circuit with two horses only, when the archdeacons might have five or seven. This dependency and limitation of power restrained the rural deans from the desire of being *visitors*; and therefore, to ease themselves of the trouble, and their clergy of the expence, they let fall this jurisdiction by consent, and left this necessary care of all the churches solely to the archdeacons next under the bishop:” whose *right* and *duty* it now is, according to the constitution of the church of England, to inspect the churches and chancels, with the ecclesiastical houses and possessions, in the several parishes within their jurisdiction. To which Gibson adds, as a farther illustration, that it is these *parochial visitations*, and not such *visitations* as are now held by archdeacons (which seem to be only the remains of the ancient synods) that our ecclesiastical laws ordinarily mean, when they speak of archidiaconal *visitation*; and that it is on account of the same *parochial visitations*, and not of these, that the archdeacons claim and enjoy their *procurations*. Such *visitations* as are now held by archdeacons, are more like general chapters of the clergy, anciently held by the rural deans, in their respective deanries; at which the constitution of Otho required the archdeacons to be often present; and they being superior to the rural deans, in point of jurisdiction, grew by degrees to preside over them, and from thence to have the sole authority in them;—that authority passing, by a kind of devolution,

*Charge to the
Clergy of Sur-
rey, on Paro-
chial Visitations,
p. 10.*

from the rural deans to the archdeacons. See also *Codex I. E. A.* Tom. II. p. 969. Tit. XLII. cap. VIII.

*Fasciculus Re-
rum in Append.
T. II. p. 340.
Anglia Sacra,
P. II. p. 347.*

When, however, their own power of parochial *visitation* was thus, in Kennett's phrase, interfered with, it appears, from an epistle of Robert Groffeteste¹, bishop of Lincoln, to his archdeacon, that the deans of the country were still employed to convocate the rural clergy to episcopal *visitations*;—" *Vobis mandamus decanos archidiaconatus vestri præmoneatis, ut prompti sint ad convocandum coram nobis prædictos rectores, vicarios, et sacerdotes locis et temporibus quibus eis mandabimus, ne in prædicando aut aliis exequendis quæ ad nostrum spectant officium, inveniamus impedimentum.*"—This duty they had shared with archdeacons, probably, from their first institution:—for in the seventh century the archpriest or the archdeacon are charged, by the sixteenth canon of the council of Rouen (*A.D.* DCL.), to be personally active in the performance of such preliminary measures, and to prepare

*Annal. Monast.
Burton, p. 317.
anno MCCLII.
Inquisitio in
Cler. Lichfield.*

(¹) In the early *Articles of Enquiry at Visitation* (the earliest, indeed, in the councils of Great Britain, save those of Hugh de Welles, *A.D.* MCCXXX, to his archdeacons, *CC. M. B. et H.* Vol. I. p. 627), addressed by this learned prelate to his church-officers (seemingly, from the leading article, of laical character), the first is—" *De vitâ archidiaconi et suæ familiæ.*" The second—" *De decanis*" (rural deans) "*qualitèr se habeant in officiis suis.*" And in the general *Inquisitiones de clericis et laicis* of the year MCCLIII, recorded in the same annals (p. 325), there is one item of examination "*De vitâ et honestate archidiaconorum, decanorum, et clericorum qui ministrant in ecclesiis, et de ministris et famulis personarum et aliorum:*" and another, "*An decanus et alii conspirationem fuerint ante adventum episcopi.*"—p. 326.

the clergy and people for the arrival of their diocesan pastor in *visitation*.—“*Cum episcopus suam diœcesim circuit, archidiaconus vel archipresbyter, eum præire debet uno aut duobus diebus per parochias quas visitaturus est, et plebe convocata annunciare debet proprii pastoris adventum, et ut omnes, exceptis infirmis, ad ejus synodum die denominata imprætermisè occurrant. Et omnimodis ex auctoritate ss. canonum præcipere, et minaciter denunciare debet, quod si quis absque gravi necessitate defuerit, proculdubio à communione Christiana sit pellendus. Deinde accitis secum presbyteris, qui in illo loco servitium debent exhibere episcopo, quidquid de minoribus et levioribus causis corrigere potest, emendare satagat; ut pontifex veniens nequaquam in facilioribus negotiis fatigetur, aut sibi immorari amplius necesse sit ibi quàm expensa sufficiat. Ait enim Dominus ad Moysen de hujuscemodi cooperatoribus, ‘ut tecum’ (inquit) ‘sustentent onus populi, et non tu solus graveris;’ et beatus Joannes Baptista adventum Domini præcurrit prædicando dicens: ‘Pœnitentiam agite,’ &c. Et iterum, ‘Parate viam Domini,’ &c.”*

SS. CC. Tom. VII. col. 406.

See Reginon. de Discipl. Eccles. Lib. II. ab init. Burchard, Lib. I. cap. xc. p. 11.

Lastly, the diocesan synod of Antwerp under Miræus (A.D. MDCX.) decrees—“*Decanus ruralis præmonitus à nobis, suos pastores moneat ut episcopo visitaturo, omnia quæ ad visitationem spectant, præparent; eisque in eam rem mittat instructionem à nobis præscriptam.*”

Tit. xxiv. cap. II. p. 385.

In the ninth century, rural archpriests had the honour of *entertaining* the bishop on occasion of his *visiting* for parochial confirmation:—when, it will be seen, the council of Pavia (A.D. DCCCLV.) catered most liberally for

SS. CC. Tom.
IX. col. 1165.

the episcopal guests and retinue:—" *Statuimus, ne episcopi, quandò pro confirmando populum, parochias circum-eunt, archipresbyteros suos gravent, ut hujusmodi dispensâ contenti sint: Panes centum, fristringas¹ quatuor, vini sextaria quinquaginta, pullos septem, ova quinquaginta, agnum unum, porcellum unum, annonam ad caballos modios sex, fœnum corr.² tres (fœni corbes), mel, oleum, cera, quod sufficit*"—³ a fair allowance of entertainment, it

(¹) *Fristringas*—written also *frikingas* and *frescengias* (see Sirmondi *notæ ad capitula Karoli Calvi et successorum*, p. 8.)—they were young pigs, not fucking-pigs, but of larger size, as Sirmond and others explain "*porcellis majores, nondum tamen justî incrementi.*" They are mentioned by Hincmar, in his *Capitula* to his archdeacons, and by many others. "*Vadianus (et alii) scrofam adultam exponunt,*" glosses Spelman; "*nam et nostri (inquit Vadianus) venatores porcum silvestrem anniculum aut adultum frischling vocant.*" *Glossar.* p. 250, in voce *Friscinga*.

(²) "*Corr. corbis or corbus—mensuræ frumentariæ species apud Bononienses Italos &c.*" See Ducange *Glossar.* Tom. II. col. 580-81, in vocibus *corbis—corbus*.

(³) In his annotations on the *Computus* of Bolton (a folio of a thousand pages, beginning in MCCXC, and ending in MCCCXXV.) Dr. Whitaker has noticed (*History of Craven*, p. 399—2d Edit.) the enormous expence of *parochial visitation* as then conducted. The sum charged, as expended on the archbishop's reception at Bolton, would have been sufficient, the historian says, for two hundred men and horses. Nor will that be thought extravagant, when it is understood that in A.D. MCCXVI, an archdeacon of Richmond, on his *visitation*, came to the priory of Bridlington, with a train of ninety-seven horses, twenty-one dogs, and three hawks. Dugdale's *Monast.* Vol. II. p. 65. See *History of Whalley*, p. 171; and Hoffman's *Lexicon*, in voce *Procuratio*. Another article, relating to the archiepiscopal *visitation* at Bolton, is extremely curious—" *In prebendâ et fursure equorum et canum D'ni A'ep'i xv. qr. aven.*" Dr. Whitaker thinks this prelate hunted with a pack of hounds, in his progress from parish to parish! See an extract from an indulgence of
Pope

must be acknowledged, for man and horse—considering that the ecclesiastical legislators, then in synod assembled, had the relief of the archipresbyteral hosts in view, when passing this canon of limitation.

Pope Alexander to the clergy of Berkshire, before quoted under *visitation duties* from Collier's *Appendix*. The writer possesses a curious little compend of *visitation duties*, entitled *Tractatus de Visitationibus Episcopalis*, per R. P. Anthonium (Dopping), *Episcopum Midensem*, A.D. MDCXCVI.—Dublinii MDCXCVI.—which throws some light on *visitation duties*, as exercised by deans rural and other ecclesiastical officers.

SECTION III.

SYNODICAL DUTIES.—*Testes Synodales.*

IN consequence of the report, which deans rural had to make at episcopal synods, of the state of religion, and the conduct of the clergy and laity of their deanries, they were *necessary attendants* at these general visitations of each diocese¹, appointed at stated intervals for the wholesome purpose “of inspecting in order to reformation.” And thence, in the opinion of *Somner, Kennett, Atterbury*, and others, they were designated *Testes Synodales*—from the information communicated by them to the synod, as witnesses:—but not, *Gibson* suggests, to the exclusion of the *synodal witnesses* properly so called; of whom Archbishop Edmund’s twenty-first constitution (A.D. MCCXXXVI.) thus speaks:—“*Sint in quolibet decanatu duo vel tres viri, DEUM habentes præ oculis, qui excessus publicos prælatorum, et aliorum clericorum, ad mandatum archiepiscopi vel ejus officialis, ipsis denuncient:*”—and who had been, nine years before, instituted by the council of Narbonne in these words:—“*Districtè mandamus, ut ab episcopis testes synodales in singulis instituantur parochiis, qui de hæresi et de aliis criminibus*

Antiquities of Canterbury, p. 176.
Parochial Antiquities, Vol. II. p. 364.
Charge at Totnefs, A.D. MDCCVIII.

C. I. E. A. Vol. II. p. 972.
Tit. XLII. c. IX.

CC. M. B. et H. Vol. I. p. 637.

SS. CC. Tom. XIII. col. 1108.
can. XIV.

The Country Parson, c. XIX. p. 62.

(¹) Herbert says of *the country parson*, that “he observes *visitations*, and, being there, makes due use of them, as of *clergy councils*, for the benefit of the diocese.”

manifestis diligentèr inquirant, postmodùm episcopis quod invenerint relaturi."

These were the true *juratores synodi* or *testes synodales* (from whence, says Staveley, "our *Quest-men*, who are to be aiding and assisting to the churchwardens, are called *Side-men*, i.e. *quasi* Synod-men")—not successors of the rural deans in the office of *detecting*, after the latter had begun to decline in authority, as affirmed by Kennett; but, on the contrary, employed long before ("*testibus synodalibus archipresbyteri aut decani rurales suffecti sunt*," says Richard) in the duty of laying informations before the bishop in private at the episcopal see, or publicly at synod. On which latter occasion, it was customary—at an elder date than the Narbonne and Canterbury canons—as early, indeed, as the days of Hincmar—for the bishop assembled with his clergy and laity in council, "*post congruam allocutionem*," to appoint certain "*maturores, honestiores, atque veraciores viros*," to give information upon oath¹ concerning the manners of the

History of Churches in England, chap. XVI. p. 286. Stillingfleet's *Eccles. Cases*, Vol. I. p. 2.

Analysis CC. Gen. et Part. Tom. IV. p. 208.

See Hincmar *Oper.* Tom. I. p. 716.

Decret. P. II. Caus. XXXV. c. VII. A.D. DCCCCVI.

(¹) Can. XVI. "*Jurabunt testes synodales, vel saltèm fidem loco juramenti piabunt in hâc formâ. Primò, quòd per totum annum usque ad synodum proximam diligentèr inquirant, simpliciter tamen de plano et absque ullâ jurisdictione, quæ correctionis et reformationis tam in clero quàm in populo sint necessaria: et quòd illa fideliter referent in concilio provinciali et synodo episcopali proximè celebrandis, postquàm fuerint requisiti: usurarios, adulteros, concubenarios notorios, seu manifestos, et quoscunque manifestè et publicè delinquentes, tam in clero quàm in populo, quos debitâ ad hæc adhibitâ diligentiam, perquisiverint, deferre et denuntiare, quandò super hoc requisiti fuerint, denuntiare non omittent.*" See *Concil. Salisburgense*, ann. MCCCXX, cap. II.; also the title *de Testibus Synodalibus* in the fourth council of Milan (A.D. MDLXXVI.), cap. VI. SS. CC. Tom. XXI. col. 296;—and the same title in the council of Avignon (A.D. MDXCIV.), cap. IV. SS. CC. Tom. XXI. col. 1331; and of Rome (A.D. MDCCXXV.), SS. CC. Tom. XXI. col. 1898.

SS. CC. Tom. XVII. col. 54.

Such

people within the district of supervision ¹.

SS. CC. Tom.
xvii. col. 54.

Reginon. Lib. II.
cap. LXIX.

SS. CC. Tom.
vii. col. 406.

About the title of these primitive *secular witnesses*, then, there can be no doubt. They are expressly denominated, by the council of Salzburg and others, *testes publici sive synodales*. In Reginon's *Articles of Enquiry*, they bear the title of *Decani*: "*Si in unaquâque parochiâ Decani sint per villas constituti viri veraces et DEUM timentes, qui cæteros admoneant, ut ad ecclesiam pergant ad matutinas, missam et vespas: et nihil operis in diebus festis faciant. Et si horum quispiam transgressus fuerit, presbytero annuntient; similiter et de luxuriâ, et omni opere pravo:*" and the same in an early council of Rouen (A.D. DCL.), can. xv., the words of which have been already adduced, in a note at the beginning of the *Horæ*.

To the circumstance of the names being identical for the *lay* and *spiritual* police, and the duties, as appears from the cited article of inquiry, so much alike, may be attributed the erroneous application of the title of *testes synodales* to our spiritual *Deans*; (who were not merely

Such presentments of the state of the churches, clergy, and people, within the diocese of Sarum, by synodal witnesses, Mr. Boucher informs me, occur in regular series in the episcopal registry during the fifteenth century, and particularly in the year MCCCCV. In some few instances the presentments also contain accounts of the lands and titles belonging to benefices.

CC. Rotomag.
Provinc. P. I.
p. 215.

(¹) At a later date, they had to give an account of the conduct of the rural *Deans* themselves—"Ibi (in synodo diœcesanâ) eligantur testes synodales, sive per Decanatus, sive aliundè ad arbitrium episcopi, qui omni exceptione majores explorent in totâ diœcesi per parœcias singulorum, atque etiam archidiaconorum et Decanorum actiones, de quibus in proximâ synodo episcopo renuntient." And, probably, the like reference to *Deans rural* may be intended in Archbishop Edmund's constitution, before quoted.

“*puri putique delatores*,” like the lay-informers, but were clerical supervisors with considerable jurisdiction)—a mistake first made by Lyndwood under the guidance of an Italian canonist, Joannes Andreas. See Card. Hostiensis fol. cxix. *super primo Decretalium, de Officio Archipresbyteri*—“*ut singulæ plebes &c.*” Johnson’s *Eccles. Laws, Addenda &c. A.D. MLXIV.*; Boëhmer *Jus Ecclesiast. Protestant. Lib. III. Tit. XXXIX. § LXIII. seqq.* “*an testes synodales conferendi cum perideutis?*” § LXV.; and particularly Bishop Dopping’s of Meath *Tractatus de Visitationibus Episcopalibus, cap: XXI. pp. 48, seqq.*

Analysis CC. Gen. et Part. Richard. Tom. IV. p. 208.

Though we look in vain for any canon or constitution of the church bestowing on deans rural in general the title in question, still, in point of function, they were *synodal witnesses* at the episcopal synod—as well as the lay-officers above mentioned—informing and attesting such disorders of the clergy and people, as, during their previous visitations, they had observed to be meet for episcopal interference:—“*Dum visitent decani officium testium synodalium exercentes, inquirent summarie de notoriis criminibus et scandalis ejusdem loci, tam clericorum quàm laicorum: et quod per se corrigere non poterunt, episcopo referant infra mensem, ut secundum eorum relationem ad plenam inquisitionem descendat episcopus et corrigat, ut viderit expedire.*” And, on one occasion, it seems, they were appointed with laymen to the office in fact, and shared with them the title of *testes synodales* for the time being. Such a nomination of deans rural¹, arch-

Statuta Synod. Eccles. Ceno-manensis. In Thesaur. Script. Veter. Tom. VII. col. 1401.

SS. CC. Tom. XVII. col. 142.

(¹) Bishop Freak, in his paper on rural deans or *superintendants*, says they are termed in the law *Testes Synodales*; but this is a mistake.

Strype’s Annals, Vol. II. Part II. p. 697.

priests, and deans of Christianity, occurs in the fortieth canon of the council of Paris (A.D. MCCCCXXIX).

Van Espen *Jur. Ecclef. Univ.*
Part i. Tit. XVIII.
c. III. p. 108.

Stat. Synodal. Dioc. Antwerp. de Testibus Synodalibus restituendis, p. 254.

In the diocesan synod of Antwerp (A.D. MDLXXVI), the rural deans are invested with the capacity of *appointing testes synodales* by Francis Sonnius.—Seeing that vice had vastly increased, from the want of sufficient detection and exposure, the bishop commands his deans—“*Ut in singulis parochiis constituentur duos viros honestos et zelosos testes synodales, qui concubenarios, adulteros, clericorum invasores ac percussores, usurarios, contractusque illicitos exercentes, et quæcunque crimina ad nostram correctionem spectantia quotannis coram ipsis decanis aut aliis ad hoc nobis deputandis exponant, ut habitâ inquisitione possit contra eos procedi ad emendationem.*”

The duties of deans rural, abridged as they are in modern days, approximate very nearly to those of the *rural testes* of old; though, in the by-gone days of the former's plenary jurisdiction, they far surpassed the *juratores synodi* in the extent of their commission.

But to return to diocesan synods—whence has incidentally arisen this too long digression on *testes synodales*, their origin, duties, and likeness to deans rural.

Ecclesiastical Cases, p. 2.

The canons of the church vary in their injunctions as to the frequency of holding episcopal synods (still existing, Bishop Stillingfleet tells us, under the type of diocesan visitations¹) at which deans rural, heretofore, made their attestations and presentments. Once a year, at least,

Kennett's *Ecclesiastical Synods*, Part I.
p. 201.

(¹) At the time of the Reformation under Henry VIII. the submission of the clergy made all diocesan meetings to be executive visitations, no longer legislative synods: yet, when the clergy's submission was repealed under Queen Mary, the diocesan power of legislation returned; and in that

such a convention of the clergy under their diocesan (the most ancient form of synod, though not the most dignified) was assembled.—“*Annis singulis episcopus in sua diœcesi synodum faciat de suis clericis, necnon abbatibus, et discutiat alteros clericos et monachos.*”

Thomassin. *V. et N.E.D.* Tom. II. P. II. L. III. c. LXXV. Decret. P. I. Dist. XVIII. c. XVI.

At this council of the district, the rural deans of England were *rightful* coadjutors for deliberating on the affairs of the church: and, when duly constituted, the synod consisted of the bishop as president, the cathedral deans in the name of their collegiate body of presbyters, the archdeacons as deputies or proctors of their inferior order of deacons, and the rural deans¹ in the name of

Parochial Antiquities, Vol. II. p. 363.

that reign, Bonner and other bishops held synods and framed constitutions for their respective dioceses. But now that submission has returned upon us.

(¹) This procuratorial character of deans rural, at diocesan synods in England, did not go to the extent of superseding the attendance of the parochial clergy; who, in addition to the deans and archdeacons, if they had benefices within the diocese, were obliged to *personal* attendance. If, however, at any time, the incumbent clergy were prevented attending on the bishop by sickness or other cause; on such occasions, we may understand, the archdeacons and rural deans were empowered to act for them;—a custom which obtained more particularly in the German synods.

Wilkins's *Dissertatio Epistolaris*, &c. p. VII. CC. M. B. et H. Vol. I.

State of the Church & Clergy of England, pp. 23, seqq.

In the diocese of Saint Omer, it was particularly decreed (A.D. MDLXXXIII.—MDCXL.) that *all* pastors should be *personally* attendant. They were not to be excused on the plea of parochial duties, funerals, or marriages; nor were the deans to admit any excuses as justifying absence, till, on conviction of their necessity or probability, they had presented them to the bishop for examination. “*Interim et pro se et pro sui districtus pastoribus respondeant, adsint necne, absentes nominent et scripto tradant.*” And the like was decreed by the diocesan synod of Ypres (A.D. MDLXXVII.); lady abbesses alone being excused, customarily, from personal attendance, and allowed to depute their confessors and chaplains instead.

Stat. Synod. Dioc. Audomar. Tit. XXII. c. II. p. 111.

Stat. Synod. Dioc. Ypresis, I. cap. III. p. 9.

SS. CC. Tom.
XIX. col. 1292.
can. XVIII.

Jur. Ecclef.
Univ. P. I. Tit.
XVIII. c. I. p. 105.

Synod. Basl.
Sefs. xv.
SS. CC. Tom.
XVII. col. 288.

State of the
Church & Clergy
of England,
pp. 23, seqq.

CC. Rotoma-
gens. Provinc.
P. I. p. 155. &
P. II. p. 53.
can. II.

the parochial clergy, as the proper delegates and standing representatives of that body, to consult with the bishop upon all matters connected with the church and its local discipline—" *Ut quæ ex ipsorum judicio reformatione opus habere comperientur, communi consilio emendentur.*" And so on the continent, in Belgium and the adjoining states, Van Espen reports, " *Generalitèr vocari capitulum episcopale, reverendos dominos abbates, abbatissas, præpositos, archipresbyteros rurales, priores, priorissas, cæterosque omnes, qui de jure vel consuetudine synodo diœcesanæ interesse debent.*" See also *Statuta Synod. Diœcesan. Yprenf. cap. II. (A.D. MDLXXVII.)*

The number of these synods in each year varied, as above stated, at different periods and places—*once—twice—thrice*—no general rule prevailed. *Once*, however, may be said to have been the *most frequent* usage—" *Ad minus semel in anno, ubi non est consuetudo bis annuatim celebrari.*" But, in the ancient formulary for holding them in England, the order is that they be convened *twice* a year, and such Wake asserts to have been the measure of them here; though the common direction of the canon law, with which Lyndwood agrees, was *once* only.

An epistle of the archbishop of Rouen (*circa A.D. MCCLXXX.*) *de Regularium Privilegiis* orders every metropolitan to hold a provincial council, *annually*, " *non solùm de episcopis, verùm etiam de capitulis cathedralium et aliarum ecclesiarum, abbatibus exemptis et non exemptis, necnòn de decanis ruralibus et aliis ecclesiasticis viris DEUM timentibus et peritiam habentibus litterarum; ut communi omnium consilio, cum dictum negotium omnes tangat, via communis et utilis eligatur ad obviandum periculis, et onus prosequendi negotium ab omnibus supportetur &c.*"

In Germany, the constitution of Cardinal Campegio (*A.D.* MDXXIV), before referred to, bids the celebration of an episcopal synod by each diocesan bishop, "*singulo anno saltem cum potioribus praelatis, decanis ruralibus, virisque dignis:*"—but the *Formula Reformationis* (*A.D.* MDXLVIII.) under the head *de Ordinum Ecclesiasticorum Officiis*, recurs to the olden custom of twice,—enjoining all ecclesiastical officers, whether archdeacons, chorepiscopi, archpresbyters, or deans rural, "*synodis episcopalibus interesse, referre, et exponere illic suæ portiunculæ statum et unà cum partibus consulere ac decernere &c.*" So also the council of Cologne under Adolphus (*A.D.* MDXLIX.): "*Bis quotannis pro veteri more.*" And the latter also prescribes that the deans and their co-attendants should have their expences paid by the persons whom they represented, and grants a power of compulsion on non-payment:—" *Decani collegiorum accedentes ad synodum pro suis collegiis in religionis officio et dignitate suâ conservandis: et decani rurales pro suæ regiunculæ parochiis DEO utique militant. Nemo verò militat unquam suis dispendiis: Propterea statuimus, ut pro numero dierum, quibus concilium durat, conferant decanis suis collegia, et parochi subsidia in sumptus, quos necessariò facere debent, absque omni tergiversatione.*"

Brown's Fasciculus, Rerum,
p. 428.

Form. Reform. per Cæsar. Majeſt. pp. 6. & 30. Lovanii.

SS. CC. Tom. XIX. col. 1380.

Field of the Church, B. v. p. 508.

Thomassin. V. et N.E.D. Tom. II. P. II. L. III. c.75.

The synod of Cambray¹ (*A.D.* MDL.) legislates for the

(¹) Attached to the report of the provincial council of Cambray (*A.D.* MDLXV.), are the names and titles of eighteen rural deans—" *archipresbyteri seu decani Christianitatis diœcesis Cameracensis, tam suis quàm curatorum suorum decanatum respectivè nominibus:*" and others, again, appear in the muster-roll of names, "*tam de jure quàm de consuetudine,*" present at synod in the diocese of Lisieux.

Acta Concil. Cameracens. ad finem.

CC. Rotom. Prov. P. II. p. 489. Synod. Lexovienſis.

*Decreta Anti-
qua Synodi Ca-
meracenſ. p. 72.*

decanal retinue on the occaſion:—“*Quilibet decanus pro ſe, et duobus ſacerdotibus ſui decanatus, quinque equis, et quolibet die, pro quolibet equo, ſecundum diſtantiam locorum, octo groſſis turonenſibus regalibus ſit contentus, veniendo ad ſynodum, et remanens ibidem, quouſque computus decanorum ſint finiti, et per unam diem ultra: niſi de mandato Domini &c. diutiùs remanere debeant.*”

*Stat. Synod.
Diœc. Yprenſ.
Tit. I. cap. V.*

In the dioceſe of Ypres in Flanders, it had been cuſtomary to hold two annual conventions of the dignified and inferior clergy in the cathedral church; but, in conſequence of divers inconveniences experienced by the parochial clergy in attending a ſecond time, it was decreed, under the ſanction of the ſynod of MDLXXVII, that the deans alone ſhould be obliged to a ſecond attendance, at the joint expence of all the clergy, in the biſhop's palace:—“*De rebus religionis, et de ſtatu eccleſiarum, ſuis et paſtorum ſuorum nominibus cum epiſcopo communicaturi: necnon declaraturi, ſi quæ difficultates poſt noviſſimam ſynodum ſubortæ fuerunt, quæ commodè uſque ad alteram ſynodum differri non poſſunt: atque etiam audituri, quæ ipsis ex officio proponi continget,*” &c.

*See alſo SS. Ro-
tom. Prov. P. II.
p. 131. A.D.
MDCXL.*

A privilege of conſolidating the two meetings, again, into one, on the united authorities of the Tridentine, Lateran, and Baſil decrees, was ceded to the diſcretion of the biſhop by the council of Rouen (A.D. MDLXXXI.), in expectation of a proportionate increaſe of care and attention to the duties of the ſingle ſeſſion; which were provided for by expreſs canon:—“*In ipsis archidiaconi et decani rurales de curatis tam præſentibus, quàm abſentibus, epiſcopo debent reddere rationem, et omnia in viſitatione et calendis audita et comperta referri, examinari, ac judicari, et ſtatuenda publicari.*” And the ſame precept appears

*SS. CC. Tom.
XXI. col. 636.
CC. Rotomag.
Prov. P. I.
p. 215. can. XXXI.*

col. 713.

in the canons of the council of Rheims (*A.D.* MDLXXXIII.)—and of Saint Omer of the same year :—the latter of which synods enacts, “*Decani, quibuscum ante et post synodum de toto diœcesis statu et bono, agendum nobis est, maturiùs adsint, et uno atque altero die synodi diem præveniant, et quid iis faciendum sit, à nobis post synodum mandata accipiant.*”

Decret. Synod. Audomar. Tit. XXII. cap. IV. p. 112.

But of the frequency of holding episcopal conventions we have said enough ;—a few extracts explanatory of the *decanal* duties in connexion with them, and we have done—referring the reader, who may be desirous of more detailed information, to Van Espen *de Synod. Diœces.* &c. Part I. Tit. XVIII. cap. I. p. 105. and the *Directorium Synodale* of the diocese of Cologne published by Archbishop Maximilian, *A.D.* MDCLXII.

In council assembled, the *deans* delivered to the presiding bishop their *acta visitationis*, attesting the same by oath ; and otherwise informed him, orally or by letter, of the temporal and spiritual circumstances of their respective *decanates*—particularly delivering to him formal *presentments, in scriptis*, of all that was amiss in the rural districts under their charge ; and availing themselves of the opportunity of paying the several taxes due on account of the parochial clergy to the diocesan ; of which imposts, as we shall hereafter shew, they were the official collectors. Such was the usual routine, “in obedience to the oft-repeated injunction that bade them to be diligent in their delegate, responsible overseership, and to report every thing to the bishop.” But when the matter of their presentments was urgent, and required immediate episcopal interference, they waited not for the slow formality of the periodical synod, but went *at once* with

their complaint to the bishop in private, and received his instructions thereon¹.

CC. M. B. et H.
Vol. IV. p. 146.

Even *monthly*² reference to the bishop (under the title of "the ordinarie") is ordered in the *Gloucester Injunctions* of Cardinal Pole (A.D. MDLVI.)—"Touchinge the clergie," can. XIV. All presentments are commanded to be thus often laid before him, or his chancellor, by the dean rural, the churchwarden supplying them to the latter:—"That every deane do fende all the presentments, that shall come to his hands, to the ordinarie, or his chauncelor, monthelie uppon pain of contempt."—which presentments are, by the same *Injunctions*, "Touchinge the laitie," can. XVII., ordered to be delivered by the churchwardens into "the handes of the dean of the deanrie, as they will avoyde the daunger of perjurie, and forfeting of their recognizances."

But to go back to episcopal synods of earlier times, of the economy of which, as well as the concern of deans rural therein, the see of Augsburg offers an ancient and very interesting example.

Thomassin. V. et
N. E. D. Tom. II.
P. II. L. III.
c. LXXIV. p. 790.

In that diocese, St. Udalric, a canonized saint of the tenth century, was wont to select, in conjunction with

Thomassin. V. et
N. E. D. de Be-
neficiis, Tom. I.
p. 229.
CC. Rotomag.
Prov. P. II.
p. 125.

(¹) This uniformity of reference on the part of deans rural to the bishop, at his see, or at visitation, or synod, is invariably observed by continental councils of the sixteenth and seventeenth centuries:—witness those of Augsburg (A.D. MDXXXVI. and MDXLVIII.); of Cambray (A.D. MDL. and MDLXV.); of Malines (A.D. MDLXX.); of Melun (A.D. MDLXXXIX.); of Rheims (A.D. MDLXXXIII.); of Acqui (A.D. MDLXXXV.); of Rouen (A.D. MDCXXVIII.); and innumerable others.

Cap. v. p. 95.

(²) The dean rural is ordered by the *Reformatio LL. Eccles.* to lay his presentment before the bishop or ordinary "infra decem dies in scriptis."

his archpresbyters, such places for his synods as were least liable to civil interruption; and there, in secluded conference, to make strict inquiry of the attendant archpriests and deans, into the state and condition of their subject churches, the morals, and religious observances of the inhabitants, &c.—“*Congregatis ante se clericis, archipresbyteros et decanos, et optimos quos inter eos invenire potuit, cautè interrogavit, quatenùs quotidianum DEI servitium ab eis impleretur, et qualiter illis populus subactus ex eis regeretur in studio prædicandi docendique, quantaque cautelâ infantes baptizarentur, infirmi visitarentur et ungerentur, defunctorum etiam corpora quantâ compassione sepulturis traderentur, viduis et orphanis in universis necessitatibus subvenirent, quantoque studio in hospitibus et advenis Christo ministrarent, si subintroductas mulieres secum habuissent, et inde crimen suspicionis inderent; si cum canibus et accipitribus venationes sequerentur, tabernas causâ edendi vel bibendi ingrederentur, si turpes jocos in usu haberent, si ebrietates et commestationes supra modum amarent, si rixis et contentionibus et æmulationibus deservirent; si nuptiis secularibus interessent; si aliqui eorum ministeria indecentia in consuetudine haberent: si per kalendas more antecessorum suorum ad loca statuta convenirent, ibique solitas orationes explerent, suasque ecclesias ad tempus reviserent: si obedientiam eorum magistris præbuisent, et in toto suo ministerio devoti et apti manere studuisent. Responzione autem de interrogatis factâ et ratione veritatis perceptâ stantibus in rectitudine dulcissimæ consolationis gratiâ gratificavit et ut deinceps à normulâ justitiæ ne deviarent, suavi colloquio admonuit, erroneos autem per devia incedentes fratres dignis terruit correptionibus, et, ut postea consueta vitia omitterent, præcepit.”*

Boëhmeri *Jus Ecclesiast. Protest.* Lib. III. Tit. XXXIX. § XXXVIII. Tom. III. pp. 585-6. ex Mabillon. in *Act. Benedict.* p. 432. n. 30.

Such were the interrogatories put to the assembled clergy by the fainted prelate of Augsburg.

*I. E. U. Part I.
Tit. XVIII. c. II.
History of the
Church, B. V.
p. 508.*

*SS. CC. Tom.
xiv. col. 889.*

The next century affords a very copious description of the *formula* of holding a diocesan synod, in the year MXXII, at Salingestat in Germany. It has been copied by Van Espen, and translated by Dr. Field. But the interrogatories of St. Udalric will sufficiently explain the concern of *deans rural* therein;—and to his long catalogue of inquiries may be added another of presentments of a later date; which the bishop of Padua has left us, (bearing date *A. D. MCCLXXXIV, in synodo apud S. Hippolytum*)—charging the clergy, generally, to make known to their *deans in scriptis*, within a month, all persons obnoxious to the defects and crimes enumerated therein as meet for accusation; and the *deans*, on their part, to lay the same before the bishop at synod, on pain of grave punishment. — The catalogue, below given, contains many curious items of impeachment¹.

(¹) “ Accusandi sunt circa infra scripta.”

*SS. CC. Tom.
xiv. col. 889.*

“ *Hi sunt defectus et culpæ, crimina et articuli, de quibus sunt clerici quilibet accusandi; contra quos poterunt comprobari: absentes à capitulo tam plebani, quam vicarii; item absentes à suis beneficiis; item vocati ad ordines et non venientes; item ordinati ab aliis episcopis; item cohabitantes manifestè; item concubinas in aliis domibus habentes publicè; item tabernarii, lusores, et alios dissolutæ vitæ. Item clerici tabernas in suis domibus habentes. Item plebani, qui vicarios suos sustinent cohabitare. Item clerici usurarii, anticipatores, et antiquam monetam pro novâ mutantes. Item alchimiſtæ, et qui utuntur falsâ moneta et argento. Item qui peregrinos, et ignotos recipiunt in socios. Item qui sacramenta ecclesiæ vendunt, et super remediis decedentium, conventionem faciunt, antequam sepeliatur defunctus. Item qui propter augendum censum consuetum amovent idoneos ab ecclesiis et instituunt minus dignos. Item qui decimas et proventus, sive redditus ecclesiarum*

So copious are the *articles of inquiry*, just introduced into our text, from the canonized Udalric of Augsburg, and so full the foot-note of *delatable crimes* and *defects* of the bishop of Padua at St. Hippolyte, that it is scarce necessary to offer any farther illustration of the nature and character of the *synodal presentments* of *Deans rural*, from later councils. We will fill up the gap of intervening centuries with a few only of the many *presentable facts, offences, &c.* of other churches, culled from their documentary and conciliar collections; and will add, from the synods of Milan, Cologne, and Reussen, in particular, the last authentic memorials we possess of the connexion of *Deans rural* with episcopal conventions;—concluding our extracts with a few notes on the costume

fiarum suarum laïcis conferunt, quibus imposterum ecclesiæ defraudantur. Item capellani castrorum, villarum seu civitatum, qui non veniunt ad capitula et conventus. Item apostatæ et de apostasiâ suspecti. Item qui interdicti, suspensi vel excommunicati celebraverunt, vel se ingesserunt divinis. Item qui voluntariè laïcos sibi constituunt advocatos. Item qui in foro seculari præsumunt advocatiæ officium exercere. Item habentes pluralitatem beneficiorum. Item qui corpus Christi et chrisma sub fideli custodiâ non reservant. Item sine ministro celebrantes. Item religiosi sine licentiâ episcopi plebes regentes. Item plebani qui suas aliis locant ecclesias, et vicarias assumunt regendas. Item dilapidatores suarum ecclesiarum. Item qui symoniacè ordines vel beneficium susceperunt. Item illegitimi habentes beneficia cum curâ animarum. Item qui sine investiturâ episcopi et institutione canonicâ ecclesias recipiunt, atque regunt. Item qui per subdiaconum vel decanum plebes suas in viatico et confessione procurari permittunt. Item qui excommunicatos, vel interdictos recipiunt ad ecclesiasticam sepulturam. Item qui sine licentiâ nostrâ in oratoriis vel ecclesiis non consecratis, vel violatis missas celebrant. Item qui in cæmeteriis non consecratis vel violatis permittunt mortuos sepelire. Item qui subplantatores sunt et anticipatores. Item transgressores omnium prædictorum statutorum.”

and behaviour of these officers, when in attendance at them.

*Decreta Antiqua
Synodi Camera-
censis, MDL. p. 73.*

Thus writes the synod of Cambray (A.D. MDLVI.)—
“*Decant omnium usurariorum manifestorum et excommu-
nicatorum per annum et diem, totius sui decanatus nomina
et causas excommunicatorum in schedulâ deferant anno
quolibet ad synodum vel computum &c.*”—“*Item referant
nomina presbyterorum omnium qui in suis decanatus illo
anno obierunt, ut in synodo absolvantur &c.*”

*Bishop Freak's
Form of Go-
vernment, by
Rural Deans.
Strype's Annals,
B. II. No. XXXII.
Appendix, p. 695.*

“The dean rural or superintendant,” says the bishop of Norwich (A.D. MDLXXX.), “shall make faithful, careful, and diligent inquiry, not only of every minister in the deanry, but also of every man of account; which may either be profitable or dangerous to the state, in their several parishes. And exhibit their names, according to every several deanry, in a fair long parchment scroll, to the bishop, or his chancellor; to remain with them, or either of them: giving advertisement from time to time, of their amendment, or waxing worse and worse. Whereby the bishop shall be able to cut off any mischief, as it first springeth forth; and be a most notable instrument of advertizing and preserving the estate. Besides, by the authority resident, and as it were overwatching the behaviour of the neighbours round about, all smaller, usual offences, as swearing, drunkenness, lewd, lascivious talk, and such other enormities, which are as it were entrances into the more grievous and enormous sins, may be restrained and punished. Which now are jesting matters, of small account.” (See more *in loco*—where Freak proposes that the deans should sit judicially on delinquents, as assistants to the bishop or chancellor in synod assembled.)

The council of Bourdeaux (A.D. MDLXXXIII.) imposes on *deans rural* the *synodical* duty of making known to the diocesan all *vacant* benefices, the names of *non-resident* clergymen, and those who, being possessed of benefices, are not ordained priests, within their respective jurisdictions: and the like canons passed the council of Narbonne, *cap. xxviii.* (A.D. MDCIX.)

SS. CC. Tom. XXI. col. 790.

Ejusd. col. 1507.

The synod of Lisieux enacts (*de decanis*) “*Ut per cedulae suas in singulis synodis fidelitèr—nobis referant, aut vicariis nostris, qui sint curati non residentes, ubi morentur, et de causâ suâ non residenciæ, ac de eorumdem curatorum vicariis, si et quandò fuerint à nobis approbati &c.*”

Synod. Lexov. CC. Rotomag. Prov. P. II. p. 505.

The fifth council of Milan, under Cardinal Charles Borromeo, records the ordinary duties of *rural deans* (there termed “*vicarij foranei*”), and those which more particularly fell to their lot at the episcopal see, on occasion of a *congress* of the bishop and his clergy—“*Cum synodalis dies propè adest, vicarij foranei pridè illius diei adsint summo mane in ædibus episcopalibus; eoque ipso die quamprimùm episcopo nomina, et cognomina tradant, eaque ordine descripta, sacerdotum, et clericorum singulorum, qui ad synodum conveniunt, ac rursùs absentium causis sigillatim item descriptis, quamobrem synodo non adsint. Idque præter officium legitimæ excusationis, quam, qui absunt, episcopo afferre et probare debent.*”

Const. Part III. cap. X. SS. CC. Tom. XXI. col. 462. A.D. MDLXXIX.

In the following century to Borromeo, Maximilian Henry, archbishop of Cologne (A.D. MDCLXII.), commanded his *deans rural* to perform the like duties four days antecedent to the assembling of the diocesan synod; at which each *rural dean* is ordered to deliver in a

Directorium Synodale M. Henr. Arch. Colon. 4.

pro decanis ruralibus.

formal document to this effect:—“ *Ego N.N. pastor in N. decanus Christianitatis N. sub archidiaconatu N. constitutæ, habeo sub meo decanatu parochias numero N. N. inter quas aliquæ sunt filiales, videlicet N. dependens à matrice N. item N. dependens à matrice N. capellas N. parochia N. sicut ex antiquis documentis constat, solvere consuevit ad taxationem ad decimationem et ad cathedraticum*”

Manfi Supplement. ad SS. CC. Tom. vi. col. 350.

Lastly, the council of Reussen (A.D. MDCCXX.) summons annually a diocesan synod upon the usual footing,—“ *in quâ, collatis episcoporum cum suo clero consiliis,*” says the synod, “*statuantur ea, quæ pro communi totius diœcesis bono statuenda videbuntur, et caveatur, ne, quæ benè statuta sunt, temerentur;*”—and then it proceeds to the duties, more especially, of protopresbyters or rural deans in connexion with this convention:—“ *Ad synodorum diœcesanarum fructum uberius assequendum protopresbyteri, sive decani, quibus id potissimè incumbit, ac etiam parochi in suâ, vel vicinâ parochiâ dispiciant, an ii, qui curam animarum gerunt, resideant, et sollicitè fidelium salutem invigilent: an in sacramentis sanctè ministrandis, in rudium, ac puerorum ad doctrinam Christianam institutione, cæterisque officiis curæ parochialis diligentè se præsentent; an ecclesiæ sanctæ tectæ sint, observentur, ac ornamentis, et sacrâ suppellectili congruè instructæ; an ea, quæ in synodo provinciali decreta sunt, observentur, tam quoad internum, quàm quoad externum ecclesiarum statum. Inquirant, an populus colat dies festos, et frequens conveniat ad divina officia; an jejunium observet statutis temporibus; an aliqui sint sacrilegi, blasphemi, excommunicati, schismatici, ac de magiâ, et superstitione suspecti, eaque omnia ad ordinarium scripto deferant ante synodum diœcesanam, ut iis opportunè malis*

medeatur." See Van Espen *Jur. Ecclesiast. Univ.* Part 1. Tit. XVIII. pp. 106–7.—on the Milanese and other diocesan synods.

On the above and all other occasions of clerical gathering, it behoved the archpriests or deans rural¹ to wear their proper canonical vestments, as the *albe*, and *stole* or *scarf*—"Decani Christianitatis sanctam synodum intrent albis et stolis," says the council of Arras (A.D. MCCCCLV.)—and the *parochi* (according to the Cologne² canons of A.D. MCCLXXX.) were to wear their *superpellicium* or *surplice* alone;—which garb the superior functionaries were to see duly observed by their inferiors. Indeed, it was, in general terms, enacted by the *synodal statutes* of the see of Autun, that the archpriests should be attentive to the habiliments of their subject priesthood—that they were suitable to the occasion—"Caveant archipresbyteri ut eorum subditi veniant ad synodum in

Const. Synod. Episcop. Attrebat. A.D. MCCCCLV. Thomass. V. et N.E.D. Tom. II. P. II. L. III. cap. LXXV. p. 791.

Ant. Statuta Synod. Eccles. Eduens. Thef. Anecd. T. IV. c. 474.

(¹) The dress of rural deans at their own *chapter-meetings* is elsewhere noticed. It was also the subject of ecclesiastical regulation on ordinary occasions—"Omnes decani rurales decentè incedant in habitu clericali, et cappis clausis utantur:"—where Lyndwood tells us *decentè* may refer "*ad formam, longitudinem, brevitatem, strictitudinem, vel amplitudinem vestium.*" As to colour, red and green were forbidden, also stripes and parti-colours. But we have not information enough in the gloss upon *habitu clericali*, to attire our functionaries *ἐκ τῶν ποδῶν ἐς τὴν κεφαλὴν*;—and therefore we leave them with a hope that they neither dressed too smart nor too mean—"nec nimis fulgidis, nec nimis sordidis vestibus." On *cappæ clausæ* see before; also Macri *Hierolexicon*, p. 121. in v. *cappa*; p. 583. in v. *stola*; p. 601. in v. *superpelliceum*.

Provinc. L. III. Tit. I. p. 118.

gl. in v. decentè.

gl. in v. habitu clericali.

(²) *Rurales decani in loco synodi compareant stolis rubris latioribus*"—says the *Synodal Directory* of the archbishop of Cologne, A.D. MDCLXII.

Director. Synodal. Archiep. Colon. A.D. MDCLXII.

*SS. Rotomag.
Prov. P. II.
p. 436-37.*

habitu competenti." The *Liber Synodalis* of the bishopric of Seez (*A.D.* MDXXIV.) imposes the same garb on all, without distinction of grade—" *Ut eorum quilibet respectivè habeant et deferant unum caputium honestum cum cornetâ, tunicam talarem ac longam,*" &c.—under a penalty of forty Turonese shillings for disobedience. The synod of Tournay (*A.D.* MDLXXIV.) adds: " *Ut jejuni et rasi synodum intrent, usque ad finem permanfuri, atque audituri quidquid in eo stabilietur et constituetur*¹." And the synod of Lisieux prohibits " *Ne tunc per ecclesiam vagentur aut ambulent, nec in eâ confabulentur,*" &c.

*Decreta Synod.
Tornac. p. 59. IV.*

*SS. Rotom. Prov.
P. II. p. 488.
Synod. Lezo-
vief.
SS. CC. Tom.
XIX. col. 288—
298.*

Both priests and archpriests were to conduct themselves with becoming circumspection to and from the convention, that is, going and returning by the road: (*see CC. Rotomag. Provinc. P. II. p. 78; Præcepta Decanis, &c.*); and while in attendance at the episcopal see within the province of Rouen, they were to be lodged and boarded at the palace of the archbishop and the houses of the prebendaries; or in the absence of such accommodation, (which had been long discontinued in the year MDCXXVIII.), it is enacted, " *Que chacun doyen fera élection*

*CC. Rotomag.
Prov. P. II.
p. 124. Statut. x.*

*Const. Synodal.
Episcop. Attre-
bat. A.D.
MCCCLV.*

(¹) By a conciliar order of the see of Arras (*A.D.* MCCCLV.), entitled " *De contumaciâ non venientium ad synodum vel minùs debitè recedentium ab eâdem*"—deacons rural are enjoined to bring with them to the convention the *synodal constitutions* of the diocese; and, before leaving the assembly, to exhibit them to the bishop or his representative, on pain of excommunication, and forfeiture of forty shillings to be applied to pious uses.

*CC. Rotomag.
Provinc. P. II.
p. 78.*

By the *precepts* addressed to the deacons of the province of Rouen (*A.D.* MCCXLV.), they are bade to correct their *synodal instructions* according to the decrees of the provincial council, and to see that the copies held by the presbyters are corrected.

d'une maison régulière, pour s'y loger avec les curez de son doyenne, et y prendre sa réfection." But, in a later synod of the year MDCXCI, it is deemed enough, "*Qu'ils (les curez) avertiront le doyen rural des logemens qu'ils auront choisis dans la ville pendant le synode, afin qu'il puisse les trouver aisément, en cas que nous ayons besoin d'eux,*" says the archbishop, "*pour régler les affaires de leurs églises.*" Ejusd. p. 153.

The ancient¹ synodical honour of deans rural in England is shared, in modern days, between the *churchwardens* on the one side, and the representatives of the parochial clergy, termed *proctors*, on the other;—the former being the grand inquest upon every visitation, the *testes synodales* of their respective parishes, bound on oath to present all offenders or violators of the laws of the church;—the latter (nominally) representing the district clergy in convocation, as heretofore the rural deans represented them in provincial and episcopal synods. "While the cathedral deans and archdeacons still keep their ancient right of sitting in convocation," remarks Kennett, "the rural deans alone have been forced to give place to an arbitrary election of two only for" See Gibbon on Visitation, 59, 60, 61.

(¹) Till the rebellion (*A.D.* MDCXLI.), we are told by Dean Prideaux, *Directions to Churchwardens*, 9th Edit. p. 178. See Freak's *Paper in the Appendix, Norwich Documents*, from Strype.

"diocesan synods were kept up in the diocese of Norwich, and all the clergy of the diocese constantly met at them every year—that is, the clergy of Suffolk at Ipswich, and the clergy of Norfolk at Norwich. In which synods the deans rural, having presented whatsoever they had found defective, either in the manners and duties of the clergy, or in the reparation of the church, chancel, or minister's house, in every parish, within their respective deanries, care was thereon taken of rectifying whatsoever was amiss herein."

every diocese, instead of one by standing place for every deanery."

Analysis CC.
Tom. III. p. 36.
ex Vers. Dal-
masi.

In France, however, on the authority of Richard's *Analysis of the Councils*, rural archpriests were honoured not long since (during the eighteenth century), in the archiepiscopal synod of Paris, with a dignified station on the left of the archbishop, where they were associated with the cathedral archpriests. And in the diocesan synods of Salzburg, annually held throughout the province, they also appeared in necessary connexion with bishops, or their representative commissaries, constituting local church-conventions. Nor were they overlooked, according to Van Espen, about the same time, in the episcopal synods of Belgium.

Const. et Decret.
Synod. Salis-
burg, c. LXIV.
cap. II. p. 338.

Jur. Eccl. Univ.
P. I. T. XVIII.
c. III. p. 108.

In some few of our English dioceses, wherein the office of dean rural has been revived, and is sustained with praiseworthy alacrity and zeal—the diocesans co-operating with their rural delegates in rendering the discharge of the decanal duties as efficient as possible to church-discipline—a faint imitation of the episcopal synod of elder times has been introduced with the best success. The prelates of the sees alluded to, annually, or oftener if occasion require it, invite the deans of the different deaneries to a friendly conference at their respective palaces; and, while there entertaining them as welcome guests at their hospitable boards, discuss with them the general condition of the ecclesiastical cantonments of their dioceses—receiving from the hands of the deans their *acta visitationis* (or *articles of visitational inquiry* duly filled up), *presentments*, &c., and advising with them thereon—“*Ut quæ ex ipsorum judicio reformatione opus*

SS. CC. Tom.
XIX. col. 1292.

habere comperientur, communi consilio emendentur." Such is the usage, I am happy to say, of the diocese of Sarum, commenced and zealously supported by the venerable and learned Bishop Burges; and the like, I believe, obtains in the diocese of Winchester—examples of primitive practice well worthy of universal imitation¹.

(¹) The *Reformatio LL. Eccles.* would have restored the ancient episcopal synods in each diocese:—See the section "*De ecclesia, et ministris ejus, illorumque officiis.*" "Cap. XIX. *De synodo cujuslibet episcopi in sua diocesi.*" This and the four following chapters contain many useful and practicable suggestions, in case of their revival, at any time, by the church of England. The time of the annual convention was to have been notified by the bishop to the rural clergy by the instrumentality of the rural deans—"per decanos ruri sparsos"—elsewhere called "archipresbyteri rustici," and "decani rurales." See cap. v.

SECTION IV.

SUPERVISION OF THE LAITY.

CHAPTER I.

PREFATORY ARRANGEMENT.—SUPERVISAL OF LAICAL OFFENCES.

IN the numerous, I fear, wearisome extracts, which have been adduced in corroboration of the controverted *visitatorial* duties of Deans rural, and those undisputed ones, which, both in Great Britain and on the Continent, they performed at episcopal *conventions*, many items of their *personal functions* have been incidentally, but briefly, touched upon.

The object there in view was not to anticipate, or supersede, a formal classification of individual duties in subsequent pages, but merely to illustrate the *visitatorial* and *synodical* capacities of the officer,—not to particularize and explain *every item* of *personal service*, but such only as were necessarily performed at *visitation* and *synod*. A large number have reference neither to the one nor to the other occasion; and *these* remain entirely unnoticed.

The canons and observations, therefore, now and hereafter to follow, propose to speak of *the latter*, that is, of the whole range of *personal duties* in *detail* (saving *visitatorial* and *synodical* attendance, &c.)—whether pertaining to the maintenance of church-discipline in the

persons of the *laity* or the *clergy*, or to the general support of external decency and order in the ecclesiastical concerns of the country.

The subjects alluded to will, collectively, occupy the remaining sections of the present division—Part iv. ; and will be distributed in the following order:—In the *first section* we shall place the obligation imposed on our rural *censors* of supervising the *parochial laity*—of inquiring into, and suppressing, all *laical* profaneness and immorality—and of performing certain *purgational, exorcistical, catechistical, funereal, and testamentary* duties towards *lay-members* of the church. To the *second* head (though, in point of number and importance, paramount) we shall assign the services of *Deans rural* towards the *parochial clergy*; whose manners and ministrations they were more especially bound “to inspect and censure.” *Lastly*, we shall consider, under as many separate sections and chapters as the great variety of the subject-matter may require, the residue of the *personal functions* of *Deans rural*—those, namely, of a mixed ministerial character, bearing both on the clergy and their flocks—which were performed by *Deans rural*, as public functionaries, under the authority of the hierarchy, for the general support of church-discipline and good order, in the rural districts of each diocese.

To begin, then, with the *parochial laity*—whom the canonists in general consign to the supervising care of *Deans rural*—“*Decani rurales,*” says Van Espen, “*laicorum suorum districtuum mores diligentè observent.*”—Not only, observes Molanus, in his glossarial remarks on the synodal constitution “*ut singulæ plebes, &c.*,” does the law exact, “*Ut archipresbyteri visitent pastores et parochiales ecclesias,*

Parochial Antiquities, Vol. II. p. 355.

Jur. Eccles. Univ. P. I. T. VI. c. II. p. 30.

Molan. *de Canonis*, L. II. c. VIII. pp. 158-9.

Parochial Antiquities, Vol. II.
p. 354.

sed etiam ut quales oves pastores habeant, cognoscant et ad episcopum referant." Over all the inhabitants¹ of every village, within their jurisdictions, writes Dr. Kennett, Deans rural exercised a general inspection and superintendance; and, if any Christians lived in any open and scandalous sin, the Deans were bound to reprove their offence, and admonish them to repent, as they would answer it to God and the church. This power was entrusted to them in their *personal* capacity, independent altogether of their chapters; and very important it was in preserving the peace, and asserting the discipline of the church².

Dr. Field, of
the Church,
Booke v. p. 507.

The church, by her canons, interfered, at an early date, in support of archiepiscopal government over the laity—the *imperitum vulgus* of the oft-cited decretal of Pope Gregory—enacting in the forty-fourth canon of the

(¹) The commission of the *periodontæ* and *exarchi* of the East extended to the laity as well as clergy. They equally supervised the spiritual and moral condition of *all*; and by correction, admonition, and encouragement, as need was, helped forward the salvation of *all*. See Balsamon's, Zonaras's, and Aristenus's glosses on the fifty-seventh canon of the council of Laodicea, in Bishop Beveridge's *Pandects*, Vol. I. pp. 479-80; and Priaulx's *Brief Account of the Office of Dean Rural*.

Pegge's *Life of Bishop Grosseteste*, p. 88.

(²) The following anecdote from Pegge's Biography of Bishop Greathead shews the fact of their interference even with the civil authorities, where the latter violated the discipline of the church, its rights, and privileges.—“Roger de Lexinton, itinerant justice, and his associates, held pleas of blood on a Sunday at Lincoln (A.D. MCCXLVI.), and H. the rural dean—*Decanus Christianitatis*—told them ‘it was a thing that ought not to be done:’ upon which they gave him opprobrious language, shut up the door of his house, and seized on his effects, with some lands which he held in trust for his nieces, and some goods of his relations, for the king's use. The bishop of the diocese, when he heard it, wrote to Lexinton, observing to him, how strange it was, that men of their respectable

council of Auxerre (A.D. DLCCVIII.), “*Si quis ex sæcularibus institutionem aut commonitionem archipresbyteri sui, contumaciâ faciente, audire distulerit, tamdiù à liminibus sanctæ ecclesiæ habeatur extraneus, quamdiù tam salubrem institutionem adimplere non studuerit. Insuper et mulctam, quam gloriosissimus dominus Rex præcepto suo instituit, sustineat.*” And, yet farther to enforce the jurisdiction of archpriests rural, she invested them with a coercive authority over the persons of *lay-offenders*—“*Videat archipresbyter,*” says a capitulary of the year DCCCV, “*ut diligentissimâ examinatione constringantur; sed tali moderatione fiat districtio, ne vitam perdant.*”

SS. CC. Tom. VI. col. 646.

Thomassin. V. et N. E. D. Tom. I. P. II. L. I. c. v. p. 225.

On the abolition of the *thorepiscopi* of the diocese of Meath, and the transmutation of the poorer episcopal sees into the heads of rural archipresbyterates, it was ordered by Cardinal Paparo (A.D. MCLII.), and repeated

CC. M. B. et H. Vol. I. p. 547.

respectable characters should punish a man for informing them of what was just and right; and it certainly was but just and right, that pleas of blood ought not to be held on a Sunday; since the canons directed that the day should be kept holy, and forbad that markets should be held, or pleas profecuted, or any person be adjudged either to death or punishment, upon it. The *Dean*, he said, ought therefore to have been commended by them, and rewarded, for cautioning them against sinning, rather than punished; and would have been culpable himself, if he had not apprized them of their fault. His lordship, in the conclusion, beseeches and intreats them to have regard to the Sabbath of the Lord, if they were desirous of being true and obedient sons of Christ the legislator, and his spouse the church; and, if the matters reported to him were true, that they would redrefs them; remembering, that, supposing the *Dean* had given them offence, it was not their business to punish him, since, according to the law of God and the canons, the personal faults of clergymen are not to be animadverted on or punished by secular judges; nor would the church ever suffer ecclesiastical liberty to be so injured and insulted.”

by Bishop Rochfort (A.D. MCCXVI.)—“ *Ut archipresbyteri de futuro instituendi non solum perpetuam et personalem residentiam faciant, verum etiam cleri et populi infra limites suorum decanatum sollicitudinem gerant.*” A few years later, in the diocese of Clermont, the archpresbyters were charged to inquire in their personal visitations “ *summariè de omnibus notoriis ; et si quid est quod scandalum generet ibidem in populo, sive clero &c.*”

SS. CC. Tom.
xiv. col. 319.
can. viii.

To aid deans rural in obtaining information of offences committed by the laity within their precincts, the clergy themselves are commanded by the synod of Saintes (A.D. MCCLXXX.) to lay all grave faults before the dean of their district; that he, again, may certify the archdeacon, or bishop of the same—“ *Peccata notoria de quibus scandalum in populo generatur, significant sacerdotes decano, et decanus archidiacono, vel episcopo : nisi fortè per eos sint sopita :—timentes ne pœnam incurrant, si per alios scandalum deferatur :*”—if the bishop became acquainted with offences from any other than the appointed legitimate source, the negligent parties were to be subjected to canonical punishment.

SS. CC. Tom.
xiv. col. 714.
can. xv.

On no account were the deans, in their inspectional and correctional capacity, to accept any pecuniary composition for crimes amenable to their jurisdiction; either for the concealment and suppression of them, or for inflicting less severity of punishment on the criminals than their transgressions merited,—and this on penalty of grave punishment and removal from office. Such was the decree of Walter de Cantilupe, bishop of Worcester (A.D. MCCXL.) :—“ *Nec decani pecuniam recipiant pro criminibus celandis, et omninò suppressendis, vel remissius puniendis. Quod si decani fecerint, ab officiis amoti, gra-*

CC. M. B. et H.
Vol. i. p. 671.

viis puniantur.” Nor were their apparitors, if guilty, allowed to go unpunished:—“*Apparitores etiam decanorum, si crimina celaverint, per officialem episcopi graviter puniantur.*”

Again, in the Ratisbon constitution of Cardinal Campegio for the reformation of ecclesiastical abuses (A.D. MDXXIV.), the deans are charged not to connive at crimes that ought to be denounced, not to wink at violations of the ordinances of the cardinal, “*ob pecuniam ultrò oblatam, aut alterius rei gratiâ, sed potius ad pœnas de jure vel consuetudine debitas contra delinquentes, pro delicti qualitate et officii sui debite procedant, &c.*”

Brown's *Fasciculus Rerum*, p. 428.

But what were the offences against religion and morality, on the part of the laity, which conciliar law placed under the surveillance of our rural ecclesiastics, and commanded them thus honestly and resolutely to denounce?—All transgressions without exception were subject, according to the canonists, to their *cognitional jurisdiction*, though not to their *correctional censure*:—see *Capitular Functions*, Part v. § II. chap. IV.

J. De Athon, Lyndwood, *Barbosa, aliiq.*

To the question—*What offences were so subject?* no better reply can be made, than that they were the same, for the most part, as the crimes and persons to be particularly presented by the *æditui* or *æconomi* of modern days, at episcopal and archidiaconal visitation-courts. These, according to the *Canons and Constitutions* of the church of England (A.D. MDCIII.), are, *adultery, whoredom, incest, drunkenness, swearing, ribbaldry, usury, and other uncleanness and wickedness of life*;—which are enumerated as vices which *churchwardens, questmen, or synod-men* (vulgarly called *sidesmen*) are faithfully to present to their ordinaries. And in the preceding

Gibson's *Codex I.E.A.* Tit. XLII. cap. VI. can. CIX. p. 964.

Liber Canonum
De *Ædituis*, 29.
Sparrow's Col-
lection.

canons of *A.D.* MDLXXI, we have “*adulteros, fornicarios, incestos, ebriosos, juratores, lenones, usurarios, &c.*” pointed out as persons ripe for the church’s censure.

Of such *offences* and *offenders*, and many more than are named in either of the quoted tables, *Deans* rural heretofore took cognisance, as the extracts already adduced under the heads of *visitatorial* and *synodical duties*, and the after-cited canons of foreign and domestic councils abundantly demonstrate. Like the churchwardens, too, the *Deans* were concerned in supporting the outward sanctity and rest of the Lord’s-day; and—yet farther—in granting dispensations from the strict letter of the law, when circumstances rendered it necessary to depart from its rigid observance—a power never entrusted to the lay-guardians of the church.

The *Canons and Constitutions*, by which our church is now regulated, were framed from elder codes, in the year MDCIII.; at which time the rural-decanal office (for all useful purposes of spiritual government) was virtually non-existent in England. So that the lay-wardens of the church—the successors of the older *testes synodales*—and the parochial clergy, were the only local helpmates of the hierarchy in sustaining the *good manners* and *religious observances* of the people—the only remaining props of expiring discipline. To these wardens, therefore, and their spiritual head, the incumbent pastor of each village, was consigned by the bishop and archdeacon, under the sanction of the canons referred to¹,

(¹) But with this difference—the wardens and pastor could only *present* to the bishop or archdeacon. They had no power of correcting *by themselves*; whereas the *Deans* were capacitated to correct under certain limitations.

the charge, once *principally* exercised by *deans rural*, of “observing the behaviour of the parishioners concerning such faults as belong to the ecclesiastical jurisdiction.”

The canons of King James I. took no measures for the restoration of the then antiquated office of rural *dean*. It is not mentioned nor alluded to, in his code. The previous permission (for it did not amount to a command) of the Elizabethan canon to appoint to the office had been disregarded in almost all the dioceses of the kingdom. And the earlier and more copious canon of the *Reformatio Legum Ecclesiasticarum* on the subject had never been other than a dead letter, from its first enactment.

Parochial Antiquities, Vol. II. p. 369.
Atterbury's *Charge to the Clergy of Totness*, MDCCVIII.

But our selections have to do with other times, and other countries—with the surveillance of *laical transgressions*, at a period when such “*corruptelæ morum*” received little or no share of the churchwardens' attention; and in countries where, perhaps, no like officers existed, or, if existent, were inefficient—where *deans rural*, therefore, were functionaries of necessary and grave importance.

To such *laical faults*, then, as are particularized in the synods of the day, and made subject to *decanal* censure or delation, we proceed—premising, that¹, of the more grave and incorrigible offences the *deans* were bearers of information, by presentment, to the diocesan

(¹) This statement, perhaps, may need qualification. The usages of different dioceses varied so much in respect of ruri-decanal power, that it is difficult to specify exactly its limits. In some dioceses it was far more extensive than in others. In some the *deans* had no judicial faculty, but reported every thing to the bishop:—in others, their local authority was prescriptive and independent, and extended to *all laical faults*.

CC. M. B. et H.
Vol. I. p. 547.

fynod;—of the lighter immoralities they took cognifance, and attempted correction, in their own deaneries: —“*Corruptelas morum in populo reformare ftudeant,*” fays the bifhop of Meath (A.D. MCCXVI.), “*et fi quas abftergere nequeant, ad fynodum diæcefanam referant, ut de iis emendandis cum confilio cleri deliberari poffit.*” Can. IV.

Dr. Field of the
Church, Booke
v. p. 508.

If, in the exercife of their *personal* jurifdiction, they had not fufficient influence over *laical transgreffions* and *transgreffors*, to effect the amendment required, they had a farther refource in the power vefted in them, of calling together their *capitular* affociates, the rural clergy of the diftrict, and conftituting local courts of **C**HRISTIANITY; wherein they could inflict, by *judicial procefs*, within certain limits, condign punifhment on obftinate offenders. If all their efforts failed, *personal* and *capitular*, then they had recourfe to the ordinary and his confistory. But more of this anon.

The felections below made, in illuftration of the fpecific vices and impieties of the *laity*, fubjected to the fupervifal of **D**EANS rural, are not the whole that might have been brought together under this head. I have not thought it neceffary to repeat what have been elfewhere noticed, fave in a few inftances. Nor have I attempted to *classify* the breaches made by the *laity* in the difcipline of the church—the offences againft religion and morals, which the **D**EANS were to fupervife and heal. The canons, inhibitions, and injunctions, pertinent thereto, are quoted *in the bulk*, (various and imme-

thodical as the sequence of their enactments may be), and are arranged, for the most part, according to their dates alone—no other plan seeming equally feasible. They relate, however, we may say, *in general*, to the *lives and conversation of the laity*.

By a decree of the *provincial council* of Normandy (*circiter A.D. DCCCC.*), it is enacted, “*Ut incestuosi, necnòn et adulteri, qui separantur à presbyteris, ipsis locis et major et detanus illorum habeant providentiam, ne iterùm, instigante diabolo, conjungi possint.*”

CC. Rotomag. Provinc. P. I. p. 37.

By the canon “*de Sacramento Matrimonii*,” of the *synodal constitutions* of the see of Arras (*A.D. MCCCLXXV.*), the *Deans* are ordered to transmit the names of *all adulterers* to the bishop’s court, within a month “*à die notitiæ.*” And in the same diocese (*A.D. MCCCCLV.*), the following constitution appears against *laical laxities*:—

Const. Synod. Episc. Attrebat. 4to.

“*Detantis et eorum loca tenentibus sub pænâ excommunicationis præcipimus et mandamus, quòd moneant etiam laicos parrochianos publicè in ecclesiâ auctoritate nostrâ, quod nullus etiam laicus teneat in domo suâ boullam¹ seu ludum taxillorum; nec recipiat in domo suâ ribaldos nec meretrices, cum ex talibus plura scandala sæpè necnòn piacula solent evenire. Alioquin trimâ monitione sic publicè factâ, dictos laicos talem domum tenentes, et præmissas viles personas frequentèr recipientes, diebus dominicis et festivis excommunicatos denuncient.*”

Ejusdem, De vitâ et honestate Clericorum, A.D. MCCCCLV.

During the preceding century, Bishop Grosseteste of Lincoln complains, in a letter to his archdeacon, of the

Brown's Fasciculus Rerum, Vol. II. p. 382.

(¹) *Boula*—*aleatorium, tabularum ludus*, ut opinor. Carpentier in *Append. Tom. I. col. 613.* *Taxilli*—*lusoriæ tesserae*, Gall. *Déz.* Carpentier in *Append. Tom. II. col. 966.*

See Spelman
Gloss. Arch. in
v. Scotala, p. 506.

laity celebrating drinking-bouts, termed *scotales*—“*Faciunt, ut audivimus, laici scotales;*”—which ought not to be, and could not be, the good prelate adds, if the *deans* rural and *bedels* were duly watchful to prevent such immoralities. Wherefore, he charges the archdeacon, by the instrumentality of the fore-mentioned assistants, to put an end to all such *aleshots, forbidden sports, “et cohabitationem Christianorum cum Judæis quantum possibile est, impedire.”*

Stat. Synod.
Diac. Ypresf.
Tit. VII. c. XII.

The statutes of the diocesan synod of Ypres (A.D. MDLXXVII.) are copiously furnished with instructions for decanal supervision of the people at large:—“*Non tantum presbyteris et clericis decanos præfici intelligimus, sed et universo populo, &c.*”—“*De excessibus publicis, et quorumcunque incolarum suorum decanatum scandalosâ vitâ; de blasphemis in DEUM et sanctos; de suspitione hæresis, necnon de pugnis in loco sacro commissis, et aliis quibuscunque scandalosis factis; utpote de publicis adulteriis et sortilegiis, decani se per testes ad hoc evocandos, aut aliâs sufficienter informari curent: atque informatione habitâ, ut corrigantur, nos ulterius informent. Sint etiam solliciti, ut illorum, qui ex illegitimo concubitu nascuntur, parentes innotescant: ne ignorantèr postmodum per aliquos in gradu prohibito matrimonium contrahatur; et etiam ne hujusmodi delicta impunita maneat, et impunitas ipsis continuandi in peccato occasionem præbeat: mulieres tamen fornicarias post partum, factâ de his inquisitione, et expleto tempore, ad purificationem absque aliâ contradictione admittant, seu per suos pastores admitti curent.*”

Reformatio Legum Eccles.
c. v. p. 95.

The projected *Reformatio LL. Eccles.* of Great Britain, of the reign of Henry VIII. and Edward VI., imposes on the archipresbyter rusticanus extensive personal

duties among the *laity* of his district, in support of religion and morals:—“*De idolatris et hæreticis, de simoniacis, de lenonibus et meretricibus, de adulteris et fornicatoribus, de iis qui duas uxores simul habent, atque maritos duos, de magis et veneficis, de calumniatoribus et blasphemis, de sodomiticis et ebriosis, de ultimarum voluntatum corruptelis et perjuriis, de injunctionum aut nostrarum aut episcopi violatoribus, inquireat. Et vocandi ad se, examinandi horum scelerum suspectos auctoritatem habeat. Omnem accusationis ortum, sive per famam publicam, sive deferentium testimonio probatum, vel suspectum, episcopo aut ejus loci ordinario infra decem dies in scriptis prodet. Qui autem venire ad eum recusaverit, per apparitorem vocatus, tanquam contumax censebitur,*” &c. &c.

In the diocese of Chester, says the *doubtful* pastor of Great Budworth before quoted, “The *deanes* for many yeares past have had a great part of episcopall jurisdiction shared among them; and this by patent for lives or yeares from the bishops, allowing sometimes larger, sometimes lesse authority unto them: some have had power to censure *all offenders, and offences of the laity*; the crimes of incest and adultery alone excepted. And some have beene limited to the correction of some few faultes specified in their patents—*crimina et excessus quorumcunque laicorum, criminibus adulterii et incestus tantummodò exceptis.*”

Ley's Doubts,
&c. p. 50.

To check the loose habits of young persons, male and female, in frequenting taverns and houses of evil fame, on Sundays and holy days, the Belgian synods of the

Synod. Mechlin.
Tit. xvii. cap. v.
p. 451.

seventeenth century passed many inhibitory canons, strongly and pointedly reprobating such gross immoralities, and inciting the rural archpriests to increased vigilance and activity, in order to put an end to them.

Little benefit, however, having been derived, as it appears, from mere canonical prohibition and condemnation, though backed by a pastoral letter of the archbishop of Malines, and enforced by a royal edict; nay rather, licentious revelries of all kinds, with their concomitants of drunkenness and prostitution, having increased, the metropolitan, at length, addressed circulars to all his rural deans, and through them to the parochial clergy of the province, to this effect:—“ *Ut dictos publicos inobedientes habeant tanquam peccatores publicos, et ad sacramenta non admittant, assistentiamque suam iis denegent tum in sponsalibus, tum in matrimoniis, donec publicum scandalum repararint:*” and particularly addressing himself to the archpresbyters rural, he desires, in the conclusion of his epistle, “ *Ut R.V. in suis visitationibus circa excessus istos et vesperarum ac catechismi omissiones diligentè inquirant:*” and then, referring to his pastoral letter to the clergy—“ *contra conventicula juvenum et puellarum*”—he earnestly enjoins the priesthood to certify him, “ *per reverendos dominos decanos rurales,*” of any improvement that may subsequently ensue in the discipline of the diocese within their knowledge.

*Monumentum
ad Cap. v.
No. XXII. p. 452.*

*Van Espen Jur.
Eccles. Univ.
p. II. Tit. XVII.
c. III. p. 447. &
c. VI. p. 454.*

With the assistance of the parochial incumbents, the deans of Belgium were bound to see that the duties of the *Lord's-day* were strictly attended to by the *laity*,

and that no tradesmen, artificers, or labourers in agriculture', followed their worldly callings on that day, or on festivals, without urgent need;—for which a dispensation was to be granted by the dean of Christianity, of the district, or, in his absence, by the parochial minister. To this purport the synod of Cambray declares: “*Licetum non esse molitoribus, braxatoribus, lanionibus, et pisto-ribus sua officia diebus festis exercere, nisi ob notabilem necessitatem determinatam per officialem et magistratum loci, de consilio decani Christianitatis, aut in ejus absentia, pastoris loci.*”

But, subsequently, the civil magistrate usurped the privilege of the ecclesiastic, of granting dispensations to husbandmen; and abuses ensued. Wherefore, in a convention of the rural deans of the archdiocese of Malines (A.D. MDCLXIII.), held under the archbishop, it was decreed: “*Ad evitandum abusum quo in aliquibus locis ballivi et officarii laici pro certo pretio permittunt inconsulto ordinario, archipresbytero, vel ejus deputato, quod diebus festivis et prohibitis rustici arare possint et carrucare, archipresbyteri agent istic loci cum prædictis ballivis, curabuntque significari dictis rusticis, eos per similem licentiam non evafuros correctionem judicis ecclesiastici; et si id ipsum non sufficiat, aut tales ballivi non desistant,*

Ejusd. Tit. xvii. cap. vi. p. 454.

(¹) By the *Injunctions* of King Edward VI. (A.D. MDXLVII.), repealed by Queen Elizabeth (A.D. MDLIX.), it is enacted: “All parsons, vicars, and curates shall teach and declare unto their parishioners, that they may with a safe and quiet conscience, in the time of harvest, labour upon the holy and festival dayes, and save that thing which God hath sent. And if for any scrupulosity, or grudge of conscience, men should superstitiously abstain from working upon those dayes, that then they should grievously offend and displease God.”

Sparrow's Col-lection of Ar-ticles, pp. 8. 68.

*transcribent ordinario, aut vicariatui, aut officiali, ut de-
super provideatur; interim non impeditur rusticus, qui
ab archipresbytero, vel pastore, dispensationem obtinuerit,
istum ballivum vel officarium dictæ dispensationis certio-
rem reddere.”*

The occasion on which the deans were usually called on to grant these dispensations in country districts, was harvest-time—for collecting the fruits of the earth—when either an invading army was likely to destroy them, or an unfavourable state of weather necessitated dispatch:—then the deans might dispense with the strict letter of the law—“*Ne occasione momenti pereat commoditas cælesti provisione concessa.*” Of the pure necessity of the case, the civil magistrate, it seems, was the sole judge, according to the interpretation of Zypæus (*de Feriis*, N^o. iv.); but of the obligation of the precept of the decalogue or church, the archpresbyter rural alone, or the incumbent pastor, in the absence of his superior.

Zypæi Notit.
Jur. Belgic. de
Feriis, No. iv.

A few more *laical* breaches of church-discipline remain, to which the attention of our rural censors was solicited. Of this number was *usury*—a vice still presentable by churchwardens in England, and of old severely animadverted on by their superiors, the deans of Christianity. Even where the temporal power takes notice of *usurious* transactions, we are told, there is always a reservation to the spiritual jurisdiction of its right to punish the same by “*the correction of the souls*” of *usurers*. Accordingly, we find, the *synodal constitutions* of the see of Arras (A.D. MCCCCLV.), in a canon

“*de usuris et usurariis contractibus*,” strictly forbidding all *usurious* trafficking, and commanding the deans rural of the diocese to give publicity to the interdict of the church against such as are guilty of it, with their wives and families; because “*usurarum vorago devorat et exhaurit damnabiliter facultates*.”—And in the diocese of Salzburg (A.D. MDLXIX.), the deans are ordered to inhibit Christian burial to all persons who had been guilty, during life, of *usurious exaction*.

Constitutiones Synodales Episcopatus Attrebatensis, A.D. MCCCCLV.

Const. Synod. Salisb. l. i. c. iv. p. 287.

The abuse of *Apostolical Letters* by the rural laity was another grave offence cognisable by the deans of the country. By a *decree* of the church of Arras “*de abusoribus*,” the deans are charged to declare excommunicate, once at least in every fifteen days, all “*abusores litterarum apostolicarum quarumcunque, seu legatorum seu subdelegatorum &c.*”—By another, “*de portitoribus litterarum*”—all persons mal-treating the bearers of such letters are subjected to *decanal* monition; and, on their not making amends for injuries committed, to peremptory excommunication. So great was the guilt of *mal-treating* papal bulles, that the offence was excommunication *ipso facto*; from which the Pope alone could absolve, as we learn from the metrical catalogue of excommunicable crimes of the synod of Bayeux:—“*Si malè de bullâ papæ tractaveris ullâ . . . Pontificem quæras.*”

Const. Synod. Episc. Attrebat. A.D. MCCCCLV.

Synod. Bajoc. can. LXXXVII.

By a *decree* of the diocesan synod of Antwerp (A.D. MDCX.), under Miræus, every female practitioner of the

Decreta Synod. Dioc. Antwerp. p. 228.

obstetrical art is charged to appear before the Dean of Christianity, “*ut ab eo examinetur an sciat substantialia sacramenti baptismi, et faciat professionem fidei integram, promittatque se denuntiaturam pastori parochiæ eos qui ultra tertium diem baptismum infantium differunt, et eos, qui ab hæreticis infantes baptizari curant, aut permittunt.*”

*Statuta Diœc.
Ypresf. c. xvii.*

And by a *synodal statute* of the diocese of Ypres (A.D. MDCXXIX.), all midwives who had not taken the canonical oath, appointed for persons of their order or faculty, are to be diligently sought for by the local Deans, and presented at the bishop's court.

CHAPTER II.

PURGATIONAL DUTIES.

IF any *laymen* stood accused of incontinence, or other grievous crime, in any spiritual court, the *Deans*, “for their wisdom and fidelity,” and “for the ease and benefit of the subject,” were entrusted to take their *purgation*¹, (“a thing warranted,” in Somner’s words, “if not required by the provincial constitution *Item licet &c.*, ‘*De purgatione canonica*’);”—that is, explains Kennett, “to let the suspected persons clear themselves, either by their own oath, or the oaths of credible *compurgators*²,” (who swore that they believed what the accused swore was true,) and “so to vindicate their innocence, and stop the prosecution:”—which *purgation*, doubtless, in *laical* as

Parochial Antiquities, Vol. II. p. 355.

Antiquities of Canterbury, P. I. p. 176.

Lyndwood, *Prov. L. v.* T. XIV. p. 313.

Provincial lococitato.

(¹) The learned author of *Parochial Antiquities* introduces this branch of *decanal* duty at the place we here allot to it, after the supervision of the conduct of the *laity*. But we might, perhaps, in our more systematic arrangement of official functions, have transferred it to the chapter on *ecclesiastical censures*, under the head of *capitular duties*.

(²) Nathaniel Bacon, speaking of the practice of *compurgation* amongst the Saxons in their judicatory, after having noticed *Torture* and *Ordeale*, adds:—“Where fame was yet more slight, and springing rather from want of charity and misapprehension, than promising circumstances, men were wont to be contented with a *voier dire*, or the oath of the party suspected, and the concurrent testimony of other men: the first attesting his own innocency, the other contesting their consciences of the truth of the former testimony; and therefore were, and still are, called *compurgators*.”

Historical and Political Discourse, &c. chap. XXXVII. p. 56.

well as *clerical* cases (in which latter it was so ordered¹ by canon), took place in the *deanry* where the offender lived.

CC. M. B. et H.
Vol. 1. p. 502.

The way in which *decanal* instrumentality was concerned in England, in effecting the conviction and amendment of the guilty, from the mild admonition of familiarity to the judicial impeachment before the church, is both curiously and instructively set forth in the canons of the council which Hubert Walter, archbishop of Canterbury, held at York in his Legatine capacity (*A.D.* *mcxcv.*):—the eighteenth ordinance of which enacts, that, when a person lay under the suspicion of any crime *upon common fame*, or strong presumption of guilt, he should be familiarly admonished by the *dean rural* (“*per decanum loci*”) three several times to reform himself; and, no amendment ensuing, that he should then be reprovèd by him, in the presence of two or three witnesses, of his loss of character—evidence of *the fame*. After which, the canon proceeds: “*Si nec sic videatur corrigi, dicatur ecclesiæ, scilicet arguatur in capitulo, ut convictus vel confessus, canonicè puniatur; inficanti, si convinci non poterit, canonica pur-*

gators. Their number was more or less, and of greater or less value, according as the offence or the party suspected was of greater or less concernment. This manner of trial was of ancient use, and both it and that of *ordeale* under the directory of the *clergy*; yet this was the ancients by three hundred years, and first brought into this nation by the council at Berghamsted, under Bertwald archbishop of Canterbury. And it was performed sometimes more solemnly by solemn receiving of the Eucharist, especially if the person suspected was of the sacred function.”

Lyndwood *Pro-*
vincial. L. v.
T. xiv. p. 313.

(¹) “*Statuimus quòd de cætero diffamati de criminibus seu excessibus, et de eis se purgare volentes, de uno decanatu in alium, seu ad loca ruralia, ubi non inveniuntur victualia venalia et vitæ necessaria, nullatenus protrahantur.*”

gatio indicetur." This wholesome process of correction is made applicable to the clergy¹ in particular by Mr. Whitaker, in his reference to the York council (see *History of Manchester*, V. II. B. II. c. XII. § III. p. 466): but Gibbon, Kennett, and others, allow it a general application; and therefore I here introduce it, as bearing on the *laity* as well as the *clergy*.

In presentments *on common fame* the accused generally insisted on his innocence; so that *admonition* failing in such cases, the *purgatory process* followed as a matter of course. And here the archbishop above quoted orders, that the *compurgators* exceed not the number of twelve; within which limit they were to be more or less, at the

Gibbon's *Codex*
I. E. A. T. XLII.
c. VII. p. 965.

(¹) Even bishops underwent this process of *purgation* with *compurgators* in the higher ecclesiastical courts; of which Ware relates a curious example in the Life of Edward Dantsey, bishop of Meath (MCCCCXIII.—MCCCCXXIX). A malicious and unfounded prosecution having been commenced against the bishop for stealing a cup (*value* 13s. and 4d.) out of the church of Taveragh in the diocese of Meath, and the indictment removed into Parliament, he there declared his innocence, and demanded his ecclesiastical privileges. "Upon this he was turned over to his metropolitan, for his *purgation*; and appeared before Archbishop Swain judicially, and swore, that he did not commit the felony laid to his charge; and a sufficient number of *compurgators* swore the same; whereupon he was cleared, and the archbishop returned a certificate of his proceedings to the Parliament." The crime was subsequently confessed to the maligned bishop by an accomplice in its perpetration;—forgiveness and absolution followed; and the bishop was soon after promoted to the place of Lord Deputy.—Again, in the case of Donald, bishop of Derry, against whom Archbishop Swain (*A. D.* MCCCCXXVI.) had proved incontinence and other crimes, and imposed *penance*. The episcopal offender was made publicly to appear, and give satisfaction that he had lived chaste during the time of his *penance*, and to purge himself according to a prescribed form. But these anecdotes of *purgation* are here impertinent, being *clerical*, and not *laical*.

Harris's *Ware's*
Works, Vol. 1.
p. 149.

Ejusd. p. 290.

Parochial Antiquities, Vol. II.
p. 355.

CC. M. B. et H.
Vol. I. p. 507.

Lyndwood
Prov. L. v.
T. XIV. p. 314.

discretion of the judge, according to the quality and circumstances of the accused, and the nature of the accusation. Farther,—that the *purgation* be admitted by the *Dean* on the very first solemn day, on which the party defamed is ready for the ceremony; and that no money be extorted by the fear of vexation to be occasioned by delay. The *Westminster canons* of the same prelate speak to the like effect, admitting no procraftination of *purgation* “*de die in diem, occasione pecuniæ captandæ* ;” but rather urging instant dispatch;—to which a later council adds—“on penalty of the *Dean’s* suspension from office.”

If the party presented went through the appointed trial to the satisfaction of the *Dean*, he was dismissed as innocent, with an admonition to avoid in future whatever had been the *foundation* of the *fame*, whereby he had given offence and scandal to his neighbours. But if he failed in his *purgation*, that is, if he either would not make oath of his personal innocence, or could not find the prescribed number of *compurgators*, to swear their belief of his purity, he was *ipso facto* considered guilty, and accordingly had *penance* enjoined by the *Dean*, proportionable to his degree of guilt.

Codex I. E. A.
Tit. XLII. c. VII.
p. 965.

Antiquities of Canterbury,
Part I. p. 176.

Purgations of this kind, and the failures of *purgation*, appear on our ecclesiastical records of visitation, Bishop Gibson tells us, without number. And it is probable, that, while the *decanal* authority was in full vigour in the kingdom, it had much to do, in rural districts, with this branch of church-discipline. Indeed, Mr. Somner alleges, that, in the diocese of Canterbury, the rural *Deans* “had many times *purgations* committed by the commissary to their dispatch in their several *deantries*, for

the ease and benefit of the subject,” (as I have already stated)—“and their wisdom and fidelity was intrusted for taking them.”

Upon the discipline itself, as of old practised, the bishop of London has the following sensible remark:—
“This discipline was certainly fair and reasonable; inasmuch as that person must be owned to be *ripe* for the censures of the church, who, in a whole parish, cannot find so small a number, to declare their *belief* of his innocence; nor, which is yet worse, to declare (after he has taken an oath in the most solemn manner) that they believe that what he has sworn is true.”

Codex I. E. A.
Tit. XLII. c. VII.
p. 965. & Tit.
XLVI. c. I.
p. 1042.

CHAPTER III.

EXORCISTICAL AND CATECHISTICAL DUTIES.



See Beveregii
Synodic. Tom. II.
p. 191. Annot.
in Conc. Antioch.
can. x.

THAT deans rural were ever *conjurers*, in the common acceptation of the term, must not be inferred from the title of this chapter; though Minshew would have an *exorcist* to be a *conjurer*, and *exorcism* to be *conjunction*. Ecclesiastical *exorcists* they appear to have been in the dioceses of Ypres and Cologne. The office of *exorcism* was not at first confined to a particular order: it was exercised by bishops and presbyters for the three first centuries; nor was it till the middle of the fourth, that a peculiar order of ecclesiastics was set apart for it. Deans rural did not exercise the office, as themselves, of the minor order of the Romish church, so denominated, but as specially capacitated to perform exorcism by episcopal or synodal licence.

Statuta Synodi
Diocesis
Ypresis.
De Decanis &c.
can. III. IV.

The synod of Ypres (A.D. MDCXXIX.) revokes all previous licences of *exorcising*, whether granted by the then bishop or his predecessors, and enacts—Can. iv. “*Ne tamen indigentes hoc exorcismorum remedio, per hanc nostram revocationem careant necessario auxilio; concedimus per præsentem facultatem exorcizandi omnibus Decanis, in suis respectivè districtibus, et etiam illis pastoribus quorum nomina dictis Decanis tradidimus, publicanda in proximâ cujusque congregatione.*”

Decreta Synodal.
Arch. Colon. p. 26.

The synod of Cologne (A.D. MDCLXII.) invests deans

rural with the same special faculty—“*Ruralibus nostris decanis, ut in omnibus districtus sui locis exorcismos adhibere queant præsentium tenore facultatem concedimus. Pastores verò et vice-pastores hæc facultate carentes, indigentes exorcizandos ad decanos, vel alios speciali exorcizandi potestate munitos mittant.*”

In the primitive church there existed a peculiar officer called a *catechist*, whose business it was to instruct the *catechumens* in the rudiments of religion. At first, indeed, the bishop performed this duty, as well as the previous one of *exorcism*, in his own person; but subsequently he consigned it to approved deputies—to presbyters, deacons, or others of inferior rank. Upon the *trans rural* of Ypres *catechetical* examinations occasionally devolved by delegation of the diocesan, not as an ordinary, but as an extraordinary duty:—Can. vi. “*Decani in suis visitationibus convocata juventute, breve examen catechisticum instituant; ut hæc ratione pastorum diligentia, et puerorum profectus melius ipsis innotescat, et populus hanc instructionem magni æstimet, quam superioribus ita cordi esse perspiciet.*”

See Beveregii
Synodic. Tom. II.
p. 191.

Statuta Synodi
Diocæsane
Ypresis,
De Decanis &c.
can. vi.

The union of *exorcist* and *catechist* in the same individual gave him authority, as well to *exorcize energumens*¹, as to *instruct catechumens*.

(¹) By the seventy-second canon (A.D. MDCIII.) ministers of the church of England are forbidden “*to exorcize, but by authority:*”—“Neither shall any minister,” says the canon, “without such licence, presume to attempt, upon any pretence whatsoever, either of possession or obsession, by fasting and prayer, to cast out any devil or devils, under pain of the imputation of imposture or cozenage, and deposition from the ministry.”

Constitutions &
Canons Eccles.
A.D. MDCIII.
Codex I. E. A.
Vol. I. Tit. XVIII.
c. VII. p. 366.

CHAPTER IV.

FUNERAL AND TESTAMENTARY DUTIES.

UNDER this head I place the few functions deans rural were charged with, in respect of *lay-burials* and *lay-testaments*. Watchful over *the people* of their deanries, during life, our ecclesiastics were not absolved from their charge even by the death of the parties over whom they exercised their care.

Const. Synod. Salisburg. LI. c. IV. p. 262.

p. 287.

If the heirs or friends of any *deceased layman* objected to solemnize his *obsequies* with the usual formalities of *sepulture*, the fifty-fifth *constitution* of the synod of Salzburg (*A.D. MDLXIX.*), imposes on deans rural the enforcement of the necessary rites—“*crucem, clericos, et luminaria;*” and capacitates them to call in the aid of the secular power, when needed, to support and give effect to the spiritual. Christian burial, however, was to be altogether inhibited by the deans to *laymen* guilty of *usurious exaction*; unless they had, before death, made ample restitution and satisfaction for wrongs committed—an object to be attempted, says the fifty-seventh *constitution*, by all possible means.

Theaur. Script. Vet. Martene, Tom. VII. col. 1336.

By the *synodal statutes* of Cambray (*A.D. MCCCLXXI.*) *de testamentis*, every curate is to notify, within a month, the *decease* of any *layman* within his parish to the dean

of Christianity;—who is allowed three more, from the time of the same being certificated by the curate, to communicate it to the bishop or his official,—and this on penalty of heavy pecuniary fines.

By the *synodal constitutions* of Arras (A.D. MCCCCLV.) Const. Synodal. Episc. Attrebat. A.D. MCCCCLV. under the same head (*de testamentis*), it is imposed on all curates and their representatives, “*ut testamenta quæ scient non esse infra annum executioni demandata; vel de quibus non est ratio reddita, decanis denuntient infra mensem à tempore notitiæ ejusdem decani.*” The same precept passed the synod of Harlem (A.D. MDLXIV.), in relation to *testaments* bequeathing legacies “*in pios usus,*” under a penalty of twenty-five *scutati*: and another, to nearly the same purport, passed the synod of Antwerp (A.D. MDCX.) Decret. Synod. Dioc. Antwerp. p. 302. respecting “*pia legata;*” that they should be immediately notified to the archpresbyters rural of the district. Lastly, in the diocese of London, about a century and a half ago, it was particularly charged on the *deans rural* “to make a return into the registry of the consistory court of all *wills unproved*, and especially such wherein any legacy is reported to be left to *charitable uses.*” Codex I. E. A. Vol. II. p. 1550. § xv. XIX.

Addenda.—FUNERAL DUTIES. “*Statuant decani et capitula ruralia, quantum in suis districtibus, mercedis causâ, iis, qui dant operas in funere, et qui campanas pulsant, pro modo laboris dandum sit: quibus etiam et quamdiu in exequiis pulsare debeant, certa regula præscribatur, ac etiam modus, quo pauperes et miserabiles personæ, quibus defunctis aut nihil superest, aut ità parum, ut suâ impensâ humari non possint, à parochio sumptibus ecclesiarum sepeliantur, et exequiis debitis non fraudentur.*” CC. Germaniæ, Tom. VII. p. 577.

SECTION V.

SUPERVISION OF THE CLERGY.

CHAPTER I.

SUMMARY VIEW OF THE DUTIES AND MINISTRATIONS OF **Deans Rural**
TOWARDS THE CLERGY.

THE principal and more especial duty of arch-presbyters rural was to watch over the interests of religion and morality in reference to the *clergy*. “Not only were they to take care of the rude and ignorant multitude” (in the words of Dr. Field’s version of the canon-law), “but also, with continuall circumspection, observe and look unto the life and conversation of the *presbyters*, dwelling in the lesser titles, and shew unto the bishop with what diligence each of them performeth the work of God.”

Of the Church,
B. v. p. 507.

*Kennett’s Paro-
chial Antiqui-
ties, Vol. II.*
p. 355.

“In order to this,” writes the bishop of Peterborough, in his summary sketch of ruri-decanal duties in relation to the priesthood of England, “the **Deans** were to solicit the *clergy* to a due execution of their office, and a just regard to their function; to admonish them of all scandals and offences; to warn them against all cohabiting with wives and concubines; to forbid them an appearance at any indecent sports and plays; to press upon them the observation of canonical hours; to remind

them of being strict in their clerical habit and tuncure, &c. And, upon their default or offence in any such matter, to certify the bishop, by whom they were appointed to watch, and to inform with diligence and singular courage¹.”

These duties of archpresbyters rural, so copiously quoted in the sequel from conciliar collections, (though not exactly in the order here laid down by Bishop Kennett), seem, says Van Espen in his *Codex of Church Law*, to flow necessarily from their *pastoral* care of the country *clergy*—of the lives and conversation—the spiritual ministrations, &c. of all *persons in holy orders*, within their respective *decanates*. Wherefore, on the authority of many Belgian synods, he, not inappropriately, denominates them “*pastores pastorum*;”—and, upon this view of their archi-pastoral character, and its high importance to the interests of religion in the rural community at large, suggests the necessity of caution in appointing proper persons to the office:—“*Notandum*,” says he, “*quàm solliciti meritò sint episcopi, ut doctiores, zelosiores, in curâ animarum exercitatiores, ac pietate morumque integritate eminentiores ad hoc officium eligantur; utpotè, qui non laicis tantùm, sed et ipsis laicorum directoribus, et conductoribus, vitâ, consilio et exemplo, prodesse et præire debent.*”

Jur. Eccles. Univ. P. I. Tit. VI. cap. II. pp. 29, 30.

Ex Synod. Mechlin. De Decan. Christian. c. II. III.

(¹) “But at last,” the bishop subjoins, “all this supervising care seemed to devolve entirely upon the archdeacons, who, on this account, were dignified with the title of the *vicars*, the *curators*, the *privy-counsellors*, and the *eyes* of the bishop; who by this time had got a distinction, that though the archpresbyter or dean was *major ordine*, yet the archdeacon was *major dignitate*.”

Paroch. Antiq. Vol. II. pp. 356, 357, 358. Decret. Gloss. in cap. I. v. subesse. Ducang. Gloss. in v. Archidiaconus.

See *Statuta
Dioecel. Yprenf.*
p. 27

Not only was it given in charge to the *Dean*¹ to watch over, scrutinise, and, if necessary, censure, the conduct of parochial *priests*; but he was to instruct them in their duty, and to aid them with his countenance and advice, whenever circumstances of difficulty needed his assistance, or prudential reasons dictated to the *presbyter* the propriety of applying to the *archpresbyter* for the sanction of his authority;—the co-operation of both, for the advancement of spiritual interests in the rural districts of their joint ministration, being the earnest desire of the church, and the object of much of her synodal legislation.

B. Van Espen
*Jur. Ecclesiast.
Univerf. Part I.
Tit. VI. cap. II.*
p. 30.

Thus the synods of Belgium, esteeming the vigilant observance of country *pastors* and their flocks by *Deans* rural, and the general support of ecclesiastical discipline in rural parts, to be the *proper* business of these officers, legislate to that effect; enforcing particularly all care and attention to the morals and ministrations of the inspected. “*Decani rurales*” says a synod of Cambray, “*parochorum adeòque omnium, etiam sacerdotum et clericorum, quin et laicorum suorum districtuum mores diligentè observent, potissimum autem ut pastores in prædicatione verbi Dei, sacramentorumque administratione, ac in*

Van Espen *Jur.
Ecclef. Univ.
Part I. Tit. VI.
cap. V. p. 32.*
Ex *Synod Dioe-
cef. Antverp.*
(A.D. MDCX.)
p. 330.

(¹) “*Uno verbo, archipresbyteri ità suorum jurium curam agant, ut tamen nunquàm excidat, quòd cum sint parochorum et sacerdotum sui districtus pastores, ante omnia solliciti sint de eorum salute et profectu spirituali, et singularem habeant inspectionem et curam de ipsorum vità et moribus, ac diligentia zeloque circa functiones pastorales; seque respectu pastorum gerant non ut dominantes in clero, sed tanquàm patres et formà gregis facti ex animo. Pastoribus zelosis, et in officio pastorali obeundo intrepidis et ferventibus consilio, auxilio, et solatio, contra obmurmuratos et refractarios suà auctoritate assistant et opulentur.*”

cæteris omnibus ſuo muneri ſatisfaciant.” (Tit. XIX. c. XII. Part. II.)

The ſynod of Antwerp (A.D. MDCX.) expreſſes, in clear terms, the ſame obligation :— “ *Archipreſbyteri ſeu decani rurales, cum ſint parochorum aut ſacerdotum ſui diſtrictus paſtores, ſoliciti ſint de eorum ſalute et profectu ſpiritali, et ſingularem habeant inſpectionem et curam de ipſorum doctrinâ, vitâ et moribus. Et vicifſim mandamus parochis et ſacerdotibus, ut decanos uti ſuperiores ſuos agnoſcant, revereantur et ament.*”

Decret. Synod. Diœc. Antverp. A.D. MDCX. p. 330.

That of Saint Omer yet more abundantly declares the archi-paſtoral duties incumbent on deans rural—“ *Decanorum eſſe in ſui decanatus partibus ſive parochiis curare, ut ſacerdotes et clerici omnes, et ſingularitèr ut paſtores vitam agant ſuâ vocatione dignam, ac talem ut nemo de ipſis queri poſſit, nihilque in ipſis, niſi grave, modeſtum, imitationeque dignum conſpici; deinde in hoc advigilare, ut paſtores in prædicatione verbi Dei, ſacramentorum adminiſtratione, et omninò in functione paſtoralis officiû ſui rectè, diligentèr, et quemadmodum oportet, verſentur: ad hæc ipſos quandò opus fuerit viſitare, monere, corripere, conſolari, conſilio ipſis ſubvenire: denique veri paſtoris officiû erga illos, ſanos et ægrotos, vivos et mortuos exercere.*”

Tit. XVIII. c. I. Synod. Audo-mar. A.D. MDLXXXIII.—MDCXL. Stat. Synod. Diœcef. Yprenſ. Tit. VII. cap. II. A.D. MDLXXVII. p. 27.

“ *Decanos, quos eſſe procùl ab omni exactione volumus et cupimus, admonemus,*” ſays the ſynod of Liſieux, “ *ut per totam diœceſim peccatis publicis et ſcandalis ſapientèr occurrant. Et præcipuè curatorum, ſacerdotum, et clericorum, ne eorum per laicos vituperetur miniſterium, quorum eſſe debent ſpecimen et exemplar.*” (De Decanis.)

Synod. Lexov. in CC. Rotomag. Prov. P. II. p. 505.

The ſynod of Namur (A.D. MDCXXXIX.) ſubjoins to the other ſpecified duties—that the deans exhort the rural

Tit. XXI. cap. VI. Synod. Namur.

presbyters and *clergy* at large, within their influence, “*Ut quotidie aliquid temporis orationi et lectioni spirituali tribuant:*”—and farther, bids them furnish themselves with accurate *notitiæ* of the state of their subject parishes and *priesthood*—to be supplied to them by good and faithful pastors—“*à quibus excessus vicinarum ecclesiarum addiscant.*”

*Stat. Synodal.
D. M. H. Arch.
Colonienfis, P. II.
T. v. c. VI. § IV.
p. 147.*

Lastly, the synod of Cologne (A.D. MDCLXII.) enacts, “*Decani rurales de pastorum, et vice-pastorum sui districtus salute, ac profectu spirituali solliciti, diligentè eorum vitæ, morum, et doctrinæ curam gerant; ideòque præter visitationes ordinarias, datâ occasione, sæpiùs etiam per annum parochias sui districtus inspiciant, et præcipuè indagent, an pastores, seu vice-pastores apud oves suas resideant, piè, laudatèque vivant, suo, ut decet, fungantur munere, præsertim dominicis, et festis diebus, sacrum canant, concionentur, catechesi juventutem imbuant, et ecclesiastica sacramenta, quâcunque diei ac noctis horâ requirantur, piè, promptèque administrant.*”

Such is an outline of the duties of archpresbyteral supervisorship over the *manners* and *ministrations* of the *clergy*, to be hereafter filled up in detail:—but the connexion between the *priest* and archpriest of the country terminated not with *those duties* alone; there were others of a purely *spiritual* and *sacerdotal* character, by which the parties were more intimately united; and which I shall first endeavour to elucidate.

CHAPTER II.

ARCHIPRESBYTERAL MINISTRATIONS OF Deans Rural TOWARDS
THE CLERGY.

AS it was the archpresbyter's office to visit, admonish, correct, console, and counsel the clergy, and to exercise the character of a true shepherd of the *priestly flock*, in health and in sickness, in life and in death;—so it followed, that whatever *pastoral duties* of a purely spiritual nature the parochial minister performed to his subject flock, the archpastor or archpriest executed towards the *shepherds* themselves; by whom, in return, the church decreed, he should be equally acknowledged, respected, and beloved.

Thus, as it was incumbent on the pastors to administer the sacraments to their flocks in sickness, the synod of Antwerp (A.D. MDCX.) inculcates the same attention, on the part of the deans, to the spiritual wants of the sick and moribund clergy—“*Ubi intelligent archipresbyteri aliquem è sui districtus pastoribus aut sacerdotibus periculose laborare, statim ad eum excurrant, moneantque ut salutis sue consulat, eique, si opus est, sacramenta ministrant &c.*” —“*Deinde adhortentur,*” adds a synod of Cologne (A.D. MDCLXII.), “*ut testamentum legitime condant, si id non fecerit prius, atque ad felicem salutaremque ex hac vita egressum, piis ad DEUM suspiriis, ac orationibus se componant.*”

Stat. Synod. Dioc. Yprenf. capp. III. IV. VI. pp. 284, seqq. Stat. Dioc. Gandavenf. Tit. XVI. c. IX.

Decret. Dioc. Synod. Antwerp. Tit. XVI. c. IV.

Decret. Synodal. D. M. H. Arch. Colon. Tit. v. c. IV. p. 146.

*Decret. Diœces.
Synod. Antwerp.
T. XVI. c. V. apud
Van Espen.*

*Ordinationes
Diœc. Antwerp.
Tit. XVI. 7.
See Synod.
Diœc. Namur.
Tit. XXI. cap. IX.
MDCXXXVIII.*

*Thomassin. V. et
N. E. D. Tom. I.
P. I. L. II. c. VI.
p. 228. 111.
Act. Eccles. Me-
diol. pp. 67—
337, 338.*

Again :—“ *Cùm pastorum sit subditis suis è vitâ decen-
dentibus justa persolvere, etiam archipresbyteris jus est,*”
says Van Espen, “ *omnibus ecclesiasticis, tam sæcularibus,
quàm regularibus, extra monasterium degentibus, in suo
districtu morientibus, sacramenta administrare, et officium
funebre facere.*” And again, writes Gaspar Nemiſ to
the deans of Christianitſ of the diocese of Antwerp ;—
“ *Decani Christianitatis administrabunt sacramenta sacer-
dotibus externis aut in sacris constitutis non beneficiatis, et
eorum exequias celebrabunt.*”

These holy ministrations were not alone annexed to
the archipresbyteral institution in the dioceses of Belgium
and its vicinity : they obtained also in the South of
Europe. Visiting in sickness the *parochi* of their re-
spective districts was imposed on the plebans, or archpres-
byters rural, of the Milanese province, by Archbishop
Borromeo. The canon seems to apply generally to all
the spiritual superintendants of the country, who had
ecclesiastical jurisdiction under the bishop—(“ *Plebanus
vel archipresbyter, vel præpositus, in cujus plebania, aut archi-
presbyteratus, præposituræve finibus ægrotus habitat*¹ ;”)—

(¹) The archipresbyter (it may be remarked) was an older institution than the præpositus, and differently appointed—being a life-functionary ; whereas the præpositus was only *durante beneplacito*. The latter office originated with Borromeo ; and, I believe, supplanted, by its greater usefulness in the diocese, the former. While existing, however, the Milanese archpriests performed the above duty of visitation of the sick *parochi* ; and, probably, afterwards, the same devolved on the præpositi ruris or foraneous vicars, who approached more nearly to the type of rural deans. But of these ecclesiastics we have elsewhere spoken.

though the character of these officers, and their extent of jurisdiction, respectively, somewhat differed¹.

(¹) To this chapter might have been annexed the *penitentiary* duties of *deans rural*, as *confessors* of the parochial *clergy*; but I have thought it better to defer them till we come to speak of the *deans'* connexion with *sacraments* and *sacramentals* generally. Under the church of Rome, *confession* and *penance* formed an important branch of the office in rural districts. *Deans* were *confessors* and *penitentiaries*, both for the *clergy* and *laity*, at a very early period. See Part IV.
chap. VI. § 7

Gloss. Addend.—The terms *archipresbyteral* and *decanal* being used synonymously throughout the work, the former may be thought not to designate with sufficient clearness the duties which are the subject of the present chapter. By the epithet *archipresbyteral*, as here employed, the author means to denote those functions which *deans rural* exercised as superior or arch priests towards the inferior priesthood—purely pastoral and sacerdotal ministrations. Perhaps *archipastoral* would be a better term.

CHAPTER III.

DUTIES OF **Deans Rural** IN REFERENCE TO CLERICAL DEATHS,
FUNERALS, TESTAMENTS, &c,

*Statuta Syno-
dalia Ecclesie
Meldensis.
Thesaur. Anecd.
Tom. IV. col. 904.*



TO report to the diocesan bishop the names of all clergymen who *died* within any of the rural **deanries**, was a duty anciently imposed on their presidents:—“*Præcipimus omnibus decanis,*” says the church of Melun, “*quòd de cætero inquirant, et in scriptum redigant nomina omnium presbyterorum, qui in decanatus suis discesserunt; eaque deferant ad synodum recitanda, ut oremus pro eis, et singuli presbyteri faciant servitium speciale. Hoc enim debent libentè facere, quia cum decefferint similiter fiet pro eis.*” (Can. LXXVIII).

*SS. CC. Tom.
XIII. col. 736.
CC. Rotomag.
Prov. P. II.
pp. 79. 84.*

*CC. Rotom.
Prov. P. II.
p. 515.*

Nearly the same words occur in the fifty-seventh canon of the *Constitutions* of Odo, bishop of Paris (*A.D.* MCXCVII.); and in the *Instructions to the deans rural* of the diocese of Rouen (*A.D.* MCCXLV.);—where the process of notification was this:—the rector of the nearest adjoining parish, as soon as he heard of the *death* of a clergyman, made it known to the **dean**, and the **dean** to the archbishop, or his representative, by letter—specifying the day of the *decease*, and whether the party *died testate* or *intestate*; in order, adds a synod of Lisieux, that a successor to the vacant cure be selected to perform the duties of the church. The *Synodal Constitutions* of the see of Arras (*A.D.* MCCCLXIV.) do not materially differ

from those above quoted of the churches of Melun and Paris.—It is decreed by them, “*Quòd singuli decani in synodo legant nomina curatorum in suo decanatu defunctorum, et quòd dicant ‘De Profundis’ cum oratione fidelium pro hujusmodi defunctis.*” CC. Synodal. Episc. Attrebat.

By Cardinal Pole it is enacted, in his *Gloucester Injunctions* (A.D. MDLVI.)—“*Touchinge the clergie,*” can. XIV. “That every deane shall from time to time within the space of ten daies signifie unto his ordinarie the death of every parson and vicar within his deanerie, and likewise within fifteen daies the lacke of any curate within his said deanerie.” CC. M. B. et H. Vol. IV. p. 146.

In the “*Instructions for the Deans Rural*” of the diocese of London, published by Gibson in his *Appendix*, N^o. II. “The rural dean is to make a return to the Right Rev. Father in God, the Lord Bishop of London, or his Chancellor, into the registry of the consistory court, of all the clergy who *dye* within his deanry &c.” Codex I. E. A. Vol. II. p. 1550. § xv. XIX.

But, with the *deaths* of the clergy our rural officers had concernment, not merely as ministerial agents to notify such events to their superiors, but as under strict command to celebrate the *rites of burial* over all departed pastors of their deanates.—“*Mortuo aliquo pastore, decanorum officium est exequias celebrare &c.*” says the synod of Ypres;—and, again, that of Antwerp (A.D. MDCX.), “*Mortuis pastoribus justa persolvent archipresbyteri rurales.*” Stat. Synodi Diocæs. Ypres. Tit. VII. cap. IX. Decret. Synodi Dioc. Antwerp. p. 331.

In some dioceses of England, heretofore, in order that due respect might be paid to the *departed* by his brethren of the same deanry, the dean rural was ordered to announce the *death* of any clergyman, parson, vicar, or officiating priest to all the mother churches of his jurif-

CC. M. B. et H.
Vol. I. p. 570.

diction. Such was the enactment of W. de Bloys, bishop of Worcester (A.D. MCCXIX.), thus minutely enforced :—
“Quandò persona, vel vicarius, vel sacerdos ministrans mortuus fuerit, statim ut mors ejus denunciata est Decano loci, idem Decanus mortem ipsam denunciabit omnibus matricibus ecclesiis de Decanatu suo, in quarum quâlibet, morte denunciata ejusdem, pulsabuntur campanæ pro eodem defuncto &c.” And, on the meeting of the first subsequent rural chapter of the Deanry, the Dean, as president thereof, was to inquire if the said service had been properly and exactly performed ; and if not, was to urge its immediate and plenary celebration.—Then, again, the archdeacon being made acquainted with the *decease* of the said minister, was to announce it formally to all the Deans of the other Deanries of his archdeaconry ; in each of which, the same church and chapter-solemnities were to be holden in honour of the *departed*. But when the Dean himself *“began the travel of eternity,”* it was incumbent on the archdeacon, or his official, forthwith to notify the incident throughout the archidiaconate, and to command the performance of the same religious services, with the addition, says the canon, *“quòd in Decanatu in quo fuerat Decanus, servitium pro defunctis in quâlibet ecclesiâ ejusdem Decanatûs iterabitur pro animâ ejus.”*

Stat. Synod.
Diœc. Yprenf.
cap. xv. p. 333.

The synod of Ypres, at a much later date (A.D. MDCXXX.), briefly, but pathetically, enforces the like duties—extending the religious services to the whole diocese, in case of a Dean rural's *decease* :—*“Postulat fraterna charitas, ut quos in vitâ habuimus laborum socios, iisdem post mortem Christianæ pietatis impendamus officium. Quarè mortuo aliquo pastore, ceteri ejusdem districtûs, per Decanum moniti, primâ commoditate missam pro*

refrigerio ipsius animæ celebrabunt : et similiter pro Decano non solum pastores sui districtus, sed omnes hujus episcopatus Decani idipsum præstare non omittent." And nearly the same words, thirty years afterwards, with the like touching preface, passed the synod of Cologne, under Maximilian Henry.

Decret. Synod. Arch. Colon. Part. II. p. 150.

Lastly, it devolved on the Deans to extend their care and fidelity to the *goods* and *chattels* of *defunct* clergymen; and to see that no distribution of the property left at their decease took place, till it was certified to the bishop, or his official, that the parties had died *testate*—*“ et interim faciet Decanus omnia sua fideliter conservari.”* The same trust is committed to them by the synod of Tournay (A.D. MCCCCLXXXI):—*“ Mobilia presbyterorum statim post eorum obitum sub securo et stricto arresto inventariari, ac inventariata teneri quoadusque ei constiterit, an presbyteri defuncti testamentum condiderint vel non; si autem intestati decesserint, bona prædicta per dominos Decanos ad majorem utilitatem vendantur, et aliter super hoc Decani disponant, quod ipsi inde gentibus et officiariis nostris computum et rationem loco et tempore debitis reddere possint; si verò testati fuerint, testamento probato, bona executoribus tradi.”*

CC. M. B. et H. Vol. I. p. 571.

Van Espen I. E. U. P. II. T. XXXII. c. VIII. p. 632.

In the diocese of Autun it is enjoined by the *synodal statutes* of that church on all archpresbyters, to lay before the bishop the *wills* and *inventories* of curates *deceased* within their archpresbyterates, on pain of excommunication, and a fine to the bishop of ten pounds.

SS. CC. Tom. XIX. col. 324.

In that of Ypres, great responsibility is imposed upon them, in respect of the conservation of the church's property, on the *decease* of an incumbent:—*“ Decanorum officium est,”* says the synod of Ypres (A.D. MDLXXVII.),

Stat. Synodi Diœc. Ypresf. Tit. VII. cap. IX.

“*omnia et singula munimenta portionis pastoralis, et quæ aliquo modo officium pastorale concernunt, conscribere, et sub inventario (ne distrahantur ab hæredibus) conservare, successori, dum institutus fuerit, sub attestatione de receptis, tradenda :*” and to the like purport speaks the synod of Antwerp (A.D. MDCX).

*Decret. Synodi
Diac. Antwerp.
p. 331.*

*Codex I. E. A.
Vol. II. p. 1550.
§ XV. XIX.*

By the London “*Instructions to Deans Rural,*” above quoted, “the dean is to make a return into the consistory court of all who interfere with the goods of deceased clergymen without probate of the will of the deceased, or without administration of his goods granted by the ordinary of the diocese.”

But while bringing forward these extracts in illustration of archipresbyteral duties to the *dying* and *dead*—more in place, perhaps, in later pages of our ΠΑΡΕΡΓΟΝ—we are suspending the far more useful functions which deans rural were charged with, to the *living* clergy of their presidencies:—these, hitherto only slightly alluded to, we must now resume in detail; beginning with the canons pertinent to the *apparel* of ministers, and their *conversation* with regard to *life and manners*.

CHAPTER IV.

SUPERVISION OF CLERICAL APPAREL.

TO see that the clergy were strictly canonical in their *habit* and *tonsure* was a leading article of the archpresbyter's duty in every deanry—one of the earliest, probably, with which he was invested in our island:—for, from Odo's canons it would appear, that there was a particular garb for the priesthood of England, in common life, as early as the year DCCCCXLIII; though it afterwards fell into disuse.

CC. M. B. et H.
Vol. I. p. 213.
can. IV.

To support the church canons upon this point of *personal attire*¹, the deans rural were to set the good example of walking *decently apparelled* in canonical costume with close copes—“*Omnes decani rurales et presbyteri decentè incedant in habitu clericali, et cappis clausis utantur;*”—being, moreover, in their own persons, “*honestè tonsi et coronati*”—in deference to the ordinance which they were to enforce in others. Such was the twenty-eighth canon of the provincial council of

CC. M. B. et H.
Vol. I. p. 589.

(¹) In the fourth constitution of the papal legate Cardinal Gallo (A.D. MXXVIII.), red and green vestments are inhibited to deans, archpriests, and archdeacons:—“*Decanis quoque, archipresbyteris, et archidiaconibus, ne vestes rubri coloris, vel virides habere præsumant: et specialitè archidiaconibus et præpositis qui habent curam animarum, ne cappas foratas habeant manicatas.*”

SS. CC. Tom.
XIII. col. 787.

CC. M. B. et H.
Vol. I. p. 502.

CC. M. B. et H.
Vol. II. p. 5.

Oxford under Stephen Langton (*A.D.* MCCXXII.), with this penal consequence—that all violators of the law were liable to the correction of their superiors. But a prior provincial council at York under Hubert Walter (*A.D.* MCXCV.), having enjoined both *crown* and *tonsure* on the clergy generally, adds, that, if any *unbeneficed* priests contemptuously refused the distinction, (for the *beneficed* were brought to submit by deprivation ¹,) they were to be *clipped*, against their wills, by the archdeacon or deans. (*Can.* IX.) “*Clerici . . . qui beneficia non habent, per archidiaconum, vel decanos tondeantur inviti.*” Departure from the true *canonical vesture, crown, and tonsure*, in the dean’s own case, (unless he made immediate satisfaction on admonition) was *ipso facto* suspension from office and emolument, by the fifth *Legatine Constitution* of the Cardinal Deacon Othobon (*A.D.* MCCLXVIII.); who seems to have taken great pains, by various and peremptory injunctions about dress, to check its licentiousness; though all his efforts were of little avail. The clerical *beau* continued, despite canonical inhibition.

In the days of Archbishop Peckham (*A.D.* MCCLXXXI.) complaint was still made of the unclerical costume of persons in holy orders; and, it was said, that the inefficacy of past legislation was occasioned by this—“*Quòd minores prælati*” (doubtless rural deans, and perhaps archdeacons) “*hujusmodi clericos monstruosos monere non*

Notitiæ Sethi
Episcopi Sarum,
fol. 80.

(¹) In the fullest *Articles of Inquiry at Visitation* which I have ever seen, *viz.* those of Bishop Seth Ward (contained in his *Ass. Notitia* of the diocese of Sarum) under the head of *Ministers*, is a *query*, Whether they have “*haire long* ;”—but the good prelate does not impose on his deans rural the duty of clipping the *καρηκομώντες*.

audent;”—wherefore the council enacts (the object of the church being defeated by the pusillanimity of her officers), that the penalties inflicted by the law of Othobon shall take effect without previous monition; and that special inquisition shall be made in every deanry after offenders of whatsoever grade and consequence, and process commenced against them “*in formâ canonicâ.*” See Turner’s *Hist. of England*, Vol. v. 4to. p. 30, note 48; Gibson’s *Codex I. E. A.* Vol. I. Tit. VII. on the *Conversation and Apparel of Ministers*; and Archdeacon Bayley’s excellent *Charge to the Clergy of Stow* (A.D. MDCCCXXVII.), p. 44, note (g), p. 9.

If a clericus, duly shaven and shorn, were¹ made prisoner by the civil power, the dean rural was to intercede for his absolute and immediate liberation; or, at least, for his surrender to the custody of the church:—“*Si clericus habens coronam vel tonsuram competentem, captus fuerit, sive fuerit notus sive ignotus, et literatus, moneantur captores, et detentores per decanum loci, ut eum liberè sine difficultate recedere dimittant; nisi fortè suspectus fuerit in manifesto delicto; et tunc exigat eum decanus loci, ut ei custodiendus dimittatur auctoritate domini episcopi: quod si negatum fuerit, admonitione præmissâ, eodem die nominatim excommunicentur, &c. &c.*” *Ex Constit. W. de Bleys, Wigorn. Episc.* (A.D. MCCXIX).—But when thus liberated by virtue of his clerical privileges, and the power entrusted to the dean by the bishop for that purpose, if the

CC. M. B. et H.
Vol. I. p. 571.

(¹) The council of Rouen (A.D. MCCXXXI.) can. XVIII. commands the civil power forthwith to declare the capture and imprisonment of clerks to the “*decanus loci sine moræ dispendio.*” *SS. CC. Tom. XIII. col. 1255.*

said *clericus* were found to be insufficiently “*tonforatus vel coronatus*,” he was to suffer condign punishment at the hands of the bishop “*pro incompetenti tonforatione vel coronatione.*” See the *Constitutions and Canons Ecclesiastical*, A.D. MDCIII. can. LXXIV. *Decency in Apparel enjoined to Ministers.*

CHAPTER V.

SUPERVISION OF CLERICAL CONVERSATION, AS TO LIFE AND MANNERS.

IT has been briefly noticed at the commencement of our remarks on the inspectionary duties of deans rural in relation of the priesthood (*sect. v. c. 1.*), that they were to forbid the appearance of the clergy at any *indecent sports and plays*.

Upon this point, the *Constitutions* of Walter de Cantilupe, bishop of Worcester (*A.D. MCCXL.*), have an express canon—one among many declaratory of those duties and observances which concerned propriety of conduct in the clerical order, and were ceded to the more especial scrutiny and correption of the archdeacons and deans of the diocese. The canon alluded to bears the title—“*Ne clerici intersint ludis inhonestis;*”—and prohibits in detail, “*Ne clerici intersint ludis inhonestis, vel choreis, vel ludant¹ ad aleas, vel taxillos; nec sustineant ludos² fieri de rege et reginâ, nec arietes levare³,*

CC. M. B. et H.
Vol. I. p. 673.

(¹) “*Ludere ad aleas vel taxillos*”—Angl. *to play at dice*. See Strutt’s *Sports and Pastimes*, B. IV. c. II. p. 230.

(²) “*Ludos fieri de rege et reginâ*”—Angl. *to play at cards*, as Duncange thinks, who cites the words of the canon, with this remark—“*Videtur innui ludus quem vulgò Chartarum dicimus, siquidem eâ ætate notus fuerit.*” See Strutt’s *Sports and Pastimes*, B. IV. c. II. pp. 240, seqq., and the *Canons and Constitutions* of MDCIII. can. LXXV. where the clergy are forbidden to spend their time “*in aleâ, chartis pictis, tesseriis, aliisque ludis illicitis, &c.*”

Glossar. Tom. IV.
col. 154.

*Sparrow’s Col-
lection*, p. 342.

(³) “*Arietes levare.*”—In Kennett’s opinion, “*arietum levatio*” was the

nec palæstras publicas fieri, nec gildas inhonestas; et præcipuè mercatorum et peregrinorum, quas omninò fieri prohibemus, per quæ multa novimus pericula provenisse."

Brown's *Fasciculus Rerum*, in *Append.* pp. 382. 413.

Again—in the diocese of Lincoln, about the same time, we find the illustrious prelate who then presided over that see, Robert Grosseteste, urging upon the same functionaries, by letter, continual vigilancy, in order to put a stop to these and such-like laxities:—" *Faciunt etiam, ut audivimus, clerici ludos quos vocant miracula* ¹; *et alios*

the same as running at the *quintan* or *quintal*; for which see his *Glossary* at the end of *the Paroch. Antiq.* Vol. II.; also Ducange in *vv.* Tom. I. col. 389. with a sketch of this sportive exercise; and see Strutt's *Sports and Pastimes*, B. III. pp. 89, seqq. Pl. IX. X. XI. XII.

Kennett's *Glossary*.

Church History, L. III. p. 65.

Richard de Bardney.

This customary English sport, practised usually at weddings, was either so ludicrous or so dangerous, that it was often forbidden by ecclesiastical authority:—as in the diocese of Lincoln (*A.D.* MCCXXXII.); of Worcester, in the text; of Durham (*A.D.* MCCLV.); besides a constitution of that great preserver of discipline, Bishop Grosseteste—so called, as the facetious Fuller tells us, "from the greatness of his head, having large stowage to receive, and store of brains to fill it." "*Roberti titulus, nomine Grande Caput.*"

Vit. Abbat. ad Calc. Hist. p. 56.

Pegge's *Grosseteste*, p. 118. note (c).
Warton's *H. of E. P.* Vol. IV. p. 150.

(¹) "*Miracula*"—miracle-plays, or miracles, as they were commonly called—spectacles representing the lives of saints and the most eminent scriptural stories—" *Miracula vulgaritèr appellamus*," says Matthew Paris: and we learn from Chaucer, that, in his time, plays of *miracles* were the common resort of idle gossips in Lent. See Warton's *Hist. of English Poetry*, Vol. II. pp. 69, seqq. 8vo. Edit. Clerks were not only often concerned in them, but they were acted in churches and churchyards, down to the time of the Reformation, and were revived by Mary I. as an appendage of the papistic worship. See also Strutt's *Sports and Pastimes*, B. III. c. II. pp. 116, seqq. Mr. Warton assigns the probable rise of them to a very early period. See *Hist. of English Poetry*, Vol. III. § XXXIV. pp. 193, seqq.

ludos quos vocant inductionem Maii¹, festum Autumni²; et laici scotales³; quod nullo modo vos latere possit si vestra prudentia super his diligentèr inquireret."

With such keenness of scrutiny was the inquisition of the lives and manners of the nobility and commonalty, as well as clergy—all ranks and grades, from the highest to the lowest—carried on by the archdeacons and deans rural of this most excellent and energetic disciplinarian, at the instigation of the two orders of predicant friars of his diocese, that it was deemed a fit subject of complaint

Kennett's *Parochial Antiquities*, Vol. I. p. 336.

Brady's *History*, p. 597.

(¹) "*Inductionem Maii*"—May-day games—Carpentier *in voce* *Glossar. T. VIII. col. 1126.* *Maium*, "*usus erigendi arborem, primo die mensis Maii in compitis, vel ad ædes puellarum, &c.*" It was customary for the priest and people to go to some wood on May-day morning, and return, in a sort of triumph, with a May-pole, boughs, flowers, garlands, and such-like tokens of the Spring. See *Maii Inductio* in Cowel's *Law Dictionary*.

(²) "*Festum Autumni*"—answering, probably, to the modern harvest-home festival. Bishop Grosseteste enjoined his chapter of Lincoln not to permit, on New-year's day, the "*festum stultorum*," the feast of fools, to be played, as it was a vain and filthy thing. *Epist. p. 331.*

(³) "*Scotales*"—Johnson says these "seem to have been public computations, at the charge of some, for the benefit of others." Archbishop Edmund (*A.D. MCCXXXVI.*), in his *constitutions*, forbids the clergy to publish *scotales*. And, if any priest or clerk were guilty of such publication ("*bannum scotalorum*") or were present at *scotales*, he was to be canonically punished. *Can. VI.* Spelman glosses "*Scotala, scotalia, scotalium, scotal, et scotales—Juxta quosdam est computatio emungendæ pecuniæ gratiâ, vicinis advenisque à quolibet exhibita. Quasi dictum à scot, i. pecunia, et ale, i. cervisia: quod inverso vocabulo alii an ale-shot nuncupant.*" See Blount's *Ancient Tenures* by Beckwith, p. 509. *Eccl. Laws, V. 11. MCCXXXVI.* *CC. M. B. et H. Vol. I. p. 636.* *Gloss. Archæol. p. 506. in voce.* It is ever desirable to point out any evidences of connexion between the Anglican and Asiatic or elder Greek church:—these very computations are forbidden in the fifty-fifth canon of the council of Laodicea—*ὅτι οὐ δεῖ ἱερατικούς ἢ κληρικούς ἐκ συμβολῆς συμπόσια ἐπιτελεῖν, ἀλλ' οὐδὲ λαϊκούς.* See Balsamon *in loco*. *Beveregii Synodic. Tom. I. p. 418.*

Pegge's *Life of
Grosseteste*,
p. 148

to the king, as an insupportable grievance and imposition upon the liberty of sinners; and the king, by the advice of his council, interposed and stopped the inquisitorial proceedings.

But how much the religion and good discipline of the diocese was asserted by the vigilance and activity of this exemplary bishop, aided by his spiritual deputies, the archdeacons and deans of his extensive jurisdiction, appears from the declaration which he himself made before the Pope and cardinals of Rome, on the occasion of his answer to the appeal of the knights Templars. See Wharton's *Anglia Sacra*, Tom. II. p. 347. and Kennett's *Parochial Antiquities*, Vol. I. pp. 343–44.

*Stat. Synod.
Dioc. Audomar.*
Tit. XVII. c. XI.
p. 80.

*SS. Rotomag.
Prov. P. II.*
p. 345.
*Synodi Abrin-
censes.*

The council of Saint Omer (*A.D.* MDLXXXIII.—MDCXL.) prohibits pastors and their deans to join *clubs* and *confraternities in banquetings*—such being interdicted to all ecclesiastics; and that of Avranches forbids the clergy generally the pursuit of *field-sports, hunting, the use of fire-arms* and other *offensive weapons*, on pain of suspension *ipso facto*; and commands the rural deans of the diocese to have a watchful eye to such offences and offenders, and to inform the bishop of them (*can. VII. A.D.* MDCXCIII).

Not only were the deans to see that the clergy, entitled to the distinction of *crown* and *tonsure*, canonically observed them;—not only to enforce them on the refractory and disobedient with their own hands;—but, in case of any members of the priesthood being, in any flagrant instances, guilty of behaviour proscribed by the

church—*juggling, stage-playing, buffoonery*—such as was disgraceful to the sacerdotal distinction of *crown and tonsure*—the deans and higher officers were again and again ordered to deprive them of it.

It had been early enacted, for instance, that no "*clerici*" should be "*joculatores, Goliardi, seu bufones,*"
" et si per annum illam artem diffamatoriam exercuerint, omni privilegio ecclesiastico sint nudati &c." Accordingly the *Constitutions* of the council of Sens (*A.D. dccccxv.*) decree, "*Quod clerici ribaldi*" (*Juglers, Spelman. gl. in v.*)
" maximè qui vulgò dicuntur de familiâ Goliæ per decanos Christianitatis tonderi præcipiantur, vel etiam radi, ità quòd eis non remaneat tonsura clericalis : ità tamen quòd sine periculo et scandalo ista fiant." The same canon is repeated, *totidem verbis*, in the council of Rouen (*A.D. MCCXXXI.*) *can. viii.* ; of Chateau Gontier (*A.D. MCCXXXI.*) *can. xxi.* ; and again at Sens (*A.D. MCCXXXIX.*)—*See Spelman. Gloss. pp. 264. 487–88. and Ducang. Gloss. Tom. iii. col. 502. Tom. vi. col. 794.*

Thef. Anecdot. Marten. Tom. iv. col. 727.

SS. CC. Tom. xi. col. 788. CC. Rotomag. Prov. P. i. p. 135.

SS. CC. Tom. xiii. col. 1253. Mansi Suppl. ad SS. CC. Tom. ii. col. 1057.

Mountebanks, it seems, were commonly employed at the festivities attendant on marriages, and such-like merry meetings, in the thirteenth and fourteenth centuries ; and the clergy too often prostituted their sacred profession to a participation of such absurd fooleries : connected with which there is a curious canon in the *instructions* for regulating the *decanal* office of the diocese of Liege (*A.D. MCCLXXXVII.*)—not prohibitory of these *revelries* altogether, but of the custom of sending the *jugglers* to be paid for their exhibitions before the dean's friends and relatives, out of the pockets of the inferior clergy of the *deanries*—*Can. xviii.* "*Decani pro nuptiis consanguineorum suorum non mittant presbyteris suis sub-*

Thef. Anecdot. Marten. Tom. iv. col. 858.

ditis joculatores remunerandos, nec presbyteri suis subditis vel sociis, nec clerici clericis, &c."

*Vet. Scriptor.
Coll. Martene &
Durand, Tom.
VII. col. 113.*

The council of Treves (A.D. MCCXXVII.), in a canon devoted to deans rural, enjoins, "*Quòd decani accusent vel deferant nobis vel officiali nostro omnes sacerdotes vel clericos lusores et tabernarios, fornicatores manifestos, et celebratores clandestinorum matrimoniorum, et usurarios, et negotiatores:*" and orders the clergy to make the like presentments of peccant deans. Nearly the same general ordinance "to all and singular archpresbyters" was imposed by the *synodal statutes* of the church of Autun, for strenuous and diligent execution, towards the close of the same century—"Quòd eum omni solertiâ et curâ adhibitâ diligentèr inquirant, et subtilitèr investigent ab archipresbyteratibus suis, si sint aliqui sacerdotes aut clerici lusores, tabernarii, negotiatores, secum suspectas mulieres tenentes, et præcipuè incontinentis vitæ. Quos autem tales invenerint, eorum nomina nobis aut officiali nostro, quàm citiùs potuerint, mittere non postponant." See also a canon of the synod of Constance (A.D. MCCCCLXXXI.), "*Contra presbyteros mercatores,*" in the latter part of the *Rouen Collection of Councils*, p. 571.

*Thefaur. Anecd.
T. IV. col. 478.
SS. CC. Tom.
XIX. col. 304.
can. XCIV.*

*CC. Rotomag.
Prov. P. II.
p. 107.*

The "*Injunctiones ad Decanos*" of the winter synod of Rouen (A.D. MDVI.) impress on these officers, "*Ut frequentiùs quàm fieri poterit visitent suos curatos; et quos invenerint malè viventes, informationes super hoc faciant, et assignent eis diem coram officiali.*" Also, "*Ne frequentent tabernas, sed exemplum benè vivendi tam in habitu, quàm moribus et conversatione suis subditis ostendant:*"—also, "*Ne pecunias accipiant directè vel indirectè*

à suis curai ; vel ab eis munera exigant ut eos sinistrè vivere permittant."

Lastly, the synod of Bois-le-duc (A.D. MDCXII.) charges the deans of Christianity and others, "*Ut publicos concubenarios, usurarios, simoniacos, aliosque notoriè criminosos presbyteros ab altaris ministerio arceant,*" upon pain of grave punishment.

*Stat. Synod.
Buscod. T. VII.
cap. III. p. 37.*

But of all *clerical transgressions*, there was none to which the watchfulness of rural deans was more sedulously directed than *incontinency*;—none, against which the councils of the church issued more frequent censures;—none, where negligence and connivance, on the part of deans and archdeacons, were more severely reprobated and punished. And, of course, in spiritual watchmen, expected and commanded to be keenly alive to the *carnal faults* of the inferior clergy, personal *chastity* was essentially required.

Accordingly, as early as the year DLXVII, we find the second council of Tours decreeing, in its nineteenth canon, an effectual mode of ensuring the *continence* of vicar archpriests, and of attesting the same to the church:—"*Archipresbyteri vicari, et diaconi, et subdiaconi, non quidem omnes, sed plures in hac suspicione tenentur à populo, quòd cum conjugibus suis maneant. Pro quâ re hoc placuit observare, ut quotiescùmque archipresbyter, seu in vico manserit, seu ad villam suam ambulaverit, unus lector canonicorum suorum, aut certus aliquis de numero clericorum cum illo ambulet, et in cellâ ubi ille jacet, lectum habeat pro testimonio. Septem autem inter subdiaconos et lectores, vel laicos habeat concessos, qui vicissim septimanas cum illo*

*SS. CC. Tom. VI.
col. 539.*

facere omninò procurent : et qui distulerit, fustigetur.— If the archpriests neglected the correction of the clergy (“*juniores suos*”) in this *crime of conjugal intercourse*¹, continues the same canon, “*ab episcopo suo in civitate retrudantur in cellam, ibique mense integro panem cum aquâ manducent, et pœnitentiam agant pro sibi credito clero, quia nulli clericorum, juxta sententiam canonum, cum conjugè suâ manere permittitur.*”

Ejusd. col. 644.

Again, the council of Auxerre (*A.D.* DLXXVIII.) enacts, in its twentieth canon—“*Si presbyter (quod nefas est dicere) aut diaconus, aut subdiaconus, post acceptam benedictionem, infantes procreaverit, aut adulterium commiserit, et archipresbyter hoc episcopo aut archidiacono non intimaverit, integro anno non communicet illi verò, qui hoc commiserint, deponantur.*”

SS. CC. T. XII.
col. 212.

Conc. Rotomag.
Prov. P. I. p. 56.

Lastly, the council of Rouen (*A.D.* MLXXII.) can. xv. under the same head, “*De clericis uxoratis,*” and “*Quales esse debeant decani,*” enjoins “*Ut tales decani eligantur, qui sciant subditos redarguere et emendare, quorum vita non sit infamis, sed meritò præferatur subditis ;*”—implying therein that exemplary *abstinence* was expected in the persons of the *deans* themselves.

To enforce clerical *celibacy*² in England, Archbishop

(¹) In the first three centuries, we hear of no injunction to celibacy ; nor, indeed, till the pontificate of Gregory the Great (near the close of the sixth century), was this absurd law universally received.

(²) Among the many proofs of the eastern origin of the British church, it is here pertinent to remark, that the early clergy of these isles—all the Anglican, and many of the elder Anglo-Saxon clergy—copied those of the Greek church, in *retaining their wives*. In the latter, even bishops were permitted to *keep their wives* till the council of Trullo (*A.D.* DCXII.), according to Balsamon ; and here in England, till the reign of Edgar, and

Johnson's *Pre-*
face to V. M.
Vol. II. p. cxiii.
& p. 6. *note.*
can. III.

Anselm, who regarded the *marriage* of the clergy as the most intolerable of all abuses, held a council at London (A.D. MCVII.), expressly directed *adversus incontinentes clericos*. Earlier attempts had been made by this prelate (A.D. MCII.), and by Lanfranc¹ his predecessor (A.D. MLXXVI.), by the *penitential canons* (A.D. DCCCCLXIII.), by Elfric (A.D. DCCCCLVII.), (the sin being equalized with murder, in its punishment, by the *penitential canons*) to impose *single life* on the English clergy. But, on the authority of Henry of Huntingdon, it had not been prohibited to them *generally to marry* till the tenth century. Afterwards—"when, by the attempts, and pressures, and tyranny, and arts of a hundred and thirty years' continuance, the clergy were driven from their *chaste marriages*," in the words of Jeremy Taylor,—

Wilkins's *LL. Angl. Sax. Eccl. & Civil.* p. 306.

Works by Heber, Vol. XIV. p. 138.

and the primacy of Dunstan, Mr. Johnson's says, "It is certain, that even those of the clergy who lived in monasteries had their *wives cohabiting* with them. And the chronicle of Winton informs us, how, after a long struggle, they were at last ejected by the miraculous voice of a crucifix, which yet was heard by none but the king and the archbishop." (Spelman. *Concil.* Vol. I. p. 492.)—Again, "When they, the clergy, were put out from their seats," in Bishop Burnet's words, "because they would not quit their *wives*, they were not *deprived* of sacred orders." . . . "In the Western church, *married* clergymen are noticed in many Spanish and Gallican synods; wherein bishops' and priests' *wives* are called *episcopæ* and *presbyteræ*." The reader, who may wish to see the subject of clerical *celibacy* discussed in a masterly way, is referred to Suicer *Thef. Eccles.* in v. Γάμος, coll. 725, seqq. ad 734. He will also find much valuable historical matter collected by the Rev. E. Pagitt, in his *Christianographie*, Part III. 4. *Marriage of Priests*, pp. 56, seqq.

Burnet's *Hist. of the Reformation*, Vol. I. p. 42. Vol. II. p. 187.

(¹) Lanfranc did not impose *celibate* on the clergy in the villages, but only on those that lived in towns, and on prebendaries. But Anselm carried it farther, and simply imposed it on *all* the clergy: yet himself laments, that sodomy was become then very common, and even public.

Burnet's *Hist. of the Reformation*, Vol. II. P. 11. B. I. pp. 187-88.

during the protracted struggle that thereupon ensued between men's natural rights and the arbitrary injunctions of the papacy and its emissaries, the interference of *Deans rural* on the side of inhibition was again and again called for. Nor, indeed, when the Pope had apparently established his *anti-matrimonial* decree, and got the clergy partially to yield unwilling submission to it (which they did, as a mere law of the church, founded on no law of the Gospel), could the papal veto be subsequently upheld without the continued vigilancy of our rural officers,—themselves advocates by compulsion of the canons of *celibacy*, and invested by the church with power to inflict punishment for every violation of it in the persons of their subject clergy.

Accordingly, the tomes of the councils at large contain some few mandates, and those of our own islands more particularly abound with instructions to *Deans*, archdeacons, and other ordinaries, not only on this head of proscribed *conjugal union*, but also on the vices consequent upon compulsory *celibacy*. For “the church was overrun with a deluge of *incontinence, fornication, adultery, and yet worse.*” Since “those,” in Fuller's emphatic language, “who endeavour to make the way to heaven narrower than God hath made it, by prohibiting what he permits, do in event make the way to hell wider, occasioning the committing of such sins, which God hath forbidden.”

Pegge's *Life of
Grosseteste*,
p. 41.

Church History,
p. 19. XII. cent.
III. B.

Wilkins's *LL*.
AS. supra.

But to return to Archbishop Anselm.—From a letter of Pope Paschal II. to the metropolitan, it is clear that¹

(¹) In the diocese of Sarum, in the commencement of the thirteenth century, *married* priests occur, fathers and sons, holding benefices in succession,

the clergy, in contempt of papal penalties, continued to marry—" *In Anglorum regno, penè major et melior clericorum pars*" are declared not only to be married, but, what is a much more extensive assertion, to be actually *the sons of priests*.—And the same was the case in France—where, as well as in England, extensive powers of dispensation were granted to the Pope's representatives, to make exceptions in favour of the clergy so circumstanced: while, at the same time, the laws of *celibacy* were to be more vigorously enforced for the future. Anselm took up the matter in good earnest, and under his primacy the *Deans rural*, as supervisors of clerical *chastity*, are bade, in the council already referred to (the first in which they appear in such a capacity in England, for *celibacy* was not enforced in rural districts before), to swear, "*Quòd pecuniam non accipient pro tolerandâ transgressione statuti ut clerici castè vivant;*" and non-compliance with the oath is made punishable, with the loss of their *deanates*. Again, under the title of "*ministri, quibus cum archidiaconis hoc incumbit*" (unless the reader would rather understand church-reeves than *Deans rural*), they are commanded by the seventh canon of Archbishop Corboyl's Westminster council (*A.D.* MCXXVII.), "*omni studio et sollicitudine ab ecclesiâ DEI hanc perniciem (scil.) contubernia mulierum illicitarum omninò eradicare.*" Suspension is threatened by the York canons of Hubert Walter (*A.D.* MCXCV.), if the *Deans*, by connivance, notify not to

CC. M. B. et H.
Vol. I. p. 378.
Thomassin. V. et
N. E. D. T. II.
P. II. L. I.
c. LXXXIV.
p. 251. VI. seqq.

CC. M. B. et H.
Vol. I. p. 410.

Ejusd. p. 502.

succession, without any notice of papal dispensation being granted to them, to capacitate them so to do. See *Vetus Registrum Sancti Osmundi penes Episc. Sarum*. The passage is more particularly referred to hereafter, under the head of "*Illegitimates.*"

their prelates the *carnal excesses* of the clergy; while the divine benediction is invoked on those who from zeal declare them. *Can. xvii.*

Dr. Brady's *Hist.*
of England,
p. 537. A.
Henry III.

Like vigilance is inculcated by the *constitutions* of Sarum (*A.D. MCCXVII.*), according to Dr. Brady—(but I do not find any such fact in any Sarum document of this date); of Durham (*A.D. MCCXX.*); of Edmund archbishop of Canterbury (*A.D. MCCXXXVI.*). Indeed, in all the canons (each pregnant with more severe restrictions than its forerunner) which passed the church at this period to promote the darling object of the papacy, the *celibacy*¹ of the clergy, rural deans and archdeacons were the constituted local watchmen of clerical *continency*. Nor, indeed, enlightened as was Bishop Grosseteste of Lincoln, and inclined on other points to contest the tyrannical interference of the papal court, did he on this particular subject shew more illumination than his contemporaries;—it being the reigning opinion of the day, that even the *conjugal duty* was not consistent with perfect sacerdotal purity.

Having enforced the standing order of *celibacy* in his diocese, Grosseteste had to contend with the abuses and immoralities consequent upon it: and accordingly, in one of his many letters to his archdeacons, preserved by

Church History,
c. XII. B. III.
p. 23.

(¹) Fuller tells us the clergy of the diocese of Norwich were particularly adverse to the project of priests' *divorces*, and in the same degree, we may suppose, troublesome to the *decanal* supervisors of morals. “Indeed Norfolk men are characted *in jure municipali versatissimi*,” says the witty historian, “and are not easily ejected out of that whereof they have had long prescription, and present possession: no wonder therefore if they stickled for their *wives*, and would not let go a moytie of themselves.”

Mr. Brown in his valuable *Fasciculus*, we find him animadverting on these officers for allowing the clergy to have intercourse with *focariæ*¹:—“*Habent sacerdotes plurimi suas focarias, quod et hî nos et nostros lateat cum inquisitionem super hujusmodi fieri facimus, his per quos sunt inquisitiones, perjuria non timentibus, non debet tamen vos sic latere qui præsentialitèr super eos tam per vos quàm per decanos et bedellos vestros continuè vigilare tenemini.*”

Fasciculus Rerum in Append. p. 382. Epist. 107.

In the diocese of Constance (A.D. MCCCCLXXXI.) fen-

CC. Rotomag. Prov. P. II. p. 571. Synodi Constantiensis.

(¹) “*Focariæ ita dictæ sunt, ut placet Somnero in gloss. à curandis focus: hîc autem, ut videtur, ad alijsmodi ignes extinguendos aiebantur à sacerdotibus istius ævi—(et cujus quidam non, ubi tam nefariè prohibitum eis fuit sanctum matrimonium?)*”—See Ducange and Spelman in voce—and Bishop Gibson’s *Codex (Lawful Marriage of Priests in our Reformed Church)*—“Not to mention,” says he, “the abominations detected by the commissioners for visiting of religious houses *temp. Hen. 8., I will produce one more impartial evidence, viz. the acts of the metropolitanical visitation of Archbishop Wareham; in which we find, that in the two dioceses of Bangor and St. David’s, above eighty priests were actually presented for incontinence.*” But what is this to the boast of a certain prelate recorded by Henricus Cornelius Agrippa—“*De quo legimus gloriatum in convivio, habere se undecim millia sacerdotum concubinariorum, qui in singulos annos illi aurum pendent?*”—The reason why the ruling powers encouraged concubinage, rather than marriage, was this, he tells us—“*Quia ex concubinis proventus illis est amplior.*”

Brown, not. marg. in loco citato.

Codex I. E. A. Vol. I. T. XXII. cap. XIV. p. 438. note

De Incertitudine et Vanitate Scientiarum, c. LXIV.

The incontinent clergy might fairly ascribe some part of their vicious habits to their ruling superiors, if in the *decretals* of Gratian (which, though nearly all surreptitious, are upheld in credit by the papacy) it be actually laid down, as is reported, on an alleged authority of a council at Toledo, “*Qui non habet uxorem, loco illius concubinam debet habere.*” D. 34. Ed. Paris, MDXIX. My edition, however, I must confess, reads, “*Ut unius—mulieris, aut uxoris, aut concubinæ sit conjunctione contentus.*”

tence of excommunication *ipso facto* passed the synod “*contra presbyteros notoriè concubenarios et tenentes penes se focarias;*” and a strong injunction was laid on the Deans of the country to denounce all such to the constituted ecclesiastic authorities, on pain of excommunication. But the continental Deans do not appear to have had their attention very frequently or forcibly directed to the support of *celibate-canons*. Either the clergy abroad were less *uxorious* than our infular ecclesiastics, or, being more in awe of papal edicts and anathemas, more effectually subdued their natural desires, in compliance with his holiness’s will and pleasure. Certain it is, they gave very little trouble to the local ordinaries (as far at least as we can judge from the almost entire absence of canons directed to the point in the councils of Europe) on the score of *incontinency*. But in England the case was altogether different. The customs of the Greek church (originally introduced here by St. Paul or other apostolical missionary), in respect of clerical *marriage*, were never so completely eradicated as to admit, generally and without resistance, the opposite, unscriptural usages of the Latin church: and thence the necessity of the frequent repetition of canons enforcing *celibacy*, and the oft-recited admonitions to Deans rural to apply them with the utmost rigour. See Suicer *in voce* Γάμος, and Beveridge *ad can. v. Apostol. in Pandect. Canon.* Vol. II. p. 18, on the *lawfulness of marriage* in the Greek clergy.

The earliest penalties inflicted on the clergy of England for *incontinency* may be seen in the *Penitential Canons* (supposed to have been compiled by Dunstan) published by Wilkins, under the title of *Canones editi*

sub Edgardo rege—(A.D. DCCCCLX.)—*cann.* XXX.—XXXI. The punishments, subsequently, varied at the whim and caprice of the Pope and his partisans; but whatever they were, the *deans rural* (as soon as those officers were instituted) were generally concerned in their due enforcement.

Suspension and excommunication were frequent punishments of the guilty clergy. But, let their delinquencies be as heinous as they might, it was enacted by W. de Cantilupe, in his *Worcester Constitutions* (A.D. MCCXL.), and by the *Synodal Statutes* of Woodloke of Winchester (A.D. MCCCVIII.), that the churches were not to be suspended by the *deans*, or superior ordinaries, from the celebration of divine service, while the delinquents themselves could be made amenable, for professional transgressions, in their proper goods and persons, by distraining and sequestration, by suspension and excommunication. Indeed, these enactments were of general interpretation, applicable to clerical misdemeanours of whatever kind, and not to *incontinency* alone. But if the *deans* allowed any of their subject brethren, so suspended, or who had been a second time guilty of *incontinence*, after penance once accepted, again to officiate—resuming their holy calling without prohibition—then the officers themselves were to be suspended, *ipso facto*, by the Winton council. And lastly, if they commuted the quality and degree of penance enjoined, or varied it for the sake of extorting money from the guilty, more readily, by such iniquity, they were to restore twice the sum out of their own pockets, and to suffer other grave punishment.

CC. M. B. et H.
Vol. I. p. 673.

Vol. II. p. 300.

Matth. Paris,
Hist. Angl.
A. D. MCXXV.

Church History,
Cent. XII. B. III.
p. 23.

J. Taylor's *Rule*
of Conscience,
Works, V. XIV.
p. 138.

Matth. Paris, Lib.
VII. p. 219.

Scriptores post
Bedam, p. 384.
Dr. Brady's
History of Eng-
land, Henry I.
p. 269. F.
Southey's *Vin-*
dicie E. A.
p. 308.

But enough of clerical *celibacy* and its consequences—of the canons and constitutions for its support, and the penalties for its infraction. ¹ The conduct of Cardinal John de Crema, the legatine advocate under Pope Honorius II. of the wickedness of marriage in the priesthood (for he came to England “with his bigness and bravery,” says Fuller, “to bluster the clergie out of their *wives*”), we are told, “not a little advantaged the reputation of *married* priests;” inasmuch as it proved, by a flagrant example in his own person, the unfitness of such *celibate-canons* to the condition of humanity. And “God being long provoked by the impurest services of *concubinage*, awakened Christian princes” ²

(¹) “*Cùm igitur in concilio severissimè de uxoribus sacerdotum tractasset, summum scelus esse à meretricis latere*” (“so he called a priest’s wife,” says Ephraim Pagitt, *Christianographie*, P. IV. p. 59”) “*corpus Christi faciendum surgere, cum eadem die corpus Christi confecisset, cum meretrice post vesperam interceptus est.*” “The great honour wherewith he was everywhere received,” subjoins the “parson of the church of Saint Edmond the King, in Lombard-street,” “was turned into great shame, and he stole home, through the judgement of God, confounded and ashamed.”

(²) King Henry I. having been petitioned by the bishops in council to support the canon of *celibacy* in ecclesiastics, instead of endeavouring to enforce with rigour a law so much at variance with the natural feelings of mankind, converted it into a fiscal advantage, and, “taking upon himself what may be called the popely privilege of selling indulgences,” granted to the clergy of the realm the society of their *wives* upon the payment of a certain composition and yearly tax—“*accepit enim rex pecuniam infinitam de presbyteris, et redemit eos.*” says Henry of Huntingdon;—the deans rural, probably, continuing their wonted surveillance during the sale of these royal licences, so as to prevent any ecclesiastic availing himself of the indulgence unless he duly purchased it

and priests, into liberty, and holiness, and reformation.”

it of the king's treasury by the payment of the established *wife-composition*. Upon some terms or other, it is certain, the priests were at this time in a state of *marriage*, and “so continued,” Mr. Pagitt affirms, “in the time of Archbishop Theobald, of Thomas Becket, Richard Baldwin, Stephen Langton, Richard, Edmond, Boniface, Peccham, and others, during well neare 200 yeares after Anselm's death.”

Christiano-graphie, Part IV. p. 59.

CHAPTER VI.

SUPERVISION OF THE SPIRITUAL MINISTRATIONS OF THE CLERGY.

Dr. Field of the
Church, B. v.
p. 507.



IN “the continuall circumspection of archpresbyters rural,” in the dean of Gloucester’s language, “in looking to the *life and conversation* of the presbyters, dwelling in the lesser titles,” we have said sufficient.—Our next extracts have to do with them as inspectors of the *spiritual ministrations* of their subject clergy: the observance of the *canonical hours* of public worship—compliance with the rubric of the day, in *preaching* and *prayer*—in the performance of the *special services* and *ordinances* of the church—in *processional rogation*, and such-like *rural ceremonies*. By attention to all which particulars of sacerdotal duty, the local prelates were enabled “to shew unto their diocesan with what diligence each of the presbyters performed the work of God”—a principal object of their delegate overseership.

Ibidem.

Bingham’s *Eccl. Antiq.*
B. XIII. c. X.

The rural deans were to impress upon the parochial clergy the observance of *canonical hours*¹;—which, besides

(¹) See *Conc. Cloveshov.* can. xv. (A.D. DCCXLVII.); *CC. M. B. et H.* Vol. I. p. 97; *Excerpt. D. Ecgbert.* xxviii. (A.D. MCCL.) p. 103; *Cann. Aelfrici*, c. xix. (A.D. DCCCCLXX.) p. 252; *Macri Hierol. ex.* in v. p. 312; Van Espen’s *Dissertatio Canonico-historica de Horis Canonicis*; Bingham’s *E. A.* loco citato; and particularly Palmer’s *Antiquities of the English Ritual*, Vol. I. pp. 202, seqq., a work which should be in the hands of every clergyman.

the *morning* and *evening prayer*, (otherwise called *matins* and *vespers*), were the *first*, the *third*, the *sixth*, and *ninth hours*, with the *completorium* or *bed-time*: or, as the times are divided by Mr. Whitaker according to modern acceptation, the *horæ canonicæ* were *three* and *six* in the *morning*, *nine*, *twelve*, and *three*, the *evening*, and *midnight*.

History of Manchester, Vol. II. p. 417.

Amongst the *irregular practices* of the clergy of his day, the non-observance of these *canonical hours*, in their church services, is noticed by Bishop Grosseteste, in a letter to the archdeacon of Lincoln (*Epist.* 107—before referred to) as deserving correction by his *decanal* and *apparitorial ministers*—“*Plurimi sacerdotes*,” he writes, “*DEUM non timentes, nec homines reverentes, horas canonicas aut non dicunt, aut corruptè dicunt, et id quod dicunt, sine omni devotione aut devotionis signo, immò magis cum evidenti ostensione animi indevoti dicunt; nec horam observant in dicendo, quæ commodior sit parochianis ad audiendum divina, sed quæ eorum plùs consonat libidinosæ desidiæ*” &c.—which things, the good prelate adds, ought not to escape the watchfulness of the archdeacon, ever presentially inspecting the manners of the clergy and laity by means of his *deans rural* and *apparitors*—“*prælia*

Brown's *Appendix ad Fascicul.* p. 382. *Opuscula Quædam R. Grossetest Episc. Lincoln.*

The church of England, at the revision of our offices in the reign of Edward the Sixth, only prescribed public worship in the *morning* and the *evening*; and in making this regulation she was perfectly justified: for though it is the duty of Christians to pray continually, yet the precise times and seasons of prayer, termed *canonical hours*, do not rest on any divine command; nor have they ever been pronounced binding on all churches by any general council: neither has there been any uniformity in the practice of the Christian church in this respect.

Palmer's *Origines Liturgicæ*, Vol. I. p. 204.

*domini fortiter præliantes, et inordinata prædicta et similia ad ordinem reducentes*¹, &c.”

Brown's *Fasci-
culus Rerum*,
p. 427.

The same *inattention* to the *appointed hours* of divine worship Cardinal Campegio accumulates on the catalogue of ecclesiastical abuses, which he purposed to reform in his Ratisbon *Constitution* (A.D. MDXXIV.),—arming ordinaries with power to punish such violations of discipline, according to the degree of guilt, either by diverting the received profits of the benefice from the delinquent's own use to that of the church or poor ; or, in case of his obstinate perseverance in the same fault, of altogether depriving him of it. And this they were to effect by the instrumentality of their archdeacons and deans rural.—“*Cum beneficia propter officia juxta patrum sanctiones dari consueverunt, fierique vix possit, ut in tantâ præbendatorum catervâ non reperiatur, qui officii oblitus horas negligat canonicas : hinc statuentes volumus et ordinamus, ut locorum ordinarii per archidiaconos et decanos de hujusmodi sacerdotibus negligentibus, sese diligentèr edoceant, et secundum uniuscujusque negligentiam atque desidiam fructus perceptos, vel in utilitatem ecclesiæ, vel in usum pauperum vertant. Quòd si post legitimas monitiones et simul primam correctionem, in eandem negligentiam, quæ dissolutæ profusus mentis indicium est, quis relabatur, tum beneficio etiam*

Ms. Registr.
Sancti Osmund
di fol. 40. penes
Episc. Sarisbur.

(¹) If the chanters of the cathedral church of Sarum were too often absent from these *horæ canonicæ*, or, in other words, from divine worship, the *Constitutions* of Bishop Osmund enacted, that they should seek pardon of the dean and chapter, *prostrating themselves* before them:—and if they did not amend under correption, they were to be degraded, and to submit to penance “*in choro ultimi puerorum secundum quantitatem delicti.*”

ecclesiastico privetur: collatorique vel patrono de alio idoneo providendi aut præsentandi sit potestas."

Lastly, the synod of Antwerp (A.D. MDLXXVI.), under the head *de divino cultu*, has several injunctions respecting the observance of *horæ canonicæ*,—commanding the deans rural “*Ut diligentè inquirant contra negligentes, eosque ad episcopum deferant, maximè quos deprehendent celebrare non lectis horis:*” and at a later period (A.D. MDCX.), summarily decreeing—“*Beneficium simplex obtinens, habitum clericalem gestet, horas canonicas legat, oneribus missarum, et aliis si quæ incumbunt, satisfaciat; eorumque omnium legitimum testimonium Decano rurali exhibeat alioquin fructus non faciat suos.*”

Stat. Synod. Diœc. Antverp. p. 235.

Decret. Synod. Diœc. Antverp. Tit. XVIII. c. XXI. p. 334.

To the non-observance of *horæ canonicæ* we may subjoin, from the fore-cited letter of “Seynt Roberd” of Lincoln, and other authorities of recenter times, a few *uncanonical practices*—deviations, it may be, from the various rubrics of the day—in respect of *preaching* and *confession*, pointed out to the correction of deans rural:—

“*Sunt quidam rectores et vicarii et sacerdotes, qui non solum audire fastidiunt prædicatores fratrum utriusque ordinis, sed, sicut possunt, ne audiat eos populus prædicantes, aut eis confiteatur, malitiosè præpediunt: admittunt etiam, ut dicitur, prædicatores quæstuarios ad prædicandum, qui solum talia prædicent qualia nummum meliùs extrahunt,*” &c. Whereas, the bishop adds, he allows no *questuary preachers*¹, but only the parochial ministers

Brown's Fasciculus Rerum in Append. p. 382.

Pegge's Life of Groffetele.

(¹) “*Si aliquis de quæstuariis philaterias suas ostenderit populo, ad faciliùs extorquendam pecuniam, capiatur, et cum suis philateriis adducatur ad officialem, &c.*” (*Præcepta Decanis facta, A.D. MCCXLV.*)

CC. Rotomag. Provinc. P. II. p. 79.

to open and explain the service in few words:—and therefore he urges his archdeacon (“*per decanos et bedellos*”) to purify the temple of God of all such pollution, to induce the people to pay devout attention to the *licensed preachers*¹ of the orders of Friars, and to confess to them with all humility, to admit no *questuaries* to their pulpits, and lastly to prevent, as much as possible, all intercourse between Christians and Jews.

Decreta Concilii Provincial. Cameracensis, Tit. II. cap. VI. p. 8.

Tit. XIX. c. XII. p. 78.

Stillingfleet's *Ecclesiastical Cases*. Vol. I. pp. 16, seqq.

Objections of Frères, c. XIX. M8. Lewis's Essay on Suffragan Bishops, pp. 7, 8.

Such pastors as either cannot, or will not, *preach*, or, by their *preaching*, do more harm than good, within the diocese of Cambrai, are presentable by *deans rural*; who are specially charged to see that the clergy of the province fulfil their duties of *preaching, administering the sacraments, &c. &c.* “*Decani Christianitatis,*” says the provincial council (A.D. MDLXXXVI.), “*referant episcopis aut eorum vicariis, si quos deprehenderit pastores, vel ob imperitiam, vel ob negligentiam à prædicatione verbi DEI abstinentes, et longè magis, si quos noverint, qui suis prædicationibus magis destruant quàm ædificent.*”——“*potif-*

(¹) Compare with this Lincoln canon, the forty-ninth of our *CC. Eccles.* of MDCIII. “*Ministers, not allowed preachers, may not expound.*” The *preaching* friars of Grosseteste’s days were a sort of licensed preachers, who had no cure of souls, but were still accounted a kind of pastors—authorized “*jure communi,*” or rather “*privilegio speciali,*” to teach the people, not only in the churches but “*in plateis publicis*”—to the entire superseding of the parish priests; who are described in a provincial constitution of the reign of Edward I. as being “so ignorant and stupid that they rather made the people worse than better.” Bishop Grosseteste is said to have been a great friend of the *predicant* brethren of the extensive diocese of Lincoln.

These friars, it seems, were sometimes ordained as *chorepiscopi* or *suffragans*. “*Frères,*” says a writer about A.D. MCCCLX, “ben made bishops, to go and preche and convert heathen men, and leave this ghostly office and be *suffragans* in England.”

simùm autem observent Decani ut pastores in prædicatione verbi DEI, sacramentorumque administratione, ac in cæteris omnibus suo muneri satisfaciant."

The *Synodal Instructions* of the province of Rouen contain a few useful precepts for the decent and regular administration of the *special services* of the church, addressed to *Deans rural*—*ex. gr.* those delivered to the *Deans in scriptis*, after the winter synod of the year MCCXLV.

—“*Præcipiant Decani presbyteris, ut ante statutum tempus ab ecclesiâ, maximè pecuniæ interventu non recipiant mulieres ad purificationem¹, nisi de licentiâ officialis aut archidiaconi.*”

Præcepta Decani Facta &c. ex CC. Rotomag. Provinc. P. II. p. 78.

Again—“*Ut mulieres desponsatæ non recipiantur ad missam eo die quo fuerint desponsatæ: sed secundâ, vel tertiâ die.*”

Again—“*Quòd presbyteri diligentèr singulis diebus Dominicis denuntient in suis ecclesiis, secundum quod de novo est statutum in synodo, quòd per fidem datam per verba de futuro; nullatenùs audeant contrahere volentes se carnaliter commiscere, donèc banna fuerint completa, ne appareat aliquis contradictor,*” &c. &c.

Again—“*De sacramento matrimonii*”—the synod of Tournay (*A.D.* MDLXXIV.) decrees, that, if both contracting parties be of the same *Deanry*, they may be joined together in *wedlock* without a *Decanal* licence,—on a proper declaration of the publication of banns by the

Decreta Synodi Tornacensis, III. p. 18.

(¹) The mothers of illegitimate children having been improperly admitted to *purification* in the church, in the diocese of Bois-le-Duc, it is forbidden to all priests, by the synod of MDCXII, “*Sub pœnâ suspensionis, quam eo ipso incurrant, mulieres, quæ ex illicito concubitu pepererunt, ad purificationem admittere, nisi facultate ab archipresbytero loci ad hoc literariè obtentâ.*”

Stat. Synodi Buscoducens, T. IV. c. II. p. 21.

respective *parochi*, the one to the other;—but if the parties be of different *deanries*, the letter of the *dean* is required before the *marriage ceremony* can be performed by either *parochus*:—“*Si vero diversorum decanatum fuerint contrahentes,*” says the third canon on the sacrament of matrimony, “*non nisi receptis prius sui decani literis ad affidationem procedat parochus.*”

CC. M. B. et H.
Vol. iv. p. 146.

An irregularity in the sacrament of the *mass*—(the administration of two *masses* in one day)—is pointed at in the diocese of Gloucester as meet for presentment to the bishop by *deans rural*.—*Touchinge the clergie*, can. xiv., it is enacted by Cardinal Pole, or rather by his sub-delegate, the bishop of Gloucester, in his *Injunctions* to the diocese (A.D. MDLVI.); “That every *deane* shall signifie unto his ordinarie onse every quarter, at the least, the names of suche priests as for lucre useth to say two *masses* in one daie, contrarie to the canons in that case provided.” And the like irregularity is forbidden by Gaspar Nemius to be any longer *licensed* in the diocese of Antwerp (A.D. MDCXLII.)—the *deans rural* being the publishers of the authoritative revocation of all licences, already granted to any of the parochial clergy, that might seem to countenance such *sacramental abuses*.

Decreta Synod.
Antwerp.
A.D. MDCXLII.

SS. CC. Tom.
xix. col. 1394.

In the diocese of Cologne, we learn from the twenty-fifth canon of the second council (A.D. MDXLIX.)—“*De processionibus ruralibus (in quibus sacra hostia cum imaginibus sanctorum circumfertur)*”—that it was committed to *deans rural* to exhort the clergy “*per suas regiunculas*” to conduct these much abused *country processions* according

to the canon of the church:—“*Nec vagi et incompofiti per agros difcurreant, et præfertim Rogationum tempore, quandò DEUM pro mifericordiâ et frugum confervatione imploramus; transgredientes pastores aut ipfi in fynodis fuis corrigant aut vifitatoribus noftris indicent*”—fays the cited ordinance:—which is again followed by others, enforcing on the clergy obedience to their DEANS in these and all lawful matters;—commanding the epifcopal vifitors not to allow difobedience to go unpunifhed;—and yet farther threatening all fecular magiftrates with excommunication, who fhould dare to obstruct the fpiritual police in the execution of their duty. See alfo *Decreta Synodalia Dom. Maximil. Hen. Arch. Colonienfis, Tit. vi. De proceffionibus &c.*

*Statuta Synodal.
per Nicol. Epi-
fcop. Harlem.
A.D. MDLXIV.*

The “*Nova Præcepta*” of the archbifhop of Rouen (*A.D. MCCLXXVIII.*) charge the presbyters, “*Ut quotièns dubium erit quandò aliqua jejunia vel proceffiones inftitutæ fieri debent, ficut in die Sancti Marci, recurrant ad Decanum loci, et fine ejus confilio ea facere non præfumant.*”

*CC. Rotomag.
Prov. P. II. p. 85.*

The council of Noyon (*A.D. MCCCXLIV.*) commands the local ordinaries to put an end to hiftrionic fports and idolatrous proceffions;—“*Joculatores five hiftriones de novo candelas cereas tanquàm res facras deferunt, et nituntur proceffionalitèr portare, populum ad ydolatriam inducendo &c. Quod nos de cætero fieri prohibemus.*”—The archbifhop of Malines bids the DEANS rural inquire at vifitation—“*An non irreperint in ecclefiis aliqua fupertitiofa et vana, in cæremoniis, proceffionibus, peregrinationibus, imaginum et reliquiarum ac fanctorum veneratione, quibus mentes Christianæ à fincero Dei cultu fenfim dimoveri poffint.*”

*Conftitutiones
Synodales Epi-
fcopatus Attre-
batenfis, Adden.
(MCCCCLV.)*

*Decreta Synodi
Camerac. fol. 3.
c. II. A.D.
MDLXVII.*

Bingham's *Ec-
clesiast. Antiq.*
B. XIII. c. I. § 12.

To the solemn service of Rogation¹, *processions* were early added by the Western church; and, as circumstances required, were occasionally celebrated in the open field. It does not appear that at first there was any harm or superstition practised in these *processions*,—no pomp of relicks—no exposing of the eucharist to adoration;—in such solemnities the people only carried the crosses before them, as they did in some of their night-processions for psalmody, as the badge of their profession. Afterwards, many abuses were heaped upon the simplicity of *processional rogation*,—feastings with banners, hand-bells, lights, staying at crosses, &c. followed in the train of parochial *perambulation*; which, in the days of papal England, was annexed to the duties of the Rogation-week, and is still retained by the *Injunctions* of Queen Elizabeth (*A.D.* MDLIX).

But I do not find that any such revelries as those of

Gibson's *Codex
I. E. A.* Tom. II.
Append. § IV.
p. 1447. II.
Monitio, &c.

(¹) It was customary heretofore for the inhabitants of parishes subject to a cathedral or other mother church to go *in procession* to the same at Pentecost, in token of subjection, with crosses, banners, oblations, &c. To this ancient usage of repairing to the *matrix ecclesia* of the Deanry of Pageham at Whitsuntide, the archiepiscopal *monition* in the *Appendix*, addressed to the Dean, rectors, vicars, capellanes, and inhabitants at large of the Deanry of Pageham in Suffex, relates. See *Chichester Documents*.

*History of Not-
tinghamshire,*
p. 311.

Dr. Thoroton notices, that it was a custom sanctioned by Pope Alexander III. for the clergy and laity of the county of Nottingham to come, at the feast of Pentecost, to the church of Southwell, with *solemn procession*:—that a synod was there held; and that the *chrisma* brought by the Deans of the country from the church of York, was thence distributed through the other churches.

Hart's *Medulla
Conciliarum,*
p. 36.

In the *Inquisitions* of the archdeacon of Lincoln *A.D.* MCCXXII. it is inquired “30. *An alicubi leventur arietes, vel fiant scottali, vel decer-
tetur in præeundo cum vexillo matricis ecclesie?*”

the dioceſe of Cologne above cited, though they occurred in an aggravated form in the Rogation-days of Arch-biſhop Cuthbert, as early as *A.D.* DCCXLVII, and probably continued, more or leſs, in our infular *rural proceſſions* of a later date, are recorded as meet for Decanal or archidiaconal correction in the councils of Great Britain. The abuſes¹ noticed by Biſhop Gibſon were the *uſual* ceremonies and abſurdities of the day. See Van Eſpen *De Circumgeſtatione et Expoſitione Euchariſtiæ, I. E. U.* Part. II. Tit. IV. cap. V.

Conc. Cloveſhov.
CC. M. B. et H.
Vol. I. p. 97.

(¹) “ Theſe *perambulations* (though of great uſe, in order to preſerve the bounds of pariſhes) were, in the times of popery,” ſays Gibſon, “ accompanied with two great abuſes; viz. with feaſtings, and with ſuperſtition; being performed, in the nature of *proceſſions*, with banners, hand-bells, lights, ſtaying at croſſes, &c. And therefore, when *proceſſions* were forbidden, the uſeful and innocent part of *perambulations* was retained.” See Sparrow’s *Collection*, p. 68.

Gibſon’s *Codex*
I. E. A. Tit. IX.
cap. XIII. Vol. I.
p. 213.

CHAPTER VII.

THE AUTHORITY OF **Deans Rural** IN SUPPORTING CHURCH-DISCIPLINE,
AND SUPERVISING THE EXTERNALS OF RELIGION GENERALLY.

THE *conversation* and *ministration* of the clergy finished, proceed we next to illustrate with a few selections from synodal institutes, at home and abroad, the authority and jurisdiction of our local *ordinaries* in supporting the *externals* of religion generally;—viz. in enforcing the *residence* of the parochial clergy *on their cures*,—in the *registration* of benefices and beneficiaries, of curates and curacies,—in the *rejection* of *unlicensed* ministers, the *sons of clergymen* and *illegitimates* (unless specially protected by papal dispensation) from all *office* and *benefice*,—in the *guardianship* of the *church's temporalities* during *vacancy* and *sequestration*,—in the *sustentation* of the *fabric* of the *church*, the *manse*, and all other *ecclesiastical buildings*,—in the due *keeping* of *church-yards*, and the *reconciliation* of the same when *desecrated* and *prophaned*,—in the *bleffing* and *baptizing* of *bells*,—in the *care* of *furniture* and *ornaments dedicated to divine worship*,—in the *distribution* of *chrism* and *oil*, and the general superintendence of all matters and things connected with *sacraments* and *sacramentals*, and particularly with *confession* and *penance*.

§ 1.

RESIDENCE OF THE PAROCHIAL CLERGY ON THEIR CURES.

Himself personally *resident* within his archipresbyterate, decanate, or plebanate, (for he could not be promoted to the spiritual headship of the district, unless he had an ecclesiastical benefice of some kind within it,) the archpriest, dean, or pleban, was bound to see that every incumbent *resided* on his benefice within the jurisdiction, and neglected not the fabric of his church, the duties of reading, preaching, and ministering therein, and the general care of the souls committed to his pastoral charge. All delinquents he was to present to the diocesan. The *Precepts* delivered (A.D. MCCXLV.) to the deans of the diocese of Rouen by the archbishop, enact—“*Ut singuli decani dent nobis in scriptis nomina eorum qui non resident in ecclesiis, tam sacerdotum quàm aliorum: item nomina ecclesiarum eorum qui non resident in ecclesiis suis &c.*” The *Synodal Satutes* of the bishop of Liege (A.D. MCLXXXVII.) can. XXI. bid the deans—“*Quòd ipsi diligentèr inquirant nomina et numerum ecclesiarum in quibus investiti personalitèr non deserviunt, et nobis seu officiali nostro remittant.*” The council of Cologne (A.D. MCCC.), addressing the same officers, says—“*Vobis decanis Christianitatum committimus et mandamus quatenus nomina illorum qui in vestris decanatus hujusmodi ecclesias occupant, et nomina pastorum non residentium personalitèr, in scriptis nobis intra mensem post præsentem diem tradatis, ut hujusmodi negligentiam et defectum de prælatorum nostrorum consilio reformemus; et id ipsum in quâlibet synodo volumus observari,*” on pain of excommunication:—“the fittest and surest means,” observes the

Const. Wigorn. CC. M. B. et H. Vol. I. p. 571.

A Humble Proposal &c. chap. XIII. p. 73.

CC. Rotomag. Prov. P. II. p. 79.

Thef. Anecd. Tom. IV. c. 859.

SS CC. Tom. XIV. col. 1280.

*A Humble Propo-
posal* &c. chap.
XIII. p. 73.

*Stat. Synod.
Dioc. Audomar.*
Tit. XVI. cap. III.
p. 70.

Tit. XVII. c. III.
p. 77.

*Statuta Synodal.
Dioc. Antwerp.*
p. 233.

*Thef. Anecdot.
Tom. IV. col. 476.
& col. 494.
Conc. Rotomag.
Prov. P. II.
p. 238.*

col. 495.

*Decret. Synod.
Dioc. Audomar.*
Tit. XX. c. v.

author of *Parochial Reformation*, in his annotation upon this canon, “to oblige men to their duty, and to out a drone from profaning his profession.”

“*In hoc advigilent Decani*,” writes the synod of Saint Omer (A.D. MDLXXXIII.—MDCXL.), “*ut pastores in prædicatione verbi DEI, sacramentorum administratione et in omni functione pastoralis officii sui, rectè diligentèrque versentur* ;”—duties which pastors cannot by any means perform, unless *residentiary*:—wherefore the synod decrees, that no pastor be *absent from his parochial charge* beyond five days, “*nisi de licentiâ sui Decani in scriptis obtentâ*.”

And the synod of Antwerp (A.D. MDLXXVI.) enacts, that no *ministering* pastor, registered as such, be *absent from his cure* for eight successive days, “*absque Decani sui ruralis consensu*.” See also *Decreta Synodi Diocæs. Antwerp.* (A.D. MDCX.) p. 336. and *Synod. Statuta Diocæs. Yprenf.* (A.D. MDCXXIX.) Tit. I. p. 283.

Yet farther to enforce clerical *residence*, the seventy-ninth canon of the *Ancient Statutes* of the church of Autun, and the ninth of the *Synodal Statutes* of Bayeux (A.D. MCCC.) empower rural archpresbyters to seize the benefices of *non-resident* incumbents, and to hold the profits thereof during the bishop’s pleasure;—non-compliance on the part of the officers being subsequently threatened with excommunication. By the former council, again, it is decreed, that if the churches of the different archpresbyterates within the diocese of Autun be not duly repaired, the archpriests shall sequester the emoluments thereof; and for their trouble in so doing, the synods of Saint Omer (A.D. MDLXXXIII. and MDCXL.), grant them a fair remuneration—“*justam mercedem*.” But by the “*Injunctiones ad Decanos*” of the diocese of

Rouen (*A.D.* MDVI.), it is very properly forbidden them to sequester without just reason—“*Ne sine causâ arreſtent fructus beneficiorum ſub prætextu reparationum minimè factarum, aut alterâ quâvis occaſione: quod tamen facere eis injungitur habitâ cauſâ legitimâ.*”

*CC. Rotomag.
Prov. P. II.
p. 107.*

In caſes of *non-residence* by licence of the biſhop, the *ſacellani* of the ſee of Ghent were to exhibit to the rural archpriests their licences; and, at the ſame time, an attestation, with each licence, of the maſſes having been canonically performed, and the charges upon the benefices duly paid. The officiating curates, likewise, are annually to lay before theſe officers their letters of appointment, in order to their being tranſmitted to the biſhop for renewal.

*Decret. Diœceſis
Gandavenſ.
Tit. XVI. c. X. XI.
p. 77. A.D. MDCL.*

The *reſidence* of deans rural in their deanries is not barely preſcribed by the council of Rheims (*A.D.* MDLXIV.), but their active duties, as vigilant inſpectors of the diſtrict clergy, in enforcing holineſs of life, affiduity in their calling, attention to the repairs and decent furniture of their churches, &c., are circumſtentially detailed:—“*Quò meliùs omnia quæ ad archiepiſcopatûs noſtri curam pertinent, reſcire poſſint, et omnium clericorum negligentia et peccatis occurrere decanî rurales in ſuâ aſſidui maneat ac vigilant ſpeculâ, &c.*” (*Statut. xviii.*)—And again: “*Archidiaconi et decanî rurales ſæpè moneant clericos et potiſſimùm curatos, piè vivere et orationibus inſtare, hortarique gregem ſuum ad pœnitentiam et vitam emendandam, ac reparandas parochiales eccleſias, quas peccatis cleri et populi ità merentibus DEUS permittit pollui et devaſtari: ſed in reparatione ſollicitudo à curatis ipſis præſentibus adhibeatur, ut nihil inordinatum aut præpoſterè et tumultuariè accom-*

*SS. CC. Tom.
xx. col. 1298.*

modatum, nihil prophanum, nihilque inhonestum appareat, cum domum DEI deceat sanctitudo."

SS. CC. Tom.
XXI. col. 592.
Van Espen
I. E. U. P. I.
Tit. VI. cap. II.
pp. 29, 30.

Lastly, the council of Malines (A.D. MDLXX.),—"De Decanis Christianitatum" &c. cap. II. writes on the same point:—"Cum eadem sit ratio de pastoribus et archipresbyteris, seu decanis ruralibus, qui et ipsi pastores pastorum sunt, et eorum officium in observatione morum, tam pastorum, quam laicorum sui districtus consistat; statuit hac synodus, ut sicuti pastores in suis parochialibus, ita omnes archipresbyteri, seu Christianitatum decani in suorum decanatum limitibus ad personalem residentiam compellantur."

CC. M. B. et H.
Vol. IV. p. 146.

And, in our own country, Cardinal Pole, in his *Gloucester Injunctions* (A.D. MDLVI.), "Touchinge the Clergie," can. XIV. enacts, "That every deane shall signifie unto his ordinarie, onse every quarter, at the least, the names of all suche parsons, or vicars, as are *non-residente* upon their benefices" &c.

§ 2.

REGISTRATION OF THE CLERGY, &c.

Parochial Antiquities, Vol. II.
p. 361.

Bishop Kennett quotes the council of London (A.D. MCCCXLII.)—meaning the *Constitutiones Provinciales* of Archbishop Stratford (CC. M. B. et H. Vol. II. p. 696.)—the *Extravagants* of the same prelate of Johnson's *Eccl. Laws* &c. MCCCXLII.—as authority for the statement of his *Parochial Antiquities*, Vol. II. p. 361, that, "Rural deans were to keep a *register* of all priests and other clerks, who officiated within their jurisdiction; and were to take one penny, and no more, for inserting each

name in the said *register*.” The canon in question, CC. M. B. et H. Vol. II. p. 696. however, does not name *deans rural* as being employed in inserting the names of the mass-priests or other officiating ministers (such, that is, in Johnson’s gloss, as neither had *institution* nor *licence* to serve the cure from the bishops) in the *matricula*; and therefore, if the canon “*Ne instituti in beneficiis, vel ad sacros ordines promoti indebitè pro suis literis prægraventur,*” extend to rural *deans*, as it *probably* may, they are included under the general title of *ordinaries*, and as such are bade to *register* the names of the particular priests alluded to, at their first admission to celebrate divine offices, for the sum of one penny, and no more, on pain of suspension.

Whether understood, or not, in the above constitution rural *deans* were, undoubtedly, commissioned by Archbishop Peckham to far more extensive *registrarial duties* in the first canon of his Reading council (A.D. MCCLXXIX.), “*De institutionibus et destitutionibus,*” addressed to his Ejusd. p. 33. suffragans:—“That we may have notice of benefices becoming vacant,” says the archbishop in Mr. Johnson’s Johnson’s Eccl. Laws, MCCLXXIX. version of the canon, “we enjoin and command you, my dearest brethren, in virtue of obedience, that by yourselves, your officials, archdeacons, or *deans*¹, ye cause to be *written down* the names and numbers of churches, and rectors, with their names and surnames; so that a *true account* may be had of the persons, and the time of their collations, by what title they hold them, whether by institution or commendam, of what age the

(¹) See the *Instructions* to the *deans rural* of the diocese of Lichfield and Coventry (A.D. MCCLVI.—MCCLVII.), *sede vacante*.—*Annales Monast. Burton.* p. 370.—(EDITOR.)

Paroch. Antiq.
Vol. II. p. 361.

rectors, who are incumbents thereof, in what order; whether beneficed in more than one church; whether dispensed with for plurality; who are their patrons, and what their names; of what value every church is, according to the *Norwich Taxation*:—and let the bishop of every diocese transmit *instruments* clearly stating all these particulars to us in the city of London on the octaves of Saint Hilary, &c. &c.” The object of which inquest, according to Bishop Kennett, was to prevent litigious suits for the title of benefices; and it was performed, he says, by deans rural, in the character of officials of the bishop.

Decret. Synod.
Dioc. Audomar.
Tit. XX. c. 11.
p. 96. c. III. p. 97.

On the continent, at a much later date, the like duty of *registration* of benefices and beneficiaries was imposed on our ecclesiastic officers by the *Decreta* of the synods of Saint Omer (A.D. MDLXXXIII—MDCXL.)—“*Habeant decani registrum omnium beneficiorum sui districtus cum curâ et sine curâ ascriptis nominibus possessorum et ubi habitent: cum specificatione bonorum, reddituum, sylvarum, pratorum, terrarum, et limitum ac terminorum, et onerum annexorum quotannis exhibendum. Ejus verò registri copiam authenticam ad nos mittant in episcopatus archivis reservandam.*” The beneficiaries were obliged to render accurate and minute accounts of their benefices, countersigned by the local magistrates, to the deans; and the latter again to the bishop. To which purport all persons, who were inducted into church-livings, took an oath at the time of their induction: and, if they did not fulfil their pledge within a year, they were liable to be cited before the bishop’s court and punished for perjury; the profits of the benefice being, at the same time, put under sequestration.

Lastly—The deans rural of the diocese of Rouen are charged in the *Synodal Mandates* of the year MDCXLVII, SS. Rotomag. Prov. P. II. p. 143. can. 11.
“ Ut singuli omnium capellarum suorum decanatum titulos, qualitatem, statum, valorem, et onera, unà cum titularium et patronorum nominibus, in tabulis accuratè describant, earumque exempla intra proximam synodum apud acta Cancellariæ Archiepiscopalis perferant, aut transmittant,” &c.

§ 3.

PROHIBITION OF UNLICENSED MINISTERS.

The dean's duties, let me add, ceased not with enforcing the *residence* of the duly-instituted clergy, and *registering* them and other officiating ministers in the public *matri-cula* of the deanry: he was also to support the *prohibitions* of the church against *unlicensed* and *vagrant* ministers, and not to allow them to celebrate within the limits of his authority.

“ Ne aliquis decanus presbyteros extra diœcesim Leodiensem ab alienis quibuscunque episcopis ordinatos permittant in suis decanatibus celebrare, nisi per literas nostras eis ostenderit ipsos super hoc licentiatos, et tunc eos licentiæ concessæ terminos excedere non permittant.” (Can. XXII.) Thefaur. Anecd. Tom. IV. col. 859.

Again—*“ Sacellanus nullus admittatur,”* writes the synod of Saint Omer (A.D. MDLXXXIII.—MDCXL.), *“ nisi à nobis probatus et admissus. Is etiam literas admissionis à nobis factæ decano districtus illius exhibeat, qui eas vidiſſe se, et examinâſſe scripto testabitur: nec nisi ejusmodi decani scripto viso, et professione fidei emissâ, præsumant pastores eum recipere.”* Decret. Synodi Diœc. Audomar. Tit. XVIII. c. III. p. 86.

Decret. Synodal.
Arch. Colon.
Tit. v. c. v.
(A.D. MDCLXII.)

Again—" *Summo studio advigilent Decani rurales ne quis sacerdos &c. in beneficium aliquod parochiale, seu curatum, vel exercitium curæ animarum sese intrudat, absque prævio examine, et legitimâ approbatione:*"—and if any such unexamined and unapproved priest dared to intrude himself by force, he was to be made over to the secular power.

Statut. Synodi
Brugensis, p. 18.
A.D. MDLXXI.

If the clergy allowed any of the religious, within the diocese of Bruges, to *preach*, or *hear confession*, without first exhibiting their *letters of licence* before the local deans of Christianity, they incurred a fine of XII *libræ* for every such offence.

Chap. XIII. p. 73.

"All *vain* and *wandering* priests," writes the nameless author of *A Humble Proposal for Parochial Reformation by Rural Deans and Chapters*, "whose sins made them incapable of staying long in any place, through their great expences and little deserts," (" *utpote apostatæ, discursores, et vagi de aliis provinciis,*" &c.) "were to be taken and examined by the dean, if they came within his deanry, both concerning their *orders*, and the reason of their *vagrancy*, that they might be returned to the places of their charge, or deposed according to the canons."

SS. CC. Tom.
XIV. col. 1280.

See also *Decret.*
Synod. Colon.
Tit. v. cap. VI.
(A.D. MDCLXII.)

Such interference took place on the authority of the council of Cologne (A.D. MCCC.); which farther adds, that these clerical *wanderers* might be admitted to the performance of ministerial functions, on the dean's being satisfied of the authenticity of their letters of orders, and their general fitness—" *tunc demùm admittantur tales, cùm in his inventi fuerint idonei &c.*" (Can. III.)—But if they were found, on examination, to be without *testimonials*, from their own bishop, of being canonically

ordained and lawfully dismissed¹ from their past cures, they were inadmissible to any church, or duty of the priesthood. Whoever ventured to employ any such person, merely "*dicentem se presbyterum,*" as a curate or chaplain, incurred the penalty of excommunication; unless he again discharged him within six days after notice duly served upon him by the dean. The synod of Constance (*A.D.* MCCCCLXXXI.), in a canon expressly directed "*contra presbyteros se facientes promoveri absque litteris dimissoriiis,*" goes yet farther, and sanctions, by its authority, the actual imprisonment of such daring offenders against church-discipline.

*CC. Rotomag.
Prov. P. II.
pp. 570, 571.
Synod. Constant.*

At a later date, the council of Augsburg (*A.D.* MDXLVIII.) authorises deans rural to cite before them all such suspected characters at their rural chapters, to demand the formal exhibition *in court* of their *letters of orders*, and their title to the ecclesiastical benefice to which they laid claim; and then to report thereon to the diocesan.

*SS. CC. Tom.
XIX. col. 1302.*

The collected *Statutes* of the diocese of Avranches (*A.D.* MDL.), charge the deans—" *Ut presbyteros peregrinos ad celebrandum nullatenus admitti sinant, nisi post lapsum octo dierum doceant de suis litteris: minus vero ad confessiones audiendas recipiant. Usus confessionalium nisi ab officariis nostris probatorum minimè admittant, et utentes denuncient. Si quem sciverint injusto titulo aliqujus beneficii fructibus gaudere, confestim revelent, &c.*"

*SS. Rotomag.
Prov. P. II.
p. 290.
Synodi Abrin-
censes.*

(¹) See a form of "*Literæ Dimissorie concessæ clerico cupienti se ab una diœcesi in aliam transferre,*" in Gibson's Appendix, *Cod. I. E. A.* Tom. II. § III. p. 1443. XIV.

*Decreta Antiq.
Synod. Camerac.*
pp. 110, 111.

To the like purpose speaks the synod of Cambray of the same year, in the canon "*De non habentibus curam animarum* ¹."

§ 4.

PROHIBITION OF ILLEGITIMATES UNPROTECTED BY PAPAL DISPENSATION.

It being contrary to the canon law that the *sons of clergymen*, or *illegitimates*, should succeed to ecclesiastical benefices without the special permission of the see of Rome, or to whom the Pope granted the power of dispensing with "*irregularitas ex defectu natalitium*," as it was denominated by the canonists—we find the following precept to Deans rural of the diocese of Liege in the *Synodal Statutes* of that see (A.D. MCCLXXXVII.)—
“Præcipimus decanís ruralibus, quòd in suis decanatus inquirant utrùm aliqui filii sacerdotum vel illegitimè nati

Van Espen
I. E. U. P. II.
T. X. c. III.
p. 362.

Martene, *Thef.*
Tom. IV. c. 858.

SS. Rotomag.
Prov. P. II.
p. 130.

(¹) The following mandates appear in the Rouen *Provincial Synods*; and are here admitted, as bearing upon this part of Decanal duties:—

II. "*Mandata missionum pro temporibus adventûs et quadragesimæ disjunctim dabuntur; et archipresbyteri seu decani rurales necnòd rectores ecclesiarum parochialium prohibentur admittere quemlibet concionatorem temporibus quadragesimæ, nisi ad hunc effectum secum ferat mandatum particulare, quo constet rationem villicationis suæ pro adventu sedi archiepiscopali reddidisse.*" (*Mandata Arch. Rotomag. &c. MDCXXXVIII.*)

IV. "*Archipresbyteri seu decani rurales providebunt ne quis concionator quadragesimæ temporibus recipiatur, qui non promiserit sese ibidem per octavas sacrosancti sacramenti, et assumptionis beatissima Mariæ Virginis, in honorem voti regii et consecrationis regni, verbum DEI prædicaturum. Laici autem votis nostris per opera caritatis obsecundare non recusent.*"

obtinent aliqua beneficia ecclesiastica sine dispensatione sedis apostolicæ: quos si invenerint, nuncient patronis beneficiorum, quòd ipsa beneficia conferant personis idoneis, et nomina talium superiori suo sub pœnâ excommunicationis remittant." Can. XII.

This law applied to "*illegitimè nati*," both *laical* and *clerical*: and, the learned Thomassin thinks, no difference was made in reference to the latter, whether born in or out of wedlock, as long as they were "*in sacerdotio geniti*." Extra. *de filiis presbyt.* c. XIV. Loop-holes, however, there were, by which to escape this irregularity¹ "*ex defectu natalitium*:"—see a form of dispensation "*pro illegitimè nato, ut possit obtinere dignitatem aut beneficium*," in Gibson's *Appendix*, Tom. II. p. 1340. § III. Art. IV.

In a canon of instructions to archdeacons and deans can. XVI.

(¹) This *natal* or *natalitious defect* does not appear to have been an insurmountable bar to promotion in our own see, though the instances of such *irregularity* were numerous. There was no limit to the papal power of dispensation in adjusting these disqualifications and putting matters to rights;—as the following anecdote proves, respecting the election of Richard Bingham to the vacant see of Sarum. Forty-one canons and prebendaries were present at the preliminary meeting, by themselves or proctors; being authorized to proceed to the election of one of their body to fill the vacant episcopal throne. But of this number, there were some, says the register, "*qui non poterant eligi, eò quòd non essent de legitimo matrimonio, utpote decanus ejusdem ecclesiæ, et quidam alii. Aliqui tamen eorum dicebant se esse munitos super hoc per indulgentiam apostolicam, veluti mag. W. de Merton, archidiaconus Berkjir. mag. de Chabbeham, subdecanus Sarum, quorum uterque protulit indulgentiam apostolicam, cum tali tamen adjectione: 'Ita tamen quòd si ad episcopatum vocatus fueris, illum sine licentiâ nostrâ speciali nullo modo recipias.'* *Alii verò confitebantur defectum natalium suorum, nullam penitus habentes super hoc indulgentiam.*" These indulgences, it is noticed, were all of the pontificate of Gregory IX.

Retus Registrum Sancti Edmundi, penes Episcop. Sarum.

Stillingfleet's
Eccles. Cases,
Vol. I. p. 358.
Johnson's *An-*
cient & Present
Church of Eng-
land, P. I. c. IX.
p. 76. c. X. p. 107.

rural of the fore-mentioned diocese of Liege, the attention of these officers is particularly directed to a second irregularity, which incapacitated a clergyman for holding a benefice; namely, where he was the son of the immediately preceding incumbent:—"Nullus filius sacerdotis obtineat beneficium," says the canon referred to, "in quo pater suus immediatè deservivit." Such a clerk was illegitimized by the canon law of Western Europe; but not in England. Though the rule was entered in our provincial constitutions—(see *CC. M. B. et H.* Vol. I. p. 474. *A.D.* MCLXXIII.), still it is generally held, the bishop of Worcester says, that it was never received here; and therefore we find no instructions to Deans rural on the subject, in the councils of Great Britain and Ireland¹. *Bastardy*, however, without dispensation, was always a just objection to a presented clerk. See Thomassin *V. et N. E. D.* Tom. II. P. II. L. I. c. LXXXIV. p. 251. vi. seqq.

(¹) There were two reasons for the law "*Ne filius succedat patri*:" one was, to discourage the marriage of priests (see *Const. Dom. Othon. innotuit*); the other, that benefices should not become hereditary. (See *Const. Peckham. A. B. Prov. L. I. Tit. VIII.*) "They are certainly mistaken," says Mr. Johnson, "who suppose that all the children of clergymen, in times of popery, were *illegitimate*, and would have this to be the reason of the canon. A priest might have children before he entered into any orders; that is, while he was ostiary, acolyth, or exorcist." See Mr. Whitaker's *History of Manchester*, Vol. II. B. II. c. XII. § II. p. 460.

Velus Regis-
trum Sancti
Osmundi,
fol. 105.
Presbyteri et
Diaconi uxorati.

In the *Inquisitio de terrâ de Wokingham per Adam de Ivelcestre*, (*A.D.* MCCXV.—MCCXXV.), *Decanum Sarum*, there are several examples of priests and deacons, fathers and sons, being married and holding benefices successively within the diocese of Salisbury.

§ 5.

GUARDIANSHIP OF THE TEMPORALITIES OF THE CHURCH DURING
VACANCY AND SEQUESTRATION.

As the legitimate *guardians* of the church's *temporalities* in country districts, it has been incidentally shewn, in a former part of these notes, that *deans rural* (there called *archpresbyters*) were canonically commissioned, as early as the ninth century, to the *conservation* of the property of the *vacant tituli* of their *archpresbyterates*. True indeed it is, that, in the canon referred to, their honesty in the office of collecting ecclesiastical fruits is more than questionable;—they are charged with the appropriation of the produce and revenue of other churches to their own use;—an iniquitous breach of trust condemned by the Pavian council (*A.D.* DCCCLV.)—*“Tollenda est prava omninò consuetudo, quæ in nonnullis locis oriri cæpit: quia nonnulli archpresbyteri, vel aliorum titulorum custodes, fruges, vel aliarum ecclesiarum redditus, ad proprias domos abducunt &c.”*—insinuating, with too much seeming truth, that such abduction looked more like robbery, than protection of church property.

See Part III.
§ 1. p. 112.

Thomassin. *V. et*
N. E. D. Tom. I.
P. I. L. II. c. v.
p. 226.

But whatever lack of honest stewardship our Pavian officers may have shewn in the cases reprobated by the cited council, it was usual, there and elsewhere, upon the *vacancy* of any church, for the *deans* to have the *custody* of it; that is, says Mr. Somner in special relation to our insular church-usages, “to collect the fruits, and get the cure supplied, in the name and stead of the archdeacon, during the church's widowhood: and to that end the *dean* had the church-door key delivered to him; which, upon his induction of the new incumbent, to put him

Antiquities of
Canterbury,
Part I. p. 176.

in possession of the church, he used to deliver again to him, according to the manner of giving corporal possession, in those elder times observed."

Parochial Antiquities, Vol. II. p. 361.

Prideaux on *Churchwardens*, pp. 173, seqq. 9th edit.

CC. M. B. et H. Vol. I. p. 675.

Not only did they gather the fruits of the *vacant* benefice in trust for the future incumbent, but they also took care that the glebe lands were seasonably tilled, and sown to the best advantage;—(duties now performed by churchwardens)—looking for recompence to him in whose behalf they acted as *trustees* and *guardians* of the benefice, viz. the future incumbent:—“*Terræ ecclesiarum vacantium incultæ non jaceant, sed per Decanum loci excolantur, ab eo, qui fructus receperit, sumptibus refundendis, vel pro parte fructuum tradantur aliis excolendæ. Decani, qui circa hoc negligentes extiterint, puniantur.*”—To which Worcester constitution “*De terris defunctorum incultis*” (A.D. MCCXL.)—the fifty-first of the synod of Exeter (A.D. MCCLXXXVII.) adds,—If the *Dean* and future incumbent cannot agree on the point of remuneration, any dispute thereupon shall be settled by the ordinary.

Vol. II. p. 158.

In the province of Rouen, it was customary for the *Dean* of the district to accompany the farmer of the *vacant* benefice, and conjointly with him inspect its condition at the commencement of the term of his laytenancy; so that the farmer might be obliged to give it up in the same condition at the expiration of his term:—“*Cum vacabit aliqua ecclesia,*” the synod of Constance (A.D. MCCCLXXV.) enacts, “*accedant ad locum Decani cum firmario, et videant in quo statu ecclesiam suscipiet firmarius, ut ita æquè bono statu in fine termini sui eam dimittere teneatur:*”—a very judicious law in case of litigated right of presentation, or where a benefice is necessarily,

CC. Rotomag. Prov. P. II. p. 565. Synod. Constantiensis.

from any cause whatever, long *vacant*, and liable to deterioration from laical mismanagement.

In some dioceses, heretofore, it was usual for the entire profits of *vacant* benefices to accrue to the bishops. In others, the diocesans had certain reserved rights, which were managed and accounted for by the *local ordinaries*, the *deans rural*, as *custodes* of the church's *temporalities* during *vacancy*.

In the diocese of Melun (*A.D.* mcci.) it was decided by Innocent III. in person (during a long-pending contest on the appointment of *deans rural*—whether vested *de jure* in the bishop alone, or in the bishop and archdeacon—and decided by the Pope in favour of the bishop,) that “*per decanos rurales succursus debeat ecclesiarum vacantium procurari* ;”—the bishop receiving two parts of the crops, oblations, &c. as his *succursus* (*secours*) or *deportus*, and the archdeacon one part, during *vacancy*.

In the extensive diocese of Poitiers, the archdeacons and archpriests were allowed by the synod of *A.D.* mclxxx, their portions, entitled *quarentenæ*, out of the produce of *vacant* benefices—that is, the *fortieth part* of the income of each ;—the whole of the residue being paid to the bishop, as his *deportus*¹. If they detained more than their lawful share, even though the see were vacant, they were to refund it within a month :—and the same protection of episcopal rights extended to the

Ex Chart. Eccl. Meldens. in App. ad Theodor. Pœnit. p. 721. See Carpentier Append. ad Ducang. Glossar. in voce.

Thomassin. V. et N.E.D. Tom. III. P. III. L. II. c. xxxvii. p. 395. iv. See Ducang. Gloss. T. II. col. 772. in v. deportus.

(¹) “*Si contigerit deportus nostros seu rectores vel curatos, ecclesias ad firmam laicis tradere ; nullo modo permittant detant dictos laicos se intromittere de iis quæ pertinent altari, aut stare juxta illud pro oblationibus recipiendis, sed omnia spiritualia, quæcumque sint, per presbyteros idoneos, à nobis approbatos, disponentur honestè.*”

CC. Rotomag. Prov. P. II. p. 565. Synod. Constantiensis, A.D. MCCCLXXV.

goods of intestate beneficiaries:—“*Monemus archidiaconos et archipresbyteros, ut quidquid de proventibus ecclesiarum et aliorum beneficiorum vacantium, curam habentium animarum annexam, ultra quarentenas suas, sede vacante, perceperint, et alios qui de prædictis aliquid habuerint: necnon omnes illos, qui de bonis sacerdotum et clericorum beneficiorum intestatorum aliquid habuerint, sede vacante, nobis vel mandato nostro restituant infra mensem.*”

Glossar. Tom. II.
col. 742.

Thef. Anecd.
Tom. IV. c. 860.

In their capacity of *church-guardians*, it was committed to the *deans* by the Liege statutes (*A.D.* MCCLXXXVII.), to make inquisition “*de ecclesiis defalcatis*”—that is, according to Ducange, of churches, the revenues of which had been seized on plea of debt. The *deans* were to prosecute their inquiries, and report to the bishop, “*Quòd ecclesiæ sunt defalcatae, et per quos et in quibus: et nos omnes defalcationes ecclesiarum minùs legitime factas revocamus, et præcipimus sub pœnâ excommunicationis omnibus qui bona ecclesiarum habent per defalcationem minùs legitime factam, quòd ea ecclesiis à quibus sunt defalcata restituant &c. &c.*”

Const. Synodal.
Episcopatus
Attrebatensis.
A.D. MCCCCLV.

The persons and goods of clergymen being exempt from seizure “*per laicalem justitiam*,” within the diocese of Arras, the *deans* were authorized, by a constitution of that see (*A.D.* MCCCCLV.), to interfere for their immediate liberation and restitution, on pain of excommunication. Nay more—if the freedom of an arrested clerk, whether for debt or other civil offence, was not immediately ceded to the *Dean rural* on application, the council of Compeigne enacted (*A.D.* MCCI.), that divine service should be suspended in the parish of his capture, or present detention, and continue so suspended, until such time as he was restored to full liberty, at the place where

he was first illegally arrested. Again—by the council of De Senlis (*A.D.* mcccxvii.) it was decreed, that if any temporal lords, or their servants, violated the church's property by spoliation, or unjust occupation, their manors should be excluded from the church's protection, and the occupiers deprived of all spiritual ministrations, till full atonement was made:—to which things, the deans, as defenders of ecclesiastical privileges and property, within their jurisdictions, were bound to attend by the general responsibility attached to their office and station.

In England, the benefices of the clergy being liable to *sequestration*, on other occasions than *vacancy*, one of the most frequent causes of this procedure being enforced against a beneficiary was, and is, insolvency.

It was not uncommon, of old, for the mandate issued from the episcopal court, upon the king's writ to satisfy the debts of an incumbent, to be consigned for execution to the dean rural;—there being, till the middle of the fourteenth century, no lay-guardians, or churchwardens, established among us, to fulfil that duty.—Thus, White Kennett relates, that the rector of Ambroden (*A.D.* mcccxvii.) being indebted to Peter Cofin, merchant, in the sum of fifty-seven pounds, and, upon prosecution at law, being found to have no temporals to satisfy the said debt, a precept was directed to the bishop of Lincoln to *sequester* his benefice on default of payment. The bishop directed his orders to the official of the archdeacon of Oxford, and the official to the rural dean of Burcester, to execute the said precept.

Parochial Antiquities, Vol. i.
p. 537. *Ex Mss.*
Bibl. Bodl.
Digby, 154.

Indeed, it appears, that the whole of the ministerial

department of *sequestration*¹,—whether, during the *vacation* of a benefice, for the supply of the cure, the management of the profits, and sustentation of the church buildings,—or, during incumbency, for enforcing *necessary repairs*, (in case of non-compliance, on the part of the beneficiary, after due admonition to amend defects)—or, *pendente lite*, in instances of disputed title,—or for *neglect of serving the cure* after institution and induction,—or for *debts*, or any other cause,—was consigned of old to *deans rural* in England. Nor does it appear that the Belgian ecclesiastics of the same name and title were less concerned with the *sequestration* of benefices at a later period.

*Stat. Synodi
Diœces. Ypresf.
Tit. VII. cap. IX.*

The synod of Ypres (*A.D.* MDLXXVII.), touching upon some of the specified reasons of sequestration, decrees:—
“*Si defunctorum ædificia non inveniantur in debitâ reparatione conservata, aut defuncti decefferint multo ære alieno gravati, curare debent decani, ut mobilia relicta statim sequestrentur; inhibendo per edictum publicum è suggestu, et, si necesse fuerit, cum assistentiâ brachii sæcularis, ne qui debitores quidquam solvant hæredibus defunctorum absque causæ cognitione et nostro consensu; ut hæc viâ tùm ædificia restaurentur, tùm etiam creditoribus defunctorum absque difficultate possit satisfieri.*”

*Statuta Synodi
Tornacensis,
pp. 56, 57.*

Again—“*Si beneficia possidentes suorum beneficiorum onera persolvere neglexerint,*” says the synod of Tournay (*A.D.* MDLXXIV.), “*fructus omnes beneficiorum hujusmodi*

*Mð. Addenda,
Paroch. Antiq.
Vol. II. p. 351.*

(¹) “*Decanus in suo de cetero decanatu sit sine quâvis injustâ severitiâ sequestrator, &c.*” *Ex registr. W. Wickwane Ebor.*

per decanum arrestentur, donèc de prædictorum onerum persolutione constiterit."

"*Bona etiam ecclesiarum, seu beneficiorum per mortem vel resignationem aut aliàs vacantium, sed et litigiosorum, ac aliorum quorum possessores residentiam non faciunt, exceptis privilegiatis, qui de privilegio tempore debito fidem habere tenentur, imò eorum quæ rectores ob excommunicationis sententiam, vel commissum delictum administrare non possunt, omniumque presbyterorum illegitimorum et aliorum ab intestato decedentium, simili arresto subjicimus, Decanis nostris seriò injungentes, quatenùs nomine nostro hujusmodi beneficiis, de fructibus eorundem, in divinis laudabiliter deservire faciant, nec priùs manum ab arresto levent, quàm sciverint &c. . . . quempiam idem beneficium pacificè possidere, &c."*

And, that the *Deans* might be remunerated for the labours "*quos ecclesiæ, pastoribus, et domibus eorum mortuariis circa præmissa impendunt,*" it is farther enacted by the synod of Ypres (*A.D.* MDLXXVII.), that they shall receive, according to ancient usage, "*à domo mortuariâ cujusque pastoris optimum inter relictâ mobilia pignus*"—a custom both just and reasonable in the estimation of the synod, and therefore renewed and confirmed, both by it and by the subsequent one of MDCIX.—"*Decani enim,*" says the latter, "*et viventibus et morientibus omnibus pastoribus ex æquo invigilant.*"

Stat. Ypresf.
cap. x. *suprà.*

Tit. XVIII. c. x.

To enable *Deans* rural readily, and without molestation, to fulfil the office of *sequestrators* of church property, for whatsoever cause alienated *pro tempore*, and to convert it to the objects of the *sequestration*, the following wary canon passed the church of Offory in Ireland *A.D.* MCCCXX. (can. IX.)—" *Districtiùs inhibendo*

CC. M. B. et H.
Vol. II. p. 503.

prohibemus, ne aliquis rector, vicarius, procurator eorum, nec firmarius ecclesiarum decimas seu fructus ecclesiasticos extra solum ecclesie in laicum feodum colligere, deponere, si solum habent ecclesiasticum, nec collect. in grosso vendere, quominus loci ordinarii possint fructus sufficientes invenire sequestrandos, si necesse fuerit, pro sustentatione deservientium in iisdem in obsequiis divinis, et omnibus eis incumbentibus inde levand. transferre præsumat quovismodo, sub pœnâ excommunicationis majoris &c.”

With the regulation of *sequestrations*, and other matters connected with *vacant* benefices, in the islands of Jersey and Guernsey, rural Deans have still much concernment. The twenty-fourth and twenty-fifth canons of the *Constitutions Ecclesiastical* thus speak:—“*En cas de vacance d’aucun bénéfice, soit par mort ou autrement, le Doyen donnera ordre présentement que les fruits d’iceluy bénéfice soient séquestrés, et que du provenu d’iceux la cure soit supplée; et aussy que la veuve ou héritiers du déffunct reçoivent selon la proportion du temps de son service, suivant à l’usage de l’isle, sauf ce qui seroit nécessaire à déduire pour les delapidations, s’il y en a; et donnera terme convenable à la veuve du déffunct de se pourvoir de domicile; et baillera ce qui sera de résidu au prochain incumbant, auquel le séquestrataire en rendra compte.”* (25th.)—“*Sur la mesme occasion de vacance d’aucun bénéfice, si dans six mois le gouverneur ne présente aucun au révérend père en Dieu l’évesque de Winchestre, ou en cas de vacance de ce siège, au très-révérend père en Dieu l’archevesque de Canterbury, pour estre admis et institué audit bénéfice, alors le Doyen certifiera du temps de la vacance aux dits seigneurs évesque ou archevesque, selon qu’il escherra, à ce qu’ils ordonnent pour la collation du*

Cæsarea by
Falle & Morant,
Appendix, No. x.
pp. 207, 208.

bénéfice : et lors qu' aucun leur sera présenté, le doyen donnera attestation du comport et suffisance de la partie, pour estre approuvé par iceux, devant que d'estre admis actuellement par le doyen en possession du dit bénéfice."

In the commission of the dean of Guernsey the same powers are conveyed. See "*the Commission of the present Dean*," in Berry's *Guernsey*, p. 263.

But with *sequestrations*, here in England, rural archpriests have no longer any thing to do. "The canon lawyers," says Bishop White Kennett, "soon deprived the country deans of this as well as all other parts of jurisdiction. For the chancellors of the bishop, or the archdeacons, laid claim to the custody of *vacant* churches, and, by forms of *sequestration*, assigned them over to the *œconomi*, or lay-guardians of the church." And yet it were much to be wished, for the good of the church, that, on all such occasions, the rural dean of the district, aided by a neighbouring incumbent, were restored to his ancient capacity of inspecting and managing, as a trustee, the profits of a *sequestered* benefice, and of supplying or providing for the cure; and thereby "the *damage* as well as *uneasiness* too often occasioned to the clergy by the neglect, unfaithfulness, or obstinacy of churchwardens" (in Gibson's words) were remedied.

Parochial Antiquities, Vol. II. p. 362.

Codex I. E. A. Tom. I. Tit. XXXII. cap. II. p. 749.

The Convocation of mccc. would have so restored him. It was proposed as meet for consideration, "whether rural deans should not be first nominated in *sequestrations*, and in all other commissions to be issued from the bishop or ecclesiastical court relating to any persons or matters within their respective districts." The suggestion, unfortunately, was never brought to bear on the office: the whole measure turned out abortive.

CC. M. B. et H. Vol. IV. p. 641.

§ 6.

CARE OF ECCLESIASTICAL EDIFICES—CHURCH—MANSE—CHURCH-YARD
—CHURCH-UTENSILS, GOODS, AND ORNAMENTS—SACRAMENTS AND
SACRAMENTALS.

One of the most useful branches of office belonging to the Dean of Christianity—though not of equal antiquity with some already stated in relation to persons—is that pertaining to *the care and examination of the material fabric of the church and ecclesiastical buildings* generally, in order to their being properly supported by the parties liable to their sustentation;—of which much has been already said in *Part IV.* § II. pp. 164—199., and § V. pp. 299—301.

Bishop Marsh's
Visitation
Charge, July
MDCCXXIII.
p. 16.

The *personal visitation* of these structures attaches primarily to the episcopal office¹. But, as a minute inspection of them and their contents is not only laborious, but almost impracticable to the diocesan of an extensive diocese *in person*, it is more usual, and generally more advisable, to delegate the duty to others—to archdeacons and rural deans. To the former however, it must be allowed, the business of *parochial visitation* in detail is often nearly as difficult as to the bishop: whence it has come to pass, that, by devolution, in some dioceses (in many, archdeacons do *visit parochially*), it

(¹) Considering how greatly the discipline of the church is defeated by *exemptions* from episcopal visitation and jurisdiction generally; and what irregularities are committed in places protected by them (of which a glaring example is afforded, I regret to say, in my own deanry, and noticed in *Part IV.* § II. p. 200, note ¹); it would be well for the church, if the law projected by the *Reformatio Legum Ecclesiasticarum* were to be ratified and put in execution. The title is, "*Privilegia locorum exemptorum moderanda*;" and the suggested remedy is this:—"Quoniam libertates

De Visitationibus, cap. VII.
p. 127.

has fallen to the deans; who are so distributed through the archdeaconries, as to be able to perform the duty, vicariously for their superiors, with the best possible effect, and the least possible trouble¹.

*libertates et immunitates ecclesiasticas * licentiosam videmus sæpenumerò afferre peccandi securitatem; volumus, ut episcopis liceat in omnia collegia, societates, et cætus, quæ quidem in eorum diœcesibus constiterint, quantumcunque privilegiis præmuniantur, inspectare, pœnasque peccatis illorum assignare, non solum communibus visitationum, sed omnibus aliis temporibus, cùm magnitudo criminum postulabit, et eandem archiepiscopus in suâ provinciâ potestatem habeat.*"

With regard to the particular case alluded to within the deanry of Chalke, I am happy to say, since the note above referred to was written, that a curate has been appointed by the Roman-Catholic patron and ordinary of the place, at the earnest solicitation of the rural dean, (by whom it had been suggested to the patron that the Court of King's Bench would be moved to issue a *mandamus*, and compel the appointment,) and the parish church has been re-opened (DEO GRATIAS!) for divine service.

(¹) The *Reformatio Legum Eccles.* continues the visitational capacity of archdeacons, and makes archpresbyters rural accountable to them in respect of dilapidations &c. "*Archidiaconus annis singulis bis, aut ad minimum semel archidiaconatum suum perlustrabit. Archipresbyteros, et inferiores reliquos ministros omnes non solum suorum admonebit officiorum,*

De Ecclesiâ et Ministris ejus, &c. cap. vi.

* To shew that our ecclesiastical-law reformers did not overrate the evils of exemption, I subjoin an extract from Bishop Seth Ward's *Notitia* of the diocese of Sarum, touching the place above alluded to—"Locus est famosus propter matrimonia clandestina &c. in contumeliam ecclesiæ, et familiarum ruinam!" and I add in corroboration, that the oldest parish register belonging to this unfortunate place (from MDCLIV. to MDCLVIII.—and from MDCLXXXVI. to MDCCXLIV.) was offered for sale in an adjoining market-town in MDCCXIX, and is now in the possession (fortunately) of Sir R. C. Hoare of Stourhead. "Ill as this register has been kept," says the historian, "it is much superior to the other (commencing MDCLL.), than which nothing can be more disgraceful to the curates of this parish."

Notitiæ Sethi Episcopi Sarum. MS.

Hoare's Hist. of Wiltshire, Dunworth, p. 64.

Many and express are the canons entrusting these delegate powers to deans rural. Some have been already incidentally cited under *visitation duties*; and others will be found in the *Appendix of Documents*. A few are here subjoined. The Meath *Constitutions* of Simon Rochfort (A.D. MCCXVI.) enact, “IV. . . . *Ut archipresbyteri quotannis, et sæpiùs, si opus fuerit, personalitèr visitent statum et conditionem omnium ecclesiarum infra suos decanatus; et si quâ ecclesia reparatione indigeat, hortentur gregem dominicum ad earum reparationem &c. videant etiam an domus pastorum et capellanorum sint sartæ tectæ &c.*”

CC. M. B. et H.
Vol. I. p. 547.

Oughton's Formular.
Vol. II.
See Appendix.

“*Cum sit consonum juri,*” says Oliver Sutton, bishop of Lincoln (A.D. MCCXCII.), in a monition addressed to the dean rural of Hoyland in that diocese, “*ut parochiani locorum, ad reparationem seu constructionem ecclesiarum, nolentes contribuere, suâ sponte, ad id per censuram ecclesiasticam, ratione præviâ, compellantur; vobis firmitèr injungendo mandamus, quatenùs parochianos ecclesiæ de Malton ad refectionem seu constructionem campanilis ecclesiæ ejusdem, faciatis contribuere, prout decet: contradicentes et rebelles censurâ hujusmodi canonicè compellentes.*”

The synod of Constance in Normandy (A.D. MCCCLXXV.) admonishes all beneficiaries to have their houses and dwellings repaired, on pain of sequestration—and the deans to visit and report to the synod:—“*Omnes eccle-*

ciorum, sed rationem etiam ab eis repetet, et de templorum ac ædificiorum ruinis, et de thesauri pauperum distributione, et de bonorum ecclesiæ vel accessione vel decessione. Quod autem sive in his rebus, sive in illis quæ ad archipresbyteri explorationem referuntur peccatum erit, per censuras ecclesiasticas corrigetur.”

fiastica personæ beneficia obtinentes, domos et habitationes suorum beneficiorum secundum eorum facultates faciant reparari, sub pœnâ sequestrationis suorum beneficiorum. Et quòd Decani quilibet in suo decanatu dictas domos visitent, et nobis referant infra synodum."

SS. Rotomag. Prov. P. II. p. 565. Synodi Constant. A.D. MCCCLXXV.

Our cardinal-bishop of Sarum (Campegio) specially directs the attention of deans rural to the same points of restoring and sustaining *church-houses*, subject to the same penalties, on the part of the beneficiaries, for non-compliance. The injunction appears in his "*Constitutio ad removendos abusos*," (A.D. MDXXIV.) Nor are the synods of Malines, about the same date, backward in inculcating the like inspectionary duties, with even stronger threats on past and future neglect.

Fasciculus Rerum, p. 425.

Van Espen
I. E. U. P. II. Tit. XXXIV. cap. VIII. p. 674.

The synod of Cambray (A.D. MDL.) charges the deans to see to the due reparation and sustentation of all church edifices; and enacts, that, if it should happen, that "*Propter negligentiam decanorum Christianitatis, quibus eas tenentur visitare, domos curatorum et capellanorum pejorari, Decani, ob quorum defectum hoc accidet, et eorum beneficia teneantur dictas domos relevare, vel reparari facere, suis propriis sumptibus et expensis.*"

Decreta Antiqua Synodi Cameracensis, p. 109. See also Statuta Synod. Brugensis (A.D. MDLXXI.), pp. 19, 20.

"*Ubi domus pastoralis est,*" says the synod of Saint Omer (A.D. MDLXXXIII.), "*non liceat pastori sine expresso consensu nostro, aliam inhabitare: eam autem domum debite ab ipso reparari et sartam tectam conservari præcipimus, nisi reparationes illius ab aliis fieri debere certò constet. Atque in hoc advigilabunt sedulò Decani alique visitatores, ne, quod contigisse alicubi deprehendimus, paulatim per incuriam pastorum domus illæ deteriorentur, immò corruant, cum magno interdum successorum præjudicio. Si quos negligentes deprehenderit, nobis denuntiabunt, ut*

Decreta Synodi Diœc. Audomar. Tit. XVII. cap. XVIII. p. 82. (A.D. MDLXXXIII. MDCXL.)

See Van Espen
I. E. U. P. II. Tit. XXXIV. cap. VIII. p. 674.

nos ipsi eorum sumptibus eam reparationem fieri curemus, et pro præteritâ negligentâ puniamus."

*Decreta Synodi
Tornacensis,
p. 56.*

The synod of Tournay (*A.D.* MDLXXIV.), "*De Decanis Christianitatis et eorum officio,*" cap. XII. orders, "*Si domos, aliaque ad ecclesias spectantia ædificia, rectores collabi permiserint, per decanos de bonis arrestatis hujusmodi ædificia reparentur, alioquin ob commissam negligentiam propriis eorum expensis id ipsum fiat:*" and further instructs¹ the deans of Christianity in the proper method of raising funds for restoring the churches of their deanries, in case the same have actually become dilapidated—the tithe-holder being bound to rebuild the choir at his own cost, and the parishioners at large (by a collection *capitatim*) the nave. Cap. XIII.

*SS. CC. Tom.
XXI. col. 462.*

The council of Milan (*A.D.* MDLXXIX.) capacitates foraneous vicars, or deans, to inquire—"*Qui singularum ecclesiarum, præsertim parochialium status, an si quæ instaurationem desiderant; an debito cultu fraudantur, &c.*"

*Decreta et Statuta Synod.
Mechlin. p. 169.*

The synod of Malines (*A.D.* MDCVII.) authorises the deans to order immediate repairs, at their annual visitations; and bids them denounce disobedient beneficiaries to the diocesan, or his vicar-general.

*Stat. Synod.
Dioc. Yprenf.
Tit. XX. c. XXVIII.*

The synod of Ypres (*A.D.* MDCIX.) enacts, "*Pastores de reparandis et reficiendis suis domibus pastoralibus maxime sint solliciti: referantque ad nos decani in suis visitationibus, qui eâ in re negligentes aut inobedientes fuerint.*"

*CC. Rotomag.
Prov. P. II. p. 130.*

(¹) In case of new chapels being erected in their deanries, the arch-presbyters rural were under an obligation, in the diocese of Rouen (*A.D.* MDCXXXVIII.), to exhibit the contracts of endowment and foundation, in order that copies might be deposited in the office of the archbishop's secretary, and the originals preserved among the archives of the diocese.

That of Bois-le-duc (*A.D.* MDCXII.) bids the archpriests of the diocese inquire, at their *visitations*, “*Utrum ecclesie reparatione egeant, et cæmeteria benè occlusa sint.*” *Stat Synod. Bujcod. Tit. xv. cap. iv. p. 85.*

Religion being deeply interested in the *preservation* and *decent condition* of *ecclesiastical edifices*—such essential aids to its outward manifestation in the world—such allectives to divine worship, and so indispensable to parochial incumbency—no wonder, the *most recent* instructions to *deacons rural* in England and Ireland, as well as the *most ancient*, invariably include *all church-buildings* as objects of annual, or occasional, visitation and examination—equally those consecrated to the service of God, and those dedicated to the inhabitancy of his minister. Nor are the *cemeteries of the dead* overlooked, either in our insular documents, or in those of continental churches. See Appendix of Ancient and Modern Documents.

The *deacons* are to take care that the *churchyards* are well and sufficiently maintained with walls, pales, or hedges, and that they are kept in a decent and befitting manner, neither desecrated by cattle, nor violated by other profane intrusion. The same strict injunctions apply, in a higher degree, to churches.

By the synod of Arras (*A.D.* MCCCCLV.) the *deacons* are bade to allow no *tavern-keeping* nor *wine-selling* in church-houses, on pain of excommunication, and a fine of ten pounds:—“*Ne in domibus ecclesiarum tabernas vel vinum venale teneant; sub pænâ excommunicationis, et decem librarum Parisiensium:*” and by an *inhibition* of Bishop Dalberby of Lincoln (*A.D.* MCCCIX.—MCCCXIV.), they are charged to forbid all *judicial proceedings, fair-holding, marketing, &c.* within the churches of that diocese. Specially, also, does Oliver Sutton enjoin the *dean* of Hoyland, by name, (*A.D.* MCCXCII.) to forbid the laity *Const. Synodal. Episcopatus Attrebatensis, A.D. MCCCCLV.*

Oughton's Formular. Vol. II. p. 293.

collecting their rents in such holy places. See *Lincoln Documents, Appendix, N^o. v. and vi.*—But to return to *churchyards*.

Oughton's *Formular.* Vol. II.

P. 291.

Appendix, *Lincoln Documents,* No. I.

The *Deans* rural of the latter extensive diocese had their attention particularly directed to the *profanation of churchyards* in the latter end of the thirteenth and beginning of the fourteenth centuries, by the same bishops—Sutton and Dalberby. Several *mandates* to that effect, from Oughton's *Formulary*, are transcribed into my *Appendix of Instruments*. Of which, one is addressed to the fore-named *Dean* of Hoyland (*A.D.* MCCXCI.), stating, that many abuses, requiring immediate reformation, had come to Bishop Oliver's ears during his last visitation of that *Deanry*: among which, in particular, the *violation of parochial cemeteries* by the rectors', vicars', or other cattle, is noticed—" *Cæmeteria ecclesiarum parochialium, per pecora rectorum &c. turpiter maculari; sive per defectum clausuræ, sive per quorundam negligentiam, &c. &c.*" And the mandate, in conclusion, bids the *Dean* inflict condign canonical punishment for all such trespasses and infringements of the immunity of sacred places.

P. 292.

Appendix, *Lincoln Documents,* No. IV.

—A second mandate, addressed to the *Dean* of Christianity of Lincoln (*A.D.* MCCXIV.), complains of the like profanation " *tùm per pecora, cùm per ejecta et effusa à domibus circumhabitantium;*" and bids that officer, " *quid per murationem, quid per aliam clausuram decentem,*" to provide a suitable and immediate remedy.—See more in the *Appendix*.

SS. Rotomag. Prov. P. II. p. 516. *Synod. Lexov.*

Upon the same subject, the *synods* of the province of Rouen legislate in plain and positive terms; and so also those of Belgium. But it is unnecessary to multiply quotations. Let it suffice, that to other objects of *decanal*

supervision, the synods referred to, almost everywhere, add the *cemeteries* of the faithful—"that the *walls of churchyards* be of a proper height, or, at least, that the quickset *hedges* (*hayes de vive plante*) be of sufficient strength and altitude to prevent the intrusion of cattle within the consecrated limits." See also *Synod. Buscoduc. Tit. xxii. c. vi. A.D. MDCXII.*

The modern *Instructions* to *Deans* rural should *always* include the fencing and due keeping of churchyards. There is too much cause for directing attention to their condition. In many dioceses, the writer regrets to observe, the *cemeteries of the dead* do not receive the respectful protection they are entitled to from the living. In country villages they are too often carelessly or wilfully profaned by the incumbent's or by alien cattle. The paltry consideration of the surface-pasturage seems to extinguish those higher and better feelings, which the last resting-place of the rural peasantry—the *κοιμητήριον*, wherein "the rude forefathers of the hamlet sleep," should excite:—feelings which should lead to a decent conservation at least, if not adornment, of the field of burial.

The incumbent, let his rights be what they may over the sword, should not exact them by profanation of the soil. The churchwardens should not wink at such unbecoming unholy practices by mercenary tenants. The rural *Dean*, who authoritatively visits "in order to reform what is amiss," should not forget, that "a *cemetery*" is "holy ground," "a place of religion," "a field of God sown with the seeds of the resurrection," and consequently that it ought not to be desecrated to the profane uses of ordinary pasture-land. On the contrary, he

Jeremy Taylor's
Holy Dying,
§ VIII. *Works by*
Heber, Vol. IV.
p. 567.

Secker's *Fifth Charge*, p. 182.

should point out to the clergy, or others, whom it may concern, in the strong language of Archbishop Secker, "the duty of keeping the *churchyards* neat and decent, not turning in cattle to defile them and trample down the gravestones, and make consecrated ground such as they would not suffer courts before their own doors to be; but taking the profits of the herbage in such manner, as may rather add beauty to the place." See Archdeacon Goddard's *Charge*, MDCCCXXVII. pp. 32, seqq.

Stat. Synod. Dioc. Audom.
p. 72.

The synod of Saint Omer (*A.D.* MDLXXXIII.) makes it a part of the office of the deans of Christianity to *blefs new bells*¹—" *novas campanas benedicere* : "—" *quâ in functione*," the canon subjoins, "*caveant patrilinos aut matrilinas qui nomina campanis imponant invitare, aut permittere, sed id tantum faciant quod in manuali præscribitur*."

Decreta Diœcef. Gandavens.
Tit. XVI. c. X.
p. 77.
CC. R. P. p. 456.
Statuta Synod. Diœc. Ypres.
Tit. VII. c. VI.
Stat. Synod. Diœc. Brugenf.
(*A.D.* MDLXXI.)
p. 27.

The duty of *consecrating new bells* is also imposed on rural archpriests in the diocese of Ghent (*A.D.* MDCL.), and of Seez (*A.D.* MDCLXXXV). In that of Ypres (*A.D.* MDLXXVII.) they have the same service to perform in regard to *bells*; and, in addition, they have to *reconcile churchyards*, which had been, by episcopal declaration, *desecrated and profaned* :—" *Decanorum officium est, novas*

(¹) This exceedingly absurd ceremony is said by Brand to have been first practised by Pope John XIII. (*A.D.* DCCCCLXVIII.). The Roman *Pontificale* presents us with the *ritual* for it. It had not ceased, it seems, to excite attention in the French Court at the close of the last century. It is said in a *Journal* of the day (Sept. 22, MDCCCLXXXII.): "The lovers of ecclesiastical solemnities are running in crowds to the church of St. Sulpitius, to see the ceremony of *christening the new bells* of that parish. The *godfathers* and *godmothers* of the first are the King and Queen, who have sent their proxies; of the second, Monsieur and Madame in person; &c. &c."

campanas benedicere, cœmeteria post declarationem à nobis factam, quòd profanata sunt reconciliare, &c.—and to suspend *unconsecrated* altars and cemeteries¹.

By the council of Augsburg (*A.D.* MDXLVIII.) the *deans* of the country are charged to take care that no *images* be erected for the adoration of the faithful, unless first approved of by the bishop or his vicar-general; and they are to search out all *heretical books*, or such as are justly *suspected of favouring heresy*, and to present them to the bishop.

Thomassin. *V. et N. E. D.* Tom. I. p. 228.

By the synod of Ypres (*A.D.* MDCXXIX.) neither *images, seats, epitaphs, nor inscriptions* are to be erected within any of the rural *deanries* of that diocese, without the special approval of the *dean of Christianity*. Nor are any representations of new and unwonted objects to be depicted for future erection, in any church, without their prototypes having been first exhibited to the *dean of Christianity*;—whose criterion of approbation and admission (according to the synod of Antwerp, *A.D.* MDCX.) is to be derived from the canons of Molanus *de sacris imaginibus*. And, farther, it is decreed by the same synod, that all irreparably mutilated and decayed *images* are to be removed from the people's gaze, by the arch-

Stat. Synod. Diœc. Yprenf. cap. XIV.

Decret. Synod. Diœc. Antverp. p. 325.

P. 326.

(¹) We have occasionally noticed, in earlier pages of our *Collectanea*, points of resemblance in the *chorepiscopal* and *decanal* functions. Others may be here pointed out; in which the bishops *in partibus infidelium*, as they obtained in England before the Reformation, resembled the *deans rural* of the opposite continent. The prelates in question *blest altars, chalices, vestments, &c.* They *baptized, blest, and consecrated bells*. They *suspended profane and unconsecrated places, and reconciled polluted churches and churchyards*. They granted *indulgences* for a few days, &c. &c. All which offices were exercised by *deans rural*.

Strype's *Life of Cranmer*, p. 62.
Pegge's *Letter to Ducarel*, p. 24.

priests of the country. See also *CC. Rotomag. Provinc.* P. II. p. 456.

See *Præcepta Decani*, in the Appendix, P. I. S. I. § 3.

The internal *decency* of the edifice in which the public offices of religion are performed, in point of *repairs, cleanliness, and all accommodations of books, vessels, vestments, and other things* required for divine worship, was a part of the *Dean rural's* trust in France as far back as the days of *Hincmar*, and still remains so there and in Great Britain, by assignment of the diocesan; who cannot, as we have already said, perform these minute investigations, either personally, or by his archdeacon, so conveniently and effectually as by his local official representative, the *Dean rural*.

CC. M. B. et H. Vol. I. p. 547.

The *Meath* canons of *de Rochfort* (*A.D. MCCXVI.*) command the then newly-instituted archpriests to return a faithful account to the episcopal synod, "*De statu et conditione librorum, vasorum, vestimentorum, et aliorum ornamentorum et suppellectilium in ecclesiis infra suos decanatus, ut de iis reficiendis, quoties expedit, statuatur.*"

SS. CC. Tom. XIV. col. 1424.
See also *Instructio Decanor. Ecclesie Meldensis*, Appendix, P. I. S. I. § 2.

The council of *Cologne* (*A.D. MCCCX.*) invests *Deans* and *plebans* with a power of examining the necessary *books and furniture* of their subject churches—of ordering such articles as are wanting, to be supplied within a month, after admonition given—and of proceeding, even to excommunication, against refractory and disobedient church-reeves and parishioners:—"Can. XVII. *Decani item et plebani examinent libros et ornamenta necessaria ad divina cultum in ecclesiis sibi subjectis: et ubi necesse fuerit, per conservatores dictæ ecclesiæ, et parochianos, intra mensem post admonitionem eorundem, suppleri faciant; in rebelles, excommunicationis sententiam promulgando.*"

The synod of *Cambray* (*A.D. MDLXVII.*) charges the

archpriests rural, “*Ut quàm diligentissimè advigilent, ne quid in ecclesiis desit, quod ad divinum officium pro sua dignitate peragendum requiritur.*” And farther bids them to inform the bishop of any superstitious vanities that may have crept into the forms and ceremonies of divine worship, whereby the minds of Christians may possibly be seduced from the pure service of God.

Decreta Synod. Camerac. fol. 3. c. 1.

The council of Milan (A.D. MDLXXIX.) capacitates the foraneous vicars, or deans of the archbishop, to inquire, “*An debito cultu fraudantur ecclesiæ; an sacris vestibus, ornamentis, supellectileque ecclesiasticâ, ad cultum necessariâ, instructæ sunt; an denique ullâ ex parte incultæ.*” (See **Parochial Visitation**, Part IV. § II. p. 190.)

SS. CC. Tom. XXI. col. 462.

Articles of church-furniture being committed to the custody of the deans of the country by the Harlem statutes (A.D. MDLXIV.), the officers are charged, as guardians thereof, to see that the same are not pawned to common usurers, under any plea of necessity: and they are forbidden so to dispose of church-goods themselves, except upon mature examination and conviction of the propriety of the measure, on pain of excommunication.

Statut. Synodal. per Nicol. Episc. Harlem, A.D. MDLXIV.

In the diocese of Antwerp, again, if any materials, once consecrated to holy purposes in church edifices, were afterwards defecrated, by being applied to alien and improper uses, in profane dwellings, they were to be redeemed, at the joint appreciation of the dean rural, the pastor, and heads of the parish.

Decreta Synodi Dioc. Antwerp. p. 379.

By the thirty-ninth statute of the synod of Avranches (A.D. MDL.)—on the duty of deans rural—it is enacted—“*Cùm templum aliquod sui decanatus primùm ingredientur decanî, altaria perlustrent: quæ nisi rectè ornata fuerint et composita, aut sordidis onerata quisquiliis conspiciantur,*

CC. Rotomag. Provinc. P. II. p. 290. Synodi Abrincenses.

quæ peragendis sacris magis obfunt quàm profint: continuò referant nostro promotori."

*Decreta Synod.
Prov. Aquensis,
p. 123.*

By the provincial fynod of Acqui (*A.D.* MDLXXXV.), the foraneous bîcars or deans of Alexander Canigian are instructed to inquire—“*An ea, quæ in missæ sacrificio adhibentur, uti calices, corporalia, purificatoria, mappæve altaris pura mundave, ac decentia sint. An baptisterium, et sacrorum oleorum vasa, tutò ac decentèr asserventur. An libros habeant baptizatorum, chrismatorum, conjugatorum, et mortuorum, et hos separatos, et decentes,*” &c.

*Stat. Synod.
Buscod. Tit. xv.
cap. iv. p. 85.*

By the fynod of Bois-le-duc (*A.D.* MDCXII.) the arch-priests rural are bade not omit the particular examination of *sacramentals* and *church-ornaments* of all kinds.

*Decret. Synod.
Arch. Colon.
(A.D. MDCLXII.)
p. 58. and 109.*

In the diocese of Cologne, the parochial pastors are charged to shew their *baptismal* and *matrimonial registers* to the deans rural, at the times of their visiting; and the latter are diligently to examine the same.

*CC. Rotomag.
Provinc. P. II.
p. 253.*

In the diocese of Bayeux (*A.D.* MDCLXII.) the deans are made *conservators* of these important instruments:—it is ordered—“*Que dans chaque paroisse il soit tenu registre des baptêmes, mariages, et inhumations, suivant l'ordonnance: et lors qu'un curé viendra à décéder, ils se saisiront desdits registres, et autres titres et écritures concernans la curé, et les droits du curé.*” “*Pour les mettre*” (adds a fynod of Lisieux) “*ensuite aux mains du nouveau curé, qui en prendra possession.*”

Ejusd. p. 515.

*Decret. et Statut.
Synod. Mechlin.
p. 71.*

The fynod of Malines (*A.D.* MDLXX.) extends their care to all original *documents, muniments, &c.*, relating to benefices; which they are to see duly deposited in places of safe custody.

But touching, more particularly, the connexion of deans rural with *sacraments* and *sacramentals*; with which

they were early concerned in the churches of Normandy;—the third canon of the council of Rouen (A.D. MLXXII.) gives them the distribution of *chrism* (a mixture of oil and balsam for baptism &c.) and *oil* (for extreme unction):—“*Chriftatis et olei diftributio à Decanis fummâ diligentia et honeftate fiat: ita ut interim dum diftribuerint, albis fint induiti: et talibus vafculis diftribuat, ut nihil indè aliquâ negligentia pereat.*” And the fame is continued to them by a fubfequent fynod of Liege (A.D. MCCLXXXVII.) can. XVII.

SS. CC. Tom. XII. col. 220.
Conc. Rotomag. Prov. P. 1. p. 55.

Stat. Synod. Leodiens.
SS. CC. Tom. XIV. col. 137.

With the like *sacramental trust* the *deans rural* were, heretofore, concerned in Great Britain, while *chrism* and *oil* continued to be fupplied from the mother to the daughter churches—probably till the time of the Reformation. The rule was invariable, I believe, in the country, for the villages of each *deanry* to be fupplied from the towns or *metrocomiæ*, or, at leaft, the minor places from the major; and the latter, again, from the epifcopal city. Many notices of this uſage occur in the ancient register of Saint Oſmund of Sarum, before and after the removal of the fee from Old to New Sarum. The *deans*, in all likelihood, as ſoon as they were inſtituted in this dioceſe, received *chrism* and *oil* at the dioceſan church or cathedral of Sarum, and re-diftributed them in the *matrices eccleſiæ* of their reſpective *deanates*; though, at the early date alluded to, they are not mentioned as exerciſing that trust amongſt ourſelves. In the county of Nottingham, it is well known, the *deans of the country* received *chrism* and *oil* for the uſe of the clergy of their *deanries* at the *mother church* of Southwell; to which place the *sacramental* articles were previously brought from the minſter at York.

Reſus Reſiſtr.
Sancti Oſmundi,
penes Epifc.
Sarum.

Thoroton's Hiſt.
of Nottingham,
p. 311.

By the council of Saumur (*A.D.* MCCLIII.), the *deans* shared with the archdeacons and archpriests the entire care of *sacramental implements*. The same having been much neglected in certain parts of the archdiocese of Tours, the second and third canons of this synod commit to the recited functionaries and *deans rural* (“*ad quorum officium dignoscitur pertinere*”)—“*Ut procurent sanctuarium, fontes, oleum, et sanctum chrisma, clavibus adhibitis custodiri, et per loca populosa, et maximè civitates, venerabiliter deferri.*” They were to see that every thing connected with the *altar* was kept with becoming propriety, the *eucharist* itself, and the *καλυμμάτιον* or *corporale*, on which it was deposited;—that the latter was of pure white linen, and washed only by a deacon or priest attired in his surplice, all the ablutions, or at least the first, being poured into the *piscina*;—and lastly, that the *coverings*, the *sacerdotal vests*, and all other things consecrated to the *altar*, were cleansed, apart from the contamination of unhallowed clothes, by some pure and pious virgin, or matron of unimpeachable character.

Conc. Rotomag.
Prov. P. II.
p. 565.
Synod. Constant.

The decent keeping of the *sacramental articles* was justly deemed by the synod of Constance (*A.D.* MCCCLXXV.) of grave importance. It was enjoined on the *deans rural* to enforce it at their *kalendæ*:—“*In kalendis præcipiant omnibus presbyteris et curatis quòd corporalia, et omnia alia ad missam pertinentia, super altare mundè teneant et honestè.*” See *Decreta Synodi Provincialis Aquensis* (*A.D.* MDLXXXV.), *de Vicariis Foraneis*, p. 123.; also the council of Rouen (*A.D.* MDLXXXI.), *de Sacramento Missæ*;—of Bayeux (*A.D.* MDCLXII.), can. XIV.; and of Evreux (*A.D.* MDCXLIV.), chap. XII. can. XII.

Conc. Rotom.
Prov. P. I.
p. 203, & P. II.
pp. 253, 405.

The *plebaní* are ordered by the council of Ravenna

(A.D. MDLXVIII.), and of Amalphi (A.D. MDXCVII.), to receive the “*sacra olea*” from the bishop of the mother or cathedral church, and to distribute them to the subject churches of their plebanates; and the like distribution is charged upon the archpresbyters rural of the diocese of Antwerp by Miræus (A.D. MDCX). Before which latter date, the church of Malines entrusted to her deans rural the partition of *chrisma* and other sacramentals “*in templo aut loco saltè decenti et honesto* ;”—in fulfilling which duty, they were to take care that the distribution was made “*in mundis ac distinctis capsulis*,” the bearers being ecclesiastics: and if any expence was necessarily incurred by the deans, it was to be repaid to them, at the discretion of the bishop, at his next visitation or convention.

Manfi *Suppl. ad SS. CC. Tom. v. coll. 807. 1296.*

Decret. Synod. Diœc. Antverp. p. 285.

SS. CC. Tom. XXI. col. 595.

Decr. et Stat. Synod. Prov. Mechl. p. 45.

“*Non modò archipresbyteri singulis annis*,” says a statute of the provincial synod of Malines (A.D. MDCVII.), “*ab ordinario suo, vel, sede vacante, à vicario-generalis, sacrum chrisma et sacra olea tempestivè petant, et per sacerdotem, diaconum, vel saltè subdiaconum, in mundis et honestis vasculis (scilicèt stanneis aut argenteis, nullo modo verò cupreis, testaceis, aut vitreis) ad locum residentie sue ferri curent: sed pastores etiam singuli quotannis ab archipresbytero suo, vel ex eâ ecclesiâ undè consueverunt, per se aut alium sacerdotem, non autem illo inferiorem, in similibus vasculis sacrum chrisma, sanctaque olea ferre non omittant; usque receptis, veteribus non utantur: sed quidquid ex illis superfuerit, si liquidum, lampadi quæ lucet ante venerabile sacramentum infundatur; sin autem bombyci, vel gossipio immixtum fuerit, super piscinam comburatur.*”

Van Espen, Part II. Tit. III. *De Sacramento Confirmationis et de Chrismate, cap. II. p. 268.*
Decret. et Stat. Synod. Mechlin. Tit. II. cap. VI.
Statuta Diœces. Gandavens. Tit. II. cap. V. A.D. MDCL.

For inattention to this branch of their personal duty the deans rural of the diocese of Cologne were severely rebuked by Archbishop Henry V, in the synod of MDCLXII:—

Decret. Synod. D. M. H. Arch. Colon. P. II. Tit. I. c. v. p. 55.

“*Intelligimus quosdam decanos rurales,*” says he, “*domi suæ hærentes per pedellos suos homines laicos, imò etiam (quod maximè absurdum est) per submissas fœminas, hæc sancta vel petere, vel ad se per multa itinerum spatia curare deferri. Ut huic abusui et sacrilegii periculo occurramus, omnibus ac singulis decanis ruralibus et aliis, quibus id incumbit, severè præcipimus, ut ipsimet, vel eorundem camerarii, vel alii idonei substituti sacerdotes . . . tempestivè compareant . . . et excipiant, &c.*” See also capp. seqq.

*Charge to the
Clergy of the
Archdeaconry
of Totness,
MDCCVIII.*

It was, heretofore, the business of deans rural in England, Dr. Atterbury tells us, “to instruct the younger clergy in the way of administering and ordering sacraments and sacramentals, according to the canons and customs of the church.” It probably was so;—but, in the course of my researches, I have met with no authority for the archdeacon’s statement—none, that is, enjoining on deans rural by name the duty in question; though it was performed in the rural chapters of their deantries. But the archdeacons were the instructors on those occasions, according to Otho’s canon; by which it was ordered that those superior officers should be frequently in attendance at the rural chapters, for the purpose. The words are: “*Frequentè interesse capitulis¹ per singulos decanatus, in quibus diligentè instruant inter alia sacerdotes, ut benè vivant, ut sciant et sanè intelligant verba canonis et baptismatis, quæ sunt de substantiâ sacramenti.*” Before the intrusion of archdeacons into the capitular chair, deans rural probably officiated in the capacity of teachers of sacramental duties; and at a later date,

*Const. Dom.
Othonis, Edit.
Oxon. p. 52.*

(¹) “*Ruralibus—quæ hodiè tenentur,*” glosses John de Atho, “*per officiales archidiaconorum, et quandòque per decanos rurales.*”

when the archdeacons and their officials were absent, the deans may have acted as their substitutes.

The church of Rome, with her appurtenances of superstition, for a long while, greatly multiplied the catalogue of our *sacramental* duties, and added to our official responsibility; but the Reformation has released us from many services as unscriptural as they were absurd. The simple articles of furniture with which the altars of the church of England are now-a-days decorated for the sacrament of the eucharist, and her fonts for that of baptism, have happily reduced the *sacramental* department of our office to one of plain and easy execution. Of the mis-called *sacrament* of penance, and the duties of deans rural as confessors or *penitentiaries*, we shall presently speak.

But there is one holy rite—erroneously termed a *sacrament* by the church of Rome—*confirmation*—with which the deans rural of Protestant England have been brought into remote connexion by an ecclesiastical constitution of the date of the Restoration; which charges them to attend to the preparation of *catechumens* by the appointed ministers, in order to their being submitted to the bishop for *confirmation*:—“Moreover,” in the words of King Charles the Second’s *Declaration concerning Ecclesiastical Affairs* (A.D. MDCLX.), “the rural dean and his assistants are, in their respective divisions, to see that the children and younger sort be carefully instructed, by the respective ministers of every parish, in the grounds of the Christian religion, and be able to give a good account of their faith and knowledge, and also of their Christian conversation conformable thereunto, before they be confirmed by the bishop, or admitted to the sacrament of the Lord’s Supper.”

CC. M. B. et H.
Vol. IV. p. 563.
can. v.

Notitiae Sethi
Episc. Sarum,
fol. 339. Ms.

In compliance with which clause, Bishop Ward of Sarum (*A.D.* MDCLXX.) instructed his **deans rural** to observe whether the parochial clergy were “diligent in catechizing the children, and preparing them for *confirmation*.” (*Officium Decanor. Rūr. &c.* in the *Appendix*.)

*Parochial Anti-
quities*, Vol. II.
p. 357.

But many centuries before this date, **deans rural** were interested in the other popish sacrament referred to, the fourth of the Romish catalogue, viz. *penance*. “For the more immediate influence on their clergy, they were appointed to be their *confessors* and *penitentiaries*, because they were presumed to have the character of men of sufficient literature, and good report and favour with their brethren; and were therefore ordained to hear the *confessions* of rectors, vicars, and all other priests and ministers within the limits of their own **deanry**, and to enjoin them the sacrament of *penance*.”

§ 7.

PENITENTIARY DUTIES OF **Deans Rural**.

See Suicer. *T.E.*
in voce.

Proceed we then, next, to the duties of **deans rural** in connexion with the solemn service of *confession* and *penance*;—premising that “all public criminals who had been guilty of notorious crimes were obliged, in the primitive¹ days of Christianity, to a public *ἐξομολόγησις*,

(¹) For an account of the four grades of penitents of the primitive church, the reader is referred to the very learned notes of the bishop of Saint Afaph, in *Can. Conc. Nicæn. Primi, can. XI.* in v. *ἐν ἀκροαμένοις. Synodic.* Tom. II. p. 71. We have *here* only to do with *penance*, as a part of church discipline to which **archpriests** were ministerial. See Gibbon's *C. I. E. A.* Tit. XLVI. cap. II.

or *repentance* in the church, and were declared unworthy of communion with Christ and his flock, till, by *confession*, *repentance*, and the fruits worthy of it, they were adjudged capable of God's pardon." "In pursuance of which, the bishop, and whom he deputed, ministered to these public satisfactions and amends." Of the number of *penitentiary* delegates, so constituted, were *deans* rural; not merely for the *clergy*, but for the *laity* also, in a subordinate degree. As *pœnitentarii*¹ of the former, in their respective *deanries*, they received the *confessions* of rectors, vicars, capellanes, and all other priests, and enjoined them "*the sacrament of penance*:"—but when first entrusted with this important duty by the bishop, the only *penitentiary* of "infant Christendom," it is impossible to unravel:—"prioribus quinque sæculis penes episcopum solum erat pœnitentiæ publicæ administratio: penes presbyterum verò delegatum nonnisi episcopo absente, aut ægrotante."

J. Taylor of Ecclesiastical Penance, § IV. 41.

Somner's Antiquity of Canterbury, Part I. p. 176.

Thomass. Vet. et Nov. Eccles. Disciplin. V. I. p. 234.

About the time of the Decian persecution (A.D. CCL.), Dr. Cave thinks, the subordinate public *penitentiary* was first appointed—"some holy, grave, and prudent presbyter"—as "a kind of *ensor morum*, to inquire into the lives of Christians, to take an account of their failures, and to direct and dispose them to repentance." But the *archpresbyter* appears not in connexion with this vocation till full *five hundred* years after this date. However, we may say, in general terms, that rural *archpriests* at an

Primitive Christianity, Part III. ch. v. p. 381.

(¹) Pœnitentiarius—*parochus scil. vel alius sacerdos, cui jure canonico incumbit plebis sibi commissæ, aut alicujus singularis personæ, confessiones audire, et pro ratione delictæ, juxta disciplinam ecclesiasticam, pœnas dare. Vulgò, a Confessor.*

Somner's Gloss. ad Script. x.

early date (according to the *Decretum*¹ of Gratian, *A.D.* DVI., but in Thomassin's opinion nearly three centuries later) whether themselves *confessors* or not before that time, were then, at least, ministerial to the bishop in preparing *lay-penitents* (in relation to the *laity* they appear in a *penitentiary* capacity before they do in relation to the *clergy*) for undergoing² the solemn service of *penance* on the first day of the quadragesimal fast—that godly discipline of the primitive church, to which reference is made at the beginning of our *commination* service.

Decret. Pars 1.
Distinct.
L. LXIV. p. 71.
Ex Agathensi
Concilio, an. 506.
D. Burchard.
Episc. Wormac.
L. XIX. c. XXVI.
p. 205.

At the church door stood the "*pœnitentes sacco induti, nudis pedibus, vultibus in terram demissis, reos se esse ipso habitu, et vultu protestantes,*" and were received by the priests and archpriests; who diligently examined their past course of life, and imposed the established degrees of *penance* proportionate to their guilt. After which the

Atterbury's
Archidiaconal
Charge,
MDCCVIII.

(¹) The text of the canon law, compiled by the monk of Bologna (*A.D.* MCL.), is here erroneous. Nothing of the kind is to be discovered in any of the canons of the council of Agatha, now extant. The mistake, however, is of long standing, Gratian having transcribed it from the bishop of Wormes's *Magnum Decretorum, seu Canonum Volumen* (*A.D.* M.),—and Burchard, again, from the collection of Reginon, abbot of Prümia (*A.D.* DCCCVI.), who, as I have elsewhere noted, antedated the canon in question nearly three hundred years. It probably belongs to the age of Charlemagne. See Thomassin *V. et N. E. D. de B.* Part II. L. I. c. v. Tom. I. p. 225.

J. Taylor of
Ecclesiastical Pe-
nance, § IV. 41.

(²) "Though, by the nature of the thing," says Jeremy Taylor, "they only could be necessarily and essentially obliged, who had done public and notorious offences; yet some, observing the advantages of that way of *repentance*, the prayers of the church, the tears of the bishop, the compassion of the faithful, the joy of absolution and reconciliation, did come in voluntarily, and to do that by choice which the notorious criminals were to do of necessity."

Deans or archpriests, (“*Decani i.e. archipresbyteri parochiarum*,”) and their coadjutors, introduced them into the presence of the bishop, in the church, for the latter to perform his part of the *penitential* process. The season of Lent having past, on Easter-day the penitents were again presented by their Deans and presbyters, in compliance with the conclusion of the same canon, to receive the holy sacrament of the Lord’s Supper at the altar. For “in the primitive records of the church, there was no form of absolution judicial, nothing but giving the penitents the holy communion, admitting them to the peace of the church, to the society and privileges of the faithful;”—“which was done by the bishop, (the highest order of the church being the prime agent in dispensing its highest power, the pardon of a penitent sinner), or, in his absence, by the priest or *confessor*, who took the supplicants from the station of the *penitents*, and placed them amongst the faithful *communicants*;—either by declaring that their *penances* were performed, or not to be exacted¹.”

J. Taylor of *Ecclesiastical Penance*, § IV. 50.

Cave’s *Primitive Christianity*, Part III. ch. v. p. 379.

J. Taylor of *Ecclesiastical Penance*, § IV. 55.

The synod of Pavia (A.D. DCCCL.) introduces rural archpriests to us, in its sixth canon, in the character of *penitentiaries* appointed to excite public criminals to public *penance*, while private sins were to be atoned in private *confession* to inferior priests, approved of by the bishops and archpresbyters:— “*Oportet ut plebium archipresbyteri per singulos unumquemque patremfamilias*

SS. CC. Tom. IX. col. 1066.

(¹) See Burnet on the *Thirty-nine Articles*, p. 373, Art. xxv.—*Penance*; and Preface to the *History of the Reformation*, Vol. II. pp. xvi. xvii.; Soames’s *Bampton Lectures*, pp. 266, seqq.; and *Proofs and Illustrations*, pp. 287, seqq.; and Toledane’s *Christian Theology*, Vol. II. pp. 425-6.

convenient, quatenùs tam ipsi, quàm omnes in eorum domibus commorantes, qui publicè crimina perpetrarunt, publicè pœniteant; qui verò occultè deliquerunt, illis confiteantur, quos episcopi et plebium archipresbyteri idoneos ad secretiora vulnera mentium medicos elegerint; qui, si forsitàn in aliquo dubitaverint, episcoporum suorum non dissimulent implorare sententiam &c."

Hincmari Opera,
Tom. I. p. 730.

A farther notice of *Deans rural*, as supervisors of ecclesiastical penance, appears in the councils of the diocese of Rheims under Archbishop Hincmar:—" *Et semper de kalendis in kalendas mensium, quandò presbyteri de decaniis simul conveniunt, conlationem de pœnitentibus suis habeant, qualiter unusquisque suam pœnitentiam faciat, et nobis per comministrum nostrum renunciatur, ut in actione pœnitentiæ pensare valeamus, quandò quisque pœnitens reconciliari debeat. Et si fortè quis ad pœnitentiam venire noluerit infra quindecim dies post perpetrationem peccati, et exhortationem presbyteri in cujus parochiâ actum fuerit, et sedulitatem decani ac compresbyterorum suorum, atque instantiam comministrorum nostrorum, decernatur qualiter qui peccatum perpetravit, et ad pœnitentiam redire contemnit, à cœtu ecclesiæ, donèc ad pœnitentiam redeat, segregetur &c."* Which¹ sentence of excommunication the *Dean* generally denounced, as the most dignified presbyter of his district, a judge delegate, and the organ of

Ms. Addenda,
Paroch. Antiq.
Vol. II. p. 358.

(¹) Bishop Kennett suggests to the bishop of Lincoln, on the occasion of restoring *Deans rural* in the diocese of Lincoln, that there are many parts of discipline that may be committed to them without any pretended invasion upon the archdeacons or others; and particularly calls his lordship's attention "to letting the sentences of excommunication and absolution be denounced more especially by rural *Deans*, &c."

the church's censure on contumacious offenders against her discipline.

In addition to supervising the due performance of these public duties of *lay-penance*, that *deans rural* were actual receivers of *private confession*, and imposers of condign *penance* for the clergy more particularly, is the averment of Somner, Van Espen, Kennett, Whitaker, and others; and the vicar of Ambrosden and the Historian of Manchester refer to Archbishop Peckham's eighth constitution (*A.D.* MCCLXXXI.), "*De uno confessore in quolibet decanatu faciendo*," as their authority for the fact. But, however probable it may be, that the archpresbyter of the deanry is alluded to as the long-established *confessor*, it is not expressly declared. The canon notices it to be an institution of antiquity, "*Ut in quolibet decanatu unus sit rector aut vicarius, literaturâ sufficientè illustratus, gratiâ famâque laudabili insignitus, ad confessionem rectorum, vicariorum, aliorumque sacerdotum ac ministrorum ecclesiæ audiendam, injungendasque pœnitentias, &c.*"—complains that the rule had been allowed, by the negligence of the clergy, to fall into desuetude, and re-enacts it in its pristine vigour and inviolability;—referring, as Lyndwood supposes, to the fifth constitution of Cardinal Otho, and the nineteenth of Stephen Langton (*A.D.* MCCXXII.) But *decanal confessors* are rather superseded by the Legatine canon of the former, under the sanction of the tenth canon of the Lateran council of MCCXVI.—(by which bishops are bound to have *assistants* in preaching, hearing *confessions*, and enjoining *penances*):—for the cardinal orders, "*Et per quoslibet decanatus prudentes viri et fideles constituantur per episcopum confessores; quibus personæ et minores clerici valeant confiteri, qui decanis erubescunt*

See Whitaker's
Hist. of Man-
chester, Vol. II.
B. II. § III. p. 386.

CC. M. B. et H.
Vol. II. p. 54.

CC. M. B. et H.
Vol. I. p. 651.

Vol. I. p. 609.

SS. CC. Tom.
XIV. col. 786.Vide Synod.
Exon. cap. v. de
Pœnitentiâ, A.D.
MCCCLXXXVII.
CC. M. B. et H.
Vol. II. p. 133.

confiteri, forsitan et verentur. In ecclesiis verò cathedralibus confessores institui præcipimus generales.—making no allusion whatever to the institution of Deans themselves as *penitentiary ministers* for the clergy, though the canon seems to acknowledge their pre-existence in that capacity. Nor does any occur in the earlier transcript of the Lateran, viz. the sixteenth canon of the provincial Scotch council (A.D. MCCXXV.), “*De confessoribus constituendis*,” also referred to by the same celebrated antiquaries, as authorities. The words of both point to a second class of *confessors*, beside the Decanal, for the inferior clergy, when either ashamed or afraid to apply to the Deans rural in that capacity,—the latter remaining, at the same time, the proper, canonical recipients of *clerical confession* in general, the “*confessores nati*” of the priesthood of each Deanry, upon some earlier appointment, not incorporated, as far as I can discover, in any antecedent capitulary or synod; but occurring, for the first time, in the tomes of the councils (A.D. MCCLXXXIV.), in the *Synodus apud S. Hippolytum*—“*Statuimus, ut singuli plebani, rectores, vicarii, et capellani nostræ diœcesis de gravioribus suis peccatis confiteantur suo Decano: Decani nobis, ac etiam archidiacono, seu iis, quos eis dederimus confessores.*”

The nineteenth Oxford constitution of Stephen Langton (A.D. MCCXXII.), above cited as being a reference of Peckham on the authority of Lyndwood, ordains certain discreet *confessors* to be selected by the bishop and archdeacon to receive¹ the *confessions* of rural Deans them-

(1) That is, says Lyndwood in his gloss—(L. v. Tit. XVI. gl. e, p. 327), those rural Deans “*qui sunt beneficiati vel aliàs in sacerdotio constituti,*
vel

selves, when fearful of having recourse to their prelates for that purpose. And these functionaries, in all probability, were of the same character and institution as the "*presbyteri idonei literaturæ competentis, et probatæ omnibus opinionis*" of the canon *de Pœnitentiâ* of the same archbishop, published on the same occasion at Oxford,—as the "*duo presbyteri, moribus et scientiâ præditi*" of the earlier Dublin synod (*A.D. MCCXVII.*)—and the Chester constitutions (*A.D. MCCLXXXIX.*)—as the "*duo ad minus confessores*" &c. of the Durham council (*A.D. MCCXX.*)—the "*prudentes viri et fideles*" of Otho, and the Scotch council,—and the "*rector aut vicarius, literaturâ sufficientè illustratus*" &c. of the Lambeth synod; but distinct altogether from rural deans or archpriests:—though, I believe, one glossator, Cardinal Hostiensis, applies the latter canon of Peckham to archpriests of the city and country in the character of *penitentiaries* of the priesthood by delegation of the bishop.

Vol. I. p. 595.

Ejusd. p. 548.

Vol. II. p. 170.

Vol. I. p. 577.

Lyndwood
Provinc. p. 341.
gl. v. rectorum.

The "*penitentiarii communes*" of Peckham's constitution were so called "*quâ deputati sunt communiter tam pro laïcis quàm pro clericis:*" whereas the others were "*P. speciales quoad personas clericorum, quorum potestas extendi non debet ad laïcos, nisi hoc in eorum potestate in specie vel in genere contineatur.*"

Ejusdem gl. v.
communes pœnitentiarios.

The Meath canons of *A.D. MCCXVI.*, so full in general

vel ratione jurisdictionis quam fortè exercent, immediatè subsunt episcopo in foro animæ. Alitèr autem si talis decanus sit parochianus alicujus curati inferioris episcopo, sibi debet confiteri."

So says the *Pœnitentiale Joannis De Deo*, "*de confessione archipresbyterorum, cap. XI.*" "*Archipresbyteri rurales, qui decani à quibusdam vocantur, et quandoque plebani, et debent episcopo confiteri, et*

Excerpta ex
Pœnit. J. De Deo,
in Append. ad
Theodor. Pœnit.
*Tom. II.**Quandoque abbates, licet improprie,*
Alteri de licentiâ episcopi."

CC. M. B. et H.
Vol. I. p. 547.

on the duties of archpresbyters rural, as the appointed immediate successors of the chorepíscopí of Ireland, are silent on the subject of their *penitentiary* functions; save that they order them to take care that the canonical *penances* of the church be duly performed in their districts, and that they themselves be present at them as *witnesses*:—“VI. *Curent insuper pœnitentias canonicas à nobis vel officialibus nostris impostas delinquentibus debite, et eâ, quâ decet solennitate, peragi, et perimpleri in ecclesiis infra suos limites, quibus ipsi cum presbyteris parochialibus interfint, tanquàm testes, ut quâ humilitate et devotione pœnitentiæ laboribus defuncti sunt, testificare possint.*”—being supervisors of imposed *penitential* performances exactly upon the same footing as the Rhemish *deans* of Archbishop Hincmar before quoted.

Van Espen
I E. U. P. II.
Tit. VI. cap. V.
p. 317.

However, that *deans* rural were the *confessors* of the Gallican clergy of their respective *deanries* in the year MCLXXXIV, is expressly affirmed in a canon of the synod of Saint Hippolyte, already quoted from the volumes of the councils:—and the synods of Arras (*A.D.* MCCCCLV.), and of Saint Omer (*A.D.* MDLXXXIII.), continue them, as the *proprii sacerdotes* of their subject priests, in the capacity of receiving *confession*. All persons are bound, by the latter synod, “*confiteri proprio sacerdoti.*”
“*Proprium autem sacerdotem illum intelligi declaramus, cujus curæ quisque propriè subjectus est. Sic parochus proprius sacerdos est parochianorum suorum &c. . . . Sic archipresbyterum seu decanum Christianitatis cujusque loci proprium sacerdotem esse et agnosci volumus pastorum sui decanatus. Sic archipresbyterum civitatisensem, proprium sacerdotem, ut pastorum sui decanatus, ita et cæterorum archipresbyterorum sive decanorum Christianitatis,*” &c.

The synod of Arras prescribes (*De sacramento confessionis*), “*Quòd curati parochiales, presbyteri, capellani in eorum parochiis moram facientes, et in eisdem capellas habentes, confiteantur suis decanis et non aliis, nisi de nostrâ processerit, vel dictorum decanorum licentiâ speciali;*” “*Decani nobis aut in nostrâ absentia nostro vicario generali.*”

*Const. Synod.
Episc. Atrebat.
A.D. MCCCCLV.*

Granting that rural deans were primitively invested with the capacity of hearing clerical *confession*, of inflicting *penance*, and giving or withholding *absolution*, and enjoyed a priority of institution in these duties, how came it to pass that they were virtually superseded, latterward, on almost all occasions, by other priests of inferior rank and station? Whence happened it that the presbyter superseded the archpresbyter?—The negligence, it may be, of the clergy, and contempt of the deans in supporting the laudable practice of confession, the bishop of Peterborough suggests, operated to the introduction of secondary *penitentiaries*. But the principal reason of the decay of *decanal confessors* is to be sought in the union of *penitentiary* and judge in the same functionary.

The deans, having by delegation from the bishop a judicial power over the inferior clergy, might possibly betray the private *confessions* of the latter in such causes as might afterwards come before them in their ordinary courts of Christianity; and thus, through a religious exercise for the relief of conscience, the *confessing* clergy might be instrumental to their own judicial crimination.

This explains why the rectors, vicars, capellanes, and others, were shy of approaching our predecessors in the exercise of their *confessorial* functions; and upon this contrariety of office, John de Athon, ever at war with the dean and his privileges, grounds their unfitness for peni-

Const. Dom.
Othonis, p. 15.

penitentiary duties. Glossing upon "*erubescunt*" in Otho's constitution, he suggests, that, as the same person could not with decency act in a double capacity, in a *penitential* and *judicial* court, the *dean* ought not to be appointed a *confessor* at all,—"*non debet talis confessor institui.*" And yet he immediately weakens the force of this alleged reason, by subjoining, in his gloss upon "*verentur*," that there is no cause for alarm on the part of the confessing clergy, "*cùm in foro pœnitentialem confessionem audit sacerdos vice DEI (!!) nec prodere potest peccatorem impunè.*" Disclosure of the secrets of *confession* was forbidden under severe penalties by the church of Rome.

Ufferii *de Christian. Ecclef. Success. et Statu*, cap. IX. pp. 332, seqq. ex M. Paris, pp. 419, 611, 612, 693, 694.

But besides these coadjutors of the *deans* in this department of their office,—(and being canonically appointed by the bishops in council to the *confessorial* duties, no one could gainsay their right of interference,)—others, who were mere interlopers and usurpers of the power, appeared in the twelfth and thirteenth centuries:—these were the monks, the *fratres prædicatores* and *minores*—who, in England, during the reign of King John and Henry III., wrested out of the hands of *deans rural*, and *penitentiary* priests as well, the entire authority and privilege of hearing *confession*, and adjusting *penance*; whence, in the words of Matthew Paris, the dignity and condition of the ordinary clergy "*non mediocritèr viluit.*"

To such a pitch of arrogance had these men arrived, when Peckham succeeded to the archiepiscopal chair of Canterbury, in the reign of Edward I., that they alleged a grant of some general privileges in their favour from the apostolical see, whereby they pretended themselves to be constituted *confessors*, totally independent of the bishops of the country; and, under a false plea of

foreign investiture, meddled with the spiritual function of binding and loosing, (at no period allowed to be exercised *de jure* by mere monks out of their own convents) to the lamentable subversion of the discipline of the church. For this unauthorized usurpation they were severely reprov'd by Peckham, in his sixth Lambeth constitution, and again by Archbishop Reynolds in the reign of Edward II.¹

CC. M. B. et H.
Vol. II. p. 54.

In the synod held at Chichester (*A.D.* MCCLXXXIX.), it was ordered that no one should be sent before the *pœnitentarii* on account of any crime which he had neither *confessed* nor been *convicted of*;—all enormous sins, at the same time, being reserved to the bishop's tribunal, or that of his deputy specially appointed. And when dispatched to the *penitentiary*, the penitent was to be the bearer of letters to him from the dean or archdeacon, gratuitously bestowed at the suit of the sinner; who was also to bring back from the *confessor* a reply, stating the nature of the *penance*, and for what crime, in particular, it was enjoined. *Can.* XII.

CC. M. B. et H.
Vol. II. p. 170.

The councils of the church enumerate the different grades of sins, and violations of discipline, and the *confessors* to whom the classified transgressors might canonically apply for *absolution*². Thus, for example, in the

(¹) See Matth. Paris, *locis citatis*; Fuller's *History of Abbeys*, Book VI. p. 275; Van Espen *Jur. Eccles. Univ.* P. II. T. VI.; *de Sacramento Pœnitentiæ*, c. v. *de ordinario pœnitentiæ ministro*, pp. 315, seqq.; and Sharon Turner's *History of England*, Part IV. c. III. pp. 402, seqq. note, p. 413.

(²) *Archipresbyter civitatis licet omnes de episcopatu possit absol- vere, non tamen à reservatis sine speciali licentiâ episcopi, secundum Jo. an. in. c. si episcopus, de pœ. et*

Barthol. Fumi
Summa; vel
Aurea Armilla;
p. 38. Ald.
MDLIV.

sec. l. vi. non autem sic archipresbyter ruralis

council of Rheims (*A.D.* MCCCCVIII.), we have a list of “*casus pœnitentiariis per Decanatus commiſſi*”—“*casus presbyterorum parochialium*”—“*casus nobis et pœnitentiariis nostris reſervati, &c.*”—which, if the reader be curious about such absurdities, he may refer to in Mansi's *Supplement* to Colet's edition of the Councils, Tom. VI. col. 566, seqq. and *ſparsim* in the collection.

*CC. Rotomag.
Provinc. P. II.
p. 456.*

Some bishops granted to their deans rural the privilege of *absolving* in cases reserved to the episcopal chair, as the bishop of Seez (*A.D.* MDCLXXXV.)—“*Nous donnions à nos doyens ruraux,*” says Bishop Savary, “*le pouvoir d'absoudre des cas à nous réservés :*” and the like power of absolution was conferred on deans rural in the diocese of Lisieux.

P. 514.

*Decreta Anti-
quæ Synodi
Cameracensis,
p. 134.*

Whenever the deans gave *letters of absolution*, they were ordered by the synod of Cambrai (*A.D.* MDL.), to state the nature of the sentence from which they absolved, and at whose instance it had been inflicted:—otherwise the presbyters were not to execute the *literæ absolutoriæ* of the deans. The sum of money received by the latter, on these occasions, was also to be mentioned in the letters of absolution.

*Const. et Decret.
Synod. Salis-
burg. p. 245.*

No longer personally concerned as public confessors, deans rural, in the province of the archbishop of Salzburg, are commanded by the forty-fifth constitution of the synod of MDLXIX., *cap.* VI., to present all persons, who had been obstinately disobedient to this important branch

ruralis potest absolvere omnes de episcopatu, quia solum præst plebi; et quantum ad majora nihil debet facere sine relatione ad episcopum, in. d. c. fi. Potest tamen omnes pertinentes ad ecclesias, existentes sub suo plebanatu absolvere, quod patet per. d. c. fi.

of the church's discipline, to their diocesan bishop—
“Ita tamen quòd antequàm denuncientur, priùs per pastores suos de faciendâ Christianâ confessione paternè admoneantur: Qui, si protervè in impietate suâ perrexerint, tunc demùm ad superiores deferantur, ut coram ipsorum inobedientium superioribus pro obedientiæ debitæ præstatione sollicitari, vel ex officio pastoralis, canonico modo contra tales procedat, valeat.”

The synod of Ypres (A.D. MDCXXIX.), interpreting the earlier statutes of that see on the duties of *deans* rural, decrees “*Decanos Christianitatis posse excipere confessiones subditorum sui districtus, ad se ex causâ recurrentium, etiam tempore paschali:*” —and the synod of the year following, remarking on the incommodioufness and indecency of having the *confessional* in an angle of the church, close to the altar (whereby communicants at the latter were often obstructed, and *penitents* themselves impeded in the ceremony of *confession*), imposes on the *deans* at visitation the duty of seeing that the *sedes confessionalis* be removed to a more honourable, decent, and conspicuous situation.

*Stat. Synod.
 Diœc. Ypres.
 cap. xx.*

Cap. v. p. 329.

SECTION VI.

SUPERVISION OF SCHOOLS.

Gibson's *Codex*
I. E. A. Tit.
XLVIII. c. II.
p. 1099.



Dift. xxxvii.
c. xii. p. 51.

Spelman, *CC.*
Vol. i. p. 595.

THE authority of bishops over *schools* and *schoolmasters* appears clearly, Bishop Gibson says, from the original institution of *seminaries of education*, and from the ancient as well as modern laws of the church concerning them. The canon law is plain and expresses upon the point. On the continent of Europe, from the time of Pope Eugene's *Rescript* (A.D. ccccxxvi.), *schools* are distinctly spoken of "in *universis episcopis, subjectisque plebibus, &c.*" as under the direction of the spiritual power; and in our own country, as far back as the time of the Anglo-Saxons, they are as pointedly noticed "*per villas et vicos &c.*" as subject to episcopal regiment.

These decrees and orders of councils, however, on the abstract right of bishops to interfere in *scholastic* matters, admitted; it must be, at the same time, acknowledged, that the highest functionaries of the church could not personally superintend and regulate every place of *public education* within their spiritual jurisdictions, and especially in remote rural districts. How then was this difficulty got over? How did the bishops perform those visitatorial duties over *schools* and *schoolmasters*, for which they were equally responsible, in such places?—In Belgium, and apparently elsewhere, by

delegation. They not only delegated the continual governance, but also the actual erection of *seminaries of instruction* to their rural deputies.

It is a canon of the synod of Malines, "*Ut curent episcopi, ut quamprimum in oppidis et pagis suarum diocesum parochiales scholæ, si collapsæ sint, restituantur; si conservatæ, colantur et augeantur &c.*"—indicating that the church was desirous of advancing the machinery of parochial education by the influence of the hierarchy. But under the circumstances of the diocesan being unable personally to comply with the synodal decree, the actual superintendence of the *seminaries* of the country there devolved on his rural deputy, the archpresbyter or dean of Christianity. Whence a second synod of Malines, after regretting the want of edifices for carrying forward *parochial education* upon an extensive scale, suggests that they be immediately erected, wherever required, and that the deans rural enter into negotiation with the local magistracy for erecting them, and raising the necessary stipends for the masters:—"Agant archipresbyteri," says the canon, "*cum magistratibus et præfectis locorum, ut eæ mox erigantur, simulque rationem ineant, ipsis ludimagistris de annuis stipendiis providendi.*"

Synod. Mechlin.
P. I. cap. II.
apud Van Espen
I. E. U. P. II.
T. XI. c. v. p. 381.

Synod. Mechlin.
P. II. Tit. XX.
cap. I.

The Belgian archpriests, generally, examined the masters and mistresses of the *schools* as to the soundness of their religious creed, before they admitted them to their respective charges; and the profession of the parties, then delivered and attested, was kept in the hands of the examiners; in compliance with the command of Philip II., as expressed in a particular edict to the synod of Cambray. But, on another occasion, a civil

Stat. Synodi
Buscoduc. Tit.
XIX. cap. v. p. 98.
de Scholis.

officer was added to the archpriest for the performance of this duty, and the licence of *both* required.

*Statut. Synod.
Diœc. Antwerp.
p. 246.*

The fynod of Antwerp (*A.D.* MDLXXVI.), under Sonnius, decrees, "*Nullum recipi in ludimagistrum sine expresso consensu decani ruralis, qui super illo admittendo maturè cum parochio deliberabit*"—(de Scholis Parochialibus). That, again, under Miræus (*A.D.* MDCX.), enacts

*Decret. Synod.
Diœces. Antwerp.
Tit. XIX. cap. II.
p. 355.*

—"*Ludimagister constituatur à pastore, magistratu et primariis parochiæ incolis (qui curabunt de necessario stipendio ei provideri) cum consensu decani ruralis, in cujus manibus faciet professionem fidei, jurabitque se non docturum aut permitturum ab hypodidascalo vel discipulis in scholâ suâ haberi libros hæreticos, aut de hæresi suspectos, aut quâcunque ratione in honestatem peccantes, aliâsve prohibitos, &c.*" And that of Ypres under Georgius (*A.D.* MDCXXX.) makes profession of faith before the dean rural, and registration of admission by the same functionary, indispensable to a legal institution.

*Stat. Synodi
Ypres. cap. II.
de Scholis &c.
p. 341.*

The *visitation* of parochial schools has been elsewhere noticed as entrusted to deans rural:—the fynods of Malines (*A.D.* MDCVII.) and Cambray enforce it every six months—"*Scholæ scholasticis capitulorum subjectæ, ab iisdem scholasticis, cæteræ omnes ab archipresbyteris, vel aliis ab ordinario deputatis, singulis saltèm semestribus seriò visitentur.*"

*Synod. Mechlin.
P. II. Tit. XX.
c. IV.*

*Synod. Camerac.
P. II. Tit. II. c. II.*

*Const. et Decret.
Synod. Salis-
burg. p. 301.*

The fynod of Salzburg (*A.D.* MDLXIX.) places the regulation of *scholastic* studies in the *seminaries* of the country *entirely* under the *visitatorial* superintendence of deans rural—(Const. LIX. cap. VI. *de authoribus juventuti prælegendis*).

The scope and aim of this branch of the decanal office

was, in the words of Van Espen,—“ *Ut sciatur an juven-
tus ritè instituat, quis sit puerorum in litterariâ scientiâ
et scriptionis peritiâ profectus; an magistri magistræve
instruendæ, erudiendæque juventuti sedulò se impendant;
modum convenientem, prudentiamque in regendâ juventute
teneant; quos libros pueris prælegant, aut legendos tra-
dant, aut legere permittant; an nulli prælegantur, qui
turpe aut obscænum quid contineant, aut bonis moribus,
vel fidei catholicæ adversum; curentque ut libri legantur,
qui pueris pietatem et morum honestatem instillent.*”

Van Espen
Scholis Puerorum, I. E. U.
P. II. T. XI.
c. v. p. 382.

My researches have met with no instance, in the Councils of Great Britain, of Deans rural being delegated to *visit*, or otherwise interfere with, *schools and school-masters*, save in the abortive suggestions respecting the establishment of these officers in the reign of Queen Anne;—where it is recommended by the *Upper House of Convocation*, that rural Deans should be authorized “ particularly to inquire into the condition of *schools, hospitals, parochial libraries*, and the several gifts and legacies bequeathed to pious and charitable uses.”

CC. M. B. et H.
Vol. IV. p. 641.

The following canon, “ *De visitatione scholæ*,” of the *Reformatio Legum Ecclesiasticarum*, does not seem to appertain to our rural functionaries:—“ *Bis unoquoque anno loci ordinarius puerorum progressus in studiis explorabit, atque tunc ingenia quæ videbuntur ad literas nimis inepta, excludet, libros parùm idoneos doceri non sinet, sed utiliores præscribet; præceptorem verò ignaviæ aut nimicæ cessationis suspectum coram Decano, vel, eo absente, vice-Decano, et duobus præbendariis arguet. Quod si bis frustra fecerit, tertio delinquentem loco movebit.*” The whole chapter, I believe, has reference to *schools in cathedral cities only*—not to rural parochial schools. The

De Visitatione
Scholæ, c. III.
R. LL. E. p. 110.

latter, however, have been, in modern days, subjected, by many English diocesans, to the *visitation* and *surveillance* of *deans rural*: see *Documents* in the *Appendix*.

Mss. Addenda,
Paroch. Antiq.
Vol. II. p. 358.

Dr. White Kennett, in his judicious letter to the bishop of Lincoln (*dated* Ambrosden, *Nov. 7, MDCXCIX.*), strongly urges him, in the proposed renovation of the *ruri-decanal* office within the diocese of Lincoln, “to license no curate or *schoolmaster* within his diocese without a certificate from the rural dean, of the person, the place, the salary, the duties, &c.” And, in the diocese of Salisbury, about the year *MDCLXX.*, Bishop Seth Ward bids the rural deans (whom he had recently appointed throughout the counties of Wilts and Berks, —*vide Officium Decanorum Ruralium* in the *Appendix, Sarum Documents*)—“to observe whether *schoolmasters* performed their duty of teaching and catechizing *scholars*, and bringing them to church on Sundays and holydays.” See the duties of rural chapters in connexion with parochial education in the province of Rouen—*Part v. Sect. II. Chap. XI.*

Notitiae Sethi
Episc. Sarum,
Mss. fol. 339.

SECTION VII.

SUPERVISION OF HOSPITALS AND CHARITABLE FOUNDATIONS.

ACCORDING to the ancient rule of the canon law, “*de xenodochiis, et aliis similibus locis, per sollicitudinem episcoporum, in quorum diœcesi existunt, ad easdem utilitates, quibus constituti sunt, ordinentur*”—it would appear that hospitals were under the inspection of the bishop *de jure communi*. Could he delegate the visitation of them to his country representative—the dean rural? There is evidence that he could, and did, both in Great Britain and on the continent—as far, at least, as the episcopal right of interference went; which was subject to some limitation. But to the full extent of his own power the bishop could commission his dean rural, as his vicarious visitor.

*Extra, l. III.
T. XXXVI. c. III.*

*Gibson's Codex
I. E. A. Tit.
XLVIII. c. III.
p. 1106.*

In England, on the authority of Lord Coke, a distinction obtains between *spiritual* and *lay hospitals*; in the former of which, the bishop visits; in the latter, the patron. And in Belgium, according to Van Espen, there are *hospitals* and other *charitable endowments* similarly situated; the administration and regiment of which are exclusively *laical*, and the foundations themselves *laical*. From these the dean rural—*decanus foraneus vel Christianitatis*—is, by name, excluded. He is allowed no concern with their eleemosynary economy;—the bishop

*Van Espen
I. E. U. P. II.
T. XXXVII. c. II.
p. 704.*

himself being put aside, except where malversation and negligence are apparent on the part of the *laical* government;—on which occasions he is allowed, by the synod of Liege, to interfere. May we not, then, infer from this statement, that to *spiritual hospitals* the dean rural was admitted in the capacity of a delegate visitor? See Beckman's *History of Inventions*, Vol. iv. p. 475.

CC. M. B. et H.
Vol. iv. p. 71.

But we are not left to mere inferences. The evidence is express and positive to the point of deans rural being supervisors of *hospitals* and other life foundations. The provincial Scotch council, held at Edinburgh (A.D. MDLI.), expressly orders, in its ninth canon, *De visitatione hospitalium*, “*Ut decani in suis visitationibus de statu omnium hospitalium referant, et debito tempore officialibus, seu commissariis generalibus ad effectum, ut ipsi defectus hujusmodi corrigant, et opportuna remedia desuper prospiciant.*” And the earlier council of the year MDXLIX, probably, includes deans rural in the like duties under the generic title of ordinarii.

Antea p. 56.
can. XL. de Fun-
dat. Hospitalium, &c.

Decreta Conc.
Prov. Camerac.
Tit. XIX. c. XIII.
p. 78.

Amongst the visitatorial duties of deans rural of the diocese of Cambray, we find in the provincial council (A.D. MDLXXXVI.), under the nineteenth title, the following canon:—“*Decani ecclesias parochiales et capellas ac hospitalia, aliaque pia loca eorundem districtum quotannis ut minimum semel visitent, et de eorum statu, ac quam rectè divinum officium in eis peragatur; utrumne missis, et aliis piis foundationibus et oneribus satisfiat, et de cæteris huc pertinentibus accuratè inquirant.*”—c. XIV. “*Excessus verò et defectus (si quos repererint) quibus ipsi mederi nequeant, episcopis locorumve ordinariis, seu eorum vicariis, quamprimùm significant.*” The same charge is

See also Decreta
et Stat. Synod.
Mechlin. p. 155.
A.D. MDCVII.

given by the bishop of Tournay (A.D. MDLXXIV.) to the deans rural of that diocese—to see that divine worship be duly supported “*in xenodochiis, hospitalibus, aliisque piis locis,*” and that the revenues be administered according to the pious and charitable intention of the founders, and to the praise and glory of God.

Decreta Synodi Tornacensis,
p. 29. XVIII.

In the diocese of Ghent, the archpresbyters rural have the like office to perform. The statutes of the year MDCL. enact—Cap. xx. Tit. xx. “*Archipresbyteri non tantum fabricarum et mensarum pauperum, sed etiam hospitalium, domorum orphanorum, et quorumcunque piorum locorum computus semper audiant, ubi de jure et consuetudine id hactenus fecerunt; et examinatis præcedentibus computibus videant num eorum conclusiones debite purgatæ, seu reliqua eorum plenè soluta sint, utque omnia debite administrantur, atque ut computus semper in bonâ et convenienti formâ describantur et audiantur, diligenter advigilent.*”

Decreta et Ordinata Diœcesis Gandavensis,
p. 98.

“*Solent archipresbyteri,*” says Van Espen, “*loco episcopi intervenire computibus non tantum fabricæ, aut mensæ S. Spiritûs in parochiis sui districtûs, sed etiam hospitalium, begginagiorum, et monasteriorum ordinario subjectorum.*” See *Stat. Synod. Diœces. Yprenf.* Tit. xx. cap. xxiv. (A.D. MDCIX.), p. 274. and *Decreta et Statuta Synodi Mechlin.* (A.D. MDCVII.), Tit. xxii. cap. x.

Jur. Eccles. Univ.
Part i. Tit. vi.
cap. v. p. 31.

In the *Instructions or Articles of Enquiry* for deans rural of modern days, *charitable foundations* are generally omitted. But there are exceptions. Bishop Seth Ward’s “*Officium Decanorum Ruralium ad quod juramento astringendi sunt,*” annexes *hospitals* to the items of inquiry within the diocese of Sarum; as if the good

Notitiæ Sethi Episcopi Sarum,
fol. 339.

prelate thought such establishments fit objects of decanal visitation. *Hospitals* and *charitable foundations* are also noticed in the *Convocational Proceedings* under Queen Anne relative to *deans rural* (*see the last section*); and *charitable endowments* are noted in the commission of the *dean rural* of the diocese of Winchester by Bishop Somner; and in the articles of inquiry for the *dean rural* of the diocese of Worcester by Bishop Carr. I do not remember them in any other modern document.

Appendix, Winchester Documents.

Worcester Documents.

SECTION VIII.

ORDINATION, INSTITUTION, AND INDUCTION.

CHAPTER I.

ORDINATION.

THE connexion of Deans rural with the branches of personal service which stand at the head of the present section, has long since ceased in Great Britain;—I mean the serious and solemn duties, with which they were entrusted, as local ordinaries of the bishop, of examining into and testifying the fitness of candidates for *holy orders* within their several jurisdictions—of *presenting* such as were approved at the altar, for the episcopal act of *ordination*—and, subsequently, either personally *instituting* them, as in some few places of the continent it seems to have been their privilege, *ex consuetudine*, to do; or, which was more usual, of *introducing* them to the bishop for that purpose—and, lastly, putting them into the *corporal possession* of their benefices.

“That none might enter the church by *ordination*,” says the author of *A Humble Proposal for Parochial Reformation*, “but such whose habitual inclinations led to a religious life, the church placed much confidence in the office of the rural Dean;—who was to publish the name of any one that was to be *ordained* of his Deanry,

A Humble Proposal &c. by I. M. c. XIII. p. 71.

in the parish where he was born, or had most lived and conversed, and that for three Sundays before his ordination, to learn the esteem¹ people had of him, which the dean was to certify the bishop of."

Many, however, and curious as are the items of decanal duty, which this nameless "*Presbyter of the Church of England*," (as he calls himself on his title-page) has thrown together in his *Humble Proposal to restore Rural Deans and Chapters according to the ancient way of the Church*, he is not always to be relied on for his facts and references. In proof of which, he has here allotted to the dean what the church imposed upon the *parochus*; who was no dean at all, according to modern acceptance, but a mere parochial incumbent. Again, he says, the council of Trent could find no surer way for prosecuting inquiries into the characters of *candidates for holy orders*, than by the instrumentality of rural deans; but

De Reformat.
Sefs. VII. c. XIII.

Discourse of Patronage,
chap. VII. p. 41.

(¹) Zach. Cawdrey (rector of Barthomly in Cheshire, A.D. MDCLXXV.), in his *Discourse of Patronage*, suggests that "every patron may by law be obliged, within one month after the vacancy of a benefice, to nominate three probationers for the living, to the rural dean, and the other ministers of that deanry, wherein the vacant living is; and that those clergymen of the deanry be obliged, diligently and faithfully to inquire into the abilities and due qualifications of the persons nominated; and if no just exception can be made and proved against them, that then the clergy of the deanry should, within one month more, commend them to the parishioners, that they also may inquire into the merites of the candidates: and, after one month more reserved to the people for such inquiry, that they should represent back to the patron, by their humble petition and testimonials, two of the persons named to them, declaring their readiness to sit down under the ministry of either of them; leaving it to the patron to present to the bishop of the diocese which of those two he pleaseth."

the latter are not mentioned in the *Session* referred to, otherwise than as *ordinarii*, under which title they *may be* included of course; but it seems scarce allowable to single them out as distinctly referred to.

Whether *there* alluded to or not, however, they certainly had much to do with the *preliminaries* of *ordination*, in their archpresbyteral character, at a very early date; and so had their prototypes, the *billan bishops* of the fourth century, of whom so much has been said in Part II. § I. pp. 22, seqq. The attention paid to the qualifications of persons about to be ordained to the priesthood, in the letter of Saint Basil, addressed to the *chorepiscopi* of his large diocese (who had departed from the exact discipline of their fathers in this respect), the reader will see in my notes to Dr. Priaulx's *Tract*; and in the version of the original Greek in that excellent periodical, *the British Magazine*, N^o. xxvi. (February MDCCCXXXIV.), p. 158. At that time, it seems, the *billan bishops* performed the duties of examination into the characters of *candidates for orders*—receiving the testimonies of the neighbouring clergy—*πρεσβύτεροι καὶ διάκονοι οἱ συνοικοῦντες αὐτοῖς*—to the point of their general fitness. And, it is probable, when the *billan archpresbyters* succeeded the *chorepiscopi* in their other ministerial duties, they were also capacitated by the diocesan to fulfil the same scrutiny of morals and acquirements of *candidates*.

On the authority of the council of Nantes (*A.D.* DCCCXC.) can. XI., it was the office of the archpriests to accompany the *candidates* in question to the episcopal city, in order to present them to the bishop for *ordination*:—“*Quando episcopus ordinationes facere disponit, omnes qui ad sacrum ministerium accedere volunt, feriâ quartâ*

Basil. Opera.
Tom. III. Epist.
CLXXXI. p. 193.

See N. Alexandri de Chorepiscopis Dissertatio, p. 180. Dissert. Eccl. Trias.

SS. CC. Tom.
XI. col. 660.

*Decret. I. Pars.
Distinct. XXIV.
p. 34.
Burchard. L. II.
c. 1. p. 35.*

ante ipsam ordinationem evocandi sunt ad civitatem, unà cum archipresbyteris, qui eos representare debent. Et tunc episcopus è latere suo eligere debet sacerdotes et alios prudentes viros gnaros divinæ legis, et exercitatos in ecclesiasticis sanctionibus, qui ordinandorum vitam, genus, patriam, ætatem, institutionem, locum ubi educati sunt, si sint benè literati, si instructi in lege Domini, diligentèr investigent; ante omnia, si fidem catholicam firmitèr teneant, et verbis simplicibus asserere queant. Ipsi autem, quibus hoc committitur, cavere debent, ne aut favoris gratiâ, aut cujuscunque muneris cupiditate illecti, à vero deviant, ut indignum, et minùs idoneum ad sacros gradus suscipiendos, episcopi manibus applicent. Quod si fecerint, et ille, qui indignè accessit, ab altari removebitur; et illi qui donum Sancti Spiritùs vendere conati sunt, coram DEO jam condemnati ecclesiasticâ dignitate carebunt. Igitur per tres continuos dies diligentèr examinentur; et sic Sabbato, qui probati inventi sunt, episcopo represententur."

*Thomassin. V. et
N. E. D. Tom. I.
P. I. L. II. c. VI.
p. 227. II.*

The reason why deans rural were appointed to this honourable trust, Thomassin justly alleges to be, their intimate acquaintance with the parties concerned:—

"Quòd archipresbyter regiunculæ suæ laicos clericosque singulos de proximo noscat, moresque eorum habeat exploratiores, compertiora quoque studia litterarum."

*Synod. Constant.
CC. Rotomag.
Prov. P. II.
p. 565.*

Wherefore¹ the province of Rouen continues them in this important charge:—*"Inquæstas de ordinandis clericis*

*CC. Rotomag.
Provinc. P. II.
p. 123. can. VII.*

(¹) (A.D. MDCXXXI.) "*Ut ordinum candidati ad examen cantus peritiores accedant,*" the Rouen councils also decree, "*præcipitur singulis decanatis, ut intra terminos sui decanatus unam seu duas iisdem candidatis scholas assignent: in quibus ab aliquo perito sacerdote in cantu plano et officiis ecclesiasticis ritè obeundis, instituantur: alioquin sciant se ab examine rejiciendos.*"

(A.D.

faciant diligentè decani,” says the synod of Constance (A.D. MCCCLXXV.), “*non per eos quos adducunt ordinandi, sed per eos quos crediderint meliùs scire veritatem, tàm de valore patrimoniorum, quàm de vitâ et conversatione ipsorum. Non concordent testes, sed singulorum testium depositiones scribant.*”

In the collection of *Statutes* of the diocese of Avranches (A.D. MDL.), the thirty-ninth institute relates to the duties of *deans* rural;—of which, one bears on the preliminaries of *ordination*—the life, conversation, quality, age, and general fitness of *candidates for orders*, and the value of the patrimony, or title, they will be severally possessed of as *ordained* clerks. The *deans* are charged—“*Pro ordinandis clericis inquæstas et informationes per fide dignos testes faciant de ordinandorum vitâ, conversatione, qualitate, ætate, et habilitate, necnòn patrimonii aut tituli valore, testiumque depositiones fidelitè scribant, et ad nos aut officarios nostros afferant, aut per fidelem nuncium transmittant. Similitè cum ad eos mandatum ad banna pro vacante beneficio mittitur, quis sit patronus, qualisque sit præsentatus, inquirant: et quicquid invenerint¹, verifimè rescribant.*” And, again, in the fortieth statute, there is a canon “*pro recipiendis ordinibus,*” in which the *deans* are much concerned “*Ne in ipso statim*

CC. Rotomag.
Prov. P. II. p. 289.
Synodi Abrin-
censes.

P. 291.

(A.D. MDCXL.) “*Ut decanorum studio per opportuniora civitatis et diæcesis loca scholæ cantûs et cæremoniarum ecclesiasticarum instituantur, ad quas clerici certis diebus è viciniâ discendi causâ convenient.*”

Ejusd. p. 131.
can. v.

(¹) So the bishop of Peterborough recommends the bishop of Lincoln (in his suggestions for a new regulation of the economy of the rural-decanal office within the diocese of Lincoln) “*to institute no clerk without a certificate from the Dean, of the vacancie, the true patron, the reputation of the presentee, &c.*”

Ms. Addenda,
Paroch. Antiq.
Vol. II. p. 359.

limine offendatur, providendum de litterâ testimoniali ordinandi, tam super titulo sufficienti, quàm super vitâ et conversatione ejus qui sacris initiari desiderat. Ea cura decanâ incumbit singulis in suo decanatu, ut scilicet quândo ad eos scribitur super informatione faciendâ de promovendis ad ordines, diligentiam vehementem adhibeant super conversatione honestâ promovendorum, tituli veritate, omni fraude semotâ: indicentes eis periculum suspensionis in casu fraudis, ætate, et literaturâ. Itâ tamen quòd de duodecim testibus requisitis ex more antiquo, sex eligantur per decanum, et sex per promovendum. Et super his provideant sub pænâ emendæ,” &c.

Acta et Decreta Synodi Camerac. MDL. p. 39.

Canones et Decreta Concil. Prov. Camerac. p. 15. cap. 1v.

Decreta Concil. Prov. Camerac. Tit. x. c. i. p. 35.

Synod. Sagienfes.

The synod of Cambray (A.D. MDL.), makes the “*testimonium legitimum decanâ Christianitatis*” indispensable to admission into, or advancement in, *holy orders*. And the provincial council of the same see (A.D. MDLXV.), enacts, that no persons be admitted to the order of sub-deacon, “*nisi decanâ ruralis, vel officialis, vel utriusque testimonio per literas expresso comprobentur*” &c.:—to which a subsequent council adds, that the “*testimonia vitæ et probitatis morum quæ adferri debent à singulis ordinandis, omninò signata sint à decanâ ruralibus, ac deinceps ab eisdem decanâ clausa et obsignata mittantur, sub pænâ rejectionis eorundem, et non admissionis ipsorum ordinandorum. Si quis autem sine illis litteris venerit, is non admittatur, immò ne quidè examinetur.*” See *Decreta Synodi Tornacensis* (A.D. MDLXXIV.), p. 22. “*de Sacramento Ordinis.*” *Statuts et Ordonnances faites A.D. MDC. par François Pericard, Évêque d’Avranches*—p. 304. can. LVII.; and those of the bishop of Seez (A.D. MDCLIII.), can. XXI. p. 442. imposing on deans rural the verification of the baptismal register of age in each case, the legiti-

macy of birth, amount of patrimony by inheritance or otherwise, the publication of the name of the *candidate*, or, at least, a certification of the same having been published, &c. &c.

In case of advancement "*ad majores ordines*," the archdeacon is charged in the provincial synod of Utrecht (A.D. MDCCLXIII.), to send the names of the *candidates* to all the archpresbyters of the diocese, and the archpresbyters, again, to their district pastors, that prayers may be offered up for them in all the churches.

*Acta et Decreta
Secundæ Synodi
Provinciæ Ul-
trajectensis,*
p. 208. c. 1.

Dr. Kennett proposes to the bishop of Lincoln, "to call in some of the gravest and nearest rural deans to examine and assist at *ordinations*; and to require *candidates* for *holy orders*, if they have lately resided within the diocese, to bring a *certificate* from the rural dean, and his neighbouring brethren." And the *Convocational Proceedings* under Queen Anne suggest, "that in all testimonials required by the bishop or other ordinary, relating to the abilities and manners of *candidates* for *holy orders*, curates, schoolmasters, or others within their districts, a more particular regard shall be paid to the testimony of rural deans." See *Appointment of Rural Dean in the diocese of Winchester*.

*Ms. Addenda,
Paroch. Antiq.*
Vol. II. p. 358.

CC. M. B. et H.
Vol. IV. p. 641.

*Appendix, Win-
chester Docu-
ments.*

CHAPTER II.

INSTITUTION AND INDUCTION.

SS. CC. Tom.
XIII. col. 1262.
can. III.
Thomassin. V. et
N. E. D. Tom. I.
p. 227.



THE charge of presenting *ordained* clerks to the bishop, or his vicar-general, for *institution* to vacant benefices, the dean shared with the archdeacon in the diocese of Tours, by a provincial council of Chateau Gontier (*A.D.* MCCXXXI.)—the lay and clerical patrons being commanded to employ one or other of these officers for that purpose.

Thefaur. Anec.
Mart. et Durand.
Tom. IV. c. 856.

In some dioceses, strange as it may appear, archdeacons and archpriests enjoyed *de consuetudine*¹ the right of *institution* itself. In that of Liege, the former instituted to the larger churches (“*in ecclesiis et earum appendiciis*”), the latter to chapels (“*in capellis*”), according to the *Synodal Statutes* of the year MCCLXXXVII:—but, in both instances, they were liable to suspension by their superior, the bishop, if they deviated from the

Van Espen
I. E. U. P. II.
Tit. XXVI. c. 1.
p. 547.

Rights of the
Clergy, p. 64.

(¹) Upon which plea of custom, Innocent III. supported the archdeacon of Richmond “*in jure instituendi; eò quòd archidiaconus hic probasset, se et prædecessores suos in continuâ possessione instituendi fuisse; quamvis de jure communi archidiacono sola institutio corporalis competat.*” The archdeacon had that power, observes Mr. Nelson, originally from the bishop, because the jurisdiction of the whole diocese was in him before there was an archdeacon; but, the grant which he had being lost, and it being customary for him to *institute*, by virtue (as it must be supposed) of such original grant, he may therefore *prescribe* to do it. Such was, probably, the origin of the archpresbyter rural’s jurisdiction in *instituting* clerks, wherever it obtained.

canon of *institution*, and collated any clerk to a benefice who had not attained the age of twenty-five years.—Again, in the *Summa Silvestrina* it is asked, at fol. xxxix. *De archipresbytero*—“*Utrùm archipresbyter ruralis habeat auctoritatem instituendi seu confirmandi præsentatos à patronis in ecclesiis quæ sunt sub suo plebanatu?*”—and answered, “*Quòd de communi jure non potest:—secùs ex consuetudine præscriptâ, sicut accidit in archiepiscopatu Florentino: quâ uterque archiepiscopus et archipresbyter ruralis seu plebanus potest confirmare præsentatum sibi: et ad quem primò recurrit ille expedit.*”

Summa Silvestrina, Part I. fol. xxxix.

Institution, however, was, generally, the act of the bishop; and the subsequent one of *induction* alone that of the dean, or archpresbyter rural, who received the mandate of the ordinary, and gave the new clerk *corporal possession* under it, accepting no fee for the duty performed—“*Decani pro missionibus clericorum in possessionem ecclesiarum, in quibus fuerint per episcopum instituti, nihil omninò recipere, vel extorquere præsumant.*” (*Const. W. de Cantilupo Wigorn. Episc. A.D. MCCXL.*)

CC. M. B. et H. Vol. I. p. 671.

“*In plerisque diœcesibus,*” says Van Espen, “*jus est archipresbyteris introducendi pastores aliosque beneficiatos in possessionem; recipiendi ab iis fidei professionem aliaque solita juramenta. Quinimò in quibusdam locis obtinuit, ut nullæ literæ curæ animarum deservituræ, vel vicepastoratûs cuiquam suffragentur, nisi præviè archipresbytero istiûs districtûs exhibeantur, et ab eodem subsignentur.*”

Jur. Eccl. Univ. Part I. Tit. VI. cap. v. p. 31. ex *Decret. Synod. Gandaven.* Tit. XVI. cap. IX.

But, in the Belgian churches, *corporal institution* or *induction* was not the rural dean's *de jure communi*, nor even the archdeacon's, but the bishop's alone; who usually committed it to the dean of the district, as the latter's residence in the country enabled him more

Ejusd. Tit. XII. cap. I. p. 57. & Part II. T. XXVI. c. II. p. 550.

Stat. Synod.
Diœc. Ypres.
Tit. VII. c. VI.

Cap VIII.

Van Espen
Jur. Eccl. Univ.
P. II. Tit. XXVI.
c. II. pp. 550-51.

conveniently to perform the ceremony, administer the oath¹, &c. “*Deanorum officium est,*” says the synod of Ypres (A.D. MDLXXVII.) “*novitèr provisos de parochiali ecclesiâ, aut alio beneficio ecclesiastico (visis litteris collationis non vitiatis, non cancellatis, neque aliquâ parte sui suspectis) in veram, realem, et corporalem beneficiorum collatorum possessionem per pulsam campanæ, traditionem clavium, missalis, calicis, aut ornamentorum, et osculum altaris, atque sub aliis solemnitatibus, pro consuetudine debitis et requisitis, inducere, et constituere, mediante summariâ renovatione juramenti &c.*” And farther;—because false letters of *induction* were sometimes substituted, it was decreed by the same synod, that no

(¹) The oath taken by the person *inducted* was to this effect:—“*Ego N. juro et promitto obedientiam, reverentiam et honorem summo pontifici Romano, ac R. domino episcopo N. eorundemque successoribus. Item juro et promitto ecclesiæ meæ parochiali de N. fidelitèr deservire secundùm oneris illi annexi exigentiam, et in eo personalitèr residere. Bona pastoratûs vel ecclesiæ meæ non alienabo; et indebitè alienata, quantum in me erit, fidelitèr recuperare studebo. Specificationem omnium fructuum pastoratûs mei, cum debitâ designatione hypothecarum, limitum et terminorum, intra annum à festo natiuitatis et Joannis Baptistæ proximè venturo, archipresbytero tradam; fructus anni, in quo me mori aut meam ecclesiam dimittere contingeret, subjicio et obligo ad laudabilem deservituram usque ad festum N. Sti Joannis Baptistæ, mortem vel dimissionem meam proximè subsequiturum. Sic me DEUS, &c.*” This oath was renewed by the synod of Malines (A.D. MDCIX.), and ordered to be taken before the rural dean and two other witnesses; and, together with the profession of the *inducted’s* faith (according to the form of Pope Pius IV.), was to be entered in the registry of the deanry, with date, witnesses, &c. Nearly the like oath was taken, before the dean, on *inducting* the same, or any other person, into a benefice *without* cure of souls—*mutatis mutandis*.—See also CC. Rotomag. Prov. P. II. p. 446. *Synodi Sagienses*, and *Decreta et Ordinata Diœcesis Gandavenfis*, A.D. MDCL. pp. 121, seqq., for the forms of these juraments as taken by pastors, capellanes,

presbyters should interfere in any case of *induction* (even though the letters should be addressed generally to *all* presbyters) without the sanction and consent of the *Dean*.

But to return to our insular usages, for examples of the employment of our *billan* officers in giving *corporal possession* of benefices:—On Saint Lucy's day (*A.D.* MCCXX), Richard, rural *Dean* of Wodesdon, *inducted* the prior and canons of Saint Frideswide, Oxford, into the appropriated tithes of Oakle, and certified it by special instrument, concluding thus—“*Ego et plures alii viri fide digni de capitulo de Wittefdon in hujus rei testimonium huic scripto sigilla nostra apposuimus.*”—And again, on the eighth of April (*A.D.* MCCCXXVII.), by mandate from Henry bishop of Lincoln, the rural *sub-dean* of Wodesdon, who was vicar of Wynchendon, *inducted* the aforesaid prior and

Kennett's *Parochial Antiq.*
Vol. II. p. 2.
(*ex Chartul.*
S. Fridesw. penes
Decan. et Capit.
Æd. Xti. Oxon.
Mss. p. 135.)

capellanes, &c. “And why,” asks Van Espen, “was this specification of ecclesiastical property to be exhibited to the *archpresbyter*, as the bishop's vicar?—why—but that he might, in place of the bishop, see to its due conservation, and that no part of it was lost or deteriorated, while in the keeping of the beneficiary!” In compliance with this oath, all *facellanes*, *pastors*, and *beneficed persons*, were commanded by the *synod* of Ghent (*A.D.* MDCL.) to deliver, after *induction*, an exact inventory of all their goods, and rights accruing out of their respective benefices, to the *archpriests* or *deans* of *Christianity*; and also a full statement of all taxes paid by each benefice, that the same might be kept in the archives of the diocese.—Moreover, by the statutes of the same *synod*, authority was given to the *archpriests* to demand the original documents, or authentic copies, of all ecclesiastical endowments, to be exhibited to them by the patrons of the benefices within their *archpresbyterates*. (See also *Stat. Diac. Synod. Yprenf.* T. xx.) And by the *synod* of Antwerp (*A.D.* MDCX.) they were authorized, at the time of visiting the parochial clergy, to examine the titles of *collation*, *institution*, and *possession* of benefices, under which each incumbent held; and the clergy were charged to exhibit the instruments, on demand.

Ejusd. Part II.
Tit. XXXVI. c. 1.
p. 689.

Decreta Diac.
Gandavenfis,
Tit. XVI. c. VIII.

Tit. XX. c. III.

Decreta Diac.
Gandavenfis,
Tit. XX. c. IV.
p. 90.

canons, in the person of John de Abingdon, into the same church, with the annexed chapels of Brill, Borstall, and Adingrave.

For this official act, as I have said, no fee was allowed to the *inductor*. The dean rural of the diocese of Worcester is expressly forbidden to demand or accept any by the canon above quoted. And in a *rescript* to the archbishop of Canterbury (*De Simoniâ*, cap. xxxvi.) Pope Innocent III. urges on the primate, “*Ut pravam consuetudinem de suâ provinciâ studeat abolere, per quam pro investiturâ, archidiaconi mancham argenti, minores verò decani vaccam albam sibi dare postulant, vel certam solvi pecuniæ quantitatem.*”—a custom equally condemned by Honorius II. to the bishop and clergy of Liege—amongst whom he reprobates “*detestabilem consuetudinem exigendi per archidiaconos et decanos determinatam pecuniam de investituris ecclesiarum et altarium.*”

Epist. Honorii II. ad Episcop. et Cler. Leod. in Dacher. Spicileg. Tom. XII. p. 158.

But, in utter disregard of papal *rescripts* of inhibition, the archidiaconal and other agents of *induction*, in the next century, seem to have continued sadly extortionate in the performance of the duty—delaying the act itself and its certification for a most unreasonable time, under the hope of increasing their unlawful profits. In consequence of which abuse, Archbishop Stratford interposed with an *Extravagant* (A.D. MCCCXLII.), strongly condemnatory of the practice, and bidding archdeacons and other ecclesiastical ministers, in obedience to mandates of *induction* from the bishop, to perform the ceremony *without delay*, and to be satisfied with *moderate charges*—3s. 4d. for the archdeacon, and 2s. for his official—to be paid in money or other commodities, at the option of the *inducted* clerk. (Can. III. *De Inductionibus &c.*)

CC. M. B. et H. Vol. II. p. 697.

It should seem, says the learned Mr. Johnson in a note upon this provincial constitution, the practice which now prevails for the archdeacon to give a mandate for the *instituted* clerk to be *inducted* by one that was not official, had its beginning in Lyndwood's time. For he proposes the question, whether the archdeacon in this case shall have any thing, and answers peremptorily in the negative; but that the *inductor* shall have what is sufficient for one of his degree:—“*Inducens habebit ab inducto expensas necessarias suo statui competentes sub moderatione quæ conceditur ipsi archidiacono, vel ejus officiali, &c.*”

*Ecclesiastical
Laws, MCCXLII.
3. note (l).*

*Provincialis
L. III. T. VII.
p. 140.*

The dean rural was often thus *vicariously* appointed to the office of *induction* by the archdeacon (“*cujus officium est,*” glosses the bishop of Saint David’s, “*admissos ad beneficia ecclesiastica inducere in corporalem beneficii possessionem*”), after the canon lawyers had deprived the former of his *priority* of jurisdiction in the matter, and *letters of induction* had begun to be addressed to the archdeacon, primarily, instead of the dean¹.

*Gl. in voce
Archidiaconus.*

*Parochial Anti-
quities, Vol. II.
p. 362.*

Dr. Kennett suggests to the bishop of Lincoln “to have the mandates for *induction* into parochial churches, allwaie directed, as of old, to the rural dean.”—“To license no curate or schoolmaster without a certificate from the rural dean, of the person, the place, the salary, the duties &c.”—“To *institute* no clerk without a like account from the dean, of the vacancie, the true patron, the reputation of the presentee, &c.”

*Ms. Addenda,
Paroch. Antiq.
Vol. II. p. 358.*

Lastly, in the *Proceedings in Convocation* respecting

*CC. M. B. et H.
Vol. IV. p. 641.*

(¹) A.D. MCCCC. The bishop of Norwich wrote to the dean of his own manors to *induct* Tho. Brademere de Hogham, priest, according to custom, the archdeacon never *inducting* any one in the bishop’s manors.

*Blomefield’s
Norfolk, Vol. I.
p. 409.*

rural Deans (*A.D.* MDCCX.), it is proposed by the *Upper House* as worthy of consideration, “how far it may be practicable, that mandates of *induction* be directed to the rural Dean to be executed by him, or any other neighbouring minister.”

Most respectfully, but earnestly, would I solicit the attention of the right reverend the bishops to the suggestions thrown out by Dr. Kennett in reply to the bishop of Lincoln, and by the *Convocation* in obedience to the mandate of Queen Anne, respecting the restoration of Deans rural to the antiquated duties, which are the subject of the present and preceding chapters, and which cannot be too soon, nor too generally revived, in my opinion, under such high sanction, in furtherance of that important department of church-discipline to which they appertain—the *ordination, institution, and induction* of clerks. The suggestions are the more valuable, because they are perfectly practicable, and need only to be tried in order to be approved.

SECTION IX.

CITATORY AND CERTIFICATORY DUTIES.



AS ministerial officers of superior prelates—
 “*Ministri tam episcoporum, quam archidiaconorum*”—deans rural were concerned in the citation of delinquents into¹ the spiritual courts, and making *certificatory returns*—“*Decani ruralis officium est, in causis ecclesiasticis citationes et transmissas exequi;—cujus sigillum in talibus est authenticum,*” says the bishop of Saint David’s. “They were to receive warrants from the bishop or his substitute,” writes the dean of Gloucester, “and by vertue thereof to *cite* all such to make their appearance before the chiefe pastour or bishop, as were upon any occasion to be convented before him: and this their *citation* of such parties to be convented, under the seale of their office they were to *certifie* the bishop of.”

Lynd. *Provinc.*
 Edit. Oxon. p. 91.
 gl. in v. decanoſ.

P. 81. gl. in v.
 decani ruralis.

Dr. Field of
 the Church,
 B. v. p. 507.

Their interference in these proceedings, Mr. Somner confines “to causes of moment, and when the clergy of their respective deanries were the subjects of *citation*; on

Antiquities of
Canterbury,
 Part i. p. 176.

(¹) Persons cited before courts-Christian, whether by deans rural or other officers, were exempt from arrest. All violators of this privilege of the church were to be admonished by the deans to grant to the aggrieved immediate liberation, and recompence for injury sustained. Non-compliance on the part of offenders was subject to peremptory and unconditional excommunication. *Vide* Can. “*Qualitèr venientes ad curiam debent plenè libertate gaudere.*”

Const. Synodal.
Episcopatus
Atrebatensis,
 A.D. MCCCCLV.

Const. Othon.
can. XXVI.
CC. M. B. et H.
Vol. I. p. 655.

which occasions, at least, the warrant was often directed, committed, and entrusted to the execution of the *deans*: and they, as a part of their office, either executed the same themselves, or else caused it to be executed by their apparitors, servants, beadles, or messengers"—“*per se, aut certos suos nuncios et fideles.*” But there seems no reason for the antiquary’s restriction of *decanal* interposition to such cases alone. Indeed, these officers were general ministers of *citation* in consequence of the malpractices of others disqualifying them for the trust.

Const. Othon.
p. 63. Ed. Oxon.

Letters of summons, it appears from the twenty-sixth constitution of Otho, had been previously executed, “at the instigation of the *promoters* of them, in a way most crafty and nefarious:”—“*À multis accepimus,*” says the deacon cardinal, “*quòd citatorias literas impetrantes, eas ad locum, in quo morari dicitur, qui citatur, per tres destinant garriones, quas super altare loci ejusdem ecclesiæ, vel ibidem in loco alio duo ponunt, et tertius statim rapit. Ex quo fit ut duobus postmodum testificantibus, quòd illum citaverint, juxta morem et consuetudinem regionis, excommunicatur vel suspenditur, ut contumax, qui contumaciæ prorsus utpotè citationis nescius vel expers erat.*”—To guard against such abuses in future, the ministerial part of the *citatory process* was changed by the legate, and the *mandates* ordered to be *always* served by an officer of the spiritual court (on the person, if he could be found, or, otherwise, by publication in the church), or, *at least*, directed to the rural *dean* of the *deanry*, for faithful execution by himself or deputies. Thirty years afterwards (*A.D.* MCCLXVIII.), the same constitution was confirmed by Cardinal Othobon;—with the addition, that, unless a return were made by the rural *dean*, or other definite

Const. Othon.
Tit. XXV. p. 123.
Edit. Oxon.

person (“*arbitrio demandantis*,” gloss.) of the due execution of *the summons*, no punishment should be inflicted for disobedience of the injunction.

Scarce, however, had the Deans been appointed to the office of receiving and transmitting *letters of citation and certificate*, than some of them began to abuse their trust; as appears from Archbishop Peckham’s twelfth constitution of Lambeth, *De certificationibus faciendis*:—“*Quidam ruralium decanorum in citationibus faciendis, contra communem juris ordinem de luciferianâ versutiâ meritò diffamantur, qui viz. certificationem subdolam vendunt pro pecuniâ filiis falsitatis, nullâ citatione ad notitiam citati ante certificationem hujusmodi, vel post eam aliquatenus veniente, undè frequenter evenit, ut innocens damnetur.*”

CC. M. B. et H.
Vol. II. p. 57.

For the prevention of which detailed knavery, it is ordered, that no *return* or *certificatory* be granted¹, under the seal of a Dean rural, to any applicant whatever, till it has been publicly read “*intra missarum solennia*,” on Sunday or other festival, in the church where the *cited* party dwells (“*fovet larem*”), or for the most part resorts:—(“*Ut per hoc constare possit*,” says Lyndwood, “*quòd decanus apponens sigillum non est in dolo vel fraude, sigillando forsàn fictum vel falsum certicatorium.*”)—Moreover, that the *cited* have sufficient time allowed him to make his appearance at the place and day appointed:

Johnson’s Ec-
clef. Laws,
MCCLXXXI.

CC. M. B. et H.
Vol. II. p. 57.
Provincial. L. II.
Tit. I. p. 81.

(¹) In Oughton’s *Ordo Judiciorum*, Tit. XXVI. “*Quid sit certicatorium authenticum*,” it is noted “*Quòd in omni certicatorio authentico*,” according to the practice of the Court of Arches, “*archidiaconus, officialis, commissarius, vel decanus ruralis (qui dicto certicatorio sigillum officii sui apposuit) testificari debet, se sigillum hujusmodi apposuisse, ad specialem, seu personalem requisitionem mandatarü; aliàs non valet hujusmodi certicatorium, nec dicitur authenticum.*”

Vol. I. p. 51.

—or, if the case will not admit of such delay, then that the *certificatory* be given in the church, or other public place, before witnesses, *after citation* previously made before witnesses also; the time and place being noticed in the *return*;—and that no *certificatory* be granted, upon any plea whatever, *before citation*. To the strict observance of all which regulations the *deans* were to be sworn annually at the episcopal synod—“*Quia per eos potius quam per alios, qui habent sigilla authentica, multæ fiebant fraudes,*” says Lyndwood:—and again, in explication of the annual repetition of the oath (sufficiently explained, one would think, in the limited duration of the *dean's* tenancy of office, and the yearly recurrence of the diocesan synod), he subjoins, with his wonted severity and illiberality of insinuation. “*Aliàs postquam jurati essent, non oporteret hujusmodi juramentum requiri, nisi subesset causa suspicionis.*”

Provincial. L. II.
T. I. p. 85.
gl. in v. decani
ruralis.

gl. in v. omni
anno.

CC. M. B. et H.
Vol. II. p. 699.

Provincial. L. II.
T. I. *de Judiciis,*
p. 91.

If *primary citations* in causes of correction (“*citationes primariæ, i. e. primâ vice emanantes, Lynd. pro correctionibus delinquentium*”) issued by bishops and archdeacons, or their officials, were transmitted through any rector, vicar, or other parochial minister than¹ the rural *dean*,

Strype's Annals
of the Reforma-
tion, Vol. II.
P. II. pp. 697-98.

(¹) “Whereas, law hath plainly forbidden,” says Bishop Freak of Norwich (A.D. MDLXXX.), “that *process* out of the court should be awarded to be served by the adverse party, or any of his assignment, whereof we see by daily experience the inconveniency; for that the adversary, keeping the *process* by him, will await such time and business of the party, that he cannot appear, and often such slender *returns* are made as bear no credit: it were greatly to the furtherance of justice and indifferent dealing, all *process* should be directed to the *deans* rural or *superintendants* in their several *deanries*, by their officers to be executed, and returned authentically, according to law. Whereby the subject shall have no cause of grief; and justice better may be executed.”

official, apparitor, or servant, it was deemed uncanonical;—the delinquents so *cited* were absolved from obedience; and *the citations*, with the censures and processes consequent upon them, were “*ipso jure*” null and void.

Examples of the employment of *deans rural*, as *summoners* to superior courts-*Christian*, abound in our ancient histories of the thirteenth and fourteenth centuries. In the *Chronica W. Thorn*, A.D. mccc., the reader will find an ordination of rural *deanries* by Thomas Fyndon, abbot of St. Augustine; and, the following year, a *process* carried on against Peter de Mildestede, vicar of Faversham, in which the rural *dean* of Lenham, the last on the list of the abbot's fore-appointed *decanates*, is employed by his commissary to *cite* the delinquent vicar (previously declared contumacious, and suspended *ab ingressu ecclesiæ*) “*coram domino abbate vel ejus commissario in ecclesiâ Sancti Augustini Cant. &c.*” Then follows the *certificatorium* of the *dean*, which, as a curiosity, I transcribe, stating the due execution of the mandate of *citation* :—

“*Venerandæ discretionis viro, commissario venerabilis Patris Dei Gratiâ Abbatis Sancti Augustini Cant. suus humilis et devotus decanus de Lenham obedientiam, reverentiam, et honorem. Mandatum vestrum suscepi in hæc verba &c. Auctoritate cujus mandati præfatum vicarium quòd compareat coram vobis dictis die et loco peremptoriè citavi, dicitur tamen vulgaritèr quòd est absens et vagabundus. Et sic mandatum vestrum secundum sui formam et effectum reverentèr quatenùs potui sum executus.*” The rebellious vicar still keeping aloof, in contempt of the court-*Christian*, *dean rural*, commissary, and abbot, he is declared suspended and excommunicate, in his own church of Faversham, and throughout the *deanry* of

Scriptores x.
col. 1976.

Col. 1981, 1982,
1983.

Lenham; and the commissary, at last, denounces him an incorrigible excommunicate, deprived of all preferment.

Papal Usurpations, Tome III.
p. 987.

Prynne's *Usurpations* afford a second historical anecdote of citation by deans rural. Being concerned in the applicatory part of all admonitions, summonses, returns, and censures of the church, and the whole of its discipline, in country districts, being practically vested in them and their apparitors, we may readily conceive that they were sometimes exposed to insult and injury from the unruly violators of the church's peace. Accordingly, we read in Prynne, "*Quòd quidam malefactores et pacis nostræ perturbatores. . . . Richardum Christian Decanum Roberti Archiepiscopi Cantuar. de Ospringe per ipsum archiepiscopum usque Sellinges missum, ad quasdam citationes et alia, quæ ei ratione officii sui spiritualis incumbabant facienda, apud prædictam villam de Sellinges ceperunt, et ipsum versus posteriora equi illius retroversum et caudam ejusdem equi in manu suâ loco fræni tenentem equitare inhumanè compulerunt; ipsum etiam sic equitantem per medium ejusdem villæ de Sellinges cantibus et choreis illudendo duxerunt, et postea caudam illam, et auriculas ac labia ejusdem equi absciderunt, et ipsum Decanum in lutum sordidum projecerunt, ipsumque quo minùs officium super sibi per præfat. archiep. commissis et injunctis exercere potuit impediverunt &c.*" For which assault, thus circumstantially set forth, "the king directed his writ to the sheriff, to make inquiry by inquisition of a jury concerning it."

Hasted's Hist. of Kent, Vol. II.
p. 804.

SECTION X.

Decanal APPARITORS.

TO aid the deans in the execution of certain branches of their office, the church allowed them the use of *bedels* or *apparitors*—“*Decani rurales,*” says Lyndwood, “*in quibusdam partibus habent jurisdictionem, et apparitores seu bedellos sibi intendentes.*” In reference to the bishop, the deans themselves stood in the capacity of *summoners*¹—“*Quantum est ad episcopum, intelligi potest quod ipsi decani sunt ejus apparitores:*” and in the same relation to the deans, stood their own personal officers, who were employed to *cite* the clergy to *chapters*, *visitations*, and *convocations*, (for the mandates for the choice of *convocation-clerks* passed through the hands of deans rural), and to execute

Provinciale, l. v. T. xvii. gl. in v. decanorum, p. 352.

L. III. T. xxii. gl. in v. *duntaxat*, p. 226.

Atterbury's *Archidiaconal Charge*, MDCCVIII. Somner's *Antiq. of Canterbury*, Part I. p. 176.

(¹) “*D'n's archiepisc. officario suo salutem.—Amoveatur apparitor (utpotè subditis nostris onerosus occasione questus extorquendi) et compleatur ejus officium per decanum sicut extitit hactenus observatum. Idem etiam decanus in suo de cetero decanatu sit sine quavis injusta severitate sequestrator, et superfluitas ministrorum indebita undique deleatur ne impropria deinceps sub inchoatis tediis abbrevient dies nostros &c.*”

Ex Registr. Will. Wickwane Ebor. Not. M^o. R^o. Kennett's *Paroch. Antiq.* Vol. II. p. 351.

In the capacity of episcopal *summoners*, deans rural were purposed to have been commissioned by our ecclesiastical-law reformers. They were to have made known the time of the episcopal synod to the rural clergy, in order to ensure their attendance at it—(a duty enrolled in our earlier pages under *synodical duties*)—“*Singulo quoque anno synodus ab episcopo indicetur, curetque diem conductam omnibus pastoribus qui sunt in agro per decanos ruri sparsos indicari &c.*”

Reformatio LL. Eccles. cap. xx. p. 104.

CC. M. B. et H.
Vol. I. p. 671.
A. D. MCCXL.

*summons*es and *judicial writs* from the court-Christian, on behalf and in place of their masters. They were also supervisors of manners, and bound to notify to their employers any immoralities, or breaches of church-discipline, which occurred in their presence, or reached them by information: and, as the principals were punishable by removal from office, if they accepted any pecuniary bribe for concealing, or too lightly punishing, the crimes of offenders, so also were the under-officers subject to the severe correction of the bishop's official for the like connivance and corruption. See *Const. W. de Cantilupo, Wigorn. Episc. Can. "Quòd officiales vel decani &c."*

CC. M. B. et H.
Vol. I. p. 754.

By Archbishop Boniface's Lambeth constitution (A. D. MCCLXI.) *De apparitoribus sive bedellis*—certain regulations were established to remedy the "*gravamina et excessus*" resulting from the abuse of *apparitors*. "*Cùm pro faciendis executionibus, aut pro aliis necessitatibus ad hospitium rectorum, vicariorum, seu capellanorum, vel aliorum sacerdotum vel clericorum aut religiosorum eos declinare contigerit, nihil omninò ratione procurationis vel alterius servitii exigant ab eisdem, sed cum gratiarum actione recipientes ea, quæ eis ab hospitibus apponentur, illis contenti existant: neque per nuncios aut subbedellos, sed per seipsos executiones faciant præceptorum, &c.*" Moreover, they were not of themselves to pass sentences of excommunication, interdict, or suspension; nor to denounce judgments passed by others, without the special letters of their principals. Such sentences, otherwise delivered by them, were not obligatory in law, and might be disregarded with impunity. And lastly, inasmuch as it was the earnest desire of the church to exonerate the clergy from illegal charges, if *apparitors*, in violation and con-

tempt of her restrictive constitutions, were still burdensome and expensive in their visitings, they were to be punished with severity, and compelled to make double restitution to the aggrieved party.

These rules, I have no doubt, extended to *all apparitors*. The Dublin synod (A.D. MCCXVII.), had passed the same, or nearly so, long before; expressly restricting archidiaconal and decanal *bedels* by name—"bedelli seu apparitores, archidiaconis nostris vel decanis intendentes, &c." And, under pain of excommunication, the same officers were inhibited to ride in the diocese of Norwich—"Inhibemus sub pœnâ excommunicationis, ne bedelli archidiaconorum seu decanorum habeant equitaturas, sed pedites incedant, ne sint onerosi provinciæ"—(A.D. MCCLVII.)—though in the diocese of Winchester (in the larger deanries at least) they were allowed the aid of horses for the more expeditious delivery of their mandates:—"Sit in quolibet decanatu unicus duntaxât apparitor, sine equo, exceptis diffusioribus decanatibus, in quibus permittimus apparitores eorum equites esse, cum non possunt pedites, cum celeritate debitâ, omnia quæ eis nos, vel officialis noster, aut archidiaconus, vel officiales eorum injunxerimus expedire, &c." (A.D. MCCCVIII.)

CC. M. B. et H.
Vol. I. p. 551.

Ejusd. p. 735.

Ejusd. Vol. II.
p. 299.

Bishop Bleys of Worcester (A.D. MCCXIX.) ordered that every apparitor attached to a dean should be, at least, of the order of acolyth—"Nullus decanus habeat apparitorem nisi fuerit ille clericus, ad minus ordinatus in acolitum."

Ejusd. Vol. I.
p. 571.

Notwithstanding the particularity of the cited limitations, and the severity of the penalties on disobedience, it seems, the apparitors contrived to evade them:—whence the necessity of the subsequent *Extravagant* of

Johnson's Eccl.
LL in anno.

CC. M. B. et H.
Vol. II. p. 700.
Provincial. I. L. III.
T. XXII. gl. in v.
non equitem.

Archbishop Stratford (A. D. MCCCXLII.), restricting the number to one *foot-bedel* in each *Deanry* (“*tàm sub archidiacono quàm decano,*” says Lyndwood), without any horseman; the latter being granted to the bishop alone. This walking *apparitor* is allowed, by the provincial constitution of the archbishop, to remain only one night and day at the same rectory or vicarage, in each quarter of the year, unless specially invited to stay longer. He is forbidden to levy contributions of money, wool, lambs, or other perquisites, and is thankful to receive whatever is freely presented to him. Any excess in retinue of *apparitors* is, *ipso facto*, suspension of the *Dean* from office, until he again reduce them to the canonical limit. And, on the *apparitor's* side, any deviation from the strict letter of the law, either in being himself of the number so augmented, or in the mode of administering the personal duties of his office, is immediate deposition, *ipso facto*, and perpetual incapacity to resume the *apparitorial* functions¹.

Brown's Fasci-
culus Rerum,
p. 366.

(¹) Great as were the faults and numerous the transgressions of the officers of the rural *Deans* of England, they are quite eclipsed by those of foreign official underlings. The character of the officials of *archpriests* is thus given in the “*Gravamina centum Germanicæ Nationis* :”—
“LV. *Archipresbyterorum quoque officiales, ut plurimum sunt indocti, inhabiles, insupèr et scurrilibus moribus, nihil pensi habentes, nihil aventes quàm pecuniam. Et quàm notoriè in publicis degant peccatis ac facinoribus, quotidiano discitur usu, per quod laici, quos ob admiffa, debito modo corripere, ac in pietate Christiana eruditiores et meliores reddere debebant, nedùm ad meliorem frugem non perducuntur, sed offendiculis onerantur potiùs. Ad hæc per leves ac viles has officialium personas, in quorum conscientiis, nulla Christianæ pietatis viget ratio, sed tantùm sceleratus habendi amor, laici miserè ad vivum usque in bonis suis spoli-
antur, ac deprædantur,*” &c.

“ The

Subject to these regulations, the Dean rural continued to employ this servant¹ till the period of the Reformation; when the latter entirely disappeared, and the former preserved little more than a nominal existence—"the cipher of a function." The *Canons* of MDLXXI. continue the Dean rural, but say nothing of his *apparitor*. Nor, in the *Constitutions Ecclesiastical* of MDXCVII., or those of MDCIII., does the latter any more appear;—unless, perchance, he be included among the *summoners* of "*inferior ordinaries*" there mentioned. But the abortive *Reformatio Legum Ecclesiasticarum* of Henry VIII. and Edward VI., when restoring archpresbyters, or deans rural, to their full powers and usefulness, would also have granted to each the services of an *apparitor*. And such, in the next century, was the intention of Bishop Bedell of Kilmore;—indeed, he expressly orders his restored deans rural to employ the services of their *apparitors* (one in each of the three deanries of the diocese) for distributing episcopal *mandates* to their presbyters.

In the islands of Jersey and Guernsey, the *Constitutions*

Sparrow's *Collection*, pp. 21, and 48.

Gibson's *Codex I. E. A. Tit.* XLIII. cap. VII. p. 998.

De Archipresbyt. sive Decan. Rur. cap. v. p. 95.

CC. M. B. et H. Vol. IV. p. 538.

"The Civilians have so low an opinion of a *beadle* or an *apparitor*, that they call him *animal tantum rationale*; by which it may be inferred, that he is of a meaner capacity than a sheriff's officer: and therefore, since he is such an *incomprehensible*, it is fit the court should not be troubled with many of them, &c."

(¹) "Whereas the lewdness of *apparitors*, scouring of the countries; following their master's trade and exercise; some have been detected of forty marks bribery in half a quarter of a year, in half a deanry; the Dean rural or superintendant shall cause some honest, religious, quick person, to whom he shall upon his credit commit those things he shall be put in trust with. Who, attending every consistory day upon the court, may certify and return all *processes*; and advertise of all abuses needing reformation."

Freak's *Paper*.
Strype's *Annals of the Reformation*, Vol. II. P. II. pp. 699—700. (A. D. MDLXXX.)

Cæsarea by
Falle & Morant,
Append. No. x.
p. 216.

and *Canons Ecclesiastical* grant to the *Dean* one *apparitor*, who, in aidance of the *procefs of citation*, may swear to the duties thereof the clerks of parishes:—" XLVII. *Pour exécuter les citations et sémonces, le Doyen affermentera les cousteurs des paroiffes, et un appariteur, lesquels donneront fidèle récord de leurs exploits, en donnant copie des citations et mandats originels à ceux qui le requerront, et en absence de la partie aux domestiques; et les causes de la comparence seront exprimées dedans lefdites citations et mandats.*" —" XLVIII. *Si la partie ne se trouve point, soit en se cachant, ou autre collusion, la citation sera affichée à l'huis du temple paroiffial d'icelle, en cas qu'il n'ayt aucun domicile, et ce en jour de dimanche.*"

Manfi Supplem.
ad SS. CC. Tom.
vi. col. 352.

Of foreign councils, one only prolongs the existence of the *Dean's officer* to the year MDCCLXX.—and there, probably, he is no *apparitor*, but a mere domestic servant; for whose support, as well as that of his master and two horses, the *Concilium Ruthenorum* authorises the *Dean* to demand of the clergy sufficiency of maintenance, during the time of their necessary attendance on parochial visitation.

SECTION XI.

AUTHENTIC SEAL.



VERY important instrument in the hands of the dean rural, for the purposes already referred to, and others to be now mentioned, was his *seal of office*;—constituting here in England, in the opinion of Bishop Kennett, his investiture. By its formal receipt from the diocesan, or his deputy, the dean was duly commissioned to the immediate performance of his numerous functions, both *personal* and *capitular*; none of which *in scriptis* were legal, unless they had the sanction and impress of the *sigillum auctenticum*.

Ms. Addenda,
Paroch. Antiq.
Kennett's Letter
to Bishop of
Lincoln.

The privilege of using a *seal* was confirmed to deans rural in England (for it *previously* existed) by the twenty-eighth *Constitution* of Cardinal Otho, "*De sigillis auctenticis, et de custodia eorum*" (A.D. MCCXXXVI.), upon¹ the plea of the total want of public notaries in the island at that time. The character and inscription of the decanal *seal* were peculiar. Inasmuch as the office was only of

Codex I. E. A.
Tit. XLIV. cap. v.

CC. M. B. et H.
Vol. 1. p. 655.

(¹) "*Apud Anglos, referente Matthæo Parisio in Henrico tertio, quoniam Tabellionum usus in regno Angliæ non habetur, propter quod magis ad sigilla authentica credi est necesse; ut eorum copia facilius habeatur, statutum est, ut sigillum habeant non solum archiepiscopi et episcopi, sed etiam eorum officiales, idem abbates, priores, decani, archidiaconi, et eorum officiales, decani rurales, necnon ecclesiarum cathedralium capitula, &c.*"

Mabillon De Re
Diplomatica,
L. II. c. XIII. IV.
Vol. 1. p. 129.

J. de Anthon.
gl. in v. *tantum*,
p. 69.

CC. M. B. et H.
Vol. II. p. 417.

a *temporary* nature, the *Deans* were not allowed to have their own names inscribed on their *seal*, but *only* that of their office; at the expiration of which, they were to resign the *seal* at once, “without trouble or annoyance,” into the hands of the person by whom they had been appointed:—“*Illi qui temporale officium suscipiunt, putà decani rurales, et officiales, sigillum suum, quod tantum nomen officii (quasi diceret, sine nomine proprio, gloss.) habeat insculptum, finito officio, ei, à quo habeant officium, continuo et sine molestiâ resignent.*” The same is enacted in the fifth constitution of Richard de Kellow, bishop of Durham (*A.D.* *mcccxi.*), with this additional particularity, that the titles of the different offices of the enumerated functionaries should be engraven on the *circumferences* of the *seals*:—“*Quòd tam officiales nostri quàm officiales archidiaconorum nostrorum, et eorum commissarii generales, aut decani rurales, nostrarum civitatis et diœcesis Dunelm. sigilla habeant auctentica, in quorum circumferentiis ipsorum officialium, commissariorum, decanorum officia expressiùs designentur, suis successoribus in officio relinquenda; quibus sigillis, quæ sua contingunt officia, semper utantur; alioquin pœnâ gravissimâ puniantur.*”

History of Man-
chester. Vol. II.
pp. 391, 398.

The superior ecclesiastics, having a perpetuity of enjoyment in their several dignities, were permitted to unite their personal or proper names with their titular distinctions in the legends of their *seals*,—an honour denied to the *Deans* of the country—unless, from custom, these also chanced to enjoy the like permanency of rank and title;—as was the case with the *Dean* of Manchester, and some others; who, with perpetuity of office, had the privilege of prefixing their personal names to their official honour. The usual subscription of the *Dean* of

Manchester was *H. Decan. de Manucestro. Ho. Decan. de Manchester*: and such, Mr. Whitaker tells us, was the inscription of his *seal*. But the temporary dean's *signet* bore no proper name, running in a general form, adaptable to every possessor, as "*Sigillum decani decanatus de Ospreng,*" "*Sigillum decani Berencestrie,*" "*Sigillum decanatus de Douer,*" "*Sigillum officii decani de B.*" of which we have examples, severally, in Hasted's *Kent*, Kennett's *Parochial Antiquities*, Lewis on *Seals*, and Thorne's *Chronica*.

All, however, of what duration soever their tenure of office, were commanded to be careful of the custody of their respective *seals*; and either to keep them faithfully under their personal charge and jurisdiction, or to delegate them to safe and sworn guardians;—neither themselves affixing them, nor by their appointed representatives, to any document whereby prejudice might *possibly* accrue to another person, without due circumspection and inquiry;—never refusing them to rightful and necessary applicants; but peremptorily and unconditionally denying them to falsaries and forgers. Lastly, the legate Otho enjoined, that the proper date of the day, month, year, and place, should be inserted at the beginning, or close, of every such *authentically-sealed* document.

Thus guarded by canonical enactment against the male-administration of his *seal*, either personally or vicariously, the rural dean ratified with it his *Certificatoria* already spoken of (*letters of response certifying the receipt and delivery of mandates of citation*)—his *Procuratoria* (*instruments by which proctors were delegated representatives in causes ecclesiastical, or courts-Christian*)—*Inquisitiones de jure patronatus*, and *Capitular Adjudications* gene-

CC. M. B. et H.
Vol. I. p. 655.

J. de Athon. gl.
in v. *ex quo*
possit, p. 69.

See Oughton's
Ordo Judicio-
rum, Vol. I. Tit.
XXVI. p. 51. &
Tit. XLVIII.
p. 81.

rally—*Testamentary papers, and Letters of administration, Valores beneficiorum, Taxations, Testimonials for orders, Inductions of clerks, Marriage-banns, and all other acts and documents, which, formally and in writing, were heretofore occasionally transmitted through the decanal office; or to the execution of which, whether of a public or of a private nature, the dean was an official party, attesting authoritatively with his signet their genuineness and authenticity.*

The cause of all this wary legislation, canon upon canon, was this:—Before the arrival of Cardinal Otho in England, as legate à latere from Gregory IX., the use of *authentic seals* had been grossly misapplied, in reference to some of the purposes for which they had been instituted, not only by the “*minores clerici*” (“*quales sunt officiales et decani rurales,*” J. de A.), but also by superior prelates; (in one or other of which classes, our deans are assuredly to be included, as having *sigilla authentica*;—though Johnson objects to the interpretation of the glossographer)—and thence the need of an amended code to check abuses wont to arise “*per insolentiam.*”

Const. D. Othon. Quæ literæ &c. gl. in v. minoribus clericis, p. 66.

But to a few of the purposes (whether uses or abuses) to which the ruri-decanal *signet* was applied;—and first, of *Certificatoria*:—

On the twenty-sixth constitution *De citationibus faciendis*, what has already been said under the head of *citatory processes and certificates* renders farther extracts on those branches of duty unnecessary. But the other canon referred to, viz. the twenty-seventh, demands the introduction of a few words bearing on our *rural sigils*. It is headed—“*Quæ literæ falsæ dicuntur, et pæna eorum qui eis uti præsumunt*:”—and after a brief preface, the

cardinal writes “*Conficiuntur, ut audivimus, literæ, ac signantur non tantum à minoribus clericis, verum etiam à prælatis, in quibus manifestè cavetur aliquem contraxisse, contractui vel negotio affuisse, vel extitisse aliquem ad iudicium evocatum, vel sibi citatorias literas præsentatas, qui tamen nunquam præfens fuerat, vel inventus, immò forsàn in aliâ provinciâ vel diœcesi tunc degebat, &c.*”—concluding with a plain statement, that all such persons are guilty of forgery, and liable to its penalty of suspension from office and benefice.

CC. M. B. et H.
Vol. I. p. 565.

With regard to *Procuratoria*—rural deans attested with seal and signature letters *procuratory*:—wherein, again, they seem to have incurred blame, either as the dupes of fraudulent and designing men, and possibly unwittingly offenders, or else as privy to their nefarious practices, and sharing in their guilt and gain;—which is more than insinuated by the “*datâ mercede iniquitatis*,” noticed as the condition of the deans’ compliance, by Archbishop Peckham, in his Lambeth constitution, *De falsis procuratoriis non signandis* (A.D. MCCLXXXI.)—where the crime alleged against them is that of attaching their seals to fictitious documents, at the price of a bribe.

CC. M. B. et H.
Vol. II. p. 57.

But it does not appear that they had any thing to do with the abuses in these matters of earlier date; when Otho, in his twenty-fifth constitution, *De officio procuratorum*, complained of the appointment of proctors *without letters at all*, or with letters *not ratified by any authentic seal*. Indeed, they could not have been then culpable; for it was only in consequence of their *signets* coming more into use, on the passing of that legateine canon, that male-administration in *attesting proxies*, on their part, ensued.

Johnson's *Eccl.*
Laws, can. XIII.
MCCCLXXXI.

CC. M. B. et H.
Vol. II. p. 57.

Johnson's *Eccl.*
Laws, can. XIII.
MCCCLXXXI.

In Peckham's days, however, the *procuratorial* abuses are more or less connected with them; as the circumstances, so prominently brought forward by the archbishop in the cited canon, plainly shew. "Some crafty villain longing after the benefice of an absent incumbent, feigns his *citation* before an ecclesiastic judge, and the appointment of himself as his *proctor*. Then procuring the absentee to be *cited*, in order to defend his cause in court, he shews the forged *proxy* to some *dean*, and says, 'Quia sigillum meum paucis est cognitum, peto ut sigillum auctoritatis vestræ meo procuratorio apponatis'; and by the wages of unrighteousness he obtains his request. By virtue of this false *proxy*, so obtained, he engages in suit with another, who feigns himself his adversary, and carries on the fraud, till at last he gets possession by sentence of court; while the true owner, whose estate is subverted, knows nothing of the matter."

To put an end to "such detestable frauds," the canon forbids the *dean* "to affix his *seal* to any *procuratorial instrument*, unless it be publicly asked in open court, (or out of court, when he that constitutes the *proctor*, and is known to be *in truth* the principal party, personally requests it) that so all fraud may be excluded." The penalty for transgression on the *dean's* part is three years' suspension from office and benefice.

It were easy to adduce examples of the employment of the *ruri-decanal seal* for the other purposes enumerated at p. 389, both *capitular* and *personal*; but it is unnecessary. Let the following brief remarks suffice: in addition to which, a few incidental notices of the application of the *signet* to public and private uses will appear in the sequel.

As *valuators* under the Norwich *Taxation* (A.D. MCCLIV.) the *deans rural* of England are charged in the *Literæ Executoriæ* of the papal collector to make just *estimations* in writing of all ecclesiastical benefices within their respective *deanries*, and to *seal* the same with their *official signets*.

See Appendix.
Lincoln Documents, No. VIII.

From the acknowledged authenticity and notoriety of the *decanal signet*, donations of lands, and such like gifts to ecclesiastic and charitable purposes, and deeds of conveyance of a private nature, (when a private *seal* was either wholly unknown, or not well known, or the party's quality or condition mean and obscure) were customarily ratified by the *dean rural's seal*.

Again—"If the parties thought it for more security, and a better confirmation of what they did," says Mr. Lewis, "they would sometimes use both their own *seal* and some other *seal* that was better known; which, in this case too, was commonly the *seal* of some public office, as of a rural *deanery*, officiality, &c., with an attestation of the officer that it was his *seal* of office."

Lewis On the
Antiquity and
Use of Seals in
England, p. 27.

It was not unusual, moreover, for the *sigil* of a *decanate* to be applied authoritatively and alone, as a voucher of the truth of any important matter of fact, such as the loss of a private *seal*. The publication of John de Gresley of Drakelow, in the county of Derby, of the loss of his *signet*, is so supported:—"Notum sit omnibus Christianis, quòd ego J. de G. non habui potestatem sigilli mei per unum annum integrum ultimo præteritum, jam notifico, in bonâ memoriâ et sanâ mente, quòd scripta sigillo meo contradico et denego in omnibus à tempore prædicto usque in diem restorationis sigilli prædicti. In cujus rei testimonium sigillum decanatus de Repingdon apposui."

Ducang. Gloss.
Tom. III. P. II.
col. 261. in voce
Sigillum Penfile:
ex Th. Blount
in Nomolex.

But, whatever the powers of the *decanal seal*, however used or abused in application, at the end of one short year, (unless the holder of the *sigil* enjoyed perpetuity of office) all were to be surrendered, with the authentic instrument itself, to the charge of a new *dean*, or of the nominee of the bishop, or archdeacon, appointed to receive the same. Such was the command of the Cardinal Legate, from whose *Constitutions* we have already so largely quoted; but whether an innovation upon antiquity, or not, does not appear. By the *deans* themselves it was probably deemed so, inasmuch as they persevered, spite of Otho and his canonical inhibitions, in retaining their *seals* and stations; and for their obstinate attachment to office are roughly handled by John de Athon, with his wonted bitterness of comment. "*Hoc tamen*" (says he, in reference to the annual resignation of *seals*) "*malè observant quidam officiales et decani rurales, qui impinguati et crassati extorsionibus, immò et de sanguinibus pauperum hujusmodi officia nimium zelantes, ea contra voluntates et præcepta suorum superiorum occupare contendunt, intendentes verè derivationem &c.*"

Const. Dom. Othonis de Sigillis &c. gl. in voce, et sine molestiâ, p. 69.

And yet, how were the said *mercenary deans* to get thus fat under the fullest enjoyment of their *sigils*, so pertinaciously retained, as is glossed, from selfish motives? They affixed them, be it remembered, in England, at all times, *without* fee or reward. The canon writes "*De facili præbeatur:*" and the glossographer explains, "*Abfque morosâ retardatione, et absque gravi examinatione, vel exactione pecuniæ pro figillatione seu insinuatione, quæ gratis de jure communi fieri debet.*" So that they could demand no fee. Whereas the archdeacons and their officials, to whom the rights and powers of the *decanal*

Ejusdem gl. in v. de facili, p. 69.

seal afterwards devolved, with almost all its pertinent jurisdiction, (the *decanal*, as it were, merging in the archidiaconal *signet*) pretended that "*moderata exactio pro hujusmodi modernis temporibus non prohibetur* ¹."

The constitution of the office, as far as the employment of the *seal* is concerned, admitted not of dishonest exaction on the part of *deans rural*;—nor does it appear that in England these officers merited *in general* the character bestowed on them by Otho's commentator. On the continent, however, we cannot exonerate them from the guilt of rapacity. The councils of Poitiers (*A.D.* MCCLXXX.), and Saumur (*A.D.* MCCXCIV.), charge them with a love of filthy lucre, and greater regard to their own advantages than to the interests of their subject churches. The allegations of the first synod against them state the improper use of the *decanal seal* from motives of self-interest: and those of the latter are yet more criminatory; charging them with inflicting pecuniary, instead of canonical punishments, for the gravest sins, "*pro adulterio, fornicatione, incestu, et aliis excessibus, in quibus dispensare non possunt, à clericis et laicis pœnam pecuniariam contra canonum prohibitionem exigunt et extorquent;*"—and farther, with sending their scouts about the country to affix their *seals* to

SS. CC. T. XIV.
col. 715. can. II.

(¹) And certainly, if we may believe Giraldus de Barri, touching archidiaconal rapacity in *those* days (for, *at present*, archdeacons are the worst-remunerated functionaries of our whole ecclesiastical regime), the public were not likely to have their burdens lightened by the devolution:—"Adeo enim," says he, "*hoc officium præ cæteris in ecclesiâ rapacitati datum est, ut archidiaconi nomen tanquàm archidiaboli cum horrore quodam auribus insonet audientium. Sicùt enim ille raptor animarum, sic iste raptor pecuniarum.*"

Girald. Cambrenf. *Gemm. Eccles. Dist.* II. cap. XXXIII. apud Wh. Kennet in *Paroch. Antiq.* Vol. II.

unexamined documents;—such, that is, as had never come under the cognifance of the principals.

*Stat. Synod.
Eccl. Camerac.
Thef. Script. Vet.
Tom. VII. c. 1340.*

That the dean's private neceffities might not render him thus extortionate and unjust, the bifhop of Cambray granted him a moderate reward for the labours of the *fignet*; but it was not to be exceeded:—“*Inhibemus decanis nostris Christianitatis ne pro figillo fui decanatus quibusque literis apponendo, ultra sex denarios Turonenses fortis monetæ recipiant.*” From the fame prelate the dean alfo received three Turonefe fhillings for publishing *banns*, and granting *letters testimonial* under his *feal*—(*Titulo de Matrimonio.*) Within the diocefe of Arras alfo a fmall payment was allowed by the fynod of MCCCCLV.

*Stat. Synod.
Episc. Attrebat.
A. D. MCCCCLV.*

—“*Decani Christianitatis pro fuis figillis quibuscunque literis apponendis ultra tres denarios non recipiant, nifi pro fuis literis testimonialibus et matrimonialibus faciendis, quo cafu, pro eisdem literis poffunt recipere duos solidos, et non ultra.*”

The notices of the dean rural's *feal* in foreign councils are not very numerous. The ufe of public notaries for authenticating documents fuperseded the neceffity of *authentic feals* on the continent: as the want of fuch officers in England, according to Matthew Paris, occafioned the introduction of *official fignets*, to fupply their place.

The *Præcepta Antiqua Diœceſis Rotomagenſis* (A. D. MCCXIV. MCCXXXV. MCCXLV. MCCLXXV.)—a *Canon* of the fynod of Poitiers (the fame I have before referred to) and a *Synodal Conſtitution* of the bifhopric of Coutances (A. D. MCCLXXV.), alone appear in my note book. The Rouen diocefan decree (A. D. MCCXIV.) prohibits deans rural to exact any thing “*ratione figilli pro juſtitia*

*CC. Rotomag.
Prov. P. I. p. 124.*

simplici faciendâ, vel pro exhibendâ, vel accelerandâ &c."

A second of the same see (A.D. MCCXXXV.) enacts, "*Cùm aliquid mandabitur decanis, si aliàs commodè certificare curiam non poterunt, apponant figilla sua literis curiæ, in signum quòd mandatum curiæ executioni demandarunt.*"

SS. CC. Tom.
XIII. col. 1350.

A third (A.D. MCCXLV.) charges the deans to enjoin the presbyters, "*Ne de cætero figilla sua tradant suis clericis deferenda, et quòd nihil figillant donèc diligentèr viderint quod mandatur; nec priùs figillent donèc mandatum quod eis injungitur, diligentèr fuerit executum.*"——"*Item præcipitur sub gravissimâ pænâ, ne aliquis figillet aliquem se excommunicâsse de mandato curiæ, donec publicè priùs eum excommunicaverit, vel nisi post figillationem incontinenti eum publicaverit excommunicatum.*" A fourth (A.D. MCCLXXV.) extends both these canons to the use of the deans' seals by themselves personally.

CC. Rotomag.
Prov. P. II.
p. 78.

Ejusd. p. 83.

The Poitiers' canon (A.D. MCCLXXX.) is a curious one: it is entitled, *De servientibus Judæis et usurariis*; and forbids deans rural to affix their seals to Jewish contracts:—" *Districtiùs inhibemus, ne decani rurales, archipresbyteri, et alii subditi nostri, super contractibus Judæorum, obligationibus, seu conventionibus, ad commodum eorum initis, literas figillare, vel eas scribere, vel auctoritatem impertiri præsumant.*" From which it may be inferred, that they were allowed to authenticate private contracts and conventions entered into by Christians, and to affix their seals of office to them in France, as they were in England. Examples of the latter have been already adduced from Mr. Lewis's very rare tract *On the Antiquity and Use of Seals in England.*

SS. CC. Tom.
XIV. col. 718.

The synod of Coutances (A.D. MCCLXXV.) merely orders, "*Quòd quælibet parochialis ecclesia sigillum habeat*"

Synod. Constant.
CC. Rotomag.
Prov. P. II.
p. 565.

pro exequendis literis judicum, &c. et figilliferis Constantienfi et Valonenfi infra tres menses afferant ipsa figilla; et cum hoc decani rurales sua figilla."

It now only remains for me to direct the reader's attention to such particular *authentic figils* of *deans rural* as have been described by antiquaries; and to exhibit accurate delineations of such specimens as my researches have brought to light.

Archæologia,
Vol. v. p. 347.

In the *Archæologia*, Vol. v.—xxxvi. p. 346, there is a paper by Dr. Pegge, entitled, "*The question discussed concerning the appearance of the matrices of so many conventual seals;*"—in which he notices, incidentally, the *seals* of rural *deanries*, officialities &c., stating them to have been "ambulatory things, passing from one person to another, and therefore not numerous." But, at page 353, he says, "Several rural *deans' seals* are extant;" and, doubtless, *then* they were, or so faithful an antiquary had not so reported. But what has since become of them, we know not: the stores of the British Museum, the Antiquarian Society, and the Bodleian, have been in vain searched for a single *matrix*, or even an impression.—Few are described by authors, and yet fewer engraven.

*Of the Antiquity
and Use of Seals
in England,* p. 19.

"The *seals of office* of ecclesiastical persons or offices, as of bishops, rural *deans*, chancellors, officials, &c.," says Mr. Lewis, "were usually oblong or oval; but their *privy seals* were round." Whether this distinction held good with regard to *decanal signets*, or whether rural *archpresbyters* even used *contre* or *privy seals* at all, is, I think, somewhat problematical. The only *seals* of these officers known to me are oval;—which I proceed to notice.

“The *seal* of the Dean of Christianity of the city of Canterbury,” Mr. Somner observes, “being *authentic*, he had a hand in many exemplifications; in some joining with other; in other, alone by himself. Of which I have seen, of each sort, not a few. Wherein, especially in those of the elder sort, he writes and styles himself, **Decanus Christianitatis Cant.**” The impress of this *signet* I have never seen; but others of rural deanries of the diocese of Canterbury are subjoined;—two of them bearing a very favourite emblem of ecclesiastical *seals*; viz. the Virgin Mother and the infant Jesus—the church of the place, which gives its name to the deanry, being, in all such cases, dedicated to St. Mary.

On the *seal* of the rural deanry of Sutton Valance, the Virgin Mary is represented on a richly-canopied throne, with a crown upon her head, and a glory encircling it; in her right hand, her son with a similar glory; and in



her left, a sceptre.—The inscription, **Sigillū decano decanatus de Sutton Valans.** An impress of this *seal* was kindly forwarded to me by the dean of Norwich, from the collection of his friend Dr. Sutton.

Introduction,
p. 5.

In Mr. Lewis's plate of *Seals*, prefixed to his work *On the Antiquity and Use of Seals in England*, we have (fig. 3.) an engraving of the *seal* of the deanry of Dover.



The impress is the representation of the Virgin Mary, to whom the church of Dover is dedicated, crowned, with her son in her arms. . . . The legend or inscription—*Sigill. decanato de Douer.*

History of Kent,
Vol. II. p. 805.

Jacob's History of Faversham,
p. 16. pl. 2. f. 3.
and p. 51, note.

Archæologia,
Vol. v.—xxxvi.
p. 347.

Not much unlike is the *seal* belonging to the deanry of Ospringe in Kent, which has on it the Virgin Mary



crowned, with a sceptre in her left hand; and her child, with a glory round his head, in her right; and round the

margin, *Sigillū decani decanatus de Ospreng*. The *matrix* of this *seal*, Mr. Jacob informs us, was found at Wye in the county of Kent; and, Dr. Pegge says, was in the possession of the Rev. Edward Taylor of Bifrons (*A.D.* MDCCLXXVIII). It is probably, Dr. Sutton thinks, at the present time, in the archives of St. John's College, Cambridge—a point which I have had no opportunity of ascertaining, but which others, with greater facilities of reference, may follow up.

“The dean of Burcester,” says the antiquarian histo-
 rian of that place and Ambroden &c., “had a *seal* of
 his office, which was found among the ruins of the
 adjoining fort of Allcheſter, of which a double impres-
 sion in wax is to be found before and after the manu-
 script *History of Allcheſter*, of which¹ the figure is a
 pelican standing on a font, or other pedestal, opening
 her breast with her bill, and feeding a brood of young
 ones with her own blood; as tradition goes of that
 indulgent bird: the form of the *seal* (agreeable with the
 most ancient) is oblong oval; and round the margin,
 nigh the extremity of the circumference, is this inscrip-
 tion, *S. Decani Berenceſtriæ*. Under the impress the
 author of the said manuscript has put this note: ‘The
 inscription of this *seal* is, *Sigillum Decani Berenceſtriæ*,
 shewing it to be the *seal* of the dean of Burcester; but
 whether rural or cathedral I know not; only it was found
 at Allcheſter within mentioned.’ Burcester most cer-

*Parochial Anti-
 quities*, Vol. II.
 p. 336.

(¹) This impress the Editor believes to have been not unusual on ecclesiastic *seals*. He has one of the *officiality* of Dorset, from the late Craven Ord's Collection, bearing the like impress, with *Sigillum Officialitatis Dorsetiæ* as its legend.

tainly had never any cathedral dignity, but is still the head of a rural deanery."

Ms. Addenda,
Parochial Anti-
quities, Vol. II.
p. 55.

This *seal* I cannot discover, after assiduous search, to have been ever published; though it would appear, from a letter of White Kennett's, dated Edmund Hall, *July 7*, MDCXCIV., and addressed to the Rev. Mr. Blackwell, rector of Brampton in Northamptonshire, to have been his intention to have had it engraven. For he writes: "The figure of the church of Burcester, and *the seal of that deanery*, must be inscribed to you, because of your late relation to that place, though I am very tender of putting you to any expence in these hard times."—The qualms here alluded to, I fear, deterred the parochial antiquary from eventually calling on his friend for the needful outlay. The church appears *without the seal*. And I have in vain endeavoured to recover either the *matrix*, or the *impreſſion* attached to the *Mss.* history referred to. They are not to be met with in London or Oxford. Possibly, Dr. Bandinel informs me, the *Mss.* history, with the double impreſſion of the *seal*, may be at Peterborough; as Kennett, in MDCCXII. (then dean of Peterborough), gave to that cathedral a large collection of *Mss.*, in which it may have been included. I have attempted in vain to ascertain the fact.

Hist. of Norfolk,
Vol. I. p. 473.
Vol. II. p. 52.

All the rural deaneries of the diocese of Norfolk, Mr. Blomefield tells us, had *peculiar seals* appropriated to them. Several of them he had seen; but had never met with that of the large and important deanery of Rockland-Toft, nor with that of Thetford.

It is much to be regretted, that, of the many he had seen, he has described only two, viz. those of Fincham and Norwich, and has engraved only the latter. "I have

now by me," says the historian, "the probate of the will of Thomas Westhowe of Boketon, at Downham in Norfolk, dated the sixteenth of Dec. MCCCCXIII., proved by Hugh Birdham, Dean of Fincham; to which is affixed an oblong *seal* of red wax; the impress, a bird, probably a finch, on a tree, and a star in chief; and this legend, *Sigillum decanatus de Fincham*, expressing both his own, and his deanery's name, in that device." Mr. Blomefield has given a list of the deans of Fincham from the year MCL. to the year MDXVIII., but no impress of their *sigil*. p. 227.
See Vol. VII.
p. 363. & note 8.

In the third volume of the same work, on a plate facing p. 1. *fig.* 163. is an engraving of the *seal* of the rural dean of the city of Norwich, with this inscription, S'. DECANI . NORWICI . AD . GAVSAS. This deanry, which was Vol. III. pl. p. 1.
fig. 156. See
Vol. IV. p. 572.



instituted *A.D.* MCCXVI., (earlier, Dr. Sutton thinks, than any other in Norfolk, but herein he is mistaken) was perpetually united, *A.D.* MCCCXXIX., to the contiguous deanry of Taverham. The last collation to it appears to have been *A.D.* MDXIX. A list of the deans is given by Blomefield, from the year MCCXVI. to the year MDXIX.

The deanry of Hingham in Norfolk, like the other rural deanries alluded to, had its peculiar *seal*; which, by the kindness of Dr. Sutton, (at the solicitation of the Hon. and very Rev. the Dean of Norwich,) I am enabled

to lay before my readers. Its impress is curious—probably intended to represent Saint Andrew's cross—the faint to whom the church of Hengham was dedicated?



Taxatio Eccles.
P. Nicholai, p. 85.

The legend, *Sigllu . deconatus : de . Hengham .* Mr. Blomefield gives a list of the deans of Hingham or Hengham, as it is called in the Taxation of Pope Nicholas, from the year MCCCVII. to the year MCCCCLXVII.

The last ruri-decanal *seal* of the diocese of Norwich I have to describe, is that of the deanry of Breccles; the collations to which commence in the year MCCCXX., and close in the year MCCCCLXVI. Blomefield has not noticed this *seal*, or the preceding. Its appearance here is owing



to the friendly exertions of Dr. Pellew, in illustration of my researches.

The effigy upon the *seal* is the head of Saint John the

Baptist; to whom, in all likelihood, the church of Breccles is dedicated. The inscription is, *Sigillum decanat de Brecclys*. In the *Taxatio Ecclesiastica* of Pope Nicholas, the deanry bears the title of *Decanatus de Breclis*. *Taxatio Ecclef. P. Nicholai, p. 83*

Of the ancient ruri-decanal *seals* of the archdeaconries of Chester and Richmond I have not been able to recover a single impress. But Mr. Ormerod has given us, in his *History of Cheshire*, an engraving of the *seal* of the general rural dean of the archdeaconry of Chester, at present in use; which, he says, appears to be copied from that used by the rural dean of Macclesfield, previous to the consolidation of the rural deanries of the diocese.—This seal, in the absence of earlier and more interesting specimens of the separate rural deanries, I purposed to have consigned to the hands of the engraver. But, yielding to the better taste and judgment of Mr. James Bohn, the *Sofus* of King William Street, I have, on second thoughts, consented to withdraw it. The impress is really no more than a stiff and ugly representation of Macclesfield church, within an oval, or rather ovoid, flowered border, bearing the date of MDCCLVII.

To what diocese the annexed *seal* of the rural deanry of Newcastle is to be appropriated—whether to that of Durham or that of Lichfield and Coventry, I am at a loss to determine. The *Taxatio Ecclesiastica* of Pope Nicholas notices a deanry of Newcastle, under the title of *Decanatus Nobis Castri*, in the archdeaconry of Stafford, and a second under the same title in the archdeaconry of Northumberland. The *seal* is from the valuable collection of Mr. Doubleday of Little Ruffel Street, London; who hazards no opinion as to which of the deanates of Newcastle it appertains to—whether to that which *Taxatio Ecclef. P. Nicholai, pp. 242, 316.*

derives its name from Newcastle-upon-Tyne, or Newcastle-under-Line. The legend reads, **S. Decanatus Nobis Castr.** The effigy is supposed to be that of an ecclesiastic,



under a canopied throne, holding a crozier in his right hand, and in his left hand the head of Saint John the Baptist. At the base is represented the head of the Baptist, in a falver.

An interesting *seal* of a foreign rural deanry (from the collection of Dr. Sutton of Norwich) follows. It exhibits the Agnus Dei—the lamb, cross, and banner—the appropriate emblem of the triumph of Christianity over



Paganism.—From the inscription, **Sigillū Decanatus de Castrolidi**, it would appear to be the *seal* of the rural deanry of Château du Loire (*Castrum ad Lædum, Castrum*

Hoffman. *Lexicon. Univ.* Vol. 1. pp. 759, 760.

Lidi, or *Castrum Lidium*), in the province of Le Mans in France. I know nothing of its history.

I wish it were in my power to add to this beautiful specimen a few more examples of foreign type; but none have fallen in my way, with any claim, or rather pretence, to admiffion here¹.

In bringing to a clofe these few notices of rural-decanal *seals*, and of the powers entrusted to them as legal instruments of ratification, it is worthy of observation,

(¹) A *seal*, of no great antiquity, of an archpriest of Leodium, is figured in *The Gentleman's Magazine* for October MDCCCIX. Vol. LXXIX. Part II. p. 913. Pl. 2. The correspondent of Mr. Nichols states it to be of brass or mixed metal, with evident marks of the hammer having been used in making the impressions. It came into his hands in MDCCLXVIII.; having been, some time before, found at Golfpie, in the county of Sutherland.

The impress exhibits a mitred ecclesiastic in canonical attire, the Virgin and Child, and an intervening crozier. The form is oval. The



epigraph, SIGILLUM * ARCHYPRÆBITERI * LEODIENSIS. The letters quite modern. Although pointed out to me by an eminent antiquary as the *seal* of a dean rural, I cannot subscribe to the opinion, without first learning the *general* type of such *seals*, their legends &c., on the continent. It has no resemblance to the *seal* of the Gallican deanry just
now

The Rev. Thos.
Rackett, F.R.A.
and L.S.S.

CC. M. B. et H.
Vol. II. p. 694.

that Archbishop Stratford, in his *Statuta et Ordinationes pro regimine curiæ de Arcubus* (A.D. MCCCXLII.), while he disallows the authority of the *seal*, to the extent of interfering with the privileges of the *Court of Arches*, for judicial matters, *that is*, matters not legally belonging to the rural dean's jurisdiction, (to ratify which the *seal*, perhaps, had been sometimes improperly applied)—still, in all such cases, as were under Otho's contemplation at the time of passing his statute, the archbishop admits the validity of the *rural seal*, and orders it to be respected in his court:—“*In certicatoriis citationum, executionum, et aliorum mandatorum, à superioribus suis ordinariis vel delegatis commissorum, eisdem literis ipsorum decanorum sigillo officii decanatus hujusmodi consignatis, juxta mentem statuti prædicti fidem, volumus adhiberi.*”

Reformatio Legum, p. 303. *de Regulis Juris.*

In the *Reformatio Legum Ecclesiasticarum*, the *authentic seals* of all church functionaries, then proposed to be received as such in England, are enumerated, and the custody of them regulated. But, whether those of deans rural are included, I must leave to the reader to determine, after perusing the final clause *de Regulis Juris*:—“*Autentica sigilla declaramus nostra, archiepiscoporum,*

now described—that of Château-du-Loire;—none whatever to our insular *seals* of rural deans, who *never* bear the title of archpriest on their *signets*. Consequently, there is no reasonable foundation for the supposition that the *seal* belonged to the rural dean of Leeds in Yorkshire. Far more probable the notion, that would appropriate it to the archpresbyter of Liege, the urban dean of the cathedral city of the province of the same name in the Netherlands. Or, possibly, it may be the *seal* of one of the Roman-Catholic archpriests who ruled the papists of England before they had a titular episcopal hierarchy. That the reader may be enabled to form his own judgment upon it, I have caused an accurate copy to be taken from the valuable repertory of Mr. Nichols.

episcoporum, decanorum, ecclesiarum cathedral. et earundem ecclesiarum, capitulorum, archidiaconorum, et eorum officium. Quæ penès ipsos aut ipsorum legitimos deputatos, et nullo modo apud suos Registrarios, seu Actorum scribas custodiri volumus." The decision, I fear, must be *against us*;—that though the ecclesiastical-law reformers intended to have made us most efficient spiritual watchmen in our respective districts of supervision, as the extracts adduced in earlier pages abundantly demonstrate, they never contemplated the restoration of our *seal of office*, and the branches of jurisdiction formerly connected with it ¹.

*De Archiepisc.
sive Decanis
Ruralibus, c. v.
p. 95.*

(¹) To the period of this church-law reformation belongs the curious *seal* of the rural deanry of Sunning in Berkshire, a peculiar of the cathedral or urban dean of Salisbury, described by Sir W. Blackstone in the third



volume of the *Archæologia*, p. 414. The inscription is, SIGILLV: REGIAE: MAIESTATIS: AD: CAVSAS: ECCLESIASTICAS—PRO: DECANATV: DE: SONNYNG. The learned judge supposes it to be of the reign of Edward VI.

It

Ms. Addenda,
Parochial Anti-
quities, Vol. II.
p. 357.

It has been elsewhere stated (*see Part III. Sect. II. p. 131.*) that rural **deans** were for a long while appointed by the diocesan without any formal commission *in scriptis*, but were invested in the office by the delivery of the common *seal* (such as we have been describing);—which, at the death of each **dean**, was returned to the bishop, or committed into custody by his order, to be given to a successor, at the bishop's nomination.

To this simple method of investiture, recommended as it is by its antiquity, I can see no reasonable objection, if the bishops should think fit to revive it. But, as other methods of institution or admission are equally good and valid, it might not be worth while to restore the rural-decanal *seal* for that purpose alone. **Deans** rural however, whether instituted by such an instrument or not, are undoubtedly entitled to the use of a *seal* after investiture. The *Constitution* of Cardinal Otho enacts, “*Ut sigillum habeant non solum archiepiscopi, et episcopi, sed etiam eorum officiales. Item abbates, priores, et decani, archidiaconi, et eorum officiales, et decani rurales &c.*” It even states what characters are to be engraven on the *seal* of the **dean** rural as a *temporary* functionary, and fashions the instrument to his hand. Nor is this all;—

Const. Dom.
Otho. p. 68.
Edit. Oxon.

It cannot be considered a rural **dean's seal**, properly so called, that is, in the sense of those we have been speaking of. But it is not improbable, that the peculiar jurisdiction of the **dean** of Sarum may have been originally vested in the rural **dean** of Sunning, as an independent functionary; who, like certain of his compeers, enjoyed sundry prescriptive rights, and exercised sundry official powers, independent of the diocesan (*witness* the **deans** of Manchester and many others), till the rural **deanship**, with its appendent jurisdiction, merged in the urban or cathedral **deanship** of the parent see.

Oughton says, that the practice of the Court of Arches would respect the *fignet*, if it were presented, in modern days, as an authentic instrument, for the ratification of such documents as were originally intended by¹ the *Legatine Constitution* to be authenticated by it.

See Oughton's Ordo Judiciorum, Tit. XXVI. XLVIII. Vol. I. pp. 51, 81.

Would there, then, under these circumstances, be any impropriety in restoring to the Dean rural the actual use of his official *figil*? Nay—to go a step farther—would not benefit be likely to accrue from such a measure?—By some, perhaps, the *seal* might be looked upon as a mere bauble—neither convertible to good nor ill—a useless implement of office. But, with deference, I would say, while it could do no harm, in the keeping of a trustworthy officer, (for to his legitimate powers it could add nothing,) it would, at least, give an air of authority to such episcopal or archidiaconal mandates as might be circulated by the Dean's instrumentality;—it would stamp an official character on his correspondence with superior functionaries, would authenticate his *Acta Visitationis*, or articles of parochial inquiry, and other returns to the bishop or archdeacon; and perhaps solicit from churchwardens more attention to written precepts and instructions, which the Dean might have occasion to issue in support of order and discipline.

As to the type and legend of such a *seal*, the effigy should have relation to the *matrix ecclesia* of the Deanry—the church whence the ecclesiastical division derives its name—a representation of the fabric of which, or of its tutelary saint, should supply the impress. The

(¹) Deans are now seldom applied to for their *seals*; and therefore the *Constitution* seems to be grown obsolete, though still in force.

Ayliffe's Parergon, I. C. A. p. 483.

*Const. Dom.
Othon. p. 69.
gl. in voce sigil-
lum suum.*

inscription should be strictly *official*, not *personal*—in compliance with the legatine canon, which orders that the *sigil* of the *dean rural* “*tantum nomen officii habeat insculptum* ;” a clause farther explained by John de Athon, who says, that though, in relation to *deans rural* and officials, the *sigil* be spoken of as “*sigillum suum*,” it is only “*temporalitèr eis commissum* ; *non enim habent dominium illius*.”

Such a *seal* I have devised for¹ the rural *deanry* with which I am connected. The device is from an ancient *seal* of the founder of the chantry or chapel of *All Saints* in the hamlet of Knighton, in the parish of Broad Chalke.

*See Bowles's
Hundred of
Chalke, pp. 308,
309.*

(¹) The *deanry* of Chalke in Wiltshire.—It appears from the *civil* division of the county of Wilts, according to *Testa de Neville*, that the abbess of Wilton, in the time of Henry III. or beginning of Edward I., held, of the king, five knights' fees ; but that Chalke (or *Chelche*, as the word is written in Domesday-book) was the *Caput Baronie*. In the *ecclesiastical* division, the church of Broad Chalke may be fairly called the *mater ecclesiarum* of the *deanry* ; and certain it is, that its superiority amongst the neighbouring parishes of Ebbesbourne, Burgh or Bower Chalke, and Fifield, was admitted by them ; inasmuch as parts of the boundary fence of the churchyard of the larger parish are still kept in repair by the smaller. The church is the handsomest edifice in the vale, as well as the largest.

Addenda.—*Deans rural* had *seals* at an early date in France, on the authority of Father Rouvière's *Reomaus*, p. 641—*De Sigillis Roberti Lingonensis Episcopi, et Thirrici Decani Reomaensis (A.D. MCCXL)*. “*Thirricus Reomaensis decanus, aliique ante et post ipsum non solum hujus, sed aliarum etiam ecclesiarum decani rurales sigillo usi sunt, ut representat hoc Tabularium Reomaense, cui imago inest presbyteri sacerdotali vestitu ad altare, cui crebrò sacer calix est impositus, celebrantis. Limbus decani et ecclesie ipsius nomen præfert. Sed illud habet decanus Reomaensis peculiare, quòd in secreto lilium Francicum gestet, quod regie foundationis, ut opinor, argumentum fuit.*”—From the mention here made of the *secretum* or *contrafigillum*, we may infer that some *deans rural*, at least, had *privy-seals* ; a fact before adverted to with some degree of doubt.

SECTION XII.

TAXES COLLECTED BY Deans Rural.

THE taxes imposed upon the clergy, under the name of *papal* and *royal subsidies*, *first-fruits*, and *tenths*¹, together with *synodals* or *cathedratica*², paid by the parochial clergy in token of subjection to the episcopal chair, were here-

Kennett's *Parochial Antiq.*
Vol. II. p. 363.

(¹) In the times of popery, the kings of England, on several occasions, obtained leave of the Popes to receive the tenth part of spiritual promotions, for a certain term of years; especially, in order to maintain and support the wars of the Holy Land.

Gibson's *Codex I. E. A.* Tit. xxxv. cap. II. p. 828, note.

(²) "In honour of the cathedral church, and in token of subjection to it, as the bishop's fee, every parochial minister within the diocese pays to the bishop an annual pension, called anciently *cathedraicum*. This acknowledgment is supposed to have taken rise from the establishment of distinct parishes, with certain revenues, and thereby the separating of those districts from the immediate relation they had borne to the cathedral church. By the council of Bracara, this pension is called *Honor Cathedræ Episcopalis*, and restrained (if it was not limited before) to two shillings each church—('Placuit ut nullus episcoporum per suam diocesem ambulans, præter honorem cathedræ suæ, id est, duos solidos, aliud aliquid per ecclesias tollat:')

—which canon became afterwards part of the canon-law of the church, with this gloss upon the words *duos solidos* (*ad plus: minus enim aliquandò datur*), and hath been received in England, as in other churches, under the name of *synodaticum*, because generally paid at the bishop's synod at Easter." See also Father Paul, of *Beneficiary Matters*, chap. x. p. 32. and notes there; Hayes's *Translation*;—and the bishop of Meath's (*A.D.* MDCXCVI.) *Tractatus de Visitationibus Episcopalibus*, c. xxx. pp. 74, seqq.

Gibson's *Codex I. E. A.* Tit. VIII. cap. I. Vol. I. p. 171, and see Tit. XLII. cap. IX. Vol. II. p. 976.

Scriptor. x.
col. 2160.

tofore levied by rural deans. Those of a public nature they certified the *collection* of to their superiors, under¹ the *seal* of their office;—of which an example occurs in the *Chronica W. Thorn.* (“*Certificatorium ex parte decani*”) of the reign of Richard II. (A.D. MCCCLXXXIV.)

Wilkins's *Leges Angl. Sax.*
p. 335.
CC. M. B. et H.
Vol. I. p. 491.
Conc. Rotomag.
Prov. P. I. p. 93.
Ex Rog. Hoveden. in anno.
Vide *Scriptores post Bedam,*
p. 641.

Two centuries before this date, our rural functionaries were actively employed in *collecting* the “*Decimæ Saladinæ, in subventionem terræ Ierosolymitanæ*”—when Henry II. determined to undertake a crusade to the Holy Land in conjunction with the king of France and earl of Flanders (A.D. MCLXXXVIII). On which occasion the tribute was ordered to be levied “*in singulis parochiis, præfente presbytero parochiæ, et archipresbytero, et aliis;*”—excommunication having been previously pronounced by the archbishops, bishops, and archpriests or deans, against all who paid not the said *tenths* in the presence of the said *collectors*.

Ecclesiast. Laws,
MCLXXXVIII. 3.
note (u).

This was the² first instance, Mr. Johnson says, of paying *tenths*. But it was not the first, apparently, of *decanal collectorship* of *imposts*; for in the same reign, sixteen years before, while the king was detained in Normandy by the rebellion of his sons, Jeffery, his illegitimate son by Rosamund, lay-bishop elect of Lincoln, having raised an immense sum of money through his diocese, and subsequently determined, upon honou-

Parochial Antiquities, Vol. I.
p. 179.

Ex Wharton's Angl. Sacr. P. II.
p. 378.

(¹) “*In cujus rei &c. sigillum officii decani de B. præsentibus est appensum &c.*”

Jur. Eccles. Univ. P. II.
Tit. XXXV. c. III.
p. 683.

(²) “*Hic notandum,*” says Van Espen, “*antiquiorem non reperiri decimæ hujus, id est, quæ à clero regi solvitur, et Gallico idiomate vocatur decimes, institutionem. Undè et hanc esse primam decimam clero impostam, quæ vocatur decima Saladini, communiter notant autores de hac specie decimæ tractantes.*”

ble and prudential motives, to refund it as an unnecessary or illegal exaction, caused it again to be distributed, by the rural deans, among the persons from whom it had been unjustly extorted;—the same officers, in all probability, having been the agents of the original levy.

The latter date, or about *A.D.* MCLXX., affords the earliest notice of deans in the capacity of public *tax-collectors*, civil or ecclesiastical, in the councils of Great Britain and Ireland. But in the synodal collections of France they appear many centuries earlier. In the *Capitula* of Charles the Bald, edited by Sirmond (*Parisiis*, MDCXXIII.), we find the following canon, passed at the synod of Toulouse (*A.D.* DCCCXLIII.), cap. III. “*Ut presbyteri qui propè civitatem quinque miliaria commanent, per famulos suos prædictam dispensam reddi in civitate cui jufferit civitatis episcopus, faciant. Qui autem longiùs ab urbe commanent, statuant episcopi loca convenientia per decanias, sicut constituti sunt archipresbyteri, quo similiter et eadem propinquitate cæteri presbyteri per famulos suos debitam dispensam archipresbyteris aut episcoporum ministris convehant, &c.*”

*Karoli Calvi et
Successorum
Capitula. v.
c. III. p. 40.*

But to return home again:—In the thirteenth century, the *Saladinides* again appear, and deans rural as official *gatherers* of them in England. When Pope Innocent IV. (*A.D.* MCCLIII.) granted three years' *tenths* to Henry III. of all the spiritualities of our island, and deputed Walter de Suthfield, bishop of Norwich, to take the *valuation*, the *impost* was levied (*A.D.* MCCLIV.), in each deanry, by the rural dean, assisted by three rectors or vicars, members of his chapter; who, upon oath, certified the justness of the estimate of every church-

*Paroch. Antiq.
Vol. 1. pp. 440,
445, 446, 447.*

*Angl. Sacr. P. 1.
p. 411. de Epi-
scop. Norwicensf.
XLVIII.
Annal. Burton.
sub anno, p. 334.*

revenue within their knowledge, and returned the same, *in scriptis*, to the bishop¹.

See Capitular
Duties.

CC. M. B. et H.
Vol. II. p. 180.

The same rural functionaries were *valuators* under the subsequent *taxation* of Pope Nicholas IV., and *collected* the *decimal imposts* on² the estimation of ecclesiastical benefices, commenced in the year MCCLXXXVIII. and completed in MCCXCII. by John de Pontoys, or Pontiferra, bishop of Winchester, and Oliver Sutton, bishop of Lincoln, the principal executors under the Pope's Bull for granting six years' *tenths* to Edward I., towards defraying the expence of an expedition to the Holy Land.

Taxatio Eccles.
Angliæ &c.
Introduction by
Caley.

The *taxation* of the years MCCLIII.—MCCLIV. is sometimes called Pope Innocent's *Valor*, sometimes the *Vetus Valor*, and sometimes the *Norwich Taxation*: that of MCCLXXXVIII. has been sometimes described under the name of *Verus Valor*. Deans rural do not appear to have been generally concerned in the *ecclesiastical valua-*

Pegge's *Groffeste*, p. 341. *Appendix*, No. VIII.

(¹) "The value of benefices," says Dr. Pegge, "would be often altering, from various causes; which made it necessary for *valors* to be renewed from time to time: but we are not to suppose that a new one was always made when a new *subsidy* was granted either to the king or pope; for, on many occasions, the *collectors*, no doubt, proceeded by the last *valor*, as the authentic standard; though, in other cases, we find the former *taxations* superseded and rejected, and a new one expressly directed to be made. This, however, may be concluded; that all *subsidies* granted by the clergy after the year MCCXXIX. (or after the year MCCXLV., if a new standard was then made), and before the year MCCLIV., were regulated by the estimate of the year MCCXX.; and all after MCCLIV. went upon the valuation then made, till MCCXCI."

(²) This *valuation* regulated *royal* and *papal taxes* till the twenty-sixth of Henry VIII. See Blomefield's *Norfolk*, Vol. I. p. 19. note 9. 2d Edit.

tion of Henry VIII.¹, though the names of persons holding the office are recorded at the head of each *denry*, in which the office obtained at that time. Still, as² the royal commission authorized “the commissioners” to “fende for sūche and so many of the bushoppys and archdeacons scribes and ministers within the lymyttys of ther commission as they should think mooste conveyent for knowlaige to be hadd of the nombre and namys of all *denres* rurall within the lymytt of ther commission and in whoys dioces or jurisdiction the said *denries* ben”—it is probable that the rural *deans* were turned to useful account by “the commissioners:” and in one particular instance, (that of the *dean* of Hecham in the diocese of Norwich,) it appears that “the commissioners” *did* avail

Valor Eccles.
Hen. VIII.
Royal Instructions for taking the Survey.

Vol. vi. i. *From the Augmentation Office. See Appendix, Norwich Documents.*

(¹) This *Valor* is the Report of an Ecclesiastical survey, made in pursuance of an Act of Parliament 26 Henr. VIII.; and returned into his Majesty's Court of *First Fruits and Tenths*, for ascertaining the yearly values of all the possessions, manors, lands, tenements, and hereditaments, appertaining to any monastery, priory, church, parsonage, vicarage, free-chapel, &c. within this realm, Wales, Calais, Berwick, and the Marches.

(²) Extracted from the *Instructions* as they appear in the *Valor Ecclesiasticus*, Henr. VIII. “Item to serche and knowe the nombre and namys of evy archidiaconry and *denres* rurall within the lymytts of ther commission aswell in placis exempt as not exempt and in whos dyoces or jurisdiction they lien and the hole and entire yerly value of evy of them as well in s̄ualities as in temporalltes if any be and the nombre namys and c̄tentie of the temporallties yf any be and where they lien and their distinct and sēvall yerly values and the names nombre and nature of the s̄ualities and ther sēvall yerly values cōib̄s annis and what annuell and ppetuall rents pensions and fees for receyvours bailyffys audito's and stewards only and none other officers ben yerly accustomed to be resolute and paid oute of any of the said archidiaconries or *denries* rurall and the namys of the p̄sons to whome suche rentts pensions and fees ben yerly paid.”

Valor Eccles.
Henric. VIII.
Instructions.

Appendix, Nor-
wich Documents.

themselves of the knowledge and influence of "John Ruſte, Dean of the Deanrie of Hecham," to obtain the required information—See *Decanatus de Hecham. Com. Norf.*; where the precept to the ſaid Dean from the ſaid commiſſioners is given. But ſuch employments of Deans rural are foreign to the ſection of their office we are at preſent engaged upon; which is the *collecting eccleſiaſtical taxes*, not the *appreciation of eccleſiaſtical benefices*. The latter branch of Decanal duty will come to be diſcuſſed under capitular functions, and therefore we ſhall ſay no more about it here.

Gloſſ. Arch.
in voce p. 490.

Whether it was a *general* cuſtom for Deans rural to *collect*¹ the *Rome-ſcot* or *Rome-penny* ("*cenſus annuus*

Dr. Brady's *Hiſt.*
of England,
pp. 108-9. and
notes *there*.
CC. M. B. et H.
Vol. i. pp. 155,
245, 302.

(¹) The *Hearth-penny*, as it was called, was firſt impoſed by Ina, king of Weſſex (*A.D.* DCCXXI.), as alms to an Engliſh ſchool at Rome. It was continued by Offa, king of Mercia, (*A.D.* DCCLXXVII.), and by Ethelwolf:—was eſtabliſhed by the laws of Canute (cap. 9.); of Edgar (cap. 54.); of Edward the Confefſor (cap. 10.); William the Conqueror (cap. 18.); Henry I. (cap. 11.); and perpetuated, with a temporary ſuſpenſion only during the reign of Edward III., till Henry VIII., who abrogated it (*ann.* 25. c. 25). It was revived *ann.* 1 & 2 Philip and Mary, and finally put an end to *ann.* 1 Elizab. (cap. 1.)

CC. M. B. et H.
Vol. i. p. 221.

The *Collectors* in the middle of the tenth century, as appears from the *LL. presbyterorum Northumbrenſium*, were two truſty thegns and a preſbyter in each *wapentake* of the kingdom of Northumbria—" *Duo fideles thani et unus preſbyter in quolibet wapentachio nominentur, ut eum colligant, ac deinde tradant prouti audeant jurare.*"

One half only of the annual penſion was appropriated to the purpoſe of Ina's bequeſt; the other went to the perſonal uſe of the Pope;—and inſtead of a voluntary donation, the *Rome-ſcot* became a ſtanding *tax*. See Uſſerii *de Chriſtian. Eccleſ. ſucceſſ. et ſtatu*, cap. vi. p. 220; Fuller's *Church Hiſt.* Cent. xvi. B. v. p. 197; Nath. Bacon's *Hiſt. & Polit. Diſcourſe*, Part i. p. 20; and particularly Muratori *Antiq. Med. Ævi*, Tom. v. col. 827. a.

The

unius denarii è quâlibet familiâ, Romæ persolutus ad festum S. Petri," Spelman) in all deantries, does not appear: but, as the bishops were responsible for the payment to the papal chair, it is probable they delegated the actual *collecting* of the tribute ("a small summe in the single drops, but¹ swelling great in the general chanel,") to the most trustworthy personages in the rural church-police—archdeacons and archpriests. At all events, it is certain, the latter were the *collectors* of the diocese of Canterbury. The historian of the antiquities of that see informs us, in the brief interlude

Fuller's *Church Hist.* Cent. VIII. B. II. p. 98.

Somner's *Antiquities of Canterbury*, Part I. p. 176.

The reader is aware, that *Hearth-penny* is thought to be the origin of *Hearth-silver*, also called *Smoke-silver*; for which see Spelman *in voce G.A.*—Blount suggests, that *smoke-silver* and *smoke-penny* are still paid to the ministers of certain parishes, and conceived to be given in lieu of tithe-wood, spent for fuel in the parishioners' houses. See Blount's *Law Dict.* tit. *Smoke-silver*, and *Ancient Tenures* by Beckwith, 4to. edit. p. 317. *Smoke-silver* was paid to the sheriff of Kent as a condition of tenure of a house and appurtenances at Greenwich—6d. annually.

(¹) A MS. belonging to the cathedral of Chichester fixes the rates at which the several dioceses farmed *Peter-pence* to the Pope's collector, as follows:—

	£.	s.	d.		£.	s.	d.
Cantuar.	7	18	0	Sarum	17	0	0
London	10	10	0	Winton.	17	6	8
Roffens.	5	10	0	Exon.	9	0	0
Norwic.	21	0	0	Wigorn.	10	5	0
Eliens.	5	0	0	Bath	12	0	0
Lincoln.	42	0	0	Covent	10	0	0
Cicefr.	8	0	0	Eborac.	11	10	0
Hereford	6	0	0				

See *Encyclopædia Metropolitana*, article *Peter-pence*. It appears, from Ducange, that *Rome-scot* was paid to the Pope in France, Poland, and Bohemia; but by what officers it was collected, is not stated. See Ducange, in v. *Denarius S. Petri*.

devoted to deans rural, in the chapter *on the ecclesiastical government of the city*, that they were the gatherers of the *hearth-pence* in their respective decanates within that diocese. And Mr. Battely, in his *Appendix* to Mr. Somner's *Supplement*, has published the original¹ injunction of the archdeacon under which they acted.

Vetus Sancti
Osmundi Re-
gistrum. fol. 61.
xxx1. Tran-
script. fol. 166.

It is probable, too, Mr. Blomefield says, that the deans rural of the diocese of Norwich collected the *Rome-scot* impost for the Pope. But in the diocese of Sarum, it appears, from a document preserved in the miscellaneous collection of records entitled *Registrum Sancti Osmundi*, in the possession of the bishop of Salisbury, that, in the days of Hubert Walter (*A.D.* MCLXXXVIII.—MCXCIII.), the archdeacons and their *officials* were collectors of this tax. The church of Fichelden (now Figheldean), and another called Alwardbirie (now Alderbury), are exempted from archidiaconal jurisdiction, save in this one particular—“*nisi tantum de denario Sancti Petri;*” in respect of which, it is expressly ordered “*ut respondeant archidiacono.*” But it was not uncommon for deans rural to act as officials to archdeacons; in which capacity they may have been employed *here* as *Rome-scot collectors* under the archdeacons.

No. xxx1. p. 59.
Part II. Cantua-
ria Sacra.

(¹) “*Auctoritate apostolicâ singulis archidiaconis et eorum officialibus commissâ et demandatâ, nos officialis monemus vos rectores, vicarios, et capellanos ecclesiarum istius decanatus qui denarios Beati Petri exigere, colligere, et levare tenemini, primò, secundò, et tertio, peremptoriè in hiis scriptis, quòd quilibet vestrum quatenus denarios hujusmodi pro suis locis teneatur solvere decano vestro, citra proximum capitulum integre persolvatis, alioquin ecclesias non solventium denarios hujusmodi per decanum loci ipsâ auctoritate apostolicâ ecclesiastico supponi canonicè volumus interdicto.*” (“*Injunctiones faciendæ et legendæ in capitulis generalibus bis in anno in archidiaconatu Cantuariensi celebrandis.*”)

A Bull of Pope John XXII., addressed (amongst superior prelates) to deans, archpriests, and plebans, for the support of apostolical Nuncios in England and France (A.D. MCCCXXVI.), empowers those spiritual rulers, through the medium and with the sanction of the prior of Saint Mary Southwerke, “*ad colligend. de bonis et beneficiis quibuscunque ecclesiasticis tam in Cantuar. provinciâ, quam Eboracen. pro singulis marcis singulos quadrantes &c.*”—and bids them deposit all sums so collected, without diminution, in the hands of the archbishop of Canterbury, in trust for the purposes specified, viz. certain arduous and important matters of embassy to King Charles of France, and King Edward and Queen Isabella of England¹.

CC. M. B. et H.
Vol. II. p. 535.

The last tribute I have to mention, as being gathered by deans rural, is the *synodal* or *cathedraticum*—“*quod episcopus per diœcesim ambulans, in honorem cathedræ suæ ab ecclesiis colligebat.*” It was not, however, under the former title, paid to the bishop alone, though to him alone due of common right. The archdeacon sometimes claimed it upon the plea of composition and prescription. In the *Constitutions* of Giles de Bridport, bishop of Sarum (A.D. MCCLVI.), we read—“*Capellani, personæ, vel vicarii ecclesiarum debent synodalia; scilicet intra quindecim dies quilibet capellanus solet dare archidiacono XII. denar. ad natale Domini.*” When the deans of the country were subjected to archidiaconal as well as episcopal rule, and were ministerial to both alike, they probably received the *synodals* of both.

Spelman. Gloss.
Archæol. p. 130.

CC. M. B. et H.
Vol. I. p. 714.

(¹) See a notice of deans rural as receivers of money collected under the Brief for the redemption of captives from the Turks, August 10, MDCLXX.—Appendix, Sarum Documents.

Kennett's *Mss.*
Addit. ex Reg.
Parker. p.193.

Of their being *collectors* of these tributary payments in the name and behalf of their diocesan, the proof is clear, from a document still extant, under the form of a *commission* from the primate, during the vacancy of the see of Chichester, authorising the rural Dean of Hastings to *collect* them:—" *Commissio facta per Matth. Cant. Ar'epum vacante sede Cicestr. dilecto sibi in Xto Thomæ Swayne cl'ico rectori eccl. de Farleigh Decano rurali decanatus de Hastings ad sinodalia per decanatum suum assignata colligend. intra festum S. Lucae Evang. (dat. 18. Sept. MDLXVIII.)*—Again, among the duties of the decanal office of the diocese of Chester, it is noticed, in a patent of our *Appendix* (N^o. v. *Chester Patents*), as incumbent on the patentee—" *Procuraciones ratione visitationis et sinodalia ratione sinodorum nostrorum, de tempore in tempus debit. nomine nostro petend. et exigend. Recusantes verò procuraciones hujusmodi solvere per legitima juris remedia compellend. et coercend.*" See also in the *Appendix* (Diocese of Lincoln), "*Commissio ad audiendum Ratiocinia de redivibus archidiaconatus vacantis,*" N^o. VII.

Hist. of Norfolk,
V. iv. p. 63.

The Dean¹ of the Deanry of the city of Norwich, Mr. Blomefield informs us, deputed his sub-dean to *collect* the *synodals*, *procurations*, &c. for him; he being answerable to the archdeacon for 16s. *synodals* every

Blomefield's
Norfolk, V. iv.
p. 63.

(¹) *A.D.* MCCLXXXVI. The Dean of the Deanry of the city of Norwich was committed to custody, on one occasion, by the itinerant justices, for exacting *hallidays toll* by his sub-dean, in too high a manner; but on his proving that he took of every great boat that came up to the city on a holyday 1d. only, and of each small one a *halfpenny*; of every cart 1d., and of every horse or man laden, an *halfpenny*; and of all bakers, butchers, and fishmongers, that sold their commodities on a holyday, 1d. each; and that his predecessors always had immemorially taken it; he was discharged.

Easter, and as much every Michaelmas; which he was to receive for him of the clergy of his *deanry*, estimated at 20s. The *dean* of Taverham paid to the archdeacon 20s. at Easter and Michaelmas; the *synodals*, due at each season, from each church, being 6d. It seems, also, from the account of the other rural *deanries* of Norfolk, that it was the office of the *deans* to *collect* these and other dues from the churches of their respective *deanries*.

Vol. vii. p. 211.
Vol. x. p. 398.

That *deans* rural did not always act honestly in their vocation of *synodal collectors*, may be inferred from the twenty-first canon of the provincial council of Dublin (A.D. MCCCXLVIII.)—“*Statuimus quòd illi, qui decanos rurales eligunt, pro hujusmodi decanis ruralibus, si in officio maleversati fuerint, seu de perquisitis et synodalibus loci diæcesano minimè satisfecerint, pro illis respondeant et satisfaciant competentèr, et si per ministrum fuerit initiatus, quòd ipse respondeat pro assumpto.*”

CC. M. B. et H.
Vol. ii. p. 750.

The council of Augsburg (A.D. MDCX.) under Bishop Henry à Knöringen bids *deans* rural to be faithful in collecting *cathedratica, first-fruits, and subsidies of charity*—“*Ad cathedraticum, primarios fructus, subsidia charitativa, et id genus alia quod attinet, decanus cum camerario se in illis more antiquo colligendis, fideles præstent, additâ etiam, si opus fuerit, ne ecclesia veteri suo jure privetur, arrestatione.*” And nearly the same words appear in an earlier council of Constance (A.D. MDLXVII.) under Cardinal Sitic. See *Appendix, Continental Documents, dioceses of Augsburg and Constance.*

CC. Germania,
Vol. ix. p. 65.

Another episcopal tribute, denominated *Pentecostals*, or *Whitsun-farthings* (so called from the usual time of payment), was, probably, also *collected* by the *deans* rural,

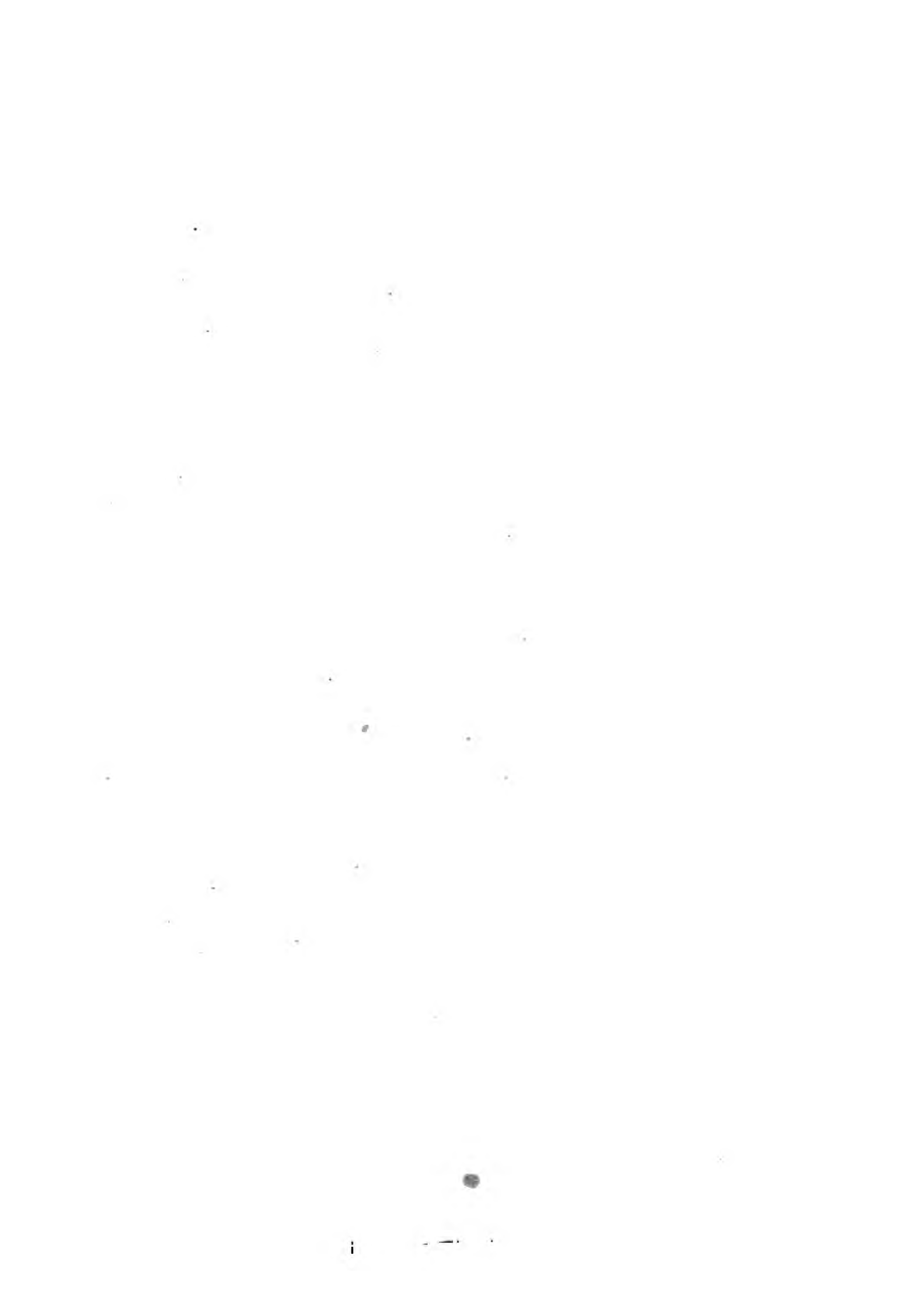
Gibson's *Codex*
I. E. A. Tit. XLII.
cap. IX. p. 976.

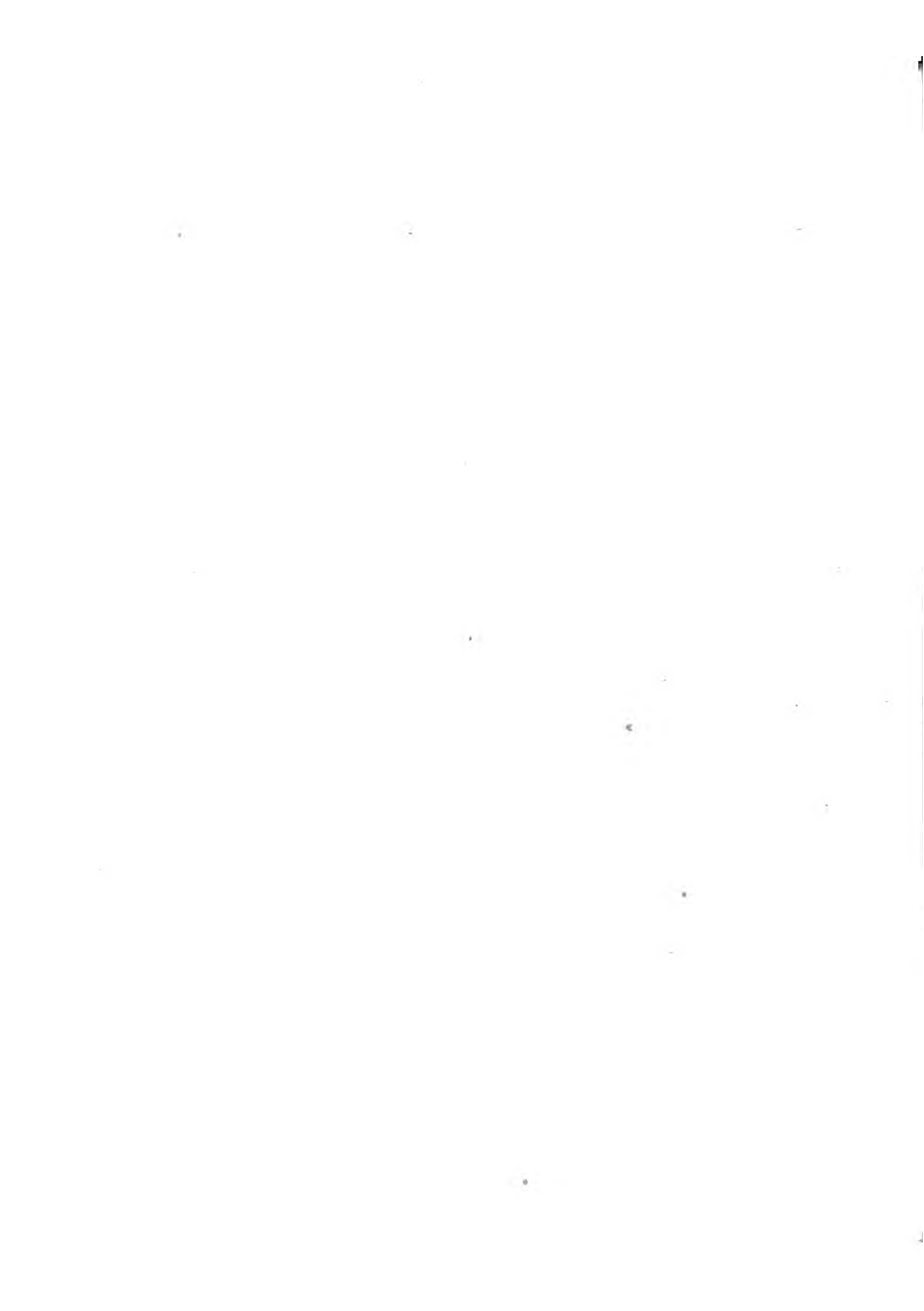
though no example thereof has occurred to my notice. They were, at first, *oblations*, but grew, by degrees, into fixed and certain payments, from every parish and every house in it. In some cathedrals, *Deans* and prebendaries are entitled to receive these offerings; and in others, again, they are paid to the archdeacons. See Ayliffe's *Parergon I. C. A.* p. 434.

END OF VOL. I.



LONDON:
PRINTED BY RICHARD WATTS,
Crown Court, Temple Bar.









H. WHEELER,
Bookseller, Stationer,
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