

**THE ALLEGED TRIPARTITE
DIVISION OF TITHES IN ENGLAND
FOR MAINTAINING 'THE
CLERGY', 'THE POOR', AND THE
"FABRIC OF THE CHURCH."**

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The alleged tripartite division of tithes in England for maintaining 'the clergy', 'the poor', and the "fabric of the church." by Morris Fuller

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MORRIS FULLER

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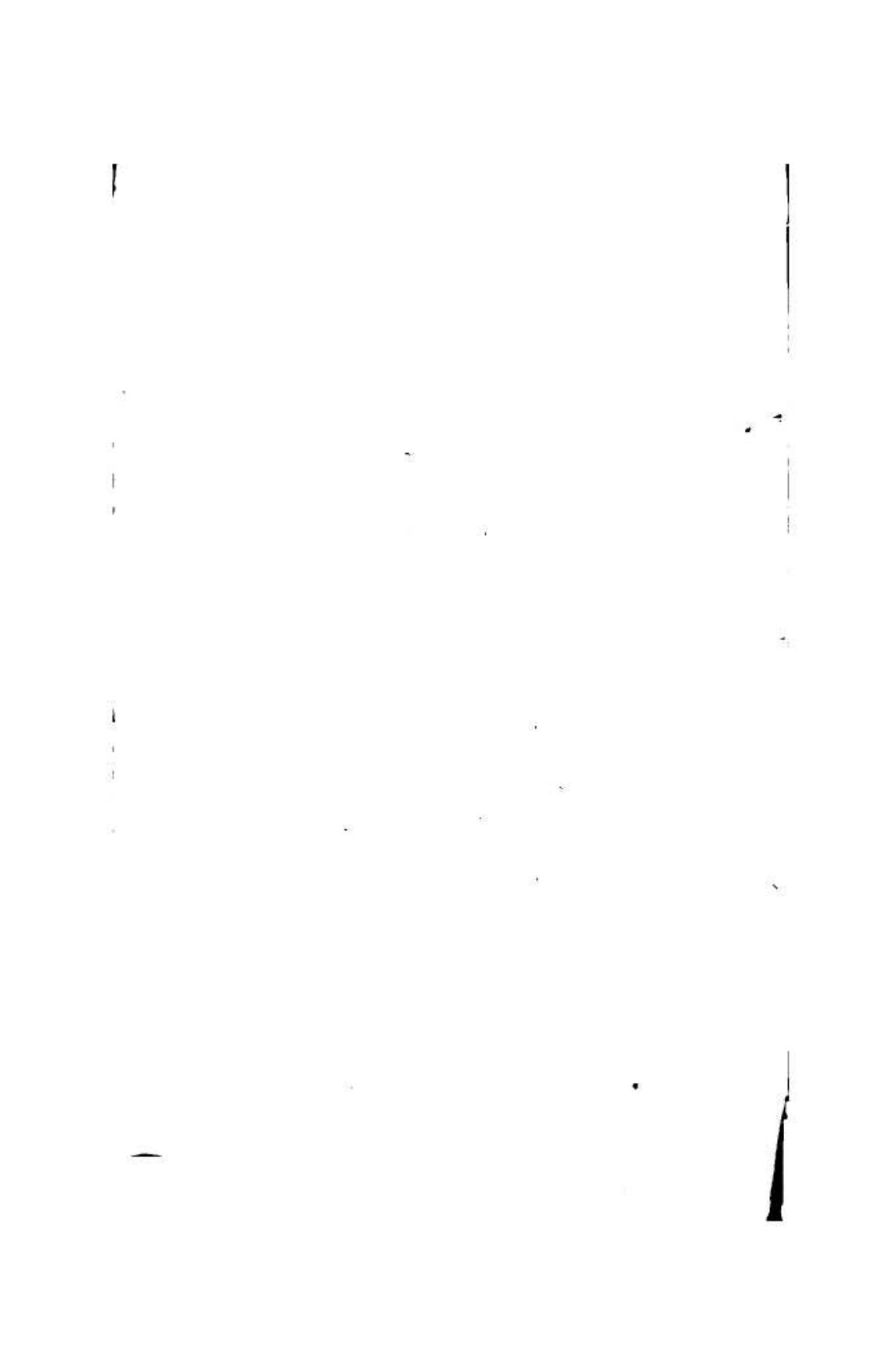
BY THE
REV. MORRIS FULLER, M.A.,
Rector of Ryburgh.

"Libera sit Ecclesia Anglicana, habeatque sua jura libertatesque illasus."
MAGNA CHARTA.

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The Alleged Tripartite Division of Tithes in England.

1. *Subject of the Present Essay.*

So much has been written from time to time respecting the Tithes and Revenues belonging to the Church of England, that some apology may be necessary for the present Essay, the object of which is to ascertain the truth of certain propositions, which the opponents of the Church have of late introduced into this controversy, respecting the legal right of the beneficed Clergy to their Tithes, from which they now boldly assert that the Incumbents of our several parishes have no equitable right to more than one-fourth or, at most, one-third of the Tithes of their benefices. The solution of the question turns upon the evidence which can be adduced to prove that the decree attributed to Pope Gelasius, A.D. 492, directing a division of ecclesiastical revenues and oblations into four parts for the use, first, of the Bishop; second, of the Clergy; third, of the Church (*i.e.*, the fabric); fourth, of the poor; took effect in England, or was sanctioned by any civil or ecclesiastical law in this country.

The object of the present writer is to prove that there is no evidence of such a division ever having taken place in England. "If I am asked," says Dr. Freeman, "for an opinion as to the alleged threefold division of Tithes in England, I must answer that I see no evidence for its legal enforcement at any time. It appears, however, to have been held up as a kind of counsel of perfection, which the receivers and dispensers of Tithes would do well to follow."

2. *Use of the doctrine of tripartite division of Tithes, by Liberationists in a recent publication, "The Case for Disestablishment," a handbook of facts and arguments in support of the claim for religious equality.*

History repeats itself, and at the close of nearly half a century we find ourselves confronted with another bitter and hostile attack upon the endowments of the national Church. Other religious bodies in this country have endowments,* and nothing is ever said of them; in fact, those who have set themselves to "disestablish and disendow" the Church have endowments of their own. But it seems to be the fate of the Church of England to be open to the incursions of the enemy on all sides, and a systematic attack upon her revenues is made at regular periodic intervals by her foes, as if following some occult law.

In times anterior to the passing of the first Reform Bill, the Clergy had to defend the justice of their present claims to the *whole* Tithes of their parishes, and to assert their original exemption from the charge of maintaining the fabric of the Church, and the Poor against no other avowed enemies than the Roman Catholics and Republicans. The popular writers of the Church of Rome vied with each other in contrasting the bounty of the ancient monasteries with the selfishness of the Protestant Clergy, and the Republicans, as if hired† by the Court of Rome to help its plans, failed not to impress the mind of the labourer and the artisan with the notion that, under the more equitable distribution of Church property in the "golden times of Popery," Church Rates and Poor Rates were unheard of; that the Roman Catholic clergy maintained at their own cost the most sumptuous edifices, and out of revenues (now diverted by the State Church from their original purpose) most liberally the poor of their parishes.

It was about the time of the Reform agitation, more than fifty years ago, that a new class of opponents of the Church of England arose under the title of the "Society for promoting Ecclesiastical Knowledge," a society whose affairs were conducted by "Evan-

* By a late computation, the endowments of the Wesleyans alone are stated to be worth £10,000,000.

† It is credibly reported that Cobbett's "History of the Reformation" was printed in Italian at Rome "permissu superiorum." It has also been translated into Portuguese.

gical Dissenters," as they stated, a society whose peculiar solicitude it was that all their publications should be strongly characterized by the spirit and language of genuine piety, a society "which professed to separate between Christianity and its abuses, and which declared that Protestant Dissenters had nothing to gain in this warfare (against the Established Church) save the best of all gains, the consciousness of forwarding the interests of truth, liberty, and happiness." This society, with reference to the repeal of the Test and Corporation Acts, declared, "We have no more to contend for equality of civil rights," and further assured the public that they had no further views of aggrandizement, for "secular ascendancy, or state emoluments, were these freely awarded to us, our principles forbid us to accept."

One of the first works produced by this society was an "Essay on Tithes," written in a most violent spirit of hostility to the Church of England, which was not, indeed, an "Essay on Tithes" at all, but an argument for the total abolition of Tithes, summed up in twenty-five reasons. It was intended to be a storehouse in which every sophistical reason was raked up to justify a conspiracy to oppress the minister of the Established Church and deprive him of that which the laws of England assign to him as his lawful due. In this work of genuine piety every attempt was made to render the Clergy contemptible and odious, the whole system of Tithes as "odious and unjust;" as a "mill-stone round the neck of any Church to sink it into ruin;" and the language of prophesy is assumed, which declares, "dearly will the claimants pay for their tithes when God arises to take vengeance." Nor is this all. The readers are told that "Tithes are an unchristian institution;" that the robber is he, not who withholds the Tithe, but who takes it.

Another work was published at this time, 1831, on the legal side of the question, called "Tithes, the Property of the Public and the Poor," a legal argument by W. Eagle, Esq., Barrister-at-law, and which went through four editions. This pamphlet was referred to by Lord Lyndhurst in the debate on the second reading of the Reform Bill, and was very extensively circulated at the time. As the same ground has to be gone over again in this present Liberationist agitation, and the same struggle has been once more renewed, the Liberation Society has thought it desir-