

Nevertheless the merciful Virgin, overcome by their prayers, summoned the demons who had caused the deed and enjoined upon them that, as they had caused the scandal to religion, they must bring it to an end. As they were not able to resist her commands, after much anxiety and various conferences, they found a way to remove the infamy. In the night they placed the monk in his church, and, repairing the broken receptacle as it was before, they placed the treasure in it. Also after replacing the money in it they closed and locked the chest which the matron had opened. And they set the woman in her room and in the place where she was accustomed to pray by night.

When the monks found the treasure of their monastery, and their brother praying to God just as he had been accustomed to do, and the husband saw his wife, and the money was found just as it had been before, they became stupefied and wondered. Rushing to the prison, they saw the monk and the woman in fetters just as they had left them; for one of the demons was seen by them transformed into the likeness of a monk and another into the likeness of a woman. When everybody in the whole city had come together to see the miracle, the demons said in the hearing of all, "Let us go, for sufficiently have we deluded these people by causing them to think evil of religious persons." And, saying this, they suddenly disappeared. Then all threw themselves at the feet of the monk and of the woman and demanded pardon.

Behold how great infamy and scandal and what inestimable damage the devil would have wrought against religious persons, if the blessed Virgin had not aided them.

IV. THE PRIVILEGE OF BENEFIT OF CLERGY

Richard of Bury, bishop of Durham, a celebrated book collector of the early fourteenth century, wrote a charming little volume in praise of books, the *Philobiblon*. Among other things he gives the complaint of the books

against those ungrateful members of the clergy who fail to realize that it is to books that they chiefly owe their exalted position and privileges. Through their ability to read, the clergy are raised above the laity; for when a clerk commits a crime he may, by reading a single line, secure the "benefit of clergy,"—the right to be tried by a church court, which cannot, like the secular tribunals, inflict capital punishment. Thus even the learning which the unworthy clerk had practically forgotten through neglect rescues him at the last moment from the gallows.

Ye [namely, the clergy] are a chosen people, a royal priesthood, a holy race; ye are a peculiar people chosen into the lot of God; ye are priests and ministers of God, nay, ye are called the very Church of God,—as though the laity were not to be called churchmen. Ye, being preferred to the laity, sing psalms and hymns in the chancel and, serving the altar and living by the altar, make the true body of Christ; wherein God himself has honored you not only above the laity, but even a little higher than the angels;—for to whom of his angels has he said at any time: "Thou art a priest forever, after the order of Melchizedek"? Ye dispense the patrimony of the Crucified One to the poor, wherein it is required of stewards that a man be found faithful. Ye are shepherds of the Lord's flock, as well in example of life as in the word of doctrine, and your sheep are bound to repay you with milk and wool.

Who are the givers of all these things, O clerks? Is it not books? Do ye remember, therefore, we pray, how many and how great are the liberties and privileges which we books bestow upon the clergy. In truth, taught by us, who are the vessels of wisdom and intellect, ye ascend the teacher's chair and are called of men, Rabbi. By us ye become marvelous in the eyes of the laity, like great lights in the world, and possess the dignities of the Church according to your various

140. How a clergyman might be saved from the gallows by reading a line. (From the *Philobiblon* of Richard of Bury.)

stations. By us, while ye still lack the first down upon your cheeks, ye are established in your early years and bear the tonsure on your heads, while the dread sentence of the Church is heard, "Touch not mine anointed, and do my prophets no harm;" and he who has rashly touched them let him forthwith, by his own blow, be smitten violently with the wound of an anathema.

At length, yielding your lives to wickedness, reaching the two paths of Pythagoras, ye choose the left branch and, going backward, ye let go the lot of God which ye had first assumed, becoming companions of thieves. And thus, ever going from bad to worse, blackened by theft and murder and manifold impurities, your fame and conscience stained by sin, at the bidding of justice ye are confined in manacles and fetters, and are kept to be punished by a most shameful death. Then your friend is put far away, nor is there any to mourn your lot. Peter swears that he knows not the man; the people cry to the judge: "Crucify, crucify him! If thou let this man go, thou art not Cæsar's friend."

Now all refuge is gone, for ye must stand before the judgment seat, and there is no appeal, but only the gallows is in store for you. While the wretched man's heart is thus filled with woe, and only the sorrowing Muses bedew their cheeks with tears, in his strait is heard on every side the wailing appeal to us, and to avoid the danger of impending death he shows the slight sign of the ancient tonsure which he received through us, begging that we may be called to his aid and bear witness to the privilege bestowed upon him.

Then straightway, touched with pity, we run to meet the prodigal son and snatch the fugitive slave from the gates of death. The book he has not forgotten is handed to him to be read, and when, with lips stammering with fear, he reads a few words, the power of the judge is loosed, the accuser is withdrawn, and death is put to flight. O marvelous virtue of an empiric verse! O saving antidote of dreadful ruin! O precious reading of the psalter, which for this alone deserves to be called the book of life! Let the laity undergo the judgment of the secular arm, that, either sewn up in

sacks they may be carried out to Neptune, or planted in the earth may fructify for Pluto, or may be offered amid the flames as a fattened holocaust to Vulcan, or at least may be hung up as a victim to Juno; while our foster child, at a single reading of the book of life, is handed over to the custody of the bishop, rigor is changed to favor, and the forum being transferred from the laity, death is routed by the clerk who is the nursling of books.

V. HOW THE CHURCHES AND MONASTERIES WERE SUPPORTED

The following statement indicates how numerous and complicated were the sources of revenue which even a parish church might claim as its rightful means of support.

I, Hugh, dean of Gyé, hereby inform the present generation, and those to come, that, according as I have heard and learned from my predecessors of blessed memory and have myself seen in my time, the church of St. Mary of Châtillon in my parish of Gyé possesses the following revenue: namely, one sixth of the tithe of grain and wine and one half of the offerings, bequests and alms, — provided they are paid in money, — and one half of the small tithe.¹ From Neuilly, one eighteenth of the tithe of grain, one sixth of the tithe of wine, and one half of the small tithes, offerings, and legacies. From C—, on behalf of the allodial lands, two parts of the tithe of grain, one sixth of the tithe of wine, one half of the legacies and offerings, and the whole of the small tithe, except twelve pence, which the parish priest by virtue of his office has been wont to receive as fish money. From the monastery of C—, two parts of the tithe of grain and wine and of the small tithes, one third of the offerings at Christmas, Pentecost, and All Saints. Of the other offerings, however, made there during the year the church of

141. The revenue of a parish church (1237).

¹ That is, the tithe of other than the staple crops, — for example, of pigs, lambs, flax, etc.

Châtillon receives nothing whatever. Of the legacies upward of twelve pence it receives one third, but of those below that sum it receives by custom nothing at all.

It would seem as if the chances of misunderstanding and of consequent litigation must have been great when the property and dues were so curiously divided among the various churches and monasteries. This astonishing subdivision of the revenues possessed by ecclesiastical bodies was doubtless due in large part to the habits of their benefactors, whose property was commonly greatly scattered, or bequeathed in a seemingly arbitrary fashion, as in the following instance.

142. A Swabian count, Luithold, gives certain manors to the monastery of Zwifalt. (End of eleventh century.)

Lord Luithold, the count, gave for the support of Christ's poor, the monks of this monastery of the holy Mother of God, half of the manor which is called Derendingen. This has excellent soil and is said to include twelve or more hides of arable land alone. He also gave meadows full good, and a half right to the exercise of all legal powers in the whole manor. He gave two groves, two mills, and a half right to the church on the same manor, and the sole right to the church of St. Blasius hard by the manor. To these two churches, that is to those portions of the churches which are under our jurisdiction, belongs one grove of five hides.

And he gave half of the manor which is called Undingen, which includes twelve hides of fertile land and meadows and extends over an area of more than sixty hides of woods and of pastures for cattle. There is also an inn there. . . .

And he also gave us the whole manor of Altenburg, with the sole right to the chapel, and a mill. The estate is believed to comprise almost fourteen hides of arable lands and meadows, without counting the woods and pastures.

He granted us, too, a half of the church at Oferdingen, with four hides of fine arable land situated there, and at Neuhausen one mansus; likewise at Dusslingen one, and two at Immenweiler, — which afterwards we exchanged for

two at Stubichahe. Also ten mansus at Scephbouch and four at Willsingen and three mills at Husin, — which were afterwards given in exchange to Rudolph of Reutlingen for Wimsheim. Also near the town of Chur a fourth part of the church in the manor called Maifeld. . . .

Describing with pride the foundation (1089) and history of his monastery of Zwifalt in Swabia, the monk Ortlieb gives the following account of "our family" (*nostra familia*).

Now this our monastery church possesses many persons who, because of the oppression of their former lords and of the burdens which weighed them down, have come under our jurisdiction in order to have peace. Some of these are tillers of the soil, some vinedressers; others are bakers, cobblers, artisans, merchants, and those who follow various trades and callings. Some of those who pay their dues to the monastery are on a different footing from others. Even among those who belong directly to the monastery some pay money yearly, while others contribute wax towards making a certain great candle. What all these pay in dues to the monastery is all handed over to the custodian of the church.

Some of those under our jurisdiction belong to the people's church across the river, some to St. Stephen's church at Tigerfeld, or to the church of St. Blasius at Derendingen, or to other churches under our control. While these pay their dues to the particular church to which they are known to belong, they are all, nevertheless, like the others, numbered among the members of our monastery family, and they should obey our decrees, no matter if they pay dues to some other church or monastery.

And it is to be noted that the people of Tigerfeld and those who pay their dues to that church are to be judged, at appointed times, by the advocate of that place in the presence of the provost of our monastery. If any one should be convicted of any rash act, or of failure to pay his dues, one

143. Ortlieb's account of those who lived under the jurisdiction of the monastery of Zwifalt (1135).

part of the fine exacted shall go to the advocate and two parts to our community. . . .

The retainers of the monastery required to demean themselves humbly.

Among our men some owe service of this kind, namely: when the lord abbot, prior, provost, or others among the brethren would travel anywhither, these men with their horses, do accompany the brethren and minister unto them obediently. And in order that this service may be rightfully required of them they are granted certain benefices. They assuredly rejoice to be honored by this distinction because they have the right to have under them men we call clients, or *ministeriales*. Yet in spite of this, no man of ours has ever become so perverse or haughty that he presumed to ride with us in military array, or refused to carry the wallet of any of our monks upon his pack horse. The founders of our monastery did not intend to give us such men, and we have not consented to receive any one who might prove troublesome to us or to our successors.

VI. TALES ILLUSTRATING THE MEDIEVAL ATTITUDE TOWARDS HERETICS

The popular horror in which heresy was held in the twelfth and thirteenth centuries is well shown in the following accounts.

144. The body of a burned heretic turns into toads. (From *Luke, bishop of Tuy, thirteenth century.*)

From the lips of the same brother Elias, a venerable man, I learned that when certain heretics were scattering the virulent seeds of error in parts of Burgundy, both the Preaching Friars and the Minorites drew the two-edged sword of God's word against these same heretics, opposing them valiantly, until they were finally taken by the magistrate of the district. He sent them to the stake, as they merited, in order that these workers of iniquity should perish in their wickedness as a wholesome lesson to others.

Quantities of wood having been supplied in plenty to feed the flames, suddenly a toad of wonderful size appeared, and without being driven, betook itself of its own accord

into the midst of the flames. One of the heretics, who was reported to be their bishop, had fallen on his back in the fire. The toad took his place on this man's face and in the sight of all ate out the heretic's tongue.

By the next day his whole body, except his bones, had been turned into disgusting toads, which could not be counted for their great number. The inhabitants, seeing the miracle, glorified God and praised him in his servants, the Preaching Friars, because the Lord had, in his mercy, delivered them from the horror of such pollution.

God omnipotent surely wished to show through the most unseemly and filthiest of animals, how foul and infamous are the teachings of heretics, so that all might thereafter carefully shun the heretic as they would the poisonous toad. Just as among four-footed creatures the toad is held the foulest, so the teachings of the heretic are more debased and filthy than those of any other religious sect. The blindness of heresy justifies the perfidy of the Jews. Its pollution makes the madness of the Mohammedans a pure thing in contrast. The licentiousness of the heretics would leave Sodom and Gomorrah stainless. What is held most enormous in crime becomes most holy when compared with the shame and ignominy of heresy. Therefore, dear Christian, flee this unspeakable evil, in comparison with which all other crimes are as trifles.

Consummate guilt of heresy.

Two men, simply clad but not without guile, not sheep but ravening wolves, came to Besançon, feigning the greatest piety. Moreover they were pale and thin, they went about barefooted and fasted daily, they did not miss a single morning the matins in the cathedral, nor did they accept anything from any one except a little food. When by this hypocrisy they had attracted the attention of every one, they began to vomit forth their hidden poison and to preach to the ignorant new and unheard-of heresies. In order, moreover, that the people might believe their teachings, they ordered meal to be sifted on the sidewalk and walked on it without leaving a trace of a footprint. Likewise, walking upon the

145. Two heretics work miracles with the devil's aid. (From the *Dialogues of Cæsar of Heisterbach.*)

water, they did not sink; also they had little huts burned over their heads, and after the huts had been burned to ashes, they came out uninjured. After this they said to the people, "If you do not believe our words, believe our miracles."

The bishop and the clergy, hearing of this, were greatly disturbed. And when they wished to resist the men, affirming that they were heretics and deceivers and ministers of the devil, they escaped with difficulty from being stoned by the people. Now that bishop was a good and learned man and a native of our province. Our aged monk, Conrad, who told me these facts and who was in that city at the time, knew him well.

The bishop, seeing that his words were of no avail and that the people intrusted to his charge were being seduced from the faith by the devil's agents, summoned a certain clerk that he knew, who was very well versed in necromancy, and said: "Certain men in my city are doing so and so. I ask you to find out from the devil, by your art, who they are, whence they come, and by what means they work so many and such wonderful miracles. For it is impossible that they should do wonders through divine inspiration when their teaching is so contrary to that of God." The clerk said, "My lord, I have long ago renounced that art." The bishop replied: "You see clearly in what straits I am. I must either acquiesce in their teachings or be stoned by the people. Therefore I enjoin upon you, for the remission of your sins, that you obey me in this matter."

The clerk, obeying the bishop, summoned the devil, and, when asked why he had called him, responded: "I am sorry that I have deserted you. And because I desire to be more obedient to you in the future than in the past, I ask you to tell me who these men are, what they teach, and by what means they work so great miracles." The devil replied, "They are mine and sent by me, and they preach what I have placed in their mouths." The clerk responded, "How is it that they cannot be injured, or sunk in the water, or burned by fire?" The demon replied again, "They have

under their armpits, sewed between the skin and the flesh, my compacts, in which the homage done by them to me is written; and it is by virtue of these that they work such miracles and cannot be injured by any one." Then the clerk said, "What if those should be taken away from them?" The devil replied, "Then they would be weak, just like other men." The clerk, having heard this, thanked the demon, saying, "Now go, and when you are summoned by me, return."

He then went to the bishop and related these things to him in due order. The latter, filled with great joy, summoned all the people of the city to a suitable place and said: "I am your shepherd, ye are my sheep. If those men, as you say, confirm their teaching by signs, I will follow them with you. If not, it is fitting that they should be punished and that you should penitently return to the faith of your fathers with me." The people replied, "We have seen many signs from them." The bishop said, "But I have not seen them."

Why prolong my tale? The plan pleased the people. The heretics were summoned. The bishop was present. A fire was kindled in the midst of the city. However, before the heretics entered it, they were secretly summoned to the bishop. He said to them, "I want to see if you have anything evil about you." Hearing this, they stripped quickly and said with great confidence, "Search our bodies and our garments carefully." The soldiers, however, following the instructions of the bishop, raised the men's arms, and noticing under the armpits some scars that were healed up, cut them open with their knives and extracted from them little scrolls which had been sewed in.

Having received these, the bishop went forth with the heretics to the people and, having commanded silence, cried out in a loud voice, "Now shall your prophets enter the fire, and if they are not injured I will believe in them." The wretched men trembled and said, "We are not able to enter now." Then the bishop told the people of the evil which had been detected, and showed the compacts. Then all

were furious and hurled the devil's ministers into the fire which had been prepared, to be tortured with the devil in eternal flames. And thus, through the grace of God and the zeal of the bishop, the growing heresy was extinguished, and the people who had been seduced and corrupted were cleansed by penance.

BIBLIOGRAPHY

A. References.

Unfortunately the Church has received such slight attention in the manuals most commonly used that there is little in them to supplement the account given in Chapter XVI of the *History of Western Europe*.

General Review: BÉMONT and MONOD, pp. 488-502; EMERTON, pp. 541-555, — especially good for the development of the canon law; MUNRO, pp. 169-175.

Interesting examples of the formulæ for excommunication and the interdict will be found in *Translations and Reprints*, Vol. IV, No. 4, pp. 22-33.

B. Additional reading in English.

CUTTS, *Parish Priests and their People*, 1898.

LEA, *Studies in Church History*. Contains essays on "The Rise of Temporal Power," "Benefit of Clergy," and a very full account of "Excommunication."

MAITLAND, S. M., *The Dark Ages*. Essays written some sixty years ago with a view of defending mediæval thought and institutions from the aspersions of certain Protestant writers. The gloomier aspects of the subject will be found in:

LEA, *History of the Inquisition in the Middle Ages*, Vol. I, Chapter I. A startling arraignment of the vices of the mediæval clergy, which makes no claim to describe the normal and salutary activities of the Church.

JESSOPP, *The Coming of the Friars*. Contains several essays on the Church.

Somewhat more systematic accounts of the organization and beliefs of the Church will be found in the histories of the Church mentioned above, pp. 82 *sqq.*, especially in MILMAN, Book XIV, Chapters I-III, and in NEWMAN, pp. 449-457.

C. Materials for advanced study.

MOELLER, *History of the Christian Church*, Vol. II, Period II, Chapter V; Period III, Chapters II and III, with references to many monographs.

GIESELER, *Ecclesiastical History*, Vol. III, Chapters I, II, V, and VI, which give excerpts from the sources.

MÜLLER, KARL, *Kirchengeschichte*, Vol. I, 1892. The most suggestive, scholarly, and readable general review of church-history.

PRÉVOST, *Les églises et les campagnes au moyen âge*, 1892. An excellent and sympathetic account of the activities of the Church, especially in the country districts.

LUCHAIRE, *Manuel des institutions* (see above, p. 192), Part I, Book I. The best brief account of the Church as an institution, especially in its relations to the civil authorities.

Special phases of the administrative system of the Church are treated by IMBART DE LA TOUR in his work on episcopal elections (see above, p. 219), and by FOURNIER, *Les Officialités au moyen âge; études sur l'organisation, la compétence et la procédure des tribunaux ecclésiastiques ordinaires en France, 1180-1328*, 1880. Also LEA, *Formulary of the Papal Penitentiary in the Thirteenth Century*, 1892. This contains an excellent introduction and a collection of letters showing the kinds of cases which were referred to the papal tribunal.

The two great systematic treatises upon church law, both of which were unfortunately left uncompleted by their authors, are: HINSCHIUS, *Das Kirchenrecht der Katholiken und Protestanten in Deutschland*, 7 vols., 1869-1897, and G. PHILLIPS (a Catholic), *Kirchenrecht*, 7 vols., 1845-1872.

Brief treatments: SOHM, *Kirchenrecht*, 1892, and ZORN, *Lehrbuch des Kirchenrechts*, 1892.

TARDIF, *Histoire des Sources du Droit Canonique*, 1887, is an indispensable guide to the use of the *Corpus Juris Canonici*. Of the latter there are numerous editions, but only one which the historical student will find satisfactory, namely, that edited by FRIEDBERG, 2 vols., 1881, costing about M. 60. The editor has carefully given the context of many documents of which only brief extracts appear in the decretals. This adds greatly to the value of the collection in using it for historical purposes. He also adds many excellent notes. The first of the two volumes is devoted to GRATIAN'S *Decretum*, the second to the later collections of decretals brought together under Gregory IX and succeeding popes. A copy of the canon law as edited by Friedberg should be in every college library, as no one can long study the Church without having occasion to refer to the *Decretum* and the decretals.

Of the ecclesiastical writers of the twelfth century the most important will be found in MIGNE, *Patrologia Latina* (see above, p. 84). The letters and some of the other works of ST. BERNARD may be had in

Ecclesiastical law.

Friedberg's admirable edition of the *Corpus Juris Canonici*.

English, translated by EALES, *Life and Works of St. Bernard*, 4 vols., 1889 *sqq.* The *Sententiae* of PETER LOMBARD are in MIGNE, Vol. CXCII. Older separate editions are very easily procured. The works of ALBERTUS MAGNUS are expensive and rarely found even in large libraries, but there is more chance of getting hold of the far more important works of THOMAS AQUINAS, of which a very fine edition is now being published at Rome under the papal auspices.

DENZINGER, *Enchiridion Symbolorum et Definitionum quae de rebus fidei et morum a Conciliis oecumenicis et summis Pontificibus emanaverunt*, Würzburg, several editions. A very convenient and inexpensive collection of official pronouncements in regard to important matters of faith, fully indexed.

LEA, *A History of Auricular Confession and Indulgences*, 3 vols., 1896. Contains a very full discussion of the teachings of the various theologians in regard to these two important subjects.

For the spirit of the Church and its rôle in the social life of the period, see, above all, MICHAEL, *Culturzustände des deutschen Volkes während des dreizehnten Jahrhunderts*, Vol. II, 1899; also *Histoire de France*, edited by LAVISSE, Vol. III, Part II, pp. 355 *sqq.* (by LANGLOIS).

In addition to the writers of the time, many of whom have much to say of the conditions in the Church, especially of the evil, the student will turn for impressions of the religion of the people to the tales and sermon stories of CÆSAR OF HEISTERBACH, of JACQUES DE VITRY, and of STEPHEN OF BOURBON, illustrations of which were given above, pp. 355 *sqq.* (see list of citations at the opening of this volume, Nos. 136, 137, and 139). He will also consult the few reports of episcopal visitations, especially those of EUDES DE RIGAUD, bishop of Rouen, mentioned below, pp. 378 *sqq.*, and the English Episcopal Registers, a list of which may be found in GROSS, *Sources of English History*,—for example, that of BISHOP GRANDISSON of Exeter (1327-1369), Part I, pp. 570-579. *Le Livre de Guillaume le Maire*, described by LANGLOIS in the new *Histoire de France* (see above), is a most interesting memorial of a bishop under Philip the Fair; it is published in *Mélanges historiques*, Tome II, in the *Documents inédits* (see above, p. 220).

General
conditions
in the
Church.

CHAPTER XVII

HERESY AND THE FRIARS

I. DENUNCIATIONS OF THE EVIL LIVES OF THE CLERGY

The extracts which follow illustrate the outspoken criticism of the conduct and lives of the ecclesiastical officials, from the pope down, which abounds in the popular literary productions of England, France, and Germany in the twelfth, thirteenth, and fourteenth centuries.

The first extracts are from a poem, not improbably composed by a very clever churchman, Walter Mape or Mapes, who was a member of the literary circle which Henry II of England gathered about him. It is but one of a great number of Latin poems originating at the same period, "remarkable chiefly for pungency of satire or sprightliness of composition." They were the work of university men, and show us that the Church never succeeded in effectively checking, at least among the educated, the most open and scornful strictures upon the clergy.

The poet is represented as caught up into heaven, where he sees visions suggested by the Apocalypse of St. John. The translation here given is one made under Elizabeth, or a little later.

After a burst of thunder a "goodlie personage" appears and bids the poet "Marke well and understand":

146. *The Revelation of Goliath the Bisshoppe.*