

THE
HISTORY OF THE PURITANS;

OR,

PROTESTANT NONCONFORMISTS;

FROM

THE REFORMATION IN 1517, TO THE REVOLUTION IN 1688;

COMPRISING

An Account of their Principles;

THEIR ATTEMPTS FOR A FARTHER REFORMATION IN THE CHURCH, THEIR SUFFERINGS, AND
THE LIVES AND CHARACTERS OF THEIR MOST CONSIDERABLE DIVINES.

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A NEW EDITION, IN THREE VOLUMES.

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WITH HIS LIFE OF THE AUTHOR AND ACCOUNT OF HIS WRITINGS.

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CHAP. VII.

FROM THE DEATH OF ARCHBISHOP GRINDAL TO THE SPANISH INVASION IN 1558.

UPON the death of Grindal, Dr. John Whitgift, bishop of Worcester, was translated to the see of Canterbury, and confirmed September 23d, 1583. He had distinguished himself in the controversy against the Puritans, and was therefore thought the most proper person to reduce their numbers. Upon his advancement the queen charged him “to restore the discipline of the church, and the uniformity established by law, which (says her majesty) through the connivance of some prelates, the obstinacy of the Puritans, and the power of some noblemen, is run out of square.” Accordingly the very first week, his grace published the following articles, and sent them to the bishops of his province, for their direction in the government of their several dioceses:—

“That all preaching, catechising, and praying, in any private family, where any are present besides the family, be utterly extinguished.¹ That none do preach or catechise, except also he will read the whole service, and administer the sacraments four times a year. That all preachers, and others in ecclesiastical orders, do at all times wear the habits prescribed. That none be admitted to preach unless he be ordained according to the manner of the church of England. That none be admitted to preach, or execute any part of the ecclesiastical function, unless he subscribe the three following articles: 1st, To the queen’s supremacy over all persons, and in all causes ecclesiastical and civil within her majesty’s dominions. 2dly, To the Book of Common Prayer, and of the ordination of priests and deacons, as containing nothing contrary to the word of God; and that they will use it in all their public ministrations, and no other. 3dly, To the thirty-nine articles of the church of England, agreed upon in the synod of 1562, and afterward confirmed by parliament.”² And with what severity his grace enforced these articles, will be seen presently.

It is easy to observe, that they were all levelled at the Puritans; but the most disinterested civil lawyers of these times were of opinion, that his grace had no legal authority to impose those, or any other articles, upon the clergy, without the broad seal; and that all his proceedings upon them were an abuse of the royal prerogative, contrary to the laws of the land, and consequently so many acts of oppression upon the subject. Their reasons were;

1. Because the statute of the twenty-fifth Henry VIII. chap. 20. expressly prohibits “the whole body of the clergy, or any one of them, to put in use any constitutions, or canons already made, or hereafter to be made, except they be

¹ Life of Whitgift, p. 118.

² MS. p. 429.

made in convocation assembled by the king's writ, his royal assent being also had thereunto, on pain of fine and imprisonment."

2. Because, by the statute of the 1st of Eliz. chap. 3. "All such jurisdictions, privileges, superiorities, pre-eminences, spiritual or ecclesiastical power and authority, which hath heretofore been, or may lawfully be, executed or used for the visitation of the ecclesiastical state and persons, and for reformation of the same, and of all manner of errors, heresies, schisms, abuses, contempts, and enormities, are for ever united to the imperial crown of these realms."—Whence it follows, that all power is taken from the bishops, except that of governing their dioceses according to the laws of the land, or according to any farther injunctions they may receive from the crown under the broad seal.

3. Because some of the archbishop's articles were directly contrary to the statute laws of the realm, which the queen herself has not power to alter or dispense with. By the 13th Eliz. chap. 12. the subscription of the clergy is limited to those articles of the church, which relate to the doctrines of faith, and administration of the sacraments only; whereas the bishop enjoined them to subscribe the whole thirty-nine. And by the preamble of the same statute, all ordinations in the times of Popery, or after the manner of foreign reformed churches, are admitted to be valid, so that such may enjoy any ecclesiastical preferment in the church; but the archbishop says, [art. 4th.] "that none shall be admitted to preach, unless he be ordained according to the manner of the church of England." Upon these accounts, if the queen had fallen out with him, he might have incurred the guilt of a premunire.

To these arguments it was replied by his grace's lawyers,

1. That by the canon law, the archbishop has power to make laws for the well-government of the church, so far as they do not encounter the peace of the church, and quietness of the realm. To which it was answered, this might be true in times of Popery, but the case was very much altered since the Reformation, because now the archbishops and bishops' authority is derived from the person of the queen only; for the late queen Mary, having surrendered back all ecclesiastical jurisdiction into the hands of the pope, the present queen upon her accession had no jurisdiction resident in her person, till the statute of recognition, 1st of Eliz. by which the archbishops and bishops of this realm, being exempted from the jurisdiction of the pope, are made subject to the queen, to govern her people in ecclesiastical causes, as her other subjects govern the same (according to their places) in civil causes;³ so that the clergy are no more to be called the archbishops or bishops' children, but the queen's liege people, and are to be governed by them according to the laws, which laws are such canons, constitutions, and synodals

³ MS. p. 661.

provincial, as were in force before the twenty-fifth of Henry VIII. and are not contrary nor repugnant to the laws and customs of the realm, nor derogatory to her majesty's prerogative royal; and therefore all canons made before the twenty-fifth of Henry VIII. giving to the archbishops or bishops an unlimited power over the clergy, as derived from the see of Rome, are utterly void, such canons being directly against the laws and custom's of the realm, which do not admit of any subject executing a law but by authority from the prince; and they are derogatory to her majesty's prerogative royal, because hereby some of her subjects might claim an unlimited power over her other subjects, independent of the crown, and by their private authority command or forbid what they please. Since then the archbishop's articles were framed by his own private authority, they cannot be justified by any of the canons now in force. And as for the peace of the church and quiet of the realm, they were so far from promoting them, that they were like to throw both into confusion.

2. It was said that the queen, as head of the church, had power to publish articles and injunctions for reducing the clergy to uniformity; and that the archbishop had the queen's licence and consent for what he did. But the queen herself had no authority to publish articles and injunctions in opposition to the laws; and as for her majesty's permission and consent, it could be no warrant to the archbishop, except it had been under the great seal. And if the archbishop had no legal authority to command, the clergy were not obliged to obey; the oath of canonical obedience does not bind in this case, because it is limited to *licitis et honestis*, things lawful and honest; whereas the present articles being against law, they were enforced by no legal authority; and were such as the ministers could not honestly consent to.

Notwithstanding these objections, the archbishop, in his primary metropolitanical visitation, insisted peremptorily, that all who enjoyed any office or benefice in the church should subscribe the three articles above mentioned; the second of which he knew the Puritans would refuse: accordingly there were suspended for not subscribing,

In the county of Norfolk . . . 64 ministers.
Suffolk . . . 60
Sussex, about . . . 30
Essex . . . 38
Kent . . . 19 or 20
Lincolnshire . . . 21
In all 233.

All whose names are now before me; besides great numbers in the diocese of Peterborough, in the city of London, and proportionable in other counties; some of whom were dignitaries in the church, and most of them

graduates in the university; of these some were allowed time, but forty-nine were absolutely deprived at once.⁴

Among the suspended ministers his grace showed some particular favour to those of Sussex, at the intercession of some great persons; for after a long dispute and many arguments before himself at Lambeth, he accepted of the subscription of six or seven, with their own explication of the rubrics, and with declaration that their subscription was not to be understood in any other sense, than as far as the books were agreeable to the word of God, and to the substance of religion established in the church of England, and to the analogy of faith; and that it did not extend to anything not expressed in the said books.⁵ Of all which the archbishop allowed them an authentic copy in writing, dated December the 6th, 1583, and ordered his chancellor to send letters to Chichester, that the rest of the suspended ministers in that county might be indulged the same favour.

Many good and pious men strained their consciences on this occasion; some subscribed the articles with this protestation in open court, “as far as they are agreeable to the word of God;” and others *dempto secundo*, that is, taking away the second. Many, upon better consideration, repented their subscribing in this manner, and would have rased out their names, but it was not permitted. Some, who were allured to subscribe with the promises of favour and better preferment, were neglected and forgotten, and troubled in the commissaries’ court as much as before.⁶ The court took no notice of their protestations or reserves; they wanted nothing but their hands, and when they had got them, they were all listed under the same colours, and published to the world as absolute subscribers.

The body of the inferior clergy wished and prayed for some amendments in the service-book, to make their brethren easy. “I am sure (says a learned divine of these times) that this good would come of it. (1.) It would please Almighty God. (2.) The learned ministers would be more firmly united against the Papists. (3.) The good ministers and good subjects, whereof many are now at Weeping-cross, would be cheered; and many able students encouraged to take upon them the ministry. And, (4.) Hereby the Papists, and more careless sort of professors, would be more easily won to religion. If any object, that excellent men were publishers of the Book of Prayer, and that it would be some disgrace to the church to alter it, I answer, 1st, That though worthy men are to be accounted of, yet their oversights in matters of religion are not to be honoured by subscriptions. 2dly, The reformation of the service-book can be no disgrace to us nor them, for men’s second thoughts are wiser than their first; and the Papists in the late times of Pius V. reformed our

⁴ MS. p. 456.

⁵ MS. p. 323. 405. Life of Whitgift, p. 129.

⁶ Fenner’s Answer to Dr. Bridges, p. 119, 120.

Lady's Psalter. To conclude, if amendments to the book be inconvenient, it must be either in regard of Protestants or Papists; it cannot be in regard of Protestants, for very great numbers of them pray heartily to God for it. And if it be in regard of the Papists, we are not to mind them; for they whose captains say, that we have neither church, nor sacraments, nor ministers, nor queen, in England, are not greatly to be regarded of us."⁷

But Whitgift was to be influenced by no such arguments; he was against all alterations in the liturgy, for this general reason, lest the church should be thought to have maintained an error: which is surprising to come from the mouth of a Protestant bishop, who had so lately separated from the infallible church of Rome. His grace's arguments for subscription to his articles are no less remarkable. 1st, If you do not subscribe to the Book of Common Prayer, you do in effect say, there is no true service of God, nor administration of sacraments, in the land. 2dly, If you do not subscribe the book of ordination of priests, &c. then our calling must be unlawful, and we have no true ministry nor church in England. 3dly, If you do not subscribe the book of the thirty-nine articles, you deny true doctrine to be established among us, which is the main note of a true church.⁸ Could an honest man, and a great scholar, be in earnest with this reasoning? Might not the Puritans dislike some things in the service-book without invalidating the whole? Did not his grace know, that they offered to subscribe to the use of the service-book, as far as they could apprehend it consonant to truth, though they could not give it under their hands, that there was nothing in it contrary to the word of God, nor promise to use the whole without the least variation, in their public ministry? But according to the archbishop's logic, the church must be infallible or no church at all. The liturgy must be perfect in every phrase and sentence, or it is no true service of God; and every article of the church must be agreeable to Scripture, or they contain no true doctrine at all. He told the ministers, that all who did not subscribe his articles were schismatics; that they had separated themselves from the church; and declared peremptorily, that they should be turned out of it.

This conduct of the archbishop was exposed in a pamphlet, entitled, "The practice of prelates;"⁹ which says, that none ever used good ministers so severely since the Reformation as he; that his severe proceedings were against the judgment of many of his brethren the bishops, and that the devil, the common enemy of mankind, had certainly a hand in it.—For who of the ministers (says this writer) have been tumultuous or unpeaceable? Have they not striven for peace in their ministry, in their writings, and by their example; and sought for their discipline only by lawful and dutiful means? Why then,

⁷ MS. p. 156.

⁸ Life of Whitgift, p. 125.

⁹ Ibid. p. 122.

should the archbishop tyrannize over his fellow-ministers, and starve many thousand souls, by depriving all who refuse subscription? Why should he lay such stress upon Popish opinions, and upon an hierarchy that never obtained till the approach of antichrist?

Loud were the cries of these poor sufferers and their distressed families to Heaven for mercy, as well as to their superiors on earth! Their temptations were strong; for as men, they were moved with compassion for their wives and little ones; and as faithful ministers of Christ, they were desirous to be useful, and to preserve the testimony of a good conscience. Some through frailty were overcome and submitted, but most of them cast themselves and families upon the providence of God; having written to the queen, to the archbishop, and to the lords of the council; and after some time to the parliament, for a friendly conference, or a public disputation, when and where and before whom they pleased; though without success.¹⁰

The supplication of the Norfolk ministers to the lords of the council, signed with twenty hands; the supplication of the Lincolnshire ministers with twenty-one hands; the supplication of the Essex ministers with twenty-seven hands; the supplication of the Oxfordshire ministers with—hands; the supplication of the ministers of Kent with seventeen hands, are now before me; besides the supplication of the London ministers, and of those of the diocese of Ely and Cambridgeshire; representing in most moving language their unhappy circumstances: “We commend (they say) to your honours’ compassion our poor families, but much more do we commend our doubtful, fearful, and distressed consciences, together with the cries of our poor people, who are hungering after the word, and are now as sheep having no shepherd, We have applied to the archbishop, but can get no relief, we therefore humbly beg it at your honours’ hands.”¹¹—They declare their readiness to subscribe the doctrinal articles of the church, according to the stat. 13 Eliz. cap. 12. and to the other articles, as far as they are not repugnant to the word of God. And they promise farther, if they may be dispensed with as to subscription, that they will make no disturbance in the church, nor separate from it.

The Kentish ministers, in their supplication to the lords of the council, professed their reverence for the established church,¹² and their esteem for

¹⁰ In the year 1583 one John Lewis, for denying the deity of Christ, was burnt at Norwich. Many of the Popish persuasion, under the charge of treason, were executed in different places. But, notwithstanding these severities, “her majesty (says Fuller) was most merciful unto many Popish malefactors, whose lives stood forfeited to the law, in the rigour thereof, seventy, who had been condemned, by one act of grace were pardoned and sent beyond sea.” Church History, b. 9. p. 169, 170.—ED.

¹¹ MS. p. 328.330, &c.

¹² This has been considered, by bishop Warburton, as inconsistent with calling the “established church an hierarchy, that never obtained till the approach of antichrist.” But the charge of inconsistency does not lie against the Kentish ministers who speak above, unless

the Book of Common Prayer, so far as that they saw no necessity of separating from the unity of the church on that account: that they believed the word preached, and the sacraments administered according to authority, touching the substance, to be lawful. They promised to show themselves obedient to the queen, in all causes ecclesiastical and civil; but then they added, that there were many things that needed reformation, which therefore they could not honestly set their hands to.¹³ They conclude with praying for indulgence, and subscribe themselves their honours' daily and faithful orators, the ministers of Kent suspended from the execution of their ministry.

The London ministers applied to the convocation, and fifteen of them offered to subscribe to the queen's supremacy, to the use of the Common Prayer-book, and to the doctrinal articles of the church, if they might be restored; but then add, "We dare not say there is nothing in the three books repugnant to the word of God, till we are otherwise enlightened; and therefore humbly pray our brethren in convocation, to be a means to the queen and parliament, that we may not be pressed to an absolute subscription, but be suffered to go on in the quiet discharge of the duties of our calling, as we have done heretofore, to the honour of Almighty God, and the edification of his church.—We protest, before God and our Saviour Jesus Christ, that if by any means, by doing that which is not wicked, we might continue still our labours in the gospel, we would gladly and willingly do anything that might procure that blessing, esteeming it more than all the riches in the world; but if we cannot be suffered to continue in our places and callings, we beseech the Lord to show greater mercy to those by whom this affliction shall be brought upon us, and upon the people committed to our charge, for whom we will not cease to pray, that the good work which the Lord has begun by our labours may still be advanced, to that day when the Lord shall give them and us comfort one in another, and in his presence everlasting happiness and eternal glory."¹⁴ This petition was presented to the convocation, in the first sessions of the next parliament, in the name of the ministers of London that had refused to subscribe the articles lately enforced upon them; with an humble request to have their doubts satisfied by conference, or any other way.

Among the suspended ministers of London, was the learned and virtuous Mr. Barber, who preached four times a week at Bow-church: his parishioners, to the number of one hundred and twenty, signed a petition to the lord-mayor, and court of aldermen for his release, but that court could not obtain it.¹⁵

it be proved that they were the authors of the pamphlet, entitled, *The Practice of Prelates*, which contains the other sentiments.—ED.

¹³ MS. p. 326.

¹⁴ MS, p. 595. 623.

¹⁵ MS. p.160. 568, &c.

March 4, 1584, the learned Mr. Field and Mr. Egerton were suspended. Mr. Field had been often in bonds for nonconformity; he was minister of Aldermary, and had admitted an assembly of ministers at his house, among whom were some Scots divines, who being disaffected to the hierarchy, the assembly was declared an unlawful conventicle, and Mr. Field was suspended from his ministry for entertaining them; but the rest were deprived for not subscribing.

Many gentlemen of reputation both in city and country appeared for the suspended ministers, as well out of regard to their poor families, as for the sake of religion, it being impossible to supply so many vacancies as were made in the church upon this occasion. The gentlemen of Norfolk, Cambridgeshire, and Kent, interceded with the archbishop; alleging that it was very hard to deal with men so severely for a few rites and ceremonies, when they were neither heretics nor schismatics, and when the country wanted their useful preaching. The parishioners of the several places from whence the ministers were ejected, signed petitions to the lord-treasurer, and others of the queen's council, beseeching them, in the bowels of Jesus Christ, that their ministers, being of an upright and holy conversation, and diligent preachers of the word of God, might be restored, or otherwise (their livings being only of small value) their souls would be in danger of perishing for lack of knowledge.¹⁶

The inhabitants of Malden in Essex sent up a complaint to the council, "that since their ministers had been taken from them, for not subscribing to certain articles neither confirmed by the law of God, nor of the land; they had none left but such as they could prove unfit for that office, being altogether ignorant, having been either Popish priests or shiftless men, thrust in upon the ministry when they knew not else how to live; men of occupation, serving-men, and the basest of all sorts; and which is most lamentable, as they are men of no gifts, so they are of no common honesty, but rioters, dicers, drunkards, &c. and of offensive lives. These are the men (say they) that are supported, whose reports and suggestions against others are readily received and admitted; by reason of which, multitudes of Papists, heretics, and other enemies to God and the queen, are increased, and we ourselves in danger of being insulted. We therefore humbly beseech your honours in the bowels of Jesus Christ, to be a means of restoring our godly and faithful ministers; so shall we and many thousands of her majesty's subjects, continue our daily supplications to Almighty God, &c."

The petition of the inhabitants of Norwich, signed with one hundred and seventy-six hands, and many letters and supplications from the most populous towns in England, to the same purpose, are now before me. But

¹⁶ Ibid. p. 457.

these appeals of the Puritans and their friends did them no service; for the watchful archbishop, whose eyes were about him, wrote to the council to put them in mind, “that the cause of the Puritans did not lie before them: that he wondered at the presumption of the ministers, to bring his doings in question before their lordships; and at their proud spirit, to dare to offer to dispute before so great a body against the religion established by law, and against a book so painfully penned, and confirmed by the highest authority.” He then adds, “that it was not for him to sit in his place, if every curate in his diocese must dispute with him; nor could he do his duty to the queen, if he might not proceed without interruption; but if they would help him he should soon bring them to comply.”¹⁷ As to the gentlemen who petitioned for their ministers,¹⁸ he told them to their faces, that he would not suffer their factious ministers, unless they would subscribe: that no church ought to suffer its laudable rites to be neglected: that though the ministers were not heretics, they were schismatics, because they raised a contention in the church, about things not necessary to salvation. And as for lack of preaching, if the gentlemen or parishioners would let him dispose of their livings, he would take care to provide them with able men. Thus this great prelate, who had complied with the Popish religion,¹⁹ and kept his place in the university through all the reign of queen Mary, was resolved to bear down all opposition, and to display his sovereign power against those whose consciences were not as flexible as his own.

But not content with his episcopal jurisdiction, his grace solicited the queen for a new ecclesiastical commission, and gave her majesty these weighty reasons for it, among others. Because the Puritans continue the ecclesiastical censures. Because the commission may order a search for seditious books, and examine the writers or publishers upon oath, which a bishop cannot. Because the ecclesiastical commission can punish by fines, which are very commodious to the government; or by imprisonment, which will strike more terror into the Puritans. Because a notorious fault cannot be notoriously punished, but by the commission. Because the whole

¹⁷ Life of Whitgift, p. 127.

¹⁸ Strype’s Life of Whitgift, p. 4.

¹⁹ Bishop Maddox here censures Mr. Neal, and says that the reverse was true. The fact, from all his biographers, appears to be that on the expectation of a visitation of the university, in queen Mary’s reign, to suppress heresy, and to oblige such as were qualified to take the first tonsure; Whitgift, foreseeing his danger, and fearing not only an expulsion but for his life, particularly because he could not comply with this requisition, would have gone abroad: but Dr. Pearn encouraged and persuaded him to stay, bidding him to keep his own counsel, and not utter his opinion, and engaging to conceal him without incurring any danger to his conscience in this visitation. He continued, therefore, in the college throughout this reign. But it is not to be conceived but that he must have preserved an outward conformity to the public and usual services of the church.—ED.

ecclesiastical law is but a carcass without a soul, unless it be quickened by the commission.²⁰

The queen, who was already disposed to methods of severity, easily gave way to the archbishop's arguments, and ordered a new high commission to be prepared, which she put the great seal to, in the month of December 1583, and the twenty-sixth year of her reign.²¹

²⁰ Life of Whitgift, p. 134.

²¹ There had been five high commissions before this, in most of which the powers of the commissioners had been enlarged; but forasmuch as the court was now almost at its height, I will give the reader an abstract of their commission from an attested copy, under the hand and seal of Abraham Hartwell, a notary public, at the special request and command of the archbishop himself, dated January 7th, 1583–4.

The preamble recites the act of the first of the queen, commonly called the act for "restoring to the crown the ancient jurisdiction of the state ecclesiastical and civil, and the abolishing all foreign power repugnant to the same:" and another of the same year, "for uniformity of common prayer and service of the church and administration of the sacraments:" and a third of the fifth of the queen, entitled, "An act of assurance of the queen's powers over all states, &c.:" and a fourth of the thirteenth Eliz. entitled, "An act for reforming certain disorders touching ministers of the church:" as the foundation of her ecclesiastical jurisdiction and power. Her majesty then names forty-four commissioners, whereof twelve were bishops; some were privy-counsellors, lawyers, and officers of state, as sir Francis Knollys treasurer of the household, sir Francis Walsingham secretary of state, sir Walter Mildmay chancellor of the Exchequer, sir Ralph Sadlier chancellor of the dutchy of Lancaster, sir Gilbert Gerard master of the rolls, sir Robert Manhood lord chief baron of the Exchequer, sir Owen Hopton lieutenant of the Tower of London, John Popham, esq. attorney-general, Thomas Egerton, esq. solicitor-general; the rest were deans, archdeacons, and civilians. Her majesty then proceeds;

"We, earnestly minding to have the above-mentioned laws put in execution, and putting special trust and confidence in your wisdoms and discretions, have authorized and appointed you to be our commissioners: and do give full power and authority to you, or any three of you, whereof the archbishop of Canterbury, or one of the bishops mentioned in the commission, or sir Francis Walsingham, sir Gilbert Gerard, or some of the civilians, to be one, to inquire from time to time during our pleasure, as well by the oaths of twelve good and lawful men, as also by witnesses, and all other means and ways you can devise; of all offences, contempts, misdemeanours, &c. done and committed contrary to the tenor of the said several acts and statutes; and also to inquire of all heretical opinions, seditious books, contempts, conspiracies, false rumours or talks, slanderous words and sayings, &c. contrary to the aforesaid laws, or any others, ordained for the maintenance of religion in this realm, together with their abettors, counsellors, or coadjutors.

"And farther we do give full power to you or any three of you, whereof the archbishop of Canterbury, or one of the bishops mentioned in the commission, to be one, to hear and determine concerning the premises, and to order, correct, reform, and punish, all persons dwelling in places exempt or not exempt, that wilfully and obstinately absent from church, or divine service established by law, by the censures of the church, or any other lawful ways and means, by the act of uniformity, or any laws ecclesiastical of this realm limited and appointed; and to take order, of your discretions, that the penalties and forfeitures limited by the said act of uniformity against the offenders in that behalf may be duly levied, according to the forms prescribed in the said act, to the use of us and the poor, upon the

goods, lands, and tenements, of such offenders, by way of distress, according to the true meaning and limitation of the statute.

“And we do farther empower you, or any three of you, during our pleasure, to visit and reform all errors, heresies, schisms, &c. which may lawfully be reformed or restrained by censures ecclesiastical, deprivation, or otherwise, according to the power and authority limited and appointed by the laws, ordinances, and statutes, of this realm.

“And we do hereby farther empower you, or any three of you, to call before you such persons as have ecclesiastical livings, and to deprive such of them as wilfully and advisedly maintain any doctrine contrary to such articles of religion of the synod of 1562, which only concern the confession of the true faith and doctrine of the sacraments, and will not revoke the same.

“And we do farther empower you, or any three of you, to punish all incests, adulteries, fornications, outrages, misbehaviours and disorders in marriage; and all grievous offences punishable by the ecclesiastical laws, according to the tenor of the laws in that behalf, and according to your wisdoms, consciences, and discretions, commanding you, or any three of you, to devise all such lawful ways and means for the searching out the premises, as by you shall be thought necessary: and upon due proof thereof had, by confession of the party, or lawful witnesses, or by any other due means, to order and award such punishment by fine, imprisonment, censures of the church, or by all or any of the said ways, as to your wisdom and discretions shall appear most meet and convenient.

“And farther we do empower you, or any three of you, to call before you all persons suspected of any of the premises, and to proceed against them, as the quality of the offence and suspicion shall require, to examine them on their corporal oaths, for the better trial and opening of the truth; and if any persons are obstinate and disobedient, either in not appearing at your command, or not obeying your orders and decrees, then to punish them by excommunication, or other censures ecclesiastical, or by fine, according to your discretions; or to commit the said offenders to ward, there to remain, till he or they shall be by you, or three of you, enlarged or delivered; and shall pay such costs and expenses of suit as the cause shall require, and you in justice, shall think reasonable.

And farther we give full power and authority to you, or three of you as aforesaid, to command all our sheriffs, justices, and other officers, by your letters, to apprehend, or cause to be apprehended, such persons as you shall think meet to be convened before you; and to take such bond as you shall think fit, for their personal appearance; and in case of refusal, to commit them to safe custody, till you shall give order for their enlargement: and farther, to take such securities for their performance of your decrees as you shall think reasonable. And farther, you shall keep a register of your decrees, and of your fines, and appoint receivers, messengers, and other officers, with such salaries as you shall think fit; the receiver to certify into the Exchequer, every Easter and Michaelmas term, an account of the fines taxed and received, under the hands of three of the commissioners.

“And we do farther empower you, or any six of you, whereof some to be bishops, to examine, alter, review, and amend, the statutes of colleges, cathedrals, grammar schools, and other public foundations, and to present them to us to be confirmed.

“And we do farther empower you, to tender the oath of supremacy to all ministers, and others compellable by act of parliament, and to certify the names of such as refuse it into the King's-bench.

“And lastly, we do appoint a seal for your office, having a crown and a rose over it, and the letter E before and R after the same; and round about the seal these words, 'Sigil, commiss. regiæ maj. ad causas ecclesiasticas.'”

The court of high commission was so called, because it claimed a larger jurisdiction and higher powers than the ordinary courts of the bishops; its jurisdiction extended over the whole kingdom, and was the same in a manner with that which had been vested in the single person of lord Cromwell, vicar-general to king Henry VIII. though now put into commission. The court was erected upon the authority of the acts mentioned in the preamble, and therefore its powers must be limited by those statutes; but the council for Mr. Cawdrey, whose case was argued before all the judges in Trinity-term 1591, questioned whether the court had any foundation at all in law; it being doubtful whether the queen could delegate her ecclesiastical authority, or the commissaries act by virtue of such delegation.

But admitting the court to be legal, it will appear that both the queen and her commissioners exceeded the powers granted them by law; for it was not the intendment of the act of supremacy, to vest any new powers in the crown, but only to restore those which were supposed to be its ancient and natural right. Nor do the acts above recited authorize the queen to dispense with the laws of the realm, or act contrary to them; or to set aside the ordinary legal courts of proceeding in other courts of judicature, by indictments, witnesses, and a jury of twelve men; nor do they empower her to levy fines, and inflict what corporal punishments she pleases upon offenders; but in all criminal cases, where the precise punishment is not determined by the statute, her commissioners were to be directed and governed by the common law of the land.

Yet contrary to the proceedings in other courts, and to the essential freedom of the English constitution, the queen empowered her commissioners, to “inquire into all misdemeanours, not only by the oaths of twelve men, and witnesses, but by all other means and ways they could devise that is, by inquisition, by the rack, by torture, or by any ways and means, that forty-four sovereign judges should devise. Surely this should have been limited to ways and means warranted by the laws and customs of the realm.

Farther, her majesty empowers her “commissioners, to examine such persons as they suspected upon their corporal oaths, for the better trial and opening of the truth, and to punish those that refused the oath, by fine or imprisonment, according to their discretion.” This refers to the oath *ex officio mero*, and was not in the five first commissions.

It was said in behalf of this oath, by Dr. Aubrey,²² that though it was not warrantable by the letter of the statute of the 1st of Elizabeth, yet the canon law being in force, before the making of that statute, and the commission

²² And nine others', learned civilians; and most of them, Strype says, judges in the civil and ecclesiastical courts.—ED.

warranting the commissioners to proceed according to the law ecclesiastical, they might lawfully administer it according to ancient custom.²³ To which it was answered, “that such an oath was never allowed by any canon of the church, or general council, for a thousand years after Christ; that when it was used against the primitive Christians, the Pagan emperors countermanded it; that it was against the pope’s law in the decretals, which admits of such an inquisition only in cases of heresy; nor was it ever used in England, till the reign of king Henry IV. and then it was enforced as law, only by a haughty archbishop, without consent of the commons of England, till the 25th of Henry VIII. when it was utterly abrogated. This pretended law was again revived by queen Mary, but repealed again by the 1st of queen Elizabeth, and so remained.²⁴ Besides, as this purging men by oath has no foundation in the law of the land, it is undoubtedly contrary to the law of nature and nations, where this is a received maxim, *Nemo tenetur seipsum accusare*: No man is bound to accuse himself. The queen therefore had no power to authorize her commissioners to set up an inquisition, and administer an oath to the suspected person, to answer all questions the court should put to him, and to convict him upon those answers; or if they could confront his declarations, to punish him as perjured.

If any persons disobeyed the orders and decrees of the court, by not appearing at their summons, &c. the commissioners were empowered to punish them by fine or imprisonment at their discretions. This also was contrary to law, for the body of a subject is to be dealt with, *secundum legem terræ*, according to the law of the land, as Magna Charta and the law saith. The clerk felon in the bishop’s prison is the king’s prisoner, and not the bishop’s, and therefore by the 1st of Henry VII. cap. 4. “the bishop of the diocese is empowered to imprison such priests, or other religious persons, within his jurisdiction, as shall by examination, and other lawful proofs requisite by the law of the church, be convicted of fornication, incest, or any fleshly incontinency, and there to detain them for such time as shall be thought by their discretions convenient, according to the quality of the offence; and that none of the said archbishops or bishops shall be chargeable with an action of false imprisonment for so doing.”²⁵ Which plainly implies, that a bishop cannot by law commit a man to prison, except in the cases above mentioned; and that in all others, the law remains in force as before. If then the queen, by her ecclesiastical commission, could not dispense with the laws of the land, it is evident that the long and arbitrary imprisonments of the Puritan clergy, before they had been legally convicted, and all their confinements afterward, beyond the time limited by the statutes, were so

²³ Life of Whitgift, p. 310.

²⁴ Ibid. p. 393, 394.

²⁵ Life of Aylmer, p. 145.

many acts of oppression; and every acting bishop or commissioner was liable to be sued in an action of false imprisonment.

The law says, no man shall be *fined ultra tenementum*, beyond his estate or ability. But the fines raised by this court, in the two next reigns, were so exorbitant, that no man was secure in his property or estate; though, according to lord Clarendon, their power of levying any fines at all was very doubtful. Some for speaking an unmannerly word, or writing what the court was pleased to construe a libel, were fined from 500£. to 10,000£. and perpetual imprisonment; some had their ears cut off and their noses slit, after they had been exposed several days in the pillory; and many families were driven into banishment; till in process of time the court became such a general nuisance, that it was dissolved by parliament, with a clause that no such court should be erected for the future.

Farther, the commission gives no authority to the court to frame articles, and oblige the clergy to subscribe them. It empowers them to reform all errors, heresies, and schisms, which may lawfully be reformed, according to the power and authority, limited and appointed by the laws and statutes of the realm. But there never was a clause in any of the commissions, empowering them to enforce subscription to articles of their own devising.²⁶ Therefore their doing this, without a special ratification under the great seal, was no doubt a usurpation of the supremacy, and brought them within the compass of a premunire, according to the statutes of 25 Henry VIII. cap. 20. and 1 Eliz. cap. 3.

Lastly, Though all spiritual courts (and consequently high-commission) are and ought to be subject to prohibitions from the supreme courts of law, yet the commissioners would seldom or never admit them, and at length terrified the judges from granting them: so that, upon the whole, their proceedings were for the most part contrary to the act of submission of the clergy, contrary to the statute laws of the realm, and no better than a spiritual inquisition.²⁷

If a clergyman omitted any of the ceremonies of the church in his public ministrations, or if a parishioner bore an ill-will to his minister, he might inform the commissioners by letter, that he was a suspected person; upon which a pursuivant or messenger was sent to his house with a citation.²⁸

²⁶ MS. p. 573.

²⁷ In this view it was considered by the lord-treasurer Burleigh.—“According to my simple judgment (says he, in a letter to the archbishop), this kind of proceeding is too much savouring the Romish inquisition, and is rather a device to seek for offenders, than reform any.” Fuller’s Church History, b. 9. p. 155. Mr. Hume stigmatizes this court not only as a real inquisition; but attended with all the iniquities, as well as cruelties, inseparable from that horrid tribunal.—ED.

²⁸ The citation was to the following effect:

The pursuivant who brought them up, had thirty-three shillings and fourpence for forty-one miles, being about nine or ten pence a mile. Upon their appearing before the commissioners, they were committed prisoners to the Clinkprison seven weeks, before they were called to their trial.—When the prisoners were brought to the bar, the court immediately tendered them the oath, to answer all questions to the best of their knowledge; by which they were obliged not only to accuse themselves, but frequently to bring their relations and friends into trouble. The party to be examined, was not to be acquainted with the interrogatories beforehand, nor to have a copy of his answers, which were lodged with the secretary of the court, against the day of his trial. If the commissioners could not convict him upon his own confession, then they examined their witnesses, but never cleared him upon his own oath. If they could not reach the prisoner by their ordinary jurisdiction as bishops, they would then sit as ecclesiastical commissioners. If they could not convict him upon any statute, then they had recourse to their old obsolete law ecclesiastical; so that the prisoner seldom knew by what law he was to be tried, or how to prepare for his defence. Sometimes men were obliged to a long attendance, and at other times condemned in haste without any trial. The reverend Mr. Brayne, a Cambridge minister, being sent for to Lambeth, made his appearance before the archbishop and two other commissioners, on Saturday in the afternoon, and being commanded to answer the interrogatories of the court upon oath, he refused, unless he might first see them, and write down his answers with his own hand; which his grace refusing, immediately gave him his canonical admonitions, once, twice, and thrice; and caused him to be registered for contempt, and suspended.²⁹

Let the reader carefully peruse the twenty-four articles themselves, which the archbishop framed for the service of the court; and then judge, whether

“We will and command you, and every of you, in her majesty’s name, by virtue of her high commission for causes ecclesiastical, to us and others directed, that you, and every of you, do make your personal appearance before us, or others her majesty’s commissioners in that behalf appointed, in the consistory within the cathedral church of St. Paul’s, London [or at Lambeth], the seventh day next after the sight hereof, if we or other our colleagues shall then happen to sit in commission, or else at our next sitting there, then next immediately following: and that after your appearance there made, you, and every of you, shall attend, and not depart without our special licence; willing and commanding you, to whom these our letters shall first be delivered, to show the same, and give intimation and knowledge thereof, to the others nominated upon the indorsement hereof, as you, and every of you, will answer to the contrary at your perils. Given at London, the 16th of May, 1584.

John Cant. Gabriel Goodman. John London.

Indorsed,

To Ezekias Morley, Rob. Pamnet, and William Biggen, of Ridgwcll Essex.

²⁹ Life of Whitgift, p. 163.

it were possible for an honest man to answer them upon oath, without exposing himself to the mercy of his adversaries.³⁰

³⁰ The articles were these that follow:

1. Imprimis, “Objicimus, ponimus, et articulamus, i. e. We object, put, and article to you, that you are a deacon or minister, and priest admitted; declare by whom and what time you were ordered; and likewise, that your ordering was according to the book in that behalf by the law of this land provided. Et objicimus conjunctim de omni et divisim de quolibet, i. e. ‘And we object to you the whole of this article taken together, and every branch of it separately.’

2. Item, “Objicimus, ponimus, et articulamus, That you deem and judge such your ordering, admission, and calling, into your ministry to be lawful, and not repugnant to the word of God. Et objicimus ut supra, i. e. ‘And we object as before.’

3. Item, “Objicimus, ponimus, &c. That you have sworn, as well at the time of your ordering as institution, duty and allegiance to the queen’s majesty, and canonical obedience to your ordinary and his successors, and to the metropolitan and his successors, or to some of them. Et objicimus ut supra.

4. Item, “Objicimus, &c. That by a statute or act of parliament made in the first year of the queen’s majesty that now is, one virtuous and godly book, entitled, The Book of Common Prayer and Administration of Sacraments, &c. was authorized and established to stand and be from and after the feast of the Nativity of St. John Baptist then next ensuing, in full force and effect, according to the said statute, and so yet remaineth. Et obj. ut supra.

5. Item, Obj. That by the said statute all ministers within her majesty’s dominions, ever since the said feast, have been, and are bound to say and use, a certain form of morning and evening prayer called in the act Mattins, even-song, celebration of the Lord’s supper, and administration of each of the sacraments; and all other common and open prayer in such order and form as is mentioned in the same book, and none other, nor otherwise.—Et obj. ut supra.

6. Item, “Obj. That in the said statute her majesty, the lords temporal, and all the commons, in that parliament assembled, do in God’s name earnestly charge and require all the archbishops, bishops, and other ordinaries, that they shall endeavour themselves to the uttermost of their knowledge, that the due and true execution of the said act might be had throughout their diocese and charge, as they would answer it before Almighty God. Et obj. ut supra.

7. Item, “Obj. ponimus, &c. That you deem and judge the said whole book to be a godly and a virtuous book, agreeable, or at least not repugnant, to the word of God; ‘if not, we require and command you to declare, wherein, and in what points.’ Et objicimus ut supra.

8. Item, “Obj. That for the space of these three years, two years, one year, half a year; three, two, or one month, last past, you have at the time of communion, and at all or some other times in your ministrations, used and worn only your ordinary apparel, and not the surplice, as is required: ‘declare how long, how often, and for what cause, consideration, or intent, you have so done, or refused so to do.’ Et obj. ut supra.

9. Item, “Obj. That within the time aforesaid you have baptized divers, or at least one infant, and have not used the sign of the cross in the forehead, with the words prescribed to be used in the said book of common prayer; ‘declare how many you have so baptized, and for what cause, consideration, and intent.’ Et obj. ut supra.

10. Item, “Obj. &c. That within the time aforesaid you have been sent unto, and required divers times, or at least once, to baptize children; or some one child being weak, and have refused, neglected, or at least so long deferred, the same, till the child or children died

without the sacrament of baptism: 'declare whose child, when, and for what consideration.' Et obj. ut supra.

11. Item, "Obj. &c. That within the time aforesaid you have celebrated matrimony otherwise than the book prescribes, and without a ring, and have refused at such times to call for the ring, and to use such words in that behalf as the book appoints, and particularly those words, that by matrimony is signified the spiritual marriage and unity between Christ and his church.'—'Declare the circumstances of time, person, and place, and for what cause, intent, and consideration? Et obj. ut supra.

12. Item, "Obj. &c. That you have within the time aforesaid neglected, or refused to use, the form of thanksgiving for women, or some one woman after childbirth, according to the said book. 'Declare the like circumstances thereof, and for what intent, cause, or consideration, you have so done, or refused so to do.' Et obj. ut supra.

13. Item, "Objicimus, &c. That you within the time aforesaid baptized divers Infants, or at the least one, otherwise and in other manner than the said book prescribeth, and not used the interrogatories to the godfathers and godmothers in the name of the infant, as the said book requireth. 'Declare the like circumstances thereof, or for what cause, intent, or consideration, you have so done, or refused so to do? Et objicimus ut supra.

14. Item, "We do object, that you have within the time aforesaid, used any other form of litany, in divers or some points, from the said book; or that you have often, or once, wholly refused to use the said litany. 'Declare the like circumstances thereof, or for what cause, intent, or consideration, you have so done, or refused so to do?'

15. Item, "We do object, &c. That you have within the time aforesaid, refused and omitted to read divers lessons prescribed by the said book, and have divers times either not read any lessons at all, or read others in their places. 'Declare the like circumstances thereof, and for what intent, cause, or consideration, you have so done, or refused? Et obj. ut supra.

16. Item, "Objicimus, That within the time aforesaid you have either not used at all, or else used another manner of common prayer or service at burial, from that which the said book prescribeth, and have refused there to use these words, We commit earth to earth, in sure and certain hope of resurrection to eternal life. 'Declare the like circumstances thereof, and for what intent, cause, or consideration, you have so done or refused so to do.' Et obj. ut supra.

17. Item, "Objicimus, &c. That within the time aforesaid you have advisedly, and of set purpose, not only omitted and refused to use the aforesaid parts, or some of them, of the said book, but also some other parts of the said book of common prayer, as being persuaded, that in such points it is repugnant to the word of God. 'Declare what other parts of the said book you have refused to use, for what intent, cause, or consideration.' Et objic. ut supra.

18. Item, "Objic. &c. That within the time aforesaid you have at the communion, and in other parts of your ministration, advisedly added unto, diminished, and taken from, altered, and transposed, manifoldly at your own pleasure, sundry parts of the said book of common prayer. 'Declare the circumstances of time and place, and for what intent, cause, and consideration? Et obj. ut supra.

19. Item, "Objic. That within the time aforesaid you have advisedly, and of set purpose, preached, taught, declared, set down, or published by writing, public or private speech, matter against the said book of common prayer, or of some thing therein contained, as being repugnant to the word of God, or not convenient to be used in the church; or some thing have written or uttered, tending to the depraving, despising, or defacing, of some things contained in the said book. 'Declare what, and the like circumstances thereof, and for what cause or consideration, you have so done.' Et objic. nt supra.

When the lord-treasurer Burleigh had read them over, and seen the execution they had done upon the clergy, he wrote his grace the following letter:

“It may please your grace,

“I am sorry to trouble you so oft as I do, but I am more troubled myself, not only with many private petitions of sundry ministers, recommended for persons of credit, and peaceable in their ministry, who are greatly troubled by your grace, and your colleagues in commission; but I am also daily

20. Item, “Objicimus, &c. That you at this present do continue all or some of your former opinions against the said book, and have a settled purpose to continue hereafter such additions, diminutions, alterations, and transpositions, or some of them, as you heretofore unlawfully have used in your public ministration: and that you have used private conferences, and assembled, or been present, at conventicles, for the maintenance of their doings herein, and for the animating and encouraging of others to continue in the like disposition in this behalf that you are of. ‘Declare the like circumstances, and for what intent, cause, and consideration? Et objic. ut supra.

21. Item, “Objicimus, &c. That you have been heretofore noted, defamed, presented, or detected publicly, to have been faulty in all and singular the premises, and of every or some of them; and that you have been divers and sundry times, or once at the least, admonished by your ordinary, or other ecclesiastical magistrate, to reform the same, and to observe the form and order of the book of common prayer, which you have refused, or defer to do. ‘Declare the like circumstances thereof.’ Et objic. ut supra.

22. Item, “That for the testification hereafter of your unity with the church of England, and your conformity to laws established, you have been required simply and absolutely, to subscribe with your hand, (1) That her majesty under God hath and ought to have, the sovereignty and rule over all manner of persons born within her realm, dominions, and countries, of what estate either ecclesiastical or temporal soever they be 5 and that none other foreign power, prelate, state, or potentate, hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within her majesty’s said realms, dominions, or countries.(2) That the book of common prayer, and of ordering bishops, priests, and deacons, containeth in it nothing contrary to the word of God, and that the same may be lawfully used; and that you who do subscribe will use the form in the said book prescribed, in public prayer and administration of the sacraments, and none oilier. (3) That you allow the book of articles of religion, agreed upon by the archbishops and bishops of both provinces, and the whole clergy in the convocation holden at London in the year of our Lord God 1562, and set forth by her majesty’s authority; and do believe all the articles therein contained to be agreeable to the word of God. ‘Declare by whom, and how often, which hitherto you have advisedly refused to perform, and so yet do persist.’ Et objic. &c.

23. Item, “That you have taken upon you to preach, read, or expound, the Scriptures, as well in public places as in private houses, not being licensed by your ordinary, nor any other magistrate having authority by the laws of this land so to license you. ‘Declare the like circumstances hereof.’ Et objic. ut supra.

24. Item, Quod præmissa omnia et singula, &c. i.e. “That all and singular the premises, &c.”

Could the wit of man invent anything more like an inquisition? Here are interrogatories enough to entangle all the honest men in the kingdom, and bring them into danger.

charged by counsellors and public persons, with neglect of my duty, in not staying your grace's vehement proceedings against ministers, whereby Papists are greatly encouraged, and the queen's safety endangered.³¹—I have read over your twenty-four articles, found in a Romish style, of great length and curiosity, to examine all manner of ministers in this time, without distinction of persons, to be executed *ex officio mero*.—And I find them so curiously penned, so full of branches and circumstances, that I think the inquisition of Spain used not so many questions to comprehend and to trap their priests. I know your canonists can defend these with all their particles; but surely, under correction, this judicial and canonical sifting poor ministers, is not to edify or reform. And in charity I think they ought not to answer to all these nice points, except they were notorious Papists or heretics. I write with the testimony of a good conscience. I desire the peace and unity of the church. I favour no sensual and wilful recusant; but I conclude, according to my simple judgment, this kind of proceeding is too much savouring of the Romish inquisition,³² and is a device rather to seek for offenders than to reform any.—It is not charitable to send poor ministers to your common registrar, to answer upon so many articles at one instant, without a copy of the articles or their answers.—I pray your grace bear with this one (perchance) fault, that I have willed the ministers not to answer these articles except their consciences may suffer them.

“July 15, 1584. W. CECIL.”

This excellent letter was so far from softening the archbishop, that, two days after, he returned his lordship a long answer, vindicating his interrogatories, from the practice of the star-chamber, the court of marches, and other places. The treasurer found it was to no purpose to contend, and therefore replied in a short but smart letter, in which he tells him, “that after reading his grace's long answer, he was not satisfied in the point of seeking by examination to have ministers accuse themselves, and then punish them for their own confessions: that he would not call his proceedings captious, but they were scarcely charitable; his grace might therefore deal with his friend Mr. Brayne as he thought fit,—but when by examining him it was meant only to sift him with twenty-four articles, he had cause to pity the poor man.”³³

The archbishop, being desirous to give satisfaction to the treasurer, sent him two papers of reasons, one to justify the articles, and the other the manner of proceeding *ex mero officio*. In the former he says, that by the ecclesiastical or canon laws, articles of inquiry may be administered, and have been ever since the Reformation; and that they ought not to be

³¹ Life of Whitgift. b. Rec. no. 4.

³² Life of Whitgift, p. 160.

³³ Ibid.

compared with the inquisition, because the inquisition punished with death, whereas they only punished obstinate offenders with deprivation.+ In the latter his lordship gives the following reasons, among others, for proceeding *ex mero officio*. If we proceed only by presentment and witnesses, then Papists, Brownists, and Family men, would expect the like measure. It is hard to get witnesses against the Puritans, because most of the parishioners favour them, and therefore will not present them, nor appear against them. There is great trouble and charge in examining witnesses, and sending for them from distant parts. If archbishops and bishops should be driven to use proofs by witnesses only, the execution of the law would be partial, their charges in procuring and producing witnesses would be intolerable; and they should not be able to make quick dispatch enough with the sectaries. These were the arguments of a Protestant archbishop! I do not wonder that they gave no satisfaction to the wise treasurer; for surely, all who have any regard for the laws of their country, or the civil and religious rights of mankind, must be ashamed of them.

The treasurer having given up the archbishop, the lords of the council took the cause in hand, and wrote to his grace and the bishop of London, in favour of the deprived ministers, September the 20th.³⁴ In their letter they tell their lordships, “that they had heard of sundry complaints out of divers counties, of proceedings against a great number of ecclesiastical persons, some parsons, some vicars, some curates, but all preachers; some deprived, and some suspended by their lordships’ officers, chancellors, &c. but that they had taken no notice of these things, hoping their lordships would have stayed their hasty proceedings, especially against such as did earnestly instruct the people against Popery. But now of late, hearing of great numbers of zealous and learned preachers suspended from their cures in the county of Essex, and that there is no preaching, prayers, or sacraments, in most of the vacant places; that in some few of them, persons neither of learning nor good name are appointed; and that in other places of the country, great numbers of persons that occupy cures, are notoriously unfit; most for lack of learning; many chargeable with great and enormous faults, as, drunkenness, filthiness of life, gaming at cards, haunting of alehouses, &c. against whom they [the council] heard of no proceedings, but that they were quietly suffered.” To fix this charge home on the bishops, they sent with their letter a catalogue of names; one column of learned ministers deprived; a second of unlearned and vicious persons continued: “a matter very lamentable (say they) for this time!” and a third of pluralists and nonresidents; “against these latter we [the council] have heard of no inquisition; but of great diligence, and extreme usage against those that were known to be diligent preachers; we therefore

³⁴ Life of Whitgift, p. 166.

pray your lordships to have some charitable consideration of their causes, that people may not be deprived of their diligent, learned, and zealous pastors, for a few points ceremonial, which entangled their consciences.” This letter was dated from Oatlands, September the 20th, 1584, and signed by lord Burleigh, the earls of Warwick, Shrewsbury, and Leicester; the lord Charles Howard, sir James Crofts, sir Christopher Hatton; and sir Francis Walsingham, secretary of state.

But this excellent remonstrance had no manner of influence upon our archbishop.³⁵ After this Mr. Beale, clerk of the queen’s council, a man of great learning and piety, drew up a treatise, showing the injustice and unlawfulness of the bishop’s proceedings; and delivered it in manuscript into the archbishop’s own hands, which, together with some freedom of speech, inflamed his grace to that degree, that he complained of him to the queen and council, and used all his interest to have him tried in the star-chamber, and turned out of his place.³⁶ Among his misdemeanours, drawn up by the archbishop, were these, that he had printed a book against ecclesiastical oaths: that in the house of commons he had spoke of ecclesiastical matters, contrary to the queen’s command: that he had defended his book against the practice of the ecclesiastical courts: that he had disputed against the queen’s having authority, by virtue of the statute of the 1st of Elizabeth, to grant power to her ecclesiastical commissioners, to imprison whom they please; to impose fines upon offenders; and to administer the oath *ex officio*, saying they are within the statute of premunire: that he had condemned racking for grievous offenders, as contrary to law and the liberty of the subject; and advised those in the marches of Wales, that execute torture by virtue of instructions under her majesty’s hands to look to it, that their doings are well warranted: but the court would not prosecute upon this charge.

All that the Puritans could obtain, was a kind of conference between the archbishop of Canterbury and the bishop of Winchester on the one part, and Dr. Sparke and Mr. Travers on the other, in presence of the right honourable the earl of Leicester, the lord Gray, and sir Francis Walsingham. The conference was at Lambeth, concerning things needful to be reformed in the Book of Common Prayer.

The archbishop opened it with declaring, “that my lord of Leicester, having requested for his satisfaction, to hear what the ministers could reprove, and how their objections were to be answered, he had granted my lord to procure such to come for that purpose, as might seem best to his good lordship; and now I perceive, said he, you are the men, of whom one I never saw or knew before [Dr, Sparke]; the other I know well. Let us hear what

³⁵ Life of Whitgift, p. 143.

³⁶ Ibid. p. 212.

things in the Book of Common Prayer, you think ought to be mended: you appear not now judicially before me, nor as called in question by authority for these things, but by way of conference; for which cause it shall be free for you (speaking in duty) to charge the book with such matters as you suppose to be blameworthy in it.”

Dr. Sparke replied; “We give most humble and hearty thanks to Almighty God, and to this honourable presence, that after so many years, wherein our cause could never be admitted to an indifferent hearing, it hath pleased God of his gracious goodness so to dispose things, that we have now that equity and favour showed us, that before such honourable personages, as may be a worthy means to her most excellent majesty for reformation of such things as are to be redressed, it is now lawful for us to declare with freedom, what points ought to be reviewed and reformed, which our endeavour is, because it concerns the service of God, and the satisfaction of such as are in authority; and for that the good issue depends on the favour of God, I desire, that before we enter any farther, we may first seek for the gracious direction and blessing of God by prayer.” At which words, framing himself to begin to pray, the archbishop interrupted him, saying, he should make no prayers there, nor turn that place into a conventicle.

Mr. Travers joined with Dr. Sparke, and desired that it might be lawful for them to pray before they proceeded any farther; but the archbishop not yielding thereunto, terming it a conventicle if any such prayer should be offered to be made, my lord of Leicester and sir Francis Walsingham desired Dr. Sparke to content himself, seeing they doubted not, but that he had prayed already before his coming thither. Dr. Sparke therefore, omitting to use such prayer as he had proposed, made a short address to God in very few words, though the archbishop continued to interrupt him all the while.

The heads that the ministers insisted upon were, 1st. Putting the apocryphal writings (in which were several errors and false doctrines) upon a level with the Holy Scripture, by reading them publicly in the church, while several parts of the canon were utterly omitted. This they said had been forbidden by councils, and particularly that of Laodicea. The archbishop denied any errors to be found in the Apocrypha; which led the ministers into a long detail of particulars, to the satisfaction (says my author) of the noblemen. 2dly. The second head was upon baptism; and here they objected—Against its being done in private. Against its being done by laymen or women. And, against the doctrine from whence this practice arises, viz. that children not baptized are in danger of damnation; and that the outward baptism of water saveth the child that is baptized. Against the interrogatories in the name of the child, which Mr. Travers charged with arising from a false principle, viz. that faith was necessary in all persons to be baptized; he added, that the interrogatories crept into the church but lately,

and took their rise from the baptism of those that were of age; from whence very ignorantly they were transferred to infants.—Against the cross, as a mystical rite and ceremony, and an addition to the sacrament of human invention: here they argued, that though the foreign divines did not condemn the use of the cross, yet all agreed it ought to be abolished, and Beza gives counsel to the ministers, rather to forego their ministry, than subscribe to the allowance of it. After many words upon this head, my lord of Leicester said it was a pitiful thing, that so many of the best ministers, and painful in their preaching, should be deprived for these things. 3dly. They objected to private communion. 4thly. To the apparel; and here they produced the judgment of bishop Ridley at his degradation, as reported by Mr. Fox, who said, it was too bad to be put upon a fool in a play. 5thly. They objected to the bishop's allowing of an insufficient ministry, nonresidence, and pluralities.³⁷

The conference continued two days, at the close of which neither party being satisfied, the noblemen requested some favour for the ministers. Mr. Strype says.³⁸ the ministers were convinced and confirmed; but it is evident he knew not the disputants, nor had seen the debate; a copy of which is before me. Travers was a Nonconformist to his death, and Sparke appeared at their head at the Hampton-court conference, the beginning of the next reign. Nor was the archbishop softened, but rather confirmed in his former resolution.

Aylmer, bishop of London, came not behind his metropolitan in acts of severity. Mr. Strype says, he was the chief mover in the ecclesiastical commission, and had as high a spirit as the greatest lord in the land. During Grindal's disgrace, he harassed the London clergy with new interrogatories and articles, three or four times a year. He advised the heads of the university of Cambridge (with whom he had nothing to do) to call in all their licences, and expel every man who would not wear the apparel, saying, "that the folly that is bound up in the heart of a child, is to be expelled with the rod of discipline."³⁹

³⁷ MS. p. 562, &c.

³⁸ Life of Whitgift, p. 170.

³⁹ Life of Aylmer, p. 84. 94.

In his visitation this summer [1484], he suspended the following clergymen in Essex, &c. Mr. Whiteing of Panfield, Mr. Wyresdale and Gifford of Malden, Mr. Hawkdon vicar of Fryan, Mr. Carre of Rain, Mr. Tonstal of Much-Tottam, Mr. Huckle of Atrop-Rooding, Mr. Piggot of Tilly, Mr. Cornwall of Markstay, Mr. Negus of Leigh, Mr. Carew of Hatfield, Mr. Ward of Writtle, Mr. Dyke afterward of St. Alban's, Mr. Rogers of Wcathersfield, Mr. Northey of Colchester, Mr. Newman of Coxall, Mr. Taye of Peldon, Mr. Parker of Dedham, Mr. Morley of Ridswell, Mr. Nix [or Knight] of Hampstead, Mr. Winkfield of Wicks, Mr. Wilton of Aidham, Mr. Dent of Sonth-Souberry, Mr. Pain of Tolbury, Mr. Larking of Little-Waltham, Mr. Camillus Rusticus pastor of Tange, Mr. Seredge of East-Havingfield, Mr. Howel of Pagelsam, Mr. Chadwick of Danbury, Mr. Ferrar of Langham, Mr. Serls of Lexden, Mr. Lewis of St. Peter's Colchester, Mr. Cock of St. Giles's Colchester, Mr. Beaumont of East-Thorp, Mr. Redridge of Hutton, Mr. Chaplain of Hcmpsted, Mr. Culverwel of Felsted, Mr. D. Chapman preacher at Dedham, and Mr. Knevit of Mile-End, Colchester, in

Mr. Carew, of Hatfield-Peveril, was a zealous promoter of the welfare of souls, and mourned over the want of a learned and preaching ministry: he was ordained by the bishop of Worcester, and licensed by archbishop Grindal and the bishop of London himself, who commended his preaching; but being too forward in acquainting his diocesan by letter, that in Essex, within the compass of sixteen miles, there were twenty-two nonresidents, thirty insufficient ministers, and at the same time nineteen preachers silenced for not subscribing; his lordship, instead of being pleased with the information, sent for Carew before the commissioners, and charged him falsely, without the least evidence, with setting up a presbytery, and with contemning ecclesiastical censures. It was alleged against him farther, that he was chosen by the people; that he had defaced the Book of Common Prayer, and had put several from the communion, when there was more need to allure them to it, &c. But to make short work, the bishop tendered him the oath *ex officio*, which Carew refusing, he was committed to the Fleet, and another clergyman sent down to supply his place. Mr. Allen the patron, in whom the right of presentation was by inheritance, refusing to admit the bishop's reader, was summoned before his lordship, and committed to prison; because (as the warrant expresses it) he behaved seditiously in withstanding the authority of the court: nay, the very sexton was reprimanded, and ordered not to meddle with the church any more; and because he asked his lordship simply, whether his meaning was, that he should not come to church any more, he committed him for ridiculous behaviour. Both Allen and Carew offered bail, which was refused, unless they would admit his lordship's clergyman.⁴⁰ After eight weeks' imprisonment, they appealed to the privy council and were released; with which his lordship was so displeased, that he sent the council a very angry letter, calling the prisoners knaves, rebels, rascals, fools, petty gentlemen, precisians, &c. and told their honours, that if such men were countenanced, he must yield up his authority; and the bishop never left him, till he had hunted him out of the diocese.

Mr. Knight suffered six months' imprisonment, for not wearing the apparel, and was fined one hundred marks.—Mr. Negus was suspended on the same account: twentyeight of his parishioners, who subscribed themselves his hungry sheep that had no shepherd, signed a letter, beseeching him to conform; but he protested he could not do it with a good conscience, and so was deprived.

The reverend Mr. Gifford of Malden was a modest man, irreprovable in his life, a great and diligent preacher, says Mr. Strype, and esteemed by many

all about thirty-eight. These (says my author) are the painful ministers of Essex, whom the bishop threatens to deprive for the surplice, saying, We shall be white with him, or he will be black with us. MS. p. 584. 741.

⁴⁰ Life of Aylmer, p. 122. MS. p. 662. 658.

of good rank. He had written learnedly against the Brownists, and by his diligence had wrought a wonderful reformation in the town; but being informed against for preaching up a limited obedience to the magistrate, he was suspended and imprisoned.⁴¹ After some time, he was brought to his trial, and his accuser failing in his evidence, he was released. But the bishop of London setting his spies upon him, he was imprisoned again for nonconformity.⁴² Upon this he applied to the lord-treasurer, who applied to the archbishop in his favour; but his grace having consulted his brother of London, told his lordship that he was a ringleader of the Nonconformists; that he himself had received complaints against him, and was determined to bring him before the high-commission. The parishioners of Malden presented a petition in behalf of their minister, signed with fifty-two hands, whereof two were bailiffs of the town, two justices of the peace, four aldermen, fifteen head burgesses, and the vicar: but to put an end to all farther application, the archbishop wrote to the treasurer, “that he had rather die, or live in prison all the days of his life, than relax the rigour of his proceedings, by showing favour to one, which might give occasion to others to expect the same, and undo all that he had been doing;⁴³ he therefore beseeches his lordship not to animate this forward people by writing in their favour.” Sir Francis Knollys the queen’s kinsman, and treasurer of her chamber, seconded the treasurer, beseeching his grace to open the mouths of zealous preachers, who were sound in doctrine, though they refused to subscribe to any traditions of men, not compellable by law: but all was to no purpose; for, as Fuller observes,⁴⁴ “This was the constant custom of Whitgift: if any lord or lady sued for favour to any Nonconformist, he would profess how glad he was to serve them, and gratify their desires, assuring them for his part, that all possible kindness should be indulged to them, but at the same time he would remit nothing of his rigour. Thus he never denied any man’s desire, and yet never granted it; pleasing them for the present with general promises, but still kept to his own resolution; whereupon the nobility, in a little time, ceased making farther applications to him, as knowing them to be ineffectual.” Some of the ministers were indicted at the assizes,⁴⁵ for omitting the cross in baptism, and for not wearing the surplice once every month, and at every communion. Most of them were deprived, or, to avoid it, forced to quit their livings and depart the country.

⁴¹ MS. p. 410. 420.

⁴² Life of Aylmer, p. 111.

⁴³ Fuller, b. 9. p. 162.

⁴⁴ Fuller, b. 9. p. 218.

⁴⁵ M. Beaumont of East-Thorp, Mr. Wilton of Aldam, Mr. Ilawdkon of Fryan, Mr. Seredge of East-Havingfield. .

Among these was the excellent Mr. Dyke, preacher first at Coggeshall in Essex, and afterward at St. Alban's in Hertfordshire, whose character was without blemish, and whose practical writings discover him to be a divine of considerable learning and piety; he was suspended, and at last deprived, because he continued a deacon, and did not enter into priests' orders, which (as the bishop supposed) he accounted Popish. He also refused to wear the surplice, and troubled his auditory with notions that thwarted the established religion. The parishioners, being concerned for the loss of their minister, petitioned the lord Burleigh to intercede for them, setting forth, "that they had lived without any ordinary preaching till within these four or five years, by the want of which they were unacquainted with their duty to God, their sovereign, and their neighbours;⁴⁶ but that of late it had pleased the Lord to visit them with the means of salvation, the ordinary ministry of the word, in the person of Mr. Dyke, an authorized minister, who, according to his function, had been painful and profitable, and both in life and doctrine had carried himself peaceably and dutifully among them, so as no man could justly find fault with him, except of malice. There were some indeed, that could not abide to hear their faults reprov'd, but through his preaching many had been brought from their ignorance and evil ways to a better life, to be frequent hearers of God's word, and their servants were in better order than heretofore.

"They then give his lordship to understand, that their minister was suspended, and that they were as sheep without a shepherd, exposed to manifold dangers, even to return to their former ignorance and cursed vanities: that the Lord had spoken it, and therefore it must be true, that where there is no vision the people perish. They therefore pray his lordship, in the bowels of his compassion, to pity them in their present misery, and become a means that they may enjoy their preacher again."

Upon this letter, lord Burleigh wrote to the bishop to restore him, promising that if he troubled the congregation with innovations any more, he would join with the bishop against him; but his lordship excused himself, insinuating that he was charged with incontinence; this occasioned a farther inquiry into Dyke's character, which was cleared up by the woman herself that accused him, who confessed her wicked contrivance, and openly asked him forgiveness. His lordship therefore insisted upon his being restored, forasmuch as the best clergymen in the world might be thus slandered; besides, the people of St. Alban's had no teaching, having no curate but an insufficient doting old man. For this favour (says the treasurer) I shall thank your lordship, and will not solicit you any more, if hereafter he should give just cause of public offence against the orders of the church established. But

⁴⁶ Life of Aylmer, p. 303.

all that the treasurer could say was ineffectual; the bishop of London was as inexorable as his grace of Canterbury.

The inhabitants of Essex had a vast esteem for their ministers; they could not part from them without tears: when they could not prevail with the bishop, they applied to the parliament, and to the lords of the privy council. I have before me two or three petitions from the hundreds of Essex, and one from the county, signed by Francis Barrington, esq. at the head of above two hundred gentlemen and tradesmen, housekeepers; complaining in the strongest terms, that the greatest number of their present ministers were unlearned, idle, or otherwise of scandalous lives; and that those few from whom they reaped knowledge and comfort, were molested, threatened, and put to silence, for small matters in the common prayer, though they were men of godly lives and conversations.

The bishop was equally severe in other parts of his diocese. The reverend Mr. Barnaby Benison, a city divine of good learning, had been suspended and kept in prison several years, on pretence of some irregularity in his marriage: the bishop charged him with being married in an afternoon, and in presence of two or three hundred people, by Mr. Field a Nonconformist; for this he was committed to the Gate-house, where he had lain ever since the year 1579. At length he applied to the queen and council, and in the state of his case he declares, that he had invited only forty persons to the solemnity, and that of them there were only twenty present; that he was married in a morning, and according to law; that when the bishop sent for him and charged him with sedition, he cleared himself to his satisfaction; but that after he was gone home he gave private order under his own hand for his being apprehended and sent to the Gate-house; that he was shut up there in a dungeon eight days, without knowing the cause of his imprisonment, though Dr. Hammond, and his faithful father Fox, who were both at the wedding, and saw the whole proceeding, went to the bishop and assured him, that he was without wickedness or fault in that way he went about to charge him; but his lordship would not release him without such bonds for his good behaviour and appearance as the prisoner could not procure." Thus I continue (says Mr. Benison) separated from my wife before I had been married to her two weeks, to the great trouble of her friends and relations, and to the staggering of the patient obedience of my wife; for since my imprisonment his lordship has been endeavouring to separate us whom God has joined together in the open presence of his people.—Wherefore I most humbly beseech your godly honours, for the everlasting love of God, and for the pity you take upon God's true Protestants and his poor people, to be a means that my pitiful cry may be heard, and my just cause with some credit be cleared, to God's honour and her majesty's, whose favour I esteem more than all the bishop's blessings or bitter cursings; and that I now being half dead may

recover again to get a poor living with the little learning that God has sent me, to his glory, to the discharging some part of my duty, and to the profit of the land.”

The council were so moved with Benison’s case, that they sent his lordship the following letter:

“Whereas Barnaby Benison, minister, has given us to understand, the great hinderance he has received by your hard dealing with him, and his long imprisonment, for which if he should bring his action of false imprisonment he should recover damages, which would touch your lordship’s credit; we therefore have thought fit to require your lordship to use some consideration towards him, in giving him some sum of money to repay the wrong you have done him, and in respect of the hinderance he hath incurred by your hard dealing towards him.—Therefore praying your lordship to deal with the poor man, that he may have occasion to turn his complaint into giving to us a good report of your charitable dealing, we bid you heartily farewell. Hampton-court, November 14th, 1584.

Signed, Ambrose Warwick,

Fr. Knollys,
Walter Mildmay,
Fr. Walsingham,
Wm. Burghley,
Bromley, chan.
Fr. Bedford,
Rob, Leicester,
Charles Howard,
James Crofts,
Chr. Hatton.”

After some time the bishop returned this answer:

“I beseech your lordships to consider, that it is a rare example thus to press a bishop for his zealous service to the queen and the peace of the church, especially the man being found worthy to be committed for nonconformity, to say nothing of his contemptuous using of me; nevertheless, since it pleaseth your lordships to require some reasonable sum of money, I pray you to consider my poor estate and great charges otherwise, together with the great vaunt the man will make of his conquest over a bishop. I hope therefore your lordships will be favourable to me, and refer it to myself, either to bestow upon him some small benefice, or otherwise to help him as opportunity offers. Or if this shall not satisfy the man, or content your lordships, leave him to the trial of the law, which I hope will not be so plain for him as he taketh it. Surely, my lords, this and the like must greatly discourage me in this poor service of mine in the commission.—”

What recompense the poor man had for his long imprisonment I cannot find. But he was too wise to go to law with a bishop of the court of high-commission, who had but little conscience or honour, and who, notwithstanding his poor estate and great charges," left behind him about 16,000£. in money, an immense sum for those times.

His lordship complained that he was hated like a dog, and commonly styled the oppressor of the children of God;⁴⁷ that he was in danger of being mobbed in his progress at Malden, and other places; which is not strange, considering his mean appearance, being a very little man, and his high and insulting behaviour towards those that were examined by him, attended with ill language and a cruel spirit. This appears in numberless instances. When Mr. Merbury, one of the ministers of Northampton, was brought before him, he spake thus;—

B. Thou speakest of making ministers; the bishop of Peterborough was never more overseen in his life, than when he admitted thee to be a preacher in Northampton.

Merbury. Like enough so (in some sense), I pray God these scales may fall from his eyes.

B. Thou art a very ass; thou art mad; thou courageous! Nay, thou art impudent; by my troth I think he is mad; he careth for nobody.

M. Sir, I take exception at swearing judges; I praise God I am not mad, but sorry to see you so out of temper.

B. Did you ever hear one more impudent?

M. It is not, I trust, impudence to answer for myself.

B. Nay, I know thou art courageous; thou art fool-hardy.

M. Though I fear not you, I fear the Lord.

Recorder of London. Is he learned?

B. He hath an arrogant spirit; he can scarce construe Cato, I think.

M. Sir, you do not punish me because I am unlearned; howbeit, I understand both the Greek and Latin tongues; assay me to prove your disgrace.

B. Thou takest upon thee to be a preacher, but there is nothing in thee; thou art a very ass, an idiot, and a fool.

M. I humbly beseech you, Sir, have patience; give this people better example; I am that I am through the Lord; I submit the trial of my sufficiency to the judgment of the learned; but this wandering speech is not logical.

There is a great deal more of the same language in this examination; one thing is remarkable, that he insults poor Merbury, because he was for having a minister in every parish. At parting he gave him the salutation of an "over-

⁴⁷ Life of Alymer, p. 96.

thwart, proud, Puritan knave;” and sent him to the Marshalsea, though he had been twice in prison before.⁴⁸

How different was this from the apostolical character of a bishop! “A bishop (saith St. Paul) should be blameless, of good behaviour, no brawler, nor striker, nor greedy of filthy lucre.—The servant of the Lord must not strive, but be gentle to all men, patient, in meekness instructing those that oppose themselves, that they may recover them out of the snare of the devil.” Nay, how different was this bishop from himself before he put on lawn-sleeves! For in his book, entitled, “The harbour for faithful subjects,” published soon after the queen’s accession, are these words: “Come off ye bishops, away with your superfluities, yield up your thousands; be content with hundreds, as they be in other reformed churches, where be as great learned men as you are. Let your portion be priest-like and not prince-like; let the queen have the rest of your temporalities and other lands, to maintain these wars which you procured, and your mistress left her; and with the rest to build and found schools throughout the realm; that every parish may have his preacher, every city his superintendent, to live honestly and not pompously; which will never be, unless your lands be dispersed and bestowed upon many, which now feedeth and fatteth but one; remember that Abimelech, when David in his banishment would have dined with him, kept such hospitality that he had no bread in his house to give him but the shewbread. Where was all his superfluity to keep your pretended hospitality? For that is the cause you pretend why you must have thousands, as though you were commanded to keep hospitality rather with a thousand than with a hundred. I would our countryman Wickliffe’s book *De Ecclesia* were in print, there should you see that your wrinches [complaints] and cavillations be nothing worth.”⁴⁹ When the bishop was put in mind of this passage, he made no other reply than that of St. Paul, “When I was a child I spake as a child, I thought as a child.”

The case of those clergymen who were sent for up to Lambeth from the remotest parts of the kingdom, was yet harder. Mr. Elliston, vicar of Preston, made seven journeys to Peterborough, which was thirty-six miles from his house, and ten to London, within the compass of two years, besides several to Leicester and Northampton, at his own cost and charge; and after all, was deprived for not subscribing.—To whom might be added, Mr. Stephen Turner, Mr. William Fleming of Beccles, Mr. Holden of Biddlestone, and others.

Among these, the case of the reverend Mr. Eusebius Paget, minister of the parish-church of Kilkhampton, in the diocese of Exon, was very moving;

⁴⁸ Part of a register, p. 382. Pierce’s *Vindic.* p. 97.

⁴⁹ *Life of Aylmer*, p., 269.

this divine, at the time of his presentation, acquainted his patron and ordinary, that he could not with quietness of conscience use some rites, ceremonies, and orders, appointed in the service-book; who promised, that if he would take the charge of the said cure, he should not be urged to the precise observation of them; upon which condition he accepted the charge, and was admitted and regularly inducted.⁵⁰ Mr. Paget was a lame man, but, in the opinion of Mr. Strype, a learned, peaceable, and quiet divine, who had complied with the customs and devotions of the church, and was indefatigable in his work, travelling up and down the neighbouring country, to preach the plain principles of religion; but Mr. Farmer, curate of Barnstaple, envying his popularity, complained of him to the high-commission,—because he did not mention in his prayers the queen’s supremacy over both estates:—because he had said that the sacraments were but dumb elements, and did not avail without the word preached:—because he had preached that Christ did not descend into hell both body and soul:—that the pope might set up the feast of jubilee, as well as the feasts of Easter and Pentecost:—that holy days and fasting days were but the traditions of men, which we were not obliged to follow:—that he disallowed the use of organs in divine service:—that he called ministers that do not preach dumb dogs; and those that have two benefices knaves:—that he preached that the late queen Mary was a detestable woman and a wicked Jezebel.

But when Mr. Paget appeared before the commissioners, January 11th, 1584, he was only articulated according to the common form for not observing the Book of Common Prayer, and the rites and ceremonies of the church. To which he made the following answer:

“I do acknowledge, that by the statute of the 1st of Eliz. I am bound to use the said Common Prayer-book in such a manner and form as is prescribed, or else to abide such pains as by law are imposed upon me.

“I have not refused to use the said common prayer, or to minister the sacraments in such order as the book appoints, though I have not used all the rites, ceremonies, and orders, set forth in the said book: 1. Partly because to my knowledge there is no common prayer-book in the church. 2. Because I am informed that you, before whom I stand, and mine ordinary, and the most part of the other bishops and ministers, do use greater liberty in omitting and altering the said rites, ceremonies, and orders. 3. And especially for that I am not fully resolved in conscience, I may use divers of them. 4. Because when I took the charge of that church I was promised by my ordinary, that I should not be urged to such ceremonies; which I am informed he might do by law.

“In these things which I have omitted I have done nothing obstinately; neither have I used any other rite, ceremony, order, form, or manner of

⁵⁰ MS. p. 582.

administration of the sacraments, or open prayers, than is mentioned in the said book; although there be some things which I doubt whether I may use or practise.

“Wherefore I humbly pray, that I may have the liberty allowed by the said book, to have in some convenient time a favourable conference either with mine ordinary, or with some other by you to be assigned; which I seek not for any desire I have to keep the said living, but only for the better resolution and satisfaction of my own conscience, as God knoweth. Subscribed thus—by me

“*Lame Eusebius Paget, minister.*”

This answer not proving satisfactory, he was immediately suspended; and venturing to preach after his suspension, was deprived; the principal causes of his deprivation were these two;

1. Omission of part of the public prayers, the cross in baptism, and the surplice.

2. Irregularities incurred by dealing in the ministry after suspension.

But in the opinion of the civilians neither of these things could warrant the proceedings of the court,⁵¹ 1. Because Mr. Paget had not time, nor a conference, as he craved, and as the statute in doubtful matters warranteth. 2. Because he had not three several admonitions, nor so much as one to do that in time, which the law requires. If this had been done, and upon such respite and admonition he had not conformed, then the law would have deemed him a recusant, but not otherwise. 3. If this course had been taken, yet Mr. Paget’s omissions had so many favourable circumstances (as the parish’s not having provided a book, and his ordinary’s promising not to urge him with the precise observance of all the ceremonies), that it was hardly consistent with the prudent consideration and charity of a judge to deprive him at once.

As to his irregularity, by exercising the ministry after suspension, the suspension was thought to be void, because it was founded upon a method not within the cognizance of those who gave sentence; for the ground was, refusing to subscribe to articles tendered by the ecclesiastical commissioners, who had no warrant to offer any such articles at all; for their authority reaches no farther than to reform and correct facts done contrary to certain statutes expressed in their commission, and contrary to other ecclesiastical laws; and there was never yet any clause in their commission to offer subscription to articles of their own devising. But suppose the suspension was good, the irregularity was taken away by the queen’s pardon long before his deprivation. Besides, Mr. Paget did not exercise his ministry after suspension, till he

⁵¹ MS. p. 572.

had obtained from the archbishop of Canterbury a release from that suspension, which if it was not sufficient, it was apprehended by him to be so, the archbishop being chief in the commission; and all the canonists allow, that simplicity, and ignorant mistaking of things, being void of wilful contempt, is a lawful excuse to discharge irregularity. But the commissioners avowed their own act, and the patron disposed of the living to another.

Mr. Paget having a numerous family set up a little school, but the arms of the commissioners reached him there; for being required to take out a licence, they tendered him the articles to subscribe, which he refusing, they shut up his school and sent him a begging. Let us hear his own relation of his case in a letter that he sent to that great sea-officer sir John Hawkins, who had a high esteem for this good man. "I was never present at any separate assembly from the church (says he), but abhorred them. I always resorted to my parish-church, and was present at service and preaching; and received the sacrament according to the book. I thought it my duty not to forsake a church because of some blemishes in it; but while I have endeavoured to live in peace, others have prepared themselves for war. I am turned out of my living by commandment. I afterward preached without living or a penny stipend; and when I was forbid, I ceased. I then taught a few children, to get a little bread for myself and mine to eat; some disliked this, and wished me to forbear, which I have done, and am now to go as an idle rogue and vagabond from door to door to beg my bread, though I am able in a lawful calling to get it."⁵² Thus this learned and useful divine was silenced till the death of Whitgift, after which he was instituted to the living of St. Anne, within Aldersgate.

The reverend Mr. Walter Travers, B. D. sometime fellow of Trinity-college, Cambridge, already mentioned, came into trouble this year. He had been ordained at Antwerp, and being an admired preacher, a fine gentleman, and of great learning, he became domestic chaplain to secretary Cecil, and lecturer at the Temple. Dr. Alvey the master dying about this time, Travers was recommended to succeed him by the doctor on his death-bed, and by the benchers of the house, in a petition to the treasurer on his behalf; but the archbishop interposed, and declared peremptorily, that unless he would be reordained according to the usage of the church of England, and subscribe to his articles, he would not admit him. Upon which he was set aside, and Mr. Hooker preferred. Travers continued lecturer about two years longer, and was then deprived of his lectureship, and deposed from the ministry. The treasurer and others of Travers's friends, advised him for peace's sake to be reordained; but he replied in a letter to his lordship, that this would be to invalidate his former orders; and not only so, but as far as in him lay, to

⁵² Life of Whitgift, p. 377.

invalidate the ordinations of all foreign churches. As for myself (says he) I had a sufficient title to the ministerial office, having been ordained according to God's holy word, with prayer and imposition of hands, and according to the order of a church of the same faith and profession with the church of England, as appears by my testimonials." He prayed his lordship to consider farther, whether his subscribing the articles of religion, which only concern the profession of the true Christian faith and doctrine of the sacraments, as agreed upon in the convocation of 1562, which most willingly and with all his heart he assented to according to the statute, did not qualify him for a minister in the church, as much as if he had been ordained according to the English form. But the archbishop was determined to have a strict eye upon the inns of court, and to bring them to the public standard; and the rather, inasmuch as some of them pretended to be exempted from his jurisdiction; for though in all other places the sacrament was received in the posture of kneeling, the templets received it to this very time sitting. Travers would have introduced the posture of standing at the side of the table, but the benchers insisted upon their privilege, and would receive it in no other posture than sitting.⁵³ The archbishop, in order to put an end to this practice, would admit none but a high Conformist, that they might be obliged to receive it kneeling, or not at all.

The harder the church pressed upon the Puritans, the more were they disaffected to the national establishment, and the more resolute in their attempts for a reformation of discipline. There was a book in high esteem among them at this time, entitled, *Disciplina ecclesiae sacra ex Dei verbo descripta*; that is, "The holy discipline of the church described in the word of God." It was drawn up in Latin by Mr. Travers, and printed at Geneva about the year 1574, but since that time had been diligently reviewed, corrected, and perfected, by Mr. Cartwright, and other learned ministers at their synods. It was translated into English this year, with a preface by Mr. Cartwright, and designed to be published for more general use; but as it was printing at Cambridge it was seized at the press; the archbishop advised that all the copies should be burnt as factious and seditious, but one was found in Mr. Cartwright's study after his death, and reprinted in the year 1644, under this new title, "A directory of government anciently contended for, and as far as the time would suffer, practised by the first Nonconformists in the days of queen Elizabeth, found in the study of the most accomplished divine, Mr. Thomas Cartwright, after his decease, and reserved to be published for such a time as this. Published by authority."

It contains the substance of those alterations in discipline, which the Puritans of these times contended for, and was subscribed by the brethren hereafter

⁵³ Strype's Ann, p. 244.

named, as agreeable to the word of God, and to be promoted by all lawful means, that it may be established by the authority of the magistrate and of the church; and in the meantime to be observed, as far as lawfully they may, consistently with the laws of the land, and peace of the church. I have therefore given it a place in the Appendix, to which I refer the reader.⁵⁴

Another treatise, dispersed privately about this time, against the discipline of the church, Was entitled, “An abstract of certain acts of parliament, and of certain of her majesty’s injunctions and canons, &c. printed by H. Denham, 1581.” The author’s design⁵⁵ was to show, that the bishops in their ecclesiastical courts had exceeded their power, and broke through the laws and statutes of the realm; which was so notorious, that the answerer, instead of confuting the abstracter, blames him for exposing their father’s nakedness, to the thrusting through of religion, by the sides of the bishops. But who was in fault? Shall the liberties and properties of mankind be trampled upon by a despotic power, and the poor sufferers not be allowed to hold up the laws and statutes of the land, to their oppressors, because of their great names or religious characters?

The affairs of the church were in this ferment when the parliament met November 23d, 1584, in which the Puritans, despairing of all other relief, resolved to make their utmost efforts for a farther reformation of church-discipline. Fuller says,⁵⁶ their agents were soliciting at the door of the house of commons all day, and making interest in the evening at the chambers of parliament men; and if the queen would have taken the advice of her two houses they had been made easy. December 14th, three petitions were offered to the house; one touching liberty for godly preachers; a second to exercise and continue their ministry; and a third for a speedy supply of able men for destitute places.⁵⁷ The first was brought in by sir Thomas Lucy; the second by sir Edward Dymock; and the third by Mr. Gates. Soon after this Dr. Turner stood up, and put the house in remembrance of a bill and book which he had heretofore offered to the house; the bill was entitled, “An act concerning the subscription of ministers,” and proposes, “that no other subscription but what is enjoined by the 13th of queen Elizabeth, be required of any minister or preacher in the church of England; and that the refusing to subscribe any other articles, shall not be any cause for the archbishops or bishops, or any other persons having ecclesiastical jurisdiction, to refuse any of the said ministers to any ecclesiastical office, function, or dignity; but that the said archbishops, bishops, &c. shall institute, induct, admit, and invest, or cause to be instituted, &c. such persons as shall be presented by the lawful

⁵⁴ Appendix, no. 4.

⁵⁵ Skype’s Ann. vol. 5. p. 233. 283.

⁵⁶ B. 9. p. 173.

⁵⁷ Life of Whitgift, p. 176, 177.

patrons, notwithstanding their refusal to subscribe any other articles not set down in the statute 13th Eliz. And that no minister for the future shall be suspended, deprived, or otherwise molested in body or goods, by virtue of any ecclesiastical jurisdiction, but only in the cases of obstinately and wilfully defending any heresies, condemned by the express word of God, or for their dissolute lives, which shall be proved by two credible witnesses, or by their own voluntary confession.” The book consisted of thirty-four articles of complaint, but by advice of the house, the substance of the petitions was reduced by the ministers in sixteen articles, which he desired might be imparted to the house of lords, and they be requested to join with the commons in exhibiting them by way of humble suit to the queen. The five first were against insufficient ministers; then followed,

6. That all pastors to be admitted to cures might be tried and allowed by the parishes.

7. That no oath or subscription might be tendered to any at their entrance into the ministry, but such as is expressly prescribed by the statutes of this realm, except the oath against corrupt entering.⁵⁸

8. That ministers may not be troubled for omission of some rites or portions prescribed in the Book of Common Prayer.

9. That they may not be called and urged to answer before the officials and commissaries, but before the bishops themselves.

10. That such as had been suspended or deprived for no other offence, but only for not subscribing, might be restored.

11. That the bishops would forbear their excommunication *ex officio mero* of godly and learned preachers, not detected for open offence of life, or apparent error in doctrine; and that they might not be called before the high-commission, or out of the diocese where they lived, except for some notable offence.

12. That it might be permitted to them in every archdeaconry, to have some common exercises and conferences among themselves, to be limited and prescribed by the ordinaries.

13. That the high censure of excommunication may not be denounced or executed for small matters.

14. Nor by lay-chancellors, commissaries, or officials, but by the bishops themselves, with the assistance of grave persons.

15, 16. That nonresidence and pluralities may be quite removed out of the church, or at least that according to the queen’s injunctions, (article 44.) no nonresident having already a licence or faculty may enjoy it, unless he depute an able curate, who may weekly preach and catechise, as is required in her majesty’s injunctions.

⁵⁸ MS. p. 466. Fuller, b. 9. p. 189, 190.

This petition was attended with a moving supplication to the queen and parliament, in the name of thousands of the poor untaught people of England, drawn up by Mr. Sampson, in which they complain, that in many of their congregations they had none to break the bread of life, nor the comfortable preaching of God's holy word:⁵⁹ that the bishops in their ordinations had no regard to such as were qualified to preach, provided they could only read, and did but conform to the ceremonies: that they deprived such as were capable of preaching on account of ceremonies which do not edify, but are rather unprofitable burdens to the church; and that they molest the people that go from their own parish-churches to seek the bread of life, when they have no preaching at home. They complain, that there are thousands of parishes destitute of the necessary means of salvation, and therefore pray the queen and parliament to provide a remedy.

In answer to the petition last mentioned the bishop of Winchester, in the name of his brethren, drew up the following reply.

The five first petitions tend to one thing, that is, the reformation of an unlearned and insufficient ministry; to which we answer, that though there are many such in the church, yet that there was never less reason to complain of them than at present, and that things are mending every day.

To the sixth article they answered, that it savoured of popular elections long since abrogated; that it would breed divisions in parishes, and prejudice the patron's right.

To the seventh and four following articles they reply, that if they are granted the whole hierarchy will be unbraced; for the seventh article shakes the ground of all ecclesiastical government, by subverting the oath of canonical obedience to the bishop in "omnibus licitis et honestis."⁶⁰ The eighth article requires a dispensation from the civil magistrate, to the subverting the act of uniformity of common prayer, &c. and confirmation of the rites and ceremonies of the church.

The ninth desires a dispensation from the jurisdiction of our ecclesiastical courts, as chancellors, officials, &c. which will in the end subvert all episcopal authority. To the tenth they say, that the ministers who have been suspended, are heady, rash, and contentious; and it is a perilous example, to have sentences revoked that have been given according to law, except they would yield. The eleventh petition cutteth off another considerable branch of ecclesiastical jurisdiction, viz. the oath *ex officio*, which is very necessary in some cases, where the parishioners are so perverse, that though the minister varies the service of the church as by law appointed, they will not complain, much less be witnesses against him.

⁵⁹ Strype's Annals, p. 123.

⁶⁰ Life of Whitgift, p. 189.

The exercises mentioned in the twelfth article are by the queen's majesty suppressed.

To the thirteenth and fourteenth they answer, that they are willing to petition the queen, that the sentence of excommunication may be pronounced by the bishop, with such assistance as he shall call in, or by some ecclesiastical person commissioned by him.

To the fifteenth and sixteenth articles they answer, that the small value of many ecclesiastical livings, made pluralities and nonresidences in a manner necessary.⁶¹

The debates upon this last head running very high, a bill was ordered to be brought in immediately against pluralities and nonresidences, and for appeals from ecclesiastical courts. It was said in favour of the bill, that nonresidences and pluralities were *mala in se*, evil in their own nature; that they answered no valuable purpose, but hindered the industry of the clergy, and were a means to keep the country in ignorance, at a time when there were only three thousand preachers to supply nine thousand parishes. The archbishop drew up his reasons against the bill, and prevailed with the convocation to present them in an address to the queen, wherein they style themselves her majesty's poor distressed supplicants, now in danger from the bill depending in the house of commons against pluralities and nonresidences; "which (say they) impeacheth your majesty's prerogative; lesseneth the revenues of the crown; overthrows the study of divinity in both universities; will deprive men of the livings they lawfully possess; will beggar the clergy; will bring in a base and unlearned ministry; lessen the hospitality of cathedrals; be an encouragement to students to go over to foreign seminaries, where they may be better provided for; and in a word, will make way for anarchy and confusion."⁶²

And to give some satisfaction to the public they presented six articles to the queen, as the sum of all that needed amendment.⁶³ The first was, that none should be admitted into holy orders under twenty-four years of age; that they should have presentation to a cure; that they should bring testimonials of their good life; and that the bishop might refuse whom he thought fit, without the danger of a *quare impedit*. The second was, to restrain the commutation of penance, except upon great consideration, of which the bishop to be judge. The third was, to restrain licences to marry without banns. The fourth to moderate some excesses about excommunication. The fifth, for restraining pluralities of benefices. The sixth, concerning fees to ecclesiastical officers and their servants. But even these articles lay by till

⁶¹ Life of Whitgift, p. 190.

⁶² Ibid. p. 193.

⁶³ Ibid. p. 209.

the year 1597, when they were confirmed in convocation, and afterward incorporated among the canons.

In the meantime, the bill against pluralities passed the house of commons, and was sent up to the lords, where the archbishops of Canterbury and York, and bishop of Winchester, made long speeches, showing, that neither the cathedrals, nor professors in the universities, could subsist without them. To prove this they produced a list of the small value of many ecclesiastical livings, according to the queen's books. To which it was replied, that there were many suspended preachers would be glad of the smallest of those livings, if they might have them without molestation; however, that it was more proper to go upon ways and means for the augmentation of smaller livings, than to suffer the poor people to perish for lack of knowledge, while the incumbents were indulged in idleness and sloth; but the weight of the bench of bishops, with the court-interest, threw out the bill.

This exasperated the commons to that degree, that after the holidays they resumed the debate of the bill of petitions, and ordered several other bills to be brought in to clip the wings of the bishops, and lessen the power of the spiritual courts. One was for swearing bishops in the courts of Chancery and King's-bench, that they should act nothing against the common law of the land. Another to reduce their fees. A third for liberty to marry at all times of the year. A fourth for the qualification of ministers. And a fifth for restoring of discipline. The act for qualifying ministers annuls all Popish ordinations; and disqualifies such as were not capable of preaching, as well as those who were convicted of profaneness, or any kind of immorality; but obliges the successor to allow the deprived minister a sufficient maintenance at the discretion of the justices of the quarter sessions; and if the living be not sufficient, it is to be done by a parish rate. It insists upon a careful examination and trial of the qualifications of candidates for the ministry by the bishop, assisted by twelve of the laity; and makes the election, or consent of the people, necessary to his induction to the pastoral charge. The bill for discipline is for abolishing the canon law and all the spiritual courts;⁶⁴ and for bringing the probates of testaments, and all civil business, into the courts of Westminster-hall; it appoints a presbytery or eldership in each parish, which, (together with the minister) shall determine the spiritual business of the parish, with an appeal to higher judicatories in cases of complaint. Mr. Strype says,⁶⁵ the bill for the qualification of the ministers passed the commons, which put the archbishop into such a fright, that the very next day he wrote the following letter to the queen:

“May it please your majesty to be advertised,

⁶⁴ MS. p. 208. 213.

⁶⁵ Life of Whitgift, p. 198.

“That notwithstanding the charge of late given by your highness to the lower house of parliament, for dealing in causes of the church; albeit also, according to your majesty’s good liking, we have sent down order for the admitting of meet men in the ministry hereafter; yet have they passed a bill in that house yesterday, touching that matter; which, beside other inconveniences (as namely the trial of the minister’s sufficiency by twelve laymen, and such-like) hath this also, that if it pass by parliament it cannot hereafter but in parliament be altered, what necessity soever shall urge thereunto: which I am persuaded in a short time will appear, considering the multitudes of livings, not fit for men so qualified, by reason of the smallness thereof; whereas if it be but as a canon from us, or by your majesty’s authority, it may be observed or altered at pleasure.

“They have also passed a bill, giving liberty to marry at all times of the year without restraint, contrary to the old canons continually observed among us; and containing matter which tendeth to the slander of this church, as having hitherto maintained an error.

“There is likewise now in hand in the same house, a bill concerning ecclesiastical courts, and visitation by bishops; which may reach to the overthrow of ecclesiastical jurisdiction, and study of the civil laws. The pretence of the bill is against excessive fees and exactions in ecclesiastical courts; which fees are none other than have been of long time accustomed to be taken; the law already established providing a sharp and severe punishment for such as shall exact the same; besides an order also which we have at this time for the better performance thereof.

“I therefore most humbly beseech your majesty, to continue your gracious goodness towards us, who with all humility submit ourselves to your highness, and cease not daily to pray for your happy state, and long and prosperous reign over us. From Lambeth, the 24th of March, 1584.

“Your majesty’s chaplain,

“And daily orator most bound,

“Jo. CANTUAR.”

The queen was pleased with the archbishop’s advice of making alterations by canon and not by statute, that she might reserve the power in her own hands; and immediately sent a message to the commons by the lord-treasurer, to reprimand them “for encroaching upon her supremacy, and for attempting what she had forbidden, with which she was highly offended; and to command the speaker, in her majesty’s name, to see that no bills touching reformation in causes ecclesiastical should be exhibited, and if any such were exhibited she commands him upon his allegiance not to read them.” The commons now saw their mistake in vesting the whole power of reforming the policy of the church in the single person of the queen, who knew how to act the sovereign, and display her prerogative as well as her father. Had it

been reserved to the whole legislature, queen, lords, and commons, with advice of the representative body of the clergy, it had been more equitable; but now if the whole nation were dissatisfied, not an insignificant rite or ceremony must be changed, or a bill brought into either house of parliament, without an infringement of the prerogative: no lay-person in the kingdom must meddle with religion except the queen; the hands of lords and commons are tied up, her majesty is absolute in the affairs of the church, and no motion for reformation must arise from any but herself.

The archbishop's reasons against the bill for marrying at any time of the year are very extraordinary; it is contrary (says his grace) to the old canons. But many of these are contrary to the canon of Scripture; and they who framed this seem a little to resemble the character which the apostle gives of an apostate from the faith, 1 Tim. iv. 3. "Forbidding to marry, and commanding to abstain from meats." He adds, "It tendeth to the slander of the church, as having hitherto maintained an error." Is it then a slander to the church of England, or to any Protestant church, to say she is fallible, and may have maintained an error? Have not fathers and councils erred? Nay, in the very church of Rome, which alone lays claim to infallibility, have we not read of one pope and council reversing the decrees of another? The twenty-first article of the church of England says, that "general councils may err, and sometimes have erred, even in things pertaining to God?" And if a general council may err, even in things of importance to salvation, surely it can be no slander to say, a convocation, a parliament, or a single person, may mistake, in commanding to abstain from meats, and forbidding to marry at certain times of the year.

While the Puritans were attending the parliament, they did not neglect the convocation: a petition was presented to them in the name of the ministers who refused to subscribe the archbishop's three articles, wherein they desire to be satisfied in their scruples, which the law admits, but had not hitherto been attempted.⁶⁶ The convocation rejecting their petition, the ministers printed their "Apology to the church, and humble suit to the high court of parliament," in which they mention several things in the public service as repugnant to the word of God; as, requiring faith in an infant to be baptized; confounding baptism and regeneration; adding to the pure and perfect institutions of Christ the cross in baptism, and the ring in marriage; advancing the writings of the Apocrypha to a level with Holy Scripture, by reading them in the church; with many others. They conclude with an earnest supplication to their superiors, to be continued in their callings, considering their being set apart to the ministry, and the obligations they were under to God and their people; they protest they will do anything they can without

⁶⁶ MS. p. 595.

sin, and the rather, because they are apprehensive that the “shepherds being stricken, their flocks will be scattered.”

The Puritans’ last resort was to the archbishop, who had a prevailing interest in the queen; a paper was therefore published, entitled, “Means how to settle a godly and charitable quietness in the church;” humbly addressed to the archbishop, and containing the following proposals:—

That it would please his grace not to press such subscription as had been of late required, seeing in the parliament that established the articles, the subscription was misliked and put out:⁶⁷ that he would not oblige men to accuse themselves by the oath *ex officio*, it being contrary to law, and the liberty of the subject: that those ministers who have been of late suspended, may be restored, upon giving a bond and security not to preach against the dignities of archbishops, bishops, &c. nor to disturb the orders of the church, but to maintain it as far as they can; and soberly to teach Jesus Christ crucified:⁶⁸ that ministers may not be exposed to the malicious prosecution of their enemies, upon their omission of any tittle in the service-book: that they may not be obliged to read the Apocrypha, seeing in the first book printed in her majesty’s reign the same was left out, and was afterward inserted without warrant of law, and contrary to the statute, which allows but three alterations: that the cross in baptism may not be enforced, seeing in king Edward’s second book there was a note which left that and some other rites indifferent; which note ought to have been in the queen’s book, it not being among the alterations appointed by statute: they farther desire, that in baptism the godfathers may answer in their own names, and not in the child’s: that midwives and women may not baptize: that the words upon delivery of the ring in marriage may be left indifferent: that his grace would not urge the precise wearing of the gown, cap, tippet, and surplice, but only that ministers be obliged to wear apparel meet and decent for their callings: that lecturers who have not cure of souls, but are licensed to preach, behaving themselves well, be not enforced to minister the sacraments, unless they be content so to do.

But the archbishop would abate nothing, nor admit of the least latitude from the national establishment. He framed an answer to the proposals, in which he insists upon a full conformity, telling the petitioners, that it was none of his business to alter the ecclesiastical laws, or dispense with them: which was all they were to expect from him. What could wise and good men do more in a peaceable way for the liberty of their consciences, or a farther

⁶⁷ Life of Whitgift, p. 196.

⁶⁸ To this proposal the archbishop answered, “I do not mislike of the bond; but he that shall enter into it, and yet refuse to subscribe, in my opinion is a mere hypocrite, or a very wilful fellow; for this condition containeth more than doth the subscription.” Maddox’s Vindication, p. 348.—ED.

reformation in the church? They petitioned the queen, applied to both houses of parliament, and addressed the convocation and bishops; they moved no seditions nor riots, but fasted and prayed for the queen and church, as long as they were allowed; and when they could serve them no longer, they patiently submitted to suspensions and deprivations, fines and imprisonments, till it should please God, of his infinite mercy, to open a door for their farther usefulness.

The Papists made their advantages of these divisions; a plot was discovered this very year [1585] against the queen's life, for which lord Paget and others fled their country; and one Parry was executed, who was to have killed her majesty, as she was riding abroad; to which (it is said⁶⁹), the pope encouraged him, by granting him his blessing, and a plenary indulgence and remission of all his sins; assuring him that, besides the merit of the action in heaven, his holiness would make himself his debtor in the best manner he could, and therefore exhorted him to put his "most holy and honourable purposes" in execution; this was written from Rome, January the 30th, 1584, and signed by the cardinal of Como. Mary queen of Scots was big with expectation of the crown of England at this time, from the preparations of foreign Popish princes, who were determined to make the strongest efforts to set her upon the throne, and to restore the Catholic religion in England; but they could not get ready before her head was laid down upon the block.

The parliament which met again in November, being sensible of the importance of the queen's life, entered into a voluntary association to revenge her death, if that should happen through any violence:⁷⁰ they also made a severe statute against Jesuits and seminary priests, or others who engaged in plots by virtue of the bull of excommunication of pope Pius V. and against any subject of England that should go abroad for education in any of the Popish seminaries. Yet none of these things could move the queen or bishops to take any steps towards uniting Protestants among themselves.

But to put an effectual stop to the pens of the church's adversaries, his grace applied to the queen for a farther restraint of the press, which he obtained and published by authority of the star-chamber (says Mr. Strype⁷¹) June 23d, 28 Eliz. It was framed by the archbishop's head, who prefixed a preface to it: the decree was to this purpose, "that there should be no printing presses in private places, nor anywhere but in London and the two universities. No new presses were to be set up but by licence from the archbishop, and bishop of London for the time being; they to signify the same to the wardens of the stationers' company, who should present such as they chose to be masters of printing presses before the ecclesiastical

⁶⁹ Strype's Ann. vol. 2. p. 249.

⁷⁰ Ibid. p. 293.

⁷¹ Life of Whitgift, p. 223.

commissioners for their approbation. No person to print any book unless first allowed according to the queen's injunctions, and to be seen and perused by the archbishop, or bishop of London, or their chaplain. No book to be printed against any of the laws in being, nor any of the queen's injunctions. Persons that should sell or bind up such books to suffer three months' imprisonment. And it shall be lawful for the wardens of the stationers' company to make search after them, and seize them to her majesty's use; and the printers shall be disabled from exercising their trade for the future, and suffer six months' imprisonment, and their presses be broken." Notwithstanding this edict, the archbishop was far from enjoying a peaceable triumph, the Puritans finding ways and means from abroad, to propagate their writings, and expose the severity of their adversaries.

Some faint attempts were made this summer for reviving the exercises called prophesyings, in the diocese of Chester, where the clergy were very ignorant: bishop Chadderton drew up proper regulations, in imitation of those already mentioned; but the design proved abortive. The bishop of Litchfield and Coventry also published some articles for his visitation which savoured of Puritanism, as against nonresidents, for making a more strict inquiry into the qualifications of ministers, and for restraining unworthy communicants.⁷² He also erected a kind of judicatory,⁷³ consisting of four learned divines with himself, to examine such as should be presented for ordination. When the archbishop had read them over he called them the wellspring of a pernicious platform, and represented them to the queen as contrary to law, and the settled state of the church; the bishop wrote a defence of his articles to the archbishop, showing their consistency with law, and the great advantage which might arise from them: but Whitgift would hear of nothing that looked like a Puritanical reformation.⁷⁴

The Lord's day was now very much profaned, by the encouraging of plays and sports in the evening, and sometimes in the afternoon. The reverend Mr. Smith, M. A. in his sermon before the university of Cambridge, the first Sunday in Lent, maintained the unlawfulness of these plays; for which he was summoned before the vice-chancellor, and upon examination offered to prove, that the Christian sabbath ought to be observed by an abstinence from all worldly business, and spent in works of piety and charity;

⁷² Strype's Ann. vol. 3. p. 328.

⁷³ Here Mr. Neal is censured by bishop Warburton, as partial, for reckoning the bishop of Litchfield's conduct to be agreeable to law, because *in favour* of the Puritans; and for representing before, p. 348, the archbishop's publishing articles without the great seal as illegal, because *against* the Puritans. Not to say that the articles in one case are very different from the object of the judicatory in the other, Mr. Neal, it will appear on examining, doth not decide on the legality of the measure in either case, but, as an historian, states what was offered on this head by the parties and this he does, with respect to the archbishop very fully *pro* and *con*.—ED.

⁷⁴ MS. p. 55.

though he did not apprehend we were bound to the strictness of the Jewish precepts.⁷⁵ The parliament had taken this matter into consideration,⁷⁶ and passed a bill for the better and more reverent observation of the sabbath, which the speaker recommended to the queen in an elegant speech, but her majesty refused to pass it, under pretence of not suffering the parliament to meddle with matters of religion, which was her prerogative. However, the thing appeared so reasonable, that without the sanction of a law, the religious observation of the sabbath grew in esteem with all sober persons, and after a few years became the distinguishing mark of a Puritan.

This summer Mr. Cartwright returned from abroad, having spent five years in preaching to the English congregation at Antwerp; he had been seized with an ague, which ended in a hectic, for which the physicians advised him to his native air. Upon this he wrote to the earl of Leicester and the lord-treasurer for leave to come home; these noblemen made an honourable mention of him in parliament, but he could not obtain their mediation with the queen for his pardon, so that as soon as it was known he was landed, though in a weak and languishing condition, he was apprehended and thrown into prison; when he appeared before the archbishop, he behaved with that modesty and respect as softened the heart of his great adversary, who, upon promise of his peaceable and quiet behaviour, suffered him to go at large; for which the earl of Leicester and Mr. Cartwright returned his grace thanks; but all their interest could not procure him a licence to preach. "Mr. Cartwright (says the archbishop to the earl) shall be welcome to me at all times, but to grant him a licence to preach, till I am better satisfied of his conformity, is not consistent with my duty or conscience." However, the earl made him governor of a hospital in Warwick, where he was connived at for a time, and preached without a licence; his salary was a house, and 100£. per ann.

Mr. Fenner and Wood, two other suspended ministers, were released after twelve months' imprisonment, upon a general subscription to the articles, as far as the law required, and a promise to use the Book of Common Prayer, and no other; but such was the clamour on all hands, by reason of the three articles to be subscribed by all who had livings already, as well as those that should hereafter take orders, that secretary Walsingham went over to Lambeth, and told his grace, that it would stop in a great measure the complaints which were brought to court, if he would require subscription only of such as were hereafter to enter into holy orders, and suffer those already in places to proceed in the discharge of their duty, upon condition of

⁷⁵ Strype's Ann. p. 341.

⁷⁶ Ibid. vol. 3. p. 296.

their giving bond to read the common prayer, according to the usages and laws prescribing the same; which the archbishop promised to comply with.⁷⁷

But the nonsubscribing divines, who were unpreferred, might not so much as teach school for a livelihood, for the archbishop would grant no licence without subscribing; and from this time his licences to teach grammar, and even reading and writing, were granted only from year to year: the schoolmasters were to be full conformists;⁷⁸ they were limited to a particular diocese, and were not authorized to teach elsewhere; they were to instruct their scholars in nothing but what was agreeable to the laws and statutes of the realm: and all this only during the bishop's pleasure. Such was the rigour of these times!

Mr. Travers had been lecturer at the Temple with Mr. Hooker the new master about two years, but with very little harmony or agreement, one being a strict Calvinist, the other a person of larger principles; the sermon in the morning was very often confuted in the afternoon, and vindicated again the next Lord's day. The writer of Hooker's life⁷⁹ reports, that the morning sermon spoke the language of Canterbury, the afternoon that of Geneva. Hooker complaining of this usage, the archbishop took the opportunity, to suspend Mr. Travers at once, without any warning; for as he was going up into the pulpit to preach on the Lord's day afternoon the officer served him with a prohibition upon the pulpit-stairs; upon which, instead of a sermon, he acquainted the congregation with his suspension, and dismissed them. The reasons given for it were, 1. That he was not ordained according to the rites of the church of England. 2. That he had broken the orders of the 7th of the queen, "that disputes should not be brought into the pulpit."

Mr. Travers in his own vindication drew up a petition, or supplication to the council, in which he complains of being judged and condemned before he was heard; and then goes on to answer the objections alleged against him in the prohibition.

First it is said, "that I am not lawfully called to exercise the office of a minister, nor allowed to preach, according to the laws of the church of England."

To which I answer, that my call was by such methods as are appointed in the national synods of the foreign reformed churches; testimonials of which

⁷⁷ Life of Whitgift, p. 226, 227.

⁷⁸ Ibid. p. 246.

⁷⁹ Bishop Warburton deems it disingenuous in Mr. Neal to quote the language of this biographer, as he knew that, so quoted, it would be understood to reflect upon Mr. Hooker as only a tool or creature of the archbishop. But is not bishop Warburton here unnecessarily captious? To me it appears, that the opposition lying between Canterbury and Geneva, is sufficient to screen Mr. Neal's use of the biographer's words from the imputation of such a meaning.—ED.

I have shown to my lord archbishop of Canterbury; so that if any man be lawfully called to the ministry in those countries, I am.

But “I am not qualified to be a minister in England, because I am not ordained according to the laws of this country.”

I beseech your lordships to weigh my answer: Such is the communion of saints, as that what solemn acts are done in one true church of Christ, according to his word, are held lawful in all others: the constituting or making of a minister being once lawfully done ought not be repealed: pastors and teachers in the New Testament hold the same manner of calling as I had: the repeating ordination makes void the former ordination, and consequently all such acts as were done by virtue of it, as baptism, confirmation, marriage, &c. By the same rule people ought to be rebaptized and married over again, when they come into this country from a foreign.⁸⁰

Besides, by the statute 13 Elizabeth, those who have been ordained in foreign Protestant churches, upon their subscribing the articles therein mentioned, are qualified to enjoy any benefice in the kingdom, equally with them who are ordained according to the laws now in being; which, comprehending all that are priests according to the order of the church of Rome, must certainly be as favourable to ministers ordained among foreign Protestants. In consequence of this law many Scots divines are now in possession of benefices in the church, as was Mr. Whittingham, though he was the first who was called in question in this case.

But it is said, “I preached without presentation or licence.”

To which I answer, that the place where I exercised my ministry required no presentation, nor had I a title, or reaped any benefit by law, but only received a voluntary contribution, and was employed in preaching only; and as to a licence, I was recommended to be a minister of that place, by two several letters of the bishop of London to the gentlemen of the Inner Temple, without which letters that society would not have permitted me to officiate.

Secondly, “I am charged with indiscretion and want of duty to Mr. Hooker, master of the Temple; and with breaking the order of the 7th of the queen, about bringing disputes into the pulpit.”

As to “want of duty,” I answer, though some have suspected my want of good-will to Mr. Hooker, because he succeeded Dr. Alvey in the place I desired for myself; this is a mistake, for I declined the place because I could not subscribe to my lord of Canterbury’s late articles, which I would not do for the mastership of the Temple, or any other place in the church. I was glad the place was given Mr. Hooker, as well for the sake of old acquaintance, as to some kind of affinity there is between us, hoping we should live peaceably and amicably together, as becomes brethren; but when I heard him preach

⁸⁰ Whitgift’s Life, p. 251.

against the doctrine of assurance, and for salvation in the church of Rome, with all their errors and idolatry, I thought myself obliged to oppose him; yet when I found it occasioned a pulpit war I declared publicly that I would concern myself no farther in that manner, though Mr. Hooker went on with the dispute.

But it is said, "I should then have complained of him to the high-commission."

To which I answer, It was not out of contempt or neglect of lawful authority, but because I was against all methods of severity, and had declared my resolution to trouble the pulpit with those debates no more.

Upon the whole, I hope it will appear to your lordships, that my behaviour has not deserved so severe a punishment as has been inflicted upon me; and therefore I humbly pray, that your lordships would please to restore me to my ministry, by such means as your wisdoms shall think fit; which will lay me under farther obligations to pray for your temporal and eternal happiness. But if your lordships cannot procure me this favour, I recommend myself to your lordships' protection, under her majesty, in a private life, and the church to Almighty God, who injustice will punish the wicked, and in mercy reward the righteous with a happy immortality.

Mr. Hooker wrote an answer to Mr. Travers's supplication, in a letter to his patron the archbishop of Canterbury, in which he takes no notice of Travers's ordination, but confines himself to his objections against his doctrine; some of which he undertakes to refute, and in other places complains of misrepresentation. But let all be granted that he would have, says Mr. Hooker, what will it advantage him? He ought to have complained to the high commissioners, and not have confuted me in the pulpit; for schisms and disturbances will arise in the church, if all men may be tolerated to think as they please, and publicly speak what they think.—Therefore by a decree agreed upon by the bishops, and confirmed by her majesty, it was ordered that if erroneous doctrine should be taught publicly, it should not be publicly refuted, but complained of to such persons as her majesty should appoint to hear and determine such causes; for breach of which order he is charged with want of duty; and all the faults he alleges against me can signify nothing in his own defence. Mr. Hooker concludes with his unfeigned desires, that both Mr. Travers's and his papers may be burnt, and all animosities buried in oblivion, and that there may be no strife among them but this, who shall pursue peace, unity, and piety, with the greatest vigour and diligence.

But the council interfered not in the affair. Travers was left to the mercy of the archbishop, who could never be prevailed with to take off his suspension, or license him to preach in any part of England; upon which he accepted an invitation into Ireland, and became provost of Trinity-college in the university of Dublin; here he was tutor to the famous Dr. Usher, afterward

archbishop of Armagh, who always had him in high esteem; but being driven from thence by the wars, he returned after some years into England, and spent the remainder of his days in silence, obscurity, and great poverty; he was a learned man, a polite preacher, an admirable orator, and one of the worthiest divines of his age. But all these qualifications put together, could not atone for the single crime of nonconformity.

Mr. Cartwright being forbid preaching, had been encouraged by the earl of Leicester and secretary Walsingham to answer the Rhemist translation of the New Testament, published with annotations in favour of Popery; divers doctors and heads of houses of the university of Cambridge solicited him to the same work, as appears by their epistle prefixed to the book; the like encouragement he received from sundry ministers in London and Suffolk, none being thought so equal to the task as himself; and because Cartwright was poor, the secretary of state sent him 100£. with assurance of such farther assistance as should be necessary;⁸¹ this was about the year 1583. Cartwright accordingly applied himself to the work, but the archbishop by his sovereign authority forbade him to proceed, being afraid that his writings would do the hierarchy more damage than they would do service to the Protestant cause: the book therefore was left unfinished, and not published till the year 1618, to the great regret of the learned world, and reproach of the archbishop.

The sufferings of Mr. Gardiner, the deprived minister of Malden in Essex, would have moved compassion in any except the bishop of London. I will represent them in his own words, as they were sent to him in form of a supplication, dated September 7th, 1586.⁸²

To the right reverend father in God the lord-bishop of London.

“My duty in humble-wise remembered, my lord,

“I am cast into prison by your lordship, for a matter which about seven years past was slanderously raised up against me; I was by course of law cleared, and the Lord God which searcheth the hearts, before whom both you and I shall shortly appear, doth know, and him I call to witness, that I was and am falsely accused. I have been extremely sick in prison; I thank God I am amended, but yet so that the physicians say my infection from the prison will be very dangerous. I have a poor wife and five children, which are in lamentable case: I had six children at the beginning of my imprisonment; but by reason of my sickness in prison, my wife being constrained to attend upon me, one of my children, for want of somebody to oversee them, was drowned in a tub of wort, being two years and half old. If your lordship have no compassion on me, yet take pity upon the widow and fatherless (for in that state are now my wife and poor infants), whose tears are before the Lord. I

⁸¹ Life of Whitgift, p. 253.

⁸² MS. p. 752.

crave no more but this, to be bailed; and if I am found guilty of any breach of law, let me have extremity without any favour.

“Your lordship’s to command in Christ,

“JOHN GARDINER.”

Mr. Giles Wiggington, M. A. minister of Sedburgh, having been deprived at Lambeth for nonconformity, and another inducted into his living, went home, and being denied entrance into the church, preached a kind of farewell sermon to his parishioners in the church-yard, and administered the sacrament, having no peace in his mind till he had done it, though his brethren in the ministry would have dissuaded him; after this he retired with his wife and children to Burrough-bridge, but was arrested in his journey by a pursuivant from the archbishop of York, and sent to Lancaster jail, fifty miles distant from the place where he was arrested, in a hard and cold winter; there he was shut up among felons and condemned prisoners, and worse used than they, or than the recusant Papist. From hence he sent up his case to sir Walter Mildmay, one of the privy council, but with little success; for he was a warm Nonconformist, and a bold preacher against the lordly proceedings of the bishops, for which, and for refusing the oath *ex officio*, he suffered a long imprisonment.⁸³ He was afterward apprehended again, upon suspicion of his being one of the authors of Martin Mar-Prelate, which he denied, but confessing he did not dislike the book, he was therefore confined in the Compter and the Gate-house, till, I believe, he consented to leave the realm.

In the parliament that met this year, October 29th, 1586, and 28 Eliz. the Puritan ministers made another effort for parliamentary relief, for which purpose they presented an humble supplication to the house of commons; in which they say, “It pierces our hearts with grief to hear the cries of the country people for the word of God. The bishops either preach not at all, or very seldom; neither can they for their manifold business, their dioceses being too large for their personal inspection; besides, they are encumbered with civil affairs, not only in their own ecclesiastical courts, in causes testamentary, &c. but as lord-barons, justices of peace, members of the star-chamber, council-table, and ecclesiastical commission; all which is contrary to the words of Christ, who says, his kingdom is not of this world; and contrary to the practice of all other reformed churches. And whereas the Scriptures say, that ministers of the gospel should be such as are able to teach sound doctrine and convince gainsayers, yet the bishops have made priests of the basest of the people, not only for their occupations and trades whence they have taken them, as shoemakers, barbers, tailors, water-bearers, shepherds, and horse-keepers; but also for their want of good learning and honesty. How true this our complaint is, may appear by the survey of some

⁸³ MS. p. 754. 843, &c.

shires and counties hereunto annexed, even some of the best, whereby the rest may be estimated.

“We do acknowledge, that there are a number of men within the ministry who have good and acceptable gifts, and are able to preach the word of God to edification; of which number there are two sorts: there are a great number that live not upon the place where they are beneficed, but abandon their flocks, directly contrary to the charge of Christ to Peter, saying, ‘Feed my sheep;’ and of the apostle Paul to the elders at Ephesus, ‘Take heed to yourselves, and the flock over which the Holy Ghost has made you overseers, to feed the church of God.’ Of this sort are sundry bishops, who have benefices *in commendam*; university men, and chaplains at court; others get two or three benefices into their hands, to serve them for winter and summer houses; which pluralities and nonresidences are the more grievous because they are tolerated by law. There are indeed several that reside upon their benefices, but content themselves with just satisfying the law; that is, to have divine service read, and four sermons a year.

“But great numbers of the best qualified for preaching, and of the greatest industry and application to their spiritual functions, are not suffered quietly to discharge their duties, but are followed with innumerable vexations, notwithstanding they are neither heretics nor schismatics, but keep within the pale of the church, and persuade others to do so, who would otherwise have departed from it. They fast and pray for the queen and the church, though they have been rebuked for it, and diversely punished by officers both civil and ecclesiastical. They are suspended and deprived of their ministry, and the fruits of their livings are sequestered for the payment of such a chaplain as their superiors think fit to employ: this has continued for many months and years, notwithstanding the intercession of their people, of their friends, and sometimes of great personages, for their release. Last of all, many of them are committed to prison, whereof some have been chained with irons, and continued in hard durance for a long time.

“To bring about these severities, they [the bishops] tender to the suspected persons an oath *ex officio*, to answer all interrogatories that shall be put to them, though it be to accuse themselves; and when they have gotten a confession, they proceed upon it to punish them with all rigour, contrary to the laws of God and of this land, and of all nations in Christendom, except it be in Spain by the inquisition. Those who have refused the oath have been cast into prison, and commanded there to lie without bail till they yield to it.

“The grounds of these troubles are, not impiety, immorality, want of learning or diligence in their ministerial work, but for not being satisfied in the use of certain ceremonies and orders of the church of Rome, and for not

being able to declare, that everything in the Common Prayerbook is agreeable to the word of God. Alas! that for these things good preachers should be so molested, and the people deprived of the food of their souls, and that by fathers of the same faith with ourselves.

“We therefore most humbly, and for the Lord’s sake, crave of this high and honourable court of parliament, that it may please you to hear and read this our supplication, and take such order for it as to your godly wisdom shall be thought necessary.⁸⁴

November, 1586.”

The grievances annexed to this supplication were these,

1. The absolute power of the bishop to give and take away licences to preach at his pleasure: 2. The proceedings of the ecclesiastical commissioners according to their own discretions, without regard to law: 3. The small number of commissioners, viz. three, who may decide the most weighty causes: 4. The not allowing an appeal to any other court: 5. The double character of the bishops, who sit on the bench both as bishops and as commissioners. 6. The oath *ex officio*, in which this is always one of their interrogatories, “Do you wholly keep, observe, and read in your church, all the parts of the Book of Common Prayer, and wear the habits

The survey mentioned in the supplication, by which the miserable state of the church for want of an able and sufficient ministry appears, is too large to be inserted; it was taken in the years 1585 and 1586, by some persons employed for that purpose against the meeting of the parliament;⁸⁵ it is divided into eight columns:

The first, contains the name of the benefice.

The second, the yearly value.

The third, the number of souls.

The fourth, the name of the incumbent, and whether a preacher or not.

The fifth, what other benefices he has, and what curates do serve him.

The sixth, his character and conversation.

The seventh, who made him minister. And,

The eighth, the patron of the living; according to the following plan.

⁸⁴ MS. p. 672.

⁸⁵ MS. 684, and seg.

THE COUNTY OF CORNWALL.

DEANERY OF PENDOR, &c.

Name of the benefice.	Yearly value.	Number of souls.	Name of the incumbent, and whether a preacher.	What benefices he has more, and what curates do serve them.	His conversation.	Who ordained, or made him minister.	The patron.
V. Lan-Leverie.	£. 30	200	Mr. Batten, no preacher.	No more.	He liveth as a pot-companion.	Bp. Alley.	Walter Kendal.
V. Trewordroth.	Marks. 100 £. 30	300	Mr. Kendal, no preacher.	No more.	A simple man.	Bp. Bradbridge.	Ld. Chancellor.
V. Esey.	£. 30	60	J. Bernard, no preacher.	No more.	A common dicer, burnt in the hand for felony, and full of all iniquity.	Bp. Bradbridge.	Canons of Exon.
R. de Breage.	120	700	Fitz. Jeffery, a preacher, but nonresident.	He hath Buckenock.	Covetous; his curate Robert Doway, an ignorant man.	Bp. Bradbridge.	The Queen.

Upon casting up the survey, the state of the following counties stands thus:

	Churches or livings.	Preach.	No preachers but readers.	Double beneficed and nonresidents.
In Cornwall are about	160	29	140	25
In Lincolnshire . . .	590	121	455	154
In Oxfordshire . . .	127	29	95	20
In Buckinghamshire, parsonages, vicarages, and curates serving	210	30	120	160
In Berkshire		29	51	43
In Surrey	140	24	125	8
In sixteen of the hundreds of Essex	335	12	173	71
In Warwickshire	188	41	120	27
In Middlesex about	60	14	48	16
In London, within and without the walls, about	123	97	46	41

It must be uncommon diligence and application, as well as a very great expense, to collect so many names and characters of men; the exact valuation of so many livings; the number of nonresident ministers; of such as had been mass-priests; and of mechanics and tradesmen: but such was the zeal of these pious men! The survey of Lincolnshire was signed by the justices of the peace of that county, and the others are attested by some of the principal clergymen of those parts; and are so particular in all circumstances, as leave little room to doubt of their truth in general, though there may be some few mistakes in characters and numbers: upon the whole, the survey takes notice, that after twenty-eight years' establishment of the church of England, there were only two thousand preachers to serve near ten thousand parish-churches, so that there were almost eight thousand parishes without

preaching ministers.⁸⁶ To this account agrees that of Mr. Fenner, who lived in these times, and says, that a third part of the ministers of England were covered with a cloud of suspensions;⁸⁷ that if persons would hear a sermon, they must go in some places, five, seven, twelve, yea, in some counties, twenty miles, and at the same time be fined 12£. a sabbath for being absent from their own parish-church, though it be proved they were hearing a sermon elsewhere, because they had none at home. Nor is it at all strange it should be thus in the country, when the bishop of London enjoined his clergy in his visitation this very year, 1. That every parson should have a Bible in Latin and English. 2. That they should have Bullinger's Decads. 3. That they should have a paper book, and write in it the quantity of a sermon every week. 4. That such as could not preach themselves, should be taxed at four purchased sermons a year,⁸⁸ What a miserable state of things was this! when many hundreds of pious and conscientious preachers were excluded the church, and starving with their families for want of employment.

With the supplication and survey above mentioned, a bill⁸⁹ was offered to the house of commons for a farther reformation; wherein, after a recital of their grievances, they pray, that the books hereunto annexed, entitled, "A book of the form of common prayer, &c. and everything therein contained,

⁸⁶ MS. p. 206.

⁸⁷ Answer to Dr. Bridges, p. 48.

⁸⁸ Life of Alymer, p. 128.

⁸⁹ Bishop Warburton condemns "the offering of this bill to the house as such a mutinous action in the Puritan ministers," that he wonders a writer of Mr. Neal's "good sense could mention them without censure, much more that he should do it with commendation." It is not easy to see where his lordship found Mr. Neal's commendation of this bill; the editor can discern a bare state of the proceedings only. And by what law or by what principle of the constitution is the offering of a bill and a representation of grievances to the house an act of mutiny? The bill of the Puritans undoubtedly went to new-model the establishment, but only by enlarging the terms of communion; not by substituting new ceremonies in the room of those which were burdensome to themselves. It went, it is true, to introduce a new discipline, but not to abolish episcopacy.—And was not the spiritual jurisdiction then exercised, oppressive? Were not the proceedings of the bishops arbitrary? If so, how was it "insufferable insolence" to seek a parliamentary reform? It would have been, as his lordship grants, just and reasonable, if the Puritans had moved for toleration only. This would have been more consistent in those who sought only their own liberty. But his lordship did not allow for the very different ideas we may have on the measures that should have been pursued, who view these transactions at this distance of time and many years after a toleration-act has passed, from what those had whose minds, in the infancy of a separation from the church, felt all the attachments to it produced by education and habit, and were naturally averse to a total and final secession from it. He considers "the house of commons in a temper to have passed a bill for toleration." But he forgets, that the success of such a bill, or of any bill, did not depend on the temper of the house, but on the pleasure of the queen. Beside, for the first twelve or fourteen years of her majesty's reign the prayer of the petitions presented by the Puritans was, if not for a toleration in a separation from the church, yet only for a dispensation for the use of the habits and three or four ceremonies, and a redress of a few notorious abuses. As the queen and bishops continued unyielding, and grew more vigorous, new questions were started, and new burdens were felt, and new demands arose. See Mr. Neal's Review.—ED.

may be from henceforth authorized and put in use and practice, throughout all her majesty's dominions, any former law, custom, or statute, to the contrary, in anywise notwithstanding. The book contained prayers before and after sermon, but left a liberty for variation, if it was thought proper.⁹⁰ The minister was to pray and give thanks in the words there prescribed, or such-like. In the creed it leaves the article of Christ's descent into hell more at large. It omits three of the thirty-nine articles, viz. the thirty-fourth, thirty-fifth, and thirty-sixth. It takes the jurisdiction of the church out of the hands of the spiritual courts, and places it in an assembly of ministers and elders in every shire, who shall have power to examine, approve, and present ministers to the several parishes for their election, and even to depose them, with the consent of the bishop, upon their misbehaviour.

At the same time a pamphlet was dispersed without doors, entitled, "A request of all true Christians to the honourable house of parliament." It prays, "that every parish-church may have its preacher, and every city its superintendent, to live honestly but not pompously." And to provide for this, it prays, "that all cathedral churches may be put down, where the service of God is grievously abused by piping with organs, singing, ringing, and trowling, of psalms from one side of the choir to another, with the squeaking of chanting choristers, disguised (as are all the rest) in white surplices; some in cornercapes and filthy copes, imitating the fashion and manner of antichrist the pope, that man of sin and child of perdition, with his other rabble of miscreants and shavelings. These unprofitable drones, or rather caterpillars of the world, consume yearly some 2500£. some 3000£. some more, some less, whereof no profit cometh to the church of God. They are the dens of idle loitering lubbards; the harbours of time-serving hypocrites, whose prebends and livings belong some to gentlemen, some to boys, and some to serving-men, and others. If the revenues of these houses were applied to augment the maintenance of poor, diligent, preaching parish-ministers, or erecting schools, religion would then flourish in the land."⁹¹

Some bold speeches were made in parliament against the arbitrary proceedings of the bishops, by Mr. Wentworth and others, for which those members were sent to the Tower; at which the house was so intimidated, that they would not suffer the bill to be read. Besides, the queen sent both for the bill and petition out of the house, and ordered the speaker to acquaint them, "that she was already settled in her religion, and would not begin again; that changes in religion were dangerous; that it was not reasonable for them to call in question the established religion, while others were endeavouring to overthrow it; that she had considered the objections, and looked upon them

⁹⁰ Life of Whitgift, p. 258.

⁹¹ MS. p. 814.

as frivolous; and that the platform itself was most prejudicial to her crown, and to the peace of her government.”⁹² Nay, so incensed was the queen with these attempts of the Puritans, that in drawing up a general pardon to be passed in parliament, she ordered an exception to be made of such as committed any offence against the act of uniformity, or were publishers of seditious books or pamphlets.⁹³

The convocation, contrary to all custom and usage, continued sitting after the parliament, and gave the queen a subsidy or benevolence. This precedent archbishop Laud made use of in the year 1640, to prove the lawfulness of a convocation sitting without a parliament. All they did farther, was to address the queen with an offer to maintain by disputation, that the platform of the Puritans was absurd in divinity, and dangerous to the state; which the Nonconformists would willingly have debated, but the others knew the queen and council would not admit it.

The press was in the hands of the archbishop, who took all possible care to stifle the writings of the Puritans, while he gave licence⁹⁴ to Ascanio an Italian merchant, and bookseller in London, to import what Popish books he thought fit, upon this very odd pretence, that the adversaries’ arguments being better known by learned men, might be more easily confuted.⁹⁵ But was it not a shorter way to confute them in the high-commission? Or might not the same reason have served for licensing the books of the Puritans? But his grace seems to have been in no fear of Popery, though this very year another assassination-plot was discovered, for which Ballard a priest, and about twelve or fourteen more, were executed.⁹⁶ Remarkable are the words of this Ballard, who declared upon examination to sir Francis Knollys, treasurer of the queen’s household, and a privy counsellor, “that he would desire no better books to prove his doctrine of Popery, than the archbishop’s writings against Cartwright, and his injunctions set forth, in her majesty’s name. That if any men among the Protestants lived virtuously, they were the Puritans, who renounced their ceremonies, and would not be corrupted with pluralities. That unlearned and reading ministers were rather a furtherance than a hinderance to the Catholic cause. That though the bishops owned her

⁹² Life of Whitgift, p. 259.

⁹³ Heyl. Aer. p. 269.

⁹⁴ This licence was not absolute and unlimited, but restrained the importation to a few copies of every such sort of books, and on this condition only, that any of them be not showed or dispersed abroad; but a delivery of them was to be made to one of the privy council, or to such only as they or some one of them should judge meet to have the perusal of them. Ascanio was obliged to enter into strict bonds to perform these conditions. This method of licensing Popish books was not so inconsistent with the restraint laid on the liberty of the press, and on the circulation of the books of the Puritans, as our author represents it, and appeals to have conceived of it. Maddox’s Vindication, p. 350.—ED.

⁹⁵ Life of Whitgift, p. 268.

⁹⁶ Life of Whitgift, p. 265.

majesty to be supreme governor in causes ecclesiastical, yet they did not keep their courts in her majesty's name: and that though the names and authority of archbishops and bishops, &c. were in use in the primitive church, they forgot that they were then lords or magistrates of order only, made by the prince, and not lords of absolute power, ruling without appeal." This was written by Mr. Treasurer himself, October 15th, 1586, upon which sir Francis advised in council, "that special care should be taken of Popish recusants; and that the absolute authority of private bishops, without appeal, should be restrained; that they might not condemn zealous preachers against the pope's supremacy, for refusing to subscribe unlawful articles, nor without the assembly of a synodical council of preachers, forasmuch as the absolute authority of the bishops, and their ambition and covetousness, had a tendency to lead people back to Popery." But how much truth soever there was in these observations, the queen and archbishop were not to be convinced.

The Puritans being wearied out with repeated applications to their superiors for relief, began to despair, and in one of their assemblies came to this conclusion; that since the magistrate could not be induced to reform the discipline of the Church, by so many petitions and supplications (which we all confess in the liturgy is to be wished), that therefore, after so many years waiting, it was lawful to act without him, and introduce a reformation in the best manner they could. We have mentioned their private classes in Essex, Warwickshire, Northamptonshire, and other parts, in which their book, entitled, "The holy discipline of the church, described in the word of God," being revised, was subscribed by the several members in these words, according to Mr. Strype, which are something different from the form at the end of the book in the Appendix. "We acknowledge and confess³ the same, agreeable to God's most holy word, so far as we are able to judge or discern of it, excepting some few points [which they sent to their reverend brethren in some assembly of them, for their farther resolution], and we affirm it to be the same which we desire to be established in this church, by daily prayer to God, which we profess (as God shall offer opportunity, and gives us to discern it so expedient) by humble suit to her majesty's most honourable privy council and parliament, and by all other lawful means to farther and advance, so far as the law and peace of the present state of our church will suffer it, and not to enforce the contrary. We promise to guide ourselves according to it, and follow the directions set down in the chapter 'Of the office of the ministers of the word.' We promise to frequent our appointed assemblies, that is, every six weeks classical conferences, every half year provincial assemblies, and general assemblies every year."⁹⁷

⁹⁷ Among those that subscribed or declared their approbation of the book of discipline, were the reverend Messrs. Cartwright, Travers, Dr. Knewstubs, Messrs. Charke, Edgerton, Reynolds, Gardiner, Gifford, Barber, Spicer, Greenbam, Payne, Fenner, Field, Snape,

Besides the Puritans already mentioned, as suffering this year, the learned Dr. John Walward, divinity-professor at Oxford, was enjoined a public recantation, and suspended till he had done it, for teaching, that the order of the Jewish synagogue and eldership, was adopted by Christ and his apostles into the Christian church, and designed as a perpetual model of church-government.⁹⁸ He was also bound in a recognizance of 100£. for his good behaviour.—Mr. Harsnet, of Pembroke-hall, was imprisoned at the same time for not wearing the surplice.—Mr. Edward Gillibrand, fellow of Magdalen-college, Cambridge, was forbid preaching, and bound in a recognizance of 100£. to revoke his errors in such words as the commissioners should appoint. His crime was speaking against the hierarchy, and against the swelling titles of archbishops and bishops; for which Whitgift told him, he deserved not only to be imprisoned and suspended, but to be banished the university.—Mr. Farrar, minister of Langham in Essex, was charged with rebellion against the ecclesiastical laws, and suspended for not wearing the habits. Bishop Aylmer told him,⁹⁹ that except he and his companions would be conformable, in good faith, he and his brethren the bishops would, in one quarter of a year, turn them all out of the church.—September 11th, Mr. Udall, of Kingston-upon-Thames, was suspended and imprisoned, for keeping a private fast in his parish.—In the month of January Mr. Wilson, Mr. More, and two other ministers, were imprisoned, and obliged to give bond for their good behaviour.

In the month of May the reverend Mr. Settle was summoned before the archbishop at Lambeth, and charged with denying the article, “Of the descent of our Saviour’s soul into hell,” or the place

Johnson, Nichols, Dr. Sparkes, Messrs. Ward, Stone, Warkton, Larke, Fletcher, Lord, Farmer, Rushbrook, Littleton, Oxenbridge, Seyntclere, Stariden, Wilcox, Dr. Whitaker, Messrs. Chaddertoh, Perkins, Allen, Edmunds, Gillibrand, Bradshaw, Harrison, Massie, Hildersham, Dod, Brightman, Cawdrey, Rogers, Udall, Dyke, Wight, Paget, and others to the number of above five hundred, all beneficed in the church of England, useful preachers, of unspotted lives and characters, and many of them of the university of Cambridge, where they had a strong and powerful interest.

Bishop Maddox triumphs in the representation of Mr. Neal, that five hundred who subscribed the holy discipline were all beneficed in the church, as a proof of the lenity of government. Mr. Neal, in his reply adds, “that there were more than twice five hundred clergymen who made a shift to keep their places in the church.” But, when at the same time, they were continually exposed to suffer from the rigour of government;—when, as Dr. Bridges declared, a third part of the ministers of England were covered with a cloud of suspensions;—when many smarted severely for attempting a reformation, for which they all wished and prayed;—when Cartwright, Travers, Field, Johnson, Cawdery, Udall, and other leaders of the Puritans, were suspended, imprisoned, and frequently in trouble; not to say dying under the hand of power; the reader will judge with what propriety his lordship exults over our author. See Mr. Neal’s Review, p. 872, 873.—ED.

⁹⁸ MS. p. 798.

⁹⁹ Ibid. p. 800. 805.

of the damned. Mr. Settle confessed it was his opinion, that Christ did not descend locally into hell, and that Calvin and Beza were of his mind; which put the archbishop into such a passion, that he called him ass, dolt, fool. Mr. Settle said, he ought not to rail at him, being a minister of the gospel. What, said the archbishop, dost thou think much to be called ass and dolt? I have called many of thy betters so. True, said Mr. Settle; but the question is, how lawfully you have done so? Then said the archbishop, Thou shalt preach no more in my diocese. Mr. Settle answered, I am called to preach the gospel, and I will not cease to do it. The archbishop replied with a stern countenance, Neither you, nor any one in England, shall preach without my leave. He then charged Mr. Settle with not observing the order of the service-book; with not using the cross in baptism; with disallowing the baptism of midwives; and not using the words in marriage, "With this ring I thee wed." The dean of Winchester asked him, if he had subscribed. Settle answered, Yes, as far as the law required; that is, to the doctrines of faith and the sacraments, but as touching other rites and ceremonies, he neither could nor would. Then said the archbishop, Thou shalt be subject to the ecclesiastical authority. Mr. Settle replied, I thank God you can use no violence but upon my poor body. So his grace committed him to the Gate-house, there to be kept close prisoner.¹⁰⁰

Sandys archbishop of York was no less active in his province; I have many of his examinations before me; he was a severe governor, hasty and passionate; but it was said in excuse for him and some others, that the civilians by their emissaries and spies turned informers, and then pushed the bishops forward, to bring business into the spiritual courts.

About this time Dr. Bridges, afterward bishop of Oxford, wrote against the Puritans, and maintained that they were not grievously afflicted, unless it were caused by their own deserts. The doctor was answered by Mr. Fenner, who appealed to the world in these words; "Is it no grievous affliction, by suspension to be hung up between hope and despair for a year or two, and in the meantime to see the wages of our labourers eaten up by loiterers? Nay, our righteous souls are vexed with seeing and hearing the ignorance, the profane speeches, and evil examples, of those thrust upon our charges, while we ourselves are defamed, reproached, scoffed at, and called seditious and rebellious; cited, accused, and indited, and yet no redress to be found. All this we have patiently bore, though we come daily to the congregations to prayers, to baptisms, and to the sacrament, and by our examples and admonitions have kept away many from excesses whereunto rashness of zeal

¹⁰⁰ MS. p. 798.

have carried them.—And though to such as you who swarm with deaneries, with double benefices, pensions, advowsons, reversions, &c. these molestations seem light; yet surely, upon every irreligious man's complaint in such things as many times are incredible, to be sent for by pursuivants, to pay twopence for every mile, to find messengers, to defray our own charges, and this by such as can hardly, with what they have, clothe and feed themselves and their families, it is not only grievous, but as far as well can be a very heartburning. It is grievous to a freeman, and to a free-minister, for a light cause, as, for an humble supplication to her majesty and the whole parliament, and to the fathers of the church, to be shut in close prison; or upon every trifling complaint, to be brought into a slavish subjection to a commissary, so as at his pleasure to be summoned into the spiritual courts, and coming thither, to be sent home again at least with unnecessary expenses, masterlike answers, yea, and sometimes with open revilings. We will not justify ourselves (says Mr. Fenner¹⁰¹) in all things, but acknowledge, that when coming by dozens and scores before the bishop, after half a day's disorderly reasoning, some not being heard to the full, some railed on and miscalled, none with lenity satisfied, but all suspended from our office, because we would not subscribe his two last articles, there might pass from us some infirmities afterward; this and many other things we are willing to impute to ourselves."—But after all it may be questioned, whether the history of former ages can furnish an example of so many severities against divines of one and the same faith, for a few trifling ceremonies; or of a more peaceable and Christian behaviour under sufferings.

Camden indeed complains of their dispersing pamphlets against the church and prelates, in a time of common danger, when the nation was in arms against the Spanish invasion: but these pamphlets were only to show, that the danger of the return of Popery (which all men were now apprehensive of) arose from stopping the mouths of those ministers, who were most zealous against it. It had been easy at this time to have distressed the government and the hierarchy, for the cry of the people was against the bishops; but the Puritans both here and in Scotland were more afraid of the return of Popery than their adversaries: those in Scotland entered into an association, to assemble in arms at what time and place their king should require, to assist the queen of England, against the Spaniards; and their brethren in London took the opportunity to petition the queen for the liberty of their preachers.¹⁰² "That the people might be better instructed in the duties of obedience to their civil governors, and not be left a prey to priests and Jesuits, who were no better than traitors to her majesty and the kingdom.

¹⁰¹ Answer to Dr. Bridges, p. 45, 46.

¹⁰² MS. p. 838.

They assure her majesty, that the people will give their ministers a good maintenance; that they [the people] will always pray for her majesty's safety, and be ready to part with their goods, and pour out their blood like water for her preservation, if they may but have the gospel." But the queen gave them no answer; the whole reformation must be hazarded rather than the Puritans relieved.

After this, they applied to the lord-mayor and court of aldermen, beseeching them to address the queen, to make some better provision for the city; and to enforce their petition, they laid before them a new survey of the ministry of London, taken this very year, with the names of every parish-priest and curate set down against his living and curacy; which is now before me;¹⁰³ and it appears at the foot of the account that there were,

Double-beneficed men within the city 18

Double-beneficed men without 27

Simple preachers (as the survey calls them) 10

Dumb, or unpreaching ministers 17

Resident preachers, abiding in London, only 19

With the survey they offered divers reasons to prevail with the court to appear for them; as, Because the laws of the realm have provided very well for a learned preaching ministry; whereas by the account above, it appears that many are pluralists and nonresidents, others illiterate, being brought up to trades and not to learning, and others of no very good character in life: because divers of the principal preachers of this land have of late been put to silence: because of the prevailing ignorance and impiety that is among the common people for want of better instruction: and because we now pay our money and dues to them that do little or nothing for it:—but the aldermen were afraid to interpose.¹⁰⁴

Such was the scarcity of preachers, and the thirst of the people after knowledge, that the suspended ministers of Essex petitioned the parliament, March 8th, 1587, for some remedy. "Such (say they) is the cry of the people to us day and night for the bread of life, that our bowels yearn within us; and remembering the solemn denunciation of the apostle, "Woe be to us if we preach not the gospel," we begin to think it our duty to preach to our people as we have opportunity, notwithstanding our suspension, and to commit our lives and whole estates to Almighty God, as to a faithful Creator; and under God to the gracious clemency of the queen, and of this honourable house." Many suspended preachers came out of the countries, and took shelter in the city. But to prevent as much as possible their getting into any of the pulpits

¹⁰³ Ibid. p. 482.

¹⁰⁴ Ibid. p. 839.

of London, the following commission was sent to all the ministers and churchwardens of the city.

“Whereas sundry preachers have lately come into the city of London, and suburbs of the same; some of them not being ministers, others such as have no sufficient warrant for their calling, and others such as have been detected in other countries, and have notwithstanding in the city taken upon them to preach publicly, to the infamy of their calling; others have in their preaching rather stirred up the people to innovation, than sought the peace of the church. These are therefore in her majesty’s name, by virtue of her high-commission for causes ecclesiastical to us and others directed, straitly to enjoin, command, and charge all persons, vicars, curates and churchwardens, of all churches in the city of London, and the suburbs thereof, as well in places exempt as not exempt, that they nor any of them do suffer any to preach in their churches, or to read any lectures, they not being in their own cures, but only such whose licences they shall first have seen and read, and whom they shall find to be licensed thereto, either by the queen’s majesty, or by one of the universities of Cambridge or Oxford, or by the lord-archbishop of Canterbury, or the bishop of London for the time being, under seal.

“And that this may be published and take the better effect, we will that a true copy thereof shall be taken and delivered to every curate and churchwarden of every of the churches aforesaid. The 16th day of August, 1587.¹⁰⁵

(Subscribed,) “JOHN CANTERBURY,
“JOHN LONDON.
“VAL. DALE,
“EDWARD STANHOPE,
“RICH. COZIN.”

Under all these discouragements the Puritans kept close together, hoping one time or other that Providence would make way for their relief. They maintained their classes and associations, wherein they agreed upon certain general rules for their behaviour: one was, that they should endeavour in their preaching and conversation to wipe off the calumny of schism, forasmuch as the brethren communicated with the church in the word and sacraments, and in all other things, except their corruptions; and that they assumed no authority to themselves,¹⁰⁶ of compelling others to observe their decrees. In their provincial synod held at Warwick, June 4th, 1588, it was agreed, that it was not lawful to baptize in private; nor sufficient for a minister to read

¹⁰⁵ MS. p. 835.

¹⁰⁶ There was, as bishop Warburton hints, an impropriety in disclaiming the use of authority, when being a small and oppressed party, no authority from the state was invested in them.—ED.

homilies in churches; nor lawful to use the cross in baptism. They agreed farther, that they were not obliged to rest in the bishops' deprivation, nor to appear in their courts, without a protestation of their unlawfulness. In another synod it was determined, that no man should take upon him a vague or wandering ministry; that they who take upon them a cure of souls should be called by the church whom they are to serve, and be approved by the classes, or some greater assembly, and if by them they are found meet, they are to be recommended to the bishop for ordination, if it might be obtained without subscribing the Book of Common Prayer.¹⁰⁷ It was farther agreed, how much of the common prayer might be lawfully read for the preserving their ministry; and how far they might exercise their discipline without the civil magistrate. In another provincial synod about Michaelmas, it was agreed, that the oppressions offered to others, and especially to the ministers, by the bishops and their officials in their spiritual courts, should be collected and registered: if this had been preserved entire, more of the sufferings of these great and good men would have appeared, and many works of darkness, oppression, and cruelty, would have been brought to light, which now must be concealed till the day of judgment.

The danger with which the nation was threatened from a foreign invasion, gave a little check to the zeal of the bishops against the Puritans for the present; however, this year Mr. Cawdrey, minister of South Luffingham, was suspended, imprisoned, and deprived, by the bishop of London;¹⁰⁸ he had a wife and seven children, which were cast upon Providence; but this divine gave his lordship some farther trouble, as will be seen hereafter.—Mr. Wilson, who had been suspended some time before, moved for a release in the bishop's court; but because he refused to subscribe, his suspension was continued, and himself treated by the civilians with great inhumanity.

Mr. Arthur Hildersham, whom Mr. Fuller represents as a heavenly divine, being at this time fellow of Trinity-college, Cambridge, was suspended by the commissioners, for preaching occasionally before he had taken orders, and obliged to sign the following recantation;¹⁰⁹ "I confess that I have rashly and indiscreetly taken upon me to preach, not being licensed nor admitted into holy orders, contrary to the orders of the church of England, contrary to the example of all antiquity, and contrary to the direction of the apostle in the Acts; whereby I have given great and just offence to many; and the more, because I have uttered in my sermons certain impertinent, and very unfit speeches for the auditory, as moving their minds to discontent with the State, rather than tending to godly edification; for which my presumption and indiscretion I am very heartily sorry, and desire you to bear witness of this

¹⁰⁷ Life of Whitgift, p. 291.

¹⁰⁸ MS. p. 825.

¹⁰⁹ Fuller, b. 9. p. 642.

my confession, and acknowledging my said offences.” This recantation was by the archbishop’s appointment to be uttered in Trinity-hall chapel, before Easter. In the meanwhile he was suspended from the profits of his fellowship, and stood bound to appear before the commissioners the first court-day of Easter term, if he did not before that time recant. Whether Mr. Hildersham recanted I am not certain, but September 14, 1587, he left the university, and settled at Ashby-de-la-Zouch in Leicestershire, where he continued a deep sufferer for nonconformity forty-three years, having been suspended and put to silence by the high-commission no less than four times, and continued under that hardship almost twenty years.

This year put an end to the life of the famous martyrologist John Fox, a person of indefatigable labour and industry, and an exile for religion in queen Mary’s days; he spent all his time abroad in compiling the acts and monuments of the church of England, which were published first in Latin, and afterward, when he returned to his native country, in English, with enlargements; vast were the pains he took in searching records, and collecting materials for this work; and such was its esteem, that it was ordered to be set up in all the parish-churches in England. Mr. Fox was born at Boston in Lincolnshire, 1517, educated in Brazen Nose-college, Oxon, where he proceeded M. A. in the year 1543. He was afterward tutor to the duke of Norfolk’s children, who in the days of queen Mary conveyed him privately out of the kingdom. He was a most learned, pious, and judicious divine, of a catholic spirit, and against all methods of severity in religion. But he was shamefully neglected for some years, because he was a Nonconformist, and refused to subscribe the canons and ceremonies; nor did he get any higher preferment in the church than a prebend of Salisbury, though the queen used to call him father, and professed a high veneration for him; as indeed he deserved. He died in London in the seventieth year of his age, and lies buried in Cripplegate-church, where his monument is still to be seen, against the south wall of the chancel, with a flat marble stone over his remains.

It has been observed, that our first reformers admitted only two orders of church-officers to be of divine appointment, viz. bishops and deacons; a presbyter and bishop according to them being two names for the same office; but Dr. Bancroft the archbishop’s chaplain, in a sermon at Paul’s Cross, January 12, 1588, maintained that the bishops of England were a distinct order from priests, and had superiority over *them jure divino*, and directly from God. He affirmed this to be God’s own appointment, though not by express words, yet by necessary consequence; and that the denial of it was heresy. The doctor confessed, that Aerius had maintained, there was no difference between a priest and a bishop; but that Epiphanius had pronounced his assertion full of folly; and that it had been condemned as heresy by the

general council of the church; that Martin and his companions had maintained the same opinion; but that St. Jerome and Calvin had confessed, that bishops have had superiority over presbyters, ever since the times of St. Mark the evangelist. This was new and strange doctrine to the churchmen of these times. It had been always said, that the superiority of the order of bishops above presbyters had been a politic human appointment, for the more orderly government of the church, begun about the third or fourth century; but Bancroft was one of the first, who by the archbishop's directions advanced it into a divine right.¹¹⁰ His sermon gave offence to many of the clergy and to all the friends of the Puritans about the court, who would have brought the preacher into a premunire, for saying, that any subject of this realm hath superiority over the persons of the clergy, otherwise than from and by her majesty's authority. But the doctor retorted this argument upon the disciplinarians, and added, that it was no better than a sophism, because the prince's authority may, and very often does, confirm and corroborate that which is primarily from the laws of God. Sir Francis Knollys, who had this affair at heart, told the archbishop that Bancroft's assertion was contrary to the command of Christ, who condemned all superiority among the apostles. "I do not deny (says he) that bishops may have lordly authority and dignity, provided they claim it not from a higher authority than her majesty's grant. If the bishops are not under-governors to her majesty of the clergy, but superior-governors over their brethren by God's ordinance [i.e. *jure divino*], it will then follow that her majesty is not supreme governor over her clergy." The same gentleman, not relying upon his own judgment, wrote to the learned Dr. Reynolds of Oxford, for his opinion of Bancroft's doctrine, which he gave him in a letter now before me.¹¹¹

¹¹⁰ Life of Whitgift, p. 292.

¹¹¹ The letter is to this effect:

———"Though Epiphanius says, that Arius's assertion is full of folly, he does not disprove his reasons from Scripture; nay, his arguments are so weak, that even Bellarmine confesses they are not agreeable to the text. As for the general consent of the church, which, the doctor says, condemned Arius's opinion for heresy, what proof does he bring for it? It appears (he says) in Epiphanius; but I say it does not; and the contrary appears by St. Jerome, and sundry others who lived about the same time. I grant that St. Austin, in his book of heresies, ascribes this to Arius for one; that he said there ought to be no difference between a priest and a bishop, because this was to condemn the church's order, and to make a schism therein. But it is a quite different thing to say, that by the word of God there is a difference between them, and to say that it is by the order and custom of the church; which is all that St. Austin maintains. When Harding the Papist alleged these very witnesses, to prove the opinion of bishops and priests being of the same order to be heresy; our learned bishop Jewel cited to the contrary Chrysostom, Jerome, Ambrose, and St. Austin himself, and concluded his answer with these words: All these and other more holy fathers, together with the apostle Paul, for thus saying, by Harding's advice, must be held for heretics. Michael Medina, a man of great account in the council of Trent, adds to the forementioned testimonies, Theodorus,

We shall meet with this controversy again hereafter.—Whitgift said, the doctor's sermon had done much good though he himself rather wished than believed it to be true: it was new doctrine at this time. Most of the clergy who approved the superiority of the episcopal order, were against the divine right;

Primarias, Sedulius, Theophylact, with whom agree Eucumenius the Greek scholiast, Anselm archbishop of Canterbury, Gregory, and Gratian; and after them how many? It being once enrolled in the canon law for catholic doctrine, and thereupon taught by learned men.

“Besides, all that have laboured in reforming the church for five hundred years have taught, that all pastors, be they entitled bishops or priests, have equal authority and power by God's word; as first the Waldenses, next Marsilius Patavinus, then Wickliffe and his scholars, afterward Husse and the Hussites; and last of all, Luther, Calvin, Brentius, Bullinger, and Musculus. Among ourselves we have bishops, the queen's professors of divinity in our universities, and other learned men consenting herein, as Bradford, Lambert, Jewel, Pilkington, Humphreys, Fulke, &c. But what do I speak of particular persons? It is the common judgment of the reformed churches of Helvetia, Savoy, France, Scotland, Germany, Hungary, Poland, the Low Countries, and our own. I hope Dr. Bancroft will not say, that all these have approved that for sound doctrine which was condemned by the general consent of the whole church for heresy, in a most flourishing time; I hope he will acknowledge that he was overseen, when he avouched the superiority which bishops have among us over the clergy to be God's own ordinance.

“As for the doctor's saying that St. Jerome, and Calvin from him, confessed that bishops have had the same superiority ever since the time of Saint Mark the evangelist, I think him mistaken, because neither Jerome says it, nor does Calvin seem to confess it on his report; for bishops among us may do sundry other things, besides ordaining and laying on of hands, which inferior ministers or priests may not; whereas St. Jerome says, What does a bishop except ordination which a priest does not? meaning, that in his time bishops had only that power above priests; which Chrysostom also witnesses in Homily 11. on 1 Timothy. Nor had they this privilege alone in all places, for in the council of Carthage it is said, that the priests laid their hands together with the bishops on those who were ordained. And St. Jerome having proved by Scripture, that in the apostles time bishops and priests were all one, yet granteth that afterward bishops had that peculiar to themselves somewhere, but nothing else; so that St. Jerome does not say concerning the superiority in question, that bishops have had it even since St. Mark's time.

“Nor does Calvin confess it; he says, that in old time ministers chose one out of their company in every city, to whom they gave the title of bishop; yet the bishop was not above them in honour and dignity, but, as consuls in the senate, propose matters, ask their opinions, direct others by giving advice, by admonishing, by exhorting, and so guide the whole action, and by their authority see that performed which was agreed on by common consent; the same charge had the bishop in the assembly of ministers; and having showed from St. Jerome, that this was brought in by consent of men, he adds, that it was an ancient order of the church even from St. Mark; from whence it is apparent, that the order of the church he mentions, has relation to that above described, in which he affirms, ‘that the bishop was not so above the rest in honour as to have rule over them.’ It follows therefore, that Calvin does not so much as seem to confess of St. Jerome's report, that ever since St. Mark's time bishops have had a ruling superiority over the clergy.”

but the bishops in the next age revived the debate, and carried their pretensions so high, as to subvert the very foundations upon which they built

The queen having suffered Mary queen of Scots to be beheaded at Fotheringay-castle, February 1587, all the Roman-catholic princes were alarmed, and threatened revenge; among others, the Spaniards hasted their invincible armada, to reduce England to the Catholic faith, which had been three years preparing at a prodigious expense: the fleet was well manned, and furnished with strange instruments of torture for the English heretics. They came through the channel like so many floating castles, being to take in a land army from the Low Countries; but partly by storms, and partly by the valour and wise conduct of the queen's admirals and sea captains, the whole fleet was burnt and destroyed, so that not a Spaniard set foot upon English ground; nor was there a ship left entire to carry the news back to Spain. The queen ordered the coasts to be well guarded, and raised a land army, which she animated by appearing at the head of them. A terror was spread through the whole nation by reports of the engines of cruelty that were aboard the fleet; their barbarous usage of the poor Protestants in the Low Countries under the duke D'Alva was remembered, as well as their bloody massacres of the poor Indians in America; but the storm blew over; and by the blessing of God upon the queen's arms the nation was soon restored to its former tranquillity.

The following winter the queen summoned a parliament to meet [February 4th, 1588] in order to defray the extraordinary expenses of the year, and make some new laws against the Papists. The Puritans having expressed their zeal for the queen and the Protestant religion, by listing in her army and navy, thought it advisable once more to address the houses for some favour in point of subscription. Upon the delivery of the petition, one of the members stood up and moved, that an inquiry might be made how far the bishops had exceeded the laws in the prosecution of her majesty's Protestant subjects. Another moved for reviving the bill against pluralities and nonresidents, which was brought in, and having passed the commons was sent up to the lords.—This alarmed the convocation, who addressed the queen to protect the church; and having flattered her with the title of a goddess, "O dea certe!" they tell her, "that the passing of the bill will be attended with the decay of learning, and the spoiling of their livings; that it will take away the set forms of prayer in the church, and bring in confusion and barbarism. They put her in mind, how dangerous innovations are in a settled state; and add, that all the reformed churches in Europe cannot compare with England, in the number of learned ministers. We therefore (say they), not as directors, but as humble remembrancers, beseech your highness's favourable beholding, of our present state, and not to suffer the

bill against pluralities to pass.”¹¹² Hereupon the queen forbade the house of lords to proceed, and sent for those members of the house of commons into custody who had dared to break through her orders, of not meddling with affairs of religion without her special allowance; which put an end to all expectations of relief for the present.

This year died the reverend and learned Mr. Thomas Sampson, of whom mention has been made already; he was born about the year 1517, and educated at Oxford; he afterward studied at the Temple, and was a means of converting the famous martyr John Bradford to the Protestant religion; he took orders from archbishop Cranmer and Ridley in the year 1549 (who dispensed with the habits at his request), and became rector of Allhallows, Bread-street: he was a famous preacher in the reign of king Edward; but upon the accession of queen Mary he fled to Strasburgh,¹¹³ and was highly esteemed by the learned Tremelius. When queen Elizabeth came to the crown she offered him the bishopric of Norwich, which he refused for no other reason, but because he could not conform to the habits and ceremonies. In the year 1561, he was installed dean of Christ-church, Oxon; but soon after, in the year 1564, was deprived by sentence of archbishop Parker for nonconformity. He afterward contented himself with the mastership of an hospital in Leicester, where he spent the remainder of his days in peace. He was seized with the dead palsy on one side many years before he died; but continued preaching and writing to the last, and was in high esteem over all England for his learning, piety, and zeal for the Protestant religion. He died at his hospital with great tranquillity and comfort in his nonconformity, the latter end of March or the beginning of April 1588-9, in the seventy-second year of his age.¹¹⁴

Soon after him died the very learned Dr. Lawrence Humphreys, a great friend and companion of Sampson's; he was born at Newport-Pagnel in Buckinghamshire, and educated in Magdalen-college, Oxon, of which he was perpetual fellow. In the reign of queen Mary he obtained leave to travel, and continued at Zurich till queen Elizabeth's accession, when he was made queen's professor in divinity; he was afterward president of Magdalen-college, and dean of Gloucester, which was the highest preferment he could obtain, because he was a Nonconformist from the ceremonies of the church. The Oxford historian says, he was a moderate and conscientious Nonconformist, and stocked his college with a generation of that sort of men

¹¹² Life of Whitgift, p. 280.

¹¹³ The particular cause of his leaving the kingdom was a discovery, that he was concerned with Richard, a zealous Protestant, in collecting money in the city of London, for the use of poor scholars in the universities who had imbibed the reformed doctrines. British Biography, vol. 3. p. 20. the note.—ED.

¹¹⁴ Wood's Ath. Ox. vol. 1. p. 192.

that could not be rooted out in many years: he was certainly a strict Calvinist, and a bitter enemy of the Papists; he was a great and general scholar, an able linguist, and a deeper divine than most of his age: he published many learned works, and at length died in his college, in the sixty-third year of his age, 1589, having had the honour to see many of his pupils bishops, while he who was every way their superior was denied preferment for his Puritanical principles.¹¹⁵

To these we may had the venerable Edwin Sandys, archbishop of York, an excellent and frequent preacher in his younger days, and an exile for religion in queen Mary's reign. He was afterward successively bishop of Worcester, London, and York, and a zealous defender of the laws against Nonconformists of all sorts; when arguments failed he would earnestly implore the secular arm; though he had no great opinion either of the discipline or ceremonies of the church, as appears by his last will and testament, in which are these remarkable expressions: "I am persuaded that the rites and ceremonies by political institution appointed in the church, are not ungodly nor unlawful, but may for order and obedience's sake be used by a good Christian—but I am now, and ever have been, persuaded, that some of these rites and ceremonies are not expedient for this church now; but that in the church reformed, and in all this time of the gospel, they may better be disused by little and little, than more and more urged."¹¹⁶ Such a testimony, from the dying lips of one who had been a severe persecutor¹¹⁷ of honest men, for things which he always thought had better be disused than urged, deserves to be remembered. He died¹¹⁸ in the month of July, 1588, in the sixty-ninth year of his age, and was buried in the collegiate church of Southwell, where there is a monument erected to his memory, with his own effigies on the top, and a great number of his children kneeling round the sides of it.

¹¹⁵ Strype's Ann. vol. 1. p. 472. vol. 2. p. 451.

¹¹⁶ Life of Wliitgift, p. 287.

¹¹⁷ Life of Parker, p. 428. 438. Pierce's Vindic. p. 89.

¹¹⁸ Bishop Sandys was one of the translators of the Bible in this reign, and the author of a volume of sermons esteemed superior to any of his contemporaries. The words of his last will, quoted above, agree with his former declaration to bishop Parker, produced by our author, p. 160. But his treatment of the Puritans was a contradiction to both; and is one proof amongst the several instances furnished by these times, of the influence of preferment and prosperity in corrupting the human mind, or blinding the judgment. For, in the same will, he entered his serious protest against the platforms offered by the Puritans. See Maddox's Vindication, p. 352.—ED.