

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.

BY. DANIEL NEAL, M.A.

A NEW EDITION, IN THREE VOLUMES.

REPRINTED FROM

THE TEXT OF DR. TOULMIN'S EDITION;

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

REVISED, CORRECTED, AND ENLARGED.

VOL. I.

LONDON:

PRINTED FOR THOMAS TEGG AND SON, 73, CHEAPSIDE ;

R. GRIFFIN AND CO., GLASGOW; T. T. AND H. TEGG, DUBLIN;

ALSO J. AND S. A. TEGG, SYDNEY AND HOBART TOWN.

1837.

# HISTORY OF THE PURITANS.

---

## PART II.

### CHAPTER VII.

*KING CHARLES I. 1640.*

THE CHARACTER OF THE LONG PARLIAMENT. THEIR ARGUMENTS AGAINST THE LATE CONVOCATION AND CANONS. THE IMPEACHMENT OF DR. WILLIAM LAUD, ARCHBISHOP OF CANTERBURY. VOTES OF THE HOUSE OF COMMONS AGAINST THE PROMOTERS OF THE LATE INNOVATIONS.

WE are now entering upon the proceedings of the long parliament, which continued sitting with some little intermission for above eighteen years, and occasioned such prodigious revolutions in church and state, as were the surprise and wonder of all Europe. The house of commons have been severely censured for the ill success of their endeavours to recover and secure the constitution of their country; but the attempt was glorious, though a train of unforeseen accidents rendered it fatal in the event. The members consisted chiefly of country gentlemen, who had no attachment to the court: for, as Whitelocke observes, “Though the court laboured to bring in their friends, yet those who had most favour with them, had least in the country; and it was not a little strange to see what a spirit of opposition to the court-proceedings was in the hearts and actions of the most of the people, so that very few of that party had the favour of being chosen members of this parliament.”<sup>1</sup> Mr. Echard insinuates some unfair methods of election, which might be true on both sides; but both he and lord Clarendon admit, that there were many great and worthy patriots in the house, and as eminent as any age had ever produced; men of gravity, of wisdom, And of great and plentiful fortunes, who would have been satisfied with some few amendments in church and state.

Before the opening of the session the principal members consulted measures for securing the frequency of parliaments; for redressing of grievances in church and state; and for bringing the king’s arbitrary ministers to justice; to accomplish which it was thought necessary to set some bounds to the prerogative, and to lessen the power of the bishops; but it never entered into their thoughts to overturn the civil or ecclesiastical constitution, as will appear from the concurrent testimony of the most unexceptionable historians.

---

<sup>1</sup> Memorials, p. 35.

“As to their religion (says the noble historian<sup>2</sup>), they were all members of the established church, and almost to a man for episcopal government. Though they were undevoted enough to the court, they had all imaginable duty for the king, and affection for the government established by law, or ancient custom; and without doubt the majority of that body were persons of gravity and wisdom, who being possessed of great and plentiful fortunes, had no mind to break the peace of the kingdom, or to make any considerable alterations in the government of the church or state.” Dr. Lewis Du Moulin, who lived through these times, says, “that both lords and commons were most, if not all, peaceable, orthodox church of England men, all conforming to the rites and ceremonies of episcopacy, but greatly averse to Popery and tyranny, and to the corrupt part of the church that inclined towards Rome.” This is farther evident from their order of November 20, 1640, that none should sit in their house but such as would receive the communion according to the usage of the church of England. The commons, in their grand remonstrance of December 1, 1641, declared to the world, “that it was far from their purpose to let loose the golden reins of discipline and government in the church, to leave private persons, or particular congregations, to take up what form of divine service they pleased; for we hold it requisite (say they) that there should be throughout the whole realm a conformity to that order which the law enjoins according to the word of God.” The noble historian adds farther, “that even after the battle of Edgehill the design against the church was not grown popular in the house; that in the years 1642 and 1643, the lords and commons were in perfect conformity to the church of England, and so was their army, the general and officers both by sea and land being neither Presbyterians, Independents, Anabaptists, nor conventiclors; and that when they cast their eyes upon Scotland, there were in truth very few in the two houses who desired the extirpation of episcopacy. Nay, his lordship is of opinion, that the nation in general was less inclined to the Puritans than to the Papists; at least, that they were for the establishment, for when the king went to Scotland [1641], the common prayer was much revered throughout the kingdom, and was a general object of veneration with the people.—There was a full submission and love to the established government of the church and state, especially to that part of the church which concerned the liturgy and Book of Common Prayer;” which, though it be hardly credible, as will appear hereafter by the numbers of petitions from several counties against the hierarchy, yet may serve to silence those of his lordship’s admirers, who through ignorance and ill-will have represented the long parliament, and the

---

<sup>2</sup> Clarendon, vol. 1. p. 184, &c.

body of the Puritans at their first sitting down, as in a plot against the whole ecclesiastical establishment.

If we may believe his lordship's character of the leading members of both houses, even of those who were most active in the war against the king, we shall find even they were true churchmen according to law; and that they had no designs against episcopacy, nor any inclinations to presbytery or the separation.

The earl of Essex was captain-general and commander in chief of the parliament army, and so great was his reputation that his very name commanded thousands into their service. It had been impossible for the parliament to have raised an army, in lord Clarendon's opinion, if the earl of Essex had not consented to be their general; and "yet this nobleman (says he<sup>3</sup>) was not indevoted to the function of bishops, but was as much devoted as any man to the Book of Common Prayer, and obliged all his servants to be present with him at it; his household chaplain being always a conformable man, and a good scholar."

The earl of Bedford was general of the horse under the earl of Essex, but "he had no desire that there should be any alteration in the government of the church; he had always lived towards my lord of Canterbury himself, with all respect and reverence; he frequently visited and dined with him, subscribed liberally to the repairing of St. Paul's, and seconded all pious undertakings."

Lord Kimbolton, afterward earl of Manchester, was a man of great generosity and good breeding; and no man was more in the confidence of the discontented party, or more trusted; he was commander of part of the parliament-forces, and rather complied with the changes of the times than otherwise; he had a considerable share in the restoration of king Charles II. and was in high favour with him till his death.

The earl of Warwick was admiral of the parliament-fleet; he was the person who seized on the king's ships, and employed them against him during the whole course of the war; he was looked upon as the greatest patron of the Puritans, and "yet this nobleman (says lord Clarendon) never discovered any aversion to episcopacy, but much professed the contrary."

In truth, says the noble historian, when the bill was brought into the house to deprive the bishops of their votes in parliament, there were only at that time taken notice of in the house of peers, the lords Say and Brook, as positive enemies to the whole fabric of the church, and to desire a dissolution of the government.

---

<sup>3</sup> Clarendon, vol. 1. p. 182. 185. 189. 211, 212. 233. 507; and vol. 2. p. 211, 212. 214. 462. 597, &c.

Amongst the leading members in the house of commons, we may reckon William Lenthall, esq. their speaker, “who was of no ill reputation for his affection to the government both of church and state,” says his lordship, and declared on his death-bed after the Restoration, that he had always esteemed episcopal government to be the best government of the church, and accordingly died a dutiful son of the church of England.

Mr. Pym had the leading influence in the house of commons, and was in truth the most popular man and most able to do hurt of any who lived in his time; and yet, lord Clarendon says, “though he was an enemy to the Arminians, he professed to be very entirely for the doctrine and discipline of the church of England, and was never thought to be for violent measures, till the king came to the house of commons, and attempted to seize him amongst the five members.”

Denzil Hollis, esq. after the Restoration promoted to the dignity of a baron, was at the head of all the parliament’s councils till the year 1647. “He had an indignation (says lord Clarendon) against the Independents, nor was he affected to the Presbyterians, any otherwise than as they constituted a party to oppose the others, but was well pleased with the government of the church.”

Sir H. Vane the elder did the king’s affairs an unspeakable prejudice, and yet “in his judgment he liked the government both of church and state; nay, he not only appeared highly conformable himself but exceeding sharp against those that were not.”

Sir John Hotham was the gentleman who shut the gates of Hull against the king; and in a sally that he made upon the king’s forces shed the first blood that was spilt in the civil war, and was the first his majesty proclaimed a traitor; and yet his lordship declares, “he was very well affected to the government.”

His lordship is a little more dubious about the famous Mr. Hampden, but says, that most people believed “his dislike was rather to some churchmen, than to the ecclesiastical government of the church.”

I might mention Mr. Whitelocke, Selden, Langhorne, and others, who are represented without the least inclination to presbytery; but it is sufficient to observe from his lordship, “that all the earl of Essex’s party in both houses were men of such principles, that they desired no alteration in the court or government, but only of the persons that acted in it; nay, the chief officers of his army were so zealous for the liturgy, that they would not hear a man as a minister that had not episcopal ordination.”

Nathaniel Fiennes, esq. sir H. Vane, jun. and shortly after Mr. Hampden, were believed to be for root and branch; yet, says his lordship, Mr. Pym was not of that mind, nor Mr. Hollis, nor any of the northern men, nor any of those lawyers who drove on most furiously with them; all of whom

were well pleased with the government of the church; for though it was in the hearts of some few to remove foundations, they had not the courage and confidence to communicate it.”

This was the present temper and constitution of both houses; from which his lordship justly concludes, that “as they were all of them, almost to a man, conformists to the church of England, they had all imaginable duty for the king and affection for the government established by law; and as for the church, the major part even of these persons would have been willing to satisfy the king; the rather, because they had no reason to think the two houses, or indeed either of them, could have been induced to pursue the contrary.” How injurious then are the characters of those church historians, and others, who have represented the members of this parliament, even at their first session, as men of the new religion, or of no religion, fanatics, men deeply engaged in a design against the whole constitution in church and state!

The parliament was opened November 3, with a most gracious speech from the throne, wherein his majesty declares, he would concur with them in satisfying their just grievances, leaving it with them where to begin. Only some offence was taken at styling the Scots, rebels, at a time when there was a pacification subsisting; upon which his majesty came to the house, and instead of softening his language, very imprudently avowed the expression, saying, he could call them neither better nor worse. The houses petitioned his majesty to appoint a fast for a divine blessing upon their counsels, which was observed November 17; the reverend Mr. Marshal and Mr. Burges preached before the commons; the former on 2 Chron. xv. 2, “The Lord is with you, while you are with him; if you seek him he will be found of you, but if you forsake him he will forsake you.” The latter on Jer. 1. 5, “They shall ask the way to Zion with their faces thitherward, saying, Come, and let us join ourselves to the Lord in a perpetual covenant that shall not be forgotten.” The sermons were long, but delivered with a great deal of caution: the house gave them thanks, and a piece of plate for their labours. The bishops of Durham and Carlisle preached before the lords in the abbey-church of Westminster; the one a courtier, and the other a favourer of the Puritans. The Lord’s day following, all the members in a body received the sacrament from the hands of bishop Williams dean of Westminster, not at the rails about the altar, but at a communion-table, placed, by order of the house, in the middle of the church on that occasion.

At their first entrance upon business they appointed four grand committees; the first to receive petitions about grievances of religion, which was afterward subdivided into twenty or thirty; the second for the affairs of Scotland and Ireland; the third for civil grievances, as ship-money, judges, courts of justice, monopolies, &c.; the fourth concerning Popery, and plots

relating thereunto. Among the grievances of religion, one of the first things that came before the house was, the acts and canons of the late convocation: several warm speeches were made against the compilers of them, November 9; and among others lord Digby, who was as yet with the country party, stood up and said, "Does not every parliament-man's heart rise, to see the prelates usurping to themselves the grand pre-eminence of parliament? the granting subsidies under the name of a benevolence, under no less a penalty to them that refuse it, than the loss of heaven and earth; of heaven by excommunication, and of earth by deprivation, and this without redemption by appeal? What good man can think with patience, of such an ensnaring oath, as that which the new canons enjoin to be taken, by ministers, lawyers, physicians, and graduates in the university, where, besides the swearing such an impertinence, as that things necessary to salvation are contained in discipline; besides the swearing those to be of divine right, which among the learned was never pretended to, as the arch things in our hierarchy; besides the swearing not to consent to the change of that, which the state may, upon great reasons, think fit to alter; besides the bottomless perjury of an *et cætera*; besides all this, men must swear that they swear freely and voluntarily, what they are compelled to; and lastly, that they swear to the oath in the literal sense, whereof no two of the makers themselves, that I have heard of, could ever agree in the understanding."<sup>4</sup>

Sir B. Rudyard, sir J. Culpeper, sir Edward Deering, sir Harbottle Grimstone, spoke with the same warmth and satirical wit, for discharging the canons, dismounting them, and melting them down; nor did any gentleman stand up in their behalf but Mr. Holbourn, who is said to make a speech of two hours in their vindication; but his arguments made no impression on the house, for at the close of the debate a committee of twelve gentlemen, among whom were Mr. Selden, Maynard, and Coke, was appointed to search for the warrants by which the convocation was held, after

---

<sup>4</sup> Dr. Grey contrasts this speech of lord Digby's, as far as it censures the convocation for taxing the clergy, with some reflections on it from Collyer; who asserts, that the clergy had always the privilege of taxing their own body; that from magna charta to the 37th of Henry VIII. there is no parliamentary confirmation of subsidies given by the clergy; and that in 1585 there is an instance of the convocation granting and levying a subsidy or benevolence by synodical authority. The credit of Mr. Neal's History, in this point, is no farther concerned than as he faithfully represents lord Digby's speech. This Dr. Grey does not dispute. Yet it may be proper to observe, that a great lawyer says, "that the grants of the clergy were illegal, and not binding, unless they were confirmed in parliament:" and that lord Clarendon, speaking of this convocation giving subsidies out of parliament, censures it as doing that "which it certainly might not do." The last subsidies granted by the clergy were those confirmed by the statute 15 Car. I. cap. 10. Since which this practice of granting ecclesiastical subsidies has given way to another method of taxation, comprehending the clergy as well as the laity; and in recompence for it, the beneficed clergy are allowed to vote for knights of the shire. Collyer's Eccles. History, vol. 2. p. 795. Blackstone's Commentaries, vol. 1. p. 311. 8vo, 1778; and lord Clarendon's Hist. vol. 1. p. 148.—ED.

the parliament broke up, and for the letters patent of the benevolence, and for such other materials as might assist the house in their next debate upon this argument, which was appointed for December 14, when some of the members would have aggravated the crime of the convocation to high treason, but Serjeant Maynard and Mr. Bagshaw moderated their resentments, by convincing them that they were only in a premunire. At the close of the debate the house came to the following resolutions:

Resolved *nem. contradicente*, “That the clergy of England convened in any convocation or synod, or otherwise, have no power to make any constitutions, canons, or acts, whatsoever, in matters of doctrine, discipline, or otherwise, to bind the clergy or laity of the land, without consent of parliament.

Resolved, “That the several constitutions and canons ecclesiastical, treated upon by the archbishops of Canterbury and York, presidents of the convocations for their respective provinces, and the rest of the bishops and clergy of those provinces, and agreed upon with the king’s majesty’s licence, in their several synods begun at London and York 1640, do not bind the clergy or laity of the land, or either of them.

Resolved, “That the several constitutions and canons made and agreed to in the convocations or synods above mentioned, do contain in them many matters contrary to the king’s prerogative, to the fundamental laws and statutes of this realm, to the rights of parliament, to the property and liberty of the subject, and matters tending to sedition, and of dangerous consequence.

Resolved, “That the several grants of benevolences or contributions, granted to his most excellent majesty by the clergy of the provinces of Canterbury and York, in the several convocations or synods holden at London and York in the year 1640, are contrary to the laws, and ought not to bind the clergy.”

If the first of these resolutions be agreeable to law, I apprehend there were then no canons subsisting, for those of 1603 were not brought into parliament, but, being made in a parliamentary convocation, were ratified by the king under the great seal, and so became binding on the clergy, according to the statute of the 25th of king Henry VIII. In the Saxon times all ecclesiastical laws and constitutions were confirmed by the peers, and by the representatives of the people;<sup>5</sup> but those great councils, to which our

---

<sup>5</sup> This Dr. Grey controverts, and says, “I should be glad to know what authority he has for this assertion.” It is not for the editor to give the authority, when Mr. Neal has not himself referred to it; but he can supply the want of it by an authority, which, if Dr. Grey were living, would command his respect: viz. that of Dr. Burn, who tells us, that “even in the Saxon times, if the subject of any laws was for the outward peace and temporal government of the church, such laws were properly ordained by the king and his great council of clergy and laity intermixed, as our acts of parliament are still made. But if there was any



parliaments succeed, being made up of laics and ecclesiastics, were afterward separated, and then the clergy did their business by themselves, and enacted laws without confirmation of king or parliament, during the reign of Popery, till the act of the submission of the clergy to king Henry VIII, so that the claim of making canons without the sanction of parliament, seemed to stand upon no other foundation than the usurped power of the pope: nor did the parliaments of those times yield up their right; for in the 51st of Edward III. the commons passed a bill, that no act or ordinance should be made for the future upon the petition of the clergy, without the consent of the commons; “and that the said commons should not be bound for the future by any constitutions of the clergy, to which they had not given their consent in parliament.” But the bill being dropped, things went on upon the former footing till the reign of king Henry VIII.,<sup>6</sup> when the pope’s usurped power being abolished, both parliament and clergy agreed, by the act of submission, that no canons should be binding without the royal assent; and that the clergy in convocation should not so much as consult about any without the king’s special licence. But serjeant Maynard delivered it as his opinion in the house, that it did not follow, that because the clergy might not make canons without the king’s licence, that therefore they might make them and bind them on the clergy by his licence alone; for this were to take away the ancient rights of parliament before the pope’s usurpation, which they never yielded up nor does the act of submission of the clergy take away. Upon this reasoning the commons voted their first resolution, the strength of which I leave to the reader’s consideration.

The arguments upon which the other resolutions are founded will be laid together, after we have related the proceedings of the convocation.

The convocation was opened November 4, 1640. Dr. Bargrave, dean of Canterbury, preached the sermon, and Dr. Steward, dean of Chichester, was chosen prolocutor, and presented to the archbishop’s acceptance in king

---

doctrine to be tried, or any exercise of pure discipline to be reformed, then the clergy of the great council departed into a separate synod, and there acted as the proper judges. Only when they had thus provided for the state of religion, they brought their canons from the synod to the great council, to be ratified by the king, with the advice of his great men, and so made the constitutions of the church to be laws of the realm. And the Norman revolution made no change in this respect.” This author farther says, that the convocation-tax did always pass both houses of parliament; since it could not bind as a law, till it had the consent of the legislature.” Judge Foster, in his examination of Bishop Gibson’s codex, appeals to the laws of Ethelbert and Withred, kings of Kent, and of Ina of Wessex; to the laws of Alfred, Edward the elder, Athelstan, Edmund, Edgar, and Canute, as proofs that the ecclesiastical and civil concerns of the kingdom were not, in the times of the Saxons, under the care of two separate legislatures, and subject to different administrations; but blended together, and directed by one and the same legislature, the great councils, or in modern style, the parliaments, of the respective kingdoms during the heptarchy, and of the united kingdom afterward. Burn’s Ecclesiastical Law, vol. 2. p. 22. 26. 8vo. An Examination of the Scheme of Church Power laid down in the Codex, p. 120, &c.—ED.

<sup>6</sup> Fuller’s Appeal, p. 42.

Henry VII.'s chapel, when his grace made a pathetic speech, lamenting the danger of the church, and exhorting every one present to perform the duty of their places with resolution, and not to be wanting to themselves or the cause of religion; but nothing of moment was transacted, there being no commission from the king; only Mr. Warmistre, one of the clerks for the diocese of Worcester, being convinced of the invalidity of the late canons, moved the house that they might cover the pit which they had opened, and prevent a parliamentary inquisition, by petitioning the king for leave to review them; but his motion was rejected, the house being of opinion that the canons were justifiable; nor would they appear so mean as to condemn themselves before they were accused. Mr. Warmistre suffered in the opinion of his brethren within doors for his cowardly speech; and was reproached from without as an enemy to the church, and a turncoat, because he had subscribed those articles which now he condemned. This obliged him to publish his speech to the world, wherein, after having declared his satisfaction in the doctrine, discipline, and government, of the church of England, as far as it is established by law, he goes on to wish there had been no private innovations introduced; for though he approves of an outward reverence in the worship of God, he is against directing it to altars and images. He apprehends it reasonable, that such innocent ceremonies as have a proper tendency to decency and order should be retained, but wishes the removal of crosses and images out of churches, as scandalous and superstitious, having an apparent tendency towards idolatry; and that there might be no lighted candles in the day-time; he then gives his reasons against the oath in the sixth canon, and concludes with these words: "If my subscription be urged against what I have said, I was persuaded it was the practice of synods and councils, that the whole body should subscribe to those acts which are passed by the major part as synodical acts, notwithstanding their private dissent; if my subscription implied any more, I do so far recant and condemn it in myself, and desire pardon both of God and the church, resolving by God's grace to be more cautious hereafter." Mr. Warmistre's behaviour showed him to be a wise and discreet clergyman; and his being sequestered from his livings some time after, for not submitting to the parliament, shows him to have been a man of principle, not to be moved from his integrity by the resentments of his friends, or the flatteries of his enemies. And though the convocation was so sanguine at their first coming together, as to despise Mr. Warmistre's motion, yet when they saw the vigorous resolutions of the house of commons against the canons, and the articles of impeachment against the metropolitan for high treason, one of which was for compiling the late canons, they were dispirited, and in a few weeks deserted their stations in the convocation-house; the bishops al-

so discontinued their meetings, and in a few weeks both houses dwindled to nothing, and broke up without either adjournment or prorogation.

To return to the parliament. It was argued against the late convocation, that they were no legal assembly after the dissolution of the parliament; that his majesty had no more power to continue them than to recall his parliament;<sup>7</sup> nor could he by

his letters patent convert them into a national or provincial synod, because the right of their election ceasing at the expiration of the convocation, they ought to have been rechosen before they could act in the name of the clergy whom they represented, or bind them by their decrees. It is contrary to all law and reason in the world, that a number of men met together in a convocation, upon a summons limited to a certain time, should after the expiration of that time, by a new commission, be changed into a national or provincial synod, without the voice or election of any one person concerned. The commons were therefore at a loss by what name to call this extraordinary assembly, being in their opinion neither convocation nor synod, because no representative body of the clergy. The words convocation and synod are convertible terms, signifying the same thing, and it is essential to both that they be chosen by (if they are to make constitutions and canons to bind) the clergy. Some indeed have thought of a small distinction, as that a convocation must begin and end with the parliament, whereas a synod may be called by the king out of parliament, but then such an assembly cannot give subsidies for their brethren, nor make laws by which they will be bound.

The objections to the particular canons were these:

1. Against the first canon it was argued, that the compilers of it had invaded the rights and prerogatives of parliament, by pretending to settle and declare the extent of the king's power, and the subjects' obedience.

---

<sup>7</sup> Archbishop Laud, to exculpate himself from blame in this matter, declared, that "this sitting of the convocation was not by his advice or desire; but that he humbly desired a writ to dissolve it." It was set up in defence of this measure (and the argument has since been adopted by Dr. Warner), that the parliament and convocation being separate bodies, and convened by different writs, the dissolution of the former does not necessarily infer the dissolution of the latter, which could not rise till discharged by another writ. Dr. Burn has advanced this reason into a general principle, but on no other authority than that of Dr. Warner in this case. The lord-keeper, the judges, and king's council, assured the king, that the clergy might legally continue their sitting. But much allowance is to be made for the influence under which the opinion of court-lawyers is given; as in the case of shipmoney. Mr. Neal's reasoning on this point, carries great weight with it. Lord Clarendon speaks of the continued sitting of the convocation as rather unprecedented; for he says, that this assembling of the clergy customarily began and end-ed with parliaments. It was evidently impolitic, in such a conjuncture of time, to deviate from the custom, and to stretch the prerogative. Dr. Grey's Examination in loc. Nalson's Collections, vol. 1. p. 365. Warner's Eccles. Hist. vol. 2. p. 535. Burn's Eccles. Law, vol. 2. p. 27; and Lord Clarendon's Hist. vol. 1. p. 148.—ED.

By declaring the sacred order of kings to be of divine right, founded in the prime laws of nature and revelation, by which they condemned all other governments.

By affirming that the king had an absolute power over all his subjects, and a right to the subsidies and aids of his people without consent of parliament.

By affirming that subjects may not bear arms against their king, either offensive or defensive, upon any pretence whatsoever, upon pain of receiving to themselves damnation.

By taking upon themselves to define some things to be treason not included in the statute of treasons.

And lastly, by inflicting a penalty on such of the king's subjects as shall dare to disobey them, in not reading and publishing the above-mentioned particulars; in all which cases it was averred that they had "invaded the rights of parliament, destroyed the liberty of the subject, and subverted the very fundamental laws and constitutions of England."

2. It was objected against the second canon, that they had assumed the legislative power, in appointing a new holy day contrary to the statute, which says, that there shall be such and such holy days and no more.

4. It was objected against the fourth canon, that whereas the determination of heresy is expressly reserved to parliament, the convocation had declared that to be heresy which the law takes no notice of; and had condemned Socinianism in general, without declaring what was included under that denomination, so that after all it was left in their own breasts, whom they would condemn and censure under that character.

6. It was objected against the sixth canon, that it imposed a new oath upon the subject, which is a power equal if not superior to the making a new law.<sup>8</sup> It was argued likewise against the oath itself, that in some parts it was very ambiguous and doubtful, and in others directly false and illegal.

We are to swear in the oath, that "we approve the doctrine, discipline, of government, established in the church of England," and yet we are not told wherein that doctrine and discipline are contained; whether by the doctrine of the church we are to understand only the thirty-nine articles, or likewise the homilies and church-catechism; and by the discipline, only the book of canons, or likewise all other ecclesiastical orders, not repealed by statute; for it is observable that the words of the oath are, "as it is estab-

---

<sup>8</sup> The archbishop, in reply to this objection, referred to various canons, made in king James's time, and appointing different oaths, merely by the authority of convocation, viz. canons 40, 118, 103, and 127, as precedents, which had never been declared illegal, nor the makers of them censured by parliaments; and which justified, therefore, the power assumed by this convocation. His lordship in urging, and Dr. Grey in repeating, this defence, did not perceive, that it is a bad and insufficient plea for doing wrong, that others had escaped the censure and punishment due to illegal conduct. Grey's Examination *in loc.*—Ed.

lished,” and not, as it is established *by law*. And the ambiguity is further increased by that remarkable *et cætera*, inserted in the body of the oath; for whereas oaths ought to be explicit, and the sense of the words as clear and determined as possible, we are here to swear to we know not what, to something that is not expressed; by which means we are left to the arbitrary interpretation of the judge, and may be involved in the guilt of perjury before we are aware.

But besides the ambiguity of the oath, it contains some things false and illegal; for it affirms the government of the church by archbishops, bishops, deans, and archdeacons, to be of divine right; for after we have sworn to the hierarchy as established by the law of the land, we are to swear further, that “by right it ought so to stand:” which words are a mere tautology, or else must infer some further right than that which is included in the legal establishment, which can be no other than a divine right. Now, though it should be allowed, that the government of the church by bishops is of divine right, yet certainly archbishops, deans, and archdeacons, can have no pretence to that claim.

Besides, to swear, “never to give our consent to alter the government of this church by archbishops, bishops, &c. as it stands now established,” is directly contrary to the oath of supremacy, for in that oath we are sworn to assist his majesty in the exercise of his ecclesiastical jurisdiction or government, by his commission under the great seal, directed to such persons as he shall think meet; so that if his majesty should think fit at any time to commission other persons to exercise ecclesiastical jurisdiction than at present, we are sworn by the oath of supremacy, not only to consent, but to aid and assist him in it; whereas in this new oath we swear, never to consent to any such alteration.

Nothing is more evident, than that the discipline of the church is alterable; the church itself laments the want of godly discipline; and many of the clergy and laity wish and desire an amendment; it is therefore very unreasonable, that all who take degrees in the universities, many of whom may be members of parliament, shall be sworn beforehand, “never to consent to any alteration,” And though it is known to all the world that many of the conforming clergy are dissatisfied with some branches of the present establishment, yet they are to swear that they take this oath “heartily and willingly,” though they are compelled to it under the penalties of suspension and deprivation. Some objections were made to the seventh and other canons, but these were the chief.

Archbishop Laud, in his answer to the impeachment of the house of commons against himself, boldly undertakes to refute all these objections, and to justify the whole, and every branch of the canons; his words are these: “I hope I am able to make it good in any learned assembly in Chris-

tendom, that this oath, and all those canons (then made, and here before recited), and every branch in them, are just and orthodox, and moderate, and most necessary for the present condition of the church of England, how unwelcome soever to the present distempers.”<sup>9</sup> Lord Clarendon expresses himself modestly on the other side; he doubts, whether the convocation was a legal assembly after the dissolution of the parliament, and is very sure, that their proceedings are not to be justified. “The convocation-house (says he), which is the regular and legal assembling of the clergy, was, after the determination of the parliament, continued by a new writ under the proper title of a synod; made canons, which it was thought it might do; and gave subsidies out of parliament, and enjoined oaths, which certainly it might not do; in a word, did many things which in the best of times might have been questioned, and therefore were sure to be condemned in the worst.” The parliament that sat after the Restoration was of the same mind with his lordship, forasmuch as these canons were excepted out of the act of 13 Car. II. cap. 12, and declared of no validity. Mr. Echard is of opinion, that the synod that framed these canons was not a legal representative of the clergy after the dissolution of the two houses. But bishop Kennet, in his complete history, says, that these public censures of the canons were grounded upon prejudice and faction; that it is hard to find any defect of legality in the making of them; and that if these canons were not binding, we have no proper canons since the Reformation; he therefore wishes them, or some others like them, revived, because “in very much of doctrine and discipline they are a good example to any future convocation; and, that we can hardly hope for unity, or any tolerable regularity, without some constitutions of the like nature.” Strange! that a dignified clergyman, who held his bishopric upon revolution principles, should wish the subversion of the constitution of his country, and declare for principles of persecution. If I might have liberty to wish, it should be, that neither we nor our posterity may ever enjoy the blessings of unity and regularity upon the footing of such canons.

Upon the same day that the house passed the above-mentioned resolutions against the canons, several warm speeches were made against the archbishop of Canterbury, as the chief author of them; and a committee was appointed to inquire more particularly, how far his grace had been concerned in the proceedings of the convocation, and in the treasonable design

---

<sup>9</sup> Dr. Grey asks here, “Where does the archbishop say this? Our historian quotes no authority; and as he is often faulty when he quotes chapter and verse, so without it I am unwilling wholly to depend upon his bare *ipse dixit*.” The editor is not able, at present, to supply here Mr. Neal’s omission; but he finds the same words of archbishop Laud quoted by Dr. Warner (who never refers to his authorities), as spoken in the house of lords. And the doctor expresses on them his belief, that as to many of the articles contained in the canons, the archbishop here undertook to do what he would have found it difficult to make good. Eccles. History, vol. 2. p. 535,—ED.

of subverting the religion and laws of his country, in order to draw up articles against him. Next day the earl of Bristol acquainted the house of lords, that the Scots commissioners had presented some papers against the archbishop of Canterbury,<sup>10</sup> which were read by the lord Paget, and then report-

---

<sup>10</sup> “Mr. Neal (says Dr. Grey) has given us all the objections of the Scots against the archbishop; and I am so old-fashioned a person, as to think, that the archbishop’s answers to their objections should likewise have been produced by an impartial historian.” He renews the same complaint against our author in his second volume, p. 173. Mr. Neal’s reason, for passing over the archbishop’s answer, appears to have been, that his grace evaded the whole charge at his trial, by pleading the act of oblivion at the pacification of the Scots troubles. But, as Dr. Grey has endeavoured to supply Mr. Neal’s deficiency, the substance of the archbishop’s defences shall be given in the following notes; and the reader will judge of their importance, and of Mr. Neal’s conduct in omitting them.—ED.

(1) His grace replies to this charge, “that he understood himself a great deal better than to enjoin where he had no power: and, perhaps he might express his majesty’s command, as dean of his chapel in England, that the service in Scotland should be kept answerable to it here as much as might be.”—ED.

(2) Here his grace pleads his majesty’s command; and his hope, that it was no crime for a bishop in England to signify to one in Scotland, the king’s pleasure concerning the service of his own chapel.—ED.

(3) The defence set up on this head by the archbishop was, the king’s command; and that the form prescribed, which was kneeling, was an article of the synod of Perth, made in a general assembly, and confirmed by act of parliament. As to the requisition itself, he pleaded, that it amounted to no more, than if his majesty should command all his judges and counsellors in England, once in the year, to receive the communion in his chapel at Whitehall.—ED.

(4) The archbishop vindicates himself, in this instance, by ample testimonies from the fathers, and by decrees of ancient councils, to prove that, in the ancient church, it was held unlawful to fast on the Lord’s day. The fact, there is no doubt, was so, and it gave the archbishop a ground of arguing with the church of Scotland on their practice: but would it justify the asperity of censure towards weaker Christians? or the exercise of authority, where every one ought to be persuaded in his own mind?—ED.

(5) His grace answers to this charge, that the warrants were not procured by him, but by a Scotchman, of good place, employed about it by the bishops: and that the high-commission court was settled, and in full execution in the church of Scotland, in 1610, before ever he appeared in public life.—ED.

(6) The archbishop absolutely denies, to the best of his memory, giving command, or direction, for taking down the galleries of St. Andrew’s: and urges, that it was very improbable, that he should issue such commands, where he had nothing, who in London, and other parts of his province, permitted the galleries of the churches to stand. As to the galleries and stone-walls in the kirks of Edinburgh, they were removed by the king’s command; not to make way for altars and adoration towards the east, but to convert the two churches into a cathedral.—ED.

(7) The term “obtruding” the archbishop thinks bold, especially as pointing at the king’s authority, whose command enjoined the book of canons on the church of Scotland, and who in this exercised no other power than that which king James challenged as belonging to him in right of his crown. His grace does not allow the imputations cast on the book of canons; and, if they did not belong to them, he pleads that it was owing to invincible ignorance and the Scotch bishops, who would not tell wherein the canons went against their laws, if they did. As to himself, it was his constant advice, in the whole business, that nothing against law should be attempted.—ED.

(1) “That the liturgy was brought in without warrant of the kirk,” if it were true, the archbishop pleads was the fault of the Scotch prelates, whom he had, on all occasions urged to do nothing, in this particular, without warrant of law; and to whom, though he approved the liturgy, and obeyed his majesty’s command in helping to order that book, he

ed to the house of commons, at a conference between the two houses. Their charge consisted of divers grievances (which had occasioned great disturbances in the kingdom of Scotland), ranged under three heads, of all which they challenged the archbishop to be the chief author upon earth.

The first branch of the charge consisted of “divers alterations in religion, imposed upon them without order, and against law, contrary to the form established in their kirk;” as, his enjoining the bishops to appear in the chapel in their whites (1), contrary to the custom of their kirk, and the archbishop’s own promise; his directing the English service to be read in the chapel twice a day (2); his ordering a list of those counsellors and senators of the college of justice, who did not communicate in the chapel, according to a form received in their kirk, to be sent up to him, in order to their being punished (3); his presumptuous censuring the practice of the kirk, in fasting sometimes on the Lord’s day, as opposite to Christianity itself (4); his obtaining warrants for the sitting of a high-commission court once a week at Edinburgh (5); and his directing the taking down of galleries and stone-walls in the kirks of Edinburgh and St. Andrew’s, to make way for altars and adoration towards the east (6).

The second branch of their charge was, “his obtruding upon them a book of canons and constitutions ecclesiastical, devised for the establishing a tyrannical power in the persons of their prelates, over the consciences, liberties, and goods, of the people (7); and for abolishing that discipline and government of their kirk, which was settled by law, and had obtained amongst them ever since the Reformation.” For proof of this they alleged that the book of canons was corrected, altered, and enlarged, by him at his pleasure, as appears by the interlineations and marginal notes in the book, written with the archbishop’s own hand: that he had added some entire new canons, and altered others, in favour of superstition and Popery; and in several instances relating to the censures of the church, had lodged an unbounded power in the prelates over the consciences of men.

The third and great innovation with which they charged the archbishop, was, “the book of common prayer, administration of the sacraments, and other parts of divine worship, brought in without warrant from their kirk, to be universally received as the only form of divine service, under the highest pains both civil and ecclesiastical (1); which book contained many Popish errors and ceremonies, repugnant to their confession of faith, constitutions of their general assemblies, and to acts of parliament.” Several of these er-

---

wholly left the manner of introducing it; because he was ignorant of the laws of Scotland.—ED.

(2) His grace contends, that they deserved these titles, but he did not procure that they should be declared such: but the proclamation fixing these names on them, went out by the common advice of the lords of the council—ED.



rors are mentioned in the article, and they declare themselves ready, when desired, to discover a great many more of the same kind; all which were imposed upon the kingdom, contrary to their earnest supplications; and upon their refusal to receive the service-book, they were, by his grace's instigation, declared rebels and traitors (2); an army was raised to subdue them, and a prayer composed and printed by his direction, to be read in all the parish-churches in England, in time of divine service, wherein they are called "traitorous subjects, having cast off all obedience to their sovereign;" and supplication is made to the Almighty, to cover their faces with shame, as enemies to God and the king. They therefore pray, that the archbishop<sup>11</sup> may be immediately removed from his majesty's presence, and that he may be brought to a trial, and receive such censure as he has deserved, according to the laws of the kingdom.

The archbishop has left behind him a particular answer to these articles, in his diary,<sup>12</sup> which is written with peculiar sharpness of style, and discovers a great opinion of his own abilities, and a contempt of his adversaries; but either from a distrust of the strength of his reply, or for some other reasons, his grace was pleased wisely to evade the whole charge at his trial, by pleading the act of oblivion (3) at the pacification of the Scots troubles.<sup>13</sup>

When the report of these articles was made to the commons, the resentments of the house against the archbishop immediately broke out into a flame; many severe speeches were made against his late conduct; and among others, one was by sir Harbottle Grimstone, speaker of that parliament, which restored king Charles II., who stood up and said, "that this great man, the archbishop of Canterbury, was the very sty of all that pestilential filth that had infested the government; that he was the only man that had advanced those, who, together with himself, had been the authors of all the miseries the nation now groaned under; that he had managed all the projects that had been set on foot for these ten years past, and had condescended so low as to deal in tobacco, by which thousands of poor people had been turned out of their trades, for which they served an apprenticeship; that he had been charged in this house, upon very strong proof, with designs to subvert the government, and alter the Protestant religion in this kingdom, as well as in Scotland; and there is scarce any grievance or com-

---

<sup>11</sup> In the original, "this great firebrand." Dr. Grey.

<sup>12</sup> In the History of his Troubles and Trial. Dr. Grey. (3) This Dr. Grey denies, and adds, "that he pleaded the king's special pardon." The doctor confounds here two different matters. The act of oblivion was pleaded by his grace, before the trial came on, to cover himself from the charge of the Scots commissioners; the king's pardon was produced when the trial was over, in bar of the ordinance passed for his execution. Mr. Neal, in which he is supported by the authority of Collyer, speaks of the former. Lord Clarendon, whom Dr. Grey quotes, expressly speaks of the latter. The reader will not deem it generous in the doctor to impeach Mr. Neal's veracity on the ground of his own mistake.—ED.

<sup>13</sup> Collyer's Eccles. Hist. vol. 1. p. 380.

plaint comes before the house, wherein he is not mentioned, like an angry wasp, leaving his sting in the bottom of everything.” He therefore moved, that the charge of the Scots commissioners might be supported by an impeachment of their own; and, that the question might now be put, whether the archbishop had been guilty of high treason? which being voted, Mr. Hollis was immediately sent up to the bar of the house of lords to impeach him in the name of all the commons of England, and to desire, that his person might be sequestered, and that in convenient time they would bring up the particulars of their charge; upon which his grace, being commanded to withdraw, stood up in his place and said, “that he was heartily sorry for the offence taken against him, but humbly desired their lordships to look upon the whole course of his life, which was such, as that he was persuaded not one man in the house of commons did believe in his heart that he was a traitor.” To which the earl of Essex replied, “that it was a high reflection upon the whole house of commons, to suppose that they would charge him with a crime which themselves did not believe.” After this his grace withdrew, and being called in again, was delivered to the usher of the black rod, to be kept in safe custody till the house of commons should deliver in their articles of impeachment.

Upon the 26th of February Mr. Pym, Mr. Hampden, and Mr. Maynard, by order of the commons, went up to the lords, and at the bar of that house presented their lordships with fourteen articles, in maintenance of their former charge of high-treason against the archbishop, which were read, his grace being present.

In the first, he is charged with endeavouring to subvert the constitution, by introducing an arbitrary power of government, without any limitation or rule of law. In the second, he is charged with procuring sermons to be preached, and other pamphlets to be printed, in which the authority of parliaments is denied, and the absolute power of the king asserted to be agreeable to the law of God. The third article charges him with interrupting the course of justice, by messages, threatenings, and promises, to the judges. The fourth, with selling justice in his own person, under colour of his ecclesiastical jurisdiction, and with advising his majesty to sell places of judicature, contrary to law. In the fifth, he is charged with the canons and oath imposed on the subject by the late convocation. In the sixth, with robbing the king of supremacy, by denying the ecclesiastical jurisdiction to be derived from the crown. In the seventh, with bringing in Popish doctrines, opinions, and ceremonies, contrary to the articles of the church, and cruelly persecuting those who opposed them. In the eighth, he is charged with promoting persons to the highest and best preferments in the church, who are corrupt in doctrine and manners. In the ninth, with employing such for his domestic chaplains, as he knew to be popishly affected, and committing

to them the licensing of books, whereby such writings have been published as have been scandalous to the Protestant religion. The tenth article charges him with sundry attempts to reconcile the church of England with the church of Rome. The eleventh, with discountenancing of preaching, and with silencing, depriving, imprisoning, and banishing, sundry godly and orthodox ministers. The twelfth, with dividing the church of England from the foreign Protestant churches. The thirteenth, with being the author of all the late disturbances between England and Scotland. And the last, with endeavouring to bereave the kingdom of the legislative power, by alienating the king's mind from his parliaments.

At the delivery of these articles Mr. Pym declared, that the commons reserved to themselves the liberty of presenting some additional articles, by which they intended to make their charge more particular and certain, as to the time and other circumstances, and prayed their lordships to put the cause into as quick a forwardness as they could.

When the archbishop had heard the articles read, he made his obeisance to the house, and said, "that it was a great and heavy charge, and that he was unworthy to live if it could be made good; however, it was yet but in generals, and generals made a great noise, but were no proof. For human frailties he could not excuse himself, but for corruption in the least degree, he feared no accuser that would speak truth. But that which went nearest him, was that he was thought false in his religion, as if he should profess with the church of England, and have his heart at Rome." He then besought their lordships that he might enlarge himself, and so made a short reply to each article, which consisted in an absolute denial of the whole. The lords voted him to the Tower; whither he was carried in Mr. Maxwell's coach through the city, on Monday, March 1. It was designed he should have passed incognito; but an apprentice in Newgate-street happening to know him raised the mob, which surrounded the coach, and followed him with huzzas and insults till he got within the Tower gate. Indeed, such was the universal hatred of all ranks and orders of men against this insolent prelate, for his cruel usage of those who had fallen into his hands in the time of his prosperity, that no man's fall in the whole kingdom was so unlamented as his. His grace being lodged in the Tower, thought it his interest to be quiet, without so much as moving the lords to be brought to a trial, or putting in his answer to the articles of impeachment, till the commons, after two or three years, exhibited their additional articles, and moved the peers to appoint a day for his trial.

Before the archbishop was confined, he had the mortification to see most of the church and state prisoners released. November 16, the bishop of Lincoln was discharged from his imprisonment in the Tower and his fine remitted. Next day being a public fast he appeared in the Abbey-church at

Westminster, and officiated as dean. When he resumed his seat in the house of lords, he behaved with more temper than either the king or the archbishop could expect; whereupon his majesty sent for him, and endeavoured to gain him over to the court, by promising to make him full satisfaction for his past sufferings; in order to which his majesty commanded all the judgments that were entered against him to be discharged, and within a twelve-month translated him to the archbishopric of York, with leave to hold his deanery of Westminster *in commendam* for three years; the bishop therefore never complained to the house of his sufferings, nor petitioned for satisfaction.

Mr. Prynne, Mr. Burton, and Dr. Bastwick, being remanded from the several islands to which they had been confined upon their humble petition to the house of commons, were met some miles out of town by great numbers of people on horseback with rosemary and bays in their hats, and escorted into the city in a sort of triumph, with loud acclamations for their deliverance; and a few weeks after, the house came to the following resolutions:

“That the several judgments against them were illegal, unjust, and against the liberty of the subject; that their several fines be remitted; that they be restored to their several professions; and that, for reparation of their losses, Mr. Burton ought to have £6,000. and Mr. Prynne and Dr. Bastwick £5,000. each, out of the estates of the archbishop of Canterbury, the high-commissioners, and those lords who had voted against them in the starchamber;” but the confusion of the times prevented the payment of the money.

Dr. Leighton was released about the same time, and his fine of £10,000. remitted: the reading his petition drew tears from the house, being to this effect:

“The humble petition of Alexander Leighton, prisoner in the Fleet,

“Humbly sheweth,

“That on February 17, 1630, he was apprehended coming from sermon by a high-commission warrant, and dragged along the streets with bills and staves to London-house. That the jailer of Newgate being sent for, clapped him in irons, and carried him with a strong power into a loathsome and ruinous dog-hole, full of rats and mice, that had no light but a little grate, and the roof being uncovered, the snow and rain beat in upon him, having no bedding, nor place to make a fire, but the ruins of an old smoky chimney. In this woful place he was shut up for fifteen weeks, nobody being suffered to come near him, till at length his wife only was admitted.

“That the fourth day after his commitment the pursuivant, with a mighty multitude, came to his house to search for Jesuits’ books, and used his wife in such a barbarous and inhuman manner as he is ashamed to ex-

press; that they rifled every person and place, holding a pistol to the breast of a child of five years old, threatening to kill him if he did not discover the books; that they broke open chests, presses, boxes and carried away everything, even household stuff, apparel, arms, and other things; that at the end of fifteen weeks he was served with a subpoena, on an information laid against him by sir Robert Heath, attorney general, whose dealing with him was full of cruelty and deceit; but he was then sick, and, in the opinion of four physicians, thought to be poisoned, because all his hair and skin came off; that in the height of this sickness the cruel sentence was passed upon him mentioned in the year 1630, and executed November 26, following, when he received thirty-six stripes upon his naked back with a three-fold cord, his hands being tied to a stake, and then stood almost two hours in the pillory in the frost and snow, before he was branded in the face, his nose slit, and his ears cut off: that after this he was carried by water to the Fleet, and shut up in such a room that he was never well, and after eight years was turned into the common jail.” The house voted him satisfaction for his sufferings; but it does not appear that he actually received any, except being keeper of Lambeth-house as a prison, for which he must be very unfit, being now in the seventy-second year of his age, and worn out with poverty, weakness, and pain.

Besides those afore named, there were likewise set at liberty, Dr. Osbaldeston, one of the prebendaries of Westminster; the reverend Mr. Henry Wilkinson, B. D. of Magdalen-hall Oxford, Mr. Smith, Wilson, Small, Cooper, and Brewer, who had been in prison fourteen years;<sup>14</sup> Mr. George Walker, who had been committed for preaching a sermon October 14, 1638, at St. John the Evangelist’s, London, and detained four weeks in the hands of a messenger, to whom he paid 20Z. fees.<sup>15</sup> This gentleman after his prosecution in the star-chamber, had been shut up ten weeks in the Gate-house, and at last compelled to enter into a bond of £1,000. to confine himself prisoner in his brother’s house at Chiswick, where he continued till this time, his parsonage being sequestered; and in general all who were confined by the high-commission were released, passing their words to be forthcoming whenever they should be called for.

The imprisonment of the above-mentioned gentlemen being declared illegal, it is natural to imagine the house would make some inquiry after their prosecutors. About the latter end of January, Dr. Cosins, prebendary of Durham, and afterward bishop of the diocese, was sent for into custody, on account of the superstitious innovations which he had introduced into that cathedral.<sup>16</sup> The doctor in his answer denied the whole charge, and as to the

---

<sup>14</sup> Nalson’s Col. p. 571.

<sup>15</sup> Ibid. p. 570.

<sup>16</sup> Ibid. p. 273.

particulars, he replied, that the marble altar with cherubim was set up before he was prebendary of the church;<sup>17</sup> that he did not approve of the image of God the Father, and that to his knowledge there was no such representation in the church at Durham; that the crucifix with a blue cap and golden beard, was mistaken for the top of bishop Hatfield's tomb, which had been erected many years before; that there were but two candles on the communion-table; and, that no more were used on Candlemas-night than in the Christmas holidays; that he did not forbid the singing the psalms in metre;<sup>18</sup> nor direct the singing of the anthem to the three kings of Colen;<sup>19</sup> nor use a consecrated knife at the sacrament. The lords were so far satisfied with the doctor's answer, as not to commit him at present;<sup>20</sup> but the commons having voted him unfit to hold any ecclesiastical promotion, the doctor, foreseeing the storm that was coming upon the church, wisely withdrew into France,<sup>21</sup> where he behaved discreetly and prudently till the Restoration, being softened in his principles by age and sufferings.

Dr. Matthew Wren, late bishop of Norwich, and now of Ely, having been remarkably severe against the Puritan clergy in his dioceses, the inhabitants of Ipswich drew up a petition against him, and presented it to the house December 22, 1640;<sup>22</sup> upon which the committee of parliament exhibited a charge against him, consisting of twenty-five articles relating to the late innovations. It was carried up to the Lords by sir Thomas Widdrington, and sets forth, that during the time of his being bishop of Norwich, which was about two years, fifty ministers had been excommunicated, suspended, and deprived, "for not reading the second service at the

---

<sup>17</sup> But when Smart was one of the chapter; and that many of the things objected to himself were introduced while his accuser was prebendary. Dr. Grey from Collyer.—ED.

<sup>18</sup> But used to sing them himself, with the people at morning-prayer.—ED.

<sup>19</sup> But ordered it, on his firstcoming to the cathedral, to be cut out of the old song-book belonging to the choristers: and no such anthem had been sung in the choir during his being there, nor, as far as his inquiry could reach, for threescore years before. Dr. Grey from Collyer.—ED.

<sup>20</sup> The doctor's answer was entered on the rolls of parliament, and made good before the lords by himself, and by the witness that Smart and his son-in-law produced against him. Upon this Smart's lawyer told him, at the bar of the house of lords, that he was ashamed of the complaint, and refused to proceed in the support of it. Collyer also says, that many of the lords declared, that Smart had abused the house of commons with a groundless complaint against Cosins; who, by an order from the lords, delivered to him by the earl of Warwick, had liberty to go where he pleased. Eccles. History, vol. 2. p. 798.—ED.

<sup>21</sup> He fixed his residence in Paris, where he was appointed chaplain to the Protestant part of queen Henrietta's family. Many advantageous offers were made him, to tempt him over to the communion of the church of Rome; and he was also attacked by threats of assassination; but continued an unshaken Protestant. The arts of the Papists succeeded with his only son, whom they prevailed with to embrace the Catholic faith, and to take upon him religious orders. This was a very heavy affliction to his father, who on this ground left his estate from him. Granger's Hist, of England, vol. 3. p. 234, 8vo; and Nalson's Collections, vol. 1. p. 519.—ED.

<sup>22</sup> Nalson's Collections, p. 692.

communion-table; for not reading the book of sports; for using conceived prayers before the afternoon sermon," &c. and that by his rigorous severities many of his majesty's subjects, to the number of three thousand, had removed themselves, their families and estates, to Holland, and set up their manufactories there, to the great prejudice of the trade of this kingdom. I do not find that the bishop put in a particular answer to these articles, nor was he taken into custody, but only gave bond for his appearance. Some time after the commons voted him unfit to hold any ecclesiastical preferment in the church; and both lords and commons joined in a petition to the king, to remove the said bishop from his person and service; after which he was imprisoned, with the rest of the protesting bishops. Upon his release he retired to his house at Downham in the Isle of Ely, from whence he was taken by a party of parliament soldiers and conveyed to the Tower, where he continued a patient prisoner till the end of the year 1659, without being brought to his trial, or admitted to bail.

Complaints were made against several other bishops and clergymen, as, Dr. Pierce bishop of Bath and Wells, Dr. Montague bishop of Norwich, Dr. Owen bishop of Landaff, and Dr. Manwaring bishop of St. David's; but the house had too many affairs upon their hands to attend to their prosecutions. Of the inferior clergy, Dr. Stone, Chaffin, Aston, Jones, and some others, who had been instruments of severity in the late times, were voted unfit for ecclesiastical promotions. Dr. Layfield, archdeacon of Essex, pleaded his privilege as a member of convocation, according to an old Popish statute of Henry VI.,<sup>23</sup> but the committee overruled it, and voted the doctor into custody of the serjeant-at-arms; Dr. Pocklington, canon of Windsor, and prebendary of Peterborough, was complained of for two books, one entitled the Christian Altar; the other, Sunday no Sabbath; which had been licensed by Dr. Bray, one of the archbishop's chaplains. The doctor acknowledged his offence at the bar of the house, confessed that he had not examined the books with that caution that he ought, and made a public recantation in the church of Westminster; but Pocklington, refusing to recant about thirty false propositions, which the bishop of Lincoln had collected out of his books, was sentenced by the lord-keeper "to be deprived of his ecclesiastical preferments; to be for ever disabled to hold any place or dignity in the church or commonwealth; never to come within the verge of his majesty's court; and his books to be burnt by the hands of the common hangman, in the city of London and the two universities." Both the doctors died soon

---

<sup>23</sup> There was no particular propriety, rather it was, as Dr. Grey intimates, somewhat invidious in Mr. Neal, thus to characterize this statute, relative to the privilege of the clergy coming to convocation, as it must, being of so ancient a date, necessarily be Popish; as is one fourth part of the statute law: and there are various instances of its being enforced since the Reformation, and even in the present century; of which Dr. Grey gives ample proof.—ED.

after. The number of petitions that were sent up to the committee of religion from all parts of the country against their clergy is incredible;<sup>24</sup> some complaining of their superstitious impositions, and others of the immorality of their lives, and neglect of their cures; which shows the little esteem they had among the people, who were weary of their yoke, regarding them no longer than they were under the terror of their excommunications.

Such was the spirit of the populace, that it was difficult to prevent their outrunning authority, and tearing down in a tumultuous manner what they were told had been illegally set up. At St. Saviour's Southwark, the mob pulled down the rails about the communion table. At Halstead in Essex, they tore the surplice and abused the service-book; nay, when the house of commons was assembled at St. Margaret's Westminster, as the priest was beginning his second service at the communion-table, some at the lower end of the church began a psalm, which was followed by the congregation, so that the minister was forced to desist. But to prevent these seditious practices for the future, the lords and commons passed a very severe sentence on the rioters, and published the following order, bearing date January 16, 1640-1, appointing it to be read in all the parish-churches in London, Westminster, and the borough of Southwark, viz. "That divine service shall be performed as it is appointed by the acts of parliament of this realm; and that all such as disturb that wholesome order shall be severely punished by law." But then it was added, "that the parsons, vicars, and curates, of the several parishes, shall forbear to introduce any rites or ceremonies that may give offence, otherwise than those which are established by the laws of the land." The design of this proviso was to guard against the late innovations, and particularly, against the clergy's refusing the sacrament to such as would not receive it kneeling at the rails.

There was such a violent clamour against the high clergy, that they could hardly officiate according to the late injunctions, without being affronted, nor walk the streets in their habits, says Nalson, without being reproached as Popish priests, Cæsar's friends, &c. The reputation of the liturgy began to sink; reading prayers was called a lifeless form of worship, and a quenching the Holy Spirit, whose assistances are promised in the matter, as well as the manner of our prayers; besides, the nation being in a crisis, it was thought impossible that the old forms should be suitable to the exigen-

---

<sup>24</sup> Dr. Grey judges it not at all incredible; because, on the authority of lord Clarendon, he adds, unfair methods of obtaining petitions were used in those times of iniquity and confusion. The disingenuous art, of which his lordship complains, was procuring signatures to a petition drawn up in modest and dutiful terms, and then cutting it off and substituting another of a different strain and spirit, and annexing it to the list of subscribers. This practice, if his lordship asserted it on good evidence, deserves to be censured in the strongest terms. A virtuous mind has too often occasion to be surprised, and shocked, at the arts which party prejudice and views can adopt. *History of the Rebellion*, vol. 1. p. 203—ED.



cy of the times, or to the circumstances of particular persons, who might desire a share in the devotions of the church. Those ministers, therefore, who prayed with fervency and devotion,<sup>25</sup> in words of their own conception, suitable either to the sermon that was preached, or to the present urgency of affairs, had crowded and attentive auditories, while the ordinary service of the church was deserted as cold, formal, and without spirit.

The discipline of the church being relaxed, the Brownists or Independents, who had assembled in private, and shifted from house to house for twenty or thirty years, resumed their courage, and showed themselves in public. We have given an account of their origin, from Mr. Robinson and Mr. Jacob, in the year 1616, the last of whom was succeeded by Mr. John Lathorp, formerly a clergyman in Kent, but having renounced his orders, he became pastor of this little society. In his time the congregation was discovered by Tomlinson, the bishop's pursuivant, April 29, 1632, at the house of Mr. Humphry Barnet, a brewers clerk, in Blackfriars, where forty-two of whom were apprehended and only eighteen escaped: of those that were taken, some were confined in the Clink, others in New-prison and the Gate-house, where they continued about two years, and were then released upon bail, except Mr. Lathorp, for whom no favour could be obtained; he therefore petitioned the king for liberty to depart the kingdom, which being granted, he went in the year 1634, to New England, with about thirty of his followers. Mr. Lathorp was a man of learning, and of a meek and quiet spirit, but met with some uneasiness, upon occasion of one of his people carrying his child to be rebaptized by the parish-minister; some of the congregation insisting, that it should be baptized, because the other administration was not valid; but when the question was put, it was carried in the negative, and resolved by the majority, not to make any declaration at present, whether or no parish-churches were true churches? Upon this some of the more rigid, and others who were dissatisfied about the lawfulness of infant baptism, desired their dismissal, which was granted them; these set up by themselves, and chose Mr. Jesse their minister, who laid the foundation of the first Baptist congregation<sup>26</sup> that I have met with in England. But the rest

---

<sup>25</sup> Dr. Grey gives some specimens of this, which are very much in the style of those in the piece entitled "Scotch Presbyterian Eloquence." The improved taste of this age, and rational devotion, revolt at them. But Dr. Grey did not reflect, that the offensive improprieties, which he exposes, were not peculiar to extemporary prayer, nor to the Puritans; they were agreeable to the fashion of the age, and incorporated themselves with the precomposed prayers published by royal command. The thanksgiving for victory in the north, 1643, affords an instance of this. "Lord! look to the righteousness of our cause. See the seamless coat of thy Son torn, the throne of thine Anointed trampled on, thy church invaded by sacrilege, and thy people miserably deceived with lies." Robinson's Translation of Claude's Essay on the Composition of a Sermon, vol. 2. p. 84.—ED.

<sup>26</sup> According to Crosby this is a mistake, for there were three Baptist churches in England before that of Mr. Jesse. One formed by the separation of many persons from Mr.

renewed their covenant, “to walk together in the ways of God, so far as he had made them known or should make them known to them, and to forsake all false ways.” And so steady were they to their vows, that hardly an instance can be produced, of one that deserted to the church by the severest prosecutions.

Upon Mr. Lathorp’s retiring into New England, the congregation chose for their pastor the famous Mr. Canne,<sup>27</sup> author of the marginal references in the Bible, who after he had preached to them in private houses for a year or two, was driven by the severity of the times into Holland, and became pastor of the Brownist congregation at Amsterdam.

After Mr. Canne, Mr. Samuel Howe undertook the pastoral care of this little flock; he was a man of learning, and printed a small treatise, called, “The sufficiency of the Spirit’s teaching.”<sup>28</sup> But not being enough upon his guard in conversation he laid himself open to the informers, by whose means he was cited into the spiritual courts, and excommunicated; hereupon he absconded, till being at last taken, he was shut up in close prison, where he died. His friends would have buried him in Shoreditch churchyard, but, being excommunicated, the officers of the parish would not admit it, so they buried him in a piece of ground at Anniseed Clear, where many of his congregation were buried after him.<sup>29</sup>

Upon Mr. Howe’s death the little church was forced to take up with a layman, Mr. Stephen More, a citizen of London, of good natural parts, and of considerable substance in the world: he had been their deacon for some

---

Lathorp’s in 1633, before he left England. Another by a second separation from the same church in 1638, the members of which joined themselves to Mr. Spilsbury. And a third, which originated in 1639 with Mr. Green and captain Spencer, whom Mr. Paul Hobson joined. Crosby’s *History of the English Baptists*, vol. 3. p. 41, 42.—ED.

<sup>27</sup> Crosby says, that the church, of which Mr. Canne, Mr. Samuel Howe, and Mr. Stephen More, were successively pastors, was constituted and planted by Mr. Hubbard. And it is not certain, whether Mr. Canne was a Baptist or not. He was the author of three sets of notes on the Bible, which accompanied three different editions of it. One printed by him at Amsterdam, 1647; which refers to a former one, and professes to add “many Hebraisms, diversitie of readings, with consonancie of parallel scriptures, taken out of the last annotation, and all set in due order and place.” Another is commouly known, and has been often reprinted. There was also an impression of it at Amsterdam, 1664. A new edition of the Bible of 1664, is a desideratum. *Two Treatises of Henry Ainsworth*, pref. p. 35, note; and Crosby, vol. 3. p. 40.—ED.

<sup>28</sup> The treatise here mentioned, we are informed, displayed strength of genius, but was written by a cobbler; as appears by the following recommendatory lines prefixed to it:

What How? how now? hath How such learning found,  
To throw art’s curious image to the ground?  
Cambridge and Oxford may their glory now  
Veil to a cobbler, if they knew but How.

This treatise was founded on 2 Pet. iii. 16, and designed to show not the insufficiency only of human learning to the purposes of religion, but that it was dangerous and hurtful. So that Mr. Neal was mistaken in speaking of its author as a man of learning. Crosby, vol. 3. p. 39, note—ED.

<sup>29</sup> Crosby’s *History of the English Baptists*, vol. 1. p. 165.

years, and in the present exigency accepted of the pastoral office, to the apparent hazard of his estate and liberty. However, the face of affairs beginning now to change, this poor congregation, which had subsisted almost by a miracle for above twenty-four years, shifting from place to place, to avoid the notice of the public, ventured to open their doors in Deadman's Place, in Southwark, January 18, 1640-1. Mr. Fuller calls them a congregation of Anabaptists, who were met together to the number of eighty; but by their journal or church-book, an abstract of which is now before me, it appears to be Mr. More's congregation of Independents, who, being assembled in Deadman's Place on the Lord's day, were disturbed by the marshal of the King's Bench, and most of them committed to the Clink prison. Next morning six or seven of the men were carried before the house of lords, and charged with denying the king's supremacy in ecclesiastical matters, and with preaching in separate congregations, contrary to the statute of the 35th of Eliz. The latter they confessed, and as to the former, they declared to the house, that "they could acknowledge no other head of the church but Christ; that they apprehended no prince on earth had power to make laws to bind the conscience; and that such laws as were contrary to the laws of God, ought not to be obeyed; but that they disowned all foreign power and jurisdiction." Such a declaration a twelvemonth ago might have cost them their ears; but the house, instead of remitting them to the ecclesiastical courts, dismissed them with a gentle reprimand, and three or four of the members came out of curiosity to their assembly next Lord's day to hear their minister preach, and to see him administer the sacrament, and were so well satisfied, that they contributed to their collection for the poor.

To return to the parliament. It has been observed, that one of their first resolutions was to reduce the powers of the spiritual courts. The old Popish canons, which were the laws by which they proceeded (as far as they had not been controlled by the common law or particular statutes), were such a labyrinth, that when the subject was got into the commons, he knew not how to defend himself, nor which way to get out. The kings of England had always declined a reformation of the ecclesiastical laws, though a plan had been laid before them ever since the reign of king Edward VI. But the grievance was now become insufferable, by the numbers of illegal imprisonments, deprivations, and fines levied upon the subject in the late times, for crimes not actionable in the courts of Westminster-hall; it was necessary therefore to bring the jurisdiction of these courts to a parliamentary standard, but, till this could be accomplished by a new law, all that could be done was to vote down the late innovations, which had very little effect; and therefore on the 23rd of January the house of commons ordered commissioners to be sent into all the counties to demolish, and remove out of churches and chapels, all "images, altars, or tables turned altarwise, cruci-

fixes, superstitious pictures, or other monuments and relics of idolatry,” agreeably to the injunctions of king Edward VI. and queen Elizabeth. How far the house of commons, who are but one branch of the legislature, may appoint commissioners to put the laws in execution, without the concurrence of the other two, is so very questionable, that I will not take upon me to determine.

The university of Cambridge having complained of the oaths and subscriptions imposed upon young students at their matriculation, as subscribing to the Book of Common Prayer, and to the thirty-nine articles, the house of commons voted “that the statute made twenty-seven years ago in the university of Cambridge, imposing upon young scholars a subscription, according to the thirty-sixth canon of 1603, is against law and the liberty of the subject, and ought not to be imposed upon any students or graduates whatsoever.” About five months forwards they passed the same resolution for Oxford, which was not unreasonable, because the universities had not an unlimited power, by the thirty-sixth canon, to call upon all their students to subscribe, but only upon such lecturers or readers of divinity whom they had a privilege of licensing; and to this I conceive the last words of the canon refer; “If either of the universities offend therein, we leave them to the danger of the law and his majesty’s censure.”

And it ought to be remembered, that all the proceedings of the house of commons this year, in punishing delinquents, and all their votes and resolutions about the circumstances of public worship, had no other view, than the cutting off those illegal additions and innovations, which the superstition of the late times had introduced, and reducing the discipline of the church to the standard of the statute law. No man was punished for acting according to law; but the displeasure of the house ran high against those, who, in their public ministrations, or in their ecclesiastical courts, had bound those things upon the subject which were either contrary to the laws of the land, or about which the laws were altogether silent.