



1967

Privy Council Control of the County of Essex During the Reign of Elizabeth I, 1558-1603

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PRIVY COUNCIL CONTROL OF THE COUNTY OF ESSEX
DURING THE REIGN OF ELIZABETH I, 1558-1603

by

John A. O'Loughlin

A Thesis Submitted to the Faculty of the Graduate School
of Loyola University in Partial Fulfillment of
the Requirements for the Degree of
Master of Arts

February

1967

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PREFACE

Histories of Essex have been written from cultural, ecclesiastical, economic or political viewpoints but no study of Essex has been conducted that has dealt with the attempt of the Privy Council to exercise complete control over the county so as to prevent the possibility of a Spanish invasion during the reign of Queen Elizabeth I. The purpose of this paper therefore has been to illustrate this view by pointing out the various means the Council employed to dominate Essex.

No paper has ever been written without the assistance of someone, and in my case, this paper would never have been written without the continuous help of Professor William R. Trimble. To him I owe an invaluable debt of gratitude for his patience and his aid in helping me write this paper.

J.O'L.

ABBREVIATIONS

ACTS	<u>Acts of the Privy Council</u> , ed., J. R. Dasent.
CALENDAR - DOMESTIC	<u>Calendar of State Papers, Domestic Series</u> , eds., Robert Lemon and Mary Ann Everett Green.
CALENDAR - SPANISH	<u>Calendar of State Papers, Spanish</u> , ed., Martin A. S. Hume.
CALENDAR - VENETIAN	<u>Calendar of State Papers, Venetian</u> , eds., Rawdon and Horatio Brown.
H.M.S.	<u>Historical Manuscripts Commission</u> .

INTRODUCTION

The maritime county of Essex is located in southeastern England. It is bordered on the south by the River Thames and on the east by the North Sea. During the reign of Queen Elizabeth I, its interior was for the most part a patchwork quilt of unevenly shaped low-lying fields, while exteriorly marshlands covered the sparsely populated coastal area except for the wool manufacturing and fishing port towns of Harwich, Colchester and Maldon. Chelmsford, a town pinpointed at the geographic heart of the county was the political focal point for it was there that the courts of Assize and Quarter Sessions regularly implemented the orders of the Queen and the Privy Council.¹

During the reign of the first Tudors, Henry VII, Henry VIII, Edward VI and Mary (1485-1558), Essex had a distinguished history of opposition to the Royal government. The lower socio-economic groups in the county were alienated by the enclosure movement while the different religious sects were estranged by the establishment of a state religion. Nevertheless, the early Tudors expected opposition and were not dismayed. But, because of the friction that developed during the reign of Elizabeth between Catholic Spain and Protestant England, the government changed its attitude. It could not afford discontent to be voiced for fear that the very destruction of England could be generated thereby. This fear on the part of the Privy Council was rendered even more acute by reason of the strategic location of the county.

¹ Essex Record Office, Essex County Council Publications No. 34, Elizabethan Essex, pp. 2-6.

Essex was not very extensive in terms of its physical contour. Not more than fifty miles separated the southwestern section where London was located, from the south and northeastern areas where the port boroughs of Harwich, Maldon and Colchester were situated. Moreover, it was not too distant from these ports that direct and accessible routes were provided to the Spanish-controlled Low Countries. Theoretically and practically, therefore, London was primarily susceptible to a Spanish invasion from the Low Countries via Essex county.² Queen Elizabeth always believed that if there ever were an invasion, it would be through Essex and for her and her Council, the safety of England was contingent upon the status of Essex. Just as the English monarchy saw that it was to Spain's advantage to initiate, foster and capitalize on any and all discontent in Essex, so also that Tudor monarchy realized that it was to England's security to take every precaution to eliminate any tremors, no matter how weak their vacillation.

To insulate Essex from the intrigues of Spain, the Privy Council during Elizabeth's suzerainty selected and pursued two main lines of defense other than the necessary military preparation. First, it worked designedly to establish a control over Essex so tight that agents and sympathizers of Spain would find it impossible to organize any concerted action against Elizabeth in conjunction with potential enemies in England. Second, it never permitted any breach of the peace and order to be passed off as unmeaningful, but rather regarded and dealt with every tumult as if it were prompted by the enemy. It is the purpose of this thesis to demonstrate the endeavor by the Privy Council to implement these plans of defense during the reign of Elizabeth I, 1558-1603.

²William Page and J. Horace Round (eds.), The Victorian History of the Counties of England: History of Essex, II, p. 259.

CHAPTER I

PRIVY COUNCIL CONTROL OF ESSEX THROUGH SURVEILLANCE OF THE SEACOAST

Since it was Queen Elizabeth's policy to establish contacts with the elements of unrest both in France and in the Low Countries as a means of subverting Catholic rule there, it was expected by the Privy Council that Philip II would attempt to splinter Protestantism in England by exactly the same tactic. Thus, as its vanguard line of defense, the Privy Council struggled to establish an operative system whereby it would be impossible for Spanish emissaries outside of England to join forces with undermining elements already on the island. Toward this end, the seacoast of Essex was subjected to a vigilant watching.

At first the surveillance was not as cautious as might be expected, but it was not until ten years after her accession that Elizabeth I actually feared any union between troublesome elements within and without England. In the beginning, therefore, supervision if at all was directed against the suppression of piracy. Piracy was not virulent around Essex but pirates represented a threat to the peace and security and always had acquaintances in every plot or subterfuge regardless of any religious connotation that plot may have had. Since for the future the monarchy could not permit any threat to the established order, a crackdown on pirateering began in 1565. In August the Vice-Admiral and Justices of the Peace were licensed to search out and apprehend corsairs³

³ J.R. Dasent (ed.), Acts of the Privy Council of England 1552-1603, VII (1558-1570), pp. 244, 253.

and in the following November a special commission on piracy was organized under the direction of Lord Darcy to piece together any information about the people in each seacoast town - from where they came, their license, their friends, their residence and their victuals.⁴ Apart from these two directives the Council employed no other means to control the Essex coastline during the early years. In the second decade of Elizabeth's royalty, however, control became diversified and intensified for it was in the dawn of the 1570's that the Privy Council realized that there was more to be feared than brigands. Fugitives and rebels beyond the sea had begun to provoke others in England.⁵

Until 1571, Elizabeth and the Council were convinced that all dissident elements could be reconciled, thus achieving the Queen's overriding aim - peace. As a consequence, the Act of Uniformity and the Act of Supremacy were not enforced except periodically in Essex.⁶ When, however, it became more than apparent that the cause of those opposed to the Religious Settlement had been taken up by the enemies of Elizabeth across the sea as illustrated emphatically by the Ridolfi Conspiracy,⁷ Elizabeth and the Council realized that an entente cordiale was impossible. In the future, peace would only be maintained when the outright antagonists of England abroad were shut off from contact with the concealed opponents in England.

⁴ Ibid., pp. 278-82.

⁵ Martin A. S. Hume (ed.), Calendar of State Papers, Spanish 1558-1603, I, (1558-1567), pp. 284-85.

⁶ A. C. Edwards, English History from Essex Sources 1550-1750, "Archdeaconry of Essex Visitation Book", pp. 5-6.

⁷ The Ridolfi Conspiracy was a plot designed by Roberto Ridolfi, an Italian financier, to overthrow Elizabeth in favor of Mary Stuart through the combined effort of a Spanish invading force and an uprising of the Catholics in England. For details of the plan see J. B. Black, The Reign of Elizabeth 1558-1603, pp. 148-151.

In May 1571, that is, immediately following the discovery of the Ridolfi scheme, the Essex coast was carefully surveyed. First, the bailiffs at Colchester and Harwich were requested to inquire as to the number of foreigners and strangers resident or transient in their towns.⁸ Then, shortly following, Lord Darcy was notified that his commission was to interrogate the crew of every ship and not just vessels suspected of freebooting.⁹ Thus during the very troublesome years of 1571-1572 the seacoast of Essex was tightly guarded to prevent the infiltration of designs similar to that devised by Ridolfi. Even a ship bearing the Lord Suitor of Scotland was seized by Lord Darcy in March 1572.¹⁰

In spite of the scrutiny exercised by the local and specialized officials, there was infiltration into Essex in the following years from overseas. In 1571, in the Low Countries, the Spanish commanding general, the Duke of Alva, commenced a reign of terror designed to force the Dutch inhabitants into an acceptance of Spanish rule. As a consequence many Flemish artisans fled their country and sought refuge in England. At first the Tudor Queen was reluctant to support their plight but Sir Francis Walsingham who, during this period, was the Queen's most influential advisor, convinced Elizabeth that the cause of the Dutch Protestants was one she could not afford to abandon. As a result, a refuge was furnished at Colchester.

In the continuous exodus from the Low Countries to Essex, however, there was no guarantee that among the weavers there were not also Catholics,

⁸Robert Lemon (ed.), Calendar of State Papers, Domestic Series 1547-1625, I, Edward VI, Mary, Elizabeth (1547-1580), p. 412.

⁹Dasent, Acts, VIII (1571-1575), pp. 70-71.

¹⁰Ibid., p. 88.

even priests, who, feigning to be Protestants, discovered an easy entrance into the otherwise tightly controlled county. The Council was aware of this probability and took added precautionary measures. In 1575 all ships were impounded by the Darcy Commission¹¹ and a chart and calendar of all landing places in Essex was drawn up by the same organization in 1577.¹²

Nevertheless, there was infiltration. In 1574 Catholic priests from the Continent entered England for the first time and by 1580 Elizabeth was cognizant that their number had multiplied.¹³ To this infiltration Essex was specifically vulnerable, as was demonstrated by the exploits of the seminary priest and later martyr, John Payne. Together with accomplices, this priest entered England initially in April 1576. He was arrested, imprisoned, and released in the following year 1577. Then after his departure from England in November of 1578, Payne, though a marked man, safely re-entered Essex the following June.¹⁴

By 1580 Elizabeth and the Council realized that there were loopholes and that these perforations had to be patched or serious damage would incur to the realm. In addition, therefore, to the regular officials who patrolled the seaboard, the coast was honeycombed with searchers. Through their combined efforts another stitch in the pattern to insulate Essex was sewn. In 1581, after months of investigation, these magistrates exposed Harwich as the main point of entry for the Catholic clergy and laity¹⁵ and, following the arrests

¹¹Dasent, Acts, IX (1575-1577), p. 205.

¹²Lemon, Calendar - Domestic, I, p. 562.

¹³Hume, Calendar - Spanish, III (1580-1586), p. 38.

¹⁴B. C. Foley, "John Payne, Seminary Priest and Martyr, 1582", in Essex Recusant, Vol. II, No. 2, pp. 49-52.

¹⁵Dasent, Acts, XIII (1581-1582), pp. 294, 299-301.

of many, actually choked off the so-called "Rheims and Rome Plot" to assassinate the Queen.¹⁶

As the 1580's progressed the impending crisis with Spain loomed more ominous and the Council ordered the officials to continue their vigilance. Nevertheless, searchers were often corrupt and there were in addition a few lonely shores where a ship's boat could set a priest ashore without detection. In Essex Vice-Admiral Bossett had been commissioned by the Council to construct a number of ships so that the shore would be effectively covered. In June 1581, the Council learned that Bossett indeed had the ships built but that their intended use had been relegated to Bossett's scheme, which was to employ them for personal pirateering.¹⁷ Also in Essex because of the almost uninhabitable coastal region there were a few undetected landings. At Mucking, a town inland on the Thames, Robert Barrows, alias Walgrave, a priest, successfully arrived in 1581.¹⁸ That there were other untraceable debarkations was also true, for in 1594 John Patrick landed at Canewdon on the River Crouch.¹⁹

Despite such exceptions to the closely knit ring around the Essex perimeter, Essex, perhaps less than any county, was not vulnerable to any Spanish plot. By 1586, when Spain was committed to an invasion, the North Sea border was completely enveloped. In that year Philip II asked his ambassador to England, Mendoza, to prepare a report that contained information on the

¹⁶Foley, "Payne the Seminary Priest" in Essex Recusant, II, pp. 52 following.

¹⁷Dasent, Acts, XIII, pp. 85-86.

¹⁸D. Shanahan, "Secret Landing Places on the Essex Coast", in Essex Recusant, Vol. IV, No. 1, p. 25.

¹⁹Ibid, pp. 26-27.

condition of each county in England. In August of 1586, Mendoza delivered observations in a document that included the geographic dimensions of the county, the religion of the leading figures and the men that could be raised within the county to support an invasion. For Essex county alone, however, no information was provided, because, as Mendoza communicated to the King, it was impossible to gather such information for Essex without being detected.²⁰ In this respect it was significant that in the Babington Plot of 1585-1586, the invading force which was to support a Catholic uprising in England was to land not in Essex but in Sussex.²¹

In fact what fears Elizabeth and the Council pondered in the years immediately preceding 1588 stemmed from their failure to prepare the defenses of Essex against the actual invasion. Concentration of the officials had been so heavily directed toward the keeping of a "fifth column" out of Essex that little time was set apart for the military defense of the county. Yet even when an all-out effort in armed preparation was made from 1585 to 1588,²² still the intelligence service was not neglected. In reality it became so minute and detailed that each official was given a calendar of questions drawn up by the Council which were to be asked of and answered by every person from overseas.²³

²⁰ Hume, Calendar - Spanish, III, pp. 608-610.

²¹ The Babington Plot was a scheme to murder Elizabeth and liberate Mary Stuart through the combined effort of a Spanish invasion and a revolution by the English Catholics. It was poorly planned and discovered by Walsingham. For details see Black, Reign of Elizabeth, pp. 379-383.

²² Historical Manuscripts Commission, Fifteenth Report, pp. 13-53.

²³ Edwards, English History from Essex Sources, "Round MSS", p. 13.

Following the defeat of the Spanish Armada in July 1588, the Privy Council relaxed its control of Essex. A feeling of security ran through England once the fear of Spain had vanished and there was no need to protect against fear itself. However, the victory of 1588 was not complete, since a war of annihilation was alien to Elizabeth's thinking and the victory at Gravelines was not followed with the coup de grace that the circumstances offered. As a result Spain recovered from her humiliation and increased her sea power beyond that attained prior to 1588. The confidence once inspired by the triumph of 1588 was qualified shortly thereafter by the awesome thought that Spain would strike and strike harder the second time and thus a feeling of uncertainty pervaded England during the post-Armada period. The Privy Council had again to fear Essex and to control Essex, especially since its policy of relaxation had reduced considerably the efficiency of the filtering network that had been established and had allowed the transport of priests and papists between the Continent and England to resume.²⁴

In particular in Essex there had begun in 1591, the transport of a few priests from the Continent to the Wiseman home at Mucking. Since this limited entrance had passed unnoticed due to the slackening in control that followed the defeat of the Armada, priests from the Wiseman residence branched out and preached to other families in Northwest Essex. By 1594, the passage of priests had unfolded to the point where a priest who found entrance into Essex at Mucking could find shelter and protection from a network of Catholic families

²⁴D. M. Clarke, "Some Government Records of Essex Papists 1591-1594", in Essex Recusant, Vol. II, No. 3, pp. 103-108.

in that crucial geographic area.²⁵ Since at first the Privy Council did not react to the challenge, it was a while before various agents could establish the Wiseman fortress as the center from which the increasing dynamism of Catholicism had disseminated. When, however, the Wiseman refuge was pinpointed due primarily to the interrogative work conducted by a London custom's official, John Young, the home was raided and with the subsequent arrests and imprisonments the flow of priests into and through Essex was stopped.²⁶

With the destruction of the Catholic underground there was no other potential source of rebellion in Essex upon which Spain could capitalize.²⁷ Nevertheless, in 1590 no genesis of a revolt had existed either, and so to prevent the development after 1594 of a situation analogous to that which had evolved at the Wiseman home, the Council had the murky shore closely scouted. In 1594 the Justices of the Peace were commanded to examine all persons going to and coming from beyond the seas and to do so by means of intimidation.²⁸ Immediately the number of arrests increased²⁹ until finally in 1598 the Justices divested another rudimentary plot when it was learned that Hortensio Spinola

²⁵D. H. Clarke, "Recusant Guests and Servants of the Wisemans", in Essex Recusant, Vol. III, No. 3, pp. 116-17; Mother Nicholas, "Some Recusant Families in Northwest Essex in 1594", in Essex Recusant, Vol. IV, No. 3, pp. 95-102; J. G. O'Leary, "Faulkbourne", in Essex Recusant, Vol. VI, No. 1, pp. 27-33.

²⁶Mary Ann Everett Green (ed.), Calendar of State Papers, Domestic Series, III, Elizabeth (1591-1594), pp. 388, 406-07, 465, 490-91, 508-09; Clarke, "Recusant Guests and Servants of the Wisemans", in Essex Recusant, Vol. III, No. 3, pp. 116-18; Nicholas, "Some Recusant Families in Northwest Essex in 1594", in Essex Recusant, Vol. IV, No. 3, pp. 95-102.

²⁷Green, Calendar - Domestic, III, pp. 406-07.

²⁸Ibid, p. 465.

²⁹Dasent, Acts, XXV (1595-1596), p. 288.

had been commissioned by Spain to examine Harwich and the other ports to determine what measures Spain would be forced to undertake to successfully invade England.³⁰

After the arrest of Spinola, Essex was not troubled by any machinations filtering in from outside for the final five years of Queen Elizabeth's sovereignty. Thus during the forty-five years that Elizabeth was the Queen of England, the Privy Council had so effectively guarded the Essex coastline that it was impossible for Spanish or Catholic demonstrators to infiltrate the county for the purpose of inciting rebellion against the government.

³⁰Green, Calendar - Domestic, V, Elizabeth (1598-1601), pp. 174, 178-79.

CHAPTER II

PRIVY COUNCIL CONTROL OF ESSEX THROUGH THE APPOINTMENT OF MAGISTRATES LOYAL TO THE CROWN

Because the Privy Council understood the strategic value of Essex, it was also aware that any effort to insulate that county would be useless if the magistrates who governed Essex were questionable in their loyalty to the Crown. Thus it seems most feasible to believe that it was not simply a coincidence that the royal officials in Essex from sheriff to justice were, with slight exception, perhaps the most dedicated to England's cause. Rather, their appointment was but another aspect of the conscious determination of the Privy Council to insure the constancy of Essex.

A prime determinant for the selection of an official was his attitude toward the religious laws Elizabeth had introduced in 1559. Thus in 1564 the Council asked the Bishop of London to prepare a report in which the juridical and military personnel in Essex were to be classified as favorable, indifferent or hostile to the religious settlement.³¹ With this material at its disposal the Council began the sifting process, marking out for future positions those whom the Bishop had classified as favorable.

To fulfill the lowest administrative post, the office of sheriff, whose prime function it was to keep the peace, the Council directed its

³¹Mary Batson (ed.), "Collection of Original Letters from the Bishops to the Privy Council 1564", in Camden Miscellany, Vol. IX, pp. 62-63.

appointments toward those who were or who were believed to be staunch royalists, that is, adherents of the monarchy especially in times of rebellion.

One person who met the requirements of the Council was Thomas Golding, who served Essex as sheriff from 1561 to 1569. He was descended from an ancestry that was long recognized as the strongest royalist family in the town of Halstead.³² Furthermore he was personally covetous of the noble status and to earn that goal required his uncontested loyalty to the government. Proof that the Crown had confidence in Golding's faithfulness was revealed by its action in 1569. Because of the defiant stand of the Puritans in Essex against the religious legislation Golding was commissioned by the Council to draw up affidavits that attested to the religious attitude of the seventy or so leading men of the county.³³ Since previously loyalty checks were not conducted by sheriffs but by high ranking members of the Establishment such as the Bishop of London, Golding was a person in whom the Council had a great trust.

Following Golding, a second sheriff who served Elizabeth and the Council was Thomas Lucas. His heritage dated back to 1332 at Colchester and when appointed as sheriff in 1568, a position which he retained until 1585, his family was considered to be the royalist family in the town of Colchester.³⁴ Like Golding, Lucas was a person in whom the Council had great confidence and like Golding, Lucas was saddled with responsibilities beyond those of a sheriff. In the 1580's when the Privy Council became apprehensive concerning the laxity with which the military preparations in Essex had proceeded, Lucas was the man

³²T. Wright, History and Topography of the County of Essex, Vol. I, pp. 574-75.

³³Lemon, Calendar - Domestic, I, p. 356.

³⁴Wright, History and Topography of Essex, I, pp. 260-61.

designated to rock the inhabitants of Colchester out of their lethargy.³⁵ For his uncontested service as a sheriff Lucas was also burdened with other functions after his term as peace officer. He was appointed captain of the trained bands in Essex in 1588,³⁶ and in 1599 had become a justice of the peace whose military contribution to the Crown was greater than any other Essex magistrate except Sir John Petre.³⁷

Another in the number of sheriffs who distinguished themselves in the service of the Council during the pre-Armada period was Sir John Petre. The son of Sir William Petre, the "Tudor Secretary at Home and Abroad", Sir John Petre was a perfect choice as an official for Essex. As a novice in government, Petre was first appointed as a sheriff in 1575 and, because of his outstanding work at that level, was also appointed to fill other vital governmental positions. He served on the Commission for Piracy and along with Lucas was a captain of the trained bands. He further served as a justice from 1588 to 1600 and as a lord-lieutenant in 1599. In parliament, he represented Essex from 1586 to 1595 and as the representative carried out the crucial task of forging a union between the royal government and the inhabitants of Essex. For his devotion and service to the government he was elevated to the rank of baron in 1603.³⁸

³⁵ Dazent, Acts, XII (1580-1581), p. 126; Lemon, Calendar - Domestic, II, Elizabeth (1580-1590), pp. 58, 179.

³⁶ H.M.S., Fifteenth Report, p. 37.

³⁷ Ibid., pp. 79-80.

³⁸ Essex County Council Publications, No. 26, Petre Family Portraits, p. 6; Essex County Council Publications, No. 34, Elizabethan Essex, p. 11.

Notched a level above the sheriff in terms of prestige were the lord-lieutenants and the deputy-lieutenants who had the delegated task of fashioning Essex into a military bastion against Spain. Like the sheriff, these deputies of the Crown were also appointed because of their loyalty. In fact, as was the case of Lucas and Petre, consignment to military jurisdiction was usually dependent upon previous performance as a sheriff or lesser official.

From a militaristic standpoint, the critical period for Essex was between 1585 and 1588, the years in which Spain readied her fleet for the invasion she intended. In these three years the armaments program for Essex was under the supervision of none other than two of Elizabeth's most outstanding Privy Councillors. In the preparatory years before 1588 the lord-lieutenant for Essex was Lord Burghley, the onetime Sir William Cecil, who also held the positions of Secretary of State and Lord Treasurer.³⁹ At the height of the crisis, acting lieutenancy passed to the Earl of Leicester, Lord Robert Dudley, who besides possessing the titles of Lord Steward, Master of the Horse and Lieutenant General in the Low Countries, was also Elizabeth's closest personal friend.⁴⁰

Serving as deputy-lieutenants for Burghley and Leicester during this period were Thomas Heneage and Thomas Mildmay. Mildmay, the son of Walter Mildmay, Chancellor of the Exchequer and Privy Councillor, came from a family whose royal lineage dated from 1147 at Chelmsford.⁴¹ In his own right, the younger Mildmay distinguished himself as a sheriff for Essex in the early years

³⁹Dasent, *Acts*, XV (1587-1588). The introductory pages of Volume 15 list the Privy Councillors and the positions they served.

⁴⁰Ibid.

⁴¹Wright, *History and Topography of Essex*, I, pp. 176, 323-24.

of the reign of Elizabeth and also as a commissioner for Darcy⁴² before serving as a deputy-lieutenant for Essex in 1585. For outstanding service rendered in these fields, he was finally appointed as a justice of the peace for the post-Armada decade.⁴³ As regards Heneage, there were few who commanded such respect and admiration from the government and indeed few who served that government so proficiently. He worked for Elizabeth as Treasurer of the Chamber, Vice Chamberlain and Privy Councillor prior to 1585.⁴⁴ Then because of the charges of peculation brought against captains and officers in the army in 1588, he was elevated from deputy-lieutenant to become Treasurer of the Wars,⁴⁵ a position he filled so capably that he was awarded the Armada Jewel by Elizabeth in 1588.⁴⁶ In the post-Armada period Heneage was appointed as a justice of the peace⁴⁷ for his work not only as Treasurer but also for his work in Parliament from 1584 to 1588 as the other Essex representative who, along with Petre, strove to maintain a close relationship between the people of Essex and the royal government in London.⁴⁸

At the highest administrative level was the office of justice of the peace. This post was of widespread importance since the justices were the local

⁴²Dasent, Acts, VII (1558-1570), pp. 83-84, 285; Lemon, Calendar - Domestic, I, p. 157.

⁴³Historical Manuscripts Commission, Tenth Report, p. 480.

⁴⁴H.M.S., Fifteenth Report, pp. 52-53.

⁴⁵Ibid, pp. 61-62.

⁴⁶Essex Record Office Publications, No. 34, Elizabethan Essex, p. 10.

⁴⁷H.M.S., Tenth Report, p. 483.

⁴⁸J. G. O'Leary, "Essex and Parliament During the Reformation, 1529-1603", in Essex Recusant, Vol. I, No. 1, p. 14.

agents of the central government and likewise the intermediary through which local grievances and local problems reached that government. Strangely, Essex had not been provided with extraordinary personnel for this position prior to 1585; thus the extension of many of the justices' duties to such responsible loyalists as Lucas, Petre, Heneage and Mildmay at the lower levels of administration. When, however, the threat of Spain was the greatest - 1585 to 1603 - the justices nominated for Essex were none other than Sir Thomas Lucas, Sir John Petre, Sir Thomas Heneage and Sir Thomas Mildmay.

While magistrates of the highest calibre and veracity worked inland to protect Essex from intrigue, officers with the same characteristics labored on the seas for the same purpose. On the waterfront, the Commission for Piracy created in 1565 spared no effort in its goal to prevent the penetration into Essex of schemes injurious to the county. The Commission was extremely successful in this objective; and well it was, since it was directed by Lord Darcy, the Viscount of Colchester, who in turn was capably assisted by Lucas, Petre and Mildmay periodically from 1570 to 1585.

Certainly, as the Council selected officials it deemed both competent and trustworthy, there were exceptions to the rule. This was proven by Justice Robert Rich, the Earl of Warwick, who used his office to protect Puritan non-conformists until he was discovered in 1582.⁴⁹ Certainly also, Essex was not the only county supplied with royalist administrators. Yet in view of the type of officials who served Essex and this also included Sir Francis Walsingham, to say nothing of the important positions each held, there was an overwhelming

⁴⁹Lemon, Calendar - Domestic, II, p. 43.

number whose prestige, dedication, capability and friendship with Elizabeth could not be surpassed by any other Elizabethan county.

CHAPTER III

PRIVY COUNCIL CONTROL OF ESSEX THROUGH ITS INTERVENTION INTO EVERY BREACH OF THE PEACE WHETHER DANGEROUS, TRIVIAL OR LAWFUL

The major problems for the Privy Council during the reign of Elizabeth were presented by the Dutch refugees, Puritan non-conformists and Catholic recusants. Apart from these pressing obstacles, the Council also had to contend with the common everyday tumults which have plagued every government. To deal with these common issues for Essex, the Council did not act with any mediocrity or carelessness. On the contrary, the Council, always fearful of an invasion from Spain through Essex, regarded every breach of the peace as part of the preparation for that invasion and handled every common disorder on the basis of that assumption. Thus the Council controlled Essex by never permitting any disturbance actually to grow to the point where Spanish propaganda could find fertile ground.

In 1575, that is, when the Council fully realized that peace with Spain had become less and less absolute and more and more conditional, the first of a series of troublesome incidents broke out in Essex. However, by the time these various forces had spent their course in the following years, the weighted hand of the Council had crushed Essex into submission and Spain never had the opportunity to capitalize. In September of 1575 the Council learned that libelous and slanderous reports against the government were being cast

abroad from Colchester by "Papists".⁵⁰ The Council could not afford any such reports to spread and especially not from Essex. Immediately there commenced an investigation - and not of the routine type. It began in September of 1575 and was not concluded until January of 1576. Moreover, it not only involved the work of the local authorities; the bailiffs, sheriffs and justices, but was extended to include the investigations of the Lord Keeper and the Lord Treasurer and also the Solicitor General.⁵¹ As a result of the encompassing interrogation many and sundry persons were arrested and brought before the Star Chamber but there was not a solitary conviction.⁵² The reason was that the slanderous reports had not been voiced but only rumored.⁵³ Of significance was not the result but the means the Council adopted. In acting against the Colchester disorders the Council demonstrated its conviction both that any unrest was a design of Spain, when in fact there was no connection, and that the turmoil would be dealt with exhaustively through systematic and painstaking research. For the future the Council had disclosed that in Essex there was nothing anyone could gain by stirring up any trouble. Despite this intimidation, a number of incidents still flared up and so the Council again proved its position.

In August of 1577, a riot broke out in Brentwood in Essex. On August 5th twenty-nine women led by Mistress Tyler "raised an unlawful riot" by beating the school teacher, Richard Brook, and then locked themselves in the chapel to

⁵⁰Dasent, Acts, IX (1575-1577), p. 24.

⁵¹Ibid, pp. 43, 50, 263.

⁵²Ibid, pp. 129, 373.

⁵³Clarification and proof of this point will be brought out in Chapter IV, "Elizabeth and the Dutch Problem at Colchester".

avoid arrest.⁵⁴ To take the women into custody, Weston Brown, the sheriff, destroyed the edifice and then handed over the "lawbreakers" to the justices for prosecution.⁵⁵ Then unexpectedly, the Council intervened in the fracas. Following two days of investigation the Council ordered Brown to appear in London and demanded that the women be released; for as the Council learned it was not the women but the sheriff who provoked and was responsible for the riot since he had prevented certain people of Brentwood from using the town school.⁵⁶ The entire episode had nothing to do with religion nor with any Spanish intrigue in Essex and further was a problem subject to the jurisdiction of the justices of the peace. Yet because there was a riot and because that riot occurred in a chapel, thereby possibly prompted by religious dissenters backed by an enemy, the Council assumed overriding jurisdiction.

During the same troublesome interim, but at Colchester, another point of dispute befell the Council and, like that at Brentwood, was treated similarly by the Privy Assistants. Ever since 1565, the residents in the hamlets on the outskirts of Colchester enjoyed certain privileges, especially the military right to view and muster the horse. Since 1565 the Council had acquiesced in this exemption for, when certain residents in the hamlets objected to a mustering by the Commission for Piracy that year, the Council rescinded its orders to the Commission.⁵⁷ In 1580 however, the Council recognized that Colchester proper had not progressed by itself in its military arrangement and for a

⁵⁴ Edwards, English History from Essex Sources, "Quarter Sessions Rolls 1577", pp. 6-7; H.M.S., Tenth Report, pp. 475-76.

⁵⁵ Dasent, Acts, X (1577-1578), p. 12.

⁵⁶ Ibid., pp. 34-35.

⁵⁷ Dasent, Acts, VII, pp. 242-46.

second time the Council intervened. Again the villagers peripheral to Colchester objected but in this instance the Council did not backtrack because that body learned through a Walsingham spy that the spearhead of the opposition was in the hands of "Mistress Audley, widow and very wealthy and dangerous woman, bastard daughter of ... papists dwelling at Colchester ..." ⁵⁸ In June 1580 Mistress Audley was ordered to repair to Colchester to have her horses mustered, ⁵⁹ and in August Darcy was informed that all persons in Essex were bound by royal statute to contribute horses or weapons for England's defense and that any claims to exemptions were false. ⁶⁰ Darcy was further notified that if Mistress Audley or any other person refused to have the mustering of horse conducted by the government, such a person was to be sent to the Privy Council. ⁶¹ In short, the case of Mistress Audley was proof that opposition to a contribution for the defense of England was not the result of any infringement of local privileges but a plot of "certain Papists" to ruin Essex from within. It made little difference; in fact the Council did not even reflect on the fact that the report was completely exaggerated and that in truth Mistress Audley was the spearhead of a lawful resistance. ⁶² It made a great difference that there was opposition and this was all that the Council considered.

This same attitude prevailed on a different occasion in Colchester

⁵⁸ Lemon, Calendar - Domestic, I, p. 596.

⁵⁹ Dasent, Acts, XII, p. 51.

⁶⁰ Ibid, p. 131.

⁶¹ Ibid, p. 131.

⁶² D. M. Clarke, "Disorders at Colchester, 1577", in Essex Recusant, Vol. V, No. 2, pp. 40-44.

during 1580 and again with reference to the military situation. In pursuing his charge to carry out the musters in that borough, Sir Thomas Lucas, the sheriff, was so demanding that a reaction against his tactics developed among the local citizenry, and their spokesman, Thomas Tey, voiced that objection. For his opposition Tey was committed to prison in July on a charge of "obstructing Lucas and thereby making it difficult to fortify Essex against Spain".⁶³ Yet as the future proved and decisively so, Tey was no more opposed to the cause of England than was Mistress Audley for, in the following month, after being questioned before the Council, he was released for "by writing and speech he proved he conformed to the statutes of the realm".⁶⁴

One of the most crystalline indications that the Council would not brook any opposition was impressed indelibly upon Essex in 1580 by the manner in which certain suspected traitors were handled. In July 1579 a person by the name of Mantell escaped from Colchester gaol where he had been imprisoned for claiming that Edward VI was alive and the rightful ruler of England.⁶⁵ When he was tracked down he was charged with treason and condemned.⁶⁶ In this there was nothing that was out of the ordinary but what followed did belong to the extraordinary. Mantell's escape was believed to be a design of various persons scattered throughout Essex.⁶⁷ Circumstances indicated that in that quarter there was an underground in operation that had as its goal the overthrow of Elizabeth. Since, the Council realized, it was virtually impossible to prove

⁶³Dasent, Acts, XII, p. 126.

⁶⁴Ibid, p. 153.

⁶⁵Dasent, Acts, XI (1578-1580), p. 194.

⁶⁶Dasent, Acts, XII, pp. 253-54.

⁶⁷Ibid, pp. 23-24, 34, 251-52.

this charge against Mantell's accomplices, the Council adopted a novel technique. Knowing that persons accused of witchcraft never escaped an indictment, the Council charged that these persons suspected of being privy to the flight were conjurers and sorcerers who sought the destruction of England.⁶⁸ In fact, the Council extended this indictment against a thirteen-year old boy.⁶⁹ In light of the fact that Edward had indeed died in 1553 and in light of the fact that as King he had championed the Reformation, the charges of witchcraft were motivated out of fear and shortly thereafter Essex was provided with a demonstration that until the fear was erased disgruntled elements could expect nothing but reprisal from the Council. Starting in 1581 the Council initiated a full scale attack on all known recreants. By March 1582, sixty-two felons, witches and rogues had been apprehended and thrust into the county gaol at Chelmsford and of these, seven were condemned to death for being witches, following their trial at the Court of Assize.⁷⁰ The Council had thrown down the gauntlet. From this example, Essex learned a hard lesson, but it was learned well. For while plots and counterplots were a common occurrence in the other Elizabethan counties from 1582 to 1588, in Essex the same was not true.⁷¹

From 1588 to 1592 Essex was granted a reprieve in accordance with the span of relaxation that followed the defeat of the Armada. In 1592 when Spain

⁶⁸ Ibid., p. 29.

⁶⁹ Ibid., p. 102.

⁷⁰ In his article "John Payne, Seminary Priest and Martyr, 1582", in Essex Recusant, E. C. Foley reproduced the Essex Assize file from which this statement was derived, p. 58.

⁷¹ Rawdon and Horatio Brown (eds.), Calendar of State Papers, Venetian 1558-1603, Vol. VIII (1581-1591). In the Venetian ambassadorial reports there was no mention of any plots in Essex as there was for the other counties.

again loomed as a threat, the county was promptly warned that nothing really had changed. In 1591 Lord Thomas Howard in command of the English fleet in the Azores was unexpectedly attacked by the Spanish navy and from the encounter Howard suffered defeat. Among the English sailors there was criticism of the command - defeat always has carried discontent - but in Essex a number of sailors were discovered remarking that Howard was responsible "for killing sailors better than himself" and immediately they were hauled off before the justices to answer charges of treason.⁷²

Four years later and again in reference to a naval engagement the Council had not altered its stand even though the outcome of the combat was reversed. In June 1596, the port of Cadiz was sacked successfully and the Spanish flotilla harbored there was scuttled by an expedition under the Earl of Essex. It was a great victory yet when Sir John Smyth of Colchester condemned the expedition on the principle of the English law that service overseas depended upon voluntary choice and not the impressment of sailors, he was required to appear before the Council on charges "of stirring up the military against the Queen".⁷³ In view of the fact that Smyth raised a lawful complaint since many of the sailors were impressed and further, that Smyth had served the Queen as captain of the trained bands in Essex during the Armada crisis, the Council had again interpreted this final agitation as it had diagnosed every other disturbance in Essex during Queen Elizabeth's reign. Every breach of the peace had behind it the possibility of a sinister connotation and could not be tolerated.

⁷²H.M.S., Tenth Report, p. 482.

⁷³Green, Calendar - Domestic, III, pp. 235-42; Dasent, Acts, XXV, pp. 459-60.

CHAPTER IV

PRIVY COUNCIL CONTROL OF ESSEX THROUGH CAREFUL HANDLING OF THE DUTCH IMMIGRANTS

The primary objective of the Privy Council both in foreign and domestic affairs was to establish and maintain peace. For Essex this goal necessitated carrying out certain precautionary measures, not the least of which was to purify the county of any non-conformists. Yet from 1566 until 1603 the Council permitted artisans from the Low Countries who had a different ethnic and religious background from, and competitive economic position with, Englishmen, to enter Essex. Through a deliberate course of action therefore, the Privy Council frustrated its own plan. Since, as a result, strife was probable the Council had to formulate an arrangement whereby the demands of the Dutch were satisfied while at the same time the claims of the English were not neglected in order that peace would be preserved. In searching for the means to attain this balance the Council at first floundered but eventually it righted itself and devised the plan that was commensurate with the objective.

In the Netherlands, Protestants of the Genevan persuasion were long persecuted by Spain. To seek toleration, some of these Calvinists fled to the shores of Essex at the beginning of Queen Elizabeth's reign. Initially the Queen allowed their migration but she never supported it because at least on one occasion the aliens proved that their presence in Essex would be a serious source of trouble, not only because they were Dutch and Calvinist but also because they were economically superior to the English Anglicans in the

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manufacture of wool. In the summer of 1566 a riot broke out in Colchester because the Dutch immigrants had captured the wool market. In itself the riot was not a deadly event but the overtones were, since the fracas was accompanied by religious bickering and further since the English clothmakers who provoked the brawl were in communication with discontented English refugees beyond the seas.⁷⁴ To cope with the disorder, the Council had no blueprint and so it acted on the exigencies of the situation and ordered six persons condemned to death.⁷⁵ Nevertheless this tactic did not alleviate the rudiment of the problem and Elizabeth's trepidations about the Dutch were brought out again in 1570 in the county of Norfolk.

In the county of Norfolk a band of Catholics who were to be supported by a Spanish landing force rose up in rebellion against the Queen in the Ridolfi Conspiracy. To conceal their designs, the group made it known that the aim of the rebellion was not the overthrow of the government but the expulsion from Norfolk of the Flemish artisans who had caused religious, economic and social problems from the time they arrived.⁷⁶ Thus more than causing a riot, the presence of the Dutch in England was the pretext upon which the enemies of England staged a revolution against the government. The Council could never overlook that fact and in 1572 it rescinded its former policy of toleration and ordered out of the realm all Flemings of suspicion at the forfeiture of their wares.⁷⁷

⁷⁴Hume, Calendar - Spanish, I, pp. 570-71.

⁷⁵Ibid, pp. 570-71.

⁷⁶Camden, Annals of Elizabeth, Bk. II, pp. 245-49.

⁷⁷Ibid, pp. 309-10.

At the very time the Privy Council ushered in this retaliation against the Dutch, in the Low Countries the Duke of Alva introduced a brand of terrorism of his own in an effort to force the Dutch to accept Catholicism. Because of the Machiavellian mode of the Duke's brutality, the Dutch fled their homeland in greater numbers than before and in greater numbers they sought refuge in England. Because of the events caused by their past presence in England, Elizabeth at first refused their appeal but Sir Francis Walsingham convinced the Queen that the Dutch cause was one Elizabeth could not abandon since they, the Dutch, were Protestants seeking refuge from Catholic oppression. As a result, the Dutch were settled at Colchester under the jurisdiction of Walsingham.⁷⁸

Since the Dutch were under the judicature of Walsingham at Colchester the fear of the government that the troublesome times of preceding years would be repeated was lessened considerably. Yet in 1575 a series of slanderous and libelous accusations against the government emanated from Colchester. These charges supposedly were perpetrated by certain Dutch immigrants but, as the Council learned, actually were trumped up and spread by Englishmen whose economic position had become precarious because of the Dutch and who, therefore, wanted the Council to expel the Dutch from Essex.⁷⁹ Again, as in 1566, the stability of the county was wrecked by the economic struggle between the English and the Dutch and the Council knew that peace would be disrupted again and again, each time with consequences more serious than before, unless a solution to the imbroglio was found. Since past remedies were superficial because the

⁷⁸C. Read, Mr. Secretary Walsingham and the Policy of Queen Elizabeth, Vol. I, pp. 318, 335, 371.

⁷⁹Dasent, Acts, IX, p. 24; Lemon, Calendar - Domestic, I, p. 496.

underlying cause of the difficulty was not considered, in 1576 the Council attacked the heart of the problem, the economic competition, and removed the Flemish weavers en bloc from Colchester to the town of Halstead.⁸⁰ With this stroke of policy the English artisans regained their monopoly of the wool market and the abrasion was eliminated.

When the Dutch were removed to Halstead, the quandary at Colchester was unriddled. In addition to this negative gain the Council also benefited in a positive fashion from the relocation. Until the immigration of the Dutch into the town, Halstead was economically backward and its residents discontent. When artisans from the Netherlands increased the town's population, immediately there was an upsurge of economic growth and, concomitant with that growth, an enhancement of the pride of the people. Thus as it immediately turned out the relocation solved not one but two problems. At Colchester, because the Dutch had left, the English regained their favored economic position. At Halstead, because the Dutch had arrived, the English acquired an improved economic standing. On these two accounts, peace and prosperity were augmented and conversely, on the same two, discontent and depression were diminished. However, despite the dual gains both negative and positive, the Council also learned that the migration doubled the English-Flemish conflict.

From 1578 to 1580 a number of the foreigners at Halstead left and filtered back into Colchester and this originated for the Council its compound problem. First the migration back to Colchester reopened the old antagonisms there, and further, because the Dutch were determined to remain,⁸¹ the

⁸⁰Dasent, Acts, IX, pp. 161-62; Lemon, Calendar - Domestic, I, p. 525.

⁸¹Lemon, Calendar - Domestic, I, p. 687.

antagonism became more acute. Second and equally foreboding was that Halstead became gradually impoverished again, and again the people there became discontent and rebellious.⁸² Since the Council could never admit any union to be forged between discontented Englishmen from both Halstead and Colchester the Dutch became the scapegoats and were ordered by the Council to return to Halstead and thus temporarily the predicament was resolved.

In this arrangement the English were favored at the expense of the Dutch and the Dutch resented the one-sided decision of the Council. Because of this, the foreigners were carefully watched by the Council in the critical decade from 1580 to 1590 and especially after 1585, when war with Spain was imminent. War would have hampered the trade in England's principal export, wool, and the resulting idleness and unemployment would have worked to the further disadvantage of the already aggrieved Dutch. The Council perceived that an explosive situation was developing and that it would only be a question of time before some event would provide the spark. To minimize this danger the Council kept the Dutch at Halstead isolated and at Colchester had each Dutch resident numbered and indexed by the sheriff.⁸³

When the Armada was defeated, the carefulness with which the Council had handled the Dutch was temporarily forgotten as were all other precautionary devices that the Council had taken to keep the peace. And just as other crises had redeveloped because of the relaxation, so also did the question of the Dutch.

⁸²Ibid, p. 697.

⁸³Lemon, Calendar - Domestic, II, p. 331.

In Halstead the Flemish clothmakers virtually monopolized the wool market because of the excellent product they manufactured. Until 1590 the English of the same trade accepted this contingency since the town as a whole benefited. But following the Armada interlude, these English artisans began to resent their own as well as the town's dependence on the foreigners. For this reason in 1589 the Flemish were prohibited by the English from sealing their product.⁸⁴ To escape the economic pressure at Halstead the Dutch packed up and again departed for Colchester, but in that town their presence was also resented.⁸⁵ Thus in 1590 the problem had three dimensions. Previously the Council had to soothe the single complaint registered by English artisans at Colchester. At a later date, the jealous Colchester residents were joined by discontented Halstead citizens in voicing complaints and the Council faced a dual problem. Then in 1590 the Dutch let it be known that they were tired of the manner in which they were discriminated against.

The Council could never keep peace if it turned down the petitions of either Halstead or Colchester to remove the Dutch; but unless the Council wanted Essex to be saturated with two to three thousand rebellious foreigners, it had to mollify their resentment as well. To keep Essex from Spanish intrigues which, if nothing else, were more voluminous in the 1590's than before, the impasse had to be solved. For the answer, the Council again ordered the Dutch to leave Colchester and return to Halstead, but at Halstead, the Council appointed justices whose sole function was to hear the Dutch grievances and to

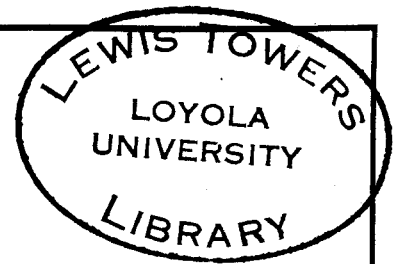
⁸⁴Dasent, Acts, XVIII (1589-1590), p. 276.

⁸⁵Green, Calendar - Domestic, III, p. 465.

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make the necessary corrective measures.⁸⁶ As it worked out in the succeeding years this arrangement satisfied all concerned, perhaps not completely, but sufficiently that Spain could not capitalize on what might have been real resentment against Elizabeth's government from any one of three sources. The Dutch were satisfied because they were protected; the English were content because they were prosperous. As a result there was no group in Essex that carried a grudge or hatred for the English government which Spain could exploit.

⁸⁶Dasent, Acts, XVIII, p. 413.



CHAPTER V

PRIVY COUNCIL CONTROL OF ESSEX THROUGH THE PLACING OF DEMANDING IMPOSITIONS UPON THE PURITANS

Previous to the reign of Elizabeth and especially during Mary Tudor's queenship, the presence in Essex of a diversity of religious sects had caused trouble. Since Elizabeth was resolutely determined to avoid trouble, she would not tolerate the presence of different religions. (The Dutch Church at Colchester was the exception.) As a result the Acts of Uniformity and of Supremacy were passed in 1559 which established one religion for England to which all were to subscribe. From the start, one religious group, the Puritans, would not completely submit. They accepted the doctrine of the Settlement but criticized the externals of the worship established by the Book of Common Prayer. Because of this position they did not organize themselves into an independent force in opposition to the government for they did not reject the substance of Anglicanism; on the contrary, the Puritans because of such a stand were a moral force within Anglicanism who had the simple objective of purifying the externals of that religion.⁸⁷ From the beginning to the end of Elizabeth's reign the Puritans in Essex were continually repressed as the Privy Council would not allow any non-conformity to exist. Thus incongruous as it appears, the Puritans who were politically, economically and even religiously committed to England's cause, were still categorized by the Council as opponents and treated accordingly.

⁸⁷Page and Round, Victorian History of Essex, II, p. 37.

Initially the Puritans were not hounded by the Anglican hierarchy and magistrates since Elizabeth hoped that all dissident elements would be reconciled through a very flexible and moderately imposed religious program.⁸⁸ However, by 1569 the pacification had not been exhaustive in Essex, for many Puritans there like Lord Rich either refused to follow the ordinances or evaded their prescriptions.⁸⁹ Thus, to cite an example from another set of circumstances, in 1569, when there was a fear of a nascent Catholicism at the time of the Northern Rebellion, when the loyalty of many was in doubt, the leading men in the county, about seventy, were ordered by the Council to certify in writing their allegiance to the Acts of 1559.⁹⁰

Despite the testimony of the magistrates, diverse irregularities still persisted in subsequent years in Essex and eventually the anomalies became so noticeable that the Council seriously doubted the veracity of the loyalty oaths. When it did learn that Rich and other Puritan justices actually thwarted rather than implemented the law⁹¹ the Council saw that its power was directly challenged. As a consequence it retaliated with a repressive policy directed against all Puritans, which continued throughout the reign of Elizabeth except for a brief period after 1588.

At first the Puritans were temporarily allowed no religious services. Beginning in 1571 the private meetings of the Puritan dissenters, which previously had been permitted, were broken up, even though the meetings were strictly

⁸⁸ Edwards, English History from Essex Sources, "Archdeaconry of Essex Visitation Book", pp. 5-7.

⁸⁹ Dasent, Acts, IX, pp. 158, 217; Lemon, Calendar - Domestic, I, p. 396.

⁹⁰ Lemon, Calendar - Domestic, I, p. 396.

⁹¹ Dasent, Acts, IX, pp. 29-30.

of a religious and not of a subversive nature.⁹² Then the clergy were subjected to judicial restraints. For failing to wear the surplice or make the sign of the cross in Baptism or use the Book of Common Prayer, the Puritan ministers were continually presented before the Justices and Archdeacons. In 1582 Thomas Roberts was presented at the Chelmsford Quarter Sessions, charged with failing to minister communion in agreement with the Anglican rite.⁹³ In 1586 at the Chelmsford Quarter Sessions a shoemaker, Glascoke, was declared to be of malicious intent because he rent certain pages out of the Book of Common Prayer which pertained to the ritual of Baptism.⁹⁴ At the same sessions, Robert Edmonds and William Lewyse were accused in an indictment of refusing to wear the surplice.⁹⁵

To counteract their loss of religious freedom, the Puritan ministers persistently petitioned the Council explaining their position. They pointed out that their divergencies were not designed to be subversive, that the Puritans recognized the Crown's authority and accepted the substance of the religious legislation, that the deviations were committed and practiced because the external forms of worship were contrary to the word of God as they, the Puritans, understood it.⁹⁶ The Council never considered the logic of the Puritan argument and finally ordered John Whitgift, the Archbishop of Canterbury

⁹²T. W. Davids, Annals of Evangelical Nonconformity in the County of Essex, pp. 67-68.

⁹³H.M.S., Tenth Report, p. 479.

⁹⁴Ibid, p. 480.

⁹⁵Ibid, p. 480.

⁹⁶Davids, Annals of Nonconformity in Essex, pp. 77-83.

and John Aylmer, the Bishop of London, to silence all the Puritan clergy.⁹⁷

In the Puritan services and in the Puritan teaching there was nothing disruptive. Not to wear a surplice nor follow the baptismal rite of making the sign of the cross hardly meant that the Puritans were intriguing against the government. Yet the Privy Council was so fearful of any discrepancy in the established pattern that even people undoubtedly loyal to the Crown were denied any freedom to practice their religion. The Puritans, however, were not only denied the right of religious freedom, but were deprived of any personal and political freedom as well and for the same reason - they were Puritans.

The Puritans were continually presented before the Justices, Archdeacons and even before the Council steadily from 1578 onward and this was only possible because each Puritan was thoroughly deprived of any private or personal rights in regard to religious worship. The officials' knowledge of the Puritans was so detailed that neither women of high social status eluded the law,⁹⁸ nor did commoners who advanced every possible excuse.⁹⁹

Distinct from the continual court appearances which the Council demanded, the Puritans were also arrested arbitrarily from time to time. In 1582, almost as an offshoot to the Domiciliary Visitation of Richard Topcliffe against the Catholics, there were also secret raids directed against the homes of suspected Puritans. In January 1582, the house of Lord Rich was assailed

⁹⁷ Edwards, English History from Essex Sources, "Maldon Borough Records", p. 8.

⁹⁸ H.M.S., Tenth Report, pp. 467-69.

⁹⁹ Ibid, p. 478.

and the entire household was arrested.¹⁰⁰ In addition there were the periodic incursions against the homes of the Puritan clergy conducted by Whitgift, Aylmer and their assistants.

Besides the presentments and arrests, the Puritans were also circumscribed in a different way. In a time of emergency such as when Spain threatened from 1585 to 1588 and then again in 1592 and 1596, the Puritans were arrested and delivered to the prisons at Ely and Banbury and their military assets sequestrated.¹⁰¹ Contradictory as it appears, since the Puritans were bitterly anti-Catholic, this was the design of the Privy Council. When the safety of Essex was in jeopardy, the Council regarded anyone who was not an Anglican as a potential antagonist and dealt with him accordingly.

The thinking of the Council that the Puritans were enemies was strongly influenced because of the activities of a sect in Essex, the Brownists or Separatists. The Brownists advocated non-conformity and this doctrine seriously threatened the peace and security of England. The government never tolerated this teaching and no sooner were the Brownists organized than they were dissolved.

In 1581 when the Separatists arranged for their first conventicle, their leaders, William Collett and John Hartford, were arrested and the conventicle movement ended as it began - quickly.¹⁰² Once the conventicle system was

¹⁰⁰ Lemon, Calendar - Domestic, II, p. 43.

¹⁰¹ Dasent, Acts, XXIII (1592), pp. 40-42, 106-09. The Privy Council records for 1585 are missing but the records of 1592 and 1596 state that the Council employed this program in 1585.

¹⁰² Edwards, English History from Essex Sources, "Archdeaconry of Colchester Act Book", pp. 9-10.

exposed, the leader of the sect, Robert Browne, had pamphlets distributed that expressed his tenets. Like his attempt to establish conventicles, this technique to spread Separatism also failed, for in 1583 three persons were arrested for passing out these pamphlets and were sentenced to death in accord with the Elizabethan law that prohibited anyone from circulating presumed subversive literature, a context extended to embrace the Brownist doctrine.¹⁰³ Withstanding these punishments the Brownists continued to exist underground, but were no source of trouble until after 1588 when the Council relaxed its whole program of radical enforcement of the laws of England. When the Brownists stepped up their preaching at that time the Council again lashed out. In 1593, in a flurry of acid coercion, the Council executed the Brownist leaders through hangings and the movement was buried.¹⁰⁴

Because of the Brownists and because of the plan of the Council to insulate Essex from any non-conformity, the Puritans were harnessed. Yet, the Puritans despised the Brownists and would never betray England to Spain.¹⁰⁵ Elizabeth's greatest advisors, Walsingham and Leicester in the Council¹⁰⁶ and Petre and Heneage in Parliament,¹⁰⁷ knew that the Puritans were staunch loyalists and counselled the Queen to incorporate the Puritans into an Anglican front and present Spain with a militant, Protestant England. Nevertheless, the Privy Council, influenced tremendously by the Anglican hierarchy, never

¹⁰³ Davids, Annals of Nonconformity in Essex, pp. 68-69.

¹⁰⁴ Edwards, English History from Essex Sources, "Archdeaconry of Essex Act Book", p. 9.

¹⁰⁵ Edwards, English History from Essex Sources, p. 3.

¹⁰⁶ Read, Walsingham and Elizabeth, II, pp. 260-66.

¹⁰⁷ Davids, Annals of Nonconformity in Essex, pp. 80-81.

disassociated itself from the mistaken supposition that all non-conformists, and this included the Puritans, were dangerous to the safety of Essex.

CHAPTER VI

PRIVY COUNCIL CONTROL OF ESSEX THROUGH THE HARSH TREATMENT

DOLED OUT TO CATHOLICS

When Elizabeth I became the Queen of England there was a fair proportion of English Catholics in Essex. In the years immediately preceding 1558, during the reign of the Catholic Queen, Mary I, this minority had enjoyed the privilege of religious freedom denied since the reign of Henry VIII, but when Elizabeth passed the Acts of Uniformity and of Supremacy in 1559, this right again was abrogated. Because of this denial, Elizabeth and the Council feared that the English Catholics would demand toleration. This in turn worried the government since a demand for toleration conflicted with the aim of the monarchy to use one religion as a means to establish conformity and peace. Furthermore the government feared that this right to religious freedom would be the stepping stone from which a revolt by insurrectionary English Catholics backed by Spain would be launched against the Crown. Nothing struck more terror into the Privy Council as this thought and the Council deployed every means possible to render Catholicism null and void in the county of Essex.

Since it was not until 1570 (the Ridolfi Conspiracy) that the Privy Council formally realized that a link was forged between Catholics within and without England, it also was not extremely difficult until 1570 for an Englishman to be a Catholic despite the law. Again the reason for this anomaly derived from the government's hope that all the different religious minorities would be reconciled to the Acts of 1559. Therefore, in contradistinction to the later

years - in the early years the Catholics were seldom subjected to restraints - only once were they assaulted. This outburst in 1561, however, was not insignificant nor designed by the Council to be so. Intended to forewarn the Catholics that the future held nothing but harsh repression if they did not acquiesce in the Anglican faith, in 1561 the twin pillars of Catholicism in Essex, the Thomas Wharton and Edward Waldegrave families, were toppled to the ground.

The storm broke in April 1561 following the arrest of a priest, John Coxe, alias Devon, who confessed that he offered Mass at the Whartons and Waldegraves and that he was an interlocutor between the Catholics in Essex and exiles abroad.¹⁰⁸ From the confession it was apparent that the homes of the Whartons and Waldegraves served as a rendezvous for priests and laymen. To stop this communication, the Earl of Oxford, the Lord Lieutenant of Essex, secretly searched the quarters of the two families and used military pressure to arrest a significant number of their households. They then were brought before the Commission of Oyer at Brentwood in June and were indicted for engaging in unlawful practices which were designed to be subversive.¹⁰⁹ Following two days of court proceedings a conviction was returned at the Assize and the Catholics, depending upon the person, were sentenced in various ways. They were either fined and imprisoned in the Tower as was Wharton and both Sir Edward and Lady Waldegrave; fined and imprisoned at Ely or Banbury, as was Lord Hastings of Loughborough, or, as in the case of George Felton, fined and committed to the Fleet. In all, some thirty persons were imprisoned, some of whom never were

¹⁰⁸ Lemon, Calendar - Domestic, I, pp. 173-74; B.C. Foley, "The Breaking of the Storm", in Essex Recusant, III, No. 1, pp. 2-6.

¹⁰⁹ Lemon, Calendar - Domestic, I, pp. 173-74; Foley, "Breaking of the Storm", in Essex Recusant, III, No. 1, pp. 6-10.

released.¹¹⁰ The Privy Council delivered a heavy blow against Catholicism in Essex by this coercion, and the possibility that the Catholics in England would align themselves with Catholics outside was greatly reduced.

In the years that immediately followed, Elizabeth and the Council never really feared an uprising of the Catholics in Essex. The Catholics were presented at the court for disobedience to the laws of 1559, but those who appeared were few in number, while the punishments prescribed were minimal.¹¹¹ In 1570 this complacency was radically altered. Due to the sentence of Pope Pius V against Elizabeth and the concomitant conspiracy in Norfolk, the government judged that the Catholics in England with the support of Spain would rise up against the regime. Rather than a friend that could be reconciled the Catholics became an enemy to be destroyed. Following orders of the Council to both the Bishop of London and the magistrates of Essex which directed them to enforce the laws of 1559 with greater authority and perseverance, a series of investigations were conducted that exposed the activities of recalcitrant Catholics. As examples, the Burre family of Barking was arrested in 1575 for passing along seditious books imported from overseas,¹¹² and in 1577 the Binks brothers of Finchfield were arrested and convicted for preaching Catholicism and disobedience to the laws of England.¹¹³ Then in 1577 and 1578 the Bishop of London proceeded with another loyalty check for Essex and fourteen more

¹¹⁰ Ibid, pp. 10-20.

¹¹¹ H.M.S., Tenth Report, pp. 471-73; Edwards, English History from Essex Sources, "Archdeaconry of Essex Act Book", p. 11.

¹¹² Dasent, Acts, IX, p. 35; O'Leary, "The Burre Family of Barking", in Essex Recusant, Vol. II, No. 3, p. 97.

¹¹³ H.M.S., Tenth Report, p. 476.

recusants were detected.¹¹⁴ The Council then wielded its authority and imprisoned for indefinite periods those like Rook Greene who remained obstinate.¹¹⁵

Despite the increased pressure brought to bear upon the Catholics of Essex in the decade of 1570, there was not an intensified drive to destroy Catholicism until 1580. The priests, the spokesmen for the Catholics, were left unmolested for the most part. John Woodward, a Marian priest, offered Mass at Ingatestone Hall under the protection of the Petre family until 1577 and then left England unscathed for Rouen.¹¹⁶ Even the seminary priest and later martyr, John Payne, who was arrested in 1577 was allowed to leave Essex and return to Douai.¹¹⁷ The leniency however did not linger long after Payne was released. By 1578 and 1579 the number of seminary priests in England had increased noticeably. Since the priests, according to the conciliar concept, were supported by Spain and were in England to disseminate dangerous doctrine, the Council decided it could not be tolerant. Because of the interconnection between the priests and laymen, the Council also decided that the Catholics as a group had to be eliminated regardless of whether they were loyalists who wanted toleration or were actual rebels.

To blot out Catholicism in Essex the Council could have deported every Catholic. However, this program would only have intensified the fears of the

¹¹⁴Lemon, Calendar - Domestic, I, p. 640; Dasent, Acts, X, p. 313; Sister Gabriel, "Essex Papists in 1578", in Essex Recusant, Vol. II, No. 1, p. 3.

¹¹⁵Dasent, Acts, X, p. 327; Sister Gabriel, "Essex Papists in 1578", in Essex Recusant, Vol. II, No. 1, p. 3.

¹¹⁶B. C. Foley, "John Woodward, Marian Priest", in Essex Recusant, Vol. IV, No. 1, pp. 13-15.

¹¹⁷Foley, "Payne the Seminary Priest", in Essex Recusant, Vol. II, No. 2, pp. 49-52.

Council for, outside England, the Catholics would find a source of support for their cause and the possibility of an invasion of England would increase.¹¹⁸ As an alternative the Council could have executed every priest in Essex. But, to furnish the Catholics inside England with martyrs would not cause the faith to die; further, it would provide England's enemy with an even stronger reason for an invasion. Without provoking Spain, the Council had to find a method to immobilize the Catholics in Essex. For the paralysis, the recusants in the county were subjected to a system of presentments, fines and imprisonments.

Before it established this procedure, the Council deemed it necessary to smother the protagonists of the Catholic faith, the seminary priests from overseas. To carry through this goal, the Council inundated the Essex seacoast with agents and after these searchers exposed Harwich as the landing point in 1582 fewer and fewer priests disembarked.¹¹⁹ However, by 1582, a substantial number of priests already had entered so that the major task before the Council was not to prevent the entrance of the clergy but to detect their whereabouts. To hunt down the priests, ordinary people who valued the government's cash, local authorities and special agents, were all conscripted. Through the use of various techniques such as voluntary imprisonments of these Crown representatives along with the Catholics, a majority of the priests in Essex were detected. In particular, John Payne, Edmond Campion and their eleven associates were arrested in 1582 and after the execution of Payne and the imprisonment of

¹¹⁸Roger Merriman, "Some Notes on the Treatment of the English Catholics in the Reign of Elizabeth", American Historical Review, Vol. XIII (April, 1908), pp. 481-82.

¹¹⁹Dasent, Acts, XIII, pp. 294, 299-301.

the rest, Essex was virtually shut off from the influence of the seminary priests.¹²⁰ Once the priests were enchained, the Council then embarked on the more important program of circumscribing the Catholic laity through the pattern of presentments, fines and imprisonments.

To ruin the Catholics it was necessary to know who they were and as the prerequisite to its plan of attack, the Council sponsored a series of secret raids upon the homes of suspected recusants. In this regard the most notorious of all the onslaughts was the Domiciliary Visitation conducted under the auspices of Richard Topcliffe in 1582. In conjunction with all the Essex magistrates, Topcliffe assaulted every home in Essex which he considered might either contain or harbor recusants¹²¹ and through the use of extorted confessions he provided the Council with information about all the Catholics in Essex, some of whom the Council had never suspected.

Once the Council knew which of its English subjects were Catholic, it spawned the first aspect of its repression, the presentments before the courts, of all Catholics who failed to attend church services in conformity with the laws of England. In June 1581 the largest number of male recusants to that date were accused and for the first time gentlewomen, women of high social status, such as Maria, Lady Petre, also were charged.¹²² In January there was a second presentment. Two such occurrences in a year was a novelty and at this

¹²⁰Dasent, Acts, XIII, pp. 347-48, 402. Foley, "Payne the Seminary Priest", in Essex Recusant, II, No. 2, pp. 52-61.

¹²¹Dasent, Acts, XIII, pp. 382-83.

¹²²H.M.S., Tenth Report, pp. 467-69.

proceeding the number indicted was greater than that of the previous June.¹²³ Continually thereafter, except for the interlude from 1588 to 1592, Catholics in vast numbers were arraigned often within a year. At the midsummer sessions of 1584;¹²⁴ at the Quarter Sessions of 1586;¹²⁵ at the Quarter Sessions of 1593;¹²⁶ the lists drawn up by the bishops, of Catholics charged with breaking the law, were exhaustive. The case histories of a few Essex families proved this.

The Burre family from Barking was presented at the Quarter Sessions in March 1582 and before the year was out they appeared three more times. They returned to the court twice in 1583 and twice in 1584. In the following year the family was indicted on four different occasions and in 1586 on three. From then until 1598, the family was never presented less than once per year.¹²⁷ What was true for the Burre family was also true for the other leading households in Essex such as the Thomas Hale,¹²⁸ Thomas More¹²⁹ and Thomas Wiseman families.¹³⁰

¹²³Ibid., pp. 477-78.

¹²⁴Ibid., pp. 479-80.

¹²⁵Sister Catherine, "Essex Recusants in July 1586", in Essex Recusant, Vol. I, No. 2, pp. 75-77.

¹²⁶Dasent, Acts, XVIII (1589-1590), pp. 406-07; H. G. Emmison, "Certificates of the Bishops of Recusant, 1593-1610", Guide to Essex Quarter Sessions.

¹²⁷O'Leary, "The Burre Family of Barking", in Essex Recusant, Vol. II, No. 3, p. 98.

¹²⁸B. Foley, "The Hale Family of Walthamstow", in Essex Recusant, Vol. I, No. I, pp. 20-23.

¹²⁹Shanahan, "The Family of St. Thomas More in Essex, 1581-1640", in Essex Recusant, Vol. I, No. 2, pp. 68-71.

¹³⁰O'Leary, "Faulkbourne", in Essex Recusant, Vol. VI, No. 1, p. 29.

Since the presentments were not a panacea that would prevent the Catholics from beginning a revolt, the Council also imprisoned the influential Catholics of Essex. Like the presentments, this second stage of the Council's attack also was motivated for political, not ecclesiastical reasons. With all of the Catholics of Essex in prison and especially those who wielded power, to sustain a revolution would be impossible.

Until 1586, only the most influential recusants were incarcerated but from that date there were wholesale detentions of all adult Catholics whenever the Council feared that Spain might strike. In 1586 when Spain loomed as a threat, all of the Catholics were uprooted and confined to the prisons at Ely or Banbury or to the homes of magistrates in Essex.¹³¹ In 1592 the situation was repeated¹³² and in 1596 repeated again and also extended to include the eldest son of any parent confined to his home because of health.¹³³

More important to the Council than the widespread confinement of the Catholics in times of emergency were the restraints imposed upon individual Catholics who were the acknowledged power figures in the county. Rook Greene of Little Sampford, one of the wealthiest landowners in Essex, was imprisoned continually for twenty years from 1577 to 1597.¹³⁴ His counterpart in Manuden, Thomas Crowley, also was locked up periodically from 1578 until 1603.¹³⁵ The

¹³¹Dasent, Acts, XVIII, pp. 406-07.

¹³²Dasent, Acts, XXIII (1592), pp. 106-09.

¹³³Dasent, Acts, XXVI (1596-1597), pp. 322-23, 362-64.

¹³⁴M.M. Nolan, "The Greene Family of Little Sampford", in Essex Recusant, Vol. VI, No. 3, p. 86.

¹³⁵N.M. Corcoran, "Crowley or Crawley of Manuden", in Essex Recusant, Vol. VI, No. 3, pp. 103-04.

same applied to other outstanding individuals in Essex such as Thomas More II, who spent four years in the Marshalsea from 1582 to 1586,¹³⁶ and Thomas Hale, who was confined from 1585 to 1588.¹³⁷

To complement the policy of presentments and imprisonments to insure that all the Catholics lost all power and influence, the Council also had each recusant heavily fined.

According to the statute of 1581, a fine of £20 a month was levied upon each recusant who failed to attend his parish church. According to the same law, a twelve-month prison term was doled out to any person who heard Mass. Thus when a recusant heard Mass and was caught he was imprisoned and unable to attend his parish church. As a result what was owed in fines after a year amounted to a sum that was impossible to pay. Since the Council was forever exposing recusants for hearing Mass and for not attending the parish church, it was forever filling the Exchequer records with soaring amounts that each Catholic owed in fines.¹³⁸ As the case histories of Greene and More prove, recusants always owed the government more than they could ever pay. Rook Greene and Thomas More II were confined behind walls in 1582 for the specified year prescribed for breaking the law. Since neither attended his parish services during that year, each owed the government £240 at the year's conclusion.¹³⁹ Since each gentleman spent an additional four years in prison, this meant that

¹³⁶Shanahan, "The More Family", in Essex Recusant, Vol. I, No. 2, pp. 69-71.

¹³⁷Dasent, Acts, XVII, pp. 30-31.

¹³⁸Mother Campbell, "Essex Recusants in an Exchequer Document, 1582-1649", in Essex Recusant, Vol. I, No. 2, pp. 52-61.

¹³⁹Ibid, pp. 52-53.

in 1586 each owed £1000 to the monarchy, a sum impossible for all except the wealthiest to pay. Since recusants in general, and Greene and More in particular, could never pay the fines the Council enacted a second law in 1587 which provided that when a person defaulted, the recusant's property and possessions were sequestered. In other words, the fines were not imposed to gather revenue for the government but, rather, designed to shackle the Catholics with unsurmountable debts so that they lost all power and influence in the county. So effectively was this carried through that the Council often had to release indebted recusants from prison and allow them to return to their farms or estates or places of business so that poverty would not blight the economic prosperity Elizabeth had established.¹⁴⁰

In the pre-Armada period the success of the Council's whole program depended upon the secret searches of recusant homes. In the post-Armada period the same was true. From 1588 until 1592 the Catholic's underground had emerged but the Council had not taken note. When Spain threatened England again in 1592, as she had previously in the 1580's, the Council had to know again which Englishmen were Catholics. In 1593, a raid identical to that operated by Topcliffe in 1582 was directed against all Catholic homes, especially the Wiseman home, in north-west Essex.¹⁴¹ Straightforward, all persons who were Catholics in the northwestern sector of the county were noted and from this base the Council carried on the policy of presentments, imprisonments and fines after 1592 as previously described. For its work designed to stamp out the fines of

¹⁴⁰Dasent, Acts, XVII, p. 114.

¹⁴¹Green, Calendar - Domestic, III, pp. 388, 406-07. Mother Nicholas, "Some Recusant Families in North-West Essex in 1594", in Essex Recusant, Vol. IV, No. 3, pp. 94-102.

possible Catholic rebellion the Council was well rewarded. Its programming had destroyed the strength of the Catholics to such a degree that never once did a Catholic uprising develop in Essex during Elizabeth's reign.

CONCLUSION

Throughout the dominion of Elizabeth from 1558 to 1603, England was vulnerable to an invasion from overseas through the county of Essex. If the Privy Council were to defend the island, first of all it had to safeguard the loyalty of Essex. With no previous guidelines from which to base a program that would secure this goal, the Council fashioned a course delineated to stifle any non-conformity in Essex, no matter what the origin or end of that dissent, whether traditional Catholicism or radical Protestantism. The Council believed that in this way Spain would never find support within England upon which a successful invasion by Spain depended. In this thinking and in its program the Council was proved correct. In view of the fact that the reign of Elizabeth was plagued by subterfuge and further that the history and the geography of Essex offered inviting possibilities for conspiracy, one fact stands out in the relationship between the Privy Council and Essex from 1558 to 1603 and that fact is that no plot nor conspiracy for the overthrow of Elizabeth was ever launched, and that the pattern of Essex was proven loyalty to the Crown.

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APPROVAL SHEET

The thesis submitted by John A. O'Loughlin has been read and approved by the director of the thesis. Furthermore, the final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

January 25, 1967
Date

William R. Trimble
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