A Study of the Administration of the Henrician Act of Supremacy in Canterbury Diocese

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A STUDY OF THE ADMINISTRATION OF THE HENRICIAN ACT
OF SUPREMACY IN CANTERBURY DIOCESE

by

Sister Mary Justine Peter, O. S. F.

A Thesis Submitted to the Faculty of the Graduate School
of Loyola University in Partial Fulfillment of
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Doctor of Philosophy

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LIFE

Sister Mary Justine Peter, O.S.F., was born in Longmont, Colorado, July 23, 1924.

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Public Record Office, Somerset House, Lambeth Palace Library, and the House of Lords Archives in London; of the Dean and Chapter Library at Christchurch Cathedral in Canterbury; of the Kent County Record Office in Maidstone; and of the Vatican Library.
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CHAPTER I

INTRODUCTION

The Parliament which met at the Blackfriars on November 3, 1529, was to perform the task of taking the Ecclesia Anglicana out of communion with Rome. Within seven years all the legislation necessary to this end had been written into the statute books. In fact, the tie had been severed definitely five years to the day of the convocation of Parliament, with the passing of the Act of Supremacy. The preceding and subsequent legislation merely supported this vital statute, either by preparing the way for it or by enlarging its implications.

The reformation in England, especially in its early stages, was accomplished with apparent ease. The two factors involved in this achievement were: 1) the means by which members of Parliament were brought to acquiesce to the religious changes implied in the break with Rome; and 2) methods of making the king's supremacy in ecclesiastical matters an active principle among the royal subjects, both clerical and lay, once the statutory enunciation had been effected. The question of pressure upon Parliament, direct or indirect, will not be considered here;1 rather, emphasis will be placed upon the aspect of the

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1 Recent studies point to evidence that even though the Reformation Parliament was probably not "packed" by Henry VIII, many of the members of both Houses were intimately connected with the royal household or court. See Kenneth Pickthorn, *Early Tudor Government*, II, London, 1924, 131. See also Sister Mary
problem dealing with the practical application of the legislation upon the general population within a particular diocese.

Canterbury diocese, situated in the eastern half of Kent, lends itself admirably to a study of the methods employed in administering the Henrician Act of Supremacy. Detailed lists of local clergymen are available for the years 1540 and 1541, making it possible to obtain an intimate and valid picture of the enforcement of reformation legislation on the local scene of this key diocese during the initial stages of religious change. Most of the religious legislation had been passed by 1540 and first reactions to it were over. Moreover, the fact that Archbishop Cranmer was already inclined to genuine Reform doctrine made his see an early testing ground for "Protestantism" in England. The struggle between the non-conforming clergymen, the supporters of royal supremacy, and the proponents of the new learning in Canterbury diocese was to culminate eventually in an open break between Archbishop Cranmer and his disaffected clerics.

Justine Peter, A Study of Crown Relations with Some Members of the House of Commons in the Reformation Parliament, 1529-1536, Unpublished Master's Thesis, Loyola University, Chicago, 1955. Patronage of members of Parliament will be treated definitively in the study now in progress at the University of London, under the general chairmanship of Sir Frank Stenton, which proposes to biographize all members of Parliament from earliest times to 1901.

2 To keep this study within a compact geographical unit, the parishes in the peculiar jurisdiction of Archbishop Cranmer have been omitted. These constitute the deaneries of the Arches in London; Shorham in Rochester diocese; Croydon in Winchester and London dioceses; Southmalling and Pagham in Chichester diocese, Risborough in Lincoln diocese; and Calais. For an account of these peculiaries see B. W. Kissan, "The Deanery of the Arches and Other Peculiars of Canterbury," London and Middlesex Archaeological Society Transactions, London, XIV, N.S. VIII, 1938-1940, 195-232. Two boxes of Kissan's unpublished manuscript notes on the peculiaries of Canterbury diocese are deposited in the London Room of the Institute of Historical Research of the University of London. No definitive study has appeared yet on the early years of the reformation in Calais and its environs, though such a study would yield rich results.
The ecclesiastical authority assumed by the king in virtue of his supreme headship in the English Church determined the scope of his jurisdiction. Parliamentary acts and statutes which sought to invest Henry VIII with powers previously exercised by the papacy articulated his theoretical claims. These claims were, in turn, augmented by royal directives designed to explain the newly acquired prerogative, and to provide for its active acceptance by the people.

The reformation legislation as passed by Parliament, together with its corollaries and ramifications in the form of royal injunctions and decrees, is contained in the legal documents which are readily available in printed sources. It, however, forms merely the groundwork or starting point for the main problem which concerns the gap between theory and practice. This gap can be bridged partially by a knowledge of the techniques and agents employed in enforcing the legislation and of the role of ecclesiastical and lay officials in executing it.

This naturally gives rise to questions of administration. Who, in fact, were the key men within the diocese during these formative years? The focus of attention must be turned first upon the clergy, since they formed the normal channel through which ecclesiastical laws could become operative. How did the average rector or curate respond to the religious changes enacted by

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Crown and Parliament? And if the reaction were unfavorable, what measures were taken to obtain conformity?

A problem was posed by the members of disbanded religious orders after the dissolution of the monasteries. These dispossessed priests were obliged to seek employment in a diocesan administrative and parochial system that was already overcrowded with incumbents. The tracing of their absorption into the parish scene is especially complicated by the difficulty of identifying the ex-monks after they dropped their religious names. Therefore, until all of the former religious can be identified with certainty, the story of their acceptance or rejection of royal supremacy must remain incomplete.

The diocesan courts were to play a major role in enacting the new ecclesiastical legislation. But because the headship of the English Church was in the hands of a layman who could delegate his authority at his own discretion, civil courts soon acquired jurisdiction in religious matters. Cases of non-conformity were brought within their orbit, and local lay officials were made responsible for enforcing obedience in religious matters. In order to understand the importance of these courts in administering the Act of Supremacy, we must ask who was holding official positions at this time, and by whose authority they acted. We must also investigate the procedures followed in cases involving religious issues.

Beyond the question of the theoretical administrative tactics is that of practical results. Were any changes brought about in the ordinary life of

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the East Kent folk by the fact that supreme ecclesiastical jurisdiction was fused with royal power under one head? Or did it really make any difference to the Dover fisherman or to the curate of Little Chart? In a word, how was conformity achieved, and was it a sincere acquiescence or mere lip-service?

To give full and conclusive answers to these questions, we should not only have to have access to all contemporary documents, private and public, and especially to civil and ecclesiastical court records which are in any way relevant to the matter at hand, but we should also be able by some seer’s art to enter the innermost minds and hearts of the participants in the far-reaching drama of the early sixteenth century. In default of this, we can only examine the evidence contained in existing contemporary sources of one diocese, and from these fragments endeavor to reconstruct enough of that original picture to shed some light on what was actually taking place in England during the initial years of the reformation, and on the extent to which royal supremacy was acknowledged and supported there during the reign of Henry VIII.
CHAPTER II

THE ACT OF SUPREMACY

When one searches the formal legislation for the Supremacy one finds that Henry VIII did not claim to be introducing anything new into the relationship between Rome and England. The statutes dealing with his authority as head of the church are so worded as to appear a mere reassertion and confirmation of a prerogative which by ancient right and tradition belonged to the English crown. Already in the preamble to the Act of Appeals of 1532 the allegation is clearly stated that England has long been acknowledged as an empire with the king, as its "one supreme head," exercising plenary power over both the spirituality and temporality.¹ In correcting one of the preliminary drafts of this

¹ "Where by divers sundry, old authentic histories and chronicles it is manifestly declared and expressed that this realm of England is an empire, and so hath been accepted in the world, governed by one supreme head and king. . . . unto whom a body politic . . . divided in terms and by names of spirituality and temporality, been bounded and owe to bear next to God a natural obedience, he being also instituted and furnished by the goodness and sufferance of Almighty God with plenary, whole, and entire power, pre-eminence, authority, prerogative and jurisdiction, to render and yield justice and final determination to all manner of folk, residents, or subjects within this his realm in all causes, matters, debates, contentions, happening to occur, insurge, or begin within the limits thereof without restraint or provocation to any foreign princes or potentates of the world . . . ."--Statutes of the Realm, III, 24 Henry VIII, c. 12. G. R. Elton, writing of this statute points out that preambles in reformation legislation were forged by Cromwell as valuable instruments in expounding government policy.--"Evolution of a Reformation Statute," English Historical Review, LXIV, London, 1949, 178, n. 2.
Act, Henry VIII had inserted phrases alleging that all laws in England—spiritual as well as temporal—were originally derived from the kings in their capacity as vicars of God, and that "jurisdiction spiritual and temporal of this realm [proceeds] of and from the said imperial crown and none otherwise." These clauses were dropped from the Act in the next draft, probably at the insistence of Cromwell, but they do indicate Henry's mind in the matter. In the Heresy Act of 1534 it is stated that the pope's jurisdiction "was never commonly accepted or confirmed to be any law of God or man within this realm." From this point it was easy to proceed to the statement in the Act of Supremacy itself which declares that the king is recognized by the clergy as being, in fact and by right, supreme head of the Church of England. The Act, it was held, is merely to confirm and corroborate this de facto headship.

Documents quoted in this paper have been modernized with regard to spelling and punctuation, without, however, changing the word order of the sentences. In a few instances, where the archaic spelling is particularly expressive, it has been retained.

2 Ibid., quoting from Draft D, f. 67. This is clearly a Marsilian tenet. For a discussion of the extent to which the Defensor Pacis of Marsilius of Padua influenced English thought at the time of the reformation, see Pierre Janelle, L'Angleterre catholique à la veille du schisme, Paris, 1935, 232-313.

3 Elton notes that the deletion of another phrase defending the crown against possible accusation of heresy, was a victory by Cromwell over Henry's desire to be reputed orthodox in religious matters.—Elton, 178. But apparently Cromwell's success in this matter was short-lived, for the very next piece of religious legislation states unequivocally that repudiation of papal authority is not heretical, thus extricating Henry from any charge of heresy on that score. See the Heresy Act, Statutes of the Realm, III, 25 Henry VIII, c. 14.

4 Ibid.

5 Ibid., 26 Henry VIII, c. 1. For the full text of the Act of Supremacy, see below, p. 13, n. 25.
What were the powers to which Henry VIII would lay claim by virtue of this headship? The legislation passed by Parliament between 1529 and 1536 provides the answer. If the king never intended to assume personally the spiritual functions of the priesthood, e.g., the offering of the Holy Sacrifice of the Mass, and the administration of the Sacraments, he did not hesitate to arrogate to himself complete control of those who did; and all of this was accomplished by legal means.

The process of subjugation of the clergy of the realm to the crown was initiated by the revival of the statutes of Provisors and Praemunire. Wolsey was the first victim; he was indicted for accepting bulls from Pope Clement VII naming him legate a latere of the pope and for allowing probate of wills outside his own jurisdiction. The whole body of the clergy was likewise condemned for recognizing Wolsey's legateship, and a pardon was granted only after Convocation had voted the king an indemnity of £120,000 and had agreed to recognize him as singular protector, unique and supreme lord, and, insofar as Christ's law is allowed, even supreme head of the Church and clergy of England.

6 Cf. Gilbert Burnet, History of the Reformation of the Church of England, ed. Nicholas Pocock, VI, Oxford, 1865, 241-248, on the king's theorizing as to whether he can ordain bishops. This work will be cited subsequently as Pocock-Burnet.

7 The Statute of Provisors (25 Edward III, st. 4.) was aimed against papal appointments to vacant bishoprics in England; that of Praemunire (27 Edward III, st. 1, c. 1.) forbade pleas in foreign courts, i.e., in the papal curia.

8 Wolsey died on November 30, 1530, while en route to answer the charges against him.

9 Wilkins, III, 742.
The completion of Wolsey's ruin was accompanied by diverse complaints against the clergy drawn up by the House of Commons. These "six great causes" were later broken down into three general bills seeking: (1) to limit probate fees; (2) to regulate mortuaries; and (3) to protest against non-residence of the clergy and pluralities.\(^\text{10}\) The anti-clericalism thus manifested by the Commons was censured openly by Bishop John Fisher of Rochester; however, he was obliged by the king to excuse himself to them, "which blind excuse pleased the Commons nothing at all."\(^\text{11}\)

Henry VIII was, in the meantime, becoming impatient with delays in the matter of his intended divorce from Catherine of Aragon, and he now decided to exert pressure upon the Roman Court by threatening to cut off papal revenues. The conditional "Act in Restraint of Annates" which was passed in January of 1532 forbade the payment of the first-fruits of bishoprics to the pope. The statute was to be effective at Henry's pleasure, and its confirmation was attained in 1534, after it had become apparent that a divorce was not forthcoming.\(^\text{12}\) This Act effectively deprived the Roman See of part of its traditional revenues, but a much more crucial statute was the Statute of Appeals of 1533 which re-emphasized and reinforced the ancient Praemunire Statutes in for-


\(^{11}\) Ibid., 168.

\(^{12}\) The Acts in Restraint of Annates were: 23 Henry VIII, c. 20; 25 Henry VIII, c. 20. A third Act, 26 Henry VIII c. 3, restored the tax on newly-acquired benefices, but made it payable to the king.
bidding English laymen to appeal to papal courts for justice. The pope's juridical power in England was becoming a thing of the past, and care was taken that his sanctions would be ineffective. Any ensuing interdict or excommunication which might be laid upon the English Church in retaliation for these measures was to be ignored, under pain of a year's imprisonment and a fine at the king's discretion.

These measures were, of course, a necessary corollary to the assertion of royal supremacy. If the crown, of ancient right, ought to be supreme head of the Anglican Church, then it must follow that whatever authority was exercised by the pope within the realm was, indeed, usurped. And the king should lose no time in ridding the kingdom of it.

On March 12, 1534, the first reading was made in the House of Lords of a bill to abrogate Peter's Pence and the granting of dispensations by the Roman Pontiff. The "Act for Exoneration from Exactions Paid to Rome," which grew out of this, embraced much more territory than the title implies. Peter's

13 Statutes of the Realm, III, 24 Henry VIII, c. 12. This statute forbade specifically appeals concerning "all causes testamentary, causes of matrimoniy and divorces, tithes, oblations, and obventions." Anyone attempting to make such appeals to Rome would be subject to penalties attached to the statutes of Provisors and Praemunire, i.e., confiscation of property, imprisonment, and a fine at the king's will.

14 Ibid.


16 Statutes of the Realm, III, 25 Henry VIII, c. 21. Chancery could demand an explanation from the archbishop in case he refused to grant license, and if that Court were not satisfied with his excuse, it could enjoin him to issue it under penalty.
pence was abolished. Dispensations previously obtained from the Holy See were to be henceforth granted by the Archbishop of Canterbury and, in exceptional cases, only with the assent of king and council.\textsuperscript{17} Moreover, by virtue of this Act the king claimed the right of visiting exempt monasteries and of forbidding regular clergy to go abroad to attend general chapters and other religious assemblies. Another clause of this Act states that such licenses, dispensations, confirmations, faculties, or indulgences as had been granted by the papacy before March 12, 1533, would be considered valid, except any that may have been contrary to the laws of the realm. But by a new enactment the king himself, with the advice of his council, was granted power and authority from time to time, for the ordering, redress, and reformation of all manner of indulgences and privileges thereof within this realm, or within any of the king's dominions, heretofore obtained at the See of Rome, or by authority thereof, and of the abuses of such indulgences and privileges thereof, as shall seem good, wholesome, and reasonable for honor of God and the weal of his people.\textsuperscript{18}

By their formal submission to the Crown in 1532, and by the Act\textsuperscript{19} which embodied its essence, the clergy had already agreed to the king's demands that they make and promulgate no new canons or constitutions, provincial or synodal, without his license, and that they submit all existing canons to a

\textsuperscript{17} The scope of the jurisdiction as outlined in the text of the Act included "licenses, dispensations, compositions, faculties, grants, rescripts, delegacies, and any other instruments or writings of whatever kind . . . formerly obtained from the See of Rome."--\textit{Ibid.}


committee of thirty-two royal appointees, for approbation or abrogation. On March 14, 1534, the second reading of the bill concerning the abolition of the usurped authority of the pope was recorded, and by the end of the month it had met the approval of the king, who was as yet content to be styled simply: "Henricus Octavus, Dei Gratia, Angliæ et Franciæ Rex, Fidel defensor, et Dominus Hiberniae." Officially, the matter of abolishing papal authority rested there until 1536, but in the meantime Henry busied himself with taking over not only the title of supremacy but also the authority which that designation implied.

About the same time, the first Statute of Succession was passed, and an oath was demanded under penalty of misprision of high treason of such subjects as it would please the king to require it. No text of the oath is written into the Act, but the Lords' Journals for March 30, 1534, contains a form which was probably used until the version contained in the December Act of Succession appeared. Both oaths begin with the significant promise "to bear faith, trust, and obedience alone to the king's majesty and to his heirs ...

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20 These were to be composed of sixteen members of Convocation and sixteen from the Houses of Parliament. The committee was not actually set up until the time of Edward VI when Cranmer undertook the revision of canon law.

21 Lords' Journals, I, 73.

22 Statutes of the Realm.

23 Ibid., 26 Henry VIII, c. 2. Both of these oaths are criticized by Hughes as going beyond the actual intent of the March statute, for they not only demand the promise to observe the Act of Succession but "all other acts and statutes made in confirmation or for execution of the same or of anything therein contained," which would include, of course, all the anti-papal legislation passed thus far.—Philip Hughes, The Reformation in England, I, "The King's Proceedings," London, 1950, 270, n. 1. It was the concessions demanded by these oaths (we do not know which was proffered them) that Thomas More and John Fisher refused to make.
and not to any other within this realm nor foreign authority or potentate."24

The natural culmination of all this preparatory legislation was the Act of Supremacy itself, which set out in clear and definite language the king's newly-acquired prerogatives.25 The Act is precise and unequivocal, but apparently one point had been overlooked—namely, the form of the king's style to be employed thereafter in official documents. This matter was soon remedied by

24 Cf. Lord's Journals, I, 82, and 26 Henry VIII, c. 2. The Lords' version alone specifies Acts passed since the beginning of the Parliament of 1529. It was for the enforcement of the oath of succession that a commission was set up, consisting of Thomas Cranmer, Archbishop of Canterbury; Thomas Audeley, Chancellor; Thomas Howard, Duke of Norfolk; and Charles Brandon, Duke of Suffolk.

25 The shortest of the Reformation Statutes, its full text is:

An Act concerning the King's Highness to be Supreme Head of the Church of England and to have Authority to reform and redress all errors, heresies, and abuses in the same.

Albeit the King's Majesty justly and rightfully is and ought to be supreme head of the Church of England and so is recognized by the clergy of this realm in their Convocations; yet nevertheless for corroboration and confirmation thereof, and for increase of virtue in Christ's religion within this realm of England, and to repress and extirpate all errors, heresies, and other enormities and abuses heretofore used in the same, Be it enacted by authority of this present Parliament that the King our Sovereign Lord, his heirs and successors Kings of this realm, shall be taken accepted and reputed the only supreme head in earth of the Church of England called Anglicana Ecclesia, and shall have and enjoy annexed and united to the imperial crown of this realm as well the title and style thereof, as all honors, dignities, preeminences, jurisdictions, privileges, authorities, immunities, profits, and commodities to the said dignity of supreme head of the same Church belonging and appertaining: And that our said Sovereign Lord, his heirs and successors Kings of this realm, shall have full power and authority from time to time to visit, repress, redress, reform, order, correct, restrain, and amend all such errors, heresies, abuses, offences, contempts, and enormities whatsoever they be, which by any manner spiritual authority or jurisdiction ought or may lawfully be reformed, repressed, ordered, redressed, corrected, restrained, or amended, most to the pleasure of Almighty God, the increase of virtue in Christ's religion and for the conservation of the peace, unity, and tranquility of this realm: Any usage, custom, foreign laws, foreign authority, prescription, or any other thing or things to the contrary hereof notwithstanding.—Statutes of the Realm, III, 26 Henry VIII, c. 1.
the king himself who, on January 15, 1535, called in his trusted Chancellor Audeley, Norfolk, Cromwell, and Thomas Boleyn, Earl of Wiltshire, "et multis alis" to his privy chamber in his palace at Westminster, where he decreed that the royal style and title should take the following form: "Henricus Octavus, Dei gratia, Angliae et Franciae Rex, Fidei Defensor, et Dominus Hiberniae, et in terra Supremum/[sic] Caput Anglicanae Ecclesiae."26 The phrases "under Christ," "immediately under Christ," and "under God," which were omitted in this formula, appear in several ensuing statutes and never completely disappear from private and public documents of Henry's reign.27

The attack against papal authority was resumed in 1536, and the new Parliament which met on the afternoon of July 4 heard the introduction of a bill to deprive the Bishop of Rome of his authority in England. By the 18th of the same month it had been passed as "An Act for Abolishing the Bishop of Rome's Usurped Authority," with the assertion that it was by the law of God that the king might exercise spiritual authority in the realm.28 Hard on the heels of this Act came another which would necessarily have to follow the abolition of papal in favor of royal authority in ecclesiastical matters. This was the "Act for the Release of Such as Have Obtained Pretended Licenses and Dispensations from the See of Rome," which specified that archbishops, bishops, and all religious persons may exercise their jurisdiction "by authority of this act and not

26 British Museum, MSS. Cotton., Claus, 26 Henry VIII, m. 14d.
27 See Statutes of the Realm, 27 Henry VIII, c. 28; 28 Henry VIII, c. 7. Statutory enactment on the royal style was left for a later date.
28 "[T]he king's majesty/[is] only the supreme head of this his realm of England immediately under God, of his honor, right, and preeminence due unto him by the law of God . . ."--Ibid., 28 Henry VIII, c. 12. Italics not in the original.
by virtue of any foreign power or authority."29 This was an extension of the "Act for Exonerations from Exactions Paid to Rome," passed in 1534. Dispensations for pluralities formerly granted by the Holy See must be confirmed within one year under the king's Great Seal out of the Court of Chancery.30

A parliamentary grant of 1539, which resolved the perennial investiture question in favor of princely claims, grew naturally out of the Act just mentioned. The preamble of this new statute, called "An Act for the King to Make Bishops," rehearses piously the story of the slothful and ungodly life lived by those who call themselves religious folk, and then declares that the king deems it necessary because of this sad state of affairs to create new bishoprics, and collegiate and cathedral churches in place of the suppressed monasteries.31 It then enacts

by the authority of this present Parliament, that his Highness shall have full power and authority . . . to declare and nominate by his letters patent or other writings to be made under his great seals, such number of bishops, such number of cities, sees for bishops, cathedral churches, and dioceses . . . and to endow them . . . as to his most excellent wisdom shall be thought necessary and convenient . . . .32

and to make rules and ordinances governing them.

29 Ibid., 28 Henry VIII, c. 16.
30 Ibid.
31 The suppression of monasteries was a practical measure to augment governmental finances and buy support, as was suspected and reported by both the Imperial and the French ambassadors as early as 1529. Du Bellay to Francis I, October 17, 1529--L.P., IV, 6011. Eustace Chapuys to Charles V, September 21, 1529--Great Britain, Public Record Office, Calendar of Letters, Dispatches and State Papers, relating to Negotiations between England and Spain, IV, pt. 1, London, 1879, 236.
32 Statutes of the Realm, 31 Henry VIII, c. 9.
The "Act Abolishing Diversity of Opinions," commonly known as the Act of the Six Articles, shows royal supremacy in action. 33 Parliament and Convocation were assembled at the summons of the king whose "most excellent majesty is by God's law supreme head immediately under him of this whole Church and congregation of England," in order to discuss matters concerning religion. This was one of the occasions on which Henry VIII himself descended into the Parliamentary Court to declare his mind in the business under deliberation. The Act itself, although it shows the exercise of jurisdiction in matters concerning the Mass, Transubstantiation, Communion, auricular confession, vows, and clerical celibacy, does not add anything to the royal prerogative.

Three subsequent Acts defined more clearly in whom ultimate ecclesiastical authority was to rest. The first, "Concerning Christ's Religion," is a wordy but cautious statement. 34 Those determinations, declarations, decrees, definitions, resolutions, and ordinances which would henceforth be set forth by the royally appointed archbishops, bishops, and doctors, under the king's Seal, must be "fully believed, obeyed, observed and performed" by all the subjects of the realm. The king, by this statute, does not pretend to make doctrinal decisions on his own; rather, he defers to the advice of his council and that of "the best learned, honestest, and most virtuous sort of the Doctors of Divinity, men of discretion, judgment, and good disposition." The assumption is that these divines would be hand-picked by Henry, and in any event no decision would become effective without royal confirmation. Still, Henry does not by

33 Ibid., 31 Henry VIII, c. 14.
34 Ibid., 31 Henry VIII, c. 26.
this Act claim to make church policy, nor does he presume to bestow upon ecclesiastics the power to make such decisions. But by 1543 a metamorphosis in this attitude is apparently under way. Now the "Act for the Advancement of True Religion and for the Abolishment of the Contrary" states clearly that His Highness, perceiving the errors and blindness of some of his subjects, has considered it necessary to purge from his realm all books or writings contrary to that doctrine which has been set forth by the king since 1540, or will yet be set forth by him.\(^35\) In none of the statutes before this is there mention of the king's proclaiming "doctrine" as such. Moreover, there is no reference here to the concurrence of any ecclesiastical person. Lacey holds that in this document the doctrine referred to is that which had so recently appeared in the tract entitled \textit{A Necessary Doctrine and Erudition for any Christian Man}, commonly called the \textit{King's Book}.\(^36\) It certainly included that, but also much more; for specific mention is made to the year 1540 and to any future pronouncements by the Crown. Henry is further authorized to change this Act, or any part of it, as shall seem to him convenient.

This was the ultimate word in defining the royal prerogative, but a final statute was passed in 1546, lest anyone should be intimidated by papal pronouncements against married or lay men's exercise of ecclesiastical juris-

\(^{35}\) Ibid., 34 & 35 Henry VIII, c. 1. The hope is expressed that his subjects might experience "such reformation and amendment in their lives and behaviour by the diligent and discreet reading and imprinting on their hearts of the most blessed doctrine set forth or hereafter to be set forth by his said majesty . . ." Italics not in the original. This portion is interlined in the original.

\(^{36}\) Thomas A. Lacey, ed., \textit{The King's Book}, London, 1932, 3. This work was originally printed by Thomas Berthelet in London in 1543.
diction. For, after all, the king himself was lay and married. So the statute made it clear that

your most Royal Majesty is and hath always justly been by the word of God supreme head in earth of the Church of England, and hath full power and authority to correct, punish, and repress all manner of heresies, errors, vices, sins, abuses, idolatry, hypocrisies and superstitions... and to exercise all manner of jurisdiction commonly called ecclesiastical jurisdiction.

Thus is royal plenary power spelled out. Archbishops, bishops, archdeacons, and all other ecclesiastical persons, furthermore, were said to possess no jurisdiction of any kind save "by, under and from" the Crown. Any lay person, unmarried or married, who was a Doctor of Civil Law, might be appointed by the king or by a clerical dignitary with royal authorization, to exercise ecclesiastical jurisdiction as chancellor, vicar general, commissary, official, scribe, or registrar.

That the king is head of the Church is reiterated throughout the statute. In one section the pope is denounced as trying to abolish "such power given by God to the Princes of the Earth"; again, Henry is described as "supreme head of the Church of England and also of Ireland, to whom by Holy Scripture all authority and power is wholly given to hear and determine all manner cause ecclesiastical and to correct vice and sin whatsoever."

These points, then, can be concluded from the statutory evidence for royal claims in matters of religion:

37 Statutes of the Realm, 37 Henry VIII, c. 17.
38 Canon law had been forbidden to be taught in the universities in England since 1535.
39 Statutes of the Realm, 37 Henry VIII, c. 17. Italics not in the original.
1) Henry is by divine right, by the law of God, and by Holy Scripture, head of the Church of England.

2) He may exercise ecclesiastical jurisdiction, though married and lay, and may authorize others of like state to do so.40

3) He has the authority to create and appoint to new bishoprics, and to nominate incumbents for existing sees.

4) He may "set forth" doctrine.

5) The king in Parliament may dispense in ecclesiastical disciplinary matters, or may authorize the Archbishop of Canterbury to do so.

6) The king and council may reform indulgences.

7) The king, in conjunction with thirty-two laymen and clerics of his choice, may decide which part of Canon Law shall be retained and which part "abolished and annulled." All laws hitherto proposed by Convocation and local synods must first be submitted to the king for approval.

8) The king is the only superior under God over all his spiritual and temporal subjects.41

9) He has a right to the revenues and property of the Church.

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40 Ecclesiastical jurisdiction, as defined by the statutes, implies power to visit, reform, and suppress religious houses, to correct, punish, and repress heresy, sins, idolatry, superstition, and abuses (and to decide in what, precisely, these consist), to regulate church liturgy and ceremonies, to dispense from ecclesiastical laws, and to grant faculties to clergymen.

41 "Spiritual subjects" are defined in 22 Henry VIII, c. 15 as including: "The Archbishop of Canterbury, all other bishops and suffragans, prelates, abbots, priors and their convents and every person of the convents corporate, abbesses, prioresses and religious nuns, and all other religious and spiritual persons, Deans and Chapters and other dignitaries of Cathedral and Collegiate Churches, prebendaries, presidents, wardens of colleges and collegiate churches, masters and wardens of hospitals, all fellows, brethren and scholars, priests and spiritual conductors/sic/ and vicars general of dioceses, chancellors, commissaries, officials, and deans rural and all ministers of any spiritual court, judges, advocates, registrars and scribes, proctors constituted to judgments and apparitors and all others who at any time have administered, exercised or practised or executed in any jurisdiction as officers or ministers of the said courts or in any "polytyke bodies sp’usas," all vicars, curates, chantry priests, stipendiaries, and all of the clergy."
These constitute the prerogatives claimed by statute, but they form merely the
foundation upon which Henry VIII was to build a vast superstructure of personal directives, injunctions, and decrees, which augmented
these fundamental acts and grew out of them.
CHAPTER III

THE IMPLEMENTATION AND INTERPRETATION OF THE SUPREMACY ACT

Once having obtained statutory support for his claim to ecclesiastical supremacy, how did Henry VIII interpret his power in actual practice? The enlargement of parliamentary legislation was, first of all, carried out by means of supplementary and explanatory directives and decrees which issued from the Crown itself, or at least with royal sanction. These injunctions were directed to the clergy and laity, to civil officials and ecclesiastical dignitaries alike, so that every subject, no matter what his station in life, might understand that he now owed his sovereign a double allegiance--spiritual as well as temporal.

Henry lost no time after the definitive break with Rome, which was implied in the 1532 Statute of Appeals and translated into practice in 1533 by Cranmer, Gardiner, Lee, and Longland when they declared the king's marriage with Catherine of Aragon to be null.¹ By December, plans were being laid for a systematic campaign not merely against Pope Clement VII who had excommunicated Henry and the four bishops in the preceding July, but against the papacy as an

¹ The sentence of nullity was given by Cranmer at his court in Dunstable on May 23, 1533. The other bishops had concurred in the trial--Stephen Gardiner, Bishop of Winchester (1531-1550 and 1553-1555); Edward Lee, Archbishop of York (1531-1544); and John Longland, Bishop of Lincoln (1521-1547).
institution. The Statute of Appeals, together with a copy of Henry's invocation of a General Council, were to be posted on the door of every church in the realm, and were to be distributed in foreign countries, so that no one could be ignorant of Henry's purpose. Whether on his own motion, or advised by his council or by Cromwell, who was steadily rising in royal favor, Henry VIII was burning his bridges behind him. He had reached the point of no return.

From this time on, each parliamentary statute dealing with matters of religion was to be augmented and extended by means of supplementary statements and enactments stemming from the Crown, and propagated throughout the kingdom by every conceivable means: public proclamations, printed books, pamphlets and broadsheets, and official and private correspondence calling for regular and propaganda-laden sermons, confessional counseling of penitents by the clergy, classroom instruction of children, informal teaching of domestic servants and of other dependents in great households, and a vast system of spying and informing in cases of non-conformity. No one was overlooked. A whole population was to be re-educated in a propagandizing process which was to last for the remainder of Henry's reign.

The new approach becomes clear when one compares proclamations made by the king before he claimed spiritual headship with those made after the declaration of royal supremacy. The king's statement against heresy in 1529 is made in virtue of his title "Defender of the Faith"; the definition of heresy in

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2 L.P., VI, 1486, 1487.
3 Wilkins, III, 737.
this document is any teaching or writing "contrary to the Catholic faith or
determination of Holy Church." Preachers (except curates in their parishes and
other clergy exempt by church law) were to obtain licenses from the ordinary of
the diocese. A change of tone can be perceived as early as September 12, 1530,
when the proclamation against the procuring of papal bulls was released.\(^4\) The
prohibition is made on the authority of Parliament, allegedly because the king
has decided, with the advice of his council, that it is an inconvenience to his
subjects to apply to a Roman Court for bulls. There is no question at this date
about jurisdiction or usurped authority; the matter is posed merely as one of
expediency, and it is the king who decides that this remedy is "agreeable with
God's laws, reason and conscience." The penalty for attempting to purchase a
bull of any kind from the papal court was imprisonment and exemplary punishment;
the express purpose of the prohibition is to protect the royal prerogatives and
the king's "intended purposes" in the matter.

The tone changes completely in the next proclamation against heresy,
produced in March, 1535. The royal supremacy was by that time a matter of
statute, and the king declared openly that he, as "supreme head in earth, under
God, of the church of England," desired to rid his kingdom of all heresies
"against God and his holy Scriptures."\(^5\) The proclamation is directed against
Sacramentaries and Anabaptists in particular, and they are warned to quit the
realm within twelve days, or to suffer death.

\(^4\) "A Proclamation prohibiting the purchasing of any Bulls from the
Court of Rome," Nicholas Pocock, ed., Records of the Reformation, II, Oxford,
1870, 49-50.

\(^5\) Wilkins, III, 779.
The proclamation of January 1, 1536, carries the matter still farther. Here, the books and writings of the late Bishop of Rochester, John Fisher, are condemned because they contain statements "not only in derogation and diminution of the dignity and authority royal of the king's majesty and of his imperial crown, but also directly and expressly against the good and laudable statutes of this realm."6 The king, furthermore, took upon himself to forbid the publishing of any pardons or indulgences in England.

An oath demanded of bishops after the submission of the clergy in 1532 shows the complete servility which was expected of prelates. The bishops were to renounce any obligation they might feel towards the pope for their bishoprics, and were to declare that they held them only of the king.7 By the first Act of Succession passed in 1534, an oath was imposed upon the whole population, to the effect that Henry VIII and Anne Boleyn had been validly

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7 The text of the oath, as given in Wilkins, III, 755 is:

"I, John, bishop of A. utterly renounce, and clearly forsake all such clauses, words, sentences and grants, which I have, or shall have hereafter of the pope's holiness and for the bishopric of A. that in any wise hath been, is, or hereafter may be hurtfull or prejudicial to your highness, your heirs, successors, dignity, privilege, or estate royal; and also I do swear, that I shall be faithful and true, I shall bear to you my sovereign lord, and to your heirs, kings of the same, of life and limbs, and earthly worship, above all creatures, to live and die with you, and yours, against all people, and diligently I shall be attendant to all your needs and business, after my wit and power. And your council I shall keep and hold; knowing my self to hold my bishopric of you only, beseeching you of restitution of the temporalties of the same, promising (as before) that I shall be faithful, true, and obediently subject unto your said highness, heirs, and successors, during my life, and the services and other things due to your highness, for the restitution of the temporalties of the same bishopric, I shall truly do, and obediently perform. So God help me, and all saints."
married and their children were to be accounted rightful heirs to the crown.\(^8\)

But more significant was the clause that was inserted to demand support of the whole royal title, which by this time had been declared to include the supreme headship of the Church in England.\(^9\) Before Parliament was prorogued at the end of March, 1534, the members of both Houses had taken the new oath, and Canterbury Convocation had given a negative vote to the question: "Whether the Roman pontiff has any greater jurisdiction bestowed by God in the Holy Scriptures in this realm of England, than any other foreign bishop?"\(^10\) York Convocation seconded this stand on May 6, 1534, and statements renouncing papal authority were signed by many of the clergymen in the following months.

The \textit{Chapter House Books} in the Public Record Office contain the original signatures of the clergymen of Canterbury diocese made according to deanery.\(^11\) The oaths to the Succession Act were taken at the same time, no doubt, and the implication is that with the renunciation of papal authority, the acceptance of royal supremacy was a foregone conclusion. In the lists of signatures there is no indication of the cures which the priests were serving at the time, and in many cases it is impossible to assign individual clergymen to particular parishes because no other document records their names in this context. Even the \textit{Valor Ecclesiasticus} of 1535 is disappointingly incomplete in

\begin{footnotesize}
\begin{enumerate}
\item[9] See above, p.13.
\item[10] Gee and Hardy, Documents, no. LVIII. On May 2, the Cambridge theologians voted against this proposition, and those of Oxford did likewise on July 27.---Wilkins, III, 771-2, 775-6.
\end{enumerate}
\end{footnotesize}
this respect, for it gives only the name of the actual incumbent in most cases and omits names of incidental curates or chantry priests.

Even though 351 priests' signatures appear on the renunciation lists, it is by no means certain that all of the clergymen of the diocese took the oath. Since this study is concerned primarily with the clergymen of the diocese for the years 1540 and 1541, an analysis of their oaths is in order. Of the 460 priests for whom we have records, 179 signed the renunciation and took the oath in their respective deaneries in 1534. Nine more might be added to this number, if all of the signatures were legible, but there were at least nineteen other incumbents at this time who did not sign in their Canterbury deaneries. Nineteen who were still in monasteries at this time signed with their fellow-monks, but of forty other known monks who served cures in 1540 and 1541 in Canterbury diocese, there is no record of submission.12

Among those clergymen who were admitted to parishes in Canterbury diocese after 1534, thirty-three are recorded in induction mandates as having made the renunciation of the papacy. The formula of induction itself is usually a straightforward formal entry in the episcopal Register stating the archbishop's directive to his archdeacon or other official to induct an incumbent into a new benefice.13 After 1542, the following phrase was inserted in

12 The acknowledgements of royal supremacy made by members of religious communities in Canterbury are printed in the Public Record Office, Report of the Deputy Keeper, Francis Palgrave, ed., VII, London, 18, App. 2. This work will be cited subsequently as D.K.R.

13 A free translation of an induction mandate to a chantry, from Lambeth Palace Library, Thomas Cranmer, Register, 1533-1553, reads as follows: "On the 29th day of the month of July, of the year aforesaid (1533) at Lambeth, the Lord admitted Lord Maurice ap Richard, chaplain, to the perpetual chantry in the parish Church of Betrisden, at the altar of the Blessed Virgin
the mandate: "first renouncing, denying, and refusing the Roman Bishop's usurped authority and jurisdiction according to the force of form effected by the parliamentary statutes of this kingdom of England," a formula which was gradually shortened to "first renouncing the Roman bishop." But what of the clergymen who were inducted between the dates 1534 and 1543? Eighty-nine of the 1540-1541 incumbents fall into this category, and one may question whether they were ever made to take the oath to the king. Besides these, there are 118 priests, who are noticed only in visitation records or incidentally in other documents, who were serving cures in Canterbury but whose renunciation of the pope is apparently not extant. Some of these, it is true, may have signed in other dioceses, either because they were pluralists, or because they transferred into Canterbury diocese after 1534. But this can hardly be true of all 266 for whom no records have been found. It is not unreasonable to suppose

Mary, piously founded in the same, his diocese of Canterbury, and called popularly Lovelace Chantry, now vacant through the acceptance of a benefice by Master James Goldwell, Bachelor of Laws, the last chaplain, to which he stands presented to the Lord by the excellent gentleman William Goldwell, patron of the said chantry; and the said chaplain or chanter, observing the foundation and ordination of the same, on the holy Gospels of God made his oath canonically unto the same according to his rights and the Archiepiscopal rights, and after receiving from him the canonical oath of obedience, it was written to the Archdeacon of Canterbury or his official to induct him."--f. 340b-341a.

This Register contains the induction mandates for institutions and collations to benefices in Canterbury diocese from April 11, 1533 to September 8, 1553. --ff. 339a-424b. It is cited subsequently as C. Reg.

14 "Necon de renunciando refutando et recusando Romano pontifici eiusque auctoritate et jurisdictione usurpatis iuxta vim forma effectam statutorum parliamenti huius Regni Anglie..." First record, April 14, 1543.--C. Reg., f. 388a.

15 Richard Gwent, LL.D., Dean of the Arches and Official of Canterbury, and John Oliver, LL.D., master of Henry VIII's College, Oxford, both signed in Convocation; Thomas Mylling signed in Croydon deanery; Philip Well in the Deanery of the Arches, London; and Alexander Shaw in Pagham Deanery.
that some of the clergymen of the period managed to escape taking the oath; by what means or for what reasons, we cannot be sure.

The oath enjoined by the Succession Act was also administered to the lay people of England, and Strype claims that "nobility and gentry took it, none denying, to which they set their hands in a long list."¹⁶ No such list of signatures by laymen seems to be extant for Canterbury diocese, although we are assured that the oath was administered there. Cranmer was one of the commissioners for taking the oath, and even he seems to have been a bit confused as to the manner of getting subscriptions. He wrote to the Lord Chancellor, Audeley, in 1534:

"touching my commission to take oaths of the king's subjects for his highness' succession, I am by your last letters well instructed, saving that I know not how I shall order them that cannot subscribe by writing: hitherto I have caused one of my secretaries to subscrib/e for such persons, and made them to write their sheep mark, or some other mark as they can ... scribble. Now I would know, whether I shall, instead of subscription, take their seals."¹⁷

Another question raised by Cranmer in this letter is whether the justices of the peace may accept clerical oaths as well as those of secular persons. It is unfortunate that this message is undated; but it was probably written early in the year, for a letter from Christopher Hales—one of the justices for Kent—sent to Cromwell on June 4, 1534, states: "The people of this county are well contented with the oath."¹⁸

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¹⁶ John Strype, Memorials of the Most Reverend Father in God, Thomas Cranmer, I, Oxford, 1840, 36.
¹⁸ L.P., VII, 788. An oath of spiritual fealty was even demanded of foreign soldiers entering the service of Henry VIII. They had to swear homage to him as supreme head of the "churches of England and Ireland," and promised to defend him against all persons, "spiritual or temporal."—Endorsed: "The form of
Meanwhile popular propaganda had not been neglected. In 1532, *A Glasse of the Truthe* appeared anonymously, suspected by some to have come from the king's hand. It prepared the way for Henry's coming divorce from Catherine of Aragon by emphasizing the need for a male heir, implying that this fact was not properly appreciated in the papal court. The divorce case, moreover, should be tried in England, so that the succession to the throne might not be decided by foreigners. The question, it was argued, was after all, a matter of morals, and all loyal subjects must wish to see justice done to the king's cause.

After "justice" had been done by Cranmer in the archiepiscopal court of Dunstable, the Council issued a short statement called "Articles devised by the whole consent of the king's most honorable council, his grace's license obtained thereto, not only to exhort, but also to inform his loving subjects of the truth." The burden of this pamphlet is, likewise, a defense of the royal marriage. The king's doings, obviously, must be pleasing to God, it asserted, because Henry's marriage to Anne had been blessed so soon with issue, and the pure air, fair weather, peace and prosperity in the realm were unmistakable signs of God's approval.

Besides justifying the king's divorce and re-marriage, two other threads are prominent in both texts--the denunciation of Clement VII for

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20 Printed in Pocock, II, 523-531.
delaying justice to the king in his "great cause," and its complement, the denial of papal power in general. These skeins were eagerly grasped and spun out at greater length in 1534 by three apologists for the king, all of them clergymen—Edward Foxe, Richard Sampson, and Stephen Gardiner. 21 Foxe, in his Opus eximium de vera differentia regiae potestatis et ecclesiasticae et quae sit ipsa veritas ac virtus utriusque, presents a collection of excerpts from the Bible, the Fathers of the Church, and laws of early kings of England such as Canute, Alfred, Edgar, and William the Conqueror, which he interprets antipapally. 22 Sampson carries the question into a moralizing sphere, making the body politic a sort of "mystical body," joined together in love for and obedience to the king as its head. 23 The De Vera Obedientia of Stephen Gardiner echoes these messages in a masterful rationalization of the royal claim to ecclesiastical authority, making that authority much more absolute and comprehensive than anything ever claimed by the pope. 24

The king himself issued a revealing document shortly after the passing of the Act of Supremacy in 1534, and about the time that the above-mentioned

21 Edward Foxe, Bishop of Hereford, (1535-1538), is termed a conservative, in spite of his affiliation with the reformers. For an estimate of his diplomacy with the German princes, see, Lacey Baldwin Smith, Tudor Prelates and Politics, 1536-1558, Princeton, 1953, 150-151.

Richard Sampson, Bishop of Chichester (1536-1543), of Coventry and Lichfield (1543-1554).

22 Printed in Melchior Goldasti, ed., Monarchiae S. Romani Imperii, III, Frankfort, 1618. It was translated into English in 1548.

23 His tract has a lengthy title beginning: "Richardi Sampsonis, regii sacelli decani oratio, qua docet, hortatur, admonet omnes, potissimum Anglos, regiae dignitati cum primis ut obedient ...", printed in John Strype.

24 The best English translation of this work is that by Pierre Janelle in his Obedience in Church and State, Three Political Tracts by Stephen Gardiner, Cambridge, 1930.
apologetical tracts were being circulated. It is a treatise setting out the royal order "for the practice, style, observation of terms, and exercise of causes in our spiritual laws of England." The court procedures outlined in this document will be discussed in a later chapter, but the significance of this work in relation to the interpretation of the Supremacy Act lies in the terminology employed in its introduction. Henry first cites the passing of the Act in Parliament by which the lords, spiritual and temporal, as well as the commons and clergy, recognized him as "the only supreme head and lord in earth of the Church and clergy of England, and only protector of the same." He then paraphrases the Act of Supremacy, but with some interesting deviations from the original sense of the statute which authorized the king to correct various abuses and errors needing reformation. This royal treatise, however, departs from the general tone of the Act, and assigns spiritual shortcomings to the Church and clergy respectively. The king writes:

"We calling for the grace of the Holy Ghost, and taking upon us the name, power, and authorities foresaid, intending in the name of God to repress and extirp/ate/ all errors and heresies from the same Church, and to visit, repress, redress, reform, order, correct, restrain, and amend all abuses, offenses, contempts, enormities, vices, injuries, wrongs, ill demeanors, nullities, ill fashions, and inqui_ties used in and by the same clergy [set forth these directives]."

Does this attribution of guilt specifically to the clergy reflect Henry's true conviction with regard to their culpability? This was surely no slip of the pen. Henry claims to exercise his power of reformation in God's name and

25 P.R.O., State Papers, 1/158, ff. 1-61, an unfinished fragment of the original.
26 Ibid., f. 4a.
27 Ibid., ff. 5-6. Italics not in the original.
through the help of the Holy Ghost. This would seem to indicate that the king, from the outset, intended to take upon himself not only the general direction of the Church, but also the particular spiritual correction of its ministers.

At any rate, during the next year the oath of the clergy to their bishops was changed to fit in with the new arrangement. The reference to Canon Law was dropped and a clause was added bracketing the pope, his constitutions and decrees, with Lutheranism and other heresies condemned by the Church.

The year 1535 saw also the sending of a comprehensive directive to the bishops of England, charging them to preach against the usurped power of the papacy on every Sunday and great feast day of the year, and to set forth the new title of the king. They were further exorted to take care that all ecclesiastics in their dioceses do likewise in their own parishes, monasteries and colleges, and that schoolmasters fulfill the same in respect to their charges.

28 The text of the oath with the changes indicated in parentheses is as follows: "Ego, N. juro, ad haec Sancta Dei Evangelia corporaliter tacta, quod ero obedientiens Reverendo in Christo Patri et Domino N. permissione (miseratione) Divina Eliensi Episcopo, et successoribus suis, in omnibus licitis et canonicis (honestis ac licitis) mandatis juxta juris exigentia (last three words omitted in new oath). Item (juro) quod nullam Heresim Luthereanam, aut aliam quamcunque ab Ecclesia damnatum (me imperpetuum decretus suis, quae a Parliamento Domini Regis damnata sunt, aut imposterum damnabuntur: quodque nec) docebo, predicabo, aut ratiocinando quovis modo defendam, aut pro eis, earumve aliqua (eorumve aliqua) inter conferendum auctoritatem vel rationem quamcunque, joco vel serio, animo deliberato in medium proferam: sed eas omnes et singulas (ea omnia et singula) pro ingenii mei viribus et doctrina, et earum adjuvet, et haec Sancta Dei Evangelia." -- R. W. Dixon, History of the Church of England, I, London, 1878, 263, citing State Papers, I, 437.

29 This is not, strictly speaking, a proclamation, as entitled in Wilkins, III, 772. It is, rather, a letter of directives or an order addressed to specific people, namely the bishops, and later in a modified form, to the justices of the peace. The author has consulted and compared two MS. copies of
The name of the pope was to be omitted from all prayers in the future, erased from all books and forever eradicated even from men's memories and speech, "except to his contumely and reproach." But it was not surety enough for the king that his bishops should be admonished in this manner to make his spiritual headship known and observed by the faithful. Spies must be set on the bishops themselves, lest any of them slip in their avowed duty to their sovereign. Modified copies of this directive were sent out to the justices of the peace in the different counties, strictly commanding them to "make and cause to be made diligent searchwait, and especially in every place of your justiceship, whether the said bishop do truly, sincerely, and without all manner [of] cloak, color, or dissimulation execute and accomplish our will and commandment."30 If any such disobedience be discovered in his episcopal superior, or in any ecclesiastical person in his jurisdictional area, the justice must declare it to the king or his council, upon pain of punishment to the example of others. The king appeals to the duty and allegiance which the justices owe him, and reminds them that they have been chosen for this special commission because of the confidence he has in their zeal for the unity of the realm, which depends so urgently upon this issue.

Another royal project for the peace and order of the realm, was the declaration of articles and injunctions which played so prominent a role in the

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30 This is from the Public Record Office copy, directed specifically to the justices of the peace.
next years. The so-called Ten Articles of 1536\textsuperscript{31} had the pious purpose of explaining to the people just what they were to believe, for diverse opinions had arisen, and it was the king's chief duty to see that his subjects remained united in their belief and observation of God's word, or, at least, of what God's word—in Henry's opinion—meant. The king with the aid of his bishops and clergy in Convocation, defined the principle articles of faith as: the whole Bible; the Apostles', Nicene, and Athanasian Creeds as interpreted by the Doctors of the Church; and the decrees passed by the Councils of Nicaea, Constantinople, Ephesus, and Chalcedon. Certain ambiguities have been pointed out in the teachings on Baptism, Penance, the Holy Eucharist, and above all, in the article on justification, showing them to contain Protestant overtones and even specific Lutheran expressions.\textsuperscript{32} As to the articles on the cult of saints, the rites and ceremonies of the liturgy, and the doctrine of purgatory, much is to be desired in clarity of definition and preciseness of meaning, but the tone is generally orthodox. Apart from the question as to whether this early document is still "Catholic" in content is the fact that here the king is exercising his supremacy; he is acting in conjunction with Convocation not merely as an equal to the prelates and lesser clergy, but as their head, and together they are defining doctrine. The final draft of the articles was signed on July 11 by Cromwell, the two archbishops, all but three of the bishops,\textsuperscript{33} twenty-nine

\textsuperscript{31} Pocock-Burnet, IV, 272-289.

\textsuperscript{32} For instance, the term "acceptation" in reference to justification is an unmistakable Lutheran borrowing.--Hughes, I, 350-352.

\textsuperscript{33} Gardiner who was in France; John Kyte, Bishop of Carlisle (1521-1537), who was ill; and George de Athequa, Bishop of Llandaff (1517-1537), and Catherine of Aragon's confessor, who was in prison.
abbot, the master-general of the Gilbertine Canons, two Cathedral priors and eight other priors, and fifty members of the lower house of Convocation.\textsuperscript{34}

The following month these articles were given fresh force in the Injunctions issued by the king through his vicegerent, Thomas Cromwell. They were to be introduced into every deanery in the land by means of visitations; therefore they were addressed to the "dean, parsons, vicars, curates, and stipendiaries resident or having cure of souls, or any other spiritual administration within this deanery."\textsuperscript{35}

Like the preceding enactment, this document consists of ten articles. The first deals with the still pressing problem of discrediting the pope of Rome in the sight of the people, while impressing upon them the obedience and subjection which they owe by divine command to the king.\textsuperscript{36} To this end, sermons were to be preached every Sunday for the first quarter of the year, and at least twice a quarter thereafter.

The second item deals with the enforcement of the Ten Articles of 1536, which are to be exposed in sermons in such a way that the people might clearly understand which of the teachings of the Church (of England) are necessary for salvation and which are merely conducive of good order, such as rites

\begin{itemize}
\item[34] The complete list of signatories will be found in Pocock-Burnet, \textit{IV}, 286-288.
\item[35] \textit{C. Reg.}, f. 97b, contained in Frere and Kennedy, \textit{Visitation Articles}, II, I-II.
\item[36] "\textit{The king's power is within his dominion the highest power and potentate under God, to whom men within the same dominion by God's commandment owe most loyalty and obedience, afore and above all other powers and potentates in earth. Ibid. 4. Italics not in the original.}"
\end{itemize}
and ceremonies. The Holy Days, which the king had recently abrogated by proclamation,\(^{37}\) in virtue of his office as supreme head of the Church in England, were to be declared as such to the people, according to the terms of the third article. Again the question of cults of saints was considered, and this time the clergy were admonished not to extol images of saints nor to encourage pilgrimages, for all good comes from God alone.

Preachers were instructed to teach the members of their congregations the Our Father, Creed, and Ten Commandments in the vernacular. Mothers and fathers, as well as masters and governors of youth, should instruct the children and servants under their care in like manner.

The concluding articles deal directly with the obligations of the clergy. Those in charge of cures were to see that the sacraments and sacramentals were duly administered within their parishes, even when it might be necessary for them to be absent. They were to live exemplary lives, avoid alehouses, abstain from card-playing, and should distribute a fortieth of their goods to the poor. They were to keep their rectories and chancels in repair and, according to their means, provide for the education of candidates for the priesthood. All of these injunctions were to be observed by the clergy under pain of suspension and loss of the fruits of their benefices.

The second set of royal injunctions issued in 1536 contains much the

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\(^{37}\) This proclamation of July 19, 1536, forbade the observance of Holy Days during harvest time—July 1 to September 29—and during law terms, with the exception of the feasts of the Blessed Virgin Mary, of the Apostles, Ascension, St. John the Baptist, and All Saints. Even the individual observance of the patronal feasts of churches was prohibited.\textsuperscript{—}\textsuperscript{Wilkins, III, 824.} The next year the king, acting as head of the church, reinstated the feast of St. Mark.\textsuperscript{—}\textsuperscript{Cranmer to Thomas Colyns his commissary and official, 1537, Ibid., 826.}
same message, but it is noteworthy that this time Cromwell exhibited it expressely "by the authority and commission" of Henry VIII as head of the Church.36 New precepts required the clergymen of each parish to set up in their churches a complete Bible in English.39 They were to encourage and exhort their parishioners to read it, but not to quarrel about its meaning, referring the explanation of its more difficult passages to men well versed in the study of Scripture. Penitents in Confession were to be examined on their knowledge of prayers in English, and were to be warned that if they did not know them perfectly within a year's time, they should not be admitted to the reception of the Holy Eucharist. In fact, they should "look for other injunctions from the king's highness by that time, to stay and repel all such from God's Board, as shall be found ignorant in the premises," keeping in mind not only the danger to their souls occasioned by such ignorance, but also the "worldly rebuke" which they would likely incur thereby.

38 Frere and Kennedy, Visitation Articles, II, 34-43.
39 The practical difficulties which might be encountered by an individual parish priest in attempting to fulfill this injunction is well illustrated by this letter from Thomas Saunderson, rector of Hastingleigh, to Dr. Bellasis, chaplain to the king, on April 4, 1540:

"Right worshipful and my most trusty good Master Doctor, I recommend me unto you, daily desirous to hear of your good prosperity, bodily and ghostly, continually praying to Almighty God for the same; and now I beseech you to be good master to me and my poor parish, and help us to one Bible in English that may sufficiently excuse us, of the least price, for we but have one that can read it and but sixteen householders, and not four good plevisé [sic] of them all, and not able to pay five of [s.?] among them all; and my portion is so small I am not able to pay more, for my reparations have been so great; my house and chancel was [sic] so sore in decay, and no delapidations had of my predecessor because he had nothing at his death, and some year my benefice is little over nine pounds; and therefore now I pray your help for the love of Jesus Christ, the Son of God Almighty, whom I daily pray preserve you in his eternal favor, Amen. From Hastingleigh this ... fourth day of April, anno 1540."--State Papers, I/158, f. 173a.
Such sanctions as these indicate to what a stage Henry's concept of his ecclesiastical supremacy had developed. By 1538, he presumed to suggest that a priest should refuse the sacrament of the Holy Eucharist to a person, simply on the grounds of his not having fulfilled a royal injunction. Was it, then, a serious moral fault not to obey the king in the matter of learning an English prayer? Or was this merely a bluff on Henry's part to coerce the more recalcitrant or backward among his subjects?

Dire warnings also accompanied some of the other injunctions, especially those concerning images and pilgrimages. This time, hewing close to the Protestant line of entire dependence upon Scripture, the king declared that such practices as pilgrimages, praying the rosary, and offering money or candles to honor the saints, were things leading to idolatry and superstition, thus meriting in Scripture no promise of reward, but rather "the great threats and maledictions of God." Priests were to make a public apology and recantation before their parishioners for having encouraged such things in the past, admitting and repenting their former ignorance.

A special injunction was directed towards the insuring of good sermons throughout the realm. A pastor should not allow any unlicensed clergyman to preach in his cure; however, those who had been licensed by the king, the Archbishop of Canterbury, or the local ordinary, were to be heard "without any resistance or contradiction." If any person were opposed to the reading of the Bible in English, to the preaching of the word of God, to the execution of these injunctions, or if he favored the "Bishop of Rome's pretensed power, now by law of this realm justly rejected and extirpated," he was to be detected and presented either to the king, to his council or vicegerent, or to a local
Justice of the peace.

Tithes must be paid honestly and fully by both the clergy and the laity, and shirkers were to be reported to the ordinaries or other superiors for reformation.

The days of fast were to be kept as heretofore, except those preceding abrogated holy days; and the feast of St. Thomas Becket was to be "clean omitted and instead thereof the ferial service used."

The last two articles, almost as an afterthought, deal with the abolishing of the "Angelus" and the invocation of saints in the litany.

The injunctions were to be read in each church once every three months; these new articles and those issued in 1536 must be observed under penalty of deprivation, sequestration of fruits, and such other punishments as might seem expedient to the king or his vicegerent.

If the king could assert his ecclesiastical authority in formulating

40 Becket was subsequently "unsainted," and his name was to be erased from all service books. His shrine was spoiled, and its treasures confiscated for the use of the king. For an account of the mock-trial by which the dead saint was attainted, see James Gairdner, Lollardy and the Reformation in England, II, London, 1908, 151-154. Was this already in the offing in 1533? One of Cromwell's remembrances for October of that year reads: "What the king will have done with those who will go to Canterbury to do penance."

41 It is possible that the "articles" which Cranmer sent to Cromwell on November 2, 1535, gave the impetus to, and supplied some of the contents for the injunctions of 1538. He urged the Secretary to "add other and take away what you please, or else make other articles all new... to be sent into every diocese to be preached... and read once or more every quarter in every parish church throughout the realm..."--Jenkyns, Remains of Cranmer, I, 153.
positive injunctions for the faithful, he could also use it to dispense where necessary. On February 9, 1542, Henry got out a pre-Lenten proclamation excusing his subjects from abstaining from "white meats," i.e., milk, butter, eggs, cheese, etc., during Lent, because of a scarcity of fish. He stated that since this was a mere positive law of the Church, and had been used only as a custom in the realm, no one should hesitate to take advantage of his dispensation, because the true fasting and abstinence of a Christian man should consist in renouncing the world, the flesh, and the devil.

After the abolition of papal dispensations, it was necessary for the king to draw up a schedule of the kinds of faculties and dispensations he would issue in matters touching the clerical, monastic, and matrimonial states. A complete copy of such a list is deposited in the Public Record Office, detailing the fees payable to the king, chancellor, and his clerk, to the archbishop, his commissary and scribe, the royal compensation being, invariably, the greatest.

It is natural that much attention was given during these initial years to means of communication which could form public opinion. Preaching, as an ordinary method of instruction, was especially regulated, not only by the injunctions but by other directives issuing from the new ecclesiastical government. Strype tells us that an inhibition on preaching was imposed by Cranmer upon his

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42 Tudor Proclamations, facsimile 27.
43 The Court of Faculties through which such licenses were dispensed, is discussed below in Chapter V. Appendix III contains a copy of the dispensation schedule, probably drawn up in 1537.
whole diocese in 1533, so that the divorce of Henry from Catherine could not be discussed. There was certainly such a prohibition the next year. All former licenses to preach were revoked, and even curates must obtain new permissions from Cranmer or from their respective ordinary before making any sermons in their own parish churches. The express intention of this ruling was to stop criticism of the king's marriage to Anne, and of the recent parliamentary statutes.

Another document of 1534 is endorsed: "The king's writ to the bishops commanding them to have regard to place good preachers in their dioceses." The burden of this message is concerned with the duty of bishops to examine carefully all doctrines being preached within their dioceses, and to deny a license to any cleric who favors the pope or stirs up doubts about religious matters. The bishop himself will be held responsible for any lack of conformity within his proper jurisdiction. This writ was probably issued during the early part of the year, for on April 28, a letter from Cranmer to Cromwell refers to a case in point. Mr. Roood, probably an incumbent in Croydon (a peculiar of the diocese of Canterbury), had been deprived of his license to preach, but he soon repented whatever indiscretion had led to that penalty. Cranmer writes:

45 Jenkyns, Remains of Cranmer, I, 97.
46 Cranmer to Latimer, 1534.--Jenkyns, Remains of Cranmer, I, 121.
The preacher must not only agree not to denounce existing statutes, but even those "hereafter to be ordained."
47 Public Record Office, Theological Tracts, II, sec. 18, ff. 126b-128b. (State Papers, 6/2.) The draft is in Wriothesley's hand, and contains a number of corrections and additions.
48 P.R.O., State Papers, 1/83.
Mr. Roodd hath also been with me at Croydon, and there hath subscribed the book of the King's Grace's succession, and also the conclusion "quod Romanus Episcopus non habet majorenm authoritatem a Deo sibi collatam in hoc regno Angliae quam quivis externus episcopus," and hath promised me, that he will at all times hereafter so conform himself as shall be always to the King's Grace's contentation, and that he will at no time hereafter preach in any doubtful road but that he will first counsel with me therein, wherefore if it may stand with the king's grace's pleasure, I would that he might have license again to preach; wherein I pray you to know the king's grace's pleasure.49

Apparently a great deal of unrest was aroused by these demands for new licenses, and some preachers were distrustful even when they had obtained them from their own ordinaries. Even laymen were cautious with regard to their chaplains. Sir Francis Bigod50 wrote to Cromwell that his chaplain had been granted a license by both Cranmer and the king, but that he would not allow him to preach until he had received one also at Cromwell's hands.51 Cranmer himself submitted to Cromwell's scrutiny a sermon which a certain Dr. Cronkehorne was to preach in Canterbury.52 Sermons were prepared for those unlearned priests who lacked "matter of their own inventions" to set forth the king's supremacy.53

49 The subscription of Mr. Roodd is not found in Chapter House Books, LXIV, f. 60 under the deanery of Croydon.

50 Sir Francis Bigod (1508-1537), a native of Yorkshire, who was at this time serving on a commission to collect the tenths of spiritualities in the county. He became implicated with the rebels in the Pilgrimage of Grace, and was hanged at Tyburn, June 2, 1537.—"Sir Francis Bigod," Dictionary of National Biography, XI, ed., Leslie Stephen and S. Lee, London, 483. Cited subsequently as D.N.B.

51 Bigod to Cromwell, 1535.—L.P., VIII, 854.

52 Jenkyns, Remains of Cranmer, I, 281. Dr. Cronkehorne was, apparently, a pseudo-mystic, and this sermon was probably a recantation.

53 Cranmer to Cromwell, November 5, 1535. "I drew up certain articles touching the Bishop of Rome, to give only occasion to preachers that had no great exercise in that matter . . . They that have excellent learning cannot lack matter abundant of their own inventions; but such as be of mean learning, have need of some matter to be ministered unto them."—Ibid., 152. The full MS. of a sermon entitled "The Beginning for Priests which be Unlearned" is preserved in P.R.O., Theological Tracts, V, ff. 165a-167a. (State Papers, VI/5.)
Official books of doctrine were also prepared to clarify some of the confusion which had been set forth, not only by the new statutes and directives in England, but by the infiltration of much of the continental reformation literature. Cromwell was given permission to issue a manual, which was published in 1537 under the title of The Godly and Pious Institution of a Christian Man. This became popularly known as the Bishops' Book because it had been compiled and formulated by a commission consisting of all the bishops of England and twenty-five theologians and canon lawyers. It made available to the laity the teaching of the Ten Articles of 1536. When it was ready for publication, the king refused to have his name associated with it, pleading lack of time to read and study it, but he authorized its use for three years. It became the text-book of belief for the clergy and laity alike until it was superseded in 1543 by a revision under direct royal supervision, which soon became known as the King's Book. Here, as in the Bishop's Book, the chief topics of discussion are the Creed, the Seven Sacraments, the Ten Commandments, and justification; but there are additional sections on faith, free will, and good works. By the "Act for the Advancement of True Religion and the Abolishment of the Contrary,"54 the King's Book was made the official statement of belief for the Ecclesia Anglicana, and to go against it was to be accounted heresy.

Recent studies have shown how official propaganda and the new interpretation of religious belief and ceremonies were spread through the early

54 Statutes of the Realm, III, 34 & 35 Henry VIII, c. 1.
Chief among the first efforts of this kind is William Marshall's Goodly Primer printed in 1535 as a revision of his 1534 Primer in English. The new edition contained five pages of denunciations of "false" prayers directed to saints. An almanac and calendar issued by Robert Redman in 1535 listed the former pontiffs as "popes"; Marshall's new primer merely called them "bishops of Rome." John Bydell, following Marshall, published A Primer with Epistles and Gospels ... very necessary for young curates, in 1537. The prologue referred to the pope as anti-Christ, and of course, acknowledged the supremacy of the king in ecclesiastical affairs.

John Hilsey, Bishop of Rochester, had been commissioned by Cromwell to compile The Manual of Prayers, or Primer in English. This work occupied the last days of his life, and was published posthumously in 1539. As might be expected, it stressed the duty of subjects towards their prince and denounced the pope and his followers as "destroyers of all estates."

These and other primers of the same period became obsolete with the official publication of the king's authorized version of 1545, bearing the significant title: The Primer, set forth by the king's majesty and his clergy.

55 The following paragraphs on the primers are based upon Charles C. Butterworth, The English Primers, 1529-1545, Philadelphia, 1953, a definitive work on the subject.
56 John Hilsey, Bishop of Rochester (1535-1538) was the successor to John Fisher in that See. He had joined the Dominican Order in Oxford where he took the degree, Doctor of Divinity, in 1532. Cromwell appointed him provincial of the Order in England in which capacity he visited all the friaries, together with George Browne, provincial of the Augustinians. He surrendered the Black Friars Convent in London to the king in 1538, shortly before his death.
57 Primers were compiled by Thomas Godfray (1534-1535); Robert Redman (1535); John Gough (1536).
to be taught, learned, and read; and none other to be used throughout all his dominions. This primer was meant to explain the King’s Book in simple language, and Henry himself wrote its preface. A proclamation of May 6 made it obligatory for all royal subjects, especially book-sellers, teachers of young children, and schoolmasters, to use no other version. An "A.B.C." was printed for use with the very young.58

The primers were prayer books containing the sanctoral calendar, the Our Father, Hail Mary, Commandments, and other common prayers in English, the Little Office of the Blessed Virgin Mary, the Office of the Dead, the Seven Penitential Psalms, and the Litany of All Saints. Henry’s VIII’s Primer differed from the others in omitting many of the customary saints’ feasts in the calendar, in rearranging and replacing some of the psalms used in the Offices, in avoiding reference to individual saints and the Blessed Virgin in many places and in adopting Cranmer’s new version of the Litany.59 This primer was to form the basis for the Books of Common Prayer to be issued under Edward and Elizabeth.

If the printing press was being utilized to disseminate far and wide the enactments of king and parliament and the numerous apologetical and instructive treatises for the new order, it was also being used for other purposes. Censorship of the press was invoked to deal with the unsympathetic and heretical writings which were appearing at home, and a ban was placed on the importation

58 Wilkins, III, 873-875.
59 This Litany contained the invocation: "From all sedition and privy conspiracy, from the tyranny of the bishop of Rome, and all his detestable enormities, from all false doctrine and heresy, from hardness of heart and contempt of thy word and commandment, Good Lord, deliver us."--Cited in Butterworth, 248.
of condemned books. Special attention was paid to the English versions of the Bible which were constantly cropping up in new translations. As early as March, 1526, Tyndale's *New Testament* reached England's book markets; on November 3, Warham issued a prohibition against reading or owning it, under penalty of excommunication on suspicion of heresy.60 A revised edition of the same work was published in 1534, and in quick succession three other translations of the whole Bible were made available to the English people: Coverdale's in 1535; the "Thomas Mathew" Bible of John Rogers, a friend of Tyndale; and Richard Taverner's in 1539. The controversy which was waged in England over the reading of the Bible in English cannot be entered into here, but it led to the official translation of the Old and New Testaments in 1539.61 This authorized translation by Coverdale and others, was revised and issued with Cromwell's preface in April, 1540. It is the "Great Bible" which was to be set up in every church of the realm, according to the 1538 Injunctions.

On November 16, 1538, another prohibition was issued, this time forbidding the publication of any book without a license from the council.62 By this same decree, theological discussion of the Holy Eucharist was denied to non-theologians, and those who repudiated transubstantiation were warned to leave England within twelve days, or be liable to the death penalty.
priests were to be deprived, and those who contracted marriage in the future were also to suffer imprisonment.

These ordinances and injunctions unquestionably touch the field of doctrine, and the prohibitive measures bespeak an uneasy atmosphere in religious matters. There was, of course, ample reason for such restlessness. The king was in the midst of political negotiations with the Lutheran princes, in an effort to keep Charles V and Francis I from forming an entente against him. These maneuvers, starting in 1535, were to culminate in his ill-fated marriage with Anne of Cleves in 1540. The alliance with the German princes, the Cleves marriage, and the subsequent annulment of that union, were all dictated by political expediency, not by any religious motives, and if the Lutherans and their sympathizers among the English hierarchy expected Henry to come forth with a clear-cut enunciation in favor of Protestant beliefs, they were disillusioned.

The Act of the Six Articles, passed in 1539, reflects the proclamation of the preceding year in its upholding of transubstantiation, auricular confession, clerical celibacy and religious vows, private Masses, and Communion under one species. But enough changes had been wrought in religious matters within the realm to make those who leaned towards Protestantism hopeful that the trend might continue. Moreover, during the years from 1536 to 1540 the king had used his power as head of the Church to suppress first the lesser and then the greater monasteries throughout England, thus eliminating an institution which had been a traditional part of religious life from the earliest days of Christianity in the British Isles.

Change was unmistakably in the air, and one infallible sign of it is found in the changes which occurred in the Register of Cranmer, the official
record of the archbishop's administration of his diocese. Here one can trace the development and the effects of the royal supremacy in the alterations made in the ancient formulae of ecclesiastical appointments, commissions, and other episcopal business. The rigid rules and conventions of registry forms tend to remain constant throughout all the upheavals and revolutions in history so that when a departure from the traditional formulae takes place, it is significant. And it is usually tardy. Cranmer's registrar, Anthony Hussey, for instance, did not employ the new royal style when referring to the king in the induction records, until February 4, 1535. Then the word "et in terra suprema
caput ecclesiae Anglicanæ" were added; "sub Christo" was inserted on June 8, 1536, and kept until February 8, 1540 when suddenly the whole style was omitted, never to recur during Henry's reign. A similar modification took place in Cranmer's title. Even as late as February 10, 1534, Cranmer was using the traditional formula: "Thomas by divine permission, Archbishop of Canterbury, Primate of all England and legate of the Apostolic See." After that, he

63 That the episcopal scribe was not the only one in arrears with regard to including the ecclesiastical supremacy in the royal style, is seen in a writ of excommunication dated March 28, 1534, which opens: "Excellentissimo Christo principi domino nostro domino henrico dei gratia Anglie et francie Rege fidei defensori et domino hibernie Thomas permissione divina Cantuariensis Archiepiscopus tocius Anglie primas et apostolice sedis legatus . . ."--Public Record Office, Chancery Signicavits for Excommunication, File 26, f. 7. Church wardens were, it seems, even more negligent. Hubbard notes that The Old Book of Wye did not accord the title of supremacy to Henry VIII until the year 1542, and in Smarden, Kent, the first entry of this kind in the parish register is in 1546. --G. E. Hubbard, The Old Book of Wye, Derby, England, 1951, 182; Francis Haslewood, "Notes from the Records of Smarden Church," Archaeologia Cantiana, IX, London, 1874, 235.

64 Except in the record of a presentation to the parish church of Lambeth, where the style is again complete, but without the "sub Christo."

65 C. Reg., f. 343b.
adopted a more simple style, calling himself primate and metropolitan of England with no reference to legate-ship from the pope, and in commissions he claimed derivation of his authority from the Crown.66

In the last analysis, Henry VIII was less concerned about the employment of his official title than about the obedience of his subjects which that title implied. And to see that not only the Parliamentary Acts concerning ecclesiastical matters, but also his own directives and injunctions were observed meticulously by all, he had at his disposal two agencies: namely, the clergy of his Church and the courts under his two-fold jurisdiction.

66 Commission to George Hynsley to be Dean of the peculiar of Shoreham, April 10, 1537: "Thomas permissione divina Cantauriensis Archiepiscopus tocius Angliae primas et metropolitanus per Illustrissimum in Christo principem et dominum nostrum dominum henricum octavum dei gracia Angliae et ffranciae Regem fidei defensorum et dominum hiberniae ac in terra sub Christo Ecclesiae Anglicanum caput supremum, ad infrascripta Bufficienter auctorizatus dilecto nobis in Christo, magistro Georgio Hynsley in utroque Jure bachalario Salutem, gracion, et benedictionem . . ."—C. Reg., 361a. In the commission to Robert Harvy as Cromwell's commissary in spiritual matters in Calais, Cranmer states clearly that he is exercising his jurisdiction "sub obedientia excellentissimi in Christo principis et domini, Domini Henrici Octavi . . ."—Ibid., f. 22b.
CHAPTER IV

THE CLERGY OF CANTERBURY DIOCESE, 1540-1541

It is one thing to transfer spiritual supremacy from pope to king and to introduce complementary religious changes by statute and injunction; it is quite a different matter to make the innovations effective in the Church.

To accomplish this feat, Henry VIII would have to win the support of the hierarchy of the Church, from the most humble curate to the mightiest prelate. It has been noted above how the general submission of the clergy was effected, but a study of the clergy within the diocese of Canterbury, and of the methods employed to gain their conformity, will indicate more specifically how the king sought to assure himself that priests on the local parish scene were truly his ministers. Before considering the question of method, however, it will be necessary to look at the general pattern of the ecclesiastical framework of the diocese.

At the beginning of the sixteenth century, Canterbury diocese was divided into eleven deaneries—Canterbury, Westbere, Bridge, Sandwich, Dover,

1 Deaneries were administrative units made up of parishes, usually corresponding geographically to one or more hundreds. The supervising officer of the deanery was the rural dean, an episcopal appointee from among the resident of clergymen, who exercised a jurisdiction parallel to that of the archdeacon, in his own sphere. The Collegiate Church of Wingham, and that of All Saints College in Maidstone controlled several parishes and chapels in their vicinity, independent of the archdeacon, but under the commissary-general. Wye College, apparently, enjoyed no such authority.
Elham, Lympne, Charing, Sutton, Sittingbourne, and Ospringe—and the independent jurisdictions of Wingham and Maidstone. These deaneries comprised 239 parishes (one hundred of which were classified as vicarages because the impropriators were laymen or institutions, such as colleges and hospitals), 2 forty-seven chapels, two collegiate churches, and the Cathedral Church of Christ in Canterbury commonly called Christchurch. 3

The patronage of rectories which had been appropriated to monasteries before the dissolution now reverted to the Crown, and many of the advowsons were retained in the king's name or were granted to individuals and institutions in his favor. Of the eighteen parish churches in the city of Canterbury, for instance, fourteen were in this category; after the dissolution of monasteries, four were retained by the king, four were granted by him to Thomas Cranmer, the Archbishop of Canterbury, five were presented to the Dean and Chapter of Christchurch, and one came into the hands of Sir James Hales of the Dungeon Manor in

2 Among the patrons of benefices were men who held their patronage or farm from religious houses. The monastery, as "rector" of a church, could present a vicar to care for the parish, or it could lease the rector's portion to another—often a layman. The rector, ordinarily received two-thirds of the revenue of the church or benefice; the incumbent received one-third. It was, therefore, not a small advantage to become even a renting patron. Sixteen cases of such farming out of appropriations are found in the induction mandates recorded in Cranmer's Register—ff. 339a-424b, passim.

The Valor Ecclesiasticus of 1535 shows that 3,307 out of 8,638 rectories had been appropriated with vicarages, and that many of those formerly held by religious houses had been leased to laymen, thus facilitating the transfer of advowsons into lay hands after the suppression of monasteries.

3 These figures are based upon data contained in the Valor Ecclesiasticus, but even those data are not completely accurate, because some of the chapels attached to hospitals, though not intended for public worship, were, in fact, used as parish churches, e.g., that of the Hospital of St. John the Baptist in Northgate, Canterbury.—Lambeth Palace Library, William Warham, Register I, f. 45b, cited subsequently as W. Reg.
Canterbury, during the last years of Henry’s reign. One parish, St. Michael Burgate, fell into disuse, probably because of dilapidations in the church structure. The question of patronage, of course, is vital to the problem of conformity. A man who owed his living to Henry VIII or to royal appointees, as did every rector in the city of Canterbury, would think twice before disagreeing with his patron on religious grounds.

A fairly complete and accurate list of the 460 clerics attached to the churches of Canterbury diocese for the years 1540 and 1541 can be obtained from the archidiaconal visitations and of deanery general chapters for those years, and from induction mandates in the archbishop’s Register. Not all of the

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4 The parishes, with their changes of advowsons noted in parentheses are as follows: All Saints (St. Augustine Monastery--Henry VIII); St. Alphege (Cranmer--no change); St. Andrew (St. Augustine Monastery--Henry VIII--Cranmer); Holy Cross, Westgate (St. Gregory Priory--Henry VIII--Cranmer); St. Dunstan (St. Gregory Priory--Henry VIII--Cranmer); St. George (Christchurch Priory--Henry VIII--Dean and Chapter of Christchurch); St. James (Cranmer--no change); St. Margaret (Hospital of Poor Priests--no change); St. Martin (Cranmer--no change); St. Mary Bredin (St. Sepulchre Convent--Cranmer--Henry VIII--Sir James Hales); St. Mary Breadman (Christchurch Priory--Henry VIII--Dean and Chapter of Christchurch); St. Mary Castro (St. Augustine Monastery--Henry VIII); St. Mary Magdalen (St. Augustine Monastery--Henry VIII--Dean and Chapter of Christchurch); St. Mary, Northgate (St. Gregory Priory--Henry VIII--Cranmer); St. Michael Burgate (Christchurch Priory--discontinued); St. Mildred (St. Augustine Monastery--Henry VIII); St. Paul (St. Augustine Monastery--Henry VIII--Dean and Chapter of Christchurch); St. Peter (Christchurch Priory--Henry VIII--Dean and Chapter of Christchurch).--Valor Ecclesiasticus, I, 28-65, passim; Edward Hasted, History of Canterbury, I, Canterbury, 1801, 213-268, passim.

5 Hasted thought it was desecrated "well before the Reformation."--Hasted, Canterbury, I, 273. But Henry Arundell is recorded as having been curate there in 1538 and 1539.--Canterbury Cathedral Library, MS. Z.3.5., Archdeacon’s Visitation Book, I, ff. 32a, 68a. This volume contains archidiaconal visitations and deanery general chapter records for the years 1538-1541. A second volume (MS. Z.3.6.) continues these records through the years 1550-1556. These MSS. will be cited subsequently as A. Vis., I and II.

6 A complete schedule of parishes and dependent chapels, together with the known names of clergymen serving these cures for the years 1540 and 1541, will be found below in Appendix II.
clergymen mentioned in these documents were resident; some were pluralists; 7 others were employed elsewhere in the service of the king or of the archbishop. 8 

In addition to the clergymen who are named specifically in the visitation record, there were others who appear in none of the extant records, although they were quite certainly living in the diocese at this time, perhaps as guests or chaplains of wealthy families or even as unofficial assistants to other priests. For the years 1540 and 1541, thirty-six clergymen fall into this category. Their names appear in earlier and later documents, but not in the records for the years in question. In some cases, they may have transferred to parishes outside the diocese for the interim, and it is probable that some resigned from active parish work in protest against the religious changes. It is a fact that several priests' names disappeared from the records before 1540, and remained unnoticed until Mary's reign when these clerics resumed the ministry. Christopher James, for example, signed the acknowledgement of royal supremacy as a monk of Christchurch in 1534 9 and was listed as curate of Saltwood in 1538. 10 

In the next year's visitation record no mention of him occurred, and in 1541

7 Fifteen priests are noted as non-resident for the years 1540 and 1541 in the visitation records. But there were certainly others. Dr. John Cockes, for instance, who was Dean of the Arches in London from 1523 to 1545, undoubtedly was not residing in his benefice of Charing, Kent, where Henry Marshall is listed as vicar in 1538. Nicholas Heath, Bishop of Rochester; George Cromer, Archbishop of Armagh; John Oliver, LL. D., Dean of Christchurch College, Oxford, are other obvious examples of non-resident rectors who are not mentioned specifically as such in the records.

8 Nicholas Wotton, LL. D., rector of Ivychurch and Boughton Malherbe, for example, was repeatedly absent on diplomatic missions to the continent. Details of his doings abroad are scattered throughout L.P., VII-XX.


10 A. Vis., I, f. 54a.
John Lloyd was named curate there. But on August 3, 1553, notice was given for his induction as rector of Dymchurch. Another priest, Marmaduke Smythe, who signed the renunciation of the papacy in Bridge deanery in 1534, is recorded as curate of Sturemouth for 1538. He, likewise, dropped into oblivion until October 5, 1554, when his induction mandate as vicar of Bekesbourne was given out. The same pattern is seen in the case of Thomas Bennet, a former priest of the St. Martin's Priory in Dover. He signed the supremacy and the surrender of that house to the king in 1534, but apparently he held no benefice in Canterbury diocese until 1557 when he was made vicar of Eastry.

Others, with timely foresight, arranged for pensions to see them over the critical years ahead. John Porter resigned the rectory of Rucking before June 1, 1533, on condition that a yearly pension of £8 be paid him by his successor, Henry Godfrey. During Mary's reign, he became rector of Crundale, a position which he was to lose by deprivation under Elizabeth. A pension was also claimed by Richard Roberts when he resigned the vicarage of Preston near Faversham on December 18, 1535. Pastoral duties were resumed by him in 1556 at Wycheling, in which parish he died, he was succeeded by Nicholas Simpson in

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11 Ibid., f. 77a.
12 C. Reg., f. 423 b.
14 A. Vis., I, f. 41a.
15 Public Record Office, Patents, 1 & 2 Philip and Mary, pt. 12, n. 892, m. 35.
17 C. Reg., f. 3406.
18 A. Vis., II, f. 113a.; Parker's Register, f. 346b.
Although a great deal of caution must be exercised in assigning motives to individual clergymen for not exercising their ministry during Henry's reign, or for resigning their cures, some clues can be gleaned from circumstantial evidence. When a known sympathizer of the "new learning" was deprived of his benefice under Mary, and his successor was named by the Crown or by a royal appointee, that successor was almost certainly not of reforming tendencies. John Aldy, for instance, who was among the subscribers to the supremacy in 1534, was living in semi-retirement in Patricksbourne parish during the reign of Henry VIII. He took up active parish work when he was assigned to the rectory of St. Mary Breadman in Canterbury in 1556, a church which was under the patronage of the Dean and Chapter of Christchurch. His predecessor in that parish, John Carlell, was not deprived; he resigned to take the rectory of Dymchurch. But on March 2 of the same year, Aldy was collated to the parish of St. Alphege (in the gift of Cardinal Pole), on the deprivation of Humphrey Chirdane, an avowed supporter of the reformation in England.

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19 C. Reg., f. 30a; Parker's Register, f. 362b. He received a pension of £4 from his successor in Preston.
21 A bequest of eight marks was made to John Aldy by John Grene, vicar of Patricksbourne, in his will dated November 5, 1540, requesting Aldy "to sing for my soul by the space of one year in the church of Patricksbourne."
22 Maidstone County Record Office, Canterbury Probate Records: Archdeaconry Register, XXII, f. 72b.
23 A. Vis., II, f. 100a.
24 Lambeth Palace Library, Reginal Pole, Register, f. 70b, cited subsequently as P. Reg. Humphrey Chirdane (Jordan, Jurden, Thyrdaile), was collated to St. Alphege on the death of Thomas Davys, on November 18, 1540.—C. Reg., f. 378b. He had the cure of Chatham in 1540.—A. Vis., f. 84a. John Poyntet, Bishop of Rochester, presented him to Stourmouth rectory on August 26, 1550, a cure which he served until his deprivation before December 4, 1554.—Canterbury
There is evidence of some deliberate falsification of the records which deal with reasons for changes in clerical personnel in a given parish. Cromwell had ways and means of getting rid of unwanted incumbents and of installing men of his own choice. After the death of Archbishop Warham on August 23, 1532, the king requested Thomas Goldwell, Prior of Christchurch in Canterbury to present John Benolt to be commissary of Calais and to see that he was instituted to the parish church of Olderkirke, which was still in the hands of Warham's secretary, Thomas Baschurch. 24 Dr. Richard Gwent, Dean of the Court of the Arches, and Dr. Peter Ligham, his commissary, assisted at the institution of Benolt, although they realized that by law no institution should take place before the incumbent had died or resigned. They wrote to Cromwell, therefore, begging him to protect their "poor honesty" and to keep the record of the institution in his possession until Baschurch could "be called before some judge and deprived, or by some good policy, driven to resign." 25 Baschurch was subsequently persuaded to resign his benefice to Benolt, in exchange for the church of Northcerney in Worcester diocese. But he acquiesced only on condition that Benolt pay his charges for moving to his new parish and give him the past year's fruits, which amounted to £28. Baschurch foolishly entrusted his indenture for this agreement to Cromwell, who refused his repeated pleas to have it honored by Benolt; he was never able to collect what was due him, in spite of a suit

Cathedral Library, Sede Vacante Register N. f. 82a. Chirdane was a close friend of Cranmer's Commissary, Christopher Nevenson, and he was named as witness to Nevenson's will, which was drawn up on March 17, 1550. - Maidstone County Record Office, Canterbury Probate Records: Consistory Register, XXIV, f. 65a.

25 Ibid., 1530. Dr. Gwent and Peter Ligham to Cromwell, November 10, 1532.
sustained by him at the charge of £10. The official record in Henry VIII's Patent Rolls for this change of incumbency at Olderkirke is manifestly deceitful. It reads: "John Benolt, clerk. Presentation to the parish church of Older-kyrke alias Aldermary in the marches of Calais . . . vice John [sic] Baschurch, clerk, deceased [sic]." It so happens that most of the correspondence relating to this particular case is preserved. Whether there were other instances of this kind of procedure can only be conjectured, but it is probable that this was not an isolated incident.

The problem of deciding who was serving cures in Canterbury diocese at this time is further complicated by an extraordinary mobility evident in the clerical population. From the time that Cranmer acceded to the see of Canterbury in 1533 until the death of Henry VIII in 1547, 288 presentations to benefices were recorded for his diocese. Of the vacancies thus being filled, the official records state that 181 occurred on account of the death of the last incumbent, ninety-six by free resignation (five of these omit the word "free"), one because of exchange of benefice, another by promotion of the incumbent, two because of

26 Ibid., VI, 153, 154, 404. Benolt wrote to Cromwell, regarding the suit being made in Baschurch's favor: "[w]here he putteth one inch to your determination and ordering, I do submit my body, my will, my mind, wholly to your pleasure and determination [if you give me this benefice]."—January 26, 1533.—Ibid., 77.

27 Ibid., 196, gr. 33. Patent, Henry VIII, p. 1, m. 19. Thomas Baschurch eventually became demented by his troubles. Cranmer wrote to Henry VIII in 1536, that Baschurch had written in a book in the church at Chevening, these words: "Rex tanquam tyrannus opprimit populum suum." Cranmer, however, asked that mercy be shown to this priest, who had fallen into a sickness and despair three years before, and who had often attempted to commit suicide.—Cranmer to Henry VIII, Jenkyns, Remains of Cranmer, I, 159.
deprivation, 28 one by attaint, 29 two by dismissal (no reason given), three are simply declared to be vacant; one is noted as being vacant by the law and statutes of the English realm. 30 For the years 1540 and 1541, the official statistics of vacancies are as follows: for 1540, thirteen were caused by death, five by free resignation, and one by dismissal; for 1541, twenty were caused by death, thirteen by free resignation, and one by the laws and statues, as noted above. 31 This enumeration only accounts for the actual incumbents mentioned in the induction mandates in the Register of the archbishop. Many changes occurred unofficially; such documents as visitation and chapter records disclose a much more widespread transiency than is revealed by the Register. Ninety-six clergymen who signed the renunciation of the papacy in 1534 (exclusive of monks, who signed in their own houses), and ten others who are named in the Valor Ecclesiasticus of 1535 were no longer on the scene in 1538. Forty-four more moved in and out of the Canterbury area in the next two years. Fifty-two new priests began to serve cures in Canterbury diocese in 1540; forty-five dropped out. For

28 Thomas Browne, deprived of Orlestone, December 12, 1540; Thomas Goldwell (former prior of Christchurch?), deprived of Cheriton, December 16, 1538. -- C. Reg., f. 378a; 366a. No reasons are given for the deprivations.
29 John Hales, prebendary in the Collegiate Church of Wingham, was attainted and hanged at Tyburn, July 4, 1538, for speaking against the king's supremacy and his marriage with Anne Boleyn. -- L.P., VIII, 565, 567, 615.
30 "de Jure et Statutis hujus Regni Angliae vacantem." -- C. Reg., f. 385a. The induction mandates for institutions and collations to benefices from April 11, 1533 to September 8, 1553, are written in this Register, ff. 339a-424b.
31 A summary chart of the appointments noted in induction mandates for the years 1540 and 1541 will be found in Appendix II, below.
the next year, the incoming clergy number thirty-six; the outgoing, twenty-nine. These statistics are gleaned from fragments of evidence available,\textsuperscript{32} exclusive of the Register entries cited above. If a detailed survey were possible, undoubtedly even more changes would come to light, for many names occur but once and then disappear completely from the records; however, where an actual removal or replacement was not recorded, the names were omitted from this count.

In only two instances out of the many noticed is there evidence of the death of the former incumbent. Most of the changes occur with respect to curacies and chaplaincies (including chantries)\textsuperscript{33}—offices which are seldom noted in official registers, because induction was not ordinarily necessary for their assumption.

A few illustrations will demonstrate more clearly just what this restlessness implied in the case of specific parishes. In Sutton deanery Martin Roberts\textsuperscript{34} was a non-resident rector of the parish of High Halden. He engaged Ralph Newton and John Nayles as curate and chaplain respectively in 1538,\textsuperscript{35} but

\begin{itemize}
\item 32 Information was collated from \textit{Chapter House Books}, the \textit{Valor Ecclesiasticus}, and \textit{A. Vis.}, I and II.
\item 33 1540—Incoming clergy: 1 rector, 33 curates, 1 vicar, 17 chaplains or chantry priests; outgoing clergy: 1 rector (by death), 34 curates, no vicar, 10 chaplains or chantry priests.
\item 1541—Incoming clergy: 1 rector, 26 curates, no vicar, 8 chaplains or chantry priests; outgoing clergy: 1 rector (by death), 23 curates, no vicar, 5 chaplains or chantry priests.
\item 34 Martin Roberts was collated to this parish by Archbishop Warham August 10, 1509, and died there before December 1, 1551.—\textit{W. Reg.}, f. 335b; \textit{C. Reg.}, f. 419a. His will indicates that he also held the rectory of Burwash in Sussex.—Somerset House, 29 Bucke, September, 1551.
\item 35 \textit{A. Vis.}, I, f. \textit{45a}.
\end{itemize}
by 1539 John Lyn had replaced Ralph Newton and John Nayles was displaced on the accession of William Potter, who served as chaplain there for one year. By September 23, 1540, the chaplaincy had been discontinued, and Robert Taylor had taken over as curate.

Betrisden in the same deanery presents a similar pattern of rapid transition. Here Christopher North was a non-resident vicar in 1538, with John Richard as curate. John Lymme became curate in 1539, only to be succeeded by Thomas Dalton in the following year. Dalton was apparently one of those migrant clerics who moved about from place to place seeking employment where he could find it. In September, 1539, he was serving as curate of Shadoxhurst in Lympne deanery after the death of the rector, George Wallingham. This cure remained bereft of a rector until the appointment of Geoffrey Asteley on January 29, 1551. For the same year, Dalton is listed as curate of Ashford in Charing deanery, where he continued to serve through 1540 and 1541. In September, 1540, he was curate of Betrisden in the same deanery where he served also during the next two years.

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36 Ibid., f. 72a. Newton moved on to Boughton Malherbe as curate, and thence to Prinsted as rector, December 25, 1539--C. Reg., f. 373a.
37 A. Vis., I, f. 59b.
38 Richard was, perhaps, an ex-canon of the Priory of Royston, ordained priest June 14, 1533—See, W. Reg., II, f. 298b.
39 A. Vis., I, ff. 45b, 71b, (59)a.
40 C. Reg., f. 413b.
41 A. Vis., I, f. 71a.
42 The parishes of Shadoxhurst, Ashford, and Betrisden were approximately three miles apart, forming a triangle just south of the center of the diocese. See the map of Kent in the frontispiece. It is conceivable that Christopher North could circulate among the three parishes, serving the needs of the people, but one wonders why such a duplication of cures should be tolerated at a time when there were so many other priests available.
What was the reason for this remarkable fluidity in the clerical population? An important factor was the number of priests uprooted by the dissolution of the monasteries. Some 212 religious were expelled from their monasteries within Canterbury diocese alone, thus swelling the ranks of the local clergy beyond any hope of immediate absorption into parish administration. Moreover, monasteries had assumed responsibility for the placement of a number of secular priests in cures appropriated to monastic foundations, so that even non-regulars might be left without livings when houses of religion were dissolved. While it is true that in a few cases the ex-monk is found serving the cure to which he had been assigned prior to the dissolution, this is not a general rule, for more often than not such benefices were not served by particular monks. It was up to the initiative of the individual monk to obtain

43 This, no doubt, accounts in great part for the lack of ordination lists for the later years of Henry's reign, because a candidate for Holy Orders was not accepted for ordination unless he could produce a "title" or proof that he would have a cure to serve. When such titles were not forthcoming from diocesan sources, the applicant often found clerical employment through a monastery. The author is indebted to Dom David Knowles for these observations.

44 William Shepherd alias Faversham, and Lancelot Gilbanke, both former Augustinian Canons of Leeds Priory, were allowed to retain their cures, which were Leeds and Chatham, respectively.—Public Record Office, Exchequer MSS., E 315/234, Enrollments of Leases and Pensions, 30 to 32 Henry VIII, f. 275 ab.

45 In the "Comptae et Detectae" of Warham's visitation of his diocese in 1511, for the parishes of Holy Cross in Canterbury, and Bridge, specific mention is made of monks serving cures on a part-time basis. Of Bridge, it is reported: "That they be not duly served with an honest priest but sometimes with a friar, sometime with none at all." Of Holy Cross: "That there is no secular priest that serveth the cure these three years, but the prior of St. Gregory's of Canterbury causeth one of his own canons to serve it, the which goeth to the priory every night, and when we should have him, (often times it is required in the night season), we cannot have him."—W. Reg., I, f. 46b; 53a.
a living where he could, after he had quit his religious family, and many did not hesitate to petition the king or Cromwell for cures. John Lawrence, an Observant Friar who was ostracized from his community for agreeing to acknowledge the royal supremacy, and Brian Sanden, also a Grey Friar, are two subsequent curates in Canterbury diocese, whose requests for clerical positions are still preserved in the Public Record Office.46

As vacancies occurred, ex-religious were collated to benefices, and by 1540 at least sixty-seven of them had been incorporated into the diocesan system of Canterbury. The number steadily increased thereafter, but because of the difficulty of identification, it is impossible to say just how many of the former religious found their future careers in this manner. A monk, known under a toponym while in the monastery, usually resumed his family name after the dissolution; therefore, unless some patronymic designation is given in the monastic lists, it is almost impossible to identify him in later documents. The larger number of ex-religious who can be identified as such, with complete or highly probable certainty, took positions as chantry priests, chaplains, vicars, or

46 P.R.O. State Papers, I/83, f. 195a; Public Record Office, Exchequer MSS., Treasurer Remembrancer's Miscellaneous Books, CLIII, f. 31a. John Lawrence wrote to Cromwell: "If it may please you of your gracious benevolence according to your promise to put me in the habit of a secular priest and to give me something toward a poor living so that I may continually preach the gospel to the setting forth of the verity, then shall I apply myself at all times and in all things with all diligence to accomplish your commandments and pleasure, for surely in you and in you only is all my confidence and trust next to God and my prince." Lawrence and his fellow-monk, Richard Lyst, had been supporters of Cromwell and of the king's supremacy as early as 1532. --L.P., V, 1142, 1143, 1500. John Lawrence was serving as curate in the chapel of Hoyton annexed to Lenham in Canterbury diocese previous to 1538. --A. Vis., I, f. 46b. Brian Sanden held the curacy of Midley in 1540 and 1541. --Ibid., f. 94a, 104a.
curates, but eleven of them held the office of rector, and a scattered few rose to high dignities in the church. Richard Ingworth, prior of King's Langley in Herts, became Bishop Suffragan of Dover. 47 The former warden of the manors of Christchurch Priory in Canterbury, Richard Thornden, D. Can. L., succeeded Ingworth in 1546, after having been Proctor of the Cathedral Chapter. Christopher Nevenson, probably sub-prior of the Cistercian monastery of Holm Cultram in Cumberlandshire, became Cranmer's Commissary-General. 48

The Cathedral Chapter which was created by Henry VIII in 1541 to fill the gap left by the dispersed monks of the priory, was composed mostly of former religious, six from Christchurch Priory itself. 49 These six were: Richard Thornden, first prebendary; John Menys, sixth; William Hunt alias Hadleigh, B. Can L., eighth; William Gardiner alias Sandwich, B. Can. L., ninth; John Mylles alias Warham, B. Can. L., tenth; and John Daniels alias Chillenden,

47 In 1535, Richard Ingworth had acted as deputy for John Hilsey (then provincial of the Black Friars, and later Bishop of Rochester), in the royal visitations of the monasteries. He continued this work after his appointment as Bishop Suffragan of Dover, in 1537, according to the terms set out in the royal commission dated May 5, 1538. — C. Reg., f. 68b-69a. Thomas Wright, in his Three Chapters of Letters Relating to the Suppression of the Monasteries, London, 1943, prints six of Ingworth's letters to Cromwell in which he discloses the expedients he used to bring about the suppression of religious houses. He was rector of Chiddingstone in the deanery of Shoreham from May 10, 1539 until his death which occurred between November 2 and December 18, 1544, when his will was proved in London. — C. Reg., ff. 367a, 394b; Somerset House, 18 Pynnyng. An account of his career as a Grey Friar is found in Charles Cotton, The Grey Friars of Canterbury, Manchester, 1924, 59-62.

48 For an account of Richard Thornden and Christopher Nevenson, see below, Chapter VII.

49 L.P., XVI, 779, gr. 5, Pat. P. 6, m. 1. The Charter of Incorporation was given on April 8, 1541. John Le Neve, Fasti Ecclesiae Anglicanae, ed. T. D. Hardy, Oxford, 1854, I, 46, erroneously gives the date as 1542.
eleventh. Arthur St. Leger, former prior of Leeds, and Hugh Glazier, B.D., a Friar Minor of Oxford occupied the second and seventh stalls, respectively. Nicholas Wotton, LL.D., was named first Dean of this Metropolitical Chapter, and the remainder of the prebends were filled by diocesan priests: Richard Champion, S.T.P., Cranmer's trusted chaplain; Richard Parkhurst; Nicholas Ridley, D. Can. L., and John Baptist de Casia, LL.D.

Whether or not there was a conscious intention on the part of Henry VIII to keep the good will of the dispossessed monks by presenting them with prebendal stalls, Cranmer at least admitted that his founding of six preacherships in the Cathedral was intended to be of a conciliatory nature. Three preachers were chosen who sympathized with the old learning: Robert Serles, Edmund Shether, and William Gardiner alias Sandwich; the other three favored the new opinions: Dr. John Scory, Dr. Nicholas Ridley, and his cousin, Dr. Lancelot Ridley. The object of this arrangement was to provide for sermons to be preached on controversial issues, so that the truth might be arrived at. This was to cause no end of trouble in the diocese, and was to culminate in an open breach between the two parties in 1543, when Cranmer himself was accused of heresy by some of his clergymen.

50 All six of these former religious (except John Menys) figured prominently in the events of 1543 which dramatized the clerical reaction to religious changes in the diocese. A paper drawn up in 1537, describes these men as follows: John Menys, stationer, 71 years of age, and "witty"; William Hunt, Sub-prior, aged 52, and "a good man"; Gardiner, Warden of Canterbury Colleg in Oxford, 46 years old, also "witty"; John Mylles, 34 years of age and "witty"; John Daniels, high chaplain, aged 42, and "a witty man."--P.R.O., State Papers, I/116, ff. 44-46, passim. It is possible that this list was drawn up by Thomas Goldwell, prior, John Crosse, cellerar, and Richard Thornden, for none of their names has a character designation written against it.

51 Strype, Memorials of Cranmer, I, 134.
These two groups—the prebendaries and preachers—formed the core of the clerical staff at the cathedral in Canterbury. They were a learned company; twelve of them held degrees of divinity and/or of law. Three—Nicholas Ridley, Richard Thornden, and John Scory—were to achieve episcopal rank. Hugh Glazier almost immediately took over the office of Commissary of Câlais, when Robert Harvy was attainted in 1540. Nicholas Wotton, already a royal chaplain, served on at least ten different diplomatic missions to the continent for Henry VIII, held ecclesiastical posts in the provinces of Canterbury and York, counselled Edward VI, Mary, and Elizabeth in turn, and died at the age of 70 in 1567.

Hughes has pointed out that the education of the average priest in pre-Reformation is "one of the least explored of all the problems which the history of the Reformation raises." It is a problem bristling with difficulties, for naturally no records were kept of extra-university training of candidates to the priesthood. It is even impossible to say just how many of the clergymen of Canterbury diocese were university graduates, because duplications of names in alumni lists are very common. Letters indicating degrees are found in various documents in conjunction with the names of sixty-two other priests of the area, but there were, quite certainly, more than that number of

52 Nicholas Ridley, Bishop of Rochester (1547-1550), and of London (1550-1553); Richard Thornden, Bishop Suffragan of Dover (1546-1557); and John Scory, Bishop of Rochester (1551-1552), of Chichester (1552-1553), and of Hereford (1559-1585).

53 He was commissioner of the Court of Faculties in Canterbury in 1538; Archdeacon of Gloucester in 1539; Dean of York in 1544; prebendary in York Minster, 1545; treasurer of the church of Exeter in 1557. Hasted, Canterbury, II, 2-4, passim.

54 Hughes, Reformation, I, 83.
university-educated incumbents in Canterbury diocese. If the possession of books is any indication of higher learning, we might cite the evidence found in inventories of goods and in wills of deceased clergymen. Richard Master, M.A., for instance, was found to be in possession of 113 books in 1534 when an inventory was taken of his parsonage in Aldington—an exceptionally well-stocked private library for that date. Unfortunately, we do not know the names of Master's books nor of many of those mentioned in forty-seven of the 113 wills found for clergymen who had served in Canterbury diocese during the years 1540 and 1541.

The books which are named by title reveal more than the fact that their owners were literate; they show that priests in Kent were able to obtain copies of the popular "Protestant" literature from across the channel. Many of the books mentioned are the traditional works of the Doctors of the Church, the Old and New Testaments, and the profane classics. John Lesse (Leffe), Master of the Collegiate Church of Maidstone, for instance, bequeathed to John White, Bishop of Winchester, the works of St. Augustine, St. Ambrose, St. Jerome, St. Gregory Nazianzen, St. Chrysostom, St. Bede, Origen, St. Ignatius, and two books or manuscripts of uncertain authorship: De Divinis apostolicus atque traditionibus ecclesiasticus, and Librum Ecclesiastes Jerochie [sic].

John Lorymer, on the other hand, who died as curate of Minster in Sheppey, in 1545, was in

55 L.P., VII, 521. The books are described as follows: thirty-eight books covered with leather and parchment; thirty-three small books covered with boards; and forty-two great books covered with boards. See below

56 Somerset House, 29 Wrastley. His will was proved in Canterbury on October 5, 1557.
possession of Melanchton's **Common Places** and a treatise named **Unio Dissidentium**, both of which had been condemned in the Convocation of Canterbury in 1529. 57 Biblical commentaries were popular because of the current controversy over the reading of the Bible and its translation into English. A copy of Theophylact's **Commentarrii in epistolas Pauli** was bequeathed to a fellow priest by Lawrence Kyndar, rector of Swalecliff in 1540. 58 Robert Chalner, LL.D., rector of Adisham and prebendary in the Collegiate Church of Wingham, left to the new college in Winchester a book which he describes as "Gorran upon the Gospels," which was, no doubt, the **Commentaria Nicolai Gorrani in quattuor Evangelia nunc primum typis excusa**. 59

Another work on the Epistles of St. Paul, which was composed by Haymo, Bishop of Halberstadt (841-853), was edited by the Alsatian humanist, Ottmar Luscenius (Nachtgall) in 1518. In the introduction Luscenius encouraged the study of the Bible and condemned scholasticism. This treatise was in possession of Richard Mugge, D.D., rector of Harrietsham, at the time of his death in

57 Maidstone, Archdeacon's Register, XXIV, f. 233b. The list of works condemned in the Canterbury convocation is given in Wilkins, III, 719-720.
58 Theophylact, an eleventh-century archbishop of Achrida in Bulgaria, had written against the authority of the Bishop of Constantinople over ordinations to the priesthood in his diocese. His comments on the Pauline epistles were printed in 1522, 1531, 1540, and 1542, in London, Cologne, Basle, and Paris, respectively. Kyndar's copy was willed to Sir Richard Crosse, rector of Harbledown, together with a silver spoon.—Maidstone, Archdeacon's Register, XXI, f. 281.
59 Somerset House, 28 Alenger, proved May 14, 1541. The British Museum possesses a copy of this work, printed in Cologne in 1537, and bearing the autography of Archbishop Cranmer.
It is not surprising to find the works of continental reformers in the hands of the Kentish priests during the reign of Edward VI, but it is remarkable that Christopher Nevenson, who favored the religious changes and enforced most strictly the royal injunctions as commissary of the diocese, should have bequeathed to Cranmer himself, in 1550, the epistles of Thomas Becket, whose writings and very name had been proscribed.

A clergyman, of course, cannot be called a "reformer" or a "protestant" on the basis of his possessing books which defended or promoted religious change. Neither did the taking of the oath of succession (which included the oath of supremacy) or the subscribing to the renunciation of the papacy, indicate that a man embraced in his heart what he outwardly endorsed. There is the statement of Richard Reynolds, one of the martyred Carthusians of the London Charterhouse, spoken at his trial on April 29, 1535: "I have all of Christendom in my favor; I dare even say all this kingdom, although the smaller part holds with you, for I am sure the larger part is at heart of our opinion, although outwardly, partly from fear and partly from hope, they profess to be of yours." And even more significant is the testimony of one of the bishops who had not had Reynold's courage. Edmund Bonner, Bishop of London, gave the classic answer to

60 Maidstone, Archdeacon's Register, XXIX, f. 138a. His bequest is described thus: "Raymo in three little volumes super Evangelia and Epistolae Pauli." A copy of Raymo's homilies with Cranmer's autograph is in the British Museum.

61 John Ramsay, for instance, who died in 1550, bequeathed works by Bucer, Bullinger, Luther, and Brentz to Jesus College, Cambridge.—Maidstone, Consistory Register, XXIV, f. 38a.

62 Ibid., f. 64b.

63 L. F., VIII, 661.
those who taunted him and Gardiner during Mary's reign for their present stand against what they had upheld in the De Vera Obedientia. He said:

And thus did we, because of the perilous world that then was; for then it was made treason by the laws of this realm to maintain the pope's authority and great danger it was to be suspected a favorer of the see of Rome; and therefore fear compelled us to bear with the time, for otherwise there had been no way but one. You know when anyone uttered his conscience in maintaining the pope's authority, he suffered death for it.64

It is not at all improbable that most of the clergymen in Canterbury diocese during this time, were of the opinion that the breach with Rome was no more than another of the perennial quarrels between the popes and the kings of England. They were content to take the oath and follow the legislation for the time being, in the hope that better times were just around the corner. This is borne out by the confessional advice given by John Bromfield to several of his penitents in Bilsington in 1538: "Suffer a while, and you shall see the pope in as great authority as ever he was."65 Another priest gave similar counsel with regard to the king's injunctions to say the Pater Noster in English.66

In cases of non-conformity in religious matters, the first correction should have come, according to the traditional practice in England, in the

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65 P.R.O., State Papers, I/152, f. 34a. John Bromfield was an Augustinian canon of Bilsington Priory who signed the acknowledgement of the supremacy there on December 26, 1534, and the surrender of the priory to the king on February 26, 1536.--D.K.R., VIII, App. 2, 10, 280. He subsequently held thecuracy of Tenterden. --A. Vis., f. 44b, 71b.

66 In a deposition given against Clement Morton, vicar of Faversham, at the trials of clergymen conducted by Cranmer in 1543, it was said that Morton "moved in confession John Tacknal to use his pater-noster in English no more, for he knew not how soon the world would change."-Corpus Christi College, Cambridge, MS. 128, Accusatio Cranmeri, f. 12, cited subsequently as C.C.C.C., MS. 128.
general chapters which were held monthly in each deanery. These chapters were presided over by the dean who was selected from among the resident clergymen, and attendance by the instituted incumbents or their proxies was imperative, under penalty of being pronounced contumacious. Offenses against the laws and discipline of the church were exhibited at these meetings and their execution enforced, both in regard to clerical and lay failings.

Another feature of local ecclesiastical administration was the general visitation conducted yearly by the archbishop's archdeacon or by his commissary-general, each in his respective sphere of jurisdiction. These, too, consisted of deanery meetings which were attended by incumbents, churchwardens, and two other parishioners of each parish, for the purpose of enforcing obedience and uniformity in the observance of church law. One would expect to find much business concerning the religious changes in England being transacted in these visitations and chapters. This is, in fact, not at all true with respect to Canterbury diocese.

The visitation and chapter records for the period from September 16, 1538 to October 3, 1541, are preserved in the Cathedral Library at Canterbury. A careful scrutiny of these manuscripts yields no clue to the spiritual upheaval which was rocking the diocese during those very years. That a great deal of non-conformity did exist at this time is evident from other contemporary

67 The office of the rural dean is described in William Dansey, *Horae Decanicae Rurales*, Rivington, 1844.
68 See J. S. Purvis, *An Introduction to Ecclesiastical Records*, London, 1953, 46-63, for a discussion of visitation procedures. The commissary-general visited the exempt parishes, the archdeacon, all others.
An analysis of the actual business transacted at the visitations and chapters held in Canterbury diocese during the year 1540 will show how bare the records are. The first entry for 1540 concerns a visitation being held in the independent jurisdiction of Wingham by Christopher Nevenson, the commissary-general, in the church of Wingham on March 15. The presence or absence of each incumbent is noted; the presentation of "bills" or accounts of expenditures by the churchwardens is recorded. For the General Chapters held at Dover for the Dover and Elham deaneries on March 18, and at Sittingbourne for that deanery on March 12, the records are, likewise, non-committal. The visitations by the Archdeacon, Edmund Cranmer, began on September 9, 1540, in Bridge deanery. He passed on from there to Westbere on the 10th, met with the clergymen of Sandwich deanery on the 13th, and with those of Elham and Dover on the same day. By September 18 he was holding visitation in Canterbury, in Lympne on September 22, and at Pluckley in Charing deanery the next day. He finished his course during the first week of October, when he visited Sutton deanery at Harrietsham and Sittingbourne deanery at Milton. The only entries made for all of these visitations, outside of the usual notations of presence, absence, exhibition of churchwardens' accounts and of lists of deceased parishioners, deal with the every-day problems of parish life: a chancel is in need of repair; a will must be brought in to settle a dispute; one curate, James Otterborne, who had been ordained in York, must bring in his letters testimonial. Those absent are

69 The depositions against Canterbury clergymen in Chapter VIII provide ample illustration of disaffection towards religious changes in this area. 70 A. Vis., I, f. 89b.
pronounced contumacious, and those who have not presented their "bills" must do so at a stated time. No mention is made of the pressing problems of the times. It is possible that there was a separate book of "Comperta et Detecta" for these visitations, detailing the complaints and their remedies, which has been lost. But that is probably not the case, for then the few items of business which are noted in the existing records would have been included in the separate document, also.71

The official deanery records are scanty. Those of the other ecclesiastical and civil courts of Canterbury diocese are a bit more complete. They reveal the function of these courts in enforcing the Act of Supremacy and its ramifications, in theory as well as in practice.

71 These annual visitations undertaken by the archdeacon within his own areas of jurisdiction, must not be confused with the official visitations held every five or seven years by the archbishop or his appointed proxy, ordinarily also the archdeacon. No records of such a visitation by Cranmer are extant for the diocese of Canterbury, but elaborate documents of an earlier one by Archbishop Warham in 1511 are contained in that prelate's Register.—W. Reg., I, ff. 35a-89b.
CHAPTER V

ECCLESIASTICAL AND CIVIL COURTS IN THE DIOCESE OF CANTERBURY

In order to appreciate the role of the ecclesiastical and civil courts in the administration of the Henrician Act of Supremacy, we must know what their respective areas of jurisdiction were during the Middle Ages, and what changes were brought about by the reformation.¹ From the very beginning there was a conflict over authority in many areas. Even the control of both courts by one power, such as that effected by Henry VIII in England, did not settle the battle between the "two swords."

With the growth of Canon Law, church courts became imperative and they received recognition from Christian princes. Their growth and differentiation were parallel and roughly simultaneous with the gradual development of secular courts in the medieval world, and they exercised a mutual influence, both in structure and procedure.

In Anglo-Saxon England the bishop exercised a spiritual jurisdiction both within his own household court and in the general shiremoots or hundred

¹ Two scholarly treatises on the formation of the ecclesiastical courts in Canterbury during the Middle Ages, from which much of the general material in this chapter has been gleaned, are: Irene Churchill, Canterbury Administration: the Administrative Machinery of the Archdiocese of Canterbury Illustrated from Original Records, 2 Vols., London, 1933; and Brian L. Woodcock, Medieval Ecclesiastical Courts in the Diocese of Canterbury, London, 1952.
courts, where he sat with the ealdormen to dispense justice. When William the Conqueror decreed that bishops could no longer hear spiritual pleas in the hundred courts, but only in his ecclesiastical court, it became necessary for the archbishop to withdraw from the secular tribunals. The ecclesiastical courts which resulted from this separation naturally fell under the jurisdiction of the archbishop who commonly exercised a three-fold spiritual authority: as ordinary of his own diocese, as metropolitan of the province of Canterbury, and frequently from 1127 to 1534, as papal legate.

The archbishop's personal tribunal, his forum domesticum, through which his inherent spiritual jurisdiction had functioned from earliest times, soon became over-crowded with business which formerly had been disposed of in shiremoots. When it became impossible for the archbishop to hear personally all the original cases and appeals brought before him, he assigned commissaries or auditors to act in his stead. Gradually, the various forms of business became differentiated, and two subsidiary provincial courts emerged. The Court of Canterbury, popularly known as the Court of the Arches because it met in the church of St. Mary de Arcubus within the archbishop's peculiar in London, dealt with appeals from lower courts in the province of Canterbury. It was presided over by the archbishop's Official, who was frequently also the Dean of the

3 The Province of Canterbury consisted of twenty-nine dioceses.
4 It is not always possible to distinguish between the archbishop's power as metropolitan and his authority as legate of the pope.
The second subsidiary court which sprang from the archbishop's personal jurisdiction was the Prerogative Court of Canterbury, which dealt with testamentary cases. The judge, who was called the Master, Keeper, or Commissary of the Prerogative, sometimes held simultaneously the position of Official to the archbishop, but the offices were distinct.

The archbishop's private court became known as the Court of Audience; it was a court of first instance, and one to which appeals might be made from anyone in the whole province. At first, the archbishop presided in person, exercising his legatine jurisdiction as well as his metropolitan authority, but later he appointed an auditor to hear cases for him. This court ordinarily met in St. Paul's Cathedral in London.

Justice within the diocese proper was administered through the Consistory Court which sat in the Cathedral of Christchurch at Canterbury, and went on circuit through Hythe, Romney, and Dover. The presiding judge of this court was the commissary-general, appointed by the archbishop. The Canterbury sessions were recorded in two different series of Act Books: Instance, dealing with cases between party and party; and Ex Officio, detailing cases in which the judge

5 The Deanery of the Arches in London, in the peculiar jurisdiction of the Archbishop of Canterbury, consisted of the following parishes: St. Mary de Arcubus (St. Mary-le-Bow), St. Mary Aldermary, St. Mary Bothaw, St. Michael Crooked Lane, St. Michael Royal, St. Pancras, St. Vedast Foster Lane, All Hallows Bread Street, All Hallows Lombard Street, St. Dionis Backchurch, St. Dunstan in the East, St. John the Evangelist, and St. Leonard Eastcheap. E.L.C. Mullins includes an account of these parishes in his unpublished thesis, The Effects of the Marian and Elizabethan Religious Settlements upon the Clergy of London, 1553-1564, University of London, 1948.
corrected faults in virtue of his office.\textsuperscript{6} The commissary-general had cognisance of all causes of subjects in the diocese and the power of rescription in cases of appeals.\textsuperscript{7} He could grant probate and could induct to those benefices exempt from the authority of the archdeacon. Appeal lay from his court to the Court of Audience.

One of the lower courts of the diocese was that presided over by the archdeacon. The archdeacon, sometimes called "archpriest," exercised a spiritual jurisdiction with regard to the general discipline of the faithful and of the clergy in minor orders. His powers were somewhat enhanced by the gradually acquired right of visitation in the deanery parishes, but he was mainly concerned with the upkeep of the church fabric and the maintenance of good order in the externals of worship. He never exercised jurisdiction in matrimonial cases, which were always subject to the commissary-general. Inductions to parishes within the diocese were conducted by him, but he had no power at all in exempt parishes. Woodcock says of the archdeacons of the early sixteenth century, that ordinarily they were "clients or relations of the archbishops, and there is no evidence to suggest that any of them personally interested

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\item \textsuperscript{6} The Consistory Court Books which have survived in Canterbury diocese for the period in which we are interested, are deposited in the Cathedral Library in Canterbury. They are: Instance "Acta" for the periods: March 1539-1540 (Y.2.16, ff. 1-6); January to July, 1542 (Y.2.16, ff. 12-34.); Deposition Books, May 1541-December, 1545 (X.10.1); and Comperta et Detecta for Hythe, October, 1542, (Y.4.1, f. 446.). These MSS. are in extremely poor condition and a great deal of the material is misplaced. Great sections are crossed out and the handwriting is almost illegible. The documents which are best preserved are those containing depositions, but the material for our period is scanty.

\item \textsuperscript{7} A rescript is a decree given in answer to a question of jurisprudence and having the force of law.
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themselves in the running of their court." They could carry on their judicial duties through an official, and even that appointee did not often take his charge seriously, except to consider it a stepping stone to greater preferment. This disinterest may be a partial explanation for the very few notations in the visitation records which were discussed in the preceding chapter.

The court of the rural dean, held on the occasion of the monthly deanery meetings, had cognisance only of moral offenses of parishioners in the deanery. The dean's powers were eventually usurped by the archdeacon, who was empowered to visit the parishes of the same area, and the office of the rural dean, thus, became merely an honorary position.

In pre-reformation times, ultimate appeal from all of the ecclesiastical courts was to the highest court in Christendom—the papal curia in Rome.

The Church exercised supreme jurisdiction in purely spiritual matters, such as the sacraments and the sacred liturgy. She also had authority to punish moral lapses, not recognized in the civil courts: heresy, sorcery, sexual immorality, usury, perjury, and sacrilege. The ecclesiastical censures for these offences might include public penances as, for instance, appearing barefoot and wearing a sheet in church, bearing a faggot or lighted taper, or suffering excommunication. In cases of clergymen convicted of misdemeanors, penalties such as deposition or degradation, deprivation of preferments, sequestration of the fruits of a benefice, or suspension, might be imposed. Temporal punishment in the form of imprisonment, fines, and even death, could be inflicted by the

8 Woodcock, Ecclesiastical Courts, 20.
the civil power could be called in to punish contumacious heresy by death.

The Church courts, of course, had cognisance over all breaches of ecclesiastical law by clergymen, but it also claimed jurisdiction over civil offenses by clerics. Moreover, matrimonial and testamentary cases were construed as coming under Church law.

The higher secular courts in England, like those of the Church, stemmed largely from a personal tribunal—that of the king. The curia regis, or king's court, was originally a legislative and judicial assembly made up of the king, his council, and his counsellors. The king and the council in Parliament formed the highest court in the land, receiving appeals from all other secular courts.

In considering the evolution of the English secular courts, it is necessary to keep in mind the distinction between prerogative law and common law. The royal prerogative—that accretion of undefined powers pertaining to the very office of kingship—was based on the theory of the king's right to

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9 Statutes of the Realm, II, 2 Henry IV, c. 15.
10 There is no question that by the end of the Middle Ages benefit of clergy was abused, in that it was claimed by all who could read, whether or not they were in orders.
11 Probate jurisdiction by Church courts did not extend to cases concerning land tenure, which were tried in royal courts.
13 Convocation, the council of prelates and proctors for lesser ecclesiastics which met in conjunction with Parliament, was not an appellate court. It exercised some jurisdiction over cases of heresy.
maintain the general welfare of his realm against the encroachments of the "overmighty subject." The prerogative was exercised by the king personally or through his council, not only in Parliament, but also through three courts which brought conciliatory government to its apex under the Tudors: the Court of Star Chamber, the Court of Requests, and the Court of Wards. Justice in these tribunals was administered by judges who were also prosecutors; the defendant was tried without jury, and confession of guilt could be obtained under torture.

These procedures were not tolerated in the common law courts which, had also evolved out of the curia regis into three main tribunals: the Court of Common Pleas, which heard appeals in civil cases; the Court of King's Bench, which was an appellate tribunal for criminal cases; and the Court of Exchequer, which dealt with cases concerning royal revenue. The king could call into his prerogative courts any case within the cognisance of these common law courts if he thought it affected his interests, and appeals could be made from these courts to the council. Moreover, the council, in exercising supervision over common law trials, gave impetus to the Roman Law concept of the power of the prince.

The council also originally exercised jurisdiction over cases not

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14 The Court of Star Chamber had criminal jurisdiction over offenders who were too powerful to be tried in the ordinary courts. It probably received its name from the fact that the members of the council, while trying such cases, usually sat in the Camera Stellata at Westminster. The Court of Requests tried the cases of men too poor to afford justice elsewhere. Cases involving persons who by reason of minority, lunacy, or other incapacity were placed under guardians, were tried in the Court of Wards. Two other Tudor prerogative courts which do not concern us here, were those held by the Council of the North and the Council of Wales and the Marches.

15 Holdsworth, History of English Law, IV, 85.
covered by the common law. The king's chancellor, ordinarily an ecclesiastic, was given charge of deciding such cases according to natural equity, on moral rather than on legal grounds. During the fifteenth century, the Court of Chancery developed a jurisdiction separate from that of the council.

As a link between central and local government, royally appointed justices-in-eyre went on circuit annually throughout the various counties, hearing pleas from local courts as well as suits of first instance. The necessity for these itinerant justices arose early, for the royal court was peripatetic, and it was often inconvenient for parties in a suit to follow it in its wanderings about the kingdom. Lesser local courts were numerous, but the most important were those held by the sheriffs in their respective counties, court leets presided over by local lords, the mayors' courts in towns, and those held by justices of the peace.

The office of justice of the peace cannot be over-emphasized in its importance as an influence in county administration. The justice exercised an extraordinary jurisdiction within the shire, for he was not only entrusted with the enforcement of legislation on the local scene, but he was also charged with the administration of justice in all breaches of law and order within his county. The scope of his authority was continually enhanced, so that many of the lesser shire courts were supplanted by his, and even the sheriff's eminent position was challenged. Justices of the peace were respected members of the country gentry, chosen by the king to exercise influence and authority upon their neighbors, and it is small wonder that Henry VIII considered them uniquely fitted to be agents of his propaganda campaign against the papacy and in favor of his own power in
What changes in this traditional jurisdiction were brought about because of the break with Rome? The first step was taken in the direction of a limitation of citation and appeals to exterior courts. In 1532, a statute forbade bishops to summon parties to appear in courts outside their own diocese, thus restricting the archbishop's provincial jurisdiction. Appeals to the Roman curia were prohibited the next year, and the Court of Audience was named the ultimate court of appeal in England, except for cases touching the Crown, which could be appealed to the Upper House of Convocation. But the real power of the archbishop's Audience Court was drastically reduced the next year when the Act for Restraint of Appeals made it possible to appeal from it to the Crown in Chancery. The result of this legislation was the creation of the Court of Delegates which, in practice, became the successor to the papal curia in England in matters pertaining to marriage, tithes, and moral offenses, for it exercised an appellate jurisdiction from all ecclesiastical courts, even from those in exempt jurisdictions.

16 The high regard in which the justices were held at this time, can be seen in the fact that most of the interlining in the original manuscript of the "Act for the Advancement of True Religion and for the Abolishment of the Contrary," concerns the part to be played by the justices of the peace, who were to "join with the . . . Ordinary in examination and determination of any offense or offenses committed or done against the tenure of this Act."—House of Lords Archive, 34 & 35 Henry VIII, c. 1.
17 Statutes of the Realm, III, 23 Henry VIII, c. 9.
18 Ibid., 24 Henry VIII, c. 12. Convocation never actually heard any appeals, for the next year their appellate authority was assigned to Chancery.
19 Ibid., 25 Henry VIII, c. 19.
20 For an explanation of the function of this court, see William Stubbs, "Report of the Commissioners on the Constitution and Working of the Ecclesiastical Courts," Parliamentary Accounts and Papers, XXVI, London, 1883, App. I, App. IX. The court received its name from the fact that for each appeal
A treatise written by the king made clear the implications of this Act. After reciting how the spiritual and temporal lords and the commons of the realm had recognized his headship in the Church, Henry VIII set down specific directions for the conduct of the courts now involved in spiritual jurisdiction. First, he directed that all legal documents and records be dated according to his regnal years, with no reference to the pontificate of the reigning pope. He then demanded an oath from all notaries, scribes, and registrars, to the effect that they will bear faith only to God, the king, and his heirs according to the Act of Succession, and that they will neither do nor assent to anything that might endanger or diminish the king's newly-found prerogative as supreme head of the Church. Notaries were to use the following form in subscribing documents: "I, N., clerk by the authority of the imperial crown of England notary public, etc."

Appeals are to be made according to the statute—from chapters of deans and archdeacons, collegiate chapters or other inferior judges, whether exempt or not, to the official or commissary of the diocese; if justice is not obtained in the Consistory Court of the bishop, appeal may be made to the Court of Audience, and in its default, to Chancery. The Chancery tribunal for such cases was to be made up of four commissaries or delegates having the degree of doctor (of law), or possessing some other dignity in a religious house, cathedral, or college. Minute details follow, outlining the procedures to be

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observed in fixing the days for sessions, in prosecuting offenders, and in collecting fees. A person accused of obstinate heresy tried by the court is to be turned over to the secular power, "and so in this case for contemning the laws of the church, without further examination to forfeit unto us both his goods and lands, and his body to remain in perpetual prison."\(^{22}\)

If a case concerning the liberties or privilege of the Church be begun in a temporal court, the spiritual judge of that jurisdictional area has the right to call it into his court, under penalty of excommunication for both the temporal judge and the plaintiff if they refuse to let the defendant or his witnesses come to the spiritual court. Moreover, the party or parties thus contemning the spiritual courts will be allowed no further access to them, in any cause.

The clergymen are admonished to keep in mind the immunities and liberties they now enjoy under the king as their head and protector. They may not be summoned before secular judges without the royal license, even though the case be criminal. But if a suit arise between a cleric and a layman and the layman cannot obtain justice before the bishop or archbishop, then the king must see the triumph of right in his secular courts.

The king lists the cases which he wills to be considered as exempt from the jurisdiction of secular courts as follows: matrimony and divorce; sacrilege; heresy, "so that process be made according to our acts of Parliament thereupon made"; simony; excommunication; breach of promise, if the promise has

\(^{22}\) Ibid., f. 43.
been made before a spiritual person or a notary; adultery, incest, and fornication, for which the party might be excommunicated, or put to corporal penance redeemable by fine; subtraction or withholding of tithes to the Church; cases testamentary; cases concerning benefices, right of patronage, and repairs of church fabrics; and, slander or defamation. In all of these cases, the spiritual judge might punish by excommunication or other penalties, canonical or corporal. A special recommendation to hear cases of matrimony, testaments, and tithes by summary process if requested, is made; here the treatise breaks off unfinished. No date appears on this document, but it must have been written in 1535 or before July, 1536, for mention is made of the king's vicar-general. This could only refer to Cromwell, who was named vicar-general in 1535 and vicegerent by the following July.

Repercussions from the activity set in motion by the Act in Restraint of Appeals were felt most keenly, perhaps, by the Archbishop of Canterbury. Although Henry VIII had gratefully referred to him as "the most principal minister of our spiritual jurisdiction" in 1533, 23 in consideration of his services in settling the marriage and succession questions, Cranmer was not held in such high esteem by his fellow-bishops. John Stokesley, Bishop of London, had written to the king, objecting to Cranmer's claiming the powers of legate after 1534. Now, as a mere metropolitan and primate, Stokesley held, Cranmer

23 Henry VIII to Cranmer, 1533. British Museum, Harleian MS. 283, f. 97. In this letter Henry addresses Cranmer as "you, whom God and we have ordained Archbishop of Canterbury and primate of all this our realm of England," and reminds him that it is by royal sufferance that he may judge and determine mere spiritual causes in England, because "ye be under us by God's calling and ours the most principal minister of our spiritual jurisdiction." Italics not in the original.
would have no right of visitation in the London diocese. 24 Another attack on the archiepiscopal authority came from Gardiner, this time concerning his Court of Audience. Such a court, it was argued, was maintained nowhere in Christendom, except by papal legates. Since Cranmer is no longer legate of the pope, and cannot be a legate of the king without derogating from Cromwell's position as the vicar-general, he should not have a court of audience to which he may summon other bishops. Nor can the archbishop claim authority for an Audience Court from Parliament by reason of the Dispensations Act, because that Act dealt only with power to exempt, not to exercise universal jurisdiction. Since Cranmer already had a court of appeal in London in the church of St. Mary de Arcubus, another one at St. Paul's Cathedral was superfluous. The letter ends on a challenge: if the king had really authorized this court, as Cranmer claimed, why had he never signified this in writing? 25

While Cranmer was never deprived of his position as primate and metropolitan under Henry VIII, his preeminence and spiritual authority were dimmed considerably by the rise of Thomas Cromwell to the position of the royal vicar-general in matters spiritual for the whole realm in 1535, and his appointment as vicegerent of the king in spirituals the following year. For Thomas Cromwell possessed almost unbelievable authority. In 1531 and 1532, he became councillor to the king, Master of the Jewels, Clerk of the Hanaper, and Master of the King's Wards. The next year he was made Chancellor of the Exchequer. With his vicar-generalship and his vicegerency in matters spiritual, obtained in two

24 Strype, Cranmer, App. XV, 705.
25 L.P., VIII, 705.
separate commissions in 1535 and 1536, Cromwell received the whole delegation of the king's authority in ecclesiastical matters. The temporary commissions which the vicegerent set up from time to time to try cases of heresy and of nonconformity to the new religious legislation, took over in actual practice much of the business which should have fallen under the cognisance of the Court of Delegates. These special courts formed the nucleus from which the Court of High Commission was to develop in Elizabethan times.

By his commission as vicar-general, Cromwell obtained the right to visit all the monasteries in the kingdom, even those exempt. We can form some idea of the extent of his authority in other spiritual matters when we find him acting as head of Convocation in June, 1536, issuing the royal Injunctions in 1536 and 1538, and deciding every kind of ecclesiastical question during the years from 1535 to 1540. As for Cromwell's part in the religious legislation passed in the so-called Reformation Parliament, there is this testimony of a modern scholar who has made a critical study of the early statutes. He says of the "Act in Restraint of Appeals":

Parliament did little but endorse what was put before it. Henry, no doubt, kept himself fully informed of the progress of the measure . . . . Audeley drafted the original bill which was to deal with Henry's case only. Riche may have had something to do with the drafting in a subordinate capacity, but the man who appears again and again is Cromwell . . . . The act against appeals was his act . . . . He signalled his advent by the act which began his life's work—the separation from Rome, and the subjugation of the Church in England to the sovereignty of the Crown. 27

26 See Wilkins, III, 784, for Cromwell's commission as vicar-general. His commission as vicegerent has been lost. In 1536 Cromwell was named Lord Privy Seal; the next year he was admitted to the Order of the Garter, and in 1540, shortly before his execution, he was proclaimed Earl of Essex.—R. B. Merriam, Life and Letters of Thomas Cromwell, I, Oxford, 1902.

It is natural, then, that Cromwell was consulted even by Cranmer himself when there was question of carrying out a royal command or legislation touching religious matters. In fact, there was a great deal of uncertainty as to procedure in handling cases of non-conformity to the new regulations, and letters asking advice in particular instances poured in to Cromwell's headquarters. Immediately upon receiving letters from the king directing him as archbishop of Canterbury to set forth the royal style and title of supreme head of the Church in England, Cranmer sent a trusted servant to Cromwell for clarification of certain doubts which he did not venture to express in writing. The Council of Calais had similar problems. This body wrote to Cromwell begging him confidentially as a friend, not in his capacity as councillor, to tell them exactly how the king intended the Sacrament of the Altar to be honored, so that they might not run the risk of meriting the royal indignation. When Lord Lisle, Deputy of Calais, had been specifically instructed by the vicegerent to apprehend Sacramentaries, to examine and to punish them, he took two preachers into custody, but refused to try them. Instead, he had each man write out his opinion, and sent these signed and sealed statements on to Cromwell to be judged.

28 Cranmer to Cromwell, June 4, 1535, Jenkyns, Remains of Cranmer, I, 140-141
30 Lisle to Cromwell, 1538, Ibid., 1387. Another letter of the same year from Calais voices a complaint that all this religious unrest is causing economic losses. Whereas twenty butchers used to come from Picardy each market day with twenty muttons apiece, at the last market not even six appeared. This will cause great want, the writer fears, since the townsmen ask almost twice the price that the Picards charge for their meat.—Sir Thomas Palmer, Knight Porter of Calais to Cromwell, July 23, 1538, Ibid., 1444.
But if Cromwell was the most powerful dynamo, after the king, in the new ecclesiastical machinery, there were other factors essential to the generation of the energy necessary to put the converted order into action. One of these was the Court of Faculties, set up in 1538, to take care of the granting of dispensations which had been obtained formerly from the pope. It was, in reality, a subsidiary branch of the Court of Chancery, growing out of the commission necessitated by the "Act for the Release of such as have obtained Pretended Dispensations from the See of Rome."31 This first commission consisted of Thomas Bedyll, archdeacon of Cornwall, and two masters of Chancery, John Tregonwell and William Peter. They were empowered to receive all bulls, briefs, and faculties which had been issued to English subjects by the pope, and after having copied them, to re-issue them under the Great Seal, if the cases were such in which the Archbishop of Canterbury might dispense.32 The Court of Faculties had the purpose, not merely of confirming former grants, but of making and registering new dispensations and faculties authorized by the Archbishop of Canterbury.33 The

31 Statutes of the Realm, III, 28 Henry VIII, c. 16.
32 L.P., XI, 1217, gr. 22. Two such confirmations for pluralities are deposited among the Chartae Miscellaneae in Lambeth Palace, one for Edward Fynch, perpetual vicar of the parish church of Cokkyshall in Salisbury diocese, the other for William Bageley of London. They are signed by Thomas Bedyll and Anthony Huse, registrar to Cranmer, and bear the annotation: "de dat. predicta auctoritate Parliam enti."—Lambeth Palace Library, Chartae Miscellaneae, MSS. XI ff. 65, 66.
33 Hooper makes the point that these papal power were transferred to Cranmer rather than to Henry VIII by the Dispensations Act (25 Henry VIII, c. 21), because the king already possessed this authority in virtue of his claim to supremacy in the Church.—Wilfred Hooper, "The Court of Faculties," English Historical Review, XXV, London, 1910, 675. Moreover, the fact that this authority was bestowed upon the Archbishop of Canterbury by the king in Parliament shows clearly where the ultimate power lay.
area in which that prelate might dispense is indicated in the royal commission to the Mastership of Faculties received by Nicholas Wotton, October 6, 1538, giving him power to act in the archbishop's behalf in all cases not forbidden by God's law in which the pope had dispensed formerly, and even in those things in which the pope was not accustomed to dispense, provided they were sanctioned by the king and his council. Wotton was to keep in his custody the archbishop's seal for the issuing of faculties, and was to enjoy all the fees and perquisites which belonged to the office of Master of the Faculties. He was evidently aided in his duties by Dr. John Hughes and Stephen Vaughan, for a letter dated April 25, 1539, is addressed to them by Cromwell, transmitting to them the king's wish to have seven White Friars of Northampton given capacities with license to hold a benefice with cure of souls.

A schedule of dispensations was drawn up in 1536, listing fees to be paid for them, to the king, his chancellor, and his clerk, and to the archbishop, his commissary, and his scribe. The White Friars mentioned above would have

34 The original commission reads in part:

"Thomas permissione divina Cantauriensis Archiepiscopus tocius Angliae pr- mas et metropolitanus ad infrascripta, auctoritate parliamenti Angliae legitime suffultus dilecto nobis in Christo Magistro Nicolao Wutton legum Doctori, Salu- tem, gratiam, et benedictionem. Cum nuper per statutum in parliamento Angliae editum nobis et successoribus nostris fuit inter alia concessum Ut in quibussuis casibus a jure divino non prohibitis in quibus Romanus episcopus vel Sedes ipsa Romana antehac dispensare consuevit, ac etiam in omnibus alis casibus in quibus ipse Episcopus vel Sedes Romana antehac dispensare non consuevit, dummodo tales non forent qui a jure divino prohibiti essent, in Regno Angliae et locis ei sub- ditis et subjectis per nos vel [per? sufficientem Commissarium sive deputatem nostrum modo as forma in dicto statuto expressis dispensare possimus prout in eodem statuto plenius continetur."--C. Reg., f. 217.

35 Cromwell to Wotton, Hughes, and Vaughan, April 25, 1539, Merriman, Life and Letters of Cromwell, II, 22, (Letter 311).

36 P.R.O., State Papers, I/104, ff. 317a-329a, reproduced below in Appendix III.
to pay £4 for their licenses to obtain a benefice; this sum would be divided as follows: to the king, forty shillings; to his chancellor, eight shillings and ten pence; to his clerk, four shillings and sixpence; to the archbishop, twenty shillings; to his commissary and his scribe, three shillings and four pence apiece. This was a comparatively small fee: the bishop who wished to hold two benefices in one church paid fourteen pounds and ten shillings; an abbot or prior purchased his right to wear his mitre, carry his crosier, and give his blessing, at the exorbitant price of forty-seven pounds. So, while it is true that the statutes forbidding the obtaining of dispensations from Rome kept money from leaving the realm, they abolished neither the practice of granting such permissions, nor the fees collected for them.

The commissary-general of the diocese, as chief judge of the archbishop's Consistory Court, also enjoyed an enlargement of powers due to the new religious legislation. A comparison of the commission issued in 1533 to Dr. Peter Lingham and Robert Colyns jointly to act as commissaries-general of Canterbury, with that issued five years later to Christopher Nevenson for the same office, will illustrate those differences.37 The first document opens with the traditional title of the archbishop as "Apostolice Sedis legatus"; the second refers directly to the king as the source of authority for the episcopal appointment of a commissary.38 Lingham and Colyns are deputized to hear causes...
concerning benefices, marriages, divorces and nullity of marriage, to punish misdemeanors and crimes committed within the city and diocese of Canterbury with canonical penalties, to prove testaments and to commit to administrators the goods of those who die intestate. They were also to inhibit by ecclesiastical censures the archdeacon of Canterbury, his official, and anyone else who might attempt to encroach upon the archiepiscopal authority. In Nevenson's commission the same matters are treated, but probate of wills is extended to the whole province of Canterbury. Canonical penalties are not mentioned; rather Nevenson should apply salutary and legitimate punishment, which should tend to the health of the burdened conscience of the offender. 39 Criminous clergy may be presented before him, and they may be put to purgation, 40 but a new phrase is inserted to emphasize that the compurgators must find their man innocent "quantam leges et statuta hujus Regni Angliae sumant et permittant." 41

Nevenson held the position of commissary under Cranmer, first as a temporary assignment, and later, as outlined in his commission of 1548, for life. In the latter appointment, his powers were again enhanced, including authority

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39 In the commission to Colyns and Ligham the reference to punishment for clerical faults reads "... ac pro huiusmodi criminibus et excessibus poenas canonicas infligendum ... " In Nevenson's commission, this is changed to "... ac pro criminibus, defectibus, et excessibus poenas et punitias salutares et legitimas infligendum easque in pietatis opera pro tuo sano arbitrio super quo tuam coram altissimo judice conscientiam oneramus committendum ... " --C. Reg., f. 344b; f. 17b.

40 General suspicion of a crime was often enough to bring a man to trial, apart from a personal accusation. A man so summoned before a church court, must take an oath that he was innocent, and must find six or more compurgators who would swear the same. If he could not find that many men to swear his innocence, he was held guilty without further trial.

41 C. Reg., f. 17b.
to remove diocesan clergymen from office or benefice. After his death in 1551, he was succeeded by Thomas Smythe, LL.B., a man of definite reforming inclinations.

The commissary of the Prerogative Court of Canterbury during this period was Dr. Richard Gwent, LL.D., the son of a Monmouthshire farmer who had taken his degrees in law at Oxford, and had practiced as ecclesiastical advocate for Catherine of Aragon in 1529. Miss Churchill relates of his induction to the mastership of the Prerogative Court, that he had been appointed to the office first by Thomas Goldwell, the Prior of Christchurch during the sede vacante interim after Warham's death. He was re-appointed by Cranmer after his accession to the See of Canterbury, but in order that no doubt should arise as to the validity of his position, Cranmer had another commission registered after Henry VIII had assumed the title of supremacy, showing the authorization for the appointment as coming from the king.

Dr. Gwent acted as speaker of Convocation in the sessions for 1536, 1540, and 1541. He realized what a perilous honor this could be, and when, early in 1536, he suspected that he might be selected for it, he begged Dr. Layton to save him from it. The plea was in vain, and it was Gwent's task to

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42 Ibid., ff. 62b-63a.
43 Churchill, Canterbury Administration, I, 611, n. 8, citing Reg. Hogan, Somerset House, Sect. 27.
44 "This is to desire you touching the prolocutor that you will not only abstain from provoking any man to name me to it, but also do your best that some other man should be chosen. If you know what hangs upon it, and what displeasure it will be to me, I doubt not you will help to rid me from it."--Gwent to Layton, 1536, L.P., X, 1018.
bring the matter of the protestations of the clergy of the Lower House before the Upper House of Convocation on June 23.45

No essential alteration was made in the jurisdiction of the Prerogative Court during Henry VIII's time, nor for that matter in that of the Court of the Arches. But a change is felt in the sphere of the tenure of office, with regard not only to these two courts, but also to the others in the archbishop's jurisdiction. There is an appointment under the date of 1546 in Cranmer's Register which shows how far the new legislation concerning lay tenure had penetrated. After noting the death of the distinguished priest and doctor of laws, Master John Cockes, who had been Official and Dean of the Court of the Arches, auditor in the Audience Court, chancellor and vicar general to Cranmer in matters spiritual, and commissary of the Prerogative Court, the document states that Master William Coke, LL.D., a married layman, would succeed to all of these offices—"de archibus /sic/ de audiencia, et de prerogativa."46 He was inducted into these preferments by Cranmer who received his oath of renunciation of the papacy, and conferred upon him the seals of office. Cockes had held a great deal of jurisdiction, but the concentration of ecclesiastical power in Coke dramatized the fact that the study of law led more quickly to

45 Ibid., 1184. Gwent also held the offices of chaplain to the king, Dean of the Court of the Arches (admitted September 18, 1532), Cranmer's commissary in a visitation of Merton College, Oxford, in 1534, Archdeacon of London the same year, and Archdeacon of Huntingdon in 1542—"Richard Gwent," D.N.B., VIII, 838.

46 C. Reg., f. 26a.
advancement in the Church at this time than the study of theology.  

This well-known contention is borne out by the careers of other Canterbury diocesan clergymen who held benefices in the years 1540 and 1541. Dr. Richard Benger, LL.D., who was later imprisoned in the Tower for opposing the Six Articles and speaking in favor of the papacy, had started his legal practice as vice-chancellor of Oxford in 1520. He was soon thereafter assigned to be commissary-general of the Archdeacon of Canterbury, acting in that capacity from 1523 to 1532. A lucrative benefice in the form of a prebendal stall in Wingham Collegiate Church was supplemented by collations to the rectories of Breasted and Woodchurch.

Other clerical lawyers found employment as proctors in the Consistory Court and the Court of the Archdeacon. Richard Knepe, who had been admitted to ordination as deacon in 1511 through a title obtained from the convent of St. Sepulchre near Canterbury, served in both courts. John Solme, another

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47 Four bishops of Henry VIII's reign were theologians: William Atwater (Bishop of Lincoln, 1514-1521); John Fisher (Bishop of Rochester, 1504-1535); Richard Fitzjames (Bishop of London, 1504-1522); and John Longland, (Bishop of Lincoln, 1521-1547). The other bishops were canonists, civil lawyers or both.


50 W. Reg., I, ff. 379b, 380a; C. Reg., f. 396a.

51 W. Reg., II, f. cc1xv; Woodcock, Ecclesiastical Courts, 122.

Knepe was proctor in the Archdeacon's court from 1512 to 1521; in the Consistory Court from 1511 to 1526. He also held the rectory of All Saints in Canterbury from 1517 until his resignation in 1542; in 1539 he was still collecting an annual pension from the fruits of the vicarage of Appledore.--W. Reg., I, f. 363a; C. Reg., ff. 363a, 389a.
prebendary of Wingham, rector of Mongham Parva and vicar of Northbourne, was proctor in the Consistory Court from 1516 to 1528, and held the same position in the Archdeacon's Court from 1516 until after 1523. He is also noted as apparitor general for the serving of summons to these courts in 1520.52

Other diocesan priests who served as proctors for both courts were: John Swan, rector of Hever, and curate of St. Peter's in Thanet; William Wigmore, B.C.L.; John Webbe, M.A., Vicar of Elham and of Alkeham; and Thomas Cockes, B.Can.L., chantry chaplain in Christchurch, rector of Mongham Parva, and vicar of Sturry.53 Richard Hewes alias ap Howell, B.Can.L. vicar of Thornham and Stockbury, served only in the court of the Archdeacon; Robert Colyns, B.C.L., a prebendary of Wingham, vicar of Lympne, rector of Pluckley, who had also held the office of commissary-general, and of official to the archdeacon of Canterbury, served as proctor only in the Consistory Court.54

52 W. Reg., I, ff. 376a, 401b; C. Reg., f. 354a; Woodcock, Ecclesiastical Courts, 122. Solme apparently kept a priest to serve his cure for him in Northbourne. The will of Thomas Chalner, priest, proved in 1547, was executed by "John Solme, my master and vicar of Northbourne."--Maidstone, Archdeacon's Register, XXV, f. 169a. His own will, proved the next year, indicates that he had procured another priest to replace Chalner, for he bequeathes forty shillings and a gown to Sir Robert White, "my priest."--Ibid., XXVI, f. 236b. A Robert Whyte, former monk of St. Augustine's Monastery in Canterbury, had been serving as curate of Great Mongham in the same deanery, and is listed as curate of Northbourne for the years 1550 and 1551.--L.P., XVI, pt. 1, 1355; A. Vis., I, f. 79a, 86b; II, f. 4a, 26a.


But if many of the clergymen found promotion through mastery of the intricacies of legal studies, others acquired high posts by a less strenuous path—that of kinship. Woodcock is right when he singles out the office of archdeacon for special censure on this score.\(^5\) Edmund Cranmer, M.A., brother to the archbishop, stepped into the archdeaconry of Canterbury, and the Mastership of the Collegiate Church of Wingham, graciously resigned by William Warham, nephew to the late archbishop.\(^6\) He continued to act as Cranmer's Archdeacon, and to hold other benefices in Canterbury until his deprivation for marriage in 1554 and his subsequent flight to the Continent.\(^7\)

The secular courts of the realm will enter this story only in so far as they had cognisance of spiritual causes as a result of the religious changes. The higher courts retained much the same jurisdiction which they had enjoyed heretofore, with the exception of Chancery which became an appellate tribunal for spiritual matters. But on local scenes the lesser courts became more involved in religious questions. Have already seen the special charges given the justices of the peace for the enforcement of Parliamentary legislation and royal injunctions. These assignments were given specific emphasis by royal letters exhorting the justices to perform their duties faithfully. In December, 1538, the king sent out a circular to his justices thanking them for executing

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\(^5\) See above, p. 77.
\(^6\) The resignation was no doubt rendered attractive to Warham by the fact that he was promised a pension of £60 yearly for life from the archdeaconry.—C. Reg., f. 343b, 348a.
\(^7\) Christina Garrett, Marian Exiles, Cambridge, 1938, 136. He is supposed to have had charge of Cranmer's son, Thomas, on the Continent.
his injunctions on the supremacy, and commanding them diligently to seek out the "cankered parsons, vicars, and curates" who do not declare the injunctions to their people but mumble them unwillingly and encourage their parishioners to keep to the old ways. 58 These persons, as well as "all who speak of changes in the laws," are to be committed to ward or prison without bail or mainprise; they must be tried before the justices of the peace and punished in such a manner as to be a "fearful example of all other." The justices are reminded that the danger of punishment for wrongdoing is no farther removed from themselves and their neighbors than from other subjects who disobey.

Three years later a royal reprimand was addressed to the justices of the shires, expressing the king's surprise that in spite of recent directives, they have not fulfilled their duty in regard to the banishing of the papacy from the realm of England. 59 Henry demands that "privy maintainers of that papistical faction . . . be tried out, as the most cankered and venomous worms in the commonwealth, enemies to God, and traitors." Punishment must likewise be meted out to any who raise rumors touching the king, his dignity and safety, the condition of the realm, or the changing of any law or custom. This mild admonition, the king hopes, will bring the expected results, but if it does not, "the next advice shall be of so sharp a sort as shall bring with it a just punishment of those that shall be found offenders in this behalf."

In addition to his administrative duties in regard to the conservation of rivers, to the construction of bridges and highways, and to the promotion of

58 Pocock-Burnet, VI, 223.
59 L.P., XVI, 945. This letter is dated June, 1541.
fair business practices, and his juridical charge over criminal cases, the justice of the peace now acquired jurisdiction over religious matters.

Even the court-leets held by lord in their own manorial districts were affected by the new legislation. A list of articles to be inquired into in a leet included such items as erroneous opinions concerning the Sacrament of the Altar, mass, and auricular confession, and the marriage of priests or of those who had vowed chastity.60

If secular courts acquired spiritual jurisdiction under Henry VIII, the parish which hitherto had been a unit of ecclesiastical government, now became involved in secular functions. The Church had always been vitally concerned with the care of the poor, the sick, and orphans, but most of its charity had been performed by members of religious orders. With the dissolution of the monasteries, these works of mercy devolved upon the State. By a statute passed in 1536, parishes were made responsible for seeing beggars and vagabonds profitably employed, and for caring for the incapacitated.61 Alms were to be collected by church-wardens, and poor-boxes were to be set up in the churches for these purposes. Because much of this administration was in the hands of the

60 P.R.O., State Papers, I/156, f. 186. This document is dated 1539. In the same collection is a declaration on the binding character of vows of celibacy, but the exception is made for those dispensed by the king. It states: "The person so by his sovereign and prince dispensed withal may not only without grieving of conscience lawfully use his prince's dispensation, but he is bound under pain of eternal damnation to obey humbly and willingly his prince's pleasure and commandment in the same . . . for there is no subject but he is bound evidently by Christ's law to be obedient to his prince . . .; wherefore it is not lawful for any subject to make any vow of his own mind that shall be prejudicial to his sovereign power and authority."—Ibid., I/152, f. 28.

61 Statutes of the Realm, III, 27 Henry VIII, c. 25.
constable, the parishes became liable to fine for negligence on the part of that official.62 In 1531 the parish was made responsible for exterminating rooks and other "vermin."63

So the stage is set. Statutes and injunctions are issued abolishing the pope and setting the king in his stead as head of the Church in England. Courts are created or modified to take care of the new problems arising out of the recent statutes and proclamations. Oaths are formulated to be administered to the people, as a pledge of their loyalty and willingness to abide by the new order. The duties of the royal agents in Church and State are defined for setting the new policies in motion. Sanctions are provided for non-conformity. But what, in fact, happened when a subject chose to say no?

62 Ibid., 22 Henry VIII, c. 12.
CHAPTER VI

THE SHADOW OF RESISTANCE

It would be gratifying, at this point, to be able to cite cases bearing on the king's supremacy and its implications, for each of the ecclesiastical and secular courts having cognizance of such matters, and to follow each, step by step, to its proper conclusion. This, unfortunately, is impossible, partly because of dearth of documents from the courts in question, partly because of the utter confusion which crept into the court records of this period, and partly because of the abbreviated forms used in keeping many of these records. It must suffice, therefore, to gather together the odd bits which have survived, and to reconstruct from them as much as possible of the legal side of the picture of nonconformity.

It is generally conceded that Henry VIII encountered little resistance to his assumption of supremacy in spiritual matters. Certainly the opposition which was voiced was neither organized nor successful. But that is not to say that there was meek and unquestioning acquiescence on the part of all English subjects.

The question of monastic reaction to the royal supremacy is relevant to this study only in so far as it touches ex-religious who were serving curies as diocesan priests in the Canterbury area during the years 1540 and
The response of laymen to the Act of Supremacy will be treated where there is mention of such in the court records, but most of the extant evidence concerns the clergymen who, after all, were more immediately involved in the changes which the break with Rome occasioned.

The uncertainty which was felt in dealing with cases of disobedience to injunctions and infringement of statutes has been noted already. It recurs constantly in the correspondence which flowed from officials of the various courts to Cromwell and the Council. On the other hand, there was great anxiety on the part of those who became aware of violations to report their knowledge to the proper authorities so that they might not be accused themselves of being a party to infractions.

An early case which illustrates these attitudes is that concerning William Inold, later also rector of Boughton Aluph, but at the time curate of Rye in Sussex. He was first reported to Cromwell by two burgesses of the town of Rye who had heard him express the hope that England would not fall under papal interdict as it had in the time of King John. The burgesses had asked Inold whether he would fight for the defense of the king and the realm if the pope made war against England, and had replied: 'No, marry, for the pope is

1 A study of early resistance by religious to the Act of Supremacy would be rewarding. A penetrating treatment of one phase of this problem has been done by David Mathew and Gervase Mathew in The Reformation and the Contemplative Life: A Study of the Conflict between the Carthusians and the State, London, 1934.

above all kings and princes of the world, and has power both of body and soul, whereas the king has power but of the body only." The curate also warned that if the pope should curse England, "then will the Emperor and the Danes destroy all this realm because the king has married this marriage, and none will take the king's part, but only heretics." With such words, the townsmen said, Inold seduced the common people and caused them to murmer among themselves.

Sir Edward Guildford, constable of Dover Castle and warden of the Cinque Ports, was brought into the case by the mayor of Rye, who had proceeded to an examination of Inold, and then had sent priest, witnesses, and examination to Guildford for further action. Guildford, in turn, had examined the witnesses upon their oaths, and finding their testimony against Inold trustworthy, had committed the "prowde vacabund prist" to ward in Rye, there to be kept until royal orders arrived for his disposal. Inold evidently gained his liberty, for in 1535, it is he who brings a charge against a John Young before the mayor and jurats of Rye. The gist of the curate's complaint is that Young had said that better men than Inold had been hanged that month, for they had refused to swear to the king's highness, whereas he had sworn and had performed the contrary.

The case was referred first to the Warden of the Cinque Ports, at that time George Boleyn Lord Rochford, who was also a royal councillor, but in his absence his brother, Thomas Boleyn, Earl of Wiltshire, had opened the relevant letters.

3 Sir Edward Guildford to Cromwell, October 6, 1533, Ibid., I/238, ff. 153.

4 The mayor and jurats of Rye to Cromwell, May 28, 1535, Ibid., I/92, ff. 224-225.
He showed them to Christopher Hales, the Attorney General, who advised the mayor to send the two parties on to Cromwell, since the matter touched the king's highness. An investigation into the curate's opinions and actions ensued, and Cromwell ordered that all the books and papers in his possession be forwarded to London. A deposition by John Maidwell before Cromwell's servant, Jasper Filoll, stated that the priest of Rye thinking me to be of his opinion, said that this realm was full of heretics and heresies, especially in that any temporal man should be supreme head of Church. And there he took a little book out of his purse called Eck's Enchiridion wherein be many false sayings impugning the supreme dignity of the king's grace.

This, together with a list of eleven presentments by parisioners of Rye against Inold and two other priests, were delivered to Cromwell. The articles drawn up by the people of Rye are significant enough to be reproduced in their entirety.

Item: We present that the bishop of Rome was not preached down by our curate since the being of the bishop [sic] with us.

Item: The curate biddeth the beads otherwise than the king hath set them forth.

5 A note from the mayor and jurats of Rye to Cromwell was sent with two men, Alexander Wellys and John Raynold who conveyed Inold's books and papers to London.--Ibid., I/133, f. 7.

6 Ibid., I/99, ff. 67-68. This statement is dated November 18, 1535, and endorsed "The treasons of three malicious persons declared to Jasper Filoll by one Maidwell," and "High treason of three malicious persons." The other two persons accused were a Friar Patrick of Rye and a Friar Dr. Mayland of London. John Eck's Enchiridion locorum communium adversus Lutheranos was first published in 1525; six new editions came out between that date and 1535.

7 An order for bidding of the beads in all sermons was issued by the king in 1534. It specified praying for the king as head of the Church, the queen, archbishops and bishops, the clergy of the realm, and all the faithful departed.--Wilkins, III, 783.
Item: The curate preached not nor read the gospel nor the epistle in English to the people in the church this one year.

Item: When the curate readeth the Bishops' Book he readeth scant a piece of the title, and that after such form that he may not be understood, for he cannot read the rhetoric words.

Item: that Patrick, a friar Augustinian, doth daily service in the Church in his friar's apparel as a friar. 8

Item: that William Potten, one of the priests of that parish, calls the Bishops' Book the King's Book, and maintains the worshipping of images and relics with [in]censing, candeling [sic], kneeling, and such other abuses.

Item: Our vicar not resident among us nor was with us these four years, nor doth see us sufficiently taught, and therefore he is worthy [of] no tithes.

Item: None of the Injunctions set forth by the visitors of the king's majesty be with us by our vicar fulfilled.

Item: They keep and command holydays which be abrogated, as St. Mark, Inventio Sc. Crucis, Sci. Ric., Marie Magdalene & alia festa.

Item: Our curate of late as a witch did give Hamp's child drink three times of the chalice for the chyne [whooping] cough.

Item: Our curate being defamed with certain persons doth daily accompany them abominably, though he has been several times warned and forbidden the same. 9

But in spite of all this condemnatory evidence against him, Inold appears to have been pardoned, for he was soon instituted as perpetual vicar of Rye. 10 Already in 1537 he had become vicar of Boughton Aluph, which he held until his death in 1545. 11 It was here that he gave testimony against John

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8 The Augustinian Priory had been suppressed by Richard Ingworth early in 1538.
9 P.R.O., State Papers, I/133, f. 8, dated 1538.
10 L.P., XVI, 1308, gr. 45, citing Pat. p. 9, m. 33. October 31, 1541.
11 E. Reg., f. 362b; 396a.
Bland who had preached in his church against fasting and church ornaments.\textsuperscript{12}

Sir Robert Oldham, parish priest of Pluckley in Charing deanery, had also come before the court of Sir Edward Guildford. Oldham had been brought to the constable while the latter was riding to hunt, and he admitted naming the pope on his beads unthinkingly but promised not to do it again. Because his accuser, John Dranner, was not present, Guildford acted on his own initiative and released the priest on bail, for he suspected that Oldham had been presented to him because of a grudge. Dranner reported this to Cromwell who sent him back to reprimand Guildford for not seeing the priest punished. The constable was incensed at this treatment and reminded Cromwell that, if he, as a member of the king's council and justice of peace in the shire of Kent, could not by virtue of his office hold men to bail, he might as well be out of the county.\textsuperscript{13}

It is to be expected that if Cromwell allowed so little practical authority to the local judges, their prisoners would have to be brought before him eventually for final judgement. This is seen again and again in the early instances of nonconformity trials. This, of course, is understandable in cases considered to be of a treasonable or heretical nature, and it is probably because no one wanted to be responsible for drawing the line between a lesser and a greater infraction of the law in these new cases that the safer course was taken—committing it to Cromwell and the Council to decide.

John Baker, a justice of the peace for Kent, and the king's attorney

\textsuperscript{12} C.C.C.C., MS. 126, f. 14.\textsuperscript{13} L.P., VII, 630. Edward Guildford to Cromwell, 1534.
general, wrote to Cromwell about Robert Brachie, the new rector of Dimchurch who had not "expelled" the name of the pope out of the books in his keeping, part of his own possession, and part belonging to the church.\textsuperscript{14} Baker had committed the priest to jail, awaiting the pleasure of the king in the matter. Again, no evidence of ensuing action is extant. We can only guess what might have happened, but we may conclude from the fact that Brachie was still serving as rector of Dimchurch in 1552, that he promised to conform.\textsuperscript{15}

The same supposition can be advanced with regard to Robert Fynes, the vicar of Loose, who was accused of promulgating indulgences granted by Pope Urban, to be gained on Corpus Christi day.\textsuperscript{16} Depositions to this effect were made by ten parishioners of Loose before Sir Henry Wyatt and Mr. Culpepper,\textsuperscript{17} and equal emphasis was given to the two charges made: the promoting of indulgences, and the naming of Urban as pope. Even this indictment came to the attention of the royal council, for we find the recorded depositions endorsed by Sir Thomas Wriothesley, then the king's secretary.\textsuperscript{18} Whether Fynes suffered any penalty on the strength of these charges we do not know; at any rate, he is listed as chaplain at Faversham, where he witnessed the will of a fellow-chaplain.

\begin{footnotesize}
\textsuperscript{14} P.R.O., \textit{State Papers}, I/106, f. 161-2. Brachie had been inducted to Dimchurch on June 12, 1536, exactly three months before the date of this letter, September 12, 1536.—C. Reg., f. 359b.
\textsuperscript{15} A. Vis., II, f. 38a.
\textsuperscript{16} L.P., X, 1125, June 12, 1536. Loose was in the exempt jurisdiction of Maidstone College.
\textsuperscript{17} Four Culpeppers were serving as justices of the peace in Kent during this period: Sir Alexander, John, Thomas Sr., and Thomas Jr.
\textsuperscript{18} Sir Thomas Wriothesley, D.C.L. (1505-1550), was a protege of Cromwell, who assisted in the suppression of the monasteries. He was a member of the royal council, and succeeded Audeley to the Chancellorship in 1543.
\end{footnotesize}
Hugh Nores, in 1541.  

Another case, even more vague in outline and conclusion than the two just mentioned, is that concerning an anonymous curate of an unnamed parish in diocese of Canterbury. One deposition made by a parishioner, Edward Coke, is all that has survived of the records, but it is significant inasmuch as it shows the division which could be caused among the priests of a parish over the new religious issues. The curate is accused of warning the people from the pulpit that "if they would be ruled by the vicar and the parish priest, that then the pope would be naught within a while." He is also charged with encouraging the use of holy water, holy bread, and hallowed bells to ward off evil spirits.

Again, we do not know the issue of this case, but if we can infer anything from the penalties inflicted in other instances, we must conclude that a variety of sanctions was imposed. In Wiltshire, a priest who was suspected as being a papist because he had left the name of Thomas Becket "unput out" of one of his books, was bound in a recognisance of £40 to appear at the next general session of the peace and perform whatever might be obliged of him. Furthermore, he was to go before his people in the parish church and there to "cry the king's highness' mercy, acknowledging his offense and folly in not observing the king's highness' injunctions." and to promise compliance.

William Orphen, curate of Benenden in Charing deanery, was more

19 A. Vis., I, f. 107 (68)b: Maidstone, Archdeacon's Register, XXII, f. 231, Will of Hugh Nores.
20 Consistory Court, Deposition Book, X.10.2, July 18, 1543, f. 22a.
21 P.C.P. VII, 94.
lightly dismissed. He was brought before the Privy Council by Sir John Baker, Attorney General and justice of the peace in Kent, for speaking in favor of prayers to saints, and against the royal supremacy. But when the councillors found that the matter was of little importance, they dismissed Orphen with a warning to behave more obediently in the future.

There is some reason to believe that Cromwell had reserved to himself the imposing of penalties for infractions of the Injunctions which he had promulgated in the name of the king. In 1539 Cranmer spoke of taking upon himself Cromwell's office in punishing such transgressions; he wrote that in the vicegerent's behalf, he had already incarcerated two unidentified priests in the castle of Canterbury for not erasing the pope's name out of their books. One, evidently a rector, had been released with the command to give £4 in alms; upon his refusal to fulfill this order, he was again committed to prison. Finally, considering the priest's expenses and punishment in prison, Cranmer decided to free him if he would give forty shillings to specified justices to be distributed to the poor. The other priest, a curate, was kept in prison so that he might be suitably punished, since he had little money for almsgiving. His rector, however, was ordered to distribute forty shillings in his name. The archbishop closed his letter with a request that he be instructed how to deal with such cases thereafter.

22 William Orphen (Orphew, Orphett) is listed as curate of Benenden in Charing Deanery in 1540 and 1541, and as vicar of Rolvenden in the same deanery in 1556 and 1558. --A. Vis., I, ff. (59)b, 104 (65) b: Whatmore, Harpsfield's Visitation, II, 312, 322, 323.
In the same message to Cromwell, Cranmer stated that he was sending up a certain Henry Totehill, together with his accusers and their depositions, to be examined by the council. John Alford, one of the witnesses, said that he had related to Totehill part of a dissertation which he had heard delivered in the archbishop's palace in Canterbury, treating the injustice done by the pope to King John. Alford said that if the present pope were not put down, he would do with King Henry VIII as Pope Innocent III had done with the other king. Totehill protested that the pope was a good man, and that the new law was no better than the old. The last piece of testimony is that Totehill, when making these statements, was drunk. This is not the only time that an accusation was brought for words said under intoxication. A parishioner of Stelling, John Brigman, when cited before Wigmor in the archdeacon's court, confessed that he had said, while drunk, that he would rather pray before the rood than before the Blessed Sacrament.

Nor was hearsay evidence discounted, even when twice removed from its original source. The deposition against John Bromfield who was supposed to have given confessional advice in favor of the pope's return to spiritual authority in England, was made by James Freestow, servant to Thomas Cockes of Bilsington, before Edward Phillip, bailiff of Tenterden, and six jurats. Freestow testified that ten months before, he had heard two or three other men relate what the priest had said to them in confession. This accusation was forwarded to the

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25 Ibid., n. u., citing MSS. Chapter House, Westminster.
26 Archdeacon's Instance Acts, (1540-1546), f. 11 July 16.
27 See above, p. 69.
council, and presumably was considered as worthy of further investigation.

The same bailiff and jurats of Tenterden sent their chaplain, John Fuller, to be examined before Cromwell for speaking seditiously against the king and his injunctions.\textsuperscript{28} The depositions of three witnesses have survived;\textsuperscript{29} they indicate that Fuller had discouraged the reading of the Bible by laymen, after the Injunctions of 1538 had been published. When rebuked for his stand, he had answered: "Well, you shall see another world shortly." Christopher Baker, one of the witnesses, then warned him that he had better hold his peace, to which Fuller had replied that he cared not at all if he died, for a thousand more would die with him. Fuller is listed as chaplain in Tenterden in 1538, and as chaplain in Biddenden in 1539, but his name was crossed off in the visitation records of 1540, indicating that for some reason he had ceased to perform priestly duties in the diocese.\textsuperscript{30}

Another aspect of the uncertainty felt by officials in dealing with nonconformity to the new religious legislation, is their reluctance to be in any way connected with the trial of such cases. Not only did they refer many of their doubts to Cromwell and the Council; they also shifted responsibility to the shoulders of their fellow commissioners, and sometimes a case would pass from hand to hand without trial, until some special royal commission caught up with it.

\textsuperscript{28} P.R.O., State Papers, I/242, f. 78. Bailiff and Jurats of Tenterden to Cromwell, September 10, 1538.
\textsuperscript{29} P.R.O., Exchequer Treasurer Remembrancer Books, XXXIX, Depositions and Examinations for Aske's Rebellion, f. 59.
\textsuperscript{30} A. Vis., I, f. 44b, (59)a, 71b.
This seems to have been the case when a parishioner accused William Cobbe, vicar of St. Peter's in Thanet, of favoring the pope. 31 Alexander Norwood, the accuser, had written the offending words of the vicar on a paper, and delivered it to a deputy of the mayor of Dover, Simon Grante, who had the power to examine Cobbe. Grante, for his part, obviously was not anxious to become involved in the case, and referred it to Edward Monyn, a justice of the peace, who also refused to handle it. It was only when a royal visitation was held in the parish church of Herne, September 28, 1537, that the examination took place on a bill of detection presented by the same Alexander Norwood. Cobbe, it was related, had made a sermon in the parish church of St. Peter in which he had tried to allay the scruples of those parishioners who could not conscientiously agree to the denial of the pope's title. Both Norwood and another witness, Silvester Tirrett, testified that Cobbe had said from the pulpit: "As for the taking away of his name, it is no matter, for he never wrote himself 'papa' but 'primus pontifex,' and as for his authority, he hath not lost an inch thereof, I warrant you." Upon this testimony, the vicar was committed to the king's gaol in Canterbury, there to await the pleasure of the king or his council. In the visitation record for 1539 he is noted as "ill"; he died on February 14 of that year, little more than a year after his incarceration. 32

But it was not only the lesser clergy who chose to disagree with the

31 P.R.O., Exchequer, Treasurer Remembrancer Books, CXX, Depositions and Examinations on Treasonable Matters, &c., temp. Henry VIII, f. 49.
32 A. Vis., I, f. f. 63a; Maidstone County Record Office, Archdeaconry Act Book, IX, f. 8.
king on the matter of his supremacy. Dr. Richard Benger, LL.D., who had played a prominent role in the administration of Canterbury diocese under Archbishop Warham, was one who went out of his way to make his unsympathetic views known. Thomas Lawney, chaplain at St. Peter's Church in Sandwich, had preached in the presence of Archdeacon Edmund Cranmer in the church of Wingham. His diatribe against the pope on this occasion was deeply resented by Benger who held a prebend in that church. Benger had followed Lawney to the Archdeacon's residence, and there at dinner openly declared that he would never speak against the pope, and that he wished all the "new learned men" would be burned.33 When his statements were challenged by the Archdeacon and others at the table with him, he said: "These new laws may be suffered for a season, but in time to come, it will cost broken heads and set men together by the ears."34 The Archdeacon cautioned him to watch his speech for he was sworn to the king and could not conceal words spoken against his sovereign. He lost no time in carrying out his threat. Benger was denounced to the archbishop who sent him to Cromwell with the depositions taken, no doubt, in the Consistory Court in Canterbury.35 A terse statement in the Privy Council records for 1540 recites an order to Cromwell to send Dr. Benger to the Tower of London,36

33 Lawney to Master Marbere, controller to the Duke of Suffolk, 1535, P.R.O., State Papers, I/91, f.92.
34 Cranmer to Cromwell, March 14, 1535. Jenkyns, Remains of Cranmer, I, 130.
35 These depositions add the information that Benger had said that the same authority invoked to deny the papacy could also be invoked to deny the Scriptures.—J.E. Cox, ed., Writings and Disputations of Thomas Cranmer, II, Cambridge, 1844, 301, citing Chapter House MSS., Westminster.
36 P.C.P., VII, 75.
The parson of Woodnesborough, probably Richard Slany, was also sent on charges of treason to Cromwell. Just what his treasonable conduct comprised is not known, but John Whalley, Comptroller of the Mint in Dover, told Cromwell that the accused man had possessed a book of prophecies. But the real purpose of Whalley's letter was to inform the secretary that if the parson were properly handled "either by compulsion or by fair words," he could divulge the names of a great many papists in Kent, both among the spirituality and the temporality, since he was an intimate friend of many of the Kentish clergymen.

Suspicion and distrust apparently ran riot during these years, and accusations were made on the slightest infraction of the injunctions. William Sandford, rector of St. Peter's church in Canterbury, was presented by the grand jury "for maliciously tolling the Ave-bell in the said church, after the evening sound done; with a view to set up again the Bishop of Rome." Again, Sandford must have conformed, for he held this benefice until his death before January, 1546.

37 Richard Slany, inducted as vicar to Woodnesborough on August 20, 1533, resigned this benefice before April 6, 1538. --C. Reg., ff. 341a, 364a.
38 P.R.O., State Papers, I/103, f. 76.
39 Hasted., History of Kent, XII, 533, citing "Minutes collected from the ancient Records and Accounts in the Chamber of Canterbury of Transactions in that City, from the commencement of the Mayoralties in 1448, to the present year 1800." The injunction which forbade the ringing of the Angelus bell states: "That the knelling of the 'Aves' after service, and certain other times, which has been brought in and begun by the pretence of the Bishop of Rome's pardon, henceforth be left and omitted, lest the people do hereafter trust to have pardon for the saying their 'Aves' between the said knelling, as they have done in times past."--Item 16 of the Royal Injunctions of 1538, Frere and Kennedy, Visitation Articles and Injunctions, II, 42. The indictment of Sandford was made in 1539.
40 C. Reg., f. 398b.
Assemblies of clergymen were, likewise, looked upon askance. One John Jylbart reported to Cromwell that an assembly of priests had been held in the small parish of Uprchurch, under the leadership of the vicar of Bredgar, at that time Ralph Persall. The intent of the meeting is not revealed, but Jylbart makes it a point to remark at the end of his letter that Mr. Culpepper, a justice of the peace, said that a great deal of confusion would be caused if sequestration and deprivation were used as penalties for violations of the king's injunctions, for the priests observed little or none of them.

Even if this assertion as to the nonconformity of the clergy were true, there were certainly a number of clerics in the diocese who firmly supported the new order and exerted their influence to have dissenters punished. There was, in fact a group which not only countenanced the religious changes undertaken by the king and parliament, but which sought to introduce elements of the continental reformation into England. Foremost among these sympathizers with the new learning stands Cranmer, but he managed to keep the trust and goodwill of Henry VIII. There were others, however, who were proclaimed heretics and were punished as such.

William Jerome, vicar of Cheriton in Dover Deanery, was charged with

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41 John Jylbart may be identified with John Gylbart or Gilbert who acted as justice of the peace for Devonshire in 1536. - L.P., X, 1256, gr. 53.  
42 Persall held the vicarages of Halstow (1534-1541), of Bredgar (1538-1544), and of Thornham (1550-1553). He was rector of Boughton Malherbe from 1541 until his deprivation under Mary in 1554. - C. Reg., ff. 354a, 366a, 381a, 384a, 392b, 411b, 423b; Reg. N., f. 78b.  
43 P.R.O., State Papers, I/160, f. 5. May, 1540.
preaching heresy at St. Paul's Cross in London in 1540.\textsuperscript{44} In his recantation sermon, he confessed that he had taught that works of penance were not necessary for salvation.\textsuperscript{45} This is, no doubt, the article on which he was condemned and labelled a Lutheran. But there were two other matters which one is tempted to suspect had a bearing on Jerome's sentence. He had also preached that no sovereign can bind his subjects by law or statute under pain of mortal sin (i.e., heresy). Moreover, he had made the fatal mistake of insulting the burgesses of Parliament by calling them "butterflies, fools, and knaves." He was excepted from the king's general pardon of 1540\textsuperscript{46} and was burned with Robert Barnes and Thomas Garrett at Smithfield on July 30 of the same year.\textsuperscript{47}

Henry Goodrick, vicar of Hothfield in Charing deanery, was accused of more serious Lutheran errors than William Jerome. He was excepted in the same general pardon, but he was eventually forgiven, and lived to enjoy high preferments under Elizabeth.\textsuperscript{48} Depositions against his sermons as early as 1535 state that Goodrick had preached in Folkstone during Lent that the Blessed Sacrament is no more than a figure and a remembrance of the passion of Christ.\textsuperscript{49} He had also declared that the mother of Christ was not Queen of Heaven, and that she could do no more for the faithful than any other woman, likening her to a

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\item \textsuperscript{44} British Museum, Lansdowne MS. 979, Bishop Kennett's Collection, XLV, f. 161.
\item \textsuperscript{45} P.R.O., State Papers, I/158, f. 120 ab.
\item \textsuperscript{46} Statutes of the Realm, III, 32 Henry VIII, c. 49.
\item \textsuperscript{47} The classic story of this execution is told by Foxe, Acts and Monuments, V, pt. 2, 430.
\item \textsuperscript{48} He was made Canon of the twelfth prebend in Christchurch Cathedral on July 10, 1560, and of the eighth prebend in 1561.—John Le Neve, Fasti, Ecclesiae Anglicanae, ed. T. D. Hardy, I, Oxford, 1854, 61, 56.
\item \textsuperscript{49} British Museum, MSS. Cott., Cleopatra E, V, ff. 397-398.
\end{itemize}
When the bailiff of Folkstone had ordered the vicar, Richard Sherington, to compel Goodrick to leave the pulpit, Sherington said that he dare not, for Goodrick possessed a license under the king's broad seal to preach anywhere. It seems that Goodrick was given a time to redeem himself, for we find that he continued as vicar of Hothfeld, busying himself about the lack of conformity which he found in Ashford. He had seen in the parish church there a rood besides the one in the roodloft, to which the parishioners brought oblations of money and candles. A plaque next to this image had an inscription, obviously speaking of the esteem due it, and it contained the words "honor" and "reverence." Goodrick, therefore, took a copy of the inscription to Mr. John Fogges, justice of the peace, who showed it to his fellow-justice, Dr. William Goldwell. Goldwell ordered the tablet and crucifix to be taken down, but he would not venture to punish the priest without knowing Cromwell's pleasure. In a letter written to Goodrick, Goldwell inveighed against idolatry manifest in many churches, especially in regard to crucifixes outside the roodloft and to statues of Our Lady of Pity. Goodrick and Fogges each wrote to Cromwell reporting the details of all that had happened. The rector of Ashford, Richard

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50 The "Protestation" of the Lower House of Convocation contains a condemnation of this "erronious opinion" which is quoted almost verbatim from Goodrick's examination: "40 Item, that our lady was no better than another woman, and like a bag of pepper or saffron when the spice is out; and that she can do no more with Christ than another sinful woman."--Wilkins, III, 806.

51 P.R.O., State Papers, I/152, f. 3ab. Goldwell makes a point of saying that devotion to Our Lady of Pity has no foundation in Scripture.

52 Ibid., I/151, f. 257; I/152, f. 1 ab-2 a. Henry Goodrick's letter is a masterpiece of reformation propaganda, as the following excerpts show:

"Lamentably complaining unto your honorable lordship as vicegerent to our supreme head and most gracious prince, your poor orator Henry Goderick, priest in the person of Jesus of Nazareth, our only Saviour, Redeemer, Mediator, and Intercessor, in his divine nature co-equal with his Father, which hath given
parkhurst, was to become deeply involved in the struggle between the partisans of the old and the new learning, so soon to come to a head in the diocese.

The new learning appealed, likewise, to the laymen of Canterbury diocese, who were even more radical in their erroneous opinions than were the clergymen. A sessions of the peace held in Canterbury on June 8, 1536, was the occasion of presentments against some of the citizens of the city, among them several prominent personages.53 John Starkey, chamberlain and alderman of Canterbury was accused, along with John Toftes and his wife, of denying the efficacy of praying to the Blessed Virgin and to other saints. They held that there were no true martyrs, and that S. Thomas Becket so-called, was no martyr in the faith of Christ.54 John Twyne, schoolmaster at the free school in Canterbury,
Christopher Levyns, common clerk, John Ford of St. Alphege parish, and James Mitchell, shear-grinder, were presented for speaking many times against the worshipping of saints and other laudable usages and customs decreed by the Church. Moreover, Twyne was charged with supporting and encouraging the printer in St. Paul's parish, who was distributing books containing heretical doctrines to "divers rude and unlearned people." Walter Hoker, apothecary, had spoken against the honor due to saints, and had declared that God was born of the Virgin Mary in the same manner as it might please God to grow one good apple upon an ill stock. At his marriage the previous week, the same Hoker refused to kiss the priest; he also held many false opinions against the Church's ordinances.

Two other citizens of Canterbury who derogated from the honor of Mary were William Cowman, shoemaker of Westgate, and the wife of Arnold Curryor. Cowman was not only insulting; he was obscene in his blasphemy against the Virgin. Curryor's wife had remarked in the presence of several persons on May day that it would be as meritorious for people to offer oblations to her as to Our Lady. Thomas Sylver, a chandler of Northgate, had declared that there was no necessity by divine law or any other to go to church for worship; he could pray just as well at home. The laws of the Church were attacked from another angle.

55 John Twyne became mayor of Canterbury in 1553.--Hasted, Canterbury, II, 606. Christopher Levyns also acted as bookkeeper to John Thompson, the Master of the Maison Dieu in Dover. John Whalley, writing of this, said: "He is meet for the master, for he is a seditious and crafty fellow."--Whalley to Cromwell, L.P., X, 985. May 29, 1536. It was Levyns who reported to Cromwell that Thomas Goldwell, prior of Christchurch, had used a collect of the pope contrary to his oath, and that he had not included all the jewels and plate on the monastic inventory taken by Dr. Layton.--Levyns to Cromwell, November, 1535, L.P., IX, 881.
by Richard Bellingham and his wife. During Lent they had refused to fast and abstain, but "did eat hog's butt and other \{white\] meats to the evil example of any good Christian man, and regarded nothing the laudable and use[ful] constitutions of holy Church, but utterly despised them."56

Another document from the sessions of the peace held in 1542, contains the presentation of John Hopper by Robert Lewes, mayor of Canterbury, Anthony Knyvett, justice of the peace, the above-mentioned John Starkey, and Thomas Hales.57 These substantial gentlemen affixed their signatures to the statement that Hopper had said that he would just as willingly be shriven by a post as by a priest.

One cannot help noting that many of the articles preferred against these laymen in 1534 and 1536 were soon to be considered as perfectly legitimate practices in the realm. Already in 1538, the second set of Injunctions contained warnings against the cult to the saints; in 1542, Henry VIII as head of the Church in England dispensed his subjects from abstinence from white meats during Lent.

The most enthusiastic voice promoting the king's new prerogative within Canterbury diocese was, of course, Cranmer's. He was not content to apply his efforts in this behalf merely within his proper jurisdiction. He did not hesitate to remind the court, the council, and even the king himself that their good example and effective assistance must not lag behind his own zeal.

56 Canterbury Session of the Peace, 28 Henry VIII. This MS. is torn along the left edge, making it necessary to supply parts of words in almost every line.

57 Canterbury Cathedral Library, Borough Archive, City Corporation Session of the Peace, 34 Henry VIII, an uncatalogued MS.
in the matter of the king's supremacy. In 1534 he wrote to Henry VIII that he had preached two sermons in Christchurch, setting forth the royal headship and denouncing the papacy, because he had been informed that in these points Canterbury was least convinced of all his diocese. The sermons were challenged and refuted by the prior of the Black Friars, who declared the pope to be Christ's vicar on earth. Cranmer reported this to the king, concluding with admirable logic, that "if these things were not erroneous, yea, errors in the faith, then must needs your Grace's laws be erroneous." A man must either say that the Church did not err in teaching the pope's authority, and then he is going against what has been written on the subject for three or four hundred years, Cranmer said; or he must say that the so-called errors are not errors but truths, and that would be both treason and heresy. The letter ends with an ultimatum. Either the king must look to the punishment of this prior who has dared to challenge the Ordinary and Metropolitan of the Province of Canterbury in his own church, or he must countenance the discrediting of the archbishop and of his own claims to supremacy. 58

A year later, the prelate wrote to Cromwell rehearsing his efforts to enforce the new proclamation abrogating certain holy days. 59 He had found, he said, that the people of his diocese were obstinate in keeping such holy days with solemnity. 60 He had punished some offenders, and had tried to convert

59 Ibid., 201. August 28, 1537.
60 At least one clergyman was prosecuted in the archdeacon's court on this score. A certificate citing the vicar of Bapchild, John Parson, for not appearing and answering to the charge of solemnizing the feast of St. Edward the Confessor is still extant. — Archdeaconry Court, Instance "Acts," Y. 4. 8., f. 20 b November 26, 1541.
others with persuasion, but seeing that the people were influenced by their curates, he had

given straight commandment and injunction unto all the parsons and vicars within my diocese, upon pain of deprivation of their benefices, that they shall not only, on their behalf, cause the said holidays so abrogated from time to time, not to be observed within their cures, but also from henceforth present to me such persons of their parishes, as will practise in word or deed contrary to that ordinance or any other, which is, or hereafter shall be set forth by the King's Grace's authority, for the redress or ordering of the doctrine or ceremonies of this Church of England.61

Cranmer expressed the hope that this would effectively stop all disobedience in his diocese, and that other bishops would follow his lead with regard to their own sees, so that any grudge which the people might feel at these regulations would fall, not upon the king and his council, but upon the Ordinaries. But again there is an admonition at the end—if the king and his court continue to give bad example by breaking these ordinances themselves, how will the people be brought to keep them?

On the other hand, when there was question of fostering the new learning, Cranmer was most lenient. Certain laymen of Smarden and Pluckley had been indicted for unlawful assemblies, and were sent up to Cromwell by the local justices of the peace.62 Cranmer hastened to write that the only purpose for their indictment was because they were "fauters of the new doctrine." This, said Cranmer, was certainly not reason enough for vexing the king's subjects who favor God's word, and if this sort of thing be allowed to continue, it will cause much sedition within the realm.

Cranmer, likewise, took upon himself to instruct individual justices of the peace to refrain from troubling the favorers of God's word at their assizes and sessions. He wrote a lengthy letter to an unidentified justice in Kent reprimanding him for vexing such people, and for not setting forth in his sessions and elsewhere those things necessary for salvation. He defines this duty as including: explaining the difference between faith and works, stressing that justification is only through Christ's passion, promoting obedience to the prince as commanded by God, and convincing the people to abandon their stiff opinions against the changes effected in the ordinances and laws of the Church by the recently published Bishops' Book. The justice replied that he was not a papist, as Cranmer had imputed to him, but that he thought such sermons were more fitting on the lips of preachers in their pulpits than on those of justices sitting in sessions of the peace. He accused Cranmer of setting spies to watch his behavior, a charge which the archbishop promptly denied. The significance of this interchange of correspondence lies in the fact that Cranmer was quick to follow up reports alleging negligence on the part of secular officials in promoting the new order.

His clergymen could not fail to notice the bias thus displayed by their archbishop in favor of the new learning. Neither were they unaware of his

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63 James Gairdner supposes this justice of the peace to be Sir Thomas Cheyne.—L.P., XII, pt. 2, 846. Jenkyns thinks it might be Sir Christopher Hales, Sir John Baker, or Sir Thomas Moyle.—Jenkyns, Remains of Cranmer, I, 206, n.y.

64 The letters exchanged by Cranmer and the justice are reproduced in full in Jenkyns, Remains of Cranmer, I, 206-222.

65 Ibid., 220.
friendship with fellow bishops and other ecclesiastics in England who supported the new German heresies during these early years, such as Holgate, Hilsey, Latimer, Ridley, Salcot, Bird, and Shaxton. Moreover, they must have known that he was in correspondence with continental reformers, and that he headed the commission chosen to discuss a religious entente with the Lutheran divines who had come to London on May 30, 1538.

It is not surprising, then, that disaffection should come between the archbishop and those of the diocesan clergy who, while swearing loyalty to the king as head of the Church, wither repudiated religious changes entirely, or else did not approve of the lengths to which Cranmer was pushing these changes. Suspicion and distrust arose on both sides. The contention engendered by the contradictory sermons being preached in Christchurch finally culminated in an open break between Cranmer and his followers on one hand, and the more conservative element among the clergymen on the other hand.

66 Robert Holgate, Bishop of Llandaff (1537-1545); John Hilsey, Bishop of Rochester (1535-1538); Hugh Latimer, Bishop of Worcester (1535-1539); Nicholas Ridley, at this time vicar of Herne, but later Bishop of Rochester (1547-1550) and of London (1550-1553); John Salcot alias Capon, Bishop of Bangor (1534-1539) and of Salisbury (1539-1557); John Bird, Bishop of Bangor (1539-1541) and of Chester (1541-1554); Nicholas Shaxton, Bishop of Salisbury (1535-1539). Holgate, Shaxton, Salcot, and Bird, recanted under Mary.

CHAPTER VII

HERESY HUNTING IN CANTERBURY DIOCESE

The disapproval which the conservative element felt towards the efforts of Archbishop Cranmer and some of his followers to go beyond the letter of the law in enforcing the Act of Supremacy in Canterbury diocese led to an undisguised attack upon the reforming party and its leader. Every English subject had been commanded to report any word or action aimed against the king, his prerogatives, and injunctions. The justices of the peace had been charged specially to keep a watchful eye not only on the conduct of the laymen, but on that of the clergymen and bishops. Offenses against the new religious legislation, whether by default or by exaggeration, were considered heretical, treasonable, or both. Anyone possessing knowledge of such transgressions was obliged to report them to the local officials or to the central administration.

When it became apparent, therefore, that Cranmer was introducing unwarranted innovations into his diocese, through the services of his adherents, the dissatisfied clergymen sought to denounce their archbishop to the council. They were motivated, it seems, partly by the desire to discharge their duty to the king by reporting that his laws were being violated, and partly by the hope that the episcopal offensive against the traditional usages of the Church, not authorized by the new legislation, would be stopped. The conservative party was
encouraged in their project by Cromwell's fall from power in June, 1540. That a general reaction against the tide of reform in the continental sense was in the air at this time is seen in the letter written by the French ambassador, Charles de Marillac, to Francis I on April 10, 1540. Marillac declared that the very men who had supported the prelates in the destruction of monasteries for the gain they could obtain from this move now covenanted the ruin of these very churchmen. Cranmer and Cromwell were especially in danger, he said, for within a few days there will be seen in this country a great change in many things; which this king begins to make in his ministers, recalling those he had rejected and degrading those he had raised. Cromwell is tottering, for all those recalled, who were dismissed by his means, reserve 'une bonne pensée' for him; among others the bishops of Winchester, Durham, and Bath, men of great learning and experience, who are now summoned to the Privy Council.

All three of the bishops who had been recalled to favor were conservatives of unmistakable stamp: Stephen Gardiner, Bishop of Winchester; Cuthbert Tunstall, Bishop of Durham; and John Clerk, Bishop of Bath and Wells. It was under the patronage of Gardiner that the discontented clergymen of Canterbury diocese undertook their offensive against Cranmer early in 1543. They were abetted in their plans by Dr. John London, "one of the vilest men of all this vile time," who had hunted heretics as Warden of New College, Oxford, and had been active in the suppression of the monasteries. His most recent exploit had

1 L.P., XV, 487.
2 Ibid.
3 Gardiner and Tunstall were to become ardent supporters of the restoration of England to Roman communion under Mary. Clerk died in 1541.
4 Hughes, Reformation, I, 285.
been his discovery of heresy in the royal household at Windsor.\(^5\)

Both Gardiner and London were convinced that the time was now ripe for action against the Archbishop of Canterbury. External evidence certainly indicated that they were right. When Robert Serles, vicar of Charing, came to London, therefore, on the Saturday of Palm Sunday to present articles against Cranmer, he was received with joy by Dr. London.\(^6\)

This was not Serles' first attempt to discredit Cranmer. He had tried to bring accusations against his archbishop some time before, but "they were so cloaked that the king never saw them," and Serles was committed to prison for his efforts.\(^7\) In fact, he had been in prison twice on account of his unaccept-able opinions,\(^8\) but he was now ready to try once more to expose the heretical doctrines and practices becoming prevalent in Kent. His first move was to engage the services of a fellow priest who was also a royal chaplain, Dr. John Willoughby of Chilham. He urged that cleric to present to the king certain articles which he, Serles, and some of his confreres had drawn up against Cranmer. Willoughby agreed to do so, if the articles were verifiable. When the royal chaplain made a trip to London in Passion Week, Serles accompanied him and showed the articles which he had devised to Dr. London, while Willoughby

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5 The events surrounding this accusation are related in Gairdner, Lollardy, II, 277-8; III, 383-391.

6 The information on the early stages of articles drawn up against Cranmer and his preachers is gleaned from answers given under examination by Willoughby and William Gardiner, contained in C.C.C.C., MS. 128, ff. 145-146.

7 Ibid., f. 145.

8 Serles had been presented to the Privy Council for erroneous preaching in 1541 for his preaching. He was sent to Cranmer with sealed orders for his punishment, since the case was already pending judgement in the diocesan Consistory Court.—P.C.P., VII, 244.
went about his own business in the city. When Willoughby read through the articles on the following day, he refused to take any part in presenting them, for many of them were based merely on hearsay. London, however, said it was now too late to retreat since he had already shown the writings to some of the councillors, and he succeeded in convincing Willoughby that it was his duty to reveal what he now knew. He sent the two priests back to Canterbury to tell the conservative prebendaries at Christchurch that a commission of inquiry would be sent them within a week. London kept the articles, rewrote them, and made additions where he saw fit.

In the meantime, Willoughby, on reporting at Christchurch, was given a fresh list of accusations against Cranmer by the prebendary, William Gardiner. These he delivered to London the following week, at which time he was assured by the Bishop of Winchester that if any trouble arose on account of the articles, the promoters, not he, would receive the blame. The accusations were now compiled and written as one book, which was sent back to Canterbury to be signed by witnesses. Five prebendaries of Christchurch subscribed to various articles: Arthur St. Leger, Richard Parkhurst, William Hunt, William Gardiner, and John Mylles. Three other clerics—Edmund Shether, preacher in Christchurch, and Thomas Cockson and William Cockes, both petty canons there—added their signatures. Parkhurst, Shether, and Gardiner were summoned to London by their Dean, Dr. Nicholas Wotton, who instructed them to report to Mr. John Baker, a councillor who was also Chancellor of the Exchequer and a justice of the peace for Kent. Baker showed them a new copy of the book, unsubscribed, and requested them to select from it what they knew to be true, and to compile yet another version of the articles. When this was accomplished, the clergymen took the
new book to the Bishop of Winchester, who sent them on to Baker with it. It was Shether who presented this final draft to Baker, in the presence of his fellow clergymen.

This, then, is the story of the evolution of the dossier of accusations which eventually reached the king. Even though it was a much re-copied document which had sometimes grown with the transcribing, it must have contained much material which would bear proof, or such solid councillors as Winchester, Baker, and Moyle would not have risked their careers on the support of it. And they must have thought the indictment of Cranmer to be a reasonable possibility. But they cannot be blamed if they misread the signs of the times, for so much depended upon the inscrutable and often fickle will of Henry VIII. Who would have guessed that the king would grant a free pardon to the Windsor heretics, without so much as requiring a recantation of them? Again, who would have suspected that he would seize the accusations against the archbishop as an opportunity to have the accusers themselves brought to trial?

We have the details of ensuing events from Ralph Morice, Cranmer's secretary and biographer. The king himself brought the articles to Cranmer, and in a bantering manner, said to him: "Ah, my chaplain, I have news for you.

9 L.P., XVIII, pt. 2, 241, gr. 6, citing Pat. p. 1, m. 32, 31 August 35 Henry VIII. The accused persons were granted pardon "of all heresies for which they were accused before the King's Council and before John bp. of Sarum and other commissioners under the Six Articles in co. Berks, because . . . they abetted, aided, favoured, counselled, and consented with one Ant. Person, clk. there, lately condemned and burnt for heresies against the Sacrament of the Altar." Italics not in the original.

I know now who is the greatest heretic in Kent."\textsuperscript{11} When the archbishop asked that he and his followers be tried by a commission so that the truth of the articles might be known, Henry appointed Cranmer himself to head the commission. The archbishop chose Dr. Richard Coxe, his chancellor, Dr. Anthony Hussey, his registrar, and Dr. Anthony Bellasis, a Master in Chancery and a royal chaplain, to sit with him in judgment.

This commission sat for six weeks in Kent, but seemingly could not reach any conclusion for lack of evidence, even though Cranmer took down copious depositions and annotated others. Finally, Dr. Thomas Legh, already famous as a visitor of monasteries, was called in to make an end of the case. His method of dealing with the deadlock is related by Morice:

\begin{quote}
And he, by the king's advice, did appoint to the number of nine or ten of my lord's gentlemen, to search both the purses, chests, and houses of certain prebendaries and gentlemen, all in one moment, by means whereof such letters and writings were found, and that a great number, that all the confederacy was utterly known and disclosed, to the defacing of a great sort of their dishonesties.\textsuperscript{12}
\end{quote}

So what was supposed to have led to a trial of the heretical opinions of Cranmer and his adherents, ended instead as a royal commission for an examination into the lives and beliefs of the would-be plaintiffs. The diocese, it was found, was sharply divided into two opposing camps--the supporters of the "new learning" under the leadership of Cranmer and the adherents to the old order under the aegis of Winchester, Dr. London, and certain other councillors and justices of the peace, among whom the most outstanding were Dr. John Baker, Sir Thomas

\textsuperscript{11} Ibid., 252.
\textsuperscript{12} Ibid., 253.
Moyle, Mr. William Roper, Mr. John Barrow, Mr. Edward Thwaytes, and Mr. Germain Gardiner.13

The book of accusations against Cranmer has been lost, or more probably, destroyed. The evidence taken by the royal commissioners has survived under the ambiguous title of "Accusatio Cranmer." This lengthy document has never been fully exploited. James Gairdner has edited it accurately and at length in the catalogue of the Letters and Papers of Henry VIII;14 he and Strype have written the most definitive accounts of it, but both of these authors were more interested in the general story of the reformation in England than in this specific aspect of it.15 Other historians of this period have been content to use the catalogued version of it, or have quoted Gairdner or Strype; therefore, they have missed many of the implications of this document for specific issues. What has not been treated before, and what is essential to this study of the early reformation in the locale of Canterbury diocese, is the story of the individuals involved—the flesh and blood participators in this critical tide of events which marked the turning point of the Henrician reform there.

It is significant that the religious unrest, though purportedly originating in the contradictory sermons being preached at Christchurch, was not

13 Sir Thomas Moyle, Speaker of the Parliament, and one of the king's General Surveyors, also on the commission of peace for Kent. Roper had been a justice of the peace in 1539; Barrow in 1543, and Thwaytes in 1539.—L.P., XVI, pt. 1, 1192, gr. 25; C.C.C.C., MS. 128, f. 103. Germain Gardiner was a secretary to the Bishop of Winchester.

14 L.P., XVIII, pt. 2, 546. Names of witnesses are omitted in many cases.

15 Gairdner, Lollardy, II, 393-400; Strype, Memorials of Cranmer, I, 156-176.
concentrated in any one place in the diocese, but was actually quite evenly distributed throughout the area.\textsuperscript{16} The text of the proceedings shows that there were at least 240 lay people and some sixty clerics involved in this trial, as accused and accusers, or both. These data prove beyond a doubt that this was an undertaking of major importance.

It is clear that after Dr. Legh took over the conduct of the trials, the commission spared no energy in calling before it the so-called "conspirators" and members of their respective parishes who would testify to their activities of the past months. Although the accusations against Cranmer himself were promptly dropped by their promoters as soon as they could perceive the tide turning in the archbishop's favor, it seems that one last effort was made on the part of the conservatives to bring in evidence against the lesser people who were heretically inclined, and even against some of Cranmer's chaplains, particularly the Ridleys, Scory, Drum, and Nevenson. But we cannot be sure whether all the depositions against Cranmer's adherents, found in the record of proceedings, were freshly presented by the conservatives during the trial, or whether they were merely copied out of papers discovered in the raids which had been made by Dr. Legh's men. Nor can we say with certainty that one who testified against a "papist" was necessarily a supporter of the "new learning" or vice versa, for there is always the possibility of personal enmities entering into the picture at a time like this.

Bearing these reservations in mind, we may now proceed to an analysis

\textsuperscript{16} See map in frontispiece.
of the cases brought up on both sides of the ledger. The business falls into four main categories: that concerning complaints against Cranmer (which are known only from the interrogations of his erstwhile accusers); that dealing with the administration of religious matters by the archbishop's commissary, Christopher Nevenson; that referring to heretical practices and teachings of the clergy and laity in the diocese; and that pertaining to clergymen and justices of the peace who had brought up the articles against Cranmer.

We shall take up first the story of those clerics and lay people who were of reforming tendencies, reserving for a later chapter an account of the members of the conservative party in Canterbury diocese. It must be noted at the outset that in many instances no sharp line of demarcation can be drawn between reformer and conservative. A man who accepted and promoted with apparent enthusiasm the changes brought in during the early days of reformation in England might become one of the most bitter adversaries of reform under Edward VI and Elizabeth, and an ardent supporter of Mary, as was Nicholas Heath, at this time Bishop of Rochester. On the other hand, one who bent with the times, and accepted each theological change as it occurred, as did Richard Thornden, Suffragan Bishop of Dover, is difficult to classify. However, for the purposes of this treatment, which is more concerned with the immediate acceptance or rejection of Henry's claim to supremacy than with the subsequent careers of the clergymen in Canterbury diocese, only the evidence bearing on the Henrician period will be considered. Data relevant to this question are revealed in the manuscript dealing with the trial of the so-called heretics of Kent.

That part of the investigation carried out by the archbishop in person was concerned chiefly with uncovering the "conspiracy" against him. The
principal witnesses to articles touching Cranmer's conduct and teachings and those in any way connected with the presenting of them to the council were submitted to two separate sets of questionnaires comprising forty-eight items, which they answered in writing. These interrogatories sought to discover the names of any other persons implicated in the proceedings against Cranmer, and to obtain accurate information concerning the bases on which the accusations against the archbishop and his adherents were founded.

The accusations against Cranmer centered for the most part around his fostering of the "new learning" in his diocese, not only by his own preaching, but more so by his slackness of correcting innovations which were being introduced or countenanced by his officials, his ecclesiastical staff, and other clergymen under his jurisdiction. Because of the obvious favor in which Cranmer was held by the king, his erstwhile accusers were loath to put forward any direct charges against the archbishop; but from other depositions, and from answers given under interrogation, we learn that Cranmer was said to have preached heresy at least once himself. According to a statement of Dr. Willoughby, the archbishop, "booted and spurred, had read a lecture on the Sacrament of the Altar, saying it was but a similitude." It was also objected that Cranmer's enforcement of the Royal Injunctions of 1538 dealing with the abuse of images

17 Those questioned by Cranmer were: Robert Serles, Edmund Shether, Richard Parkhurst, William Gardiner, Arthur St. Leger, and John Milles, all prebendaries and/or preachers at Christchurch; Dr. John Willoughby, a royal chaplain and vicar of Chilham; and John Barrow, a justice of the peace for Kent. Their written replies to the questionnaires are contained in C.C.C.C., MS. 128, ff. 97-361.

18 Ibid., f. 161.
went beyond the intent of that decree. A question put to Serles indicates that Cranmer had caused two images of Christ and two of Our Lady to be taken down, although no abuse of devotion was evident in regard to them. Furthermore, it was general knowledge that Cranmer's sister was a bigamist, and that her daughter had become the wife of Dr. Christopher Nevenson, the archbishop's commissary-general.

It was Nevenson, in fact, who was to bear the full force of attack which, destined for Cranmer himself, had been foiled at the last moment. What could not be accomplished by the conservatives through a direct assault on the personal character of the archbishop, might well be gained by the discrediting of his commissary. There seems to be evidence that Christopher Nevenson was not an ordained priest. He had been born in Wetheral, Cumberlandshire, and he can be identified with reasonable certainty with the sub-prior of the Cistercian monastery of Hulm Coltram in that county. After the suppression of religious houses, Nevenson went to Cambridge where he studied law, taking his doctorate in civil and canon law in 1539. It was here, no doubt, that Cranmer found him, and took him into his archiepiscopal household. Nevenson's first appointment as commissary-general is dated May 28, 1538; he was reappointed with enlarged powers in 1547. In neither of these commissions is he named a cleric, and in his will

19 The article on images proclaimed that "Feigned images . . . abused with pilgrimages or offerings . . . ye shall, for avoiding that most detestable sin of idolatry, forthwith take down and delay [destroy?], and shall suffer from henceforth no candles, tapers, or images of wax to be set afore any image or picture," excepting the rood in the loft, the Blessed Sacrament, and the Easter Sepulchre. --Frere and Kennedy, Visitation Articles and Injunctions, II, 38.
20 C.C.C.C., MS, 128, f. 167.
21 Ibid., f. 155.
22 C. Reg., ff. 17ab, 62b.
he designates himself merely as "doctor of the civil law." Moreover a deposition made by William Orpheu, curate of Lydd, states: "He usurps the office of absolving, not having the power of the keys." It is significant that the complaints about Nevenson's marriage are not concerned with the fact of the marriage itself, but rather with his wife's disreputable connections. If it is true that Nevenson was not a priest and was, nevertheless, given a position of such high trust, that would be all the more reason for the clergymen of the diocese to have resented his high-handed methods in dealing with them. At any rate, they did not hesitate to denounce his misdemeanors to the court.

Nevenson, it was reported, had not been zealous in punishing heretics who had been presented to him. Reginald Buckmer of Boxley, John Clerke, and Joan Bocher, all notorious Sacramentaries, had been indicted before the commissary, but he had dismissed them without demanding recantation. When James Newman, curate of Chartham, had been presented to Nevenson for refusing to name the Blessed Virgin Mary in his Confiteor and to incense the crucifix, he, too,

23 Nevenson's will was drawn up on March 17, 1550, and proved in the Consistory Court of Canterbury on September 12, 1551. He bequeathed land and moveables to his wife, Anne, and to his son, Thomas, and made provisions for their unborn child. Cranmer was overseer of his will, and his cousin, Stephen Nevenson, executor.—Maidstone, Consistory Register, XXIV, ff. 62-64.

24 C.C.C.C., MS., 128, f. 66.

25 John Milles attested to the fact that when Joan Bocher was tried before Nevenson, the commissary had her confession of heretical opinions regarding the Sacrament of the Altar brought in only at Milles' repeated insistence. When she denied the statements of her own confession, Nevenson reminded her to show the royal pardon she had once received as an Anabaptist, and released her without further ado, saying: "You have a thing to stick to which may do you good, I advise you to stick to it."—Ibid., f. 79.
had been discharged. On the other hand, the commissary gave the rector of Pevington a penny for his rosary which he cast into the fire. An image of St. George had been taken down and destroyed in St. George's parish in Canterbury, at his command, even after the Privy Council had given a favorable answer to the parishioners who had petitioned to have it set up again. When one of the churchwardens questioned Nevenson's countermand of the council's orders, he replied, "Why not [take it down] as well as the crucifix? We have no patron but Christ." So the crucifix was removed too, although there was no warrant for such an action on the part of the commissary. He caused images in other parishes to be treated in like manner, and personally took down the picture of Our Lady from St. Mary Northgate, "and hewed her all in pieces, with other pictures of the Apostles."29

Churchwardens were admonished by him to forbid the people to carry home holy water, or to use blessed candles at death beds. In several visitations he had instructed priests not to absolve penitents who could not say the Pater Noster in English, "or at least, their age and simplicity considered, to absolve them in Latin, so that they knew not that they were or be absolved."30 But he rebuked John Wright for refusing to give absolution to Bartholomew Joy who had said in confession merely: "I am a sinner," declaring that he had made

26 Ibid., f. 76.
27 Ibid., f. 77.
28 Ibid., f. 58. Deposition by John Toser (Tofer), parson of St. George.
29 Ibid., f. 77.
30 Ibid., f. 75. This article was attested to by seven priests: William Orphew of Lydd; John Long of Cranbrook; John Baynes of Sevington; Robert Wilson of Hinxhill; John Syll of Mersham; Robert Haynes of Smeeth; and Humphrey Cotton of Tenterden.
his confession to God, and would not repeat it to anyone else.31

The commissary was further accused of being remiss in his duties as visitor of the exempt parishes which were in his jurisdiction.32 In Buckland near Faversham a complaint was made to him that the Sacred Species of the Eucharist had not been renewed for the space of two years, but he did not order its renewal.33 Another revealing remark in this regard is that although in many visitations presentations were made of things needing reform, Nevenson took no action, but only collected his fees.34

Edmund Cranmer, the archdeacon and brother of the archbishop, was made the target of only one accusation in this extraordinary court session. As we have noted above, he had succeeded William Warham to the archdeaconry at the time that the See of Canterbury came into Cranmer’s hands following Archbishop Warham’s death.35 When the chantries were dissolved in 1548, a notation was made in the dissolution records regarding Cranmer’s position as provost of Wingham College, to this effect: "Edmund Cranmer, clerk, now provost there, of the age of fifty-four years, being well learned and of honest qualities and conversation, having no other spiritual promotion besides his portion of the same

31 Ibid., f. 31, witnessed by William Kempe, vicar of Northgate; f. 61, testified by John Wright.
32 Only one visitation of the exempt parishes is entered in the visitation books for 1538-1541 and 1550-1556.-A.Vis., I, ff. 77a-85b. No business is recorded.
33 C.C.C.C., MS. 128, f. 13.
34 "Complures in visitatione libellos perspexi illi pro reformatione traditos: pecunia vero pro dimissione curiae exacta, nullam prorsus reformationem adhibuit; quo nihil zeli ad ecclesiam se habera comprobat."--Ibid., f. 66.
35 See above, p. 96.
college, the sum of £50.36 But another entry in the same document tells a different story. It relates that Edmund Cranmer had taken over the lands and profits of Tenham Chantry in 1544 after the death of the chantry priest, Simon Oxley.37 Who authorized this confiscation, no one knew. And the Valor Ecclesiasticus tells us that the archdeacon was getting £8 a year as appropriator of the parsonage of Hackington, and an annuity of £28 from the parishes of West Hythe and Lympne, of which he was patron.38

As archdeacon, he received, on October 15, 1541, a monition to observe the king's letters concerning shrines and images.39 It was, no doubt, in virtue of this directive that he presumed to remove the three lamps burning before the Blessed Sacrament in the church of St. Andrew in Canterbury, and to break the arms and legs of the rood there.40 But apart from this, there seems to be little in the archdeacon about which complaint could be made. Apparently he was a quiet and efficient servant to Cranmer during the Henrician period. His visitations of the parishes are registered in the records that are extant, and it is obvious that he did little at these sessions to antagonize the local clergy. It may be for this reason that he was almost completely exempt from criticism by the men who had such hard words for the commissary.41

37 Ibid., 311.
38 Valor Ecclesiasticus, I, 32.
39 C. Reg., f. 21a.
40 C.C.C.C., MS. 128, f. 30.
41 Edmund Cranmer fled to the continent with Cranmer's son, Thomas, after his deprivation from the archdeaconship under Mary. He died at Emden, where he had published his brother's Defensio in 1557.—Garrett, Marian Exiles, 136.
A man of more radical stamp was Dr. Nicholas Ridley, preacher and prebendary of Christchurch. Educated at Cambridge, he had used his influence as proctor there in 1534 to obtain a denial of papal claims by that University. He became a chaplain to Cranmer in 1537, and after having taken his doctorate in canon law in 1540, he was elected Master of Pembroke Hall. The following year he was made a royal chaplain, and prebendary in Christchurch. 42 It was in his capacity as one of the select group of preachers at Canterbury Cathedral that Ridley made statements which were challenged by his conservative colleagues. Richard Parkhurst, William Hunt, and John Clerk, testified that he had said that there is no basis in Scripture for auricular confession, which he held is of human invention for the convenience of penitents who wish to seek counsel of a priest. He disparaged the rites of the Church, calling them beggarly ceremonies, and introduced the singing of the Te Deum in English in his church at Herne. 43

Dr. Lancelot Ridley, a cousin and fellow student of Dr. Nicholas Ridley, took his degree in canon law in 1541. He was named a preacher at Christchurch the same year, and so became involved in the struggle between the two factions there. His sympathies lay with the favorers of the "new learning,"

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42 Sidney Lee, "Nicholas Ridley," D.N.B., XVI, 1172-1174, passim. He was Bishop of Rochester (1547-1550), and succeeded Bonner to the London See (1550-1553), after having sat on the commission to deprive that prelate. He helped to compile the first Book of Common Prayer, and to reform ecclesiastical law under Edward VI. His theological opinions led to his excommunication and death as a heretic; he was burned at Oxford together with Cranmer and Latimer in 1555.

43 C.C.C.C., MS. 128, f. 47. Ridley was collated as vicar of Herne on April 4, 1538.--C. Reg., f. 364b.
and he was cited before Dr. Legh's tribunal for having preached against prayers for the souls departed. His name is often linked with that of John Scory, another future bishop who got his start in ecclesiastical preferments at Christchurch. It seems that Scory was more violent and outspoken in his preaching and openly favored Lutheran doctrines. Three separate indictments appear against Scory's opinions in the proceedings at the Canterbury sessions, and the witnesses to these articles are numerous.

Seven priests and eight laymen testified to Scory's having taught that "the supper of the Lord" is the "Sacrificium et hostia," that is, "hostia laudis," not "hostia pro peccatis." He denied the efficacy of Baptism to remove original sin from the soul, and held justification by faith alone. With regard to sacramentals, he said that even though holy water, blessed candles and other ceremonies are sometimes abused, they may not be put away completely, for then the Sacrament of the Altar must also be abolished, "which is daily bought and sold." On Ascension Day in 1541, he had said that there is none in Heaven but Christ. He inveighed against the practice of dedicating and consecrating

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44 C.C.C.C., MS. 128, f. 233. Dr. Lancelot Ridley was deprived as a married clergyman under Mary, but Bale thought he returned to celibacy. However, under Elizabeth he again held a preachership at Canterbury.—N. A. Shaw, "Lancelot Ridley," D.N.B., XVI, 1171.

45 C.C.C.C., MS. 128, f. 43.

46 "You have a saying, the child which is born between man and wife, it is born in original sin, and so it is: And you say that the sin is taken away by the water of baptism, but it is not so. But look how that the wife that occupieth the fire all the day and at night covereth it with ashes to preserve the fire; so doth the sin remain under the Sacrament."—Ibid., f. 81.

47 Ibid., f. 34.
churches, saying that if it is necessary to bless stones and mortar, then every house should be exorcised. 48

Scory and Ridley, like the other preachers of the "new learning" in Canterbury, enjoyed the open patronage of Cranmer. The archbishop is supposed to have said that he would support Scory's teaching about baptism and original sin if he could have a disinterested judge from Germany. This information is revealed in a well known letter of Gardiner to Cranmer in which he states:

Indeed, my Lord, I heard Mr. Cokkes, vicar of Stury, say oftentimes that Mr. Smythe told him that you said in your chamber unto Dr. Barbour, Smythe with other of your servants standing by, that if you had an indifferent judge you would sustain the article presented and preached of Mr. Scory, of baptism and original sin. But you would have your judge out of Germany. 49

This communication is cited here, not only for its own significance in illustrating the sort of reports circulating about the clerical circles regarding Cranmer's favoritism towards his preachers, but also because it shows the openness with which Cranmer disclosed his sympathies. The servants mentioned in this account were not household retainers, but members of his Consistory Court, who deserve more than passing mention: The role they played in the events of 1543 exemplify the complexity of the problem of determining just who was supporting whom in the controversy between the new and the old. It is clear that some of the participants were caught between opposing currents, and tried to serve both sides.

Thomas Smythe, LL.B., was a proctor in the Consistory Court of

48 Ibid., f. 43.
49 Ibid., f. 200.
Canterbury, who had taken part in the examination of Shether and Serles when those two preachers had been indicted before the commissary in 1540. The procedure was manifestly unfair, for the proctors had admitted as witness Richard Godfrey, "by fame a suspect person," and had denied a hearing to the compurgators brought in by the accused priests. As a result, Shether was made to "declare upon a stool" that he had preached seditiously, and Serles was imprisoned. On the other hand, when Scory and Ridley were brought before the same tribunal for their teachings in the pulpit, they were dismissed without having to recant, although their doctrines were suspect.

Smythe had as a colleague in these investigations Dr. John Barbour, D.C.L., the official of the archbishop's Court of Audience in Canterbury. Barbour had been appointed as Cranmer's chaplain and special counsellor in matters touching the civil law, and he had probably acted as proctor for Anne Boleyn in her divorce trial. It is certain that in 1538 he was on the royal commission for examining what was supposed to be the blood of Thomas Becket, to see if it might not be a bit of red ochre instead. He visited, as Cranmer's deputy, All Soul's College in Oxford, where he had been educated, and helped reform abuses there in 1541.

Cranmer, no doubt, trusted both of these men as faithful ministers, and he little suspected that they had part in the accusations drawn up against

50 Ibid., f. 290.
51 This information appears in the answers of Shether, Gardiner, Parkhurst, and Mylles to interrogations.—Ibid., ff. 233, 265, 288, 590, 297.
Thomas Cockes, B. Can. L., was deprived of Sturry for being "clericus conjugatus" in 1554.—Reg. N., f. 62b.
52 P. Bruce Austin, "John Barber," D.N.B., I, 1067-1068, passim.
him. When he had proved their complicity, he dismissed them from his service, but it seems that both continued to hold the benefices they had previously enjoyed. Smythe, for his part, became commissary of the diocese following Neveson's death in 1550.

Richard Thorndon, too, a prebendary of Christchurch and Cranmer's suffragan for Dover, proved false to the archbishop. In the trials of suspected heretics held in 1543, Thorndon had testified to the seditious preaching of the conservative group in the Cathedral. But in the end, Cranmer proved Thorndon to have been implicated in gathering information against him. The archbishop therefore dismissed Thorndon from his household, but there is no evidence that he took any sterner measures with regard to him.

It is difficult to assess a man of Thorndon's stamp. He had begun his ecclesiastical career as a monk of Christchurch Priory, where he had filled the office of Warden of the Manors, apparently to Cranmer's satisfaction.

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53 When Serles had complained to the Chancellor of Rochester: "Sir, we can get no counsel of the law in the city to make up our books after the form of the law," he was told, "Take Mr. Smythe, for he is well learned, and whereas he doubts in his learning, he may boldly resort to Mr. Hussey for acquaintance sake, which may instruct and help him whereas he doubts."--C.C.C.C., MS. 128, f. 172.

54 Barbour held the rectory of Wrotham in Shoreham Deanery, Rochester, to which he was collated in 1537; at his death in 1546, this benefice passed into the hands of Richard Thornden, Bishop Suffragan of Dover.--C. Reg., f. 337a, 380b. Smythe was rector of St. Mary Magdalen in Canterbury, and vicar of Newchurch.--C. Reg., ff. 340a, 355b.

55 Churchill, Canterbury Administration, I, 610, n. 1, citing Parker's Register, f. 64. The commission is dated 1551.

56 C.C.C.C., MS. 128, ff. 13, 41, 43, 45.

57 Strype, Memorials of Cranmer, I, 173.

58 As Warden of the Manors of Christchurch, Thornden wrote to Cromwell on September 30, 1538, asking whether he should provide the customary new habits for the members of the priory this year, since he heard they were to be disbanded. "And for my own part," he wrote, "inasmuch as most men of discreet
There is a letter from Cranmer to Cromwell under the date 1534 requesting that Thornden be kept in office, and another in 1538, urging his appointment to the priorship of the house if a change were contemplated for that position. Cranmer describes Thornden as a learned and honest man "as ready to set forward his prince's cause as no man more of his coat." On the dissolution of the monastery, he was given the rectory of Great Chart, and the vicarage of Lydd; in 1546, besides being promoted to the office of suffragan, he became rector of Wrotham, following Dr. Barbour there. He continued in these preferments under Cardinal Pole, and assisted in the Marian trials of heretics of 1555. Perhaps he, like John Forest, had taken the oath of supremacy "with his outward man, but his inward man never consented thereto." But unlike the friar, he did not have the courage to admit the fact and suffer death; rather, he found life under Henry VIII quite tolerable and even profitable.

But if several of Cranmer's trusted friends played him false, it cannot be said that he himself was completely just in his dealings with the

learning know and judge no manner of virtue in my habit, I would very gladly leave it off all my progress [travelling] time, and especially when I come to London." --P.R.O., State Papers, 1/137, f. 52.

60 C. Reg., ff. 380 b, 400a; A. Vis., I, f. (80) a.
61 Jenkyns, Remains of Cranmer, I, 240, n. q. Forest was burned at Smithfield for denying the supremacy on May 22, 1538.

62 The Augmentation records for 1540 show that Thornden was granted the site of the Black Friars of Langley Regis in Hertfordshire with all the lands and appurtenances belonging to it. --P.R.O., Court of the Exchequer, Augmentation Office, Enrollments of Leases and Pensions, 28-30 Henry VIII, CCXXXV, f. 23b. He was also leasing out parts of the farm of Wrotham parsonage, when he had promised to give it to John Mason. --P.R.O., Early Chancery Proceedings, Bd. 1142, f. 26-7.
accused. He apparently felt no obligation on inhibit his supporters or to correct the religious perversities exposed in this examination, which were being perpetrated by the lesser clergymen and the lay people of his diocese.

One of the priests who had been cited earlier for his heretical opinions was Richard Turner, curate of Chartham. Twice he had been summoned before Cramner to answer for his teaching and for having supposedly translated and offered the Mass in English, but both times he was released through the efforts of Ralph Morice, Cramner's secretary.63 A third time he was called before the royal council and was committed to ward.64 Finally he was brought before the special royal commission set up in Canterbury where he was accused of various false teachings by members of his parish. John Littlecott and William Saunders testified that Turner had said that Christ, as the soul priest, had offered the last Requiem Mass on Calvary, and that other Masses availed the departed souls not at all.65 The same witnesses declared that the priest, in baptizing three children, had omitted the anointing on back and chest, and that he had taught the Ave Maria in these words: "Hail Mary, full of grace, the Lord commendeth him unto thee of all women he loveth the best, adieu, and God be with you."66 Turner had also denied the spiritual significance of sacramentals, and had taken down an image of Our Lady to which no offerings had been made.67 When Morice

63 L.P., XVIII, pt. 2, i-111. Ralph Morice to Dr. Butts and Anthony Denny, November, 1543.
64 A.P.C., I, 156.
65 C.C.C.C., MS. 128, f. 93.
66 Ibid., f. 75.
67 Ibid., ff. 33, 34. It is significant that the same John Browne who had testified against Turner in several of these charges, was presented, in turn, for not having paid his tithes.---Ibid., f. 36.
heard of these indictments, he again labored for Turner's release, declaring that if Turner were made to recant his view it would not be Turner, but Henry VIII, who "shall most odiously recant, to the wounding of all men's consciences here." 68 But Morice's efforts were obviously in vain. Or if they were successful, Turner fell again into disfavor, for we find an order of the Privy Council calling for his incarceration in the Tower in 1546. 69

Another notorious supporter of the "new learning" among the clergymen of Canterbury diocese was John Bland, who was burned as a heretic under Mary. There seems to be scarcely an article of the continental reformers' teachings which Bland did not at one time preach either in his own church at Adisham or in one of the neighboring parishes. Forty-five witnesses testified against his spurious teachings, and in the margin next to Bland's allegation that he had been commanded by certain members of the council to preach as he did, Cranmer noted: "Slanderous to me." 70 The archbishop was not willing to go to the lengths to which Bland went in declaring that the prayers of the church were full of abominations, and that bishops ordained for money priests who could scarcely read. 71

One can see the scandal which such preaching caused among the parishioners who heard this kind of sermon. It is obvious in the depositions which

68 L.P., XVIII, pt. 2, liii.
69 A.P.C., I, 421.
70 C.C.C.C., MS. 123, f. 69.
71 Ibid., f. 66. It is remarkable that the fifteen witnesses to this article recorded in Cranmer's hand are the same men who attested to the accusations against two other strong supporters of the reforming faction, Scory of Christchurch, and Robert Strangway of Rainham. One deposition was taken on September 20, the other two the next day.--Ibid., ff. 43, 57.
the people made against their pastors. Four clerics were accused of using no holy water, and one of them had said that if the report were true that Stephen Giles prayed nightly in honor of "God, Our Lady, and all the Company of Heaven" in Latin, he would no longer drink with him.72 Another pastor had told his congregation that masters and mistresses were obliged to give their households good example by eating white meats in Lent.73 William Cokeston, curate of Great Mongeham, had scandalized his flock by refusing to sing the Litany while going in procession.73a

Dissatisfaction, likewise, was voiced against the removal of expensive and long cherished images from the parish churches, sometimes to the profit of the priests who took them down. John Castlyn, for instance, was presented for "the sale of images not abused, as Our Lady [and] St. Anne."74 Five citizens of Sandwich complained that John Crofte, the vicar of St. Mary's had aided Richard Butler in the removal of images to the value of £30 and together they had "prostrated" the parish church of St. James.75 Robert Howe, vicar of Newsington near Sittingbourne, had scraped the gilding off many of the statues in his church, and had sent seven others to London to be set up there. In the matter of gaining material profits from the legislation against abused images, the clergymen were merely following the lead of the king himself who had ordered the

72 Thomas Cardon, vicar of Lyminge; Robert Strangway, curate of Rainham; and William Lancaster, rector of Pluckley. The last named priest objected to Giles' devotions.—Ibid., ff. 46, 57, 29, 50.
73 Ibid., f. 45. This cleric, Broke, might have been the vicar of Hernhill, Thomas Broke, M.A., who was deprived of this benefice under Mary in 1554.—Reg. N., f. 73a.
73a C.C.C.C., MS. 128, f. 51.
74 Ibid., f. 55.
75 Ibid., f. 65.
despoiling of their widely renowned shrine of St. Thomas Becket. And the City Corporation did not lag behind. The minutes of business for the year 1538 shows that the altar stone, paving tiles and timber of the steeple of St. John's church in Canterbury were sold for ten shillings. And under the date 1542, a cryptic note states that the stones from the Monastery of St. Augustine were being sold as paving and building stones to the people of the city.

There was, however, some protest against the spoiling of church ornaments and images. The parishioners of Elmstead petitioned Cranmer to command their vicar and churchwardens to set up again the statue of their patron saint, St. James, to the place where it had stood time out of mind, for no lights had been placed before it since the king's injunctions were published.

The misconduct of Thomas Gawdby was described in detail by three of his fellow priests and seven parishioners. As curate of Lenham, Gawdby had

76 See above, p. 39. John Russell, a Frenchman of Dover, had been arrested for saying to some Picards who had brought fish to the town shortly after this event: "The king of England hath pulled down all the abbeys in England, and he will pull down all the parish churches, also, and he caused twenty cart loads of gold and silver to be carried from Canterbury to London." --L.P., XIV, pt. 1, 1073.

77 Hasted, History of Canterbury, II, 634, citing "Minutes Collected out of Ancient Records and Accounts in the Chamber of Canterbury, of Transactions in that City." The church of St. John was a parish in Northgate which, Hasted says, became desolated after the Reformation, and tacitly devolved to the church of St. Mildred nearby.--Hasted, History of Kent, IV, 482.

78 Ibid.

79 C.C.C.C., MS. 128, f. 89.

80 John Gawdby (Cawby, Dawby), rector of Wycheling, was denounced by his successor to the curacy of Lenham, John Abbey, and the parsons of Tunstall and Murston, William Bouker, and John Button, respectively.--Ibid., ff. 54, 82.
encouraged the reading of the Bible by laymen, and engaged some of them to read it aloud near the choir door while the services were being sung, saying that if praying and singing were pleasing to God, the king would not have pulled down the abbeys. Justification by faith alone, and the discrediting of the efficacy of alms-giving, fasting, the use of sacramentals, and other good works were also part of his teachings. When he was informed that a new roodloft was being built in the church at Cranbrook by certain justices of the peace who were also of the royal council, he said: "They are pope-holy knaves, and I would that the roodloft were money in my purse." He spoke against the King's Book and advised his parishioners not to pay tithes as directed by the royal injunctions, for the king's laws were contrary to God's commandments.

Other preachers were not content merely to declare their own convictions in their sermons, but made it their office to oppose what others taught. One of these was Robert a Stotte, curate of Davington, who came six or seven times within a half year to contradict what Serles was preaching in his own cure at Lenham. He said that the king allowed Masses to be said as a means of financing the clergy, and threatened to have Serles put in the pillory for asserting the contrary. The parishioners took sides in the dispute and it nearly ended in a riot.

It was not only the clergymen mentioned in this particular document who might be numbered among the favorers of the "new learning" in Canterbury

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81 Ibid., f. 83.
82 Ibid., f. 84. He also admitted at a deanery chapter that he had not said matins for four or five years.--Ibid., f. 54.
83 Ibid., f. 84.
diocese. Humphrey Chirdane, who enters only incidentally into the accounts of the proceedings of Cranmer's commission, was a notorious leader of the reforming group of clergymen in Canterbury diocese, and particularly in the city of Canterbury itself. As rector of St. Alphege's church he had spoken depreciatingly of auricular confession, but he must have advocated other erroneous opinions, for he had been called before Cranmer at Lambeth to answer charges declared against him by Gardiner and Shether of Christchurch.84 However, Mr. Batterste of Canterbury and Mr. Salter, "one of the king's beadsmen," drew up a bill for Chirdane's release and said that the two prebendaries "should quail for the troubling of the said Sir Humphrey."85

Michael Drum, who seems to have had no special assignment in Canterbury until his assignment as rector of St. Andrew's Church, had, nevertheless, preached in the Cathedral there to the effect that praying in an unknown tongue is in vain. He also spoke against images, and said that church edifices were tolerated by God as things which befitted man's weakness, just as a father might give an apple or a hobby horse to a child.86 The reading of the Bible, he said, is discouraged only by those who, like the Bishop of Rome, would pluck the words of Christ and of the Holy Ghost from the hearts of men.87 In his early days at Oxford he had written to a friend in London, bemoaning the fact that much mischief was being done against the preachers who were enforcing the

84 Ibid., ff. 29, 61.
85 Ibid., f. 61. Humphrey Chirdane was a pluralist under Edward VI holding the rectory of Stourmouth besides that of St. Alphege. He was deprived of both benefices in Mary's reign.—Reg. N., f. 82a; P. Reg., f. 70b.
86 C.C.C.C., MS. 128, f. 49.
87 Ibid., f. 57.
king's injunctions. He wished that the Commissary of the University would not admit those preachers who "rail against the new gospellers and English books that come abroad." 88

It is to be expected that with such an example set them by their pastors, many of the lay people would follow along the same path. Presentments of men and women were made for various heretical doctrines and practices, ranging from a denial of the Sacrament of the Altar to the disparaging of good works as a means of salvation. 89 John Benson spoke contemptuously of Extreme Unction; Hammond Bett regretted that he had ever prayed for his deceased father, and wished his own burial to be without ringing or singing. 90 Henry Tillet read the Bible contrary to the king's injunctions; John Toftes not only read the Bible, but did so aloud in English before his wife, the wives of George Toftes and John Starkey, and others who were present in the church at the time. 91 Margaret Toftes had not crept to the cross on Good Friday for the past three years. 92 Christopher Levyns, who had been cited before a sessions of the peace in 1536 for reviling devotion to saints, joined John Toftes and Christopher Joy in taking down all the pictures in St. Mary Northgate, Canterbury. 93 George Wyborne not only pulled down the statue of St. Stephen, but also beheaded,

88 L.P., VII, 308. Michael Drum to his assured friend Mr. William Marshall, dwelling in Wood Street, March 9, 1534.
89 Ibid., ff. 48, 53.
90 Ibid., f. 53.
91 Ibid., ff. 31, 49. John Thatcher, on the other hand, said the Bible was made "by the devil."—Ibid., f. 55. This statement is marked "heresy" by Cranmer. The Toftes and Starkeys had been in trouble earlier for their religious opinions. See above, pp. 117-118.
92 Ibid., ff. 52, 53.
93 Ibid., f. 31.
quartered, and finally burned it.94

John Starkey took it upon himself to decide when the light should be burned before the rood, and then never ordered it to be lighted. Thomas Hasildon said that he would do no more reverence to the crucifix than to the gallows.95 Thomas Holly of St. Clement's Church in Sandwich refused for four years to follow the cross in procession, and aided William Morris in getting rid of the images there.96

An interesting deposition against Thomas Dale concerns his handling of the chalice with his bare hands instead of with a towel as the other people did.97 The text of the indictment indicates that it was customary for the faithful to receive unconsecrated wine after they had communicated.98

But if many people followed their ministers in the way of the "new learning" there were others who opposed the innovators. Thomas Blean, a solid citizen of Little Mongeham, ordered his pastor and the churchwardens not to touch the images which they wished to take down and deface, declaring that the

94 Ibid., f. 55.
95 Ibid., ff. 53, 58.
96 Ibid., f. 67.
97 "Thomas Dale came to St. Andrew's church in Canterbury anno. 32 Henry VIII on Easter day and, when he had received the sacrament, the same time Thomas Waynflete, churchwarden, came with the chalice to give him wine. The chalice was not covered with a cloth but bare. 'Take the chalice with the towel in your hand, as other folk do,' quoth Waynflete. Dale said that Almighty God did make his hand as well as He did the priest's; and so willingly and presumptuously did take the chalice in his bare hand, comparing that the priest's hand is no better than his."--Ibid., f. 59.
98 Frere notes, in reference to this custom: "The withdrawal of the chalice from the assistants began in England in the twelfth century, and then spread abroad until, apart from exceptional cases it was complete in the fourteenth century."--Francis Proctor, A New History of the Book of Common Prayer with a Rationale of its Offices, revised and rewritten by Walter H. Frere, London, 1941, 493, n. 1.
new ways would continue but a while.99 "And," said the witnesses, William Norres and William Kenerdale, "an image with three crowns standeth near unto his own seat till this day." Another, Edward Dyngleden of Rolvenden, refused to learn his Pater Noster, Ave, Creed, and Ten Commandments in English, and, no doubt fearing that he would not be granted absolution in Canterbury diocese, went each year to Walsingham to make his Easter duty.100 Burgrave, a brick-layer of Canterbury, dared to remark that he could find twenty other men in the city who would agree with him in saying that the Archbishop should preach according to the old fashion.101 The parishioners of Buckland sent in a protest against the layman, Thomas Gylot alias Barbour, who held their vicarage under the king's broad seal, and did nothing about having the cure served by a priest.102

The protest of the laity against the "new learning" was small and inarticulate. It remains to be seen what forms the opposition of the conservative clergymen took, as revealed in the examinations and depositions recorded in the sessions at Canterbury, and in some later documents.

99 C.C.C.C., MS. 128, f. 29.
100 Ibid., f. 30.
101 Ibid., f. 38.
102 Ibid., f. 14.
CHAPTER VIII

THE DISAFFECTED CLERGYMEN OF CANTERBURY DIOCESE

One aspect of the response to Henry VIII's claim to supremacy has been seen in the last chapter—that of conformity, which in many instances ended in an adoption of heretical tendencies. There was, of course, another reaction—that of rejection, in whole or in part, of the principle of royal supremacy in the Church of England.

Some clergymen who objected to the parliamentary legislation and royal decrees affecting the state of religion in the realm, simply tried to remain out of the resulting controversies by keeping silence. Even these, of course, could not be assured of immunity from censure, for there were certain forms of positive action demanded of clerics who were responsible for cures within the realm. These included: taking an oath of renunciation of the papacy; reading the royal injunctions and proclamations from the pulpit on specified occasions; teaching the English versions of the Pater Noster, Ave, Credo, and Ten Commandments; explaining the ceremonies and sacramentals of the Church so as to differentiate those things which were of divine precept from those which were of human origin; "bidding the beads" in the prescribed form, which left out mention of the pope, and included that of the king as head of the Church; erasing the name of the pope and of Thomas Becket from all service books; and discourag-
ing practices now labelled as superstitious—pilgrimages and other popular devotions in honor of the saints.

When, therefore, parishioners were encouraged to present to the special Canterbury court of 1543 clergymen who were violating the new religious legislation, they often brought up charges of default and neglect. Five priests from various parts of the diocese were so indicted. One of these was the parson of Aldington, Richard Master, who had been in trouble some years earlier for propagating the prophecies of the ill-fated Nun of Kent, and had nearly accompanied her to the gallows.¹ His narrow escape on that occasion taught him, no doubt, to be less vocal in his denunciations, for his parishioners could only say that he had not preached in favor of the royal supremacy either in his parish church or in its dependent chapel at Smeeth. Neither had he retracted his former encouragement of pilgrimages, nor explained to his people the proper use of the ceremonies of Holy Week and Candlemas Day, nor announced to them the abrogation of fast days.²

William Kempe, vicar of St. Mary Northgate church in Canterbury,³ was denounced by his parishioners for like neglects. He had not read the king's

¹ His pardon is dated July 8, 1534.—L.P., VII, 1026, gr. 10. Foxe erroneously supposed he had been executed with the other "conspirators" who supported Elizabeth Barton's prophetic utterances against the king's marriage to Anne Boleyn. Why Master escaped is unknown.—Foxe, Acts and Monuments, V, pt. 1, 63. See above, p. 66.
² C.C.C.C., MS. 128, f. 32.
³ William Kempe was also rector of Ditton in Rochester Diocese, a position obtained only after a legal battle.—Early Chancery Proceedings, BdI. 835, ff. 13-14. He died before February 24, 1544, leaving a request in his will that ten Masses be offered for his soul at his burial, and at his month's and year's mind.—Maidstone, Archdeacon's Register, XXIII, f. 227b.
injunctions nor the Bible. His ignorant flock still persisted in using holy water during storms, because their vicar had not instructed them to the contrary.\footnote{4} In this instance, it seems that the accusations were retaliatory. It was Kempe who had given information in this very investigation, concerning the heretical inclinations of the Starkeys and Toftes, presumably members of his parish.\footnote{5} The activities of these lay people of Northgate give the lie to their assertion that the parishioners were "blind and ignorant" in regard to the king's injunctions.

Two other clerics who had reported the mismanagement of the commissary Dr. Nevenson, also had to face charges of remissness in the king's cause. They were Edward Sponer, vicar of Boughton Blean, and William Orphen, curate of Lydd.\footnote{6} Both were supposedly adherents of the pope, for they had never preached against him or in favor of the king's headship in the Church; they had failed, also, to give the new interpretation of ceremonies and fast days. Sponer, it appears, had not even delivered the required quarterly sermons; Orphen, on the other hand, had preached many times, but never in accordance with the injunctions.\footnote{7} We have noted above that Orphen was summoned before the Privy Council at a later date to account for his preaching, and that he was dismissed with an admonition to do better in the future.\footnote{8} Sponer, too, had to face another
tribunal, that of the Consistory Court of Canterbury, in 1547. Even during Edward's time, he was continuing his silent resistance to religious change. At sermon time, he would read from the Book of Homilies the portion on the Sacrament of the Altar, but would stop short when he came to the treatment of the transubstantiation. It seems that he finally agreed to the removal of the images in his church, but he argued with a fellow cleric, Mr. Broke, in favor of clerical celibacy, saying that nowhere in Scripture is there mention that St. Paul was married. Whether under duress or not, Sponer resigned his parish at Boughton Blean soon after his hearing, and it was taken over by Dr. Edward Layton, prebendary of Westminster.

If no other cause could be found for presentment, the retaining of the name of the pope in one's prayerbooks was ample reason for citation. The vicar of Tenterden, probably Peter Baker, was reported for having still in his ritual manual the pope's name and the formula for general absolution to be given with Extreme Unction. Humphrey Cotton, a chantry priest of the same parish, was cited for a similar offense.

9 Consistory Court, Deposition Book, X.10.3, July 26, 1547, f. 63a.
10 Ibid., Mr. Broke is probably Thomas Broke, M.A., vicar of Hernhill, who was deprived of this benefice on June 19, 1554.—C. Reg., f. 385a; Reg. N., f. 73a.
11 C. Reg., f. 407a. Sponer died before May 28, 1549, evidently shortly after receiving the benefice of St. Swythin in London, for he made arrangements in his will for payment to the king of the first-fruits for that church.—Somerset House, 32 Populwell.
12 C.C.C.C., MS. 128, f. 15.
13 Cranmer noted of Cotton: "Upon Good Friday last, the collect for the Bishop of Rome was remaining in his Massbook, with this word 'Papa.'"—Ibid., f. 54. Cotton later obtained the rectory of Warden in the Isle of Sheppey.—C. Reg., f. 403a.
There were other clergymen in Canterbury diocese, however, who were not content with the expedient of silent opposition. They spoke out in no uncertain terms against the new religious tenets. John Clerke, the vicar of St. Paul's in Canterbury, was one who was bold enough to say that this was the third time that England had been out of the faith. Moreover, he countermanded the royal proclamation which purported to dispense the faithful from Lenten abstinence with regard to "white meats." Clerke was joined in this last offense by Nicholas Langdon, who as Master of the Hospital for Poor Priests in Canterbury held the rectories of St. Margaret's Church in the same city, and of Stodmarsh. Clement Norton, vicar of Faversham, was also one who encouraged abstinence from "white meats" notwithstanding the king's dispensation, and, like the other two, neglected to proclaim the right use of ceremonies.

A few clergymen, in attempting to discredit the teachings of the reformers, only succeeded in formulating new variations in doctrine. Thomas Swan, vicar of Sheldwich, for instance, opposed the doctrine of justification by faith alone with this declaration: "Christ did not die, neither for you nor for me, nor your fathers nor my fathers, but for the fathers of the Old Law, and left us to be saved by our works." The chantry priest at Tenterden, Humphrey Cotton, held that the Bible contained heresies, and that baptism restores the soul to a

14 C.C.C.C., MS. 128, f. 16.
15 Ibid., ff. 12, 33, 56.
16 Ibid., f. 56. Swan was one of the older incumbents of the diocese. He had been instituted as vicar of Sheldwich in 1506, where he was underpaid. A deposition brought up in Warham's visitation of 1511 states that whereas the rector of the parish received £18 annually from the benefice, the vicar received but £4 13s. 4d. "whereupon the whole parish is like to decay"—W. Reg., I, f. 55a; II, f. 326a. Swan died and was replaced at Sheldwich by Geoffrey Wilson on December 10, 1545.—C. Reg., f. 379b.
state of free will comparable to that of Adam before the fall. 17

The conservative party in Christchurch had launched a counter offensive of their own. The three preachers—Edmund Shether, Robert Serles, and William Gardiner alias Sandwich—and the prebendaries John Milles, William Hunte, Arthur St. Leger, and Richard Parkhurst, formed a coterie with which Cranmer realized he would have to deal. He had, in fact, remarked to St. Leger at one time: "You be there knit in a bond amongst you which I will break." 18 Cranmer had reason to be concerned, for the depositions against these men reveal that they were openly persuading the people to disbelieve what his preachers were advocating.

Robert Serles, for instance, did not hesitate to warn his hearers against the deceptions of preachers who said no matins, evensong, nor any vocal prayer, nor offered Holy Mass but once in a quarter. 19 He discouraged the reading of the Bible, saying that God would punish those who, like Adam, meddled with the tree of knowledge. He extolled the creeping to the cross on Good Friday, and advocated prayers for the souls of the deceased. Cranmer added to the last accusation the note: "He preaches no sermon but one part of it is an invective against the other preachers of Christchurch." 20 He is bracketed with Milles, Gardiner, and Shether for neglecting to preach upon the pope and to extol the king as head of the Church. 21

Gardiner, for his part, advised the people to take up their beads and

17 C.C.C.C., MS. 128, f. 54.
18 Ibid., f. 359. Letter of Arthur St. Leger to Cranmer.
19 Ibid., f. 41.
20 Ibid.
21 Ibid., f. 9.
their Latin primers again, saying to them: "Of late days you have had here so
many waterlaggers, which have turned your good wine into water that you could
have no good doctrine taught nor preached unto you, but the phantasies of their
brains." He then comforted his audience by telling them to be patient, for
they would enjoy the good wine of God's word again, when the time was ripe.22
When objections were made to his words, he repeated them the following Sunday,
adding that those who were corrupting the wine "must be smoked and purged about
with fire, or else we shall never be rid of them."23 It is little wonder that
Cranmer marked such sayings, "Seditious."

The two Ridleys, Drum, Scory, and four laymen of Canterbury brought a
charge against Edmund Shether for a similar diatribe. Shether, they said, had
spoken of men's wandering from the way of truth in recent times, with no mention
of the pope's having led all Christians astray in times past.24 Thornden tes-
tified before Cranmer that Shether accused all the preachers of the "new learn-
ing" of teaching nothing but "a carnal liberty, new-fangled errors and heresies
against the Blessed Sacrament of the Altar, against free will, auricular con-
fession, prayer, fasting and all good works."25 Shether had said in the Chapter
House of Christchurch: "All the constitutions, decrees, and ordinances of our
Holy Mother the Church are most godly, most holy, and therefore are to be
observed of all her children, Christian people, without disputing or reasoning

22 Ibid., f. 9.
23 Ibid., f. 10.
24 Ibid., f. 36.
25 Ibid., f. 45.
of any of them."

He, moreover, advised working men to divide the fruits of their labor into three parts: a penny for the poor; a penny for the priests to pray for them, since they could not, themselves, "pray without ceasing"; and a penny for their own daily needs.

The prebendary Richard Parkhurst had persisted in carrying out the traditional ceremonies of the Church without any change or interpretation; he refused to preach against the pope and he, apparently, had not applied for new dispensations for his two benefices. As a pluralist, his income was such that he should have financed the education of a scholar for the priesthood at one of the universities, but this he declined to do.

A fellow-prebendary, John Millestias Warham, when called upon to make a sermon in the Chapter House before Easter, had denounced his colleagues who preached against vocal prayer and fasting. He was obliged to answer an interrogatory concerning the trial of Joan Bocher by Nevenson, and in his reply he decried the evident prejudice of the commissary in her favor.

It seems that no articles were devised against William Hunte and Arthur St. Leger, two more of the conservative prebendaries in Christchurch; but they had been implicated in the drawing up of the articles against Cranmer and

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26 Ibid., f. 11.
27 Ibid.
28 Ibid., f. 14. Parkhurst held the vicarage of Ashford from 1519 until his resignation in 1547; the rectory of Mersham from 1522 until some time preceding 1533; the rectory of Lyminge from 1526 until his death in 1558, and the rectories of Earde and Eynsford for some time after 1524.—W. Reg., ff. 369a, 374b, 382, 391b; C. Reg., ff. 34b, 391a, 402b, 420b. His will is at Somerset House, 64 Noodes.
29 C.C.C.C., MS. 128, f. 15.
30 Ibid., f. 13.
his adherents. A set of questions was submitted to them as well as to the other preachers and prebendaries connected with this document.

The answers to the interrogatories put to the men who had promoted the articles against the archbishop are generally vague and evasive. Each man claimed to have had little to do with the drafting of the accusations, and each wrote a letter of abject apology to Cranmer, begging his forgiveness. Willoughby, though not a member of the Christchurch Chapter, was also included in the interrogation and punishment to which these men were subjected. Details are lacking, but Strype assures us that "divers of the chief knot were committed to prison, where they remained till the next year, some more closely confined than others."31 We have the letters John Milles wrote from prison asking pardon and release from Cranmer, and that from Gardiner to the Bishop of Winchester.32

Gardiner, at least, had foreseen two years earlier that the division among the preachers and prebendaries in Christchurch was bound to lead to trouble. He had confided his doubts and suspicions to the Bishop of Winchester when that prelate had stopped in Canterbury en route to London from the Diet of Ratisbon in 1541. Winchester had left him with advice to the effect that he should write out every sermon, and have the most able man in his audience follow it from a copy, while he delivered it. Moreover, he should not meddle with the false preaching of others.33 Now when Gardiner had been apprehended with the other prebendaries, he sent his servant to Winchester for help. The bishop

32 C.C.C.C., MS. 128, ff. 329, 357, 200.
33 Ibid., f. 193.
promised to get the aid of the Council in behalf of his friend, but reprimanded him for weeping before the archbishop when he should have answered like a man. 34

Another of the prebendaries who had a powerful helper in government circles was Arthur St. Leger. In fact, he could claim kinship with the king, 35 and he was brother to Sir Anthony St. Leger, K.G., Lord Deputy of Ireland. The St. Legers were a noted Kentish family who had given three sons to the Church. Arthur himself had been elected as prior of the Augustinian priory in Bilsington in 1521, but he apparently was transferred to Leeds, where he signed the acknowledgement of supremacy as prior of that house in 1534. 36 Upon the dissolution of the monasteries, Sir Anthony St. Leger received the site of Bilsington Priory and lands belonging to Leeds and to St. Augustine's Monastery in Canterbury. 37 As patron of the rectory of Ulcomb, Sir Anthony named Arthur to that benefice in 1537, replacing his brother Thomas there. 38 Another brother, George, was rector of the free chapels of Bockingfield and Newstead from 1533 to 1541. 39 Arthur St. Leger seems to have been the only one of the family implicated in the Canterbury trial of 1543, but his family connections give color to

34 Ibid., f. 196.
35 He was a nephew of Sir Thomas St. Leger who had married, Anne, Duchess of Exeter, sister to Edward IV.—Robert Cooke, Visitations of Kent, 1574-1592, Part 2, London, 1924, 68. Hasted is wrong in saying that Sir Anthony had a brother Robert who settled in Ireland. He had three brothers: Thomas, Art...; and George. Cf. Hasted, History of Kent, II, 1782; Cooke, Visitations, pt. 2, 68.
36 He resigned the priorship of Leeds in favor of Thomas Dey in 1536, but in 1556, he was still drawing an annual pension of £16 in lieu of the office.—L.P., XI, 519, gr. 20; Flaherty, 57.
37 L.P., XIX, 1035, gr. 30.
39 C. Reg., f. 343a.
the statement by Strype that friends of those imprisoned made "great labor" to have the clerics released by means of a general pardon when Parliament met on January 14, 1544.  

The very last notation in the documents dealing with the sessions of 1543 discloses the fact that Cranmer had in mind to replace some of the conservative incumbents complained of in the indictments. It states: "These towns following are specially to be remembered that in them be placed learned men, with sufficient stipends: Sandwich, Dover, Folkstone, Ashford, Tenterden, Cranbrook, Faversham, Herne, Whitstable, Marden, Maidstone, Wye, Wingham." There are no records of deprivations in any of these parishes, but changes in personnel did take place in some of them.

John Atkinson, the vicar of St. Clement in Sandwich, died shortly after the completion of the Canterbury sessions in 1543, at which time he was replaced by Thomas Swinnerton, M.A., on the presentation of Edmund Cranmer, the Archdeacon of Canterbury. Swinnerton was evidently of the new school, for he later preached in Roger Harmon's parish at Deal that Mass is not a satisfaction for sins. Richard Parkhurst, one of the conservative prebendaries of Christchurch, resigned his benefice of Ashford in favor of Cranmer's chaplain and future bishop, John Poynet, before June 14, 1547.

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41 C.C.C.C., MS. 128, f. 361.
42 G. Reg., f. 380b.
43 Consistory Court, Deposition Book, X.103, July 18, 1548, f. 58b.
44 P. C. Reg., f. 403a. But Parkhurst received a pension of £10 for life, from this benefice.
Tenterden seems to have been a hot-bed of nonconformity, for Peter Baker, the vicar, and his curates in four successive years--John Fuller, John Bromfeld, Humphrey Cotton, and John Girdler--were all cited for failure to comply with the new religious ordinances at one time or another.\(^{45}\) Again, there is no evidence of deprivation of any of these men, but the fact that curates could be replaced without formal induction, (and they were changed in rapid succession in this parish), would explain the lack of written documents stating the reasons for their dismissal. On the other hand, there should be an induction mandate recorded for the displacing of the vicar, Peter Baker, by Richard Thornden. For some reason this was not entered in Cranmer's Register along with the other induction records; our only source of information for this fact is the Composition Books of the Augmentation Office, which show that Thornden made his first payment of first-fruits for this benefice on April 20, 1546.\(^{46}\)

For the rest of the parishes mentioned by Cranmer as needing better government, no alteration in personnel is evident for the Henrician period, except for Marden which was vacated by the death of John Chamberleyn in 1546.\(^{47}\) But where replacements were made, they were definitely favorable to the new learning.

What of the Kentish justices of the peace, and the other laymen and

\(^{45}\) John Bromfeld, curate of Tenterden in 1538 and 1539, was cited for giving confessional advice favoring the old order.--See above, p. 69. John Fuller, chaplain there in 1538 and 1540 was presented to the Bailiff of Tenterden for discouraging the reading of the Bible.--See above, p. 109. Baker, Cotton, and Girdler, were all indicted in the Canterbury sessions of 1543.

\(^{46}\) P.R.O., Composition Books, III, f. 85b.

\(^{47}\) C. Reg., f. 402a. John Pogmore succeeded Chamberleyn.
clerics not of Canterbury diocese, implicated in the accusation of Cranmer? So far as we know, they were included in the general pardon, but Strype relates with glee the unhappy end of Dr. London, who was prosecuted for perjury in the matter of the Windsor heresy trials. Germain Gardiner, nephew and secretary to the Bishop of Winchester, and John Heywood, both of whom had been in correspondence with the conservative element of Christchurch were later tried for treason and sentenced to be executed at Tyburn for denying the king's supremacy. Heywood recanted and was pardoned, but Germain Gardiner suffered the supreme penalty, together with John Ireland, a priest of Eltham, Kent, who had not been implicated at all in the heresy trials of 1543.

The closing of the special court of 1543 marked but a truce in the struggle between Cranmer and the conservatives. However, a definitive end of the efforts to have the archbishop convicted of heresy came after two more attempts were made by the members of Parliament and of the king's council in that regard. The king himself espoused Cranmer's cause by giving him a ring through Windsor, Reading, and Newbery wearing a notice of his perjury, and was then committed to the Tower where he died soon after.

48 Strype, Memorials of Cranmer, I, 175-176. London was made to ride through Windsor, Reading, and Newbery wearing a notice of his perjury, and was then committed to the Tower where he died soon after.

49 The document of their condemnation is quoted in full in Gairdner, Lollardy, II, 411, from the record of the Westminster Sessions of Friday, 15 February, 35 Henry VIII. John Heywood is described in this record as a gentleman of London. There was a John Heywood who entertained at court by playing a virginal, and who shared in the spoils of Cromwell's estate, but his identification with the gentleman in question can only be surmised.--L.P., XVI, 379, gr. 10; 380; 1226; 1489.

50 John Ireland had been chantry priest at St. Dunstan's in Canterbury in 1536.--C. Reg., f. 357b.

51 Morice describes the attack by Sir John Gostwick, knight of Bedfordshire, on Cranmer as taking place in Parliament, but Gairdner disproves this.--Gairdner, Lollardy, II, 414, 415. The effort of the council to have Cranmer examined for heresy probably took place in the spring of 1545.--Morice, Cranmer, in Nichols, Narratives of the Reformation, 251-258, passim.
to show the council, signifying that he was summoning the case into his own royal hands. Morice relates that after that, no man dared attack Cranmer again during Henry's reign.52

The punishments, corrections, and admonitions meted out to the clergy-men who had violated the new religious legislation in England was not, in many instances, a deterrent to future infractions. Clement Norton, for example, was still recalcitrant with regard to encouraging the reading of the Bible in 1548. He was cited in the Consistory Court for refusing to conduct a Communion service outside of Mass, and for exhorting a parishioner to believe in the Sacrament of the Altar, "meaning the pyx which hangs over the altar," on pain of damnation.53 Norton was evidently one of the old school who conformed outwardly in practices he could not well avoid, but who retained the convictions and usages of the pre-reformation Church in regard to points of doctrine. He read the prescribed homilies and injunctions, but never preached a sermon of his own against the papacy. On the other hand, he did not hesitate to use the existing ecclesiastical machinery for prosecuting one of his farmers who refused to pay the customary tithes.54 Apparently he remained vicar of Faversham, a parish of nine hundred "housling people," through the reigns of Edward VI and Mary, and he was presented by Philip and Mary to the neighboring parish of Buckland in 1556.55

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52 Ibid., 258.
53 Consistory Court, Deposition Book, XI0.3, November 13-17, 1548, ff. 83a-87a. Examinations of eight parishioners.
54 Ibid., June 12, 1548, ff. 67a-b. Depositions of two witnesses in the case "Clement Norton vs. Warren Fellow." Fellow was excommunicated for contumacy in this matter, and was ordered to be turned over to the secular arm for punishment on May 1, 1549.--P.R.O., Chancery, Significavit of Excommunication, File 26, f. 21.
55 P. Reg., f. 70a. Houseling people were those old enough to make
But some of the other clergymen who had been indicted as conservatives in the Canterbury sessions did not adhere to their former convictions. Prominent among these converts to the new order were John Clerk, vicar of St. Paul's in Canterbury, and Nicholas Langdon, Master of the Hospital for Poor Priests there. Clerk's case is particularly interesting in that his will reveals that he was a married priest still serving a cure during Mary's reign. There is no indication that he was one of those clergymen who renounced his wife, repented, and was allowed to regain his benefice. He names his wife openly in his will as his executrix and heir to the greater part of his possessions, and makes Robert Colyns, the commissary, his overseer. The opening phrase of his last testament departs from the customary formula of pre-reformation times which declares that the author bequeaths his soul "to Almighty God, to Our Lady, and to all the company of Heaven," and states instead: "I, John Clerk, vicar of Saint Paul's without the walls of Canterbury . . . bequeath my soul to Almighty God, my Creator, humbly beseeching him for the dear love of his Son Jesus Christ's sake, to make me partaker of the joys in heaven, which he hath prepared for his elected people."\textsuperscript{56} His omission of any mention of saints and his reference to the "elect" smack unmistakably of Protestantism, and he names "Mr. Twyne, my friend" as heir to his great parchment roll containing the stories of the Bible on one side and the stories of the kings on the other side.\textsuperscript{57}

\textsuperscript{56} Maidstone, Archdeacon's Register, XXX, f. 142.

\textsuperscript{57} Ibid., John Twyne, the schoolmaster of Canterbury, was involved in accusations against the conservative preachers of Christchurch, and in the earlier heresy trials in Canterbury. See above, p. 118.
Nicholas Langdon was another clergyman who opposed the religious changes under Henry, but found it not at all against his principles to marry a wife under Edward VI. This marriage is disclosed in his will dated May 22, 1552, in which he bequeathes the lease of certain tenements and household goods to Mary, his wife, who is named as his executrix. Like Clerk, Langdon recites a new formula in the preamble to his will, trusting to be saved only by the "mere mercy and bloodshedding" of Christ.

It appears that Langdon had made a good living as Master of the Poor Priests' Hospital in Canterbury, for if we may believe one bit of testimony, he was the only priest resident there for at least two years. He received an annual rent of £12 from the gardens and lands pertaining to the Hospital, £6 in personal tithes and emoluments from Stodmarsh, and £8 from the rectory of St. Margaret. Besides these fruits, he could draw an annual salary of £12 from the profits of the Hospital, intended for the rector of these two parishes appropriated to it. He was also presented to the vicarage of Brookland in 1551, and apparently he held all of these benefices until his death.

These are but two examples of priests whose resistance to religious change was gradually weakened, by what means we cannot be sure. But it is certain that there were many more, never indicted for nonconformity in any court, but who managed to live on in cures for years, holding to the old ways. Reginald

58 Maidstone, Archdeacon's Register, XXIX, f. 330.
59 Hussey, ed., Kent Chantries, 79.
60 Ibid., 72, 73.
61 Valor Ecclesiasticus, I, 31.
62 C. Reg., f. 413a. His will was proved on November 8, 1552.
Beke, for instance, who held a chaplaincy at Faversham in 1541, and served as vicar of Newington near Hythe from 1546 until his death in 1564, would give no permission to a layman to handle the chalice, in spite of rebukes from the commissary. He declared from the pulpit that only the bishop had a right to reform things doubtful in the service of the Church, and that he would be held by no pronouncements of any other official. Anthony Bolney, rector of Sandhurst, was accused in 1548 of nearly all the possible infractions of the royal injunctions made to that date. He refused to distribute Communion according to the prescriptions of the first Book of Common Prayer; he omitted the reading of the Epistles and Gospels in English; he provided no poorbox for his church; he wore his rosary openly, and prayed upon it; he allowed candles to be used at funerals and at the churching of women. Images which had been taken down in his church, remained in the vestry undefaced; and the processional cross stood in its tabernacle near the high altar. Bolney, called upon to answer these charges, admitted many of them, but apparently made no move to promise reformation. There is no record of subsequent action against him, but John Warner is listed as rector in Sandhurst in the visitation of 1550.

The vicar of Challock and Godmersham, James Levenard, was also brought before the Consistory Court in 1548, for declaring that the Six Articles still

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63 C. E. Woodruff, "Extracts from Original Documents Illustrating the Progress of the Reformation in Kent," Archaeologia Cantiana, XXXI, 98.
64 Consistory Court, Deposition Books, X.10.3, May 29, 1548, ff. 45a-48a.
65 A. Vis., II, f. 14a. Bolney had been collated as rector of Sandhurst on February 2, 1538.—C. Reg., f. 363b.
stood in effect, and that he would be governed by no other rules. Moreover, he was still omitting the reading of the king's injunctions, and insisted on administering Communion under the form of bread only, saying that "the material bread was transformed by the mighty word of God into the Body and Blood of Christ after the Consecration, and that after the said consecration he believeth that there remaineth no natural bread." He then offered to give communion only to those who had made auricular confession. Moreover, he forbade one Robert Mastell to read the Bible, and at the funeral of Nicholas Aberin's wife, he set four tapers around her coffin. A whole table full of images which had been taken down from the high altar remained undefaced.

This was not the first time he had been called before the Consistory Court, for in the Deposition Books covering the dates from 1541 to 1545, a confession by Levenard himself reveals that he had been accused of permitting candles to be placed upon the rood in his church, and of preaching against the study of the Scriptures by any man "except he were a Master of Art or a spiritual man admitted by the ordinary." But apparently the lesson given him on this occasion had borne no practical fruit, and Levenard persevered in his own opinions.

An extraordinary case of non-conformity uncovered also in 1548 concerns the rector of Deal, Roger Harmon. Twenty-one parishioners were examined

67 Ibid., f. 55b.
68 Ibid., f. 57a.
69 Ibid., X.10.2, f. 17a.
on twenty-four items, and their depositions are entered in full in one of the Consistory record books.\textsuperscript{70} Harmon had been serving Deal when the \textit{Valor Ecclesiasticus} was compiled in 1535, and he held this benefice until his death which occurred before October 3, 1551.\textsuperscript{71} He was accused of reading the Bible in Latin in church, of believing in transubstantiation and of preaching against the marriage of priests. He also declared that the Bishop of Rome might be as good a Christian man as any of his hearers, and that Erasmus erred in many places, especially in his \textit{Paraphrases}.\textsuperscript{72}

There is some conflicting and contradictory testimony, some witnesses saying that they had never heard him preach against superstitions or exhort his parishioners to read the Bible, while others said he had done those things. But several points stand out in clear relief. Harmon had not spoken in defense of royal supremacy or against the Bishop of Rome, although he had on occasion read the injunctions. When he read the Latin service, he did so in a distinct voice, but when he read the homilies or Scripture in English "he putteth on his spectacles, and maketh such hecking and hemming that the people cannot understand him."\textsuperscript{73} He had not taught his parishioners the \textit{Pater Noster}, the \textit{Credo}, and the Ten Commandments in English. Several persons said that the priest had administered the Bread of the Holy Eucharist sometimes broken and sometimes whole; William

\textsuperscript{70} Ibid., X.10.3, ff. 53b-75b.
\textsuperscript{71} \textit{Valor Ecclesiasticus}, I, 42; Consistory Court, \textit{Administration Book}, XXII, f. 5.
\textsuperscript{72} Consistory Court, \textit{Deposition Books}, X.10.3, July 4, 1548, f. 53b-54a, passim.
\textsuperscript{73} Ibid., f. 57b.
Milles declared that the distinction was made on the basis of whether or not the communicant had gone to confession to Harmon before receiving the Eucharist.\textsuperscript{74} When Thomas Swinnerton, vicar of St. Clement's Church in Sandwich had preached in Deal that the Mass was not a satisfaction for sins, Harmon had said that he would prove the opposite.\textsuperscript{75} A few accused Harmon of drinking intemperately, but Leonard Reynold said that he had never seen him carry his drinking to excess.\textsuperscript{76}

Harmon himself was given an opportunity to answer the charges against him, and his answers are straightforward and candid. He denied the first fourteen articles dealing with such questions as whether he had failed to read the injunctions, or had discouraged reading of the Bible, or had omitted the English versions of the Our Father, Creed, and Ten Commandments. To the fifteenth item, he answered that he read the Epistle and Gospel first in Latin at the altar and then in English in the pulpit. As to his reading with his spectacles on, he said that this was necessary in the choir, where it was darker than in the body of the church. He reaffirmed his stand on the issue of transubstantiation, saying that "after the words of consecration there remaineth no bread but the Body of Christ really." Also, he repeated what he had formerly said about clerical celibacy, that "priests cannot marry by God's law." As to his statement about the pope, Harmon asserted that the usurped power of the Bishop of Rome set apart, which was justly taken away, that he being a bishop might be as good a Christian man as he or Mr. Tyke." He declared openly that Erasmus had

\textsuperscript{74} Ibid., f. 59a.
\textsuperscript{75} Ibid., f. 59b. Swinnerton had been instituted as vicar of St. Clement's Church in Sandwich on the presentation of Edmund Cranmer, Archdeacon of Canterbury, on December 18, 1543.--C. Reg., f. 380b.
\textsuperscript{76} Consistory Court, Deposition Books, X.10.3, f. 69a.
erred in his Paraphrases, and he admitted distributing the Sacred Species whole to some and broken to others, but gave no reasons for the distinction.77 The significance of this whole body of depositions and confessions is that, although here was an undeniable violation of injunctions, the offending priest was allowed to retain his benefice without any apparent punishment, ecclesiastical or otherwise.78

The same was probably true of Clement Gregory, vicar of Willesborough, who was detected also in 1548 for announcing that he would offer Mass in honor of the Visitation of Our Lady, and that he held the Mass to be instituted by Christ.79 Gregory, a former monk of Battle Abbey in Sussex, not only retained Willesborough, but obtained two other benefices during Mary's reign, the rectories of Stowting and Eastwell, holding the latter well into Elizabeth's reign.80

Another priest of obvious conservative tendencies was John Girdler who, as curate of Tenterden, was a colleague of Peter Baker and Humphrey Cotton in that parish. Apparently he was not involved in the troubled waters of 1543, but quietly performed his duties, and went unmolested. The only clue to his religious convictions is contained in his will, written during Mary's reign.81

77 Ibid., ff. 53b-54b, for all of these replies by Harmon.
78 Harmon also held the rectory of Crayford in Shoreham Deanery at the time of his death.—C. Reg., f. 418a.
79 Consistory Court, Deposition Books, X.10.3, August 2, 1548, f. 74b.
80 Clement Gregory alias Stapleton, also known as Gregory Stapleton, died before November 25, 1573 at Eastwell, apparently quite poor.—Maidstone, Consistory Register, XXXII, f. 159. His institutions to Stowting and Eastwell, on the presentation of Eleanor Kempe and Thomas Moyle respectively are recorded in P. Reg., f. 69b, and Reg. N., f. 16b.
81 Maidstone, Consistory Register, XXVII, f. 281. The will was written on September 22, 1556, and proved on January 11, 1558.
In it he bequeaths a great many of his household goods to a certain Elizabeth Boorne, daughter to Mistress Hodges of Tenterden, and servant to Mr. Barkalinden of Woodchurch. But the bequest is made on three conditions. The first stipulation is that she remain true to the Catholic religion as reestablished by the king's and queen's proceedings, that she keep no familiar intercourse with persons of the new religion, nor marry any of them. The second and third conditions concern her obedience to her master and mistress, her industriousness and honesty in their service, and her faithfulness in remaining chaste. If she should violate any of the conditions, she was to have only twenty shillings, and the remainder of Girdler's goods were to be distributed to the poor by "some Catholic man." 82

There was another member of the conservative party who was holding a benefice in Canterbury diocese during the last decade of Henry VIII's reign, but whose higher promotions kept him aloof from the strictly diocesan affairs. This was Nicholas Heath, D.D., who was named Bishop of Rochester in 1539, and Bishop of Worcester in 1543.

Heath, born in London, and educated in theology at Cambridge, held the vicarage of Hever in Shoreham Deanery and the Archdeaconry of Stafford during the early years of his ecclesiastical career. In 1535 he had accompanied Edward Foxe to Germany to treat with the German theologians who were establishing the Smalkaldic League. 83 He was made rector of Cliff-at-Hoo in 1535, rector of

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82 Ibid., f. 281b.
83 G. G. Perry, "Nicholas Heath," D.N.B., IX, 345-6, passim. Cranmer had urged Cromwell to promote Heath's bid for the appointment as ambassador to Germany. "To accomplish the king's commandment I shall send unto you Mr. Heath tomorrow, which for his learning, wisdom, discretion, and sincere mind toward
Bishopsbourne in Canterbury Diocese in 1537, and Dean of Southmalling in the same year. He served on the commission for correcting the Bishop's Book before its printing in 1537, and some time previous to his taking the See of Rochester he had been named the king's chaplain and almoner.

On his accession as Bishop of Rochester, Heath signed the oath demanded of all episcopal incumbents, promising to reject the pope and to maintain the king as head of the Church. He was sworn as one of the king's council in

his prince, I know no man in my judgement more meet to serve the king's highness' purpose." Cranmer then reminded Cromwell that Heath had no ecclesiastical promotion great enough to sustain his expenses in Germany, and asked him to persuade the king to furnish him with necessities for the journey.—Cranmer to Cromwell, January 5, 1534, Jenkyns, Remains of Cranmer, I, 87. Jenkyns notes Melanchthon's praise of Heath.—Ibid., n. 1. Bucer wrote to Cranmer in 1539 that he hoped England would keep true to the doctrine of justification by faith, and that he was especially anxious about Nicholas Heath's faithfulness.—L.P., XIV, pt. 2, 413.

84 C. Reg., ff. 354b, 366a. Cranmer asked Cromwell to let him reappoint Heath to be Dean of Southmalling, since "it is necessary for Cromwell to plant his friends about those parts, as he has so much land there."—Cranmer to Cromwell, December 18, 1537.—L.P., XVI, pt. 2, 699. When Heath resigned this position in 1540, he received a pension of £15.—C. Reg., f. 373b.

85 L.P., XIII, pt. 1, 142; XIV, pt. 2, 619, gr. 27.

86 His oath reads in part: "You shall swear that you shall never consent, nor agree that the bishop of Rome shall practise, exercise, or have any manner of authority, jurisdiction, or power within this realm of England, or any other of the king's dominions, but that you shall resist the same at all times to the uttermost of your powers, and that from henceforth you shall accept, refute, and take the king's majesty to be the only supreme head in the earth of the Church of England, and that to your cunning, wit, and uttermost of your powers, without guile, fraud, or other undue means, you shall observe, keep, maintain, and defend the whole effects and contents of all and singular acts and statutes made and to be made within this realm in derogation, extirpation, and extinguishment of the bishop of Rome, and his authority, and all other acts and statutes made, and to be made in reformation and corroboration of the king's power of supreme head in earth of the Church of England; and this you shall do against all manner of persons ...; and in case any oath be made, or hath been made by you to any person or persons in maintenance, defence, or favor of the bishop of Rome or his authority, jurisdiction, or power, you repute the same as vain and annihilate; so help you God, all saints, and the holy evangelists." It is signed "Ego Nich. Roffen. manâ propria subscripsi."—C. Reg., f. 259a.
1540, along with a fellow-conservative, Thomas Thirlby, Bishop-elect of Westminster, to hear cases tried in the Star Chamber. Henry VIII employed the services of these two bishops, together with those of Stephen Gardiner and George Day, to work out the formularies of faith contained in the King's Book, and there is nothing in the conduct of Heath to suggest that he was unwilling to accept the royal supremacy as a tenet or orthodox belief at this time. As Bishop of Worcester he urged Cranmer to petition the king for a royal letter explaining the new ceremonies regarding the ringing of bells on All Saints' Day, covering of images during Lent, and creeping to the cross on Good Friday. It was only after the death of Henry that Heath turned against the "new learning" to the extent of denying in practice the royal supremacy.

There are, of course, many clergymen of the 1540 and 1541 group in Canterbury diocese whose careers are almost entirely unknown. They appear once or twice in the visitation or induction records, or sign the renunciation of the papacy, and then unobtrusively disappear from the scene. Some of them, we know served their cure through the ensuing reigns of Edward VI, and Mary, and even into Elizabeth's era. One hundred and twenty-three of the incumbents of 1540 and 1541 held benefices during the reign of Mary. Of these, thirty-one were

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87 P.C.P., VII, 49.
88 Smith, Tudor Prelates, 246.
89 Jenkyns, Remains of Cranmer, I, 318.
90 Heath's refusal to sign the English Ordinal of 1550 led to his deprivation and incarceration in the Fleet on March 4, 1551. He was restored to the See of Worcester by Mary in 1553, and became her Lord Chancellor and Archbishop of York in 1555. He supported Elizabeth's accession to the throne, but refused to take the Supremacy oath. As a result, he was again deprived, and committed to the Tower. After having served his prison term, he retired to Chobham House in Surrey where he died in 1578. Perry, "Heath," D.N.B., IX, 345-346, passim.
deprived by her, and although the reason is not always stated in the records, marriage was most often the cause for deprivation. In nine instances, the deprived clergymen rejected their wives, did penance, and were re-admitted to their cure. Some clue as to the loyalties of these men is revealed by these data, but a number of incumbents who were serving cures under Mary retained them under Elizabeth, so there is still room for uncertainty.

The wills of the clergymen supply a few more hints as to the convictions of their authors. Fifty-one testaments contain stipulations for the saying of Masses for the souls departed, but only three of these were drawn up outside of the reigns of Henry VIII and Mary. Osmund Chubbe, the married rector of Smarden, asked that a sermon be made and a Communion celebrated at his burial. John Respice, a former monk of Christchurch who stayed on there as a chantry priest, requested that two sermons be preached at St. Paul's Church in Canterbury, one a month after his death, and one a year later. Chubbe and Respice died during the reign of Edward VI; those who died under Elizabeth often made no arrangement for funeral services, but merely stipulated that a certain amount of money be distributed in alms or be put in the poor men's box at their

91 See Appendix IV for a list of deprivations under Mary.
92 Richard Mugge, rector of Harrietsham, who wrote his will on May 28, 1548, bequeathed money to be distributed for Masses. William Page, chantry priest at Christchurch, requested that thirty Masses be said for his soul on the day of his burial, although he made out his will in 1549. Thomas Deve, who composed his will in 1551, expected to have a funeral Mass and dirige. --Maidstone, Archdeacon's Register, XXIX, f. 138; XXXII, f. 17; Consistory Register, XXI, f. 14.
93 Archdeacon's Register, XXVII, f. 84.
94 Ibid., f. 127.
burial. 95

Even those who died during the reign of Henry VIII felt the heavy hand of the king directing their obsequies. Thomas Barnes, a pluralist who held the rectories of Ickham and of St. Mary Breadman in Canterbury, made elaborate arrangements for his funeral. He asked that dirge be sung before his burial, with as many priests as his executors might think expedient. 96 The following day, three Masses were to be offered, one in honor of the Blessed Trinity, one of the Holy Virgin, St. Mary, and one of Requiem; these were to be repeated in thirty days and in twelve months. But Barnes appended a note at the end of his will stating that his Requiem should be performed "in all such manner as is due to me," if the king's majesty approved that it should be so. 97 The will was drawn up on January 8, 1546, but not proved until August 25, 1547. This was seven months after the death of Henry VIII, and one wonders whether Barnes had so much as one Mass at his burial.

An objection was made in the Canterbury sessions of 1543 to the fulfilling of the will of one Coxson, a pettycanon of Christchurch, because it called for the awarding of twenty pence to each vicar of Christchurch who would say Our Lady's psalter for the soul of the deceased priest. The contention was that it was against the prescription in the King's Book dealing with prayers for dead. 98

95 Ibid., XLI, f. 279 (Robert Greenhood, November 20, 1570); XL, f. 331 (John David, November 17, 1567); and many others.
96 Maidstone, Consistory Register, XXI, f. 23.
97 Ibid.
98 C.C.C.C., MS. 128, f. 32.
It is little wonder that, in the end, the clergymen and faithful hardly knew what they were to believe, and whether any of their traditional religious practices would be retained. On the other hand, the task of any judge must have been a delicate one at this time, for he would have to decide which presentments constituted a violation of existing statutes and injunctions in fact, and which might be merely the fruit of over-worked imaginations or even of personal spite. In these years of transition, it is not surprising that many of the doubtful cases were either referred to Cromwell directly, or saved for settlement in a special court.
CHAPTER IX

CONCLUSION

The problem of the administration of the Act of the Supremacy in the diocese of Canterbury has assumed, in this study, the aspect of a three-fold inquiry: what powers were claimed by the king in virtue of his supremacy in the Church; how these claims were enforced; and whether the enforcement was successful. The scope of this investigation has been confined, for the most part, to the ecclesiastical personnel serving the diocese during the years 1540 and 1541; the chronological limits have been extended before and after these dates only with regard to general backgrounds and consequent events which were necessary to the narrative, and with regard to the former and future careers of the clergymen in question. Information concerning the conformity or the lack of it among the laity has been included where it has survived, to supplement the picture of the clerical reaction to royal supremacy.

What authority Henry VIII claimed as pertaining to his new-found prerogative as supreme head of the Church in England need not be reiterated here. What must be emphasized, however, is the fact that his taking over of papal powers necessitated changes in the ecclesiastical framework of the realm, which could not be effective without clerical support. The first and most fundamental of these changes was the transferal of spiritual allegiance from the Papacy to the
Crown. This was not so simple an operation as some historians would lead us to believe. While it is true that the greater number of clergymen actually affixed their signatures to the statement that the Bishop of Rome had no more authority in England than any other foreign bishop, there is some reason to believe that not all of the incumbents subscribed to this declaration. There is much greater reason to suspect that among those who did sign, many did so with mental reservations. Exactly to what extent this may be true, we cannot say, but it is undeniable that clergymen whose names appear on the renunciation lists were presented later for not obeying and supporting royal authority in ecclesiastical matters.

Both of the above mentioned factors are illustrated in the group of conservative preachers and prebendaries at Christchurch. Richard Parkhurst, Arthur St. Leger, and William Hunt signed the acknowledgement of royal supremacy--Parkhurst in Charing Deanery, and the other two as monks of Christchurch Priory previous to its dissolution. But there were two other former monks of the same Priory--William Gardiner, and John Milles--whose signatures do not appear on the lists. Neither do the names of Robert Serles and Edmund Shether; however, these two priests may have subscribed outside the diocese. Some of the other die-hards among the clergy who were still guilty of non-compliance in Edward's reign--Roger Harmon, James Levenard, Reginald Beke, and Clement Stapleton, for instance--also had taken the oath to the supremacy of the king in their younger days.²

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2 P.R.O., Chapter House Books, LXIII, ff. 107, 111; C. Reg., ff. 402a.
The promise of renunciation of papal authority, whether by subscription to a statement or by taking an oath at the time of induction to a benefice, was a test to which clergy of all stations were subjected in an effort to determine whether or not they were willing to accept royal supremacy. But evidence of compliance with this command cannot be accepted as positive proof of their practical acceptance of royal claims in religious matters.

Henry VIII and those in Church and State who supported his policies certainly realized that mere subscription was not the same thing as inner conviction. Therefore they took the necessary steps to implement the parliamentary legislation by providing effective means for assuring conformity to the new order. The cooperation of the ecclesiastical prelates was a **sine qua non** to the fulfillment of this objective. Not only were the bishops made to sign a renunciation of the papacy; they were to acknowledge that they held their spiritual authority only of and from the king. The formal submission of the clergy made the whole body of ecclesiastics and faithful in the Church in England liable to royal supervision, and even Convocation was subject to the sanction of the king.

Ecclesiastical power now lay in Henry VIII, who, having assumed the role of vicar of Christ towards his people, acknowledged no earthly superior. The King in Parliament now comprised not only the highest secular court in the land; it also exercised a function hitherto unknown to it—of formulating and enforcing religious legislation which included doctrinal matters. As head of the Church, the king could supplement and interpret the new statutes by means of royal letters and proclamations which set into motion the complex machinery of propaganda intended to convert the nation to his cause. Directly under the king, and deriving his powers solely from him, stood the vicegerent in matters
spiritual—Thomas Cromwell. It was Cromwell who was the moving power behind much of the activity of the Privy Council, the king’s larger council, Parliament and even of Convocation.

The power of episcopacy in spiritual causes was effectively curtailed. Appeal now lay from the highest ecclesiastical courts in the land to the secular Court of Delegates, or more often, to the incipient Court of High Commission controlled by Cromwell and the Privy Council. Laymen were given, by statute, the power to exercise ecclesiastical jurisdiction, and even the local justices of the peace enjoyed an enlargement of powers to include spiritual matters.

The bishops, of course, were given a prominent role to play in the enforcement of conformity within their respective spheres of action. They received special directives commanding them to instruct the people not only in regard to the recent parliamentary legislation, but also with respect to the royal injunctions and proclamations which implemented and explained the statutes. Not only were they to preach against the usurped power of the papacy themselves in the various parishes of their dioceses; they were to recall the licenses of all preachers in their charge, and to issue them anew only after subjecting the respective priests to a personal examination on their beliefs. Moreover, it was the duty of bishops to provide for the teaching of the principle of royal supremacy in schools and among domestic servants of large households.

To assure himself that his prelates were indeed carrying out his prescriptions, Henry VIII appointed the justices of the peace in each shire to act as episcopal watch-dogs over the conduct of the bishops. If a local justice espied any reluctance on the part of his ordinary to carry out the royal injunctions and
new statutes, or if violations of a heretical nature were brought to his notice, he was held personally responsible for reporting the infraction to a member of the Privy Council or to the Crown. It was, in fact, the obligation of every man holding an ecclesiastical or civil office to do all in his power to forward the king's supremacy himself, and to bring to justice any person, no matter what his estate or dignity, who was found guilty of transgressing the new religious order, whether in public or in private, whether by defect or by excess.

When these principles were subjected to the test of practical situations, however, the results were sometimes surprising. We have considered in some detail the abortive attempt to have Cranmer tried for heresy in 1543. When the preliminary activities of the disaffected clergymen are examined, we find that they were acting in conjunction with the local justices of the peace, some of whom were also members of the Privy Council. They had gathered evidence pointing to heretical teachings of Cranmer and of unorthodox practices permitted by him in his officials and in his Cathedral staff. These articles they submitted to witnesses for subscription, and then couched them in legal terminology to be presented to the Privy Council for further investigation. The situation seems to fit perfectly the theoretical case outlined in the directives to the county justices. But when a practical application was essayed the results were disastrous for the informers. The king, as head of the Church, probably considered himself above the laws which had been made at his own instigation. He, no doubt, also considered it his prerogative to immunize whom he chose from the operation of these same laws. At least it was so in Cranmer's case. Much speculation has been made on the reasons why Henry VIII found it necessary or expedient to save the Archbishop of Canterbury from suffering the fate of other
and lesser heretics. Our main concern here is with the failure, in practice, of
the system purportedly established to protect the integrity of doctrine as out-
lined in the early formularies of religion.

But there is more to be said about the trial of "heretics" which en-
sued. Depositions were taken concerning not only the clergymen who sympathized
with Cranmer, but also the conservative priests both in and out of the Christ-
church group. An analysis of the list of clerics involved in these examinations
shows that nineteen of those accused of non-conformity to the king's injunctions
were serving cures in parishes exempt from the archdeacon and under the juris-
diction of the commissary. This is significant for two reasons. The commissary
Dr. Christopher Nevenson, was notoriously lax in conducting visitations of his
parishes, and non-compliance could go unnoticed under such circumstances. But
perhaps the real explanation lies elsewhere. We know that the commissary him-
self was accused of heretical leanings in the original articles drawn up by the
conservatives in 1543. It is natural that the incumbents in parishes under his
care would know more about his negligences and his misdemeanors than would
others. There is positive evidence that at least two of the priests who had
brought up charges against Nevenson, were, in turn, presented for infractions of
the royal injunctions. It does not seem impossible that careful investigation
of the doings of incumbents in exempt parishes was undertaken, not for the pur-
pose of discovering the truth of the reports against the commissary, but to
discredit the original informers against him.

3 These were Sponer of Boughton Blean, and Orphen of Lydd. See above,
p. 157.
It is true that some indictments of a heretical nature were made against priests serving in three other exempt cures—Nicholas Ridley in Herne, Thomas Smith in Newchurch, and Humphrey Chridane in St. Alphege Parish in Canterbury. But here, as in all the other cases of heresy brought before the tribunal, the principals were subjected to no sort of punishment, and were not made to recant. The injustice of this trial has been admitted by those who have taken the trouble to study it carefully, and perhaps Cranmer's lenient treatment of his accusers rested on his own realization of the prejudice present in it. On the other hand, Cranmer was probably quite certain that so long as he had the firm support of the king, he could "contain" the dissatisfied and non-conforming clergymen within his diocese. He had no desire to create martyrs to the cause of dissent. He was careful to note that "learned men with sufficient stipends" be provided for several parishes, but this was not fulfilled in a number of instances.

It is very difficult to form an estimate of the character of Cranmer for the Henrician period. Morice tells us that with regard to his accusers, the archbishop was not vindictive. This might be a virtue, but it does not constitute the essence of character. Cranmer seems to have lacked those aggressive qualities which make for true leadership. Certainly he did not have the busy ambition of a Cromwell. And although he is counted as a theologian, he never

4 Gairdner's comment is this: "Whether we think heresy a deadly thing or not, impartiality in any investigation is of the utmost importance. But, unhappily, there is very little appearance even of this great virtue in the proceedings. For, while men of the one school were generally shielded from their accusers, their accusers themselves were sharply dealt with."—Gairdner, Lollardy, II, 398.

5 Morice, Cranmer, in Nichols, Narratives of the Reformation, 253.
attained the profound learning and spiritual depth of a John Fisher or a Richard Hooker. His one outstanding quality was devotedness to his sovereign, and this devotion was repaid in kingly coin. Henry, for his part, placed unbounded confidence in the Archbishop of Canterbury, and it was only due to his intervention that Cranmer was saved several times from the fate of a heretic. It is idle speculation to wonder whether Cranmer would have been willing to renounce his heretical opinions if Henry had demanded it of him in 1543.

The heresy trials of 1543, at any rate, did not mark the first nor the last of their kind in the diocese. The earlier Canterbury sessions for lay heresy reveal that a great deal of sympathy for Lutheran teachings was being exercised there, at least among the laity, seven years before the special commission was set up by Cranmer to try his own accusers. The 1536 sessions were the regular quarter sessions of the peace, evidence that religious matters were indeed brought before secular tribunals. But the results of these indictments were also apparently nebulous, for we find the same people presented in the 1543 sessions—Levyns, Twyne, the Toftes, and the Starkeys.

One reason for the ineffectiveness of court sanctions for infractions of the injunctions, whether by default or by excess tending towards heresy, is that in many instances definite punishment was not stipulated in the decrees. Some general formula, such as "punishment to the example of others" was employed, and so a great deal was left up to the discretion of the individual judge. Then too, we find that there was sympathy towards nonconformity among some of the local justices of the peace in Kent. It is a well established dictum that the efficient operation of local government in England depended to a large extent upon the zeal and devotion of individual justices of the peace. At this time,
as in all other periods of English history, when a particular justice chose to ignore the enforcement of certain regulations, the people in his area could violate them with impunity.

This was, perhaps, particularly true of the religious legislation under Henry VIII because of the indefinite character of the early statutes and the novelty of the situation. We have seen how reluctant local officials were to try cases presented to them, and how they sought clarification of orders from higher authority. Cranmer himself referred many questions to Cromwell, and he was careful to report any presumptions which he had made on his own authority. The very vagueness of definition of powers gave rise to fears and doubts in the minds of the responsible officials, and in many cases they evidently chose to sin by an excess of zeal, rather than be caught neglecting their duty.

This, again, may be illustrated in the sessions of 1543. Scores of people, clerical and lay, were presented at these sessions. Some of them who were brought in were manifestly guilty of nonconformity; others were undoubtedly heretics. But the indictments of others were made on the flimsiest of grounds—neglecting to have an image removed from a church (at a time when images were not yet frowned upon in themselves); using holy water and blessed candles, creeping to the cross, or holding to some other form of popular devotion which had not been formally condemned. But whether these presentments were made by parishioners and fellow-priests in an effort to discharge a duty, or whether they were motivated by enmities and jealousies far removed from the actual matter of accusation, or again, whether these charges were solicited maliciously for purposes of retaliatory action cannot be known. Perhaps this special session was considered to be a convenient clearing-house for all of the unfinished
business of local courts whose officials had hesitated to take definite action in the cases brought before them.

At any rate, the commission of 1543 proved to be a turning point in the progress of the reformation in Canterbury diocese. Not that it settled the question of nonconformity once and for all, nor that it stopped unorthodox practices. If this were true, the subsequent sessions held in the Consistory Court for the very same sort of delinquency would not have been necessary five years later. But it was a turning point in that it definitely discouraged any attempt at open attack upon Cranmer and his adherents in the future. The depositions of 1548 show that the conservative element had become much less articulate in their criticism of the new learning as well as in voicing their traditional opinions. The events of 1543 must have also given greater boldness to the priests and laity who were sympathetic to the continental reformation. A royal court which openly punished non-compliance of a conservative nature and attached no penalty to avowed heresy could have no other effect.

A comparative analysis of the clergymen serving cures in the diocese of Canterbury during the years 1540 and 1541 with those of any other like area of the same period would probably show little difference in the two groups. The clerical personnel in the diocese had been swelled by the expulsion of religious priests from monasteries, but many of these had been absorbed into the parochial system or into higher administrative posts. It is interesting to note that many of the ex-religious are numbered among the non-conforming clergy. The Christchurch conservatives were almost all former members of a religious community. Henry Becher, John Bromfeld, and Clement Stapleton, likewise, were ex-monks. But for that matter, so were the vigorous reformers--John Scory, Christopher
Neveson, and Hugh Glazier. That there were former religious in either school, and a few--like Richard Thornden--in both, merely points to the fact that they were neither better nor worse than the general run of clergymen of their day. Nor were they better educated.

The employment of the appellations "conservative" and "sympathizers with the new learning" and variations of these names has been used in this study in lieu of any better terms to describe the status of the men in question. The Henrician period in England was a time of religious upheaval. A few men became set in their heretical opinions; others clung tenaciously to the old traditional teachings. But there was a wide gap between these two positions, filled by men tending in varying degrees towards one side or the other, or shuttling indeterminedly between both. "Protestant" was a term not yet in use; "papist" was a newly coined label which included some types of nonconformity and excluded others. But perhaps apart from the odium of labels in general, no apology need be made here for not attaching labels to the various groups, because in many cases there can be no definite line drawn between orthodoxy and heresy when that line was not clearly defined at the time, and when men in either camp were accusing their opponents of being heretics. Again, so little evidence exists in regard to many of the persons in question that one cannot form a clear judgment of their convictions. Then too, there was the ever present possibility of a change of allegiance on the part of adherents to either group.

If Canterbury diocese can be taken as a microcosm of the other dioceses of England during the Henrician period, we might say that in general there was greater opposition to the principle of royal supremacy than is ordinarily conceded. Evidence of this opposition is found in the existing court
records. Reasons for nonconformity are more difficult to establish, when only the negative testimony is available. But one cannot deny its existence.

One reason for the exterior conformity on the part of clergymen might be that they were willing to pay lip-service to a regime which they hoped would not last too long. They were in possession of benefices which constituted their life's work and their livelihood. They were not of the sterling character, for example, of the Charterhouse Monks who suffered a harrowing martyrdom rather than acknowledge the royal supremacy. They were perhaps deterred by the very prospect of such a painful end, and preferred instead to take a gamble on time, waiting for the pendulum to swing back to the old ways.

In spite of every effort on the part of the Archbishop of Canterbury to ferret out the conservative element among his clergymen and to uproot their traditional beliefs and usages, many still adhered to the old order. If superficial acquiescence alone were the criterion of conformity, one might be led to believe that comparatively few objected to the new religious practices, but when one delves beneath the surface, another picture is revealed. Conformity can be merely exterior; inner conviction cannot be measured by courts of law.
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Kent Archives Office, Maidstone

Canterbury Probate Records
The Registers contain complete copies of wills, together with notations of their probation; the Act Books record administration of property of those died intestate. Because the records were drawn up by professional scribes, the writing is very legible. The wills themselves reveal many intimate details of the lives of their authors.

- Archdeaconry Registers, Vols. XXI-XXXV; XXXVIII-XLI.
- Consistory Registers, Vols. XVII-XXII; XXIV-XXXII.
- Archdeaconry Act Books, Vols. X, XII, XV, XVII.
- Consistory Act Books, Vol. XXII.
- Original Wills: William Blossom, 1558.
  John Richard, 1558.
  William Munys (Monyns), 1550.
House of Lords Archives, London

Original MSS. of Statutes as they were finally passed in the House of Lords are preserved in these archives. Since the Acts were always enrolled on a single roll of vellum, the longer ones are very cumbersome to handle. In a few instances they contain interlinings and corrections.

26 Henry VIII, c. 1, An Act concerning the King's Highness to be Supreme Head of the Church of England and to have Authority to Reform and Redress all Errors, Heresies, and Abuses in the Same.
28 Henry VIII, c. 7, An Act for the Establishment of the Succession of the Imperial Crown of this Realm.
34 & 35 Henry VIII, c. 1, An Act for the Advancement of True Religion and the Abolishment of the Contrary.
35 Henry VIII, c. 3, The Bill for the King's Style.
37 Henry VIII, c. 17, An Act that the Doctors of the Civil Law may Exercise Ecclesiastical Jurisdiction.

Public Record Office, London

State Papers, Foreign and Domestic, of the Reign of Henry VIII
These are complete documents dealing with every phase of public life in the reign of Henry VIII, including letters to and from the king and his council, letters of other prominent persons, copies of enactments, drafts of statutes, lists of government officials, etc. The Theological Tracts are a subdivision of this series.

Vols. LXXIV, LXXV, LXXXII, LXXXIII, LXXXVIII, LXXXIX, XC, XCI, XCVI, XCVII, XCVIII, XCIX, CX, CXI, CXII, CXVI, CXVII, CXVIII, CXIX, CV, CX, CXI, CXV, CXVI, CXXII, CXXIII, CXXVI, CXXX, CXXXI, CXXXII, CXXXIII, CXXXIV, CXXXV, CXXXVI, CXXXVII, CXXXVIII, CXXXIX, CCXXX, CCXXXI, CCXXXII, CCXXXIII, CCXXXIV, CCXXXV.

Theological Tracts
These are lengthy expositions and treatises dealing with the matter of the royal supremacy and the repudiation of the papacy, drawn up by theologians of the day to justify Henry VIII's stand. Many are anonymous.

Vols. I, II, V, VI.

Early Chancery Proceedings
Chancery cases are those which sought equitable judgment outside the Common Law Courts. The cases involving clergymen of the diocese of Canterbury are concerned, for the most part, with land disputes, disagreements over tithes and advowsons, and debts. They are undated, but the Chancellor's name, when recorded, gives a clue to the general time period.
Chancery, Significavits of Excommunication
These are writs notifying the Crown that an offender tried in an ecclesiastical court is contumacious by non-appearance and has been excommunicated for more than forty days. It is a petition for his arrest.

File 26 (1553-1551) / Box 1.
File 27 (1553-1558)

Court of the Exchequer, Augmentation Office:
This department of the Exchequer was set up to deal with the newly acquired monastic properties, and to care for the pensions of the monks.

Enrollments of Leases and Pensions, 28–30 Henry VIII,
Vols. CCXXXII, CCXXXIII, CCXXXIV, CCXXXV, CCXXXV, CCXLV, CCXLVII, CCLIII.

Chantry Certificates, Rolls 28, 29.

Exchequer, First Fruits and Tenths Office:
These records contain entries of composition for first fruits paid by incumbents on their induction, giving dates of payments and names of sureties.

Compositions Books, Vols. I-IV.

Exchequer, Treasury of the Receipts, Miscellaneous Books:
There are hundreds of volumes in this collection, ranging from subsidy lists to depositions.

Vol. CXX: Depositions and Examinations relating to Aske's Rebellion.
(This contains an odd document referring to non-conformity in Kent).

Vol. CLIII: Inventories of Friaries—Henry VIII.

Vol. CCLIV: Lay Subsidies—Kent.

Chapter House Books
This is a collection of signatures of clergymen to the renunciation of the papacy taken in 1534. They are signed according to deaneries.

Vols. LXIII, LXIV.

King's Bench Records
Boxes of court records, unsorted, very yellowed and dusty, many mutilated,
especially box 6. They contained only one document of note for the Henry VIII period.

Boxes 6, 10, 11, 12, 13, 14.

Proceedings of the Court of Requests
Bundle 23, No. 70, contains the case of Thomas Gregory vs. the Dean of Canterbury (Dr. Nicholas Wotton), concerning patronage of the parsonage of Horton.

Court of Star Chamber
Bundle 1, No. 73, gives details of the case of Richard Nethersole, curate of Wimingswold vs. Hugh Cartwright, William Hyde, and others over seizure and dilapidation of the parish church.

British Museum, London.

These volumes contain letters of Thomas More, John Fisher, Henry VIII, and other notable persons of the time, drafts of parliamentary acts, and copies of other official papers.

Additional MS. 3,2091, Folios 119-120, Order of Henry VIII relative to the conduct of Bishops upon his assumption of the title of supreme head of the Church of England.

Lansdowne MS., 979. (Bishop Kennett's collection of papers relating to the Reformation.)

Lansdowne MS., 980 (Bishop Burnett's collection of reformation papers.)

Egerton MS., 2,350 (The minutes of the meeting of Convocation, 1547.)

Somerset House, London.

Wills which were proved in the Prerogative Court of Canterbury are deposited in this archive. They are recorded in huge tomes named for the first entry therein, and are arranged chronologically. The folio number is cited before the name in references to these volumes.

7, 20, Alen. 14, Coode. 17, Powell.
28, 31, 36, Alengre. 21, Ketchyn. 18, 40, Pynnyng.
4, Arundell. 34, Martyn. 11, 25, Spert.
29, 36, Buke. 6, 24, 28, More. 8, Tashe.
2, Chayney. 64, Noodles. 17, Welles.
13, Chayre. 11, 32, Populwell. 29, Wrastley.
Corpus Christi College, Cambridge

The library of Archbishop Matthew Parker was willed to Corpus Christi College, Cambridge. Among this valuable collection of documents is one which contains depositions and other matters connected with the commission sent by Henry VIII into Canterbury diocese to conduct the heresy trials of 1543. Its title is a misnomer for it contains no accusations against Cranmer, but rather those which were made against his accusers.

MS. 128, Accusatio Cranmeri.

Vatican Archives, Rome

These archives were searched for evidence of pre-Reformation payments to the Holy See from the diocese of Canterbury. The two volumes which might have contained such information had but one reference to this question.

Camera Apostolica, Sec. XIII-XVIII, Introitus et Exitus, 1509-1523/4, Nos. 544-561.

Libri Annatorum, Vols., LX, LXVIII, CIX, 1509-1535.

B. PRINTED SOURCES


II. SECONDARY SOURCES

A. GUIDES AND HANDBOOKS

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Clarke, A. W. Hughes, Kentish Wills, London, 1921.

Duncan, Leland L., A Calendar of Wills Relating to the County of Kent, Proved in the Prerogative Court of Canterbury between 1384 and 1559, Blackheath Village, 1890.


B. GENERAL WORKS


Dodds, M. H., and Ruth Dodds, The Pilgrimage of Grace (1536-7), and the Exeter Conspiracy, 1538, 2 Vols., Cambridge, 1915.


C. ECCLESIASTICAL AND SECULAR ADMINISTRATION


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tion and Working of the Ecclesiastical Courts," edited by William Stubbs,

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1896.

Gee, Henry, The Elizabethan Clergy, and the Settlement of Religion, 1558-1564,
Oxford, 1898.


Guppy, Henry, "The Royal 'Injunctions' of 1538 and the 'Great Bible,' 1539-1541,"

Hardwick, Charles, A History of the Articles of Religion, to which is added a
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Hooper, Wilfred., "The Court of Faculties," English Historical Review, London,

Judson, H. I., "Notes on Local Clergy in Reformation Times," Bradford Historical
and Antiquarians' Society Journal, Bradford, new series, IV, January, 1938,
312-316.

Kissan, B., "The Deanery of the Arches and other Peculiars of Canterbury," Lon-
don and Middlesex Archaeological Society Transactions, London, XIV, 1938,
195-233.

Kissan, B., Two boxes of handwritten notes, London Room, Institute of Historical
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Makower, F., The Constitutional History and the Constitution of the Church of


D. MONKS AND MONASTERIES


E. BIOGRAPHY AND LOCAL HISTORY


Pennington, E. H., *The Episcopal Succession During the Reformation*, London, 1952
Philipot, John, *Villare Cantianum or Kent Surveyed and Illustrated*, London, 1659.


F. PRIVATE COLLECTION

Dean and Chapter Library, Canterbury, Frampton Collection.
SIGNATURES TO THE RENUNCIATION OF PAPAL AUTHORITY

The following photostats from the Chapter House Books in the Public Record Office (Exchequer, Treasury of the Receipts, Miscellaneous Books, Vol. LXIII), contain signatures of clergymen in Canterbury diocese affixed to the statement: "Romanus Episcopus non habet maiorem aliquam iurisdictionem a Deo sibi collatam in hoc Regno Angliae, quam quivis alius externus Episcopus," i.e., "The Bishop of Rome has not any greater jurisdiction granted him by God in this realm of England than has any other foreign bishop." These signatures were obtained in the spring of 1534, probably on the occasion of a deanery general chapter or of a local visitation, for they are grouped according to deaneries.

Of the 351 clerics who subscribed to this statement in 1534, only 185 were still serving cures in the diocese of Canterbury in 1540. Not all of these were holding benefices in the same deanery in which they had previously signed the renunciation. It is impossible to say how many were still serving in the capacities they had held six years before, because no indication is given in the lists as to the parishes with which they were connected, except in a few isolated instances.

The names have been transcribed as exactly like the originals as is possible without the use of symbols and abbreviations.
Signatures on folio 104:

**Decanatus de Sutton**

Dominus Thomas Wade
Dominus Willielmus Wyryet
Dominus Johannes Porter
Dominus Johannes Kyng
Dominus Johannes Blowysse
Dominus Johannes Brede*
Dominus Robertus Herd
Dominus Johannes Hethe*
Dominus Willielmus (?) Egerton*
Dominus Cristoferus Badcocke*
Dominus Cristoferus Burton
Dominus Petrus Roussel
Dominus Ricardus Hewes*
Dominus Rogerus Jhonson
Dominus Robertus Wodcok*
Dominus Edwardus Slane
Dominus Johannes Vyncent*
Dominus Edwardus Nygthyngayll
Dominus Johannes Brian

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* Clergymen holding benefices in Canterbury diocese in 1540, 1541.
Signatures on folio 105, col. 1:

Decanatus de Sytingborne

<table>
<thead>
<tr>
<th>Signature</th>
<th>Signature</th>
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</thead>
<tbody>
<tr>
<td>Dominus Thomas More*</td>
<td>Dominus Dominus Johannes Person*</td>
</tr>
<tr>
<td>Dominus Willielmus Aborforth</td>
<td>Dominus Johannes Hethe*</td>
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<td>Dominus Richardus Edwarde*</td>
<td>Dominus Cristoferus Parkynson*</td>
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<td>Dominus Robertus Marsshe*</td>
<td>Dominus Thomas Kenet</td>
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<tr>
<td>Dominus Johannes Barms /Barius?/</td>
<td>Dominus Waltyrus Dolle</td>
</tr>
<tr>
<td>Dominus Willielmus Dobysort (?)</td>
<td>Dominus Richardus Wyolson*</td>
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<td>Dominus Ricardus Ffuller</td>
<td>Dominus Nicholasus Smyth</td>
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<tr>
<td>Dominus Robartus Tellar*</td>
<td>Dominus Robertus Grenehood*</td>
</tr>
<tr>
<td>Dominus Rowlande Kenney (?)</td>
<td>Dominus Willielmus Wyntryngham*</td>
</tr>
<tr>
<td>Dominus Willielmus Ffamyng</td>
<td>Dominus Robertus Gattes /Gateg/*</td>
</tr>
<tr>
<td>Dominus Thomas Austyn*</td>
<td>Dominus Johannes Lorimer*</td>
</tr>
<tr>
<td>Dominus Johannes Button*</td>
<td>Dominus Robertus Dyconsen</td>
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<tr>
<td>Dominus Thomas Myr (?)</td>
<td>Dominus Cristoferus Callvert*</td>
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<tr>
<td>Dominus Rychardus Pepyneus (?)</td>
<td>Dominus Johannes Hartley</td>
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<td>Dominus Henricus Surratte</td>
<td>Dominus Andreas Scott*</td>
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<td>Dominus Johannes Littyllford</td>
<td>Dominus Thomas Smythe*</td>
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<td>Dominus Johannes Upton</td>
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<tr>
<td>Dominus Carolus Ratsclyf</td>
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<tr>
<td>Dominus Robertus Wall</td>
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<tr>
<td>Dominus Thomas Sattfray</td>
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<tr>
<td>Dominus Petrus Worsley</td>
<td></td>
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</tbody>
</table>

1 See above, folio 104, the eighth signature, which is apparently in the same hand. John Heth held benefices in Sutton and Sittingbourne deaneries.
Signatures on folio 105, col. 2:

Decanatus de Ospring

Dominus Ricardus Robartus
Dominus Ricardus Yonge
Cominus Johannes Lagat /Legate/*
Dominus Ricardus Maupase*
Dominus Wyllielmus More
Dominus Robartus Attwood
Magister Thomas Gurnell
Dominus Johannes Whyte*
Dominus Willielmus Mayow*
Dominus Robartus Brown*
Dominus Robertus Crokey*
Dominus Robertus Mason*
Dominus Thomas Crosbe (?)
Dominus Thomas Thomson*
Dominus Willielmus Cheysbrugh
Dominus Johannes Jonis rector*
Dominus Crystoferus Bangbyg
Dominus Thomas Slanye*
Dominus Symon Gruns (?)
Dominus Willielmus Barforth*
Dominus Johannes West
Dominus Johannes Swale*
Dominus Johannes Hawkyn*
Signatures on folio 106:

(Decanatus de Ospringe, cont.)

Dominus Johannes Beyne \( \text{[Beene]}^* \)
Dominus Johannes Payne
Edwardus Sponar*

Decanatus Cantuar

Edmundus Crammer Archidiaconus*
Dominus Thomas Nycolls \( \text{[Nichol]}^* \)
Dominus Thomas Brown \( \text{[Baron]}^* \)
Dominus Georgius Foley
Dominus Ricardus Knepe*
Dominus Lawrencius Notte
Dominus Willielmus Hartt
Dominus Johannes Fflecher*
Dominus Willielmus Page*
Dominus Johannes Respes*
Dominus Willielmus Kempe*
Dominus Jasper Hopkyns*
Dominus Thomas Payne*
Dominus Johannes Wryght \( \text{[Wright]}^* \)
Dominus Regenolde Knyght*
Dominus Henricus Waynman*
Dominus Johannes Papworth
Dominus Thomas Davies*
Signatures on folio 106 (cont.):

Decanatus de Wesbere
Dominus Thomas Clyfford
Dominus Rogerus Woltwhayt*
Dominus Johannes Welles (?)
Dominus Milo Baylay curatus de Monkton
Dominus Edwardus Sclactter [Slater]*
Dominus Jacobus Yonge
Gregory Maydstone
Dominus Oliverus Beswyk
Magister Jacobus Hall
Magister Thomas Nyghttyngale*
Dominus Leonardus Walkar
Dominus Willielmus Daykyn [Deacon]*
Dominus Willielmus Bownker*
Dominus Edwardus March (?)
Dominus Nicholaus Waren
Dominus Johannes William
Dominus Willielmus Mychell*
Magister Henricus Holland*e
Dominus Willielmus Cobb*
Dominus Robertus Stokport
Dominus Henricus Arundel
Dominus Wylliam (?) Robynson
Licardus Norwood capellanus
Signatures on folio 107, col. 1:

**Decanatus de Brigge**

Dominus Jacobus Levenard*  
Magister Willielmus Penne  
Dominus Rogerus Appwea ([Ap Hugh])  
Dominus Thomas Dune  
Dominus Johannes Symson*  
Dominus Edmundus KNyght*  
Dominus Robertus Langton*  
Dominus Daneth (?) Ap Owen  
Dominus Ricardus Wylkes*  
Dominus Thomas Syll*  
Dominus Georgius Symson (?)*  
Dominus Thomas Lord ([sic])  
Dominus Ricardus Somersall*  
Dominus Robertus Parker  
Dominus Thomas Stapleton*  
Dominus Henricus Barton  
Dominus Johannes Cadney*  
Dominus Thomas Bartlat*  
Dominus Johannes Castlyn*

Dominus Marmaducus Smyth  
Dominus Wylielmus Busston*  
Dominus Thomas Luntt  
Dominus Johannes Bromefeld*  
Dominus Baldwino Sneth  
Dominus Willielmus Chevenyng  
Dominus Nicolaus Rycardson*  
Dominus Thomas Browne*2  
Dominus Johannes Edwards  
Magister Johannes Ffranklyn  
Maclmus Ramsey  
Dominus Augustinus Worneyll*  
Dominus Willielmus Durant*  
Dominus Thomas Deykyn  
Dominus Johannes Ganeworth

---

2 Not the same Thomas Brown ([Baron]) who subscribed under Canterbury deanery, nor the Thomas Browne who signed under Charing deanery. See folios 106 and 113.
Signatures on folio 107, col. 2:

Decanatus de Dovor

Dominus Radulphus Blynston

Dominus Milo Jopson Jopson

Dominus Thomas Somarsall

Dominus Johannes Cantobery

Dominus Ricardus Shyrinton Sherington

Dominus Robertus Oldam

Dominus Peterus Morsden Mersden

Dominus Johannes Richardson

Dominus Johannes Deale

Dominus Johannes Brown

Dominus Willielmus Barker

Dominus Thomas Je Smythe

Dominus Thomas Lyf Lylforth

Dominus Dormiarius Hoannos Hanney

Dominus Johannes Aldy curatus de

Dominus Johannes Hunter

Dominus Willielmus Bland

Dominus Johannes Bucler

Dominus Thomas Ffolan
Romamque Ecumeni nobis magis laudem et laudem ex se belli
nullam in se prius Ansgari. quin quemque alium habemus Ecum

denatur

Ih. de

s. Ioh. de

s. Paul. de

s. Pet.

s. Agnus

s. Ioh. de

s. Ioh. de

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Signatures on folio 110:

Decanatus Elhem

Dominus Johannes Pewen
Dominus Symon Cowper
Dominus Thomas Jakson
Dominus Robertus Gam
Dominus Galfridus Banlye
Dominus Willielmus Haggett 3
Dominus Robertus Lumnes
Dominus Georgius Ffarley
Dominus Thomas Saunderson
Robertus Symkyn
Dominus Johannes Clek
Rychardus Hyll
Dominus Johannes Bromefeld 4
Dominus Johannes Grene rector
Dominus Richardus Ffoord
Magister Johannes Webbe
Dominus Willyelmus Coppe

Dominus Henricus Clerk
Dominus Gilbertus Heron

Jurisdictio de Wyngham

per me Ricardum Latemar
per me Johannem Grene 5
per me Robertum Ells
per me Thomam Prynce
per me Petrum Wyllye
per me Johannem Talbott
Edmundus Cranmer praepositus 6
Dominus Johannes Solme
Ricardus Benger
Johannes Warren

3 Apparently not the same William Haggett listed under Lymne deanery, folio 113, the fifth signature.
4 See above, folio 107, col. 1, the twenty-third signature, which is apparently in the same hand. Bromfield may have held benefices in both deaneries.
5 Apparently not the same John Grene listed under Elham on this page.
6 Edmund Cranmer also signed the renunciation under Canterbury deanery. See above, folio 106, first signature.
Signatures on folio 111:

Decanatus de Sandwich

Magister Rogerus Harman
Dominus Wylhelmus Norkott
Dominus Edmundus Grene
Dominus Thomas Lawney
Dominus Johannes Stuard
Dominus Johannes Atkynson
Dominus Willielmus Keen
Dominus Johannes Watson
Dominus Johannes Parker
Dominus Johannes Dun
Dominus Johannes Hubert
Dominus Thomas Gybson
Dominus Johannes Lewys R
Dominus Nicolaus Mayo
Dominus Johannes Yong
Dominus Johannes Crafty
Dominus Willielmus Lott
Dominus Ricardus Slany
Dominus Anthonius Ffysher
Dominus Jacobus Mycolson
Dominus Henricus Barke
Dominus Rogerus Jackson capellanu
Signatures on folio 112:

Decanatus de Charringe

Dominus Cristopherus Materas* Dominus Baldvinus Hamet
Dominus Hugo ApRice vicar* Dominus Johannes (?) (crossed out)
Dominus Henricus Symond* Dominus Mauritius Griffyth
Dominus Willielmus Crauche Dominus Jacobus Robertes
Dominus Nicholaus Rydgate Dominus Willielmus Lucas
Johannes Wellys rector de Newnyden* Ricardus Parkehurst*
Dominus Franciscus Ellymere Thomas Hunt*
Dominus Galfrydus Asteley* Raff Stodman
Dominus Henricus Marchall*
Dominus Thomas Browne*
Dominus Robertus Northfoke
Dominus Thomas Dalton*
Dominus Nyholaus Harrysson*
Rychardus Chelake
Thomas Mercer*
Dominus Johannes Ecberd
Dominus Willielmus Crystmas
Thomas Ffyn
Johannes Franckyshe*
Willielmus Moryn*
Dominus Cristoferus Clerke
Dominus Robertus Brachay*
Dominus Johannes Dychefelde
Signatures on folio 122 (cont.):

Decanatus de Charringe (col. 2)

Dominus Stephanus Crisp

Dominus Richardus Wyson

Dominus Michaelis Herison*

Dominus Ricardus Nele

Osmundus Chubbe Rector de Smarden*

Stephanus Pell

Henricus Godericus /Goodrick/*

Nicolaus Wyson

Ricardus Smyth*

Magister Ricardus Mugge Rector ecclesiae de Herytsham*

Dominus Johannes Derling

7 Wilson held benefices in Charing and Sittingbourne deaneries. He apparently signed twice. See above, folio 105, col. 1, the twenty-seventh subscription.
Domine, non labet maiorem glaciem in templo sua.

Eripit et duxit

Docto meo

Dominus meus

Sed non labet maiorem glaciem in templo sua.
Signatures on folio 113:

Decanatus de Lyne

Dominus Johannes Colson*  
Dominus Johannes Hycklege  
Dominus Thomas Norman (?)  
Dominus Willielmus Barsays  
Dominus Willielmus Hagget*  
Dominus Cristoferus Thomson  
Dominus Johannes Ventovall*  
Dominus Hewgo Fresell*  
Dominus Thomas Deykyn  
Dominus Robertus Talerus Taylor*/  
Dominus Lodowicus App Res 8  
Dominus Johannes Mabley  
Dominus Richardus Kydd  
Dominus Willielmus Damport*  
Dominus Richardus Heton*  
Dominus Johannes Holland  
Thomas Thomson* 9  
Thomas Lynden  

Dominus Edmundus Norham  
Dominus Jacobus Crulley  
Dominus Thomas Norton  
Dominus Thomas Rowell*  
Dominus Wylielms Mason*  
Dominus Thomas Hebyll  
Dominus Elezeus Smyth  
Dominus Thomas Stei sic Settyll  
Dominus Henricus Godfraye*  
Dominus Willielmus Marshall*  
Dominus Robertus Brome*  
Dominus Willielmus Delawar

8 Louis Ap Rice signed also in Sutton deanery. See above, folio 104, the twenty-eighth signature. He held benefices in both deaneries.

9 Not the same signature as that under Ospringe deanery, folio 105, col. 2, the fourteenth signature.
Signatures on folio 113 (cont.):

Decanatus de Lyme (col. 2)
Dominus Wylielmus Lambert
Dominus Ricardus Raye
Dominus Philippus Fente (?)
Dominus Henricus Lamsdall
Dominus Robertus Wylson
Dominus Willielmus Sewall
Dominus Georgius Wallyngham
Magister Johannes Groce (?)
Dominus Johannes Davy Rector de Denyn /sic/ *
Dominus Johannes Cowper
Dominus Oliverus W Wylkynson
Dominus Richardus Master
APPENDIX II

PARISHES AND INCUMBENTS IN CANTERBURY DIOCESE, 1540-1541

DEANERY OF CANTERBURY

<table>
<thead>
<tr>
<th>Parish</th>
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<tbody>
<tr>
<td>BLEAN--SS.Cosmas and Damian</td>
<td>V. George Higges</td>
<td>V. William Okinfold</td>
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<td>(Ind. 11/16/41 LI fr.)</td>
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<tr>
<td>ALL SAINTS--CANTERBURY</td>
<td>R. Richard Knepe</td>
<td>R. Richard Knepe</td>
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<td>Archdeacon--Edmund</td>
<td>Archdeacon--Edmund</td>
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<tr>
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<td>Cant. Thomas Payne</td>
<td>Cant. Thomas Payne</td>
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<td></td>
<td>William Page</td>
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<td>John Respice</td>
<td>John Respice</td>
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<td>Thomas Nichols</td>
<td>Thomas Nichols</td>
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<td>Robert Hare</td>
<td>Robert Hare</td>
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<td>William Bouker</td>
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</tr>
<tr>
<td></td>
<td>John Wright</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Preachers (created 3/8/41):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>William Gardiner</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Sandwich)*</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lancelot Ridley, D.D.</td>
</tr>
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<td>Nicholas Ridley, D.D.</td>
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<tr>
<td></td>
<td></td>
<td>John Scory, D.D.*</td>
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1 Based on information from A. Vis., I, II; Valor Ecclesiasticus, I; C. Reg.; W. Reg. References marked /sic/ are from A. Vis., I.

Abbreviations used in this table are as follows:

Abp.--Archbishop  Cur.--Curate  NR--not resident  **--ex-religious
B.D.--B. Canon L.  d.--died  Preb.--Prebendary  ###--exempt parish
B.C.L.--B. Civil L.  fr.--freely resigned  R.--Rector  V--Vicar
Cant.--Chantry Priest  ind.--inducted  S.T.B.--Bachelor of Sacred Theology
Cap.--Chaplain  LI--last incumbent  S.T.P.--Professor of Sacred Theology
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<th>1541</th>
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<tr>
<td>CATHEDRAL CHURCH OF CHRIST (CHRISTCHURCH) CANTERBURY (cont.)</td>
<td>Preachers (created 3/8/41 cont.)&lt;br&gt;Robert Serles&lt;br&gt;Edmund Shether&lt;br&gt;Preb. (created 3/8/41):&lt;br&gt;• I. Richard Thornden, S.T.P.<em>&lt;br&gt;• II. Arthur St. Leger</em>&lt;br&gt;• III. Richard Champion&lt;br&gt;• IV. Richard Parkhurst&lt;br&gt;• V. Nicholas Ridley, D.D.&lt;br&gt;• VI. John Menys (Menewes)<em>&lt;br&gt;• VII. Hugh Glazier, B.D.</em>&lt;br&gt;• VIII. William Hunt (Hailey)<em>&lt;br&gt;• IX. William Gardiner</em>&lt;br&gt;• X. John Mills (Warham)<em>&lt;br&gt;• XI. John Daniel (Chillenden)</em>&lt;br&gt;• XII. John Baptist de Casia, LL. D. (NR)</td>
<td>R. Thomas Davies&lt;br&gt;Cap. (no record)</td>
</tr>
<tr>
<td>ST. ALPHEGE, CANTERBURY**</td>
<td>R. John Cockes, LL.D.&lt;br&gt;Cur. Walter Green&lt;br&gt;Cap. George Swete&lt;br&gt;Reginald Quevy (Knight)</td>
<td>V. William Brabourne*&lt;br&gt;Cap. Thomas Webbe&lt;br&gt;Thomas Jackman</td>
</tr>
<tr>
<td>ST. ANDREW, CANTERBURY</td>
<td>V. Henry Waneman&lt;br&gt;Cur. Thomas Sutton</td>
<td>V. Thomas Jackman&lt;br&gt;(ind. 4/29/41 LI fr.)&lt;br&gt;Cur. (no record)</td>
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<td>ST. MARTIN, CANTERBURY**</td>
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<td>R. (no record)</td>
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<td>V. William Dobson</td>
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<td>Cap. Nicholas Champion*</td>
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<td>R. Thomas Baron, M.A.</td>
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<td>R. Thomas Smyth, LL.D.</td>
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<td>ST. MARY NORTHGATE,</td>
<td>V. William Kemp</td>
<td>V. William Kemp</td>
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<td>R. Humphrey Garth</td>
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<td>Master--Nicholas Langdon, M.A.</td>
<td>Master--Nicholas Langdon, M.A.</td>
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<td>ST. THOMAS HOSPITAL</td>
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<td>Cur. Philip Nell</td>
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**DEANERY OF WESTBERE**

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<td>V. Henry Marshall</td>
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<td>V. Simon Cowper</td>
<td>V. Simon Cowper</td>
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<td>: ST. LAWRENCE</td>
<td>V. Edward Nyge*</td>
<td>V. Edward Nyge*</td>
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<td>R. Jasper Hopkyns</td>
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**DEANERY OF BRIDGE**

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<td>R. Robert Chalmer, LL.D.</td>
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<td>Cur. Humphrey Chirclana, BA</td>
<td>(ind. 11/13/40 LI d.)</td>
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<td>V. John Enyver*</td>
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<td>Cur. Thomas Sotheby*</td>
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**JURISDICTION OF WINGHAM**

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<td>Master: Edmund Crammer, MA.</td>
<td>Master: Edmund Crammer, MA.</td>
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<td>Church)***</td>
<td>Preb. Richard Benger, LL.D.</td>
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### DEANERY OF ELHAM

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**DEANERY OF LYMPNE**

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**DEANERY OF SITTINGBOURNE**

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### APPENDIX III

**DISPENSATIONS AND FACULTIES, TEMP. HENRY VIII**

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<td>For a monk or regular canon to obtain one benefice s1.</td>
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<td>For the same to obtain a benefice with active and passive voice and a choir stall s1.</td>
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<td>For the same to obtain one benefice and petition another s1.</td>
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<td>License to put off his habit and to resume it later s1.</td>
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<td>If the license is given with absolution in advance s1.</td>
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<td>And if given for one benefice and to put off the habit s1.</td>
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<tr>
<td>And if for one benefice, to put off the habit and absolution s1.</td>
<td>7</td>
</tr>
<tr>
<td>For a prior or abbot to use mitre, staff, and other pontifical attire, and to give benediction s1.</td>
<td>23</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Dispensations and Faculties Granted</th>
<th>Fees Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>King</td>
</tr>
<tr>
<td>License for one with a natal defect to be elected prior or abbot. 35 s.</td>
<td>21 8</td>
</tr>
<tr>
<td>Plurality: to obtain two archdeaconries. 6 5 s.</td>
<td>6 2 6</td>
</tr>
<tr>
<td>To obtain three archdeaconries.</td>
<td>6</td>
</tr>
<tr>
<td>Dispensation for a living for one less than 25 years of age, not given at the age of 18. 70 s.</td>
<td>4 5</td>
</tr>
<tr>
<td>Dispensation for one lacking maturity to hold one benefice at 18 and one at 20 without clause of non-residence. 6 5 s.</td>
<td>4 10</td>
</tr>
<tr>
<td>Plurality without clause of non-residence. 6 5 s.</td>
<td>6 2 6</td>
</tr>
<tr>
<td>For three incompatible benefices without clause of non-residence. L. 12.</td>
<td>6</td>
</tr>
<tr>
<td>A similar dispensation with clause of non-residence L. 13</td>
<td>6 10</td>
</tr>
<tr>
<td>Capacity for a non-mendicant monk for one benefice. L. 4</td>
<td>4 0</td>
</tr>
<tr>
<td>If in the same capacity, he holds active and passive voice in the monastery. L. 8 15 s.</td>
<td>4 7 6</td>
</tr>
<tr>
<td>Capacity for one benefice for a non-mendicant, to wear the religious habit under the priestly garb. L. 12 10 s.</td>
<td>6 5</td>
</tr>
<tr>
<td>Capacity for a mendicant to have such a benefice. L. 11 15 s.</td>
<td>5 7 6</td>
</tr>
<tr>
<td>Dispensation for an abbot to hold a monastery together with a benefice in commendam. L. 6 10 s.</td>
<td>6 5</td>
</tr>
<tr>
<td>Dispensations and Faculties Granted</td>
<td>Fees Collected</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>If the above dispensation pertain to his own collation. L. 8 15s.</td>
<td>King</td>
</tr>
<tr>
<td>Dispenation for non-residence to one abroad, or in another benefice or studying. 70 s.</td>
<td>4 7 6</td>
</tr>
<tr>
<td>Dispensation for an abbot to have two benefices in one monastery. L. 14 10s.</td>
<td>45</td>
</tr>
<tr>
<td>Dispensation for a bishop to retain a benefice in commendam, besides his own church. L. 7 10s.</td>
<td>7 5</td>
</tr>
<tr>
<td>Dispensation for a Bishop to hold two benefices besides his own church. L. 14 10s.</td>
<td>75</td>
</tr>
<tr>
<td>Dispensation for contracting [marriage] ignorantly in the fourth [degree of kinship]. 10s.</td>
<td>15</td>
</tr>
<tr>
<td>If marriage be contracted and consummated knowingly in the fourth [degree of kinship]. 70s.</td>
<td>45</td>
</tr>
<tr>
<td>Dispensation for the third and fourth [sic] ignorantly. 15s.</td>
<td>20 1 7 6</td>
</tr>
<tr>
<td>Dispensation for contracting in the third [degree of kinship]. L. 7 5s.</td>
<td>72 6</td>
</tr>
<tr>
<td>Dispensation for one suffering a natal defect to obtain a promotion and a benefice. 7s. 6d.</td>
<td>11 1</td>
</tr>
<tr>
<td>If the above dispensation is to a second benefice. 12s. 6d.</td>
<td>18 1 6 3</td>
</tr>
<tr>
<td>Dispensation for one to receive all orders in his 23rd year. 17s. 6d.</td>
<td>2 2 1</td>
</tr>
<tr>
<td>Dispensations and Faculties Granted</td>
<td>Fees Collected</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td></td>
<td>King</td>
</tr>
<tr>
<td></td>
<td>l. s. d.</td>
</tr>
<tr>
<td>If orders are given outside the time of our statutes. 27s. 6d.</td>
<td>16</td>
</tr>
<tr>
<td>Dispensation for contracting [of marriage] with anyone of close relationship (f) L.32 5s.</td>
<td>16</td>
</tr>
<tr>
<td>Dispensations to be ir-removable for two years. 10s.</td>
<td>15</td>
</tr>
<tr>
<td>First prorogation of ir-removability for two years. 70s.</td>
<td>45</td>
</tr>
<tr>
<td>For each additional prorogation. 57s. 6d.</td>
<td>26</td>
</tr>
</tbody>
</table>
APPENDIX IV

DEPRIVED CLERGYMEN OF CANTERBURY DIOCESE

<table>
<thead>
<tr>
<th>Name</th>
<th>Benefice</th>
<th>Date</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beseley, Richard, M.A.</td>
<td>Shadoxhurst</td>
<td>Before 6/21/57</td>
<td>P. Reg., f. 73a.</td>
</tr>
<tr>
<td>Brown, Thomas (II)</td>
<td>Orlestone</td>
<td>Before 11/12/40</td>
<td>C. Reg., f. 378b.</td>
</tr>
<tr>
<td>Calver, Nicholas</td>
<td>Teynham</td>
<td>Before 6/10/54</td>
<td>Reg. N., f. 71b.</td>
</tr>
<tr>
<td>Chirdane, Humphrey, B.A.</td>
<td>Stourmouth</td>
<td>Before 4/12/54</td>
<td>Ibid., f. 82b.</td>
</tr>
<tr>
<td>Cockes, Thomas, B.Can.L.</td>
<td>Sturry</td>
<td>Before 4/12/54</td>
<td>P. Reg., f. 70b.</td>
</tr>
<tr>
<td>Cockes, William (II)</td>
<td>Tilmanstone</td>
<td>Before 5/29/54</td>
<td>Ibid., f. 68a.</td>
</tr>
<tr>
<td>Cranmer, Edmund</td>
<td>Archdeaconry</td>
<td>Before 4/4/54</td>
<td>Ibid., f. 60b.</td>
</tr>
<tr>
<td>Durant, William</td>
<td>Upper Hardres</td>
<td>Before 6/21/54</td>
<td>Ibid., f. 73a.</td>
</tr>
<tr>
<td>Ford, Richard</td>
<td>Acrise</td>
<td>Before 6/8/54</td>
<td>Ibid., f. 71b.</td>
</tr>
<tr>
<td>Frankyshe, John</td>
<td>Rolvenden</td>
<td>Before 7/21/54</td>
<td>Ibid., f. 75a.</td>
</tr>
<tr>
<td>Howe, Robert</td>
<td>Murston</td>
<td>Before 3/17/54</td>
<td>Ibid., f. 64b.</td>
</tr>
<tr>
<td>Jerome, William</td>
<td>Sittingbourne</td>
<td>Before 6/27/54</td>
<td>Ibid., f. 75b.</td>
</tr>
<tr>
<td>Lancaster, William</td>
<td>Cheriton</td>
<td>Before 7/30/40</td>
<td>L.P., XV, 498.</td>
</tr>
<tr>
<td>Mottrem, John</td>
<td>Farningham</td>
<td>Before 10/16/54</td>
<td>Ibid., f. 84b.</td>
</tr>
<tr>
<td>Tomlynnson, Thomas</td>
<td>Langley</td>
<td>Before 5/8/54</td>
<td>Ibid., f. 67b.</td>
</tr>
</tbody>
</table>

1 Canterbury incumbents only for the years 1540 and 1541.
2 Deprived because of marriage.
3 Deprived for heresy.
4 This benefice not in Canterbury diocese.
<table>
<thead>
<tr>
<th>Name</th>
<th>Benefice</th>
<th>Date</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wilson, Ralph²</td>
<td>Throwley</td>
<td>Before 5/3/55</td>
<td>Ibid., f. 85b.</td>
</tr>
<tr>
<td>Wilson, Richard (II)</td>
<td>Milstead</td>
<td>Before 4/18/54</td>
<td>Ibid., f. 65a.</td>
</tr>
</tbody>
</table>
The dissertation submitted by Sister Mary Justine Peter, O.S.F. has been read and approved by five members of the Department of History.

The final copies have been examined by the director of the dissertation and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the dissertation is now given final approval with reference to content, form, and mechanical accuracy.

The dissertation is therefore accepted in partial fulfillment of the requirements for the Degree of Doctor of Philosophy.

(Stamped Date: June 4, 1959)  
(Handwritten Signature: [Signature of Adviser])