John Whitgift and the Administrative Stabilization of the Church of England, 1583-1604

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John Whitgift and the Administrative Stabilization of the Church of England 1583-1604

Submitted by
Barry McCauley
June, 1975
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Introduction

I

Descriptions of the career of John Whitgift have usually centered upon his dealings with those outside of the mainstream of English religious life in the sixteenth century. There are five biographies, numerous articles, and innumerable general references to the role of the archbishop in suppressing the puritans and the papists and to his dealings with the various parliaments of Elizabeth's reign. These accounts are instructive because they depict, from various points of view, the character, methods, and aspirations of this important Elizabethan ecclesiastic. Very few of these, however, deal in any detail with the administrative aspects of his tenure at Canterbury. Most treat these matters only peripherally, and concentrate on the livelier and more controversial topics of the time. This approach is understandable, and to a degree unavoidable. Many of the changes in administrative procedure and technique were made as a reaction to the three chief protagonists, the puritans, the papists, and parliament. Also, material for such studies abounds, having been preserved and compiled by both Whitgift's enemies and his friends for purposes of detraction or defence, whereas the records of the courts with which the prelate was intimately connected, and which did much of the administrative
work, have either been lost or destroyed.

The first, and in many respects the most readable, account of Whitgift's career is that of Sir George Paule, *The Life of John Whitgift, Archbishop of Canterbury in the Times of C. Elizabeth and K. James I*. Paule had been Whitgift's secretary and comptroller. He wrote this biography, dedicated to Archbishop Abbot in 1612, as a means of instruction — and possibly as a means of ingratiating — to a prelate who had just been elevated to Canterbury after the death of Archbishop Bancroft, a prelate with whom Paule probably had little prior connection. The book was republished in 1699, and again in 1810. It is this last edition which is being used for the purpose of this review.¹

From a scholarly point of view, the work is very uncritical, and verges upon hagiography. The author's main purpose is to do his late master the honor which Paule felt was his due. Consequently, the book centers upon Whitgift's "mild and temperate manner,"² which made him "so worthy and prudent a governor."³ He would suffer no corruption in those around him, and quietly dismissed those in whom it was found.⁴ His only fault was a tendency towards "choler," and even this blemish Paule turns into a virtue by noting that it whetted

²Ibid., 314.
³Ibid., 315.
⁴Ibid., 338-339.
his courage in just causes. Despite Paule's overly adulatory treatment, enough of the facts and conclusions he presents may be substantiated through other sources to justify placing credence in statements of fact not found elsewhere. Consequently, this biography may be used as a primary source. Due to the author's close relationship with Whitgift, it also contains personal insights not found elsewhere.

Another biography which can double as a source for primary material is John Strype's *Life and Acts of John Whitgift*. Although Strype lived long after the prelate's death, his practice of printing many and various documents as appendices to his volumes has provided students with a readily available source of documentation on Whitgift. However, the narrative portion of Strype's work contains a major defect. Strype's closely chronological order makes it very difficult to follow. He progresses year by year in most cases, and one never obtains enough information on a single topic at a time to keep all of the threads of the story straight.

Strype and Paule have, in the main, established the scope, tone, and range of scholarship on Whitgift. His three twentieth-century biographers, H.J. Clayton, V.J.K. Brook,


6 In 3 vols. (Oxford, 1822).

7 John Strype, fl. 1710-1730.


and P.W. Dawley\textsuperscript{10} have all primarily followed Paule in their presentation of the subject matter, although they have inserted material from Strype and elsewhere to give better background and documentation where it was appropriate. The modern works are all general surveys of his life, geared for popular audiences. None of these discusses any facets of Whitgift's life or policy which was not touched upon by the authors' forerunners. Of the five biographies, only Strype's contains substantial material dealing with the administrative side of Whitgift's career, and this must be sifted out of masses of information and documentation, and placed into some context, by the reader himself.

The periodical literature dealing with Whitgift is equally mute on the administrative aspects of his archiepiscopate. Most of the articles about him deal with theological or intellectual topics, attempting to place his thought into the perspective of its historical milieu. Only four articles have been found which concern themselves exclusively with Whitgift. One of these is concerned with the time he spent at Cambridge and his part in the beginnings of the puritan controversy there.\textsuperscript{11} Two more of them deal with his role in the formulation of the Lambeth Articles in 1595, and try to

\textsuperscript{10}John Whitgift and the English Reformation (New York, Scribners, 1954).

explain the true meaning of the statements contained in
them. The last of these papers is concerned with the vari-
ous historical viewpoints generally expressed about him.
It also attempts a reassessment of his significance to the
church. None of these even remotely reflects the day-to-
day administrative problems confronting Whitgift, or the
changes (however small) effected by him during his tenure
which helped to solidify the church's position in English
society.

To find examination of Whitgift's role in church ad-
ministration, one must turn to more general discussions of
ecclesiastical government and church policy. The best of
these is Roland G. Usher's Reconstruction of the English
Church. The main emphasis in this work, however, is upon
Richard Bancroft and on the improvements effected by the
Canons of 1604. Usher deals with Whitgift only in a role
as Bancroft's primary patron and predecessor, whose problems
and activities laid the foundations for the more constructive
work which followed his tenure. Usher blames the difficul-
ties of Elizabethan administration on the loose and nearly

12Beatrice Thompson, "Archbishop Whitgift and the Lamb-
eth Articles," Church Quarterly Review: CXVII (1934): 25-51,
and Henry C. Porter, "The Anglicanism of Archbishop Whitgift,"
Historical Magazine of the Protestant Episcopal Church: 31

13F.J.C. Hearnshaw, "The Ecclesiastical Polity of Arch-
bishop Whitgift," In Memoriam of Adolphus William Ward,
Master of Peterhouse (1900-1924)(Cambridge, the University
Press, 1926), 17-46.

14In two volumes (reprinted, Farnborough, Hants., Eng-
inoperative system of church law and law enforcement inherited from the medieval church and on the queen's refusal to allow any new codification to be made. Until 1604, when James I accepted the new canons proposed to Convocation by Bancroft, the courts had to be lenient and appear lax. No one knew or recognized a solid core of legislation which could be universally applied to all situations which might arise.

Usher's theory would appear to be generally valid. There was no single source for that line upon which Elizabethan prelates could take a stand. Yet some limits did exist. This is shown by W.P.N. Kennedy in Elizabethan Episcopal Administration.\textsuperscript{15} In this work, he analyzes the various sets of visitation articles issued by the bishops from 1576 until the end of the reign, pointing out the interconnected nature of the documents, many of which bear striking resemblances to those which preceded them, and most of which can be traced back to the Injunctions of 1559, the Advertisements of 1562, the Articles of Convocation of 1562, and especially to the Acts of Supremacy and Uniformity.\textsuperscript{16} These limits, loose as they were, were enforced through the traditional method of visitation, followed up by action in the correction courts and elsewhere. Kennedy makes little mention of Whitgift in his book, except to note that he was

\textsuperscript{15}Three volumes (London, A.R. Mowbray & Co., 1922).

\textsuperscript{16}Ibid., vol. I, xxxvi, xxxvii, and lvi.
diligent in carrying on his visitatorial function.\textsuperscript{17} Nothing is said regarding the overall effectiveness of his visitations as a form of administrative tool, or of attempts which may have been made to improve the visitorial process during his administration. Indeed, nothing can be said of the effectiveness of this device, for this would vary greatly, depending on such factors as who the visitors were, what dioceses were being visited, and how the courts were conducted.

The last of these points is difficult to answer. Court documents are very difficult to interpret meaningfully in any case, and in Whitgift's case they no longer exist in sufficient volume to enable any analysis at all. It has been possible, however, to describe the prelate's role in the development of one of the most important of the church's judicial bodies. This has been done in R.G. Usher's \textit{Rise and Fall of the High Commission}.\textsuperscript{18} Usher's work has made superfluous any general treatment of Whitgift's role in the overall development of this court. He describes how Whitgift struggled very hard to defend and extend this body's jurisdiction because of the commission's importance as a disciplinary and administrative tool. Even the subsequent discovery of the records of the Court of the Ecclesiastical

\textsuperscript{17}\textit{Ibid.}, vol. I, iv.

\textsuperscript{18}First printed in 1913, the book has been recently reprinted with a new introduction by Phillip Tyler (London, Oxford University Press, 1968).
Commission for York province and those of several diocesan commissions have resulted in few alterations of the observations Usher made about court procedure, effectiveness, or general development. 19

There is only one more work which describes in any detail the problems faced by Archbishop Whitgift during his primacy. This is *Economic Problems of the Church from Archbishop Whitgift to the Long Parliament*, by Christopher Hill. 20 This is an attempt to correct what Hill considers to be a false impression of the causes of antagonism against the church by stressing the economic, rather than the intellectual or political, facets of church policy and need. In presenting this interesting account of how economic needs were just as important in formulating church policies as were theological or philosophical or political considerations, he errrs to the other extreme, and tries to explain all of the church's woes in economic terms. In the end, the picture he presents is even more one-sided than those against which he protests.

The biographies, articles, and other works cited thus far include all of the major works which devote even considerable attention to Whitgift in either his political or ad-

19 See Tyler's introduction to the 1968 re-printing of *The Rise and Fall of the High Commission*, and also Ronald A. Marchant, *The Church under the Law: Justice, Administration, and Discipline in the Diocese of York* (Cambridge, at the University Press, 1969), passim.

ministrative roles. None of them has dealt at length with the refinements he effected in either the civil or ecclesiastical spheres of his administration. Moreover, none of them has said much about specifically how the two roles at times overlapped. It is the purpose of the following pages to discuss topics which will help to illustrate Archbishop Whitgift's activities and cautious reforms in these matters. The first chapter of this dissertation is concerned with how an attempt at reform in his purely clerical affairs could have wide repercussions in the civil sphere of government as well. The second concerns itself with purely ecclesiastical matters in which lay intervention could be kept to a minimum. The third deals with Whitgift's successful attempt to extend ecclesiastical jurisdiction in a sphere which, until that time, had been the recognized preserve of neither the civil nor the ecclesiastical branch.

II

On 23 September, 1583, John Whitgift was translated from Worcester to Canterbury. At this time the Church of England was in very poor condition from an administrative point of view, largely because the previous archbishop, Edmund Grindal, had been suspended from his archiepiscopal functions since May of 1577. In the interim there had been no effective leadership in the southern province. As a consequence, the Privy Council and nobility had assumed an
even greater role in the direction of the church than had been the case before.\textsuperscript{21} Even when Grindal had been in full power, he had been subservient to the Council and tolerant towards certain disorderly and innovative elements within the church.\textsuperscript{22} Thus, "his primacy only served to increase confusion, and it was left for his successor to fight the battle for the principles of the Church."\textsuperscript{23}

To an observer at the end of Grindal's tenure, this battle would have appeared an extremely difficult one, as the queen would be exceedingly jealous of the pretensions of Grindal's successor. The immediate cause of Grindal's disgrace was his refusal to implement a royal order for the suppression of meetings known as "prophesying," a movement which had begun as the outcome of a laudable desire on the part of some of the clergy to increase the number of preaching ministers within the church. Royal dislike of prophesying was due primarily to the manner in which many groups had come to be conducted. In some areas of puritan influence these meetings had become "popular" in nature. Laymen were permitted to attend and, on occasion, to offer criticism or to listen to what the ministers had to say of each others' sermons. It was feared that puritan discussion of


\textsuperscript{23}\textit{Ibid.}, 202.
the Bible and its themes was too easily diverted to discussion of the biblical church and criticism of the church which was established in England. This Elizabeth correctly viewed as a threat to her royal prerogative. There is a strong probability that Grindal may have intentionally used puritan ministers to lead these meetings, hoping in this manner to win them over to episcopacy. If this were the case, he was certainly mistaken. All that occurred was that more clergy became exposed to the ideas and reasoning of the puritans, and desirous of reforms which the queen was not willing to permit.

Elizabeth's rancor was probably directed as much against the prelate himself and his theology as it was against the institution which he so vehemently defended. Although the queen personally wrote to the bishops ordering the suppression of the prophesyings, enforcement of these orders was anything but universal. Most of the members of the Privy Council favored them, and in many areas the bishop was too weak to insist on compliance on his authority alone. In others, the ecclesiastical officials contrived to keep the meetings going. Even where enforcement was attempted,


the position of the enforcers was probably weakened greatly when the queen was brought to see the validity of training for her lower clergy, although not in the form Grindal had defended. She fully approved when Archbishop Sandys of York began a scheme of episcopally supervised "exercises" in his province in 1581.27 In the southern province, however, no such scheme of supplemental education was authorized. Grindal's disobedience had so angered the queen that her displeasure never fully lifted during his tenure. Only the archbishop possessed the practical powers adequate to impose such extensive changes on the province as a whole. Royal power could have been used, but Elizabeth seems to have had as great an aversion against the direct use of her power in the ecclesiastical sphere as she did in the temporal.

It was not merely the fact that Grindal was a man of principles which led to his discomfort, for so were Walsingham, the queen's secretary, and Knollys, her cousin and councillor, among others. Grindal's disgrace was due to the fact that he allowed his reform principles to lead him to espouse courses which the queen considered possibly revolutionary and to refuse to desist from these ways in order to allow his mistress time to consider alternatives. Elizabeth was very conservative, and wished to consider very carefully the ramifications of every change, no matter how minor, before putting it into execution.

The royal conservatism in religious matters had been apparent from the very beginning of the reign. Elizabeth seems always to have inclined towards a religion based on the settlement made by her father. She had to be pushed into a conservative version of that which had obtained during her brother's reign by a parliament dominated by newly returned religious refugees.\textsuperscript{28} Her original goal seems to have been a religion ambiguous enough to be interpreted favorably by people of all persuasions; a non-dogmatic church to which all loyal citizens could belong. This was, after all, the most politically expedient thing to do for one whose hold on the throne was as tenuous as hers. Yet Elizabeth may have had philosophical reasons as well: she may have drawn inspiration from the teaching of the Erasmian humanists who had tutored her during her father's and her brother's reigns.\textsuperscript{29} Whatever her basic motivation, her attempt at comprehension was constantly being jeopardized by the zeal which the reformation had kindled on both sides of the theological spectrum.


\textsuperscript{29}James K. McConica, English Humanists and Reformation Politics (Oxford: at the Clarendon Press, 1965), has closely linked both the methods and results of Elizabeth's education with the aspirations of the early humanists who followed in Erasmus' footsteps (261 and \textit{passim}). Whitgift's brand of humanism, presumably, was much like that which the Queen's tutors had instilled in her, and is analyzed by Hugh Kearney, Scholars and Gentlemen: Universities and Society in Pre-Industrial Britain (Ithaca, New York, Cornell University Press, 1970), 37-38. He also contrasts this sharply with the style of humanism which a puritan was likely to have learned, 38-45.
In an age of deep religious conviction such as the Reformation had produced, it must have been difficult to find able and well educated administrators who shared the royal latitudinarian views. Perhaps it was partially this sort of attitude which helped keep such men as Lord Burghley and Matthew Parker in the queen's good graces for so long, and the lack of it which caused her basic distrust of Grindal. Most educated or influential Englishmen seem to have been adverse to the royal determination to "make no windows into men's souls" as long as they outwardly conformed. This made the selection of leaders an extremely delicate task. Only once had she allowed the advice of others to influence her choice of the extremely important occupancy of Canterbury. This advice had brought Grindal to the see, with nearly disastrous results for the church as she would have had it.

At Grindal's death, the ecclesiastic who seemed best able to meet the queen's requirements for Canterbury was John Whitgift. He had proven himself to be an able administrator at almost every level of church government. He had been, among other things, master of a college, vice- chancellor of a university, archdeacon, bishop, vice-president of one of the provincial councils, and ecclesiastical commissioner. Although he was a rather noted disciplinarian, he was willing to tolerate almost any opinion as long as it was not made a matter of doctrinaire assertion or controversy.

Wholly committed to the notion that any total commitment to a particular ideology other than the royal supremacy
was dangerous and wrong, Whitgift was certainly the disciple of his close friend, Andrew Perne. Perne had protected Whitgift during the period of the Marian persecutions at Cambridge. He was later to die while staying with the archbishop at Lambeth palace.\(^{30}\) This Cambridge scholar was highly regarded by Whitgift for his intellectual qualities as well. Whitgift considered him to be a man capable of refuting even Calvin.\(^{31}\) Andrew Perne is more famous, or rather infamous, for the apparent facility with which he switched sides during the religious changes of the mid-century. Protestant under Edward VI, he was on the commission which under Mary exhumed the bones of Bucer and Pagius and burnt them. He was also on the one which restored them to honor under Elizabeth's direction in 1560.\(^{32}\)

It is doubtful whether Whitgift would ever have been as faithful to the royal supremacy as Perne seems to have been, since the future archbishop did remain a Protestant throughout the Marian period. Still, the connection between the two men is illuminating concerning Whitgift's ideas on church polity. For both men, "the peace of the church" seems always to have been the ultimate goal. Both of them also realized

\(^{30}\)Sir George Paule, The Life of Archbishop Whitgift, 320, printed in Ecclesiastical Biography (etc.), by Christopher Wordsworth (ed.), (London, 1810), IV, 313-401. All further references to Paule's work will be to the edition found in this collection.


that in Tudor England, this peace could only be had if the royal wishes were fulfilled. The only occasion for which there is any record of seriously crossed purposes between Perne and his one-time pupil occurred during the controversies of the early 1560's over the use of vestments. Whitgift, at that time a college professor at Cambridge, had been among the ranks of those seeking to eliminate the use of these garments which were considered by some to be papist in nature. Once he became convinced that the queen would never sanction their removal, however, Whitgift came down on the side of authority, which Perne had never left. This short affiliation with the dissenters was probably based on a desire to remain popular with his students rather than on any ideological commitment.33 If it were, it helps to explain the ease of his transition, once he was convinced of the royal opinion and determination, to a conservative polity.

The queen's determination never changed, despite pressure from many to bring a change about. In 1583, having just experienced the most noted example of one type of this pressure from a distinguished prelate, Elizabeth gave her new archbishop strict commandment to reduce the disordered elements of the church to conformity through the system as it then stood,34 although she seems to have offered no sug-


34Paule, The Life of Archbishop Whitgift, 342-343.
gestions more constructive than to secure the enforcement of existing law. Consequently, the first months of Whitgift's primacy were principally devoted to establishing the chain of command, determining what the laws were, and warding off threats to ecclesiastical independence from influential laymen committed to other principles. Generally speaking, this constituted nothing more than getting settled in his new office.
Chapter I

Getting Settled

There was much work to be done before the damage of the years of Grindal's suspension would be repaired. The law of the church, which was vague from its very inception, had been in disuse for so long that much of it had become even more obscure — some of it had never been adequately enforced at all. To remedy this situation, Whitgift's first truly administrative act was to gather as many bishops as possible into a synod. Together they determined upon what some of the more important laws governing the church should be, and how they could best be put into execution.

These bishops developed a list of administrative orders which were presented to the queen in early October. Not all of these proposals were approved. Nor were all of those which were found to be valid returned in the form in which they had been submitted. The differences between the proposed articles and the approved ones are significant and sometimes striking. They may indicate that the bishops were not fully cognizant of the laws which applied to the church. They may also illustrate the role which, at the beginning of Whitgift's tenure, the royal councillors assumed as a
matter of right to review the determinations of the ecclesiastical governors. They definitely point out that two divergent opinions existed concerning church law. One was what the bishops considered to be the optimum working conditions for the successful administration of their dioceses. The other was what the secular advisors of the queen felt to be the maximum powers safely to be allowed them under the laws. In this particular conflict of opinion, the secular arm won out on almost all points.

Sixteen proposals were submitted by the ordinaries gathered in their synod. When these were returned, their number had dwindled to twelve, and even some of this dozen were substantially different from the versions which had been submitted.35

The first article on both the proposed and the accepted lists dealt with the enforcement of the laws against the recusants. This was probably the sole item on which there was basic agreement by all involved. The brevity of this statement, a single sentence in length,36 should not be

35Calendar of State Papers, Domestic Series, of the Reign of Elizabeth (hereafter, C.S.P. Dom. Eliz.), M.A.E. Green (ed.), (London, 1872), vol. 2, 126. The set of articles analyzed here corresponds in order of presentation to that printed by Albert Peel, The Seconde Part of a Register (Cambridge, at the University Press, 1915), I, 172-174. This set was found among documents collected by the puritans in their campaign against the bishops. The order in which these are listed differs greatly from that entered in the archiepiscopal Register as approved. These are printed by David Wilkins, Concilia Magnae Britaniae et Hiberniae (London, 1737), IV, 303-304, collated with Whitgift's Register (Reg. I, Whitgift), fol. 97a.

misconstrued as implying a lack of concern for the matter. On 19 October, Whitgift had sent out a separate set of four "Articles for Good Order in Churches" which dealt exclusively with the part ecclesiastical personnel were to play in collecting information on recusants and presenting it to the secular authorities. These may have been issued separately because the archbishop knew the other list sent in by the synod would be under consideration for quite some time, and he wanted to establish the chain of command through orders which would be acceptable to all.

In these "Articles for Good Order in Churches," ministers were instructed to give monthly warnings to their parishioners to come to church. Both ministers and churchwardens were told to note down the names of those who did not do so, and to report these names to the Justices of the Peace at least fourteen days before each quarter session or assize. Bishops and other ecclesiastical authorities were to sue out writs "de excommunicato capiendo" against the recusants if the juries or justices would not convict them. However, this last part of the four articles seems to have depended upon the acceptance of another of the bishops' proposals, for it does not seem to have been enforced when a suggestion about these writs (which will be discussed later) was rejected.

Of the other proposals and articles for which Whitgift and the other bishops sought approval, none would have been

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37 Reg. I, Whitgift, fol. 90b; printed by David Wilkins Concilia Magnae Britanniae, IV, 303.
acceptable to the puritan faction of the church, as the powers of the bishops were greatly strengthened by them. Only a few would have been accepted by most of the Privy Council, had they known how the bishops were going to enforce them. Yet, that they were considered to be strictly within the limits of the law, and had been gone over by legal advisors with a fine-toothed-comb is attested by the fact that several proposals were rejected and others revised, apparently because they were felt to stretch the law or not to be statutorily based at all.

In entering the relatively virgin territory of the enforcement of ecclesiastical law relating to clerical discipline, Whitgift was courting trouble. As it fell out, only three of the articles were not a possible source of puritan antagonism later on, apart from the one on recusancy laws, and even these three could be criticized for not going far enough. These dealt with the admission of fit men into benefices by the bishops; with commutation of penance; and with dispensation for marriage without publication of banns.38 These were more or less non-controversial, and each of them received full canonical approval at the next convocation of the clergy.39

Other proposals, although approved at the time, were to result in friction between the bishops and the clergy and


their lay supporters when they came to be applied. The ordinaries were to forbid preaching and catechizing in private households when services were attended by anyone who was not a member of the family dwelling there. The most obvious application of this article was against Catholic recusants and Protestant non-conformists, against whom a policy of this sort had been followed in the past. Difficulties, however, occurred later whenever the bishops also tried to apply this stipulation to puritan conventicles and prayer meetings as well as the others.40

The articles specified that anyone who preached, read services, or catechized in a church or elsewhere, should also administer the sacraments according to the Book of Common Prayer at least four times yearly. The bishops intended this to encompass the system of puritan lectureships which had been developed to allow men to preach who refused to wear vestments or to use the rite prescribed by the Church.41 It would also apply to Puritan rectors and vicars who hired conformable curates to say the various services to which they objected (such as the baptismal service), so that the letter of the law could be maintained although they themselves did

40 Whitgift always seems to have referred to the puritan meetings for prophesy, prayer, or fasting as conventicles. See A. Peel, Seconde Parte of a Register, I, 276, and passim.

not sacrifice their principles in doing it.  

By specifying that only the Bible approved by the bishops could be used in public services, the proposals tried to rule out the use which many puritans had been making of the Geneva Bible with its anti-episcopal marginal glosses. Puritans, however, considered the approved translation to be corrupt. Also, to them, the inclusion of the Apocrypha with the rest of the Bible was at least unwise, if not positively unholy.

These articles did not just slip through because of slipshod work by the queen and her legal advisors. They usually did have a solid basis in law or equity. Several proposals were considered to be of dubious legality, and were modified to varying degrees before approval. The bishops had submitted that all people in ecclesiastical orders were to wear the apparel set out in Archbishop Parker's "Advertisements" of 1565. When this was returned, the Injunctions of 1559 had been inserted in addition to the Advertisements as the source of direction for apparel. Although the Advertisements had been in use for nearly twenty years, they had never officially been approved by the queen, and thus were not the source of the law on dress.

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43 This was still one of the puritan complaints to King James at the Hampton Court Conference in 1604. Edward Cardwell, A History of Conferences, 1558-1690 (Oxford, 1841), 187-188. It was this complaint which led to the translation of the Bible known as the King James version.
Another proposal which suffered a good deal of change at the hands of the royal advisors, in spirit if not in actual working, was one which specified that the archbishop should be enabled to support the bishops in their refusals to install men into benefices if the bishops considered them unfit or unworthy. It was apparently intended to allow for direct appeal to the queen against lay proprietors, who could usually secure writs of quare impedit from secular courts, forcing the bishops to institute the candidate of the patron's choice, despite nearly any objections the prelate could raise. As amended and approved, appeal was granted only in case of a suit of "double quarrel" in the Court of Arches. A small change this was, but one which nullified an episcopal attempt to provide a remedy for an abuse of long standing which had been magnified by the dissolution of the monasteries and the passage of their many advowsons into lay hands.

44 The writ quare impedit is an instrument which can be sued out in a temporal court when a bishop refuses to admit a patron's nominee to a benefice. It forces the bishop to show cause for refusal. In Elizabethan times the courts usually favored the patrons, forcing the institution of the man presented over the bishop's protests. A case in point concerns Bishop Bickley of Chichester, who refused to institute Maurice Sackville to a benefice at the presentation of his cousin, Thomas Sackville, Lord Buckhurst. Bickley was brought before Common Pleas on a quare impedit and forced to institute the puritan Sackville "despite the fact that Bickley was able to show evidence that the advowson had been alienated to his predecessor." Roger Manning, Religion and Society in Elizabethan Sussex, 186.

45 The number is unknown. In 1604, Bancroft (admittedly prejudiced) estimated that five-sixths of the benefices were in the hands of lay patrons (Paul Seaver, Puritan Lectureships, 54). Double quarrel (duplex querela) was the ecclesi-
Four of the proposals Whitgift and the other bishops had submitted met with no approval at that time, not even in an attenuated form. It had been advanced that no book should be published without the consent of the Archbishop of Canterbury or the Bishop of London, and that all annotations or translations of the Bible were to receive approbation from a synod of bishops. Yet a third suggestion not accepted was that the sheriffs were to proceed more rigorously in the execution of writs de excommunicato capiendo. These writs would have proceeded to the bishops without charge, had a fourth article not been rejected. These four articles appear to have been refused on grounds of their novelty, or because they did not really concern matters within the jurisdiction of the church, and several of these rejected articles were later approved in somewhat modified form. In 1586, a Star Chamber Decree granted the sole licensing of all books not dealing with the common law to the two prelates. The proposal touching the writ de excommunicatio

atical equivalent to the quare impedit of the secular courts. A cleric could appeal directly against a bishop's refusal to admit him to a benefice through this action. The church court, however, was more likely to give credence to the bishop's allegations than the secular ones were.

46 These four statements are found only in the version of the articles printed by Albert Peel, The Seconde Parte of a Register. They do not appear in the copy approved and entered in Whitgift's Register. Synopses of the parallel articles, along with the rejected ones, are summarized in Appendix I.

Yielding also received a very modified and limited approval. Whitgift was able to write to his fellow bishops in October of 1600 that such writs should now be free in cases dealing with recusants. That it took so long for this proposal to be accepted was probably due to lay fears that the bishops would possess too much power if there were no curbs or obstacles in procuring these writs. Or it may also have reflected the strength of the opposition which the clerks of the Chancery Court could raise. These writs had to be sued out individually, and the cost in fees for each of them was at least thirty shillings. Against the loss of these, the clerks would certainly protest loudly. (These costs might explain why the bishops made so little use of the writs, for they were actually even more expensive than this, once lawyer's costs, apparitor's fees, and other incidentals were added.)

One last article must also be noted. Article six of the approved list sought to impose a loyalty test on all who held ecclesiastical office. Consent and subscription were required to three propositions:

That her majestie, under God, hath and ought to have the soveraigntie and rule over all manners of persons born within her realmes, ... of what estate soever they be; and that no foreign power hath or ought to have any jurisdiction ... or authoritie ecclesiastical or spiritual within her majesties

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48Reg. III, Whitgift, fol. 122a; David Wilkins, Concilia, IV, 363.
said relmes ....
That book of common prayer, and of ordering bishops, preestes, and deacons conteyneth nothing in it contrary to the word of God, and that the same may lawfully be used, and that he himself will use the forme of the said book prescribed in public prayer, and the administration of the sacraments, and none other.
That he alloweth the book of articles of religion, agreed upon by the archbishops and bishops of both provinces, and the whole clergy in the convocation holden at London in the yere of our Lord God M.D. LXII. and set forth by her majesties authority, and that he believeth all the articles therein to be agreeable to the word of God.50

These three Articles of Subscription neatly summarized the sources of doctrine and ritual of the English church as it was then established. It must have simply seemed reasonable to Whitgift and the bishops that anyone making his living within the church should at least believe in what that church taught and required, especially since the specific teachings and requirements had been kept so minimal.

The full twelve articles were probably issued in the several dioceses as soon as they were returned from the queen because of their importance to discipline within the church. If this were so, then their approval was not secured until mid-November, since on the fourteenth of that month a commission was issued for publicizing them in the diocese of Chichester, which was under Whitgift's direct control by reason of the vacancy of the see, and for administering the Articles of Subscription which they contained.51

50Reg. I, Whitgift, fol. 97e; David Wilkins, Concilia, IV, 303.

51It is difficult to determine the exact date of issue for the Articles, as they were not entered into the Archbishop's Register until June of 1584, appearing between en-
The reaction to these articles was immediate and violent. Both the puritan ministers and their lay supporters petitioned Privy Council and the Archbishop for relief from the subscription which was required of the clerics. As part of this concerted effort, at least three delegations from two separate counties appeared before the Archbishop himself to plead for moderation of the subscription demands.52

II

The first of these confrontations took place early in December, when a number of ministers from Sussex came up to London to see the Archbishop regarding the suspensions which had been placed upon them and other ministers in Chichester diocese for refusing to subscribe. There are two records of this encounter between authority and dissent. These differ widely both in scope and in import. According to the official record, as entered in Whitgift's archiepiscopal register, the ministers appeared before the Archbishop, Bishops John Aylmer of London, John Piers of Salisbury, and John Young.

tries date 24 and 28 June (Reg. I, Whitgift, fols. 97a, and 97b). However, Roger Manning, Religion and Society in Elizabethan Sussex, 195, places their issuance and administration in Sussex at mid-November. One may assume that they were sent to all the dioceses at about the same time, although they may not have been acted upon immediately by all the bishops.

52 More complete descriptions of the tendering of these articles, and the controversies which thereupon arose, are to be found in M.N. Knappen, Tudor Puritanism (Chicago, University of Chicago Press, 1965), 266-281; and Patrick Collinson, The Elizabethan Puritan Movement, 243-273.
of Rochester, and the Dean of Westminster, Gabriel Goodman, on December 6. At this meeting they expressed their doubts about certain rubrics in the Book of Common Prayer on which all Puritans were doubtful, and the prelates and the dean clarified these doubts. The clergymen were allowed to subscribe in no "other sense then such as was not against the word of god and agreeable to the substance of Religion now professed in this Church of England and by law established and according to the analogie of faith. And that ther subscription is most (sic., for not) to be extended to anie thing not expressed in the said booke. And hereupon they did voluntarily subscribe."\(^\text{53}\)

The second account, that drawn up by the puritans, was far more extensive. It indicates that the ministers met with the archbishop on more than just the single occasion enumerated in the account in the Register. In fact, it lists three such occasions, 5, 6, and 7 December. They had been suspended on 22 November because they would not subscribe to the second of the archbishop's articles. As a result of the meetings, the ministers were allowed to sign an explanation of the sense in which they wished to interpret the articles in question. This explanation made the articles inoffensive to most puritan consciences. Although Whitgift several times showed himself to be very piqued at their insolent behavior, he relented in the end, and letters were sent off to Chichester, ordering the removal of the sus-

\(^{53}\text{Reg. I, Whitgift, fol. 348a-348b.}\)
pensions from all those who would sign the articles as explained. All save one were thereafter re-instated to their cures. 54

Other ministers also went to the archbishop for relief from their suspensions, notably those from Kent (nineteen ministers from both Canterbury and Rochester dioceses), but they seem to have had less success with the archbishop than the Sussex ministers did, for they later petitioned the Privy Council to intercede with Whitgift for them after he had refused to lift their suspensions or allow any protestation or qualification at all. 55 Perhaps the change in attitude was a reaction against the propagandistic capital which the Sussex ministers made of their victory over the archbishop. They apparently insisted on telling their friends at Court that a protestation had been allowed, rather than merely a definition or explanation (they had been upbraided for this at their last meeting with the archbishop on 7 December). 56

The ministers of Suffolk do not appear to have even considered going to the primate, but went straight to Privy Council with their complaints. It was unfortunate for Whitgift that Burghley, Walsingham, and Leicester were all ill at this time, for this removed many moderating influences from the council and magnified the importance of Robert

54 Albert Peel, Seconde Parte of a Register, I, 210-219; John Strype, Whitgift, I, 259.

55 John Strype, Whitgift, I, 249-250.

56 Albert Peel, Seconde Parte of a Register, I, 219.
Beale, the puritan clerk of the council. He sat in Walsingham's place as principal secretary, and it was probably through his influence that the council took a hard line with the archbishop over these matters. It was Beale who was appointed to carry petitions from both Sussex and Kent to the Archbishop on 2 February, and to require Whitgift's appearance at council on Sunday, 7 February. Upon delivery of this summons to Lambeth, a very bitter meeting followed, both at the formal interview and later at the dinner table.57

The outcome of this interview was the subject of a letter from Whitgift to the council on 4 February. The archbishop complained of this circumvention of the chain of command, and insisted that, since the queen had given him sole charge of ecclesiastical affairs, they ought to give him leave to handle them as he saw fit. As he saw it, he had done nothing unwarrantable by the law, and, besides, had been instructed to do so by both her majesty and his sense of duty. He had spent three days trying to convince his Kentish subordinates, and had found them very unreasonable. They had come to him en masse which Whitgift viewed as denoting a conspiracy and unlawful assembly. Again, he noted that some of them had boasted that the council was about to call the archbishop before it. He discreetly denied council's jurisdiction in the matter, which was solely in his care according to the queen's instructions.58


58 John Strype, Whitgift, I, 250-255.
The council's activities did not halt the archbishop; nor did the archbishop's protestation deter Privy Council from receiving the petitions, which now came in from the gentry as well as from the deprived ministers. There were also more reasoned and learned protests from such luminaries as Thomas Norton of parliamentary fame, and John Foxe, the martyrrologist, and also from others distinguished for their learning, warning the archbishop off from what they considered to be an ill-advised course. Still, Whitgift remained intransigent on the issue.

Council replied in kind to the archiepiscopal stubbornness. Letters were sent to the Justices of the Assizes to forewarn them that there could be indictments filed this term for offences against the laws regarding wearing the surplice, attending sermons outside the local parishes, and other offences which were covered by the twelve articles for which Whitgift had obtained approval. Rather than proceed directly to these cases when they were brought up, the judges were first to enquire into the religious opinions of the informers, on the basis that they might be themselves disaffected to religion. The judges were also to point out the distinction between those who were evilly affected to both the church and state, and others who had conscientious scruples against some usages, but still preached the religion

59Patrick Collinson, The Elizabethan Puritan Movement, 257.
and obedience. 60

The controversy over the required subscription was also quickly reflected in the administrative acts of the archbishop. In late November, probably in reaction to complaints about the subscription, Privy Council wrote to the archbishop in a somewhat veiled attempt to deter him from his course. They sent him instructions to gather some information for them. These were clearly a riposte to subscription, as well as a gentle reminder that the council still possessed great powers over the church. On 12 December, 1583, Whitgift sent these Privy Council articles to the Bishop of London, who, as Dean of the Province, was to circulate them to the rest of the bishops. 61 In covering the letter, the archbishop mentioned certain conferences which he had held with the other bishops who were available in London a short time after these had been received. (Perhaps this was the meeting which the puritan ministers from Sussex had interrupted on 6 December, 62 although this meeting may also have dealt with the


61 The hierarchy of administrative assistant to the archbishop was established during the middle ages. It is described by Irene Churchill, Canterbury Administration (London, S.P.C.K., 1933), I, 335-337. The Dean of the Province was the Bishop of London; the Bishop of Winchester was Sub-Dean; the Bishop of Lincoln was Keeper of the Spiritualities. If any communication was to be circularized in the province, it normally was sent to the Dean to be forwarded to the other bishops. If he were not available, the Sub-Dean or Keeper would be utilized (in that order). These letters would be sent out free of charge to the archbishop.

62 Albert Peel, Seconde Parte of a Register, I, 214-217.
new Commission for Ecclesiastical Causes, of which Whitgift had been informed just the day before. One suspects that this was a busy meeting.) When the articles were finally sent out on the twelfth, they went in his own name, as well as that of the council, in an attempt to camouflage their provenance to a degree and to maintain himself in the line of communication between the clergy as a whole and the council.

Council's suggestions to the primate indicate an outlook far different from Whitgift's. The archbishop's articles had been primarily concerned with the discipline of the clergy and the relations of the upper clergy with the secular arm. His interest in the immediate reform of the church (as the council would have defined it) could, at best, be described as secondary. Privy Council, on the other hand, stressed this latter aspect almost to the exclusion of the former. The only suggestions the councillors made concerning discipline centered around recusancy. They supplemented the articles of 19 October with two dealing with schoolmasters and the location of recusant children. The bishops were to test all teachers for soundness in religion and to take away the licences of those found to be unsound. They were also to report the names of all children overseas to the government. Most of Privy Council's articles were executive in application, intended to be general directions to the

63 John Strype, Whitgift, I, 267-268.
64 Reg. I, Whitgift, fol. 91a; David Wilkins, Concilia, IV, 303.
episcopate. These suggestions seem to hint at the continuance of the reforms which had been part of the program which Grindal had urged in the months prior to his suspension.65 Presumably, the same councillors who had supported the previous archbishop in his attempt to puritanize the church were suggesting that Whitgift follow the Grindalian line.

Those of the council who were responsible for the issuance of these instructions must have felt that they knew the true state of the clergy very well, and that the archbishop did not. If they were aware that Whitgift had requested a clerical census from his bishops already, they certainly felt that he had asked the wrong question. In the covering letter for his articles of 19 October for recusant detection, Whitgift had requested that the ordinaries send him news of the state of their clergy, including "a signification of their benefices, promotions, degrees of schol, and the conformitie of every of them to the lawes and orders, anie way established by her majestie."66 Again, a difference in priorities appears, for the council supplemented these with a request for certification of how many benefices there were in each diocese, who the patron of each of these was, and how many of them were filled with preachers. Council also sought information on whether these preachers were resident or not. As if these articles did not show the puritan pro-


66 Reg. I, Whitgift, fol. 90b; David Wilkins, Concilia, IV, 303.
clivities of some of the councillors well enough, they also asked that each bishop divulge the names and qualifications of all those he had ordained since 1572, and whether these were all qualified according to the plan moved in the Parliament of 1531. 67

This last request probably refers to one of three sets of proposed legislation which had been presented to the queen after the Parliament of 1581 had gone home, and shows that the puritan councillors were not too troubled about legal niceties such as whether the laws had been actually passed. Whitgift certainly knew what these proposals were. He had been appointed to the panel of five bishops which Elizabeth had selected to comment on these suggestions for her. In fact, there exists one copy of these suggestions with comments written in Whitgift's hand. All of the bishops had been critical of the proposals in their comments. 68

Now council was suggesting that these same recommendations be made part of the official episcopal program.

These puritan proposals to Parliament formed the basis of another item of council's requests. Whitgift was asked to confer with some of his civil lawyers about devising a method of redressing abuses of excommunication for "light causes." "Last of all," the Privy Council suggested that bishops and archdeacons should reduce their charges at visi-

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67Reg. I, Whitgift, fol. 91a; David Wilkins, Concilia, IV, 303.

68Sir John Neale, Elizabeth I and her Parliaments, I, 400-401.
tations and collect only such fees "as by law and reason are due." One wonders whether they were more concerned with the lawfulness of the fees or with their reasonability from the layman's point of view, as they were to be set down in a table and displayed at all church courts.69

III

There is not always evidence to indicate whether or not the administrative decrees of the archbishop and others were carried out. In fact, the existence of directives requiring specific compliance to some of the more important suggests that, on the average, performance may have been anything but universal.70 Still, that on this occasion compliance was insisted upon may be reasonably well attested. Whitgift had requested certification from the ecclesiastical officers that the council's articles had been administered and were being duly enforced. Wherever possible, he seems to have sought direct confirmation independently as well; the last article of a set of visitation articles issued for the vacant diocese of Bath and Wells asked whether the council's articles were being put into execution.71 Also, Bishop Overton of Coventry

69Reg. I, Whitgift, fol. 91a; David Wilkins, Concilia, IV, 303.

70See, for instance, David Wilkins, Concilia, IV, 344.

and Lichfield was cited before the Ecclesiastical Commission some time during 1584 to account for a set of visitation articles he was using in that year which were tinged with Puritanism but had failed to include some of the council's points. He excused himself for failing to insert the points which Whitgift had required to be added on the grounds that there had not been enough time to do so before printing. He also claimed that it was well known throughout the diocese who had and who had not subscribed. This last explanation, however, probably was not what the archbishop had in mind. Bishop Overton had probably neglected to certify the posting of a table of fees and to certify the state of the clergy in his diocese.

Compliance with at least a portion of council's other suggestions is witnessed by a remnant of the Liber Cleri for Lincoln diocese from the years 1584 and 1585, in which are found records of information of the type requested by the council, and by the endorsement which Lord Burghley had placed upon a letter concerning printing at Cambridge, which the Lord Treasurer had received from Whitgift in June of 1584. This endorsement indicates that it was received


73Albert Peel, Seconde Parte of a Register, I, 260-267.

74C.W. Foster, The State of the Church in the Reigns of Elizabeth and James I (Lincoln Record Society, XXIII, 1926), I, 53-62. Enquired into were licences to preach, ability to preach, conformity, and scholastic degree.
along with certificates of preachers and recusants. These certificates were probably based, at least in part, on the returns of the archiepiscopal visitations conducted in 1583 and 1584 by Whitgift's commissioners.

IV

One of the chief administrative instruments available to the archbishop was the visitation. Basically it was no more than a series of hearings at which the church officials would call upon the testimony of the ministers and local officials of the church in a given district to testify about the conditions prevailing within their parishes. This scrutiny occurred annually on the archidiaconal level, and triennially on both the episcopal and archiepiscopal ones, although the archbishop did not necessarily visit the whole of his jurisdiction at the appointed time.

Whenever the archbishop visited any particular diocese or other jurisdiction, his course was well established by tradition. After the decision for visitation had been made, there were three main stages in execution. The first step consisted of the issuance of three basic documents: an inhibition of all inferior jurisdiction in the area; a schedule of the locations and times of visitation; and a set of visi-

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tation articles, or questions to be answered by the churchwardens at the visitation. The second stage was the perambulation of the jurisdiction involved. In this step the churchwardens were sworn in and exhibited the parish accounts and other pertinent documents to the archbishop or his commissioners, and all licences for preaching, teaching, serving cures, holding courts of inferior jurisdiction, or anything else of an ecclesiastical nature were displayed and entered in the proper ledgers. Then the bills of presentment were collected from the churchwardens, enumerating their answers to the questions which had been inquired of by the visitors. At this time the visitor would also collect visitation fees, handle the probate of wills, and possibly deal summarily with notorious offenders. The correction of offenders, however, usually awaited the third step of the visitation procedure. This was when the visitors took their Bills of Presentment home with them and entered them into several books known as detecta books and comperta books. The first contained a record of all things presented by the churchwardens. The second recorded all things dealt with by the commissioners, usually consisting of those things considered to be most needy of reformation which were contained in the churchwardens' presentments. From the collation of these two documents the visitor drew up a document known as the Injunctions, administrative orders geared towards reforming those things found to be amiss by the visitors.76 This last

76 J.S. Purvis, Dictionary of Ecclesiastical Terms (London, Thomas Nelson and Sons, Ltd., 1962), 201-202. This
step probably culminated in *ex officio* cases in the normal ecclesiastical courts, based on the *comperta* collection.

As a system for collecting information visitation was probably the best tool available to that age of slow and laborious communication: but there were many drawbacks which vitiated the good intentions of the most conscientious of visitors, and negated its value as a disciplinary measure. "The weakness of the visitational system rested not, as Elizabeth had been inclined to say, on the Bishops, nor on the institution of Episcopacy, as the Puritans alleged, but on the lower ecclesiastical officials and parish clergy." 77 Churchwardens were usually drawn from the lower strata of Elizabethan society, and illiteracy was not rare among them. Because of the humble origin of these officials, those of wealth or status in the society of the district were seldom presented. 78 Also, because of their frequent illiteracy and apparently describes the normal canonical requirement, or the "norm," but would seem to apply to Whitgift's visitation schedule. There were many variations of the pattern. In York, the archbishop visited his diocese every four years, and the province only on his accession to the see (Ronald Marchant, *The Church under the Law*, 114). The archdeacon of St. Albans visited annually (Robert Peters, *Oculus Episcopi* [Manchester University Press, 1963], 37-38), which Purvis notes as the rule. In Sussex, however, the archdeacon seems to have lost his rights of visitation altogether. The Bishop of Chichester had taken over this task, leaving the archdeacons with "no other duties than those normally exercised by prebendaries or canons residentiary of the cathedral chapter." (Roger B. Manning, *Religion and Society in Elizabethan Sussex*, 21).


the short tenure of their term in office (they were elected yearly), many would know the law they were supposed to be enforcing only if the minister chose to divulge it to them. A churchwarden could, through sheer ignorance, be totally unknowledgeable of the grossest negligence or misuse of the Prayer Book or of ceremonial. But the drawbacks were not all connected with the discipline of the laity or clergy. There were also administrative ones as well. The inhibition of lesser jurisdictions during visitation made this one of the worst conceivable methods of ascertaining the methods of the lesser officials. "All the visitor could do was to view the end product of the work, not the work itself."80

Yet there were ways of bypassing most of these problems. Churchwardens' oaths were made more stringent and solemn, and neglect, when discovered, was punished more certainly. They could be instructed on the rudiments of ecclesiastical requirements for ministers' apparel and behavior at the visitation or by the apparitor who delivered the visitation articles. The efficiency of some of the lesser legal officers in the performance of their duties could be tested to a degree by incorporating them into parts of the visitation, and attempting by this means to assess their technique and suggest alterations which would tend toward more effectiveness.

It would seem that Archbishop Whitgift considered his duties as a visitor to be of great importance. It was pos-

80Ibid., I, 99.
sible for the archbishop to have made seven triennial visitations during his primacy. Records exist which indicate that at least six of these were indeed accomplished. There are either visitation articles or injunctions — or at least visitation commissions — extant for visitations held in 1583-84, 1587-88, 1590-91, 1593, 1597-98, and 1600, which corresponds closely to the canonical pattern.81

The records of Whitgift's metropolitical visitations consist primarily of the commissions and inhibitions which the archbishop issued to his subordinates instituting the visitations. It is possible to abstract from these certain tendencies and characteristics of the archbishop's administrative methods. There exist commissions for the visitation of fourteen dioceses during Whitgift's first metropolitical visitation, and inhibitions of jurisdiction for purposes of visitation which were issued to the ecclesiastical authorities of three more dioceses. From these it would appear that seventeen of the twenty-two dioceses in Whitgift's jurisdiction were definitely visited in 1583 and 1584. Of those for which no such documents have been found (Canterbury, Rochester, London, Winchester, and Worcester) one may reasonably assume that at least Canterbury was visited, since medieval practice held that the archbishop had to begin his metropolitical visitations with his own diocese.82 If this

81 W.P.M. Kennedy, Elizabethan Episcopal Administration, I, iv; xiv; xix-xxiv; see also note 78.
82 Irene Churchill, Canterbury Administration, I, 288.
were done, it is possible that Rochester was visited as well, for in the round of visitations held in 1588, the two sees were visited simultaneously.83 If this were indeed the case, only London, Winchester, and Worcester are left unaccounted for, and Whitgift would be well acquainted with the latter, having just been translated from Worcester to Canterbury.84 There is also a possibility that the commissions to visit these places may have been unentered in the register through clerical error, as all of the commissions seem to have been entered at a later date than that at which they were issued.

The first commission issued was that for the vacant see of Bath and Wells, which was sent out on 12 November, 1583.85 The last was sent to Norwich on 27 August, 1584.86 The archbishop seems to have made a conscious attempt in his first visitation to tread lightly over episcopal rights and pretensions, as often as possible visiting vacant sees. At least five bishoprics were visited sede vacante at this time: Bath and Wells, Oxford, Ely, Chichester and Lincoln, and there is a possibility that both Winchester and Worcester were also visited, either by virtue of a now missing visitation commission or merely of the commission for exercise of


84Whitgift issued inhibitions to his Dean and Chapter for visitation in Worcester on 7 March, 1582/3. Lambeth MSS. CMI/70.


86Ibid., f. 366a (for Worcester) and f. 368a (for Winchester).
jurisdiction sede vacante which the archbishop sent out. At Lincoln the jurisdiction of the Dean was inhibited for purposes of visitation merely a month after Thomas Cooper was translated to Winchester.

In the diocese where there was no vacancy, the bishop usually was made the head of the commission: Bangor was visited by Bishop Nicholas Robinson; Gloucester, Bishop John Bullingham; Salisbury, Bishop John Piers; Llandaff, by Bishop William Blethin; St. Asaph, by Bishop William Hughes; Exeter, by Bishop John Woolton; and Norwich, by Bishop Edmund Freke. Even Bristol, which technically was vacant, was visited by John Bullingham, Bishop of Gloucester, who held the see in commendam. This method would create the fewest hostilities in its wake. In this manner, the profits of visitation would at least partially accrue to those who normally received them. This method would also

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87Ibid., f. 234b.

88Cooper was translated on 23 March, 1584. The inhibition of jurisdiction was sent 1 May, 1584. Reg. I, Whitgift, f. 374b.


90Ibid., f. 223b.

91Ibid., f. 221a.

92Ibid., f. 225a.

93Ibid., f. 225b.

94Ibid., fols. 228a-231a.

95Ibid., f. 234a.

96Ibid., f. 277b.
facilitate the administration of the diocese, as the traditional inhibition of ecclesiastical jurisdiction during the visitation would be of less damaging effect if the bishop were one of the commissioners. Another consideration could have been that the bishops and other local officials would have better knowledge of the diocese and of whom to expect to be most helpful.

There were some cases where the bishop had no part in the visitation commission. At Hereford, Bishop John Scory was an old man and possibly very ill (he died in late June), and the commission, issued on 24 March, was headed by William Aubrey, Official Principal and Vicar General of Canterbury, with Richard Cosins, later to become Dean of Arches, as second in command.97 Two other commissions were made out to people other than the ordinary of the diocese. These were for Coventry and Lichfield98 and for St. Davids.99 In these two cases, the bishop himself may have been suspect. Whitgift must have felt that William Overton of Coventry and Lichfield had an administration fraught with corruption and speculation, and that he was interested primarily in personal gain as at least one historian has asserted.100

97 I. c., f. 214b.
98 I. c., f. 208a.
99 I. c., f. 231b.
100 H. Frere, A History of the English Church in the Reigns of Elizabeth and James I, 223-224. The new archbishop had been a member of a special commission granted by Grindal on 20 January, 1593, which visited the Cathedral of Coventry and Lichfield. Other members of this commission were William Aubrey and Richard Cosins. Lambeth MSS. CMII/79.
later that same year, during the Parliament of 1584, that
Burghley accused Overton of having "made seventy ministers
in one day for money." At St. David's, Harseduke Middle-

ton may have been in even deeper trouble. He had been call-
ed before the High Commission in 1578 on charges ranging
from treason to theft, but had been acquitted because the
witnesses did not agree in their testimony. Again, in 1580,
these charges were raised, and again he was let off when the
promoter of the charges renounced them in court. Although
twice exonerated, there may still have been a shadow on his
reputation. He was later (1592) suspended from his office.
It would also appear that he was truly guilty of at least
one of the charges raised against him in 1578 and 1580, that
of bigamy (although this may not have been known at the time
of the visitation). There is yet one more possible ex-
planation for leaving Middleton off the commission which
might have motivated the archbishop. Middleton had held a
visitation of his own in 1593. If, as W.P.M. Kennedy sug-
gests, this were done after Whitgift had taken office, it
may have seemed to the archbishop to be a case of contempt.

These two visitation commissions for Coventry and Lich-

field and for St. David's were entrusted to some of Whit-

101 Conyers Read, Lord Burghley and Queen Elizabeth (New

102 R. T. Head, Royal Supremacy and the Trials of Bishops,

103 W.P.M. Kennedy, Elizabethan Episcopal Administration,
III, 144, n. 1.
gift's best legal advisors. That for Coventry contained Richard Cosins and John Lloyd (both Doctors of Law connected with the Court of Arches) and was issued under the leadership of Thomas Bickley, who was appointed the next year to be Bishop of Chichester. The commission for St. Davids was headed by William Awbrey, Whitgift's Official Principal.

These are the only clear cases of the total abrogation of a bishop's authority during this visitation, but this may also have been done at Petersborough as well. There is no entry of any commission to visit that see. There is only the inhibition of Bishop Scambler's jurisdiction\(^{104}\) and that of the Dean and Chapter,\(^{105}\) and a commission of exercising ecclesiastical jurisdiction within the diocese,\(^{106}\) upon which the bishop's name did not appear. This suggests that he did not head the visitation. In every other case in which the sees were not vacant and both commissions were recorded (Coventry and Lichfield, Exeter, Hereford, and Norwich) the bishop's name appeared either on both documents (as at Exeter and Norwich\(^{107}\)), or on neither of them (as at Coventry and Lichfield or Hereford\(^{108}\)). The possibility that Scambler was excluded from the visitation commission is further enhanced when one considers the state of his diocese, which

\(^{104}\)Reg. I, Whitgift, f. 238b.

\(^{105}\)Ibid., f. 239a.

\(^{106}\)Ibid., f. 239a.

\(^{107}\)Ibid., fols. 228a-228b; 234b; 236a.

\(^{108}\)Ibid., fols. 208a; 210a; 212b; 213a.
contained the puritan center of Northampton, and the active assistance he gave to the puritan faction both at Peterborough and in his next appointment, Norwich. He seems to have had a habit of winking at puritan practices in his diocese.\textsuperscript{109} He was certainly not the right person to head an inquiry directed against these practices, which, in part, was what Whitgift intended this visitation to be.

At many of the visitations — even those where the bishop headed the list of the visitors — the archbishop appointed at least one of his own subordinates among the commissioners. Prominent among these names through mere repetition are William Awbrey, the archbishop's Official Principal and Vicar General, and Richard Cosins, at that time a member of the legal staff of the Court of Arches, but also one of the primate's chief advisors. William Awbrey was appointed to the commissions to visit Gloucester,\textsuperscript{110} Hereford,\textsuperscript{111} Llandeaff,\textsuperscript{112} St. Davids,\textsuperscript{113} and Salisbury.\textsuperscript{114} Richard Cosins was on those which went to Chichester,\textsuperscript{115} Coventry and Lich-

\textsuperscript{110}Reg. I, Whitgift, f. 223b.
\textsuperscript{111}Ibid., f. 214b.
\textsuperscript{112}Ibid., f. 225a.
\textsuperscript{113}Ibid., f. 231b.
\textsuperscript{114}Ibid., f. 221a.
\textsuperscript{115}Ibid., f. 350b.
field, and Hereford. At Bath and Wells, the archbishop utilized Valentine Dale, Dean of the cathedral there, but also a Master of Requests and member of the Ecclesiastical Commission which was appointed in 1584. (Both Awbrey and Cosins were High Commissioners also.) At Norwich, and St. Asaph yet two more High Commissioners were appointed to back up bishops Freke and Hughes (John Still and William Lewin respectively). A blank was left in the registered copy of the commission issued for Exeter, and this may later have been filled with the name of one of Whitgift's lieutenants.

There were only three commissions for which there is no possibility of names to be traced to one of Whitgift's close legal associates. These were issued for Ely on 28 January, 1584, for Bangor on 10 February, and for Bristol on 27 March. At Ely, perhaps Whitgift felt that the

116 Ibid., f. 208a.
117 Ibid., f. 214b.
118 Ibid., f. 334b; Roland G. Usher, The Rise and Fall of the High Commission (reprinted, Oxford University Press, 1968), prints a list of most of the commissioners whose names are known (345-361). Most of the assignations of ecclesiastical commissioners will be made on the basis of this list.
120 Ibid., f. 225b.
121 Ibid., f. 228a.
122 Ibid., f. 310a.
123 Ibid., f. 207a.
124 Ibid., f. 280a.
presence of Andrew Perne, his old tutor and friend, would
insure proper operation of the commission, and it may be
that he was unable to persuade anyone to make the trip to
Bangor in the dead of winter. Bristol's commission was is-
sued to the Bishop of Gloucester, and may have been devoid
of Whitgift's lieutenants because it was felt that the head
visitor would be well enough supervised during the visita-
tion of Gloucester, and a second scrutiny would be unneces-
sary.

The constant recurrence of the names of Whitgift's leg-
el associates among the commissioners is a hint that the
archbishop was attempting, by means of this visitation, to
do more than merely collect fees or receive information.
These things could have been accomplished by less important
men than two of his chief legal aides. The documents, how-
ever, give few clues about exactly what their functions were.
They may merely have been entrusted with the supervision of
the other commissioners' honesty. Another logical explana-
tion, however, is that these men were dispatched with the
intent of offering a type of on-the-job training program to
the other commissioners, who were usually major diocesan
officials who could pass the information they learned on to
their subordinates. They may also have inquired into the
activities of the higher officials themselves if they were
suspect. This hypothesis is reinforced by the fact that the
post-visitaiton correction court even in one case where the
bishop was not a commissioner was entrusted by special in-
strument to his care. 125 Apparently he was found guiltless of whatever may have been suspected by the commissioners.

Few of the normal archiepiscopal acts of Whitgift's first months of office illustrate the fast pace of events and the necessity of at least making a show at pleasing the secular arm better than the records of this metropolitical visitation. Even the visitation articles themselves were in a state of flux. Entered with the first commission for visitation, issued on 12 November for Bath and Wells, are a set of visitation articles which, presumably, formed the basis of the questions asked at all of the visitations. 126 These articles demonstrate that the archbishop was not singlemindedly pursuing the puritans, as one would be led to believe from some accounts, but was truly interested in the overall problems of the church.

There are nineteen articles entered in the Register, although the first and last would appear to have been added to the list at a later time than the first transmission to the visitors. 127 The initial article in the Register, which

125 This was at St. David's, where Bishop Middleton presided over the court by virtue of a commission dated 4 December, 1584. *Ibid.*, f. 233b.


127 The first article entered in the Register is wholly unnumbered, which leaves the impression that it was a later addition to a numbered set already prepared. A scribe copying an entry would probably have given each of the articles in the original before him the same number it already possessed. The last article hinges partially upon the set of Articles issued by warrant of an Order of Council dated 31 November and sent out by the archbishop on 12 December, well
is unnumbered, deals with whether the ministers of the parishes are properly performing their duties according to law; inquiring whether the Homilies are being read when there is no sermon; whether the minister who preaches at the cure has the proper license to do so from the ordinary; and several other questions concerned with the proper care of their cures. Among the numbered articles, the first is concerned with the catechizing which was supposed to be done by the minister. The fourth, fifth, sixth, and twelfth articles dealt with the problems of heresy or Romanism. Seven through eleven inquired into non-residency, pluralism, and clerical morality. Thirteen, fourteen, and fifteen inquired into the proper administration of the churchwarden's functions, hospitals, almshouses and schools. Only the sixteenth and seventeenth articles dealt directly with the laity. These asked whether offences against morality were being punished or were being "winked at and borne withal" through bribery of summoners or higher officials. On the supposition that the articles would be sent out with the commission to visit, the last of the articles also appears to have been a later addition. This required that the visitors "inquire and certify" that the Privy Council Articles, sent out on 12 December, and the Archbishop's "Articles Touching Preachers and other Orders in the Church" (which contained the subscription article) after the original commission, and presumably this document as well, had been issued. (Reg. I, Whitgift, f. 91a.) See Appendix II of this Dissertation.
cles) had been duly executed. 128

The content of these visitation articles seems to show that the archbishop was just as concerned with the detection of abuses among the more conformable of his clergy as he was with the reduction of the puritan clergy to conformity. This point is usually glossed over by scholars, who are prone to pursue the archbishop through his more spectacular assault on the puritans to the near exclusion of his more mundane concerns. The efforts of Whitgift and the other bishops to improve the quality of the parochial clergy through the visitational system are usually relegated to mere casual mention or aside. W.P.M. Kennedy is one of the few to remind us in more than just a few words of "the efforts made toward clerical morality in the visitation which did not a little to raise standards and prepare the way for a general upgrading." 129

Scholarly neglect of this tendency in the church is read-

128 W.P.M. Kennedy, *Elizabethan Episcopal Administration*, III, 158, states that "the second set of Articles here referred to are Whitgift's, concerning the famous three articles of subscription." His conclusion is borne out by the instructions sent with the visitation commission for Bengor, specifying as "Articles to be used in visitation; 1. Articles touching Preachers and other orders in the Church. 2. Articles to be used in visitation. 3. Articles dated Ultimo Novemb. 1583." The last set of articles contained the subscription articles. For an analysis of sets 1 and 3 (the supplementary articles) see pp. 18-27 above and Appendix I of this dissertation.

ily explainable. There is a distinct lack of either ready or reliable information on the subject. The courts handled most of the disciplinary activity arising out of the visitations, but many of these have been lost (for example, the records of most of the courts which were Whitgift's primary concern are no longer in existence). Even when records exist, they are very difficult to interpret.

Another complicating factor is that normal disciplinary activity was a constant thing and had relatively minor fluctuations over the whole of the post-reformation period. One judge might have been more astute or more conscientious than another, but correspondence concerning this has not survived. The most numerous indications now available concerning the administration of church courts are propaganda pieces from either the puritans or the bishops, and these are suspect due to their partisan nature.

That Whitgift was concerned over the reputation of the ecclesiastical court system is apparent in article seventeen of the visitation articles cited above. There would be little necessity of inquiring into whether summoners or archdeacons accepted bribes if nothing was to be done in case of presentation. But detection of offences in the ecclesiastical courts was one thing; their punishment was something wholly different. Much has been written about the Elizabethan Court Christian, and much of what has been written has not been too complimentary.\textsuperscript{130} Recently, however, it has

\textsuperscript{130}Among some of the more critical have been F.D. Price,
been suggested that they were only little less efficient and no more corrupt than most other courts of the time. "It may be assumed that there were always deficiencies in the church court system and its officials, but evidence has yet to be produced that they were more serious than those in contemporary secular courts."131

Whitgift's concern with the church courts was inspired by his concern over secular interference if nothing were done about them, and his decision to clean up the courts was apparently made without prior direct suggestions along official channels from the Privy Council. During the first month of his administration occurred the issuance of a commission for the exercise of ecclesiastical jurisdiction in the vacant see of Bath and Wells to William Jones, D.C.L., dated 22 October, 1583. Appended to this commission were two special instructions. The first was that commutation of penance should be granted only rarely, and then only with the express approval of the bishop with the money collected in lieu of penance being put to use as alms, and the commutation and use of the fine being announced from the pulpit in the


men's parish if his offence were notorious.\textsuperscript{132} It was not until 30 November that the archbishop received an explicit prompting from the Privy Council to look into the courts and court officials.\textsuperscript{133} Still later, the archbishop's administrative orders were given canonical status,\textsuperscript{134} and thus became more authoritative and more easily enforced in the courts.

This was a small beginning for such a great project as the reformation of the whole ecclesiastical court system would prove to be. But that it was made at all displays the archbishop's willingness to face all of his responsibilities, or at least to give tokens that all difficulties would, in time and after due consideration, be handled.

\section{VI}

The archbishop seems to have felt that the most necessary thing was not the immediate reform of the courts, but the immediate establishment of an ecclesiastical tribunal competent to undertake the longer term projects he knew had to be done. There are many reasons for the tenacity of these problems. One of the greatest of these was the inadequate system of correction which was available for a church-

\textsuperscript{132}Reg. I, Whitgift, fols. 332a-333a.
\textsuperscript{133}Ibid., 91a; David Wilkins, Concilia, IV, 304.
\textsuperscript{134}The Canons of 1584 are printed by David Wilkins, Concilia, IV, 315-317; and John Strype, Whitgift, III, 145-150.
man's use. Normal and traditional disciplinary causes could be dealt with fairly adequately (at least among the lower ranks of society) by the regular church courts. But these were not geared to the type of work which was required to control the problems encountered when faced with defendants such as papists and nonconformists, who did not even recognize the jurisdiction of the courts. Nor, in many cases, could they deal with the puritans, for they largely relied on the presentations of the churchwardens in visitation, and these men could themselves be puritanically inclined, or could be over-awed into silence by some influential man who supported the puritan minister. The churchwarden could also be ignorant of church law, except as it was explained to him by the minister. Thus, when Whitgift girded himself with the new definitions of the old law, he also attempted to anticipate problems which he might meet in enforcing them.

Whitgift had been a member of the Ecclesiastical Commission since 1576. He had also been the head of the local commission which had operated in the western counties and Wales since 1579. Consequently, he knew what the potential of the commission was, and that this potential had not as yet been fully realized. In theory, if a broad interpretation were given to the legislation creating it, the Ecclesiastical Commission had as much power as could reasonably be asked for disciplinary purposes of any nature.

The Act of Supremacy, which had "restored" the ancient control of the Church to the Queen, authorized her to grant letters patent to

such person or persons, being natural born subjects... to exercise, use, occupy and execute under your highness your heirs and successors, all manner of jurisdictions, privileges and preeminences in any wise touching or concerning any spiritual or ecclesiastical jurisdiction within these your realms...; and to visit, reform, redress, order, correct and amend all such errors, heresies, schisms, abuses, offences, contempts, and enormities whatsoever, which by any manner spiritual or ecclesiastical power, authority or jurisdiction can or may lawfully be reformed, ordered, redressed, corrected, restrained, or amended...; and that such person or persons so to be named, assigned, authorized and appointed... shall have full power and authority by virtue of this act and of the said letters patents... to exercise, use and execute all the premises according to the tenor and effect of the said letters patents; any matter or cause to the contrary in any wise notwithstanding.\(^{136}\)

In accordance with this act, a new institution had been created by the Queen, the Commission for Causes Ecclesiastical.

Although the records of the London Commission no longer exist, it seems fairly certain that this body had been a court from its very beginning. This is contrary to the view advanced by R.G. Usher in his study of the Commission published in 1913 and commonly accepted by most historians until quite recently. But Usher had no access to many of the sources which have since been uncovered, which date the existence of the court at York as early as February of 1562. By analogy, one may presume that the London commission must have been in existence as a court at least from that date, and probably was similar in structure to that at York, if

\(^{136}\) Elizabeth, c. 1, s. 8.
not even more advanced.137

The first use made of the original commission appears to have been the administration of the Oath of Supremacy,138 which may be part of the reason that there was so little mention of it during its first years of existence. There probably were few complaints against the commission as long as it confined itself to dealing mostly with proven or suspected recusants.

It does not seem to have been until the few years prior to the issuance of the commission of 1572, when the Crown was pressing for stricter enforcement of the laws against puritans as well as papists and the commission was being used as part of the enforcement mechanism, that attention seems to have been directed upon it more often.139 In 1566, Parker and his fellow commissioners exiled several puritan

137At the end of the Introduction to the 1968 reprint of Usher's work on the High Commission, Philip Tyler had presented a two-page listing of the source material unavailable to Usher. The majority of the material listed consists of the Act Books of the York Commission (27 February, 1562, to 28 April, 1641). Also listed are miscellaneous records of seven local commissions which Usher had not found.


139R.G. Usher, The Rise and Fall of the High Commission, gives the forensic evidence which he found regarding the term Court of High Commission. He places the development of the replacement of the plural (Commissioners) with the singular (Commission) as beginning about 1570 (34-41). Usher noted that 1570 "marks the moment when the public became conscious that a change had already taken place" in the procedures used by the Commission (38). But this may just as well denote a change in the uses to which the Commission was being put, or a subtle accretion to its powers, as a change in procedure, as Usher contended.
ministers from London. In 1567, the commissioners dealt with a group of puritans who had met at Plumbers' Hall for a wedding and prayer meeting, and many of these same people were called before the commission again in the following March. Following the Parliament of 1571, several ministers were "interviewed" by the commission and asked to sign a tripartite statement concerning the Thirty-Nine Articles, the Prayer Book, and the surplice. Perhaps it was opposition to these novel uses of the commission which caused a new one to be issued in 1572. The specific inclusion of the power of taking depositions in the new letters patent would suggest that it was the disciplinary activity of the court which was under fire at the time, just as more explicit recognition of the oath ex officio in the patent of 1589 was indicative of recent criticism.

By the time Whitgift took charge of the London branch of the commission, its procedure had already solidified to a great extent, and its usefulness as an instrument of administrative enforcement was becoming more apparent every year.

141 Ibid., 88-89.
142 M.M. Knappen, Tudor Puritanism, 229-230.
143 R.G. Usher, The Rise and Fall of the High Commission, 73.
144 John Strype, Whitgift, II, 130-141; this is a letter from Robert Beale to Lord Burghley, dated 17 March, 1592, complaining of the expanded powers contained in the last commission issued (that of 1589).
As this usefulness increased, however, so did the opposition to the court, and this opposition penetrated even into official circles.

It would seem that in 1593 there was some doubt raised regarding whether the commission should not be allowed to lapse after Grindal's death. Whitgift seemed concerned lest this be allowed to happen. He mentioned this worry in the letter of petition he sent to the queen and Privy Council on 1 November, 1593, requesting the issuance of another commission. In this letter he set forth eleven reasons for the necessity of the commission. Among the most prominent of these were the general inadequacy of most ecclesiastical punishments (such as standing in a white sheet for adultery or incest); the inability of diocesan courts to enforce the law if the offender had fled to another diocese; and that many "disordered persons ... commonly contemn ecclesiastical censure." He forecast that the realm would be overrun with schismatics if the commission were not reissued. In Whitgift's opinion, "The whole ecclesiastical law is but a carcase without a soul if it be not in the wantes supplied by the commission."\(^{145}\)

There must have been a good deal of heart-searching among the Privy Councillors before they could be brought to agree to the reissuance of the letters patent. Many of them had definite puritan leanings and connections, and even Lord Burghley was somewhat sympathetic towards them. It was over

\(^{145}\)Ibid., I, 266-267.
a month after Whitgift's petition was submitted that the commission was agreed upon by the council. It was two months before it was renewed, 7 January, 1584. The final document made few changes from that issued in 1576.146 The most notable alteration was the addition of a clause to allow the commissioners to investigate the statutes regulating "colleges, cathedrals, grammar schools, and other publick foundations."147 This may have been at the suggestion of Whitgift, who had already shown a keen interest in this sort of endeavor when he drew up new statutes for the University of Cambridge in 1570.148

The other change in the commission was one of spirit rather than of wording, and it was the fear of this which had so delayed the council from issuing the new document. Lord Burghley, writing to the archbishop on 5 December to inform him that the new commission had been approved, was careful to note the council's intentions. Whitgift was reminded that the primary purpose of the commission had always been the detection, apprehension, and punishment of recusants


147Daniel Neal, The History of the Puritans, I, 276.

in and around London. If council wished it to remain confined to these duties, they were speedily disillusioned. The hierarchy of the church had already found it too useful for other purposes to so restrict its application. Within a few days of the issuance of the new commission, Whitgift had begun to use it for disciplining the leaders of the puritans, and the puritan leaders carefully noted down in their "register" that Eusebius Pagett was called before the commissioners on 11 January, 1584.

From this point until mid-year the activities of the archbishop and the commission were probably mostly routine ones. One may assume that some puritans continued to be called to account for their behavior, but it is impossible to determine either the number of them or what popular opinion of these hearings was. Even some of those leaders who had not eluded the trap of subscription were cited before the commission, as were John Elliston of Peterborough Diocese and Dudley Fenner of Canterbury Diocese. Perhaps it was felt that the men could be harassed into obedience by making dissent economically unfeasible. John Elliston wrote, in a testimonial for the puritan propaganda, that he had paid seventeen visits to London and Peterborough over his non-subscription and consequent suspension and about the


150 Albert Peel, *Seconde Parte of a Register*, I, 286; this commission was dated 7 January, see note 124 above.

Ecclesiastical Commission's articles. It had cost him £31 before he was finally deprived. It could have cost more, but he had not been assessed court costs.\footnote{152}

In May, however, the commissioners struck upon a device which was to raise a furor. They drew up a set of twenty-four articles which covered most of the points upon which puritans could be found committing breaches of the law. These were administered to suspected puritan leaders after they had been sworn in according to the oath \textit{ex officio}. This oath was one of the most effective, and one of the most hotly contested, devices in the post-reformation legal machinery of the church. If no witnesses could be found to testify to facts which the judge knew to have occurred, the judge could, by reason of his office (\textit{ex officio}), call the man before him and require an oath that the man would answer truthfully to allegations raised against him. In this manner, the man could be made to incriminate himself.\footnote{153}

The articles were designed to ascertain such things as whether the man had valid Anglican orders; whether he used the Book of Common Prayer, and considered it "agreeable, or at least not repugnant to the word of God;" whether he usually wore the surplice for his ministrations and performed the sacraments according to the Anglican ritual; whether he used

\footnote{152}{Ibid., I, 295.}

\footnote{153}{One of the best treatments of the oath is K.H. La-guise, "The attack of the common lawyers on the oath \textit{ex officio}" in \textit{Essays in History and Political Theory in Honor of C.H. McIlwain} (Cambridge, Mass., Harvard University Press, 1936).}
any other form of liturgy than that of the Prayer Book, or altered that form in any way; and whether he had subscribed as he had been required.\textsuperscript{154} As was the case with the subscription articles, anyone who followed the law as it applied to the church could answer the articles truthfully and satisfactorily in good conscience, or at least would probably not be punished for minor breaches if extenuating circumstances were discovered.

\section*{VII}

The Twenty-four Articles seem to have been determined upon when the archbishop despaired of obtaining conformity through the three subscription articles, agitation over which climaxed at about the same time the new set used by the Commission was composed. It was in early May that a delegation of the gentry from Kent visited the archbishop to request the removal of the suspensions which remained in force on about ten ministers in Canterbury. Despite their plea, the archbishop refused. He gave them what appears to have been a reasonable explanation of his position.\textsuperscript{155} It seemed, however, not so reasonable to most of the twenty-five man delegation, all but one of whom appear to have gone away angry.\textsuperscript{156} Privy Council also sought to get the arch-

\begin{itemize}
\item \textsuperscript{154}John Strype, \textit{Whitgift}, I, 303.
\item \textsuperscript{155}Ibid., I, 272-276.
\item \textsuperscript{156}Patrick Collinson, \textit{The Elizabethan Puritan Movement}, 259.
\end{itemize}
bishop to lift some suspensions in Lincoln and Ely, but Whitgift replied to them in much the same vein. He had already been as lenient with them as he possibly could be, and to offer more respite or better terms would only harm matters further, he wrote. 157

Despite his apparent resolution, the archbishop was beginning to weaken under the strain. That some officials feared this is clear on the evidence of a letter he received from John Barfoote, the Archdeacon of Lincoln, his commissary there for the subscription. Writing to certify to Whitgift the names of those still refusing subscription on 1 June, as required, Barfoote informed him of letters which the puritans of Lincoln had received from London, exhorting them to continue to resist. The archbishop also learned that some of them had been in London soliciting aid, and were resolved to go again if there were no slackening of the restrictions. He mentioned that many of those who had subscribed would wish they had not done so if the archbishop now relented, and that the puritans were already referring to them as branded men. 158

Throughout June, the archbishop continued to receive letters in favor of the non-subscribing ministers, and at one time felt that his life was threatened, 159 but the cre-

157 John Strype, Whitgift, I, 303.


scendo had passed. At the end of the month he sent a certificate to the council which stated that of 835 ministers, only 49 had refused subscription. 160 It is implied by one leading scholar that there were many more, as the "Puritan strongholds of East Anglia, Essex, Northamptonshire, Warwickshire and London" were not included in the return. But he also notes that soon after this, the archbishop offered "various forms of accommodation" which most of the ministers could subscribe without fear (as had the Chichester ministers in December). His conclusion is that the number of permanent suspensions for non-subscription is pretty accurately reflected in the ten of whom the puritans had taken note for their propaganda. 161

This change of administrative policy was the result of agreements which Whitgift had made with Walsingham and Burghley. This "deal" solved many of his immediate problems with the political branch of the government. He was to stop pressing for immediate general conformity through subscription, and they were to support him against the most offensive lawbreakers. 162 But in giving over his scheme of general subscription in favor of the *ex officio* procedure which was slated as its replacement, Whitgift was merely opening another hornets' nest. No sooner had the commission begun to use

160 Ibid., I, 307; III, 101-103.


162 Ibid., 264.
this procedure for discovery of troublesome ministers than
appeal was made to friends in high positions for aid against
the commission.

Among those who were persuaded to take their part was
Lord Burghley, whose aid Whitgift could ill afford to lose.
Burghley was drawn into the affair primarily at the insti­
gation of two Cambridgeshire ministers who had sought and
obtained the use of his influence. He had recommended them
for favor to Whitgift, but the archbishop had proceeded
against them through the commission and its articles. Lord
Burghley called for and examined the articles which they
were to answer. He found them

so curiously penned, so ful of branches and circum­
stances that I think the Inquisitors of Spain use
not so many questions to comprehend and to trap their
preyes.

I know your Canonists can defend these with all
their perticels, but sureley under your Grace's cor­
reccion this judicial and canonical sifting ... is
not to edify and reform.... According to my simple
judgement, this kind of proceeding is too much sa­
vouring of the Romish inquisition: and is rather a
device to seek for offenders, than to reform any.
This is not the charitable instruction I thought was
intended.

He concluded that "tho' omnia licent, yet omnia non expe­
ient," and promised to wait upon Whitgift's answer.163

He had not long to wait. He had written on 1 July, and
by 3 July the archbishop's answer was completed. Whitgift
claimed to be acting on Burghley's advice in proceeding in
this manner, since he had promised not to disturb any for
simple refusal to subscribe but only for breach of order.

The archbishop pointed out that the "Romish" articles noted by the Treasurer were "the ordinairie course in other courts likewise: as in Star Chamber, the Court of the Marches, and other places," and they were probably more charitable than most sets of articles used in the secular civil law courts, as the commissioners were only examining into the public actions of these men, not their private thoughts. The archbishop tendered the articles "that I may trulie understand, whether they are such maner of men, or no, as they pretend to be: especiallie seeing by publike fame, they are noted of the contrarie. ..." He had only dealt with those who showed manifest contempt of the law, and even then only after conference had been had with him. Whitgift protested that he was bound by both duty and conscience to do what he had done, and asked Burghley not to forsake him in the cause.164

A second defense, written twelve days later, went over much the same ground, but also shows that the puritans had fallen to slanderous accusations against the prelate. He denied that he took this course only to stifle opposition to the book he had written against Thomas Cartwright during the Admonition Controversy. He disdained to deny that he had become a papist or to answer other "such notorious untruthes" which had been spread about him. Even if the Treasurer deserted him, he would remain steadfast in his duty to the queen and administer his province according to the
laws established. With this letter, two papers were sent to the Lord Treasurer in defense of the Articles, which dealt with both the legal precedents and practical necessities of the use of the oath.

These letters seem to have quieted matters with Burghley. The more puritanical members of the Court, such as the Earl of Leicester, Sir Francis Knolly, and Robert Beale still seethed with indignation at the treatment their puritan friends had received from the archbishop. Yet, if Burghley's support could be had, the archbishop could consider himself to be fairly well settled in his office.

There were still moments when the Council tried to intervene, as it did on 20 September, 1584, in the defense of ministers in Essex who remained suspended, but Whitgift's answer, written 27 September, is far cooler than were his hurried replies to Lord Burghley in July. This seems to mark the closing of a phase of Whitgift's administration.

Parliament was about to meet, and the archbishop diplomatically slackened up. He did not resume the same tactics on the same scale after Parliament had dispersed. Although never entirely giving over the thoughts of disciplined clergy, he came to realize that popular opinion and its effects on the courtiers were more important than he first had thought.

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165 Ibid., III, 112-115.
166 Ibid., I, 318-321; 321-322.
167 Ibid., I, 328-330.
168 Ibid., I, 331-333.
He learned many lessons about the place of the church in the English state during his first year in office, and applied them well, but also in such a manner as to maintain the independence which was necessary.

Whitgift had attempted to deal with major problems through the normal channels of ecclesiastical administration, through the special archiepiscopal articles of November and through normal visitational procedure. Both of these methods had been found to be wanting, as he seems to have known they would from the beginning. His use of the Ecclesiastical Commission for disciplinary purposes may be viewed as the last stage in his process of getting settled. It appears to have been almost a last-ditch effort to force the church from conciliar interference. When it failed, the archbishop's tactics changed. He seems to have stopped trying to make the church into a separate-but-equal organization under the queen, but rather to have begun to think of infiltrating the mechanisms of state with people he could rely upon; of building a "party" of his own to counterbalance that which the puritans had acquired. At the same time, he began trying to further the reform of the confoming clergy and normal administrative machinery so that the puritan grounds for propagandistic complaint would be weakened.
Chapter II

Visitations

The almost general opposition from the secular arm of the government described previously was an important factor in the archbishop's formulation of policies only during the period when he was getting settled in his new position. Throughout his archiepiscopate he would continue to have difficulties with individual councillors or important men, and he would be faced, each time parliament met, with temporary conflicts and the necessity of defending his policies and church procedure. But the forces against him would never again be able to muster the strength they had possessed during these first two years. Consequently, he was able to devote time to some on-going experiments within the ancient framework of inherited method. One of these attempts at improvement was with the visitational process.

In any field of administration, one of the principal prerequisites of success is the collection and evaluation of information. In sixteenth century ecclesiastical administration there were many ways of obtaining this, especially on the archiepiscopal level. A primate could, and did, circularize his suffragans with requests for certification on any matter. With his headquarters in London, he was able to find out much of importance by merely listening to rumors.
and court conversation. He also received private complaints which could give some indication of the state of the church in a particular place or under the control of a particular cleric. But one of the most institutionalized methods of obtaining knowledge of his churches was the process of visitation. This process, since its inception in the early middle ages, had been in the nature of an inquest, although for many visitors the fact that visitation was also a fairly profitable judicial instrument was probably more of an inducement.

It is generally agreed that visitation in the 16th century was a slow and cumbersome affair, which was probably its biggest drawback from an administrative point of view. During Whitgift's archiepiscopate, he engaged in several experiments with the institution through which he sought to modernize and streamline visitation to meet the needs of his church. These experiments were made primarily in three areas; with the visitation articles, the visitation commissions, and the personnel appointed for visitations. This chapter will examine these experiments in some detail and determine how the cautious, apparently well-considered reforms and innovations were designed to facilitate the visitorial process on which all bishops relied so much both for information and for the reformations of abuses.
The dual nature of visitation (inquisitorial and judicial) made it desirable that the questions asked by the visitors explore completely the areas over which concern was felt. If the correct questions were not asked, the presentments would not bring the required information to light. Sixteenth century churchmen seem to have insured that the right questions had been asked simply by asking a great multitude of them on the assumption that all necessary ground would thus be covered. However, there seems to have been little discrimination made by the framers of the visitation articles between larger and smaller issues. Consequently, visitation articles tended to be wordy documents, with many confusing questions, the complexity of which seems to have increased as time passed.

From the beginning of his term in office, Whitgift seems to have felt that archiepiscopal visitation had been far too complex in the past to be very useful for overall provincial administration, and that much of this complexity was due to the number and length of the visitation articles. Grindal had issued only one set of visitation articles before his sequestration. This contained sixty-three separate items.169 Sorting out the matters needing archiepiscopal attention

from the mass of detecta these would have produced would cer-

tainly have been a formidable task, as well as a very time-

consuming one. It was apparently as part of an attempt to

remedy the inconveniences caused by this cumbersome and la-

borious slowness that the archbishop made a drastic reduction

in the number of articles, sending out a mere seventeen in

1583.170

It may be argued that such extensive curtailment, cou-

pled with the fact that almost all of Whitgift's visitations

were performed by commissioners rather than in person, seems

to suggest a lack of interest in the process and the results

of visitation on the archbishop's part. However, when one

considers that not one, but several sets of articles, show-

ing a definite progression of style, have survived from visi-

tations made at Whitgift's command, it could just as well be

hypothecated that the archbishop was involved in an experi-

ment with the process of visitation. Rather than being in-

different towards visitations, he may have been trying to

improve that ancient ecclesiastical device so that the in-

quiries would be more speedily accomplished and the results,

although possibly more restricted in scope, would be more

fruitful as a source of information regarding the state of

his church. He used two methods to accomplish this, stan-

dardizing the articles to permit the commissioners and church-

wardens to become more familiar with the things to watch for,

170 Reg. I, Whitgift, fol. 335b; printed in W.P.M. Ken-

nedy, Elizabethan Episcopal Administration, III, 153-158.
and eliminating many of the minute inquiries into particular offences and practices which had, to a great extent, been responsible for the length of previous sets of articles.

Comparison of the various sets of articles Whitgift issued reveals the existence of two rather distinct phases within this part of the archbishop's administrative policy. These both reflect the primate's continuing concerns and his long-term goals for the church with which he had been entrusted by the queen. The first phase is mirrored in two sets of closely related articles issued for the metropolitical visitation of Bath and Wells in 1583 with seventeen separate articles,¹⁷¹ and one with fifteen used for a sede vacante visitation of Chichester apparently held in 1585.¹⁷² The second phase was heralded by the set of twenty-two articles used in the visitation of Canterbury and Rochester in 1589.¹⁷³ This set formed the basis of all subsequent sets of visitation articles used by Whitgift for the last fifteen years of his archiepiscopate.

In this curtailed number of articles, Whitgift tried to

¹⁷¹Reg. I, Whitgift, fol. 335b. See Appendix II of this paper.

¹⁷²Ibid., fol. 116b; printed in W.P.M. Kennedy, Elizabethan Episcopal Administration, III, 182-185. This set may actually have been used in 1583 but was mis-dated when it was entered in the Register. There is no separate visitation commission dated in 1585, and an annotation on the one used in 1583 states that the articles used there were entered among the records of Diverse Commissions, as was this set (Reg. I, Whitgift, fol. 350b.).

¹⁷³Ibid., I, fol. 254a. See Appendix III of this paper.
set guidelines for the churchwardens to follow which were more general than those of the past. He may have felt that after a full generation of protestantism there was no longer the necessity for such minute instruction as there had been previously, or possibly that the presentments garnered from the more specific questions tended to answer only the particular inquiry made, and that many things were thus overlooked.

This attempt at simplification was a deliberate policy, not a display of ineptitude or lack of concern. As Bishop of Worcester in 1577, Whitgift had used a set of articles containing forty-two separate items,\textsuperscript{174} and a set of thirty-four was utilized in a visitation which he made in the Deanery of Shoreham in 1597.\textsuperscript{175} These two local sets indicate that the new prelate recognized the need for somewhat more detailed investigations on the more local levels of ecclesiastical jurisdiction, but realized the impracticality of trying to remedy all of the ills of the church through mere archiepiscopal power. The local officials had to be trusted to carry on more of the administration; certainly the archbishop could not reasonably expect to shoulder all of the burden. Consequently, the visitation articles were geared to deal with what he considered to be perennial problems of a more general nature, more urgent or difficult needs being

\textsuperscript{174} \textit{W., P. M. Kennedy, Elizabethan Episcopal Administration, II, 53-61.}
\textsuperscript{175} \textit{Ibid., III, 285-294.}
cared for by the regular episcopal courts which could maintain more direct and constant supervision, or by the Ecclesiastical Commission, which possessed more abundant power.

The visitation articles sent out to Chichester in 1585 probably represent the culmination of the first phase in the process of simplification. These articles are very similar to those which had been used in 1583, except that they show many signs of refinement over the earlier set.\textsuperscript{176} In many instances only the order in which an item appeared in the inquiries had been altered, or two articles of closely related nature had been combined. In 1585, Whitgift issued only fifteen articles, instead of the seventeen which had been sent out two years before. Eight of the new articles were primarily concerned with the behavior and credentials of the ministers and teachers within the parishes. Did the minister use the Prayer Book and surplice as the law and the Injunctions required, or had he ever spoken against them? Was the minister a preacher, or did he have someone else preach the required sermons in his parish? Was the man who did preach a licensed minister, and did he also administer the sacraments and catechize the youth of the town? Were the teachers of the town — both public and private — licensed by the ordinary of the place, and did they teach the "true religion now established" as part of their curriculum? Did the minister behave himself properly, and, as was speci-

\textsuperscript{176}Reg. I, Whitgift, fol. 116b: for an analysis of the set sent out in 1583, see Chapter I, pp. 52-53, and note 127, p. 52.
In the visitation articles, privately exercise himself in godly prayer and study and with other convenient exercises for his vocation; [or] doth he keep any suspected women in his house; resort to any infamous houses; use any light disposed company; is he a swearer, gamester, common hunter or hawker; unseemly in apparel; or giveth any wise just cause of offence, or evil example of life; is he probably suspected to have attained any spiritual living through any simoniacal compact made by himself or any other for him, either directly or indirectly; is he a common ressorter to tavern or alehouses; or doth [he] suffer any wine, ale, beer or victual to be sold in his parsonage or vicarage house or no?

With approximately half of the visitation questions devoted to it, and with most of them of as searching a nature as the above mentioned, the condition of the ministry was obviously the archbishop's primary matter of concern. But his interests did not stop here. Whitgift also inquired about the proper functioning of almshouses and hospitals, and of other funds for charitable purposes. He sought to ascertain whether the churchwardens were levying the fines for non-attendance and disturbance of services, and whether they were truly presenting all recusants living within their parishes. Interest was also shown in the general morality of the laity, and more particularly in the observance of the canons regarding marriage and the probate of wills.

These articles were, indeed, fewer in number than were those used by his predecessor, which seems to have been one of his primary goals in instituting the change. But the first phase may still have been a little disappointing in its results, for, as is seen in the extended quotation above, the questions still inquired into many particulars and cited
many instances of possible dereliction which should have been apparent or elementary. The proper formula for the brevity the archbishop required was, in 1585, yet to be discovered.

One question asked in the visitation articles of 1585 seems to indicate the direction in which the primate sought to travel. It is, as it were, a harbinger of things to come. Whitgift ended the list of fifteen inquiries with a blanket request for the churchwardens to,

by the oath you have taken, make diligent inquisition and truly present in writing not only the names and surnames of all who have offended, are suspected, or are touched in any of these articles; but also who have offended or are suspected to have offended against any part of the Queen's Injunction, or any ecclesiastical law of the realm.

The results obtained from this request may have been somewhat gratifying, for the archbishop used it in all of the sets of visitation articles from that time forward for which record remains.

There was only one basic set of articles used after 1589 for all of the metropolitical or sede vacante visitations archbishop Whitgift made. In this set, all of the individual articles were simpler in construction and clearer in meaning than those of the earlier visitations of 1583 and 1585. The two early sets had contained many clauses within the individual questions, relating to a large number of specific instances within each of the questions. This gave the document a cluttered effect. The many clauses meant
that, like those sets of articles used before his time, it was likely to result in the presentation of only those things specifically mentioned. In contrast, the documents used after 1589 seem very streamlined, mentioning only an instance or two, and leaving the rest to the discretion or imagination of the churchwardens or visitors. They presuppose that those involved with the visitation either know, or have access to sources in which they can find out, many of the particular requirements about which presentments were required.

The second type of article construction was used in at least eleven dioceses between 1589 and 1601. First used in the visitation of Canterbury and Rochester in 1589,\footnote{177 Ibid., I, fol. 254a. W.P.M. Kennedy is in error when he attributes the first use of these articles to the visitation of Salisbury in 1589 (Elizabethan Episcopal Administration, III, 247). The visitation of Salisbury to which he refers took place in 1591, with the inhibitions of lesser jurisdictions being issued in January (Reg. I, Whit-gift, fol. 399b, ff.). See Appendix III of this paper.} there is definite evidence that this same set of questions was also used twice at Salisbury (1591 and 1598):\footnote{178 Ibid., II, fol. 400a; III, fol. 173b.} three times at Ely (1590, 1596, and 1599):\footnote{179 Ibid., I, fols. 168a, 173a; III, fol. 162a.} at Llandaff (1590):\footnote{180 Ibid., I, fol. 422b.} at Worcester (1591):\footnote{181 Ibid., I, fol. 307a.} at Exeter (1594 and 1599):\footnote{182 Ibid., II, fol. 235a; III, fol. 202a. W.P.M. Kennedy has dated these articles as 1593 (Elizabethan Episcopal Administration, III, 272), but the commission for the visitation for which these articles were entered in the Register is dated 26 April, 1594.} and at
There were only three other diocesan visitations recorded in the archbishop's Register within this period, and one may presume that the same articles were used in these as well.

In this set of articles, there seems to be some reversion to the old pattern. Whitgift used twenty-two questions to search into much the same area of ecclesiastical life which had concerned him before. As the archiepiscopate progressed, a few more additions were deemed necessary, but even at the end of his tenure, the articles numbered only twenty-seven. Few of these articles overlap in their subject matter, as had several of those used in the earlier visitations made in 1583 and 1585. Throughout this time, the archbishop's principal concern remained the same. Nine of the articles issued in 1589 dealt with the minister, his credentials, and his behavior. These inquired of the man's education, ability, morality, and diligence in performing his duties, and also about various aspects of his conformity and loyalty. Three articles requested information regarding attendance at church, the strength of Romanism, and receivers of priests or others who sought to reconcile people to Rome. General public morality was not forgotten, with one article


184 In 1583, for instance, three separate articles made inquiries about general clerical morality (W.P.M. Kennedy, Elizabethan Episcopal Administration, III, 155-156). In 1585 these had been consolidated into one long article (Ibid., III, 183). In the articles issued in 1589, this article asks only if the minister is "incontinent" or has "any other kind of lewdness" (Ibid., III, 243).
inquiring into swearing, blasphemy, incest and sorcery, and another dealing with bigamy. Two articles dealt with excommunicates within the parishes and with the general performance of penances by the parishioners. As in both 1583 and 1585, the archbishop showed concern with the state of hospitals and almshouses, but this set also included an inquiry into whether the church itself was in a state of disrepair, and whether all implements necessary for services had been obtained.

Admittedly, these articles could have been much fuller. But even if a matter had been omitted from the explicit statements of the articles, it may still have been presented. Anything which may have been missed in the questions was covered by the last article, which required presentment of all wrongs and offences not specifically inquired of before.\footnote{Ibid., III, 247-249 for the articles as they were first issued; III, 284 for article 23, issued in 1597.}

There are several areas of inquiry which were found in the 1583 and 1585 lists which would now fall into this category. Perhaps the most striking of these is the omission of any mention of the bribery or corruption of the lower church officials. After 1589, what mention there was of local administration took only the churchwardens into account.\footnote{Ibid., III, 157; 185.} Even the somewhat expanded articles used in local visitations (of which the set used in the Deanery of Shoreham in 1597 seems to be the only surviving set) make no mention of suspected
bribery. The only inquiries about local administration made by the archbishop after 1589 ask whether parish accounts had been properly kept, or whether the churchwardens had in any way defrauded the parishes of their incomes. To this was later added another, based on the Canons of 1597, regarding whether the churchwardens were keeping the registry of christenings, marriages, and burials which those Canons required.

Perhaps this is the first indication of a phenomenon which R.G. Usher dates during the archiepiscopate of Richard Bancroft, wherein the churchwardens finally become recognized as the root of many of the disciplinary and material problems of the church.

Whitgift was apparently very satisfied with results obtained from visitations made with these questions, for, as has been mentioned before, there were few substantive changes made in them. His experiment, however, did not long survive his death. His successor, Archbishop Bancroft, returned to the older method of using numerous and detailed articles in his visitations. In fact, the articles used in Bancroft's metropolitical visitation were seventy-six in number.

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187 Ibid., III, 285-294. The editor notes that this was a printed form, with blanks in it to contain the place and date of visitation. It would appear that the list used in the provincial visitations was extracted from this local list, as the questions asked in the larger visitations are very similar to many of those asked here.

188 Ibid., III, 248 (article 11) and 284 (article 23).

189 R.G. Usher, The Reconstruction of the English Church, II, 23 and 25.

Rarely before had this number been even approximated. Bishop Aylmer of London had used seventy-five articles in his visitation of London in 1586; 191 Bancroft himself had visited London in 1601 and 1604 with seventy; 192 and Bishop Thomas Bickley had used eighty articles in a visitation of Chichester in 1586. 193 But the previous longer sets had been for diocesan visitation, where even Whitgift had made more specific inquiries than he did for his metropolitical or sede vacante visits. One explanation of the vast expansion in number may be that Bancroft's visitation was carried out after the passage of the Canons of 1604, and he felt that he had to ensure the enforcement of these new regulations. Bancroft also had the advantage of being more secure in the knowledge of royal support than Whitgift had been. Although Queen Elizabeth had insisted upon a national church and had given Whitgift much needed aid in circumventing parliamentary attempts to institute changes, she was also willing to allow far more local variation to exist, so long as it did not affect her personal powers and there was no blatant disloyalty. King James, on the other hand, was more willing to support the bishops in disciplinary matters. He also possessed a more rigid requirement of conformity within the protestant


church than his predecessor did, and generally placed more reliance upon the aid of the ecclesiastical branch of government than his more secularly minded cousin had done.

Even if Whitgift had lived in the changed circumstances after 1604, it is unlikely that he would have made many radical changes in his visitation articles. Very few additions had been made to the basic set of questions during the years they were in use, and none of these was of a nature to change the basic tenor of the document. The first addition to the articles, other than just a few words added for clarity, was made in 1598 and administered at both Salisbury\(^{194}\) and Exeter.\(^{195}\) Two articles were added at this time to the basic set of twenty-two. The first asked whether the churchwardens were keeping the parchment register of christenings, marriages, and burials "according to the late canons made in that behalf." The other asked whether anyone had "been married in your parish since the first of June, 1598, not being publicly asked three several Sundays or Holidays."\(^{196}\) The source for this latter inquiry is unknown, unless it is also based on the 1598 Canons which regulated marriages along these lines.

But the Canons of 1598 also stipulate the proper method of licensing by the ordinary of the place — of which this ques-

\(^{194}\)Reg. III, Whitgift, fol. 193a.

\(^{195}\)Ibid., III, fol. 202b.

\(^{196}\)Ibid., III, fol. 193a.
tion takes no note. This latter inquiry was omitted at the next visitation, held at Ely in 1599, but this was probably an error, as it was restored for the archbishop's last recorded visitation, held at St. Asaph in 1601.

The St. Asaph articles were the longest set issued by Whitgift for a sede vacante visitation. Six of the twenty-seven articles were additions to the original list of twenty-two (one of the original set was deleted). Almost every article had undergone some verbal change consisting of modifications which made evasion and misinterpretation less possible. Yet each of the original articles still contained nearly every word of the original model. Two of the additional articles were those added for Salisbury and Exeter in 1598. The other four dealt with auxiliary chapels and with the quality and frequency of services held at them; the location of the pulpit and audibility of sermons and services at the churches; whether a curate was employed by the person or vicar, and, if so, what his qualifications were; and whether the minister of the parish was overly familiar with any recusants, "whereby his ministry is suspected to be insincere."199

If the various sets of visitation articles may indeed

197See the Canon entitled "De moderandis indulgentiis pro celebratione matrimonii absque tria bannorum denunciatione," David Wilkins, Concilia, iv, 353-354.
199Ibid., III, fol. 217b. See Appendix IV.
be viewed as indicative of what Whitgift felt most needed
correction or investigation at any particular time, there
was certainly both great stability and considerable fluid­
ity within his conception of the church's needs. All of the
sets of articles, in both phases of his administrative ap­
proach to them, were primarily concerned with the behavior
of the ministers and with their performance as loyal sub­
jects of the queen. The fluidity of the various administra­
tive phases is seen, however, in the difference between what
appeared as second and third among his priorities.

In 1583, there were nineteen articles in all, only sev­
enteen of which appear to have been originally intended to
have been sent out. Eleven of these dealt with the behavior,
sufficiency, conformity, and loyalty of the clergy. Another
four were principally directed towards the detection of Cath­
olic recusants. (One of the articles which was a later addi­
tion was in each of the above groups.) Two of the articles
concerned themselves with the laity, asking about the "church­
ing" of unwed mothers and about the incidence of bigamy with­
in the parish. The remaining two were devoted to whether the
parish teacher had a licence and whether the hospitals were
functioning properly.200

The other set of articles issued within this first phase
displays many of the same characteristics as its predecessor.
In most respects, the new articles were merely a refinement
of the old. Six of the fifteen articles issued in 1585 dealt

200Ibid., I, fol. 335a. See Appendix II.
with the ministers and three with recusant detection. Teaching without licence, bigamy, churching of unwed mothers, and bribery of ecclesiastical officials made up the rest of the list, along with a newly devised general inquiry for presentment of all offences not mentioned specifically. It is true that in absolute numbers the ministry would seem to have been of less concern in this second set, as fewer articles (proportionately and actually) were devoted to it; but the six articles on the ministry include several which were incorporations of two of the earlier ones, and the request for a blanket presentment would, presumably, cover the rest.

In the second phase of article construction, one notes a slight change of emphasis. Clerical duties and morality still constitute the leading item on the list of priorities, comprising eight of the items on the list. Lay offences, however, have now replaced recusancy as the archbishop's second most frequent concern — despite the fact that the first time they were used was in 1589, one year after the Armada. Five articles now requested information about offences by laymen, whereas only three were solely designed for information about known or suspected recusants. There were now, also, four articles dealing with diverse aspects of the physical conditions and furnishings of parish churches and almshouses. The licencing of teachers and the blanket presentment request rounded out the twenty-two articles about which

201 Ibid., I, fol. 116a.
information was requested.\textsuperscript{202} The various additions to the articles at the end of the period, from 1598 on, made little difference in the overall complexion of the archbishop's list of priorities. Of the two added in 1598, one dealt with the churchwardens and another primarily with the laity.\textsuperscript{203}

Even with four more new articles in 1601, the established pattern did not change much. These inquire further into the behavior of parsons and vicars, and extend the inquiries about the ministry specifically to include curates as well; and they broaden the inquiry into the physical conditions of the churches to include those of the auxiliary chapels annexed to them.\textsuperscript{204}

In his articles of visitation, then, Whitgift was primarily interested in establishing a loyal, conformable, and preaching ministry (apparently in that order). His secondary worries varied in scope and dimension as his archiepiscopate went on. In all of the sets of visitation articles, three of the questions were devoted to the detection of Roman Catholic recusants and clergy, a fair indication of the continuing nature of the problem and also of his desire to be informed about it. After 1539, this was the only aspect of Whitgift's main interests, as expressed in the articles, which remained the same in number. The categories regarding the Anglican ministry, the laymen, and the physical condi-

\textsuperscript{202}\textit{Ibid.}, III, fol. 193a. See also Appendix III.

\textsuperscript{203}\textit{Ibid.}, III, fol. 193a.

\textsuperscript{204}\textit{Ibid.}, III, fol. 217b. See Appendix IV.
A full diocesan visitation would entail the visitation of the cathedral as well as the parishes, and each of the agendas which remain for visitations made by metropolitical authority indicate that a day was spent at the cathedral church either by the whole visitation commission or by a part thereof. Each of these cathedral church visitations probably made use of a set of articles different from that used for the diocese as a whole, as the problems encountered at the cathedrals would necessarily be different from those of the parishes. It is, however, impossible to tell whether these articles display the same type of two-phase development which appears in the diocesan articles. Only one set of cathedral articles has survived; that used in the last recorded visitation of Whitgift's archiepiscopacy, held at St. Asaph in 1601. It would appear, however, that the cathedral articles may not have undergone very much change during the period, for several of the articles used at St. Asaph are identical to those used by Whitgift when he visi-

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205 Agendas remain for the visitations held at Hereford, 1584 (Ibid., I, fol. 214a); Canterbury and Rochester, 1589 (Ibid., I, fol. 248a); Ely, 1584 (Ibid., fol. 311a); Chichester, 1584 (Ibid., fol. 349a); Salisbury, 1591 (Ibid., fol. 406a); Bath and Wells, 1591 (Ibid., fol. 429b); and St. Asaph in 1601 (Ibid., III, fol. 217a).

206 Ibid., III, fol. 217a. See Appendix V.
Worcester Cathedral as its bishop in 1577.\textsuperscript{207}

The fifteen inquiries used at St. Asaph Cathedral indicate that the archbishop's priorities in regard to his cathedrals were not very different from those which he followed in the dioceses as a whole. Twelve of the articles are in some manner related to the behavior and diligence of the members of the chapter, the officers, and the choir. The three others ask about the keeping of the cathedral muniments and the repair of the Cathedral itself.\textsuperscript{208}

The archbishop, then, was consciously engaged in an experiment in administrative reform concerning the process of visitation. Not wishing to require more of the system than it was capable of producing, Whitgift evolved a set of short, concise visitation articles which were designed to answer only those questions which he felt should be his prime concern. His goal for visitation was a practical one. He sought merely to keep abreast of the general trends and, hopefully, the improvements which were taking place within his church. If something were seriously amiss and was presented during the visitation, his commissioners would know how to handle the situation. But he would not tie them up in an unnecessary witch-hunt by issuing articles of an inordinate number or complexity. Conservation of time and


\textsuperscript{208} Reg. III, Whitgift, fol. 217a.
energy, he seems to have felt, could be best accomplished by inquiring only into general matters, rather than trying to reform all of the errors and abuses in the church through the visitatorial powers of his metropolitical office alone.

At least one false start was made before a formula was discovered which was sufficient for his needs. This, however, is understandable, since he was the first of the post-Reformation archbishops to attempt this sort of thing. He was also, indeed, the only one who managed to combine a loose visitatorial wording with a rather tight system of administrative control. This phenomenon suggests that Whitgift could be satisfied with a type of uniformity far less rigid than one would be led to expect from the treatment he has received from historians whose inclinations lean towards his opponents. His preference for conformity displays the early humanist preoccupation with conformity within broad limitations as opposed to the attitude of the second and third generations of reformers who, under James I, rejected Whitgift's and Elizabeth's policy and set about enforcing the new ideas and practices of the Jacobean church with more rigorous consistency.

II

The cautious experimentation which Whitgift undertook is reflected not only in the visitation articles, but also in the commissions which were issued to the men who were to administer these questions in the visitations. Most of Whit-
gift's visitations were performed by other men, delegated specifically for that particular task. Consequently, there are many visitation commissions entered among the documents in the archiepiscopal Register. Throughout the twenty-one years of his archiepiscopate, Whitgift made few changes in the phraseology of these commissions. There were certain powers, evidently, which every commissioner had to have. There were also certain restrictions placed upon the visitors which he also felt to be elementary. These constitute the bulk of all of the documents empowering the visitors.\footnote{The basic text from which the following observations were drawn was established by closely scrutinizing the commissions issued for Bangor in 1583 (Reg. I, Whitgift, fol. 207a), Bath and Wells in 1587 (Ibid., I, fol. 242a), and Exeter in 1594 (Ibid., II, fol. 234b). The places in which all three texts are identical were noted down and are considered to be the basic document. These were checked against the other commissions and found to be contained in all of them, although with a few miniscule changes of phraseology and abbreviation from time to time which did not affect the sense of the passage.} Other clauses in the texts are of more ephemeral nature, reflecting either the particular needs of the time or novel restrictions which the primate felt compelled to set forth to ensure better administration of the visitors' duties.

Certain patterns emerge from the study of the visitation commissions in sequence. As in the articles of visitation, these patterns reflect various phases in the development of administrative procedure. There were very few changes made in the commissions. Among these changes, particular clauses appeared in the documents at a given time, and were discarded as the need for them waned. They were replaced by
slightly differing ones, geared towards increased efficiency and honesty, or as opposition from extra-ecclesiastical sources made it seem expedient.

The parts of the commissions which underwent the least amount of change over the years were those which empowered the commissioners to act. Only once was an extra enabling clause added to the basic ones which were first issued, and this addition was withdrawn after only two years of use. In a similar vein, among the restrictive clauses four seem to have been standard, and were issued for every new commission sent out. In describing the commissions, therefore, notation will first be made of the permanent clauses, both enabling and restrictive, and then of the progression of additions and alterations which were made in the basic clauses of the document.

The enabling clauses of the commissions reflect the twofold nature of visitation as an institution. Both the inquisitorial and judicial manifestations of visitation are fully expressed in its phrases. Enumeration of the powers of the commissioners always begins with the general instruction that the commissioners are "to visit both in head and in members the cathedral church and city and diocese" to which they are assigned. Their primary responsibility was to investigate the lives, morality, and behavior of both the clergy and laity, dealing with charges of moral laxity and correcting all faults discovered. In a more judicial vein, testamentary causes and the administration of the goods of those dying intestate were also entrusted to them, as was

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the admitting and auditing of the accounts of all administrations for wills properly probated in that jurisdiction, before the visitation. All instance causes were also within their purview — those cases, that is, between party and party which were triable at ecclesiastical law. All of these powers were of great importance if ecclesiastical administration and jurisdiction were not to suffer during the duration of the commission, as all inferior jurisdictions (those of the Dean, Chapter, Archdeacon, and so forth) were inhibited during the metropolitical visitation. The commissioners were empowered to issue this inhibition, and also to enforce it against all encroachment whatsoever through application of ecclesiastical censures against the offenders. On yet another level, the financial one, the commissioners were also to collect all fees (procurations and synodals) payable to the archbishop which arose out of his visitation rights. In short, it was to be a full visitation, just as though the archbishop had made it in person. In the visitation, the commissioners were "to do, exercise, and expedite all and every other thing which in the aforementioned matters, or about them, are necessary or in any other manner convenient." All the archbishop, of course, had the right to dispense with this inhibition if the need arose for it. Specific instances of the grant of special licence to hold normal court sessions while a metropolitical visitation was in progress are found for the visitations held at Canterbury in 1589, made by the archbishop in person (Reg. I, Witsgift, fol. 249a), and that made at Norwich in 1584 (Ibid., I, 236a). In each case, special instruction was given that the judge was not to deal with any cause which was before the visitation commissioners, or was in any way connected with such a case.
of these things could be done either by the men specifically named in the commission, or in good Elizabethan tradition, by their substitutes; and one of the last clauses of the enabling part of the commissions made it clear that the substitutes were to have exactly the same extent of power within the specific areas of jurisdiction delegated to them by the primary commissioners that the archbishop had given to the men named in the document.

Whether the men performed their commission in person or by delegate, the primate placed a number of restrictions upon their exercise of the committed powers. Four of these were standard, appearing in every visitation commission issued. Of these, three were designed to insure that the archbishop would be reasonably certain of a full account of the commissioners' activities during the visitation. There was always instruction given that the commissioners were to utilize the services of the archbishop's Principal Registrar or his deputy as the scribe of their acts. In this manner, Whitgift could be relatively certain of the competence and character of the scribe who was his main source of information for the visitation. A second restriction of this same nature was that the commissioners were to send a sealed certificate of the acts they performed and the fees they collected to the archbishop, or to his Vicar General in Spirituals. This gave the archbishop another method of checking on the commissioners, for he could compare their attested record with that of the scribe of their acts and call question upon any discrepancy between them. These restrictions
were geared towards providing the archbishop with a way of checking the honesty and efficiency of his representatives. Yet a third sought to insure that the primate got all of the information he wanted. Each commission was ordered to use the set of visitation articles which was attached to the commission, "and that everything which they concern should be inviolably observed, and diligent inquiry made into every one of them, and of them singly." If obeyed, this injunction would assure that the archbishop's comprehensive visitation articles would faithfully be put into execution at each visitation.

There was one more permanent restriction which the primate insisted upon, and this was of a totally different tenor than the others. It was designed to quell, as far as possible, one of the more frequently raised complaints that ecclesiastical justice was administered primarily for the financial benefit of the judges rather than for the correction of the offenders. Whitgift insisted that in his visitations the judges grant commutation only in the manner prescribed in a circular which was sent with the commission as a separate document. In this auxiliary document, penances were to be commuted to pecuniary mulcts only in rare instances and for very grave causes; and then only with the consent of the ordinary (in this case the archbishop). Money thus collected was to be put only to pious uses, especially to relieving the poor, and if the fault were notorious, the commutation and the use to which the money was put were to be announced
from the pulpit of the man's church by his minister.211 This was a reasonable restriction which would eliminate much of the abuse of commutation, yet not negate the possibility of its use in case the circumstances warranted it. On a wider scale, full application of this order would bring the grant of such commutations into the hands of the episcopacy, with whom the archbishop had much more contact than he had with the lesser ecclesiastical judges and their officials, who had been granted, had prescripted, or had usurped this right in the past.

These, then, were the permanent aspects of the various visitation commissions. However, many of the documents also contained certain other clauses suited for the special circumstances of the time or place of visitation. This may be illustrated even within the course of a single round of visitation, especially if the round were a full one such as was held in 1583 and 1584.

In the metropolitical visitation of 1583, upon Whitgift's first assumption of office, the basic commission is found to have been used only in such dioceses as Bangor,212 Salisbury,213 and Gloucester,214 and several others where there

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211 Although this schedule was not specifically entered into the Register after each commission, it appears at least once in each volume of the book, which leaves the impression that the same schedule was used throughout the archiepiscopacy. Reg. I, Whitgift, fols. 332b; II, fol. 235b; III, 163a.
212 Ibid., I, fol. 207a.
213 Ibid., I, fol. 221a.
214 Ibid., I, fol. 223b.
was a bishop in possession of the see. Most of the other commissions contained one other clause, which reserved all presentations, institutions, and inductions to the archbishop and his Vicar General in Spirituals. This reservation, although principally applied at *sede vacante* visitations such as Ely\(^{215}\) or Bath and Wells,\(^{216}\) was also applied at Hereford\(^{217}\) and at Coventry and Lichfield,\(^{218}\) where special circumstances ruled against this. (Scory of Hereford was too old and ill, and Overton of Coventry and Lichfield was in some sort of difficulty with the archbishop.)\(^{219}\) This may indicate that wherever the ordinary of the diocese was available, the commission was to possess the power of making its own institutions. This possibility is strengthened by the specific inclusion of this power for the archbishop's last commission granted during this round, that for Norwich, dated 27 August, 1584.\(^{220}\) If it does, the commissioners made little use of this power, for the documents connected with every visitation, except that made at Bangor, contain records of benefices to which the archbishop's Vicar General made the institutions. This happened even at Norwich, notwithstanding the specific grant of these powers within the

\(^{215}\)Ibid., I, fol. 310a.  
\(^{216}\)Ibid., I, fol. 334b.  
\(^{217}\)Ibid., I, fol. 214b.  
\(^{218}\)Ibid., I, fol. 203a.  
\(^{219}\)See Chapter I, pp. 45-46.  
commission. Beginning in 1587, however, the reservation of
institutions for the Vicar General was specified whether the
diocese was full or vacant.

In 1587 another innovation was also made, one which had
no precedent in his earlier commissions. A new enabling
clause was inserted into the document which indicates that,
although the articles may have been slanted towards the gath­
ering of information, Whitgift also laid great stress upon
the juridical aspects of visitation. This clause author­
ized the commissioners to proceed with any cause concerning
English law relating to the church, whether it was insti­
tuted by virtue of the churchwarden's presentment, at the
instigation of a private complainant, or simply ex officio
mero. This particular power was placed in the commission
on only two occasions of which record remains: at Bath and
Wells in 1587221 and at Peterborough in early 1589.222 By
the end of 1589, it would seem that the archbishop had either
given in to pressure against this move, or had found that
such an extension of powers prolonged the session too much.
In either case, he soon returned to the basic commission he
customarily used. The commissioners sent to visit the arch­
episcopal peculiaris of Pagham, Tarring, and Southmalling,
and those for Bocking and Risborough Monachorum were empow­
ered in a similar fashion to the commissioners sent out prior

221Ibid., I, fol. 242a.
222Ibid., I, fol. 246a.
to 1587,\textsuperscript{223} and no subsequent commissions would be issued containing the \textit{ex officio} clause, although that for St. Asaph in 1601 would contain a clause very reminiscent of it,\textsuperscript{224} but by this time Whitgift was more powerful with the aging queen and was, himself, coming under the influence of Bishop Bancroft, who was a far more rigid disciplinarian.

From 1589 on, Whitgift had to be satisfied with the more time-consuming course of proceeding with all disciplinary causes which had not been specifically or correctly presented by the churchwardens during the visitation by means of the regular ecclesiastical courts and the High Commission after the visitation had ended. This was a much slower process than the one which would have ensued if the visitation commissioners could have heard all \textit{ex officio} cases in the course of their sittings.

III

Even the limited reforms which the archbishop did manage to bring about, however, were not necessarily as effective as Whitgift might have wished them to be. Besides restrictions imposed upon him by law and custom, there were also grave limitations of personnel. The position of a visitation commissioner being one of trust and great responsibility, Whitgift always seems to have tried to appoint men of

\textsuperscript{223}\textit{Ibid.}, I, fols. 251a and 274b.
\textsuperscript{224}\textit{Ibid.}, III, fol. 216a.
proven integrity for the task. It was also necessary to have men with a good deal of initiative if his goal for simplification of the articles without loss of efficiency was to be obtained. Consequently, in his first visitation, not being certain which of his suffragans or their subordinates possessed these qualities, almost every commission contained at least one of the chief legal officers of the central archiepiscopal courts.\textsuperscript{225} Such wholesale use of this practice, however, was soon curtailed, and he began appointing men who, although still connected with his courts, were also connected with the normal administrative processes of their respective dioceses.

Except for the visitation of Canterbury and Rochester in 1589, where both he and almost his whole staff seem to have been in attendance, his later commissions contain no one of greater status in his courts than that of an advocate. This was a rather tenuous affiliation, for these advocates seem to have been involved on a full time basis with the local administrations of the dioceses to which they were appointed. Sometimes, indeed, they were only advocates non exercens in the archbishop's courts. But even to attain this rank and distinction they would have had to fulfill all of the preliminaries involved in seeking membership in the archbishop's staff, including any oath of allegiance which may have been involved.

\textsuperscript{225}See Chapter I, pp. 45-50 for a detailed analysis of the commission membership of the archbishop's legal aides in 1583 and 1584.
Such was the case of Richard Swale, doctor of laws, whose name appeared on every visitation commission issued for Ely from 1590 onwards.\textsuperscript{226} Swale was an advocate \textit{non exercens} in the Court of Arches,\textsuperscript{227} and near the end of Whitgift's tenure as archbishop he would be advanced to the auditorship of the Audience Court.\textsuperscript{228} His name also appeared on each of the two commissions to exercise ecclesiastical jurisdiction \textit{sede vacante} for Ely in 1588 and 1593.\textsuperscript{229} Through this means the commissions could contain at least one man with direct links to the archbishop and his courts. This mode of proceeding meant that there would no longer be any necessity to hurry the visitation and that other duties would not suffer, which seems to have been the case in the visitations involving his more immediate aides such as William Awbrey or Richard Cosins.

On one occasion there is record to illustrate one of these difficulties. There was great necessity for promptitude and speed, as expressed in a letter sent to the ecclesiastical authorities of Hereford before the visitation held in 1584. The agenda for the visitation was being forwarded to the local authorities for their approval and revision so that as little time would be lost in travel as was possible.

\begin{footnotes}
\item[226]\textit{Reg. I, Whitgift, fol. 326b (1590); II, fol. 168a (1593); II, 173a (1596); and III, 162a (1599).}
\item[227]\textit{Ibid., I, fol. 136b.}
\item[228]\textit{Ibid., III, fol. 119a.}
\item[229]\textit{Ibid., I, fol. 321a; III, 167a.}
\end{footnotes}
Both Cosins and Awbrey were named on the commission,\textsuperscript{230} which made haste a very desirable factor. The local officials were instructed to see to it that the entire visitation, which was to begin on 1 April, would be finished by the sixteenth — Maundy Thursday — so that the commissioners could be back in London by the beginning of the Easter term. Yet, none of the eleven separate commission sittings was to be omitted.\textsuperscript{231}

All the time that could be hoped for was about half of a day at each stop, which left little time for dealing with anything other than receiving the presentments and examining the clergy. Bringing a select number of local officials into the periphery of the central system was probably seen by Whitgift as a method of remedying this time problem. It would make it possible for the visitors to spend more time examining the clergy and explaining the methods and procedures of the visitation to the churchwardens.

By 1590, Whitgift's experiments in diocesan visitation had all been completed. The new form of article construction had been determined upon: a method of creating a sort of archiepiscopal legateship had evolved through appointment of local legal officials to \textit{non exercens} advocateships in the Court of Arches; and an abortive attempt had been made to reinforce the powers of the commissioners in the field.

The archbishop's reforms were not intended to revolu-

\textsuperscript{230}Ibid., I, fol. 214b.

\textsuperscript{231}Ibid., I, fol. 213b.
tionize the institution of visitation, which may be why they have not been noticed before. They would, however, have improved the speed, efficiency, and integrity of the visitors, without loss of either responsibility or power. They are totally in keeping with the whole tenor of Archbishop Whitgift's philosophy of strengthening the existing organs of the church to the peak of their capacity, which he felt would alleviate all of the church's ills.
Chapter III

Whitgift and the Elizabethan Censorship System

Most of the administrative procedures and techniques Whitgift used were of long standing, as was the visitational process. Short of complete revamping, all that could be accomplished were minor changes. This is the sort of thing he attempted by streamlining the visitation articles, by appointing his own lieutenants as commissioners of visitation, and by up-dating the commissions in visitations made on his metropolitical authority. The queen would probably not have approved of more, conservative as she was.

There was, however, one sphere of what was supposedly ecclesiastical jurisdiction which had not been regulated very well in the past. The reformation settlement had placed control of the printing industry very imperfectly within the purview of the Ecclesiastical Commission. This chapter will examine the solidification of the censorship system which took place under Whitgift, as well as the effectiveness of that system under Whitgift's control.

Whitgift was probably first attracted to the area of press regulation by the growing volume of puritan literature which was sapping respect for both the church and the queen. The regulation of both of these areas was connected with the royal prerogative. Throughout the Elizabethan period the
English press was controlled by means of royal decree and the decisions of the prerogative courts. The system of control established in the first twenty-eight years of Elizabeth's reign was very loose. It was based upon the Royal Injunctions of 1559, which had decreed that the queen, any of her Privy Council, either of the archbishops, the Bishop of London, or any archdeacon or university chancellor in whose jurisdiction the work was to be printed, in conjunction with the ordinary of that place, could authorize books for the press. This system had to be strengthened in 1566 by a decree of Star Chamber, authorizing the Stationers' Company in London to search for illicit books and to impose fines and three-month jail sentences on offenders against the Injunctions or the decree. The presses of the culprit were made subject to seizure, and the offenders were to be brought before the Ecclesiastical Commission.

These commands were not very effective, as there was no single source of supervision named, and all parties involved jealously guarded their rights against any other which might try to impose some order on the system. Consequently, there


233 The company charter, granted by Queen Mary in 1557 and confirmed by Elizabeth in 1559, had given the right of search and seizure throughout the realm to the Stationers' Company, but this seems to have been the first reference to these powers in a public document. Edward Arber, *A Transcript of the Registers of the Company of Stationers of London, 1554-1640* (London, 1876; reprinted, New York, 1950), I, xxxi; Geoffrey R. Elton, *The Tudor Constitution*, 105-107.
were few books printed during this early period which bore notice of any authorization. There are two plausible explanations for this, for there may have been an agreement that only the manuscript copy needed endorsement, or the rules may not have been enforced at all.234 Actually, it makes little difference which explanation is accepted. Even if every book had been adequately endorsed in manuscript form, it is likely that adherence to the spirit of the regulations would have lagged. There were far too many people with powers of authorization for the rules for the system to be effective. An archdeacon or a bishop of some rural diocese could hardly be expected to know whether or not a manuscript had been refused by another licenser. Also, with so many licensers, almost any work would be able to receive a favorable reception from one or another of them.

Complicating the difficulties due to the loose regulations were the conditions within the trade itself. The major problem of the industry, and the major impetus for evading the rules, was monetary. Although there were few recognized printers, and few acknowledged presses,235 there was still


235 The estimate of the number of printers is fairly constant for this period. There were 22 in 1582 and around 30 in 1600. (Arber, Transcript, III, 18; Seibert, Freedom of the Press, 56; H.S. Bennett, English Books and Readers, 1558-1603 (Cambridge, 1965), 270.) In 1615 there were approximately 20 recognized printers. (W.W. Greg and E. Boswell, Records of the Court of the Stationers' Company, 1576 to 1602, (London, 1931), xxxix.) In 1582 there were 53 presses among the company membership. In 1586, when these supposedly be-
too little work to go around. This condition was aggravated by the grant by the queen of letters patent for monopoly of certain types of work to the more important and affluent of the London printers. The unprivileged printers, beginning about 1580, fell into nearly open revolt against these privileges. The difficulty was greatly reduced by mid-1583 as a result of Privy Council mediation and compromise on the part of the members of the Company. Although the immediate problem was solved, other leaders for the revolt would arise, and tighter regulation was a necessity.

Whitgift must have been aware of these difficulties in the printing trade. He was a member of the Ecclesiastical Commission before his translation from Worcester to Canterbury, and thus could have learned of these problems at first hand through the commission's share in the enforcement of the early Elizabethan system. As a man who had written on behalf of the church, he would also have been cognizant of the problems because of the puritan propaganda which seemed to have no trouble finding presses despite the controls.

came the only legitimate ones outside the universities, there were 52. In 1615, there were said to be only 37. (Arber, Transcript, I, 248; V, lviii; Greg and Boswell, Records, xxxix.)

236 A list of these patents, including Bibles, law books, catechisms, psalters, prayer books, and other topics, is printed in Arber, Transcript, I, III.

237 For the entry of the opposition leader into the company see Arber, Transcript, III, 688; Cyril B. Judge, Elizabethan Book Pirates (Cambridge, Mass., 1934), 40. For the surrender of certain titles to the use of the company's poorer members see W.W. Greg, Companion to Arber (Oxford, 1967). 136-137.
It must have entered the archbishop's thinking that a man who was desperate enough to break the law so far as to pirate copy from his fellows would have few compunctions against printing illicit literature against the church or state if the punishment were uncertain and the profits were great enough. This would especially be the case if the printer were already inclined in the direction of the ideas these illegal books set forth. One case in point is presented by the famous puritan printer, Robert Waldegrave. In 1582 he was detected printing a book which should have fallen within the privilege of one of the royal patentees. That he was bound for forty pounds not to violate the patent again may indicate that his offence was habitual. 238 By 1584, Waldegrave was deeply involved in printing puritan books, and it was a combination of these two sorts of activity which finally led to the confiscation of his press in early 1588. 239

It is possible that Whitgift had entered into preliminary negotiations with the Company of Stationers even before his translation to Canterbury, for the company seems immediately to have turned to him to help settle its problems. When Whitgift first entered into his archbishopric, the officers of the company met with him to present twelve psalters for his chapel. What else transpired at this meeting is un-

238 Judge, Elizabethan Book Pirate, 91.

known, but the gift must have had its desired effect as far as the company was concerned. The archbishop gave the first indications of his concern with printing regulations as early as September of 1583, during his first days in office. In certain articles presented at that time to the queen, concerning the amelioration of certain problems in church administration, there appeared two concerning the printing industry. Whitgift suggested that no book should be printed without the allowance of either the Archbishop of Canterbury or the Bishop of London, and that no translations or annotations of the Bible should go to print without approval from a panel of bishops. This would have constituted a very great departure from the previous system of loose controls, and would have entailed the recognition of a large addition to the archbishop's secular powers. The suggestion was refused at this time, possibly on the grounds that it was as much a secular measure as an ecclesiastical one, or possibly on the grounds of its novelty. The measures which were accepted all fell within the ecclesiastical purview as it was then recognized. The articles which were approved and entered in the archbishop's_register contain no reference to printing at all. However, the reception

240 Arber, Transcript, I, 505.

241 Albert Peel (ed.), The Seconde Parte of a Register, I, 172. See also Greg, Companion to Arber, 137-138.

242 Cardwell, Documentary Annals, I, 466-471. The standard account of these articles is made on the basis of observations of John Strype in his Life and Acts of John Whitgift, D.D., I, 267. This presumes that the articles on printing
of the ideas expressed in the deleted articles on printing was not altogether hostile.

Although no recorded documents indicate that Whitgift's plans bore fruit at this time, the records of the Stationers' Company indicate that some shift of policy must have been effected shortly thereafter, during the first half of 1585. Prior to this, the only reference to the archbishop in the records of the Stationers' Company was to the presentation of the psalters. After this, the references become more frequent. The last item in the accounts from 10 July, 1584 to 10 July, 1585 reads "ffor our charges in goynge to Croydon to the archebyshop .... ij£ viijd."243 Similarly, in the accounts for the year 1585 to 1586, there occurs

Item paid the xth of Julye 1585 for master fieldes booke of prayers for my Lord Archebishoppe and other the highe Commissioners Ecclesiasticall ..... v£.
Item paid for goinge and comming and carriage of bookes to Lambeth at divers tymes...... vjs.
Item paid for goinge twyce to Croydon for my Lord Grace of Canterbury about busynes of the Companye ..... iii£.244

There is also record of the formal appointment of eight three-man search teams and one four-man team, dated January

were accepted at the same time that the others regarding the church were (see McGinn, John Penry and the Marprelate Controversy, 36; Seibert, Freedom of the Press, 61). These seem to have been made without reference to the version of the articles summarized by Peel, which differ greatly from the ones entered in the Archbishop's Register which Strype used. These contain no reference to printing at all, and had those on printing been approved from the beginning, they would have been entered with the others into the Register.

243Arber, Transcript, I, 510.
244Ibid., I, 515.
1585/86. Thus, although no documents of a more formal nature than the proposals handed in to the queen and Lord Burghley exist, it is clear that, at the very least, the archbishop was taking a far more personal interest in this aspect of the Ecclesiastical Commission's work than his predecessors had.

Another document records part of the change of the archbishop's thinking between 1583 and 1586: "A Bill exhibited to the parliament concerning order to be taken for printing," which was one of the pieces of material collected by the puritans to exemplify the evil deeds of the bishops. This is printed by Albert Peel in The Seconde Parte of a Register among other papers dated 1586, although no specific date is assigned to the bill itself. The subject matter, however, is closer to the recommendations of 1583 than to those finally announced in the new policy of 1586. It therefore seems likely that the Bill should be dated 1584, since it is rather inconceivable that Whitgift would have attempted to make any augmentation of his powers through parliament after the one which met in 1584 had proven so hostile to him. Finally, there are notes for a speech which was prepared to be given in the parliament of 1584 concerning one of two bills about printing brought up at that time.

The proposed enactment consisted of five clauses. First, after 1 March, no books, pamphlets, treatises, or ballads

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245 Ibid., II, 142.

246 Greg, Companion to Arber, 139-144.
were to be printed which had not been authorized according to the Royal Injunctions of 1559. Secondly, all new works were to be submitted to the Archbishop of Canterbury or to the bishop of the diocese where the printer lived, or to the chancellor of one of the universities. This would have eliminated both the power hitherto exercised by the Archbishop of York, except that which he would have still had as head of York diocese, and also the former powers exercised by the archdeacons; but it would have left printing as a nationwide trade, which it was not to be according to the rules established in 1586. The archbishop wanted the censors empowered to delegate their reading chores to "two learned, grave, and discrete persons." If the work were approved, the printers were to pay an honorarium of one pence per sheet to the two examiners. Thirdly, printing of unauthorized books was to be punished by three-month jail terms, and forfeiture of any books so published.

The fourth and fifth clauses of the proposed act were designed to protect the authors of learned works, and thus further point to the archbishop as the architect of the bill. Any writers who could not find printers for their authorized works were to present them to the officers of the Stationers' Company, who were to assign them to some printer. The author could claim a ten pound fine if the work were not printed, and the company was protected through being empowered to imprison any booksellers who refused to buy these scholarly works published by command. The last clause was designed to
eliminate difficulties in getting Latin works printed. The demand for these was so small that learned men were too discouraged "to bestow their travail in writing such books as may be profitable to the Church of God, the furtherance of good learning, and the honor of the ... universities." Such authors were to request special editions of no more than five hundred copies. The Company was again protected by being enabled to compel "strangers" and their servants bringing books from overseas to buy these scholarly books, or to trade them, "divinity for divinity, physic for physic, &c."\(^2\)

This bill was evidently the effort of a neophyte. It was also obviously the result of conferences between the Stationers' Company and the archbishop. It is probably just as well, from the prelate's standpoint, that this legislation did not pass, for it would eventually have taken the regulation of printing out of the hands of the queen and the Ecclesiastical Commission and given the common law courts another excuse for interfering with the archbishop's exercise of his functions in this regard later on in the reign through their exclusive right of interpreting statutes.

After many years of proposals and attempted solutions to the difficulties of the printing trade, stability came to the regulations on 23 June, 1586. On that date a decree was set out by the Star Chamber stemming from several cases before it regarding the piracy of manuscripts by the unprivileged printers. The archbishop was present at this time,

\(^2\)Peel, *Seconde Parte*, II, 4-5.
and the decree followed closely the tenor of the main suggestions which he had been making since 1583. This decree was, therefore, a relatively large victory for the archbishop. It was also to be the basis of all press censorship for the next half-century.

The decree was being promulgated by the Court of Star Chamber so that "some certen and knowen rules and ordynaunces which should be invoydable kept and observed" could be used for the regulation of the press. The preamble observed that

Intollerable offences and troubles and disturbances haue happened aswell in the Churche as in the Civill governement of the state and common wealthe of this realme, which seeme to haue growen because the paynes and penaltyes conteyned and sett downe in the ... ordynaunces and decrees regulating printing haue been to light and small for the correctyon and punishment of soe greivous haynous offences.

Consisting of nine articles, the decree was, indeed, rather explicit concerning the penalties to be observed, and these were all much stricter than those of the former decree of 1566, as well as being more specific than those advanced by the archbishop in his previous proposals. Very probably only the first five parts of the decree should be considered primarily to be the work of the archbishop. Since numbers six through nine dealt with internal trade regulations and company search procedures, it is more likely that the company itself was responsible for them, although they probably also had to have the archbishop's approval.

Articles one and two insured the centralization of the trade where the government could always have full knowledge
of, and ready access to the printers. All printers were required to certify the Stationers' Company of the existence and location of their presses within ten days of the publication of the decree, or, later, within ten days of the establishment of each new press. No printing was to be done outside of the city of London or its suburbs (with the exception of one press at each university).248

Article three was intended to reduce the number of printers entitled to own their own presses, again so that control could be more effective. At that time there were felt to be too many printers within England for the amount of material there was to be printed. Whereas the return of printers made in 1586 in pursuance of this decree listed twenty-five printers possessing fifty-one presses between them,249 Christopher Barker, the queen's printer and Master of the Stationers' Company, had estimated in 1582 that the amount of legitimate printing could well be handled by only eight or ten masters. Even then, these same men could comfortably have handled the printing work for Scotland as well.250 The result of this attitude, shared by both the government and the wealthier printers, was an order that none who had set up his press within the last six months before the decree should make any use of it for the time being. Nor should any new presses or printing houses be established,

248Arber, Transcript, II, 807-809.
249Ibid., V, liii.
250Ibid., I, 144.
tyll the excessive multytyde of Prynters hauing press- es already sett vp, be abated dyminished, and by death, gyving over, or otherwyse brought to so small a number of maisters or owners of pryntinge houses ... as the Archbishop of Canteroury and Bishop of London ... shall thinck requisite and convenyent for the good service of this Realme.

Only at such a time could the procedures next outlined by the decree be set in force for admitting a new master. Selection was to be preceded by a letter missive from the archbishop or bishop, telling the company that they could make their choice. The receipt of the letter would be the company's warrant to hold the election, the results of which were to be certified to at least six members of the Ecclesiastical Commission (the archbishop or bishop being one). Only after the commission had approved of the man could the company admit him to his mastership.251

Probably of most importance to the archbishop was the fourth article. This effectively placed nearly all power of censorship in his hands or those of the Bishop of London, eliminating all lesser authority.

Item that no person or persons shall ymprint ... any booke, work, copy, matter or thing whatsoever, Except the same ... hath been heretofore allowed, or hereafter shall be allowed before the ymprinting thereof, accordinge to the order appoynted by the Queenes maesties Injunctions, and been first seen and perused by the Archbishop of Canterbury and the Bishop of London ... or any one of them.

Excepted from this order were books printed by the royal command, or that of the Privy Council. Also excepted were works on the common law, which were to bear the imprimatur

251 Ibid., II, 809-810.
of the two chief justices and the chief baron of the Exchequer, or any two of them.

Added to these articles, for extra protection, article five made binding, selling, and practically even handling books forbidden by the "intent and true meaninge" of the decree a punishable offence.

The harshest punishment which could be imposed before the new decree was issued had been three months' imprisonment and a fine at the discretion of the Ecclesiastical Commission. Penalties for breaking the new articles were substantially higher. A three-month prison term was still applied for those binding and selling offensive books (article five). The harshest sentence, imposed for unlicenced printing, entailed six months imprisonment and disablement from ever again printing, or even gaining any profit from the printing trade through someone else's labors (article four). The other three articles with which Whitgift was most closely connected carried jail terms of a full year, as well as destruction of the offending press. The reason for the longer jail term was probably that the man could return to the printing trade after the sentence had been served and was not completely cut off from his livelihood. These penalties, especially the imprisonment, appear to have been decreed primarily in terrorem, for they were scarcely ever fully imposed, or so it would seem, if the paucity of records which exist reveal the full story.

252 Ibid., II, 810-811.
The archbishop lost little time in beginning to capitalize on his new position of influence with the company. In the accounts of the company for the trade year 10 July, 1585 to 10 July, 1586, occur the following entries:

Item paid to the Scrivener for writinge three severall copies of the newe Constitutions That is to saye, one for my lorde of the pryvie counsell in generall, one other for my Lord Arch bishop of Canterboure, and another for my Lord Thressurer as master Barker was commanded by the Lord Archebishoppe .... xx

Item for ingrossinge it after it was corrected ..... vj vijd. 

But the company was probably more than content to pay these trifling sums which the archbishop demanded of them. After all, they had paid forty shillings to Robert Seale, clerk of the Council, for his "friendship" in the company's affairs in conjunction with the decree. Perhaps this course had been suggested to them by the archbishop or one of his associates, as Seale was one of Whitgift's leading critics, and constantly used his position to oppose the archbishop's proposals. The company also agreed, at a later date, to pay their attorney forty pounds for the part which he had played in suing out the decrees.

Although the company officials had obviously been very desirous for these decrees, it seems to have taken three months before they effectively put them into force. Possibly they were waiting for their attorney to assure them of

253 Ibid., I, 516.
254 Ibid., I, 514-515; Greg and Boswell, Records, 18.
255 Greg and Boswell, Records, 19.
their full legal position under the decrees. It was not until October that the company clerk recorded in the court minutes evidence of extensive use of the decree.

On 12 October, 1586, the company court heard the case of Anthony Hill, who may have offended against the third decree, as he was never again by himself or any other by his procurement to keepe any printinge house of his owne as master (except he be admytted therevnto accordinge to thorder of the said decrees) but only to worke & lyve as a Journeyman & workeman for wages in the trade and facultye of printing.

He had probably set up his press within the six months prior to the decree, and gone on printing although not properly licensed.256

A more serious offence was dealt with after the company wardens had entered and searched the house of Roger Ward on 17 October. He was an old nemesis of the privileged printers in the company, and had been printing pirated manuscripts for quite some time. During the search several interesting items were found being printed, among which was a book which the archbishop himself had forbidden Ward to print. Ward's presses were confiscated and destroyed, in accordance with the decree.257

The discovery of Ward's illegal activities must have been rather startling for the company officials and for the archbishop, for Ward was in prison at the time the search

256Ibid., 20; Arber, Transcript, 809-810.
was conducted. The search itself may have been suggested by Whitgift, or by one of the two other High Commissioners who signed the warrant for Ward's release from the Counter in Wood Street on 19 October. 258 Ward's case had been referred to the commission on the previous 1 May by the Privy Council. 259 Presumably this release marks the end of a prison sentence to which the Commission had condemned him some three months before. 260 The discovery of this illegal activity illustrates the necessity of the stricter penalties imposed by the new decree. Not even imprisonment could halt the presses of the determined and audacious pirate. Only the destruction of the offensive instruments could begin to alleviate the problem.

From October onwards, the records of the company court frequently refer to the decree as the basis for some action, although the references become more vague as the company becomes more sure of its powers. One can also see in the records evidences of the new power these regulations conferred on the archbishop.

On 4 March, 1587/88, two people were ordered to cease printing until the company had petitioned for their admission as master printers. The first of these entries is in-

258Arber, Transcript, II, 39.


260One shilling had been paid by the company for conducting Ward to the Counter some time before 10 July, 1586. Arber, Transcript, I, 510.
teresting because of a cancellation in it which shows the company willing to give the archbishop more power than he would have claimed, indicating the Company's uncertainty about the decree and also reassuring that the relevant section had been drawn up chiefly by the archbishop. The widow of a printer had petitioned to be enabled to carry on her husband's trade. It was first entered that the master and assistants of the company were to petition the archbishop for the admission of a new printer. This, however, was cancelled out and the company officials said they would make presentation to "the highe commissioners for causes Ecclesiasticall or Sixe or moe of them whereof the Archbyshop of Canterburye or Bishop of London to be one." 261

Permission to present one person was granted in this instance by Whitgift, Aylmer of London, Dr. Cosin, and Dr. Walker, on 7 March, 1587/88. The company chose to elect the second applicant rather than the widow, and Thomas Orwin was presented on 18 May to six commissioners. On 20 May, the archbishop with two assistants admitted Orwin to be a master printer. 262

Although this is the only entry during the whole period before 1604 which shows that the process of admission was adhered to, there is other evidence which indicates that the archbishop's influence over the company's internal affairs did not diminish, and could be exerted when he was inclined

261 Greg and Boswell, Records, 26.
262 Ibid., 28.
to do so. In 1591, Whitgift wrote to the master of the company, requesting that Thomas Purfoote the younger should, upon the death of his father, succeed to his place as a master printer. The elder Purfoote must have been ill, and the son, through the archbishop's good offices, secured the reversion of his father's business. The father, however, did not die, and by 1599, the son had entered into some other occupation. Again, in 1602, the archbishop wrote to the company to exert influence. In conjunction with Bishop Bancroft of London, Whitgift recommended Edward Ledsham, one of Bancroft's servants, for the reversion of the company clerkship. The proposal was acceptable to the company, provided Ledsham would in the meantime have himself made a member of the company and would execute the office in person rather than by deputy. Again the effort was in vain, as Mr. Ledsham died before the clerk whose place he was to take.

That only these two instances may be cited to show the archbishop's influence in the company's appointment of masters and officials implies that he probably did not abuse his potential power in that respect. But these cases also show that his potential, if not actual, power lasted until the time of his death, and was recognized as such by the company itself. The archbishop's use of influence may well have

263 Ibid., 41.
264 Ibid., 75.
265 Ibid., 91.
been exercised in other instances of which no record has survived.

Most of Whitgift's dealings with the company centered, naturally, around his position as chief censor. From the issuance of the decrees, use was made of the company's servants (and also of their funds) in transacting the business of his office. In the trade year 10 July, 1586 to 10 July, 1587, the company expended forty shillings to procure for the archbishop one copy of a single "popish booke." But here, too, the balance seems to have been in the company's favor, as the same time span netted the company confiscated books worth approximately £50 8s, taken as a result of disobedience of the decree.266

Although the records of the company indicate that for six years after the issuance of the decree, the cost of enforcing it remained high, there is little evidence to show that the officers were dissatisfied with the arrangement. On the contrary, they seem to have pursued the offenders against the decree with consistent relish during this period. Possibly they hoped to eliminate some of their poorer competitors altogether by catching them up in some treasonous enterprise.267

266Arber, Transcript, I, 521.

267In the accounts of the company after 1587/88, when the company became deeply involved in tracking down copy pirates and fugitive presses, the extent of company participation remained high so long as the government felt insecure, although towards the end of the reign external fac-
There remain several refinements to be recorded in the development of the system which Whitgift built for enforcing the decree. Although all books were supposed to be authorized by the archbishop or the bishop of London, it could scarcely have been expected that this provision would be followed to the letter. In fact, in 1583 or 1584, when the basic scheme was first advanced, one of the points which the puritans raised against it was that the two prelates would have to depute their duties in this sphere to "incapable inferiors." One may suspect the ability of the puritans to determine which of Whitgift's appointees was "incapable," but it is certain that inferiors were allowed to handle the

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(This was the last year that accounts were kept in a form where approximations could be made of the cost of enforcing the decree. See Arber, Transcript, I, 524-529; 534; 540-543; 545-548; 554-556; 560-562; 573; 578-581.)

268 Peel, Seconde Parte, I, 175.
lion's share of these duties. The delegation of these powers was officially recognized as early as 1 February, 1586/87, when Whitgift received a letter from Privy Council about a supplement of Holinshed's *Chronicle* which had just been published. The Council mildly rebuked the censor because this was a book "which we wish had been better considered forasmuch as the booke doth also conteyne reporte of matters of later yeeres that concern the State." The archbishop was ordered to stay the sale of more copies of the book until it had been referred to three men named in the letter, "or to som such other persons as his Lordship shal think meet for the purpose."269

It was not until 3 June, 1588, that the delegation of these censorship duties was completely regularized. Then, Whitgift informed the company of the names of certain men who were to act as licensers. Eight men were named to work in their own names and singly, and another four were permitted to work in pairs in reading books submitted for approval.270 The document states that these would review all material, but there were still instances when the archbishop or bishop would exercise their personal licensing rights. Whitgift personally signed for at least 162 books between 1584 and 1604. Most of these were of a religious or devotional nature, although he also signed for an Italian edition of Boccacio's *Decameron* in 1587, Nashe's *Christe's Teares over* 

269 APC, xiv, 311-312.

Jerusalem and Unfortunate Traveller in 1593, and Shakespeare's Venus Adonis in that same year. The two prelates still bore final responsibility for the licenses granted by their appointees, and the last modification made by Whitgift was the divesting of authority in an area in which his appointees were least likely to be qualified. In 1599, Whitgift told the officials of the company that all English histories would need the approval of some privy councillors. This was in response to a mistake that Samuel Harsnett, Bishop Bancroft's chaplain, had made in granting a licence to John Hayward's First Part of the Reign of King Henry the Fourth. This work had overtones which made it extremely offensive to the queen. It was dedicated to Essex in the year of his disgrace, and Whitgift realized that these sorts of political overtones were the council's province. Besides, he lost none of his personal power through this move, as he was a member of that body.

The company's activities in spying out the operations of secret presses and illicit printing could be fairly effective, and the archbishop seems to have played a large part in coordinating these activities from the beginning of the period of enforcement. There is some confusion on this point, as the dates which Edward Arber supplied to some of the entries in


the Transcript of the Registers of the Company of Stationers are wrong (he has dated many entries which should belong to the year 1587 as occurring a full year later), but that the contact between the company and the archbishop was close may be seen from the following entries, once they have been redated from 1588 to 1587;

Item paid the xvijth of September to master Cole an officer of my Lord of Canterbury for Roger Ward about the press that was convoyed out of Lothburye and Southwark Spyttle ..... vjs.

... Item paid the xij of October for goinge to and from Lambith and the same day for a Dynner in the serche by the wardens with master Denham iiiS and the xix of October for goinge to and from Lambeth by water xijd ..... vsijd.

... Item paid for going and coming by water to Lambeth iiij severall tymes and for other business about the Companyes affayers at that tyme, ..... iijS v'd. 274

One measure of the effectiveness of this action may be established if the supposition that disciplinary action will bring danger to those who enforce it if it is well done is allowed. From this hypothesis, the entry "Item paid to John Wolf that he laide out for mending a Calyver and goinge and cominge by water with the wardens to Lambeth ..... jS x'd"

273 Some of the entries are re-datable by means of cross-referencing to Greg and Boswell. The entry for 12 October is dated by Arber as 1588 and concerns a search made by "the wardens and master Denham." Yet in 1588, Denham was one of the wardens himself by September. Again, in an entry dated 9 January which Arber dates 1589, the correction 1588 should be made, as Denham was a warden in 1589 and would probably have been specified as such since "master warden Coldock" is also listed in this entry. Arber, Transcript, I, 526; Greg and Boswell, Records, 29-31.

274 Arber, Transcript, I, 526.
becomes very significant. John Wolf was the company's beadle, and the linkage of the repair of a firearm with travelling to see the archbishop some time in April or May could bear witness both to the system's effectiveness and to Whitgift's supervision of that system.275

Another measure of the effectiveness of the system, but also an indication of the limits and weaknesses inherent in it and in all sixteenth-century law enforcement, is the whole episode known as the Marprelate controversy. Difficulty of communication and local influence could easily thwart the course of any justice, and that of press censorship was in an extremely vulnerable position, as it was fairly novel, and yet neither statutorily nor secularly enforced.

On 16 April, 1588, the wardens and beadle of the company made a search of the house of one of the company's members. As a result of this search, the press and printing instruments of Robert Waldegrave were brought into the Stationers' Hall. Along with these were taken copies of a book by John Udall, The State of the Church of England, more commonly referred to as Diatriphes. As this was a puritan diatribe against the bishops and the church, it was naturally being printed without authorization from the clerical licensing authorities. Therefore, according to the Star Chamber Decree,

275This entry may be approximately dated by reason of its coming after one relating to Waldegrave's press, which was seized 16 April, 1588, and before one about Orwin, who was admitted a printer on 3 June. Arber, Transcript, I, 528; Greg and Boswell, Records, 27-28.
the printer's press and type were to be destroyed. The printer, however, escaped, and with him went a box of type which he managed to hide under his cloak. This type was left with a widow named Crane, who had a house in London, and who often befriended puritans in their skirmishes with the ecclesiastical authorities. She held the type for about three months, until Waldegrave sent his wife to pick it up. Just after this raid, John Wolf rode to Croydon to confer with Whitgift and report his success.

Udal was apparently only suspected of writing the work, as he was not arrested at that time. But his ministry in Kingston seems to have attracted Whitgift's attention to that area as a possible site where illegal printing could be taking place. Udal had also been instrumental in introducing Waldegrave to a young Welshman named John Penry, who was also a puritan preacher and author, using Waldegrave as his printer. The Ecclesiastical Commission was looking for Penry, too, and he had established his base of operations in the vicinity of Kingston, where Udal's friends would offer him protection. About the time of Waldegrave's misfortune, Penry delivered some "stuff" to one Tomkins, a servant at East Molsey, the country estate of the same Mistress Crane who had assisted Waldegrave in London.

276 Greg and Boswell, Records, 27-28; Arber, Transcript, I, 528.
277 McGinn, John Penry and the Marprelate Controversy, 96-97.
278 Arber, Transcript, I, 528-529.
Whitgift was apparently aware that some sort of connection existed between these three men, and planned to establish a more meaningful relationship than he could yet prove by possibly catching Waldegrave or Penry near Udal's residence. In June of 1588, Udal was called before the High Commission to answer the complaint of some of his parishioners that his puritan teaching was causing dissension in the town. He appeared before the Commission on the tenth, and it cannot have been mere coincidence that on that very day the officials of the Stationers' Company conducted a search for unlawful presses in Kingston. Eight men went on this journey, indicating the magnitude of the task they felt was before them (the usual search team was three). It must have proven more difficult than they had anticipated, for even with the augmented search party, torches had to be purchased while they were there to complete the search.

The results of the investigation must have been rather disappointing, for no press was found. Yet the company cannot have failed altogether, for as a result of their snooping, a warrant was issued for Penry's arrest, and a pursuivant made the trip back to Kingston, possibly as little as three days later. Even this short time was too great, however, and Penry remained at large. Yet the general scheme was sound, timing magnificent, and execution, as nearly as possible...

279 McGinn, John Penry and the Warprelate Controversy, 94-96.

280 Arber, Transcript, 528.
ble in an age of such slow communication and administrative sluggishness, perfect. Furthermore, the archbishop was apparently on the trail of the past puritan printer and authors, and of the future Martinists, in the right location, and approximately five months before the first Martinist tract appeared in October of 1588.

Insofar as the censorship regulations were concerned, the failure to apprehend either Penry or Waldegrave in June was a disastrous occurrence, although it may not have seemed so at the time. Waldegrave was the first Martinist printer, and there is reason to believe that Penry may have been the author of at least a few of the Marprelate tracts. Most of the ecclesiastical commissioners came to believe this at a later time. Even if Penry were not the author of any of these scurrilous pamphlets, he was instrumental in their publication: he was in charge of the presses; and he was responsible for their removal from Mistress Crane's house in East Molsey to Sir Richard Knightley's at some time in September. Had he been apprehended in June, it is possible that the whole Martinist episode could have been avoided.

For a year after the tracts began to be issued, the company and the archbishop of necessity centered their search activities on the apprehension of the Martinist press. The system Whitgift erected had been effective because of the centralization of the printing trade which went with it. It

281 McGinn, John Penry and the Marprelate Controversy, 97-98.
could not well withstand the stress created by a mobile and elusive press with influential supporters. Although the company's officers had occasionally gone into the countryside before, they can hardly have relished the prospect of leaving their businesses to tramp around the country for prolonged periods in search of concealed presses. That Whitgift could induce them to do so off and on for nearly a full year is an indication of the power he held within the company. Furthermore, the ingenuity of the printers in hiding unauthorized presses was increasing as they became more practiced at it. When Roger Ward again printed material which Whitgift had forbidden, he did so on a press concealed in a tanner's house near his own, with type hidden in a henhouse near St. Sepulchre's Church.282

The costs and labors of apprehension must have increased considerably when the searchers were forced, as they were in 1588-89, to resort to the provinces to capture printers with at least as much experience in hiding their presses as the officers had in uncovering them.283 The hectic pace of events is attested, furthermore, by the failure of the company clerk to record any minutes of meetings from 2 August, 1588, until 2 December. Although this could be explained simply by laxity on his part, it could also mean that either the officers were always missing, or too much was happening

282Greg and Boswell, Records, 34. One of his presses had been taken in late July, 1590, as a result of the pressure applied after the Marprelate affair.

283See note 267.
at the meeting for minutes to be conveniently taken. 284

Faced with the consequent difficulties in his system, Whitgift must have requested special help. The successes of the Martinists in escaping detection probably taught the archbishop not to rely too fully on the Stationers' Company for detection of presses outside the London area. From this time forward, he seems to have relied more heavily on the Ecclesiastical Commission itself, or in an emergency like this one, on the Privy Council to support his actions. From late 1588 until the end of the reign, evidence exists of two channels of control which Whitgift utilized in the control of press activities.

On 14 November, 1588, a letter was sent from the Privy Council to the archbishop, authorizing him to track down the printers of the "lewd seditious book lately printed." He was to proceed "by force of the ecclesiastical commission, or otherwise," which gave him no more power or scope of activity than he already possessed. But, he was also offered the "advice and assistance" of three other prominent members of Privy Council, Lord Cobham, Lord Buckhurst, and John Wolley. 285 Even the extra boost of emergency powers was of little avail. No record of remarkable progress can be noted for the winter of 1588-89, and Martinist pamphlets continued to be printed. Finally, on 13 February, 1588/89, Elizabeth issued a public proclamation against the Martinists, ordering

284 Greg and Boswell, Records, 29-30.

285 Strype, Whitgift, I, 532-533.
the destruction of all the Karprelate pamphlets and of any like them. It is probable that the government held off so long before taking this action because it did not want to give more notoriety to these tracts than they had already received. The queen and the archbishop had already experienced the phenomenon of official condemnation of a book merely enhancing its popularity.286

According to the proclamation, all persons possessing copies of the tracts were to turn them over to the ecclesiastical authorities "with convenient speed" so that they could be destroyed. Any assistance given the printers after the issuance of the proclamation would be at the "uttermost perills" of those rendering it, and the donors would be treated as assistants to sedition. Immunity was promised to informers who had formerly concealed what they knew.287 The proclamation seems to have produced some result in ferreting out information. On 11 August, George Carleton was called before the Privy Council.288 He was a Northamptonshire magnate and member of parliament who, in 1589, married the same Mistress Crane who had shielded Waldegrave's print from the authorities and had sheltered the press at East Molsey. It is even felt by some, on the basis of internal evidence of some of the tracts, that he was the original War-


288APC, xvii, 131.
prelate. However this may be, his death in 1590 prevents our knowing, either from his testimony or papers, whether this was so. He named another puritan M.P., Peter Wentworth, and a puritan preacher, William Flood, to oversee his will. 289

The Privy Council did not help much in the preservation of incriminating papers when they appointed Valentine Knightley, son of another man who was later to be implicated in shielding the Martinists, to make sure that nothing was removed from Carleton's house, and to find out why some things had been removed. 290

The archbishop and his allies were slowly but surely gathering information which would probably have led, ultimately, to the capture of the press, yet it was only indirectly that they were involved in the final capture of the printers. The pressure they were applying was causing the pressmen to be apprehensive and nervous. On one of their moves to escape detection, the cart carrying their printing goods overturned. The type spilled on the ground, and someone reported this to the Earl of Derby, who ordered a search to be made. The printers were subsequently discovered on 14 August, 1589 in Manchester, in the process of printing More Work for Cooper. 291

Whitgift was in Canterbury carrying on a visitation at

289 Collinson, Elizabethan Puritan Movement, 393-396.
290 APC, xix, 68-69.
291 McGinn, John Penry and the Marprelate Controversy, 111-112.
the time. He had all confidence that the three printers, John Hodgkins, Valentine Symms, and Arthur Tomlin, would quickly reveal the identity of their employer, Martin. Conscious of the fact that any judgement handed down by the High Commission would be viewed with jaundiced eyes in the light of the offensive slanders these men had printed against that court, the archbishop asked Lord Burghley to handle the case through the Privy Council, rather than in the Commission.292 This seems to have been what Burghley had intended also, for on the same day that Whitgift wrote to the Treasurer, 24 August, the three men were committed to the Bridewell by order of the council. The matter was to be a Star Chamber case, and the examiners were authorized to use torture if it were deemed necessary.293

The examination of the three printers stretched out into December, with torture being applied occasionally to loosen the tongues of these obstinate men.294 As a result of these examinations, the web widened to include several other very important people connected with the Martinists. Sir Richard Knightley, Roger Wigston, and John Hales were called in by the council for questioning. These men were all prominent gentry, and their influence had helped to protect the War-

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292 Strype, Whitgift, I, 601-602.
293 APC, xviii, 62.
294 APC, xviii, 225-226. The last examination of Tomlins and Symmes was taken 10 December, 1589, before Walsingham, Anderson, Gawdy, Buckhurst, Fortescue, Aubrey, and Lewin. It is printed in William Pierce's Historical Introduction to the Prelate Tracts (London, 1908), 335-339.
tinists, since it was in their houses that the presses and printers had been kept at one time or another. Whitgift's presence at the Council meeting when these summonses were sent attests his continuing care in the matter.

On the same day that the orders were given for Knightley's arrest, 16 November, 1539, a special commission was formed to hear the testimony connected with the case. This commission apparently did not find out all that the Council sought to know, for on 3 July, 1590, instructions were again issued, ordering fresh examinations of Knightley, Wigston, and Hales, who were still in the Fleet. Both the commission and its instructions were substantially the same, except that in the second one a quorum of three was specified, of whom two were to be privy councillors. It was probably felt that a more prestigious membership on the examining panel might be able to extract more information from the suspects. Also, there was now more information on which to base inquiries than there had been before. The trials of some of those connected with the Martinists had already occurred at the assizes.

Even when the Martinists had been captured, Whitgift's allies in the Stationers' Company were not allowed to relax.


296 APC, xviii, 227.

297 APC, xix, 292-293.
They were used frequently as detectives and spies in the joint effort of the Privy Council and Ecclesiastical Commission to get something to pin on these men. They again sought counsel from their attorney concerning the decree; they went to the archbishop for a general warrant to search, which was given to them (at a cost of ten shillings) by one of Whitgift's licensers for the press. In all, they "paid for goinge by water to Lambeth, pursuyvantes fees, my lorde graces porters fees, and other travells divers tymes this yere... ..... xixs." All in all, it was a very costly year, in which £6 1s. 5d. were spent by the company to assist the archbishop. Of this, 36s. were expended on search dinners alone.298

The bulk of this activity seems to have been conducted at the end of 1589 and the beginning of 1590. This seems to have been when the general warrant was issued, for in The Appelation of Iohn Penrie vnto the Highe court of Parliament, written in early 1590, Penry states that it was on 29 January that a man with the archbishop's warrant ransacked Penry's house in Northampton and took all the books and papers he found there. At his departure from the town, the pursuivant told the mayor to apprehend Penry as a traitor if he should ever return.299

After these early 1590 searches, the activities of the archbishop's detectives seem to have returned to their Lon-

298Arber, Transcript, I, 540-541; see also note 267.
299McGinn, John Penry and the Warprelate Controversy, 152.
Throughout the period of prolonged emergency created by the Martinist activities, the regular business of normal enforcement of the regulations probably continued, but at a much reduced tempo than before. It is likely that the printers who were prone to illegal presswork were encouraged to accelerate their activities by the frequent absence of the search officers, which probably curtailed their watch over their city colleagues. This may have led Whitgift to insist on stricter enforcement of the regulations as soon as the emergency was over.

In July of 1590, just before the examination of the three Martinist supporters by the Privy Council commission was due to begin, the company began to crack down on the London printers. As usual, the company began with the most notorious offender, Roger Ward, and, as usual, they were not disappointed.\(^300\) The company officials travelled to see the archbishop several times concerning this case before they finally received permission to destroy the press and gear they had confiscated, nearly a year after the seizure.\(^301\)

One explanation for the delay could be that the archbishop

\(^300\)Greg and Boswell, Records, 34.

\(^301\)Ibid., 38; Arber, Transcript, I, 547-548.
was already beginning to show a very tolerant attitude towards offenders, and was unwilling to exert the full force of the decrees against them. This seems to be borne out by a case involving Thomas Orwin which occurred in the next year.

Some time in August of 1591, the presses and type of Thomas Orwin were seized,\textsuperscript{302} although there is no record of the event in the company court minutes. Orwin had been the first man to be admitted as a master by Whitgift in his role as chief censor, and apparently knew where to go for support in seeking pardon for whatever offence he had committed. On 30 August, 1591, Whitgift wrote to the company:

\begin{quote}
I doo like verye well of Orwin's acknowledgement of his fault and also of that favor which in that respect he is in good hope to receave at your handes as ye informeth me. And yf yt be needefull to ad anye request of myne unto you for him, I doo hartelie pray you not onylye to redeliver unto him his presse and pryntinge stuffe, for the which I have heretofore alreadie moved you, But also to suffer him hereafter to follow and exercise his trade to ymprintinge without impeachment of anye decree to the contrarye soe long as he shall behave hymself honestlie therein...\textsuperscript{303}
\end{quote}

Orwin's restoration is attested by entries of 18 December, 1592, and 5 March 1592/3 which relate to him in the company court minutes.\textsuperscript{304}

Whitgift seems to have been extremely patient with offenders, and usually was willing to give any man a second chance providing there was some show of repentance and some

\textsuperscript{302}Arber, Transcript, I, 556.  
\textsuperscript{303}Ibid., V, 11.  
\textsuperscript{304}Greg and Boswell, Records, 45-46.
hope of reformation. In some cases his assessment of the man's change of heart would appear to have been correct, but more often than not this trust appears to have been misplaced. If Whitgift erred in judgment on certain cases, it was usually in the direction of leniency, and this appears to have been rather demoralizing to the company's officials in the early 1590's. For example, it must have irked some of the officials when so grievous an offender as Valentine Symms, who had been one of the Marprelate pressmen apprehended in 1589, was detected in 1595 infringing on the monopoly of one of the queen's patentees. Symmes would have needed the permission of the archbishop to resume his trade, although his case may be one of clemency offered for testimony in the Marprelate case. But even members of the company who had compounded their offences with violence to the search officials could find themselves free to continue their offences at a later date.

Abell Jeffes, on 22 July, 1592, was committed to ward for violently resisting a search which was to be made of his premises. It was suspected that he had been printing an unauthorized book. The company officials were at Lambeth on 13 and 14 December, consulting with the archbishop about "Jeffes disorder." Although they may have been petitioning for his release, it seems more likely that they were

305 Ibid., 52.
306 Ibid., 42.
307 Arber, Transcript, I, 561.
being informed of an impending pardon by the archbishop, for on 18 December, Jeffes appeared in the company court at the direction of the archbishop. There he promised to abide by the ordinances and to "lyve as becometh an honest man."\textsuperscript{308}

If Whitgift had expected him to reform, the reformation was apparently short-lived. In October, 1593, the company officials were again with the archbishop, petitioning for the release of a catechism which Jeffes had printed. This cost the company seventeen shillings: ten to the archbishop's secretary for his "friendship," five to the archbishop's chamberlain, and two to Jeffes himself.\textsuperscript{309}

The company appears to have tired of enforcing the decrees only to have Whitgift hamper their work by displays of clemency. Only 11s. 8d. appear to have been spent in connection with the enforcement of the decree in the accounts covering the year 1593-1594. Only 13s. were spent for detection purposes in 1594-95.\textsuperscript{310} The disobedience and ingratitude of people like Jeffes was amplified by the company slow-down, and all this seems to have gotten on the archbishop's nerves in the spring of 1595. In the muniments turned over from one set of wardens to another set in July of 1596, there was "a decree or letter of my lorde grace of Centerburie and other highe commissioners for the reforma-

\textsuperscript{308} Greg and Boswell, \textit{Records}, 44.

\textsuperscript{309}Arber, \textit{Transcript}, I, 566.

\textsuperscript{310}See note 267 above.
Quite possibly, the lack of company endeavor had brought Whitgift to see that his need for the company's co-operation was as great as theirs was of him. Whether this was so or not, there is no record of intervention or pardon from the archbishop in the destruction of presses which the company undertook in the years 1595 to 1597.

The first to be brought in was Valentine Symms. On 27 September, 1595, the company court passed sentence that his type should be melted down and re-delivered to him. Next was Abell Jeffes, who had printed a book called The Most Strange Prophesie of Doctor Cipriano and several other ballads which were thought to be offensive. His press and type were destroyed, and he was also imprisoned, for in March of the following year he received two shillings from the company for his relief while in prison. That these were the first inquiries to be made may have been the company's way of letting Whitgift know how effective his clemency had been.

After the apprehension of these two, the company officials turned once again to a very old problem. Roger Ward was back in business. He had erected two presses in the precincts of the Inns of Court, and was using these for printing

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311]. Arber, Transcript, 581.
312 Greg and Boswell, Records, 53.
313 Ibid., xx.
314 Ibid., 54.
primers and other privileged material. These were brought in and destroyed in February of 1595/96.\textsuperscript{315}

The press of John Danter was also destroyed by the company some time before 15 July, 1596, as a result of Whitgift's orders of early 1595. Although no record of this is made in the company's court minutes, the record of the costs of destroying the press appear in the accounts.\textsuperscript{316} It must have been felt that these destructions might suffice to show the printers that the archbishop was going to stand by the company's decisions and sentences, for three offenders against the decrees were punished in August only by fines.\textsuperscript{317} But if this were the expectation, it was soon proven wrong. Five more presses were destroyed in 1597,\textsuperscript{318} before the company determined on the laudable course of taking bond of £40 from a founder on 1 August. This man must have been the one making up the type being used by the offenders, as he was enjoined to notify the company before delivering any type he might cast.\textsuperscript{319}

The effect of the destructions and the bond apparently was to subdue the rebellious printers to within tolerable limits, for no more defacings are recorded after 1597 for the rest of Elizabeth's reign.

\textsuperscript{315}Ibid., 53; Arber, Transcript, I, 578-580.
\textsuperscript{316}Arber, Transcript, I, 580.
\textsuperscript{317}Greg and Boswell, Records, 55.
\textsuperscript{318}Ibid., 56-58.
\textsuperscript{319}Ibid., 58.
This round of strict enforcement of the decree would appear to have had another effect as well, completely unexpected and undesired. It led to the only fairly successful questioning of the validity of the Star Chamber decree on printing during the reign. There are two Privy Council letters written in 1598 which reveal part of this difficulty. Whitgift was not in attendance at the Council when the Lord Keeper used conciliary authority to write to the Lord Mayor concerning a printer named Simon Stafford. A member of the Drapers' Company, he had apparently been apprenticed to Christopher Barker before Barker transferred himself to the Stationers' Company, and before the decree of 1586 was issued. The company and the High Commission were apparently trying to suppress his printing activities, as they had no control over them. On 2 August a letter went out to the Lord Mayor, asking him to call the officers of the Stationers' Company before him and to settle the matter. The present Lord Mayor was informed of correspondence between Whitgift and the former Mayor, in which the latter had upheld Stafford's rights as lawful, both by the ordinances of the city and the laws of the realm. The current Lord Mayor was evidently no more successful in bringing about a settlement than his predecessor had been, for the case became the subject of a Star Chamber suit later on that year. The interrogatories are dated

320 APC, xxix, 11-12.

321 The bill of complaint of Cuthburt Burby and Thomas Dawson, the Interrogatories delivered by Sergeant Yelverton, and the depositions of Stafford and other drapers engaged in
in June, and order in the case was taken on 10 September, when the Company offered to receive Stafford into its membership if he would withdraw from the Drapers' Company and desist from printing until the Stationers had installed him into their membership. Stafford promised to perform this, and was told that his press and goods would be returned upon his acceptance into the company. This settlement upheld the archbishop's powers, yet it can scarcely have been reassuring to that prelate and his allies that it had to be heard at all. This case and its outcome may explain the few references to the decree in the company records after 1597.

If the decree were being questioned somewhat successfully by people outside the company, and these people had garnered the support of such powerful persons as the Lord Mayor and the Lord Keeper, the officials would probably not overuse their powers under the decree as a reference for authority in carrying out their duties.

Although the decree had been ratified by this case, the company and archbishop appear to have held their powers in reserve. These powers had not diminished, yet it was probably deemed more politic not to use them as extensively as had been done previously. The only record of disciplinary activity directly involving Whitgift in conjunction with the London stationers of which there is definite record occurred

printing are printed by C.B. Judge in Elizabethan Book Pirates, 160-181.

322 APC, xxix, 148.
in June, 1599. Then Archbishop Whitgift and Bishop Bancroft called the master and wardens of the company before them, and gave order that certain books should be burned. They also had this order read to the unprivileged printers. This was done by the company officials on 4 June.\textsuperscript{323}

This episode marks one of the first references to Bishop Bancroft of London in the company's records, and may indicate that Whitgift, now an old man and possibly disappointed over the Stafford case, was delegating more authority to others which he formerly kept in his own hands. The tactic, at any rate, seems to be a new one. It was also this order in which Whitgift gave over to the Privy Council the final licensing of books on English history,\textsuperscript{324} one more indication that the archbishop was divesting himself of some of his responsibility in the face of approaching old age and pressure from outside.

Once the Star Chamber Decree of 1586 had been questioned, Whitgift was forced to supplement the High Commission's authority in several matters. In 1600 Whitgift was again forced to let the Council in on the control and enforcement of the decrees, especially in political cases. Early in May of 1600 the archbishop brought a case before the Council which concerned the death by suicide of William Doddington. That this case might have had political significance is sug-

\textsuperscript{323}Greg and Boswell, Records, 72; Arber, Transcript, III, 677-678.

\textsuperscript{324}Arber, Transcript, III, 677.
gested by the fact that Doddington was the brother-in-law of the late Francis Walsingham and that the suicide itself was caused by what Doddington considered to be a perversion of justice and a case of vexatious litigation which was being pursued against him. When Doddington jumped from the tower of St. Sepulchre's on 11 April, there was a note about his plight in his pocket. This was picked up by a young printer and published as a broadside. On 4 May the Council wrote to the Stationers' Company instructing them to bring the culprit in and to search for the pamphlets. Anyone holding these who refused to give them over was to be brought "before me, the Lord Archbishop of Canterbury" by virtue of this Privy Council letter.

All political matters were probably referred to the council at this time, since many of them reflected on the disgrace of the Earl of Essex. On 10 May, Whitgift wrote to Sir Robert Cecil concerning a book brought in to him by one of the Earl's servants. The book was forwarded with the letter, although Whitgift had previously requested the officers of the Stationers' Company to make an inquiry into it. They had made a search, and found both the press and the printers at the house of Thomas Dawson, a member of the company. Two of his servants had done the printing, and they had been committed to close custody by the archbishop. Of


326APC, xxx, 317.
the 292 copies which they admitted to having printed, the archbishop boasted that he already had 210 in his possession, and expected to get the rest by the end of the day. The next day, Whitgift presented the printers' examinations to the Council, and a warrant was issued for Dawson's arrest. Dawson must have exonerated himself fully under questioning, however, for no action was taken against him and he was free to be elected as a warden of the Stationers' Company in the June elections.

The end of Elizabeth's reign is infamous for the restlessness displayed by many people against the control of the aged queen, and the printing trade seems to have been no exception to this generalization. On 26 January, 1600/01, Whitgift again requested conciliar assistance, forwarding to Cecil a libel which had been sent up by the Bishop of Llandaff. It had been printed on a secret press in Wales. Five days after the letter to Cecil, Whitgift was present when the Privy Council sent a letter to the Bishop of Llandaff, commending him and his assistants for their care in tracking down the "lewde fellowe that did make that seditious song." The man was to be held until the next assizes, when the judge

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327 Calendar of the Manuscripts of ... the Marquis of Salisbury ... at Hatfield House (London, 1883-1940), pt. 10, pp. 142-143. (Hereafter referred to as HMC, Salisbury)

328 APC, xxx, 317.

329 Greg and Boswell, Records, 77.

330 HMC, Salisbury, pt. 11, p. 20.
would be instructed on how to deal with him. The archbishop also seems to have ordered the Stationers' Company to assist in the case, for on 2 March the court laid out eight pounds for the expenses of two men who had just returned from Staffordshire.

Efforts were even made at this time to silence presses printing anti-government or anti-church literature overseas, although these efforts were probably not too effective. On 11 March, Whitgift being present, Privy Council wrote to a merchant who was in the Low Countries. It complained of some Englishmen there who were printing "a great number of bookes touching the succession to this Crowne." These were published under the name of Peter Wentworth, and it was intended that these were to be sent into England. Privy Council had heard that they were being printed in Middleburgh, which was under the jurisdiction of the United Provinces, and they required the man to act as their agent in dealing with the Estates for the seizure of both the books and the printer.

Less than a month after this, a proclamation was printed up to be publicly announced in London. It called for the better discovery of the "lewd lybells which are daily spred to the dishonour of her Majesty and the State." The only

331 APC, xxxi, 138-139.
332 Greg and Boswell, Records, 81.
333 APC, xxxi, 216.
334 APC, xxxi, 256.
evidence which exists that anything might have come of this is a letter from the Council to William Waad, one of its clerks, concerning a young man committed to Bridewell for involvement in these libels. Waad was empowered to use manacles on the fellow, who was reluctant to reveal what he knew about the literature.335

After this incident, it would appear that, if control were attempted in the printing industry, it had returned almost wholly to the jurisdiction of the Ecclesiastical Commission as a body. For the rest of the reign, the only other reference to be found in the company's records which definitely connects the archbishop to the regulation of the company's affairs occurs in conjunction with the commission, after the commencement of the new reign. Adding weight to this conclusion is the fact that Whitgift sought specific authorization for control of the press in the Ecclesiastical Commission of 1601.336

In 1603, Edward Aldee printed up 1500 copies of the King's Basilicon Doron, which had been registered with the company in the copyright of John Norton. Aldee also printed it without authorization from either the Ecclesiastical Commission or the company's officials. The High Commission heard the matter, and on 30 May their order was read before the company court. The Commission ordered that the full extent of the penalties of the Star Chamber Decree should be

335APC, xxxi, 281.

336Lambeth Palace MSS., Carte Miscellanea, V/3.
enforced against Aldee. Accordingly, the company ordered the destruction of his presses.\textsuperscript{337} They also intended to imprison him, but this was waived when Aldee submitted himself to the mercy of the court at the suggestion of the archbishop. Aldee's submission was made before the High Commission some time before 6 June and was entered into the company's minutes on that date.\textsuperscript{338} Whitgift, it would seem, was again showing that clemency which he had displayed in the early 1590's.

The regulation of the press was Whitgift's personal project from 1583 until almost the end of his life. At the time of his translation he began to stake a claim in this very troublesome sphere. Within two years, some sort of progress had been made in accomplishing this goal, although his position was not solidified until June of 1586. His system operated through the cooperation of the Stationers' Company and the Ecclesiastical Commission, with the Privy Council called on at times to supplement these with its powers. This system was only partially successful, as is evidenced by the ease with which illicit literature could be disseminated. But that it could be effective as an instrument of administrative action, even against difficult odds, is proven by its activities during the Marprelate crisis of 1588.

\textsuperscript{338}Ibid., 5.
Whitgift's devotion to the system he had created was such that only in old age did he share any large amount of his power with anyone else. Even then, his choice fell upon Bishop Bancroft, one of the ablest church administrators of that era, and the man who was to succeed him both as the head of the Ecclesiastical Commission and as the Archbishop of Canterbury, ensuring the continuity of his methods into the Early Stuart period. Whitgift's activities in the sphere of press regulation, insofar as they can be traced, show him to have used his potentially great powers with a good deal of compassion for the weaknesses and foibles of those whom he governed. Although he insisted that the company should enforce the rules he had developed, he seldom seems to have insisted on the full penalties of those rules being enforced. On the contrary, if the interpretation of the evidence advanced here is correct, the company may have reacted against his excessive clemency in 1593 and 1594, until Whitgift was brought to support their actions more fully.
Conclusion

John Whitgift became Primate of All England at a crucial moment in the history of the Elizabethan settlement. Those clergymen who were loyal to the via media which had been established were disheartened and demoralized following the administrative chaos of Archbishop Grindal's sequestration. The remaining clergy fell into two categories. Most were apathetic to the settlement; a small but very vocal group were openly hostile. Strong leadership was a necessity to bolster the flagging spirits and to restore order. Queen Elizabeth found in Whitgift a man with the requisite tact, strength, and ability for this role. That his principles were moderately conservative and that he was an outstanding defender of the church was probably his initial claim upon the royal favor. Still, his hold upon the good will of the queen could only be strengthened as it developed that he was the most competent church administrator available. By the end of the reign, his relationship with the queen was that of a trusted confidant as well as an ecclesiastical leader. If nicknames were signs of special royal appreciation, it is indeed significant that she called her archbishop her "black husband,"339 and that no other record exists for

similar appellations for any other ecclesiastics.

As befits an Elizabethan administrator, Whitgift viewed the church and state as opposite sides of the same coin, and accepted the place of the church within contemporary society. Because the secular arm had taken the role of senior partner in the church-state relationship at the time of the Reformation, it was necessary that all major policy decisions be submitted to the state for review before being implemented within the church. The first chapter of this dissertation recounts one example of this process at work. The submission of the sixteen articles exemplifies the active role which the council exercised. When returned, the number had dwindled to twelve, and, in the meantime, other suggestions were forwarded from the council table to Lambeth. The remainder of this incident shows that prior approval from the council was no guarantee of support when a policy was put into execution. The archbishop received little if any aid, and much hindrance, from the council in implementation of the most important of these approved articles, despite the fact that all of them had previously been acknowledged as lawful.

This episode also points out the practical uses to which that strength, tact and ability for which Whitgift had been selected could be put. When first faced with the possibility of large scale refusals to subscribe, the prelate held his ground for as long as he was able. When no more subscription would be forthcoming by this means, and
when opposition began to grow out of proportion to the problem itself, he tactfully accepted modified versions of the subscription articles. Finally, when even this proved to be of little avail against a small group of ministers who could gather support from important political factions, Whitgift found a compromise. He made an agreement with Walsingham that he would seek subscription only from new ordinands if the Council would support him in efforts to root out troublemakers by other methods. The alternative method, the twenty-four High Commission inquiries, itself was matter for controversy, and Whitgift finally had to resign himself to a very imperfect loyalty among his clergy. Yet the very fact that some of the most troublesome had been identified was of assistance in keeping them in line, and must have done much to boost the morale of the clerical administrators.

This first chapter - dealing as much with political as with administrative matters - is the only section of the dissertation which discourses upon matters extensively probed by other authors. This political sphere of Whitgift's activities is the sphere upon which many authors made their character assessments of the prelate.340 In this paper, it

340Examples of both pro- and anti-Whitgift writings follow basically along lines of personal preference. Those of conservative religious beliefs are usually in agreement with the archbishop and his policies. Many of these authors are cited in the introduction to this dissertation. For good examples of hostile points of view, see Patrick Collinson, Elizabethan Puritanism, where the author's vast reading in the propagandistic works of Whitgift's opponents slants his outlook somewhat. For an even more rabid opposition, see William Pierce, John Peiry, His Life, Times, and Writings (London, 1923). A more balanced viewpoint is expressed by
has been included chiefly to indicate the most extensive and effective use of political machinations to thwart the archbishop's first attempts to strengthen the church by administrative methods. The topic has been explored from a viewpoint which stressed the administrative aspects of the problem and, insofar as it was possible, has avoided judgment-making about the actions or character of the participants. As soon as the difficulty had subsided and no longer played a dominating role in administrative decisions, this semi-political discussion was concluded.

Although politics and church administration were never wholly divorced in the sixteenth century, they did become less intricately intertwined after the opening years of Whitgift's primacy. After the period recounted here, politicians remained interested in church affairs, but their interest was channeled more often to matters where profit could be realized or influence garnered. Interference diminished on matters of principle or procedure.341


341 Instances of political interference with church administration are most blatantly found in selections for ecclesiastical preferment. As late as 1600, Whitgift's favor with the queen was not always fruitful in securing appointments. It was still necessary to plead with Sir Robert Cecil and others to use their influence to bring about appointments. Both he and Bishop Bancroft of London had to write recommendations to Cecil so that the Master of Jesus College, Dr. DuPort, could get further advancement (HMC Salisbury, pt. 10, pp. 383 and 385). His preferment did come shortly thereafter, but it was not necessarily the clerical recommendations which secured it. DuPort may have been chosen because he raised no objections or exceptions to certain demands which Cecil made in his letter of confirmation for the appointment (Ibid., pt. 10, 431).
The other two chapters deal with matters which have fewer political connections. Visitation was an ancient administrative practice which, at best, could be described as cumbersome. Press regulation was also one of the areas traditionally within the purview of ecclesiastics. It was, however, extremely ineffective due to lack of organization. The archbishop seems to have thought both of these were potentially valuable. He set himself and his staff to bringing about workable solutions in these realms.

The complaints usually raised against the visitational system were principally that it took too long, was subject to too much arbitrary behavior on the part of churchwardens and judges, and that it cost too much. These complaints Whitgift sought to remedy in two manners. One was through example. His streamlining of the visitation articles and appointment of trustworthy subordinates, answerable to him, to oversee visitations was done to speed and improve the process by which visitation was accomplished. This has been recounted in the second chapter. Also, according to his secretary, he dispensed with many of the fees to which he was entitled at all but one of his visitations of Canterbury. The second manner in which he attempted to quash the complaints was through administrative orders which at-


tempted to stabilize and publicize fees which were collectable by each of the ecclesiastical courts.344

The last area with which this paper concerns itself, the regulation of the printing trade, may have been Whitgift's greatest advancement in the realm of ecclesiastical administration. He restated and revivified the church's jurisdiction in this sphere and established the working procedures by which the Ecclesiastical Commission handled its censorship cases. He supervised the opening phases of the system which remained operative up until the time of the Civil War. Except for a few minor changes, due to changing aspirations and personnel during the nearly half-century of Stuart kingship which followed after Elizabeth, the system remained essentially the same as it had been at the time of Whitgift's death.

It was Whitgift's successful achievements in these more mundane administrative actions which made possible the maintenance of the system which he had inherited. Without these concrete achievements, his defense of the status quo before the queen might have been of no avail against the continued pressures for radical reform from within the church itself and from parliament. Most of his attempts at reform recounted above were ephemeral. Only one of these attempted reforms

344R.G. Usher, The Reconstruction of the English Church, II, 327, prints the administrative orders of 1593, which made the archbishop's prior efforts along these lines effective throughout the entire province.
may serve as a starting point for discourse on the Stuart church. This point of continuity is the regulation of the printing trade. The attempt to secure a disciplined clergy through restatement of a few points of law was given up within a few years. In any case, even those of the twelve articles which did remain operative throughout the period under review were superseded by the Canons of 1604, which incorporated the best of the original articles plus other orders Whitgift had attempted to institute later on within an integrated code.345 His attempted reform of the visitational system did not survive his death. His successor, as was seen above, rejected the more streamlined articles and returned to much more detailed inquiries. This began the strict insistence on points of ceremonial which is more characteristic of the Stuart period. It led, in the end, to disaster for the church as Elizabeth and Whitgift would have had it.

Whitgift's methods may at times have seemed high-handed, but if his treatment of the printing trade and of the non-subscribing ministers outlined above is any indication of his character, he was not the ogre which he has been portrayed by his critics. Instead, he was only a conscientious administrator, seeking to secure a loyal and efficient church

345Ibid., 191-192, 359-361, 383-384, and especially 386-389; see also S.B. Babbage, Puritanism and Richard Bancroft, Chapter 3.
for his sovereign through administrative means. He undoubt-
ably felt that if proper administration could be secured
and maintained, all other things could be remedied in due
time. In this thinking he was definitely in error. The
crieses facing the church were of a monetary and disciplinary
nature more than of an administrative one. Yet his attempt
to get his own house in order was also necessary. His minor
administrative reforms added stability to the church so that
it was able to advance when the new archbishop and new mon-
arch had determined upon the direction in which they wished
the church to proceed.
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2. SECONDARY SOURCES: BOOKS


3. SECONDARY SOURCES: ARTICLES


APPENDIX I

Articles of 1583

The number of the approved article is in the column lettered A; that of the original proposal made by the bishops is in the column lettered P.

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XII XV No dispensation for marriage without banns is to be issued unless bonds are taken that no impediment exists.

II No book is to be printed without the consent of the Archbishop of Canterbury or the Bishop of London, and no translations or annotations of the Bible are to be printed without approval of a synod of bishops.

V No dispensations to derive benefits from cathedral churches while non-resident from them are to be issued.

VIII Writs de excommunicato capiendo are to go to the ordinary without charge to him.

IX Sheriffs are to be urged to enforce these better.
APPENDIX II
ARCHBISHOP WHITGIFT'S ARTICLES FOR
BATH AND WELLS DIOCESE

1583


Articles to be inquired of within the visitation of the Most Reverend Father in God, the Archbishop of Canterbury, Primate of all England and Metropolitan, within the diocese of Bath and Wells.

(1a). Whether your parson, vicar, or curate do every Sunday when there is no sermon read distinctly and plainly some part of the Homilies prescribed and set forth by the Queen's authority to be read; and every Holy Day when there is no sermon immediately after the gospel openly, plainly and distinctly recite to his parishioners the Lord's Prayer, the Articles of the Faith and the Ten Commandments in English; and whether any minister not admitted by the ordinary or by other lawful authority do expound any Scripture or matter of doctrine by the way of exhortation or otherwise, and there omit and leave off.

1. Whether that every Sunday and Holy Day openly in the church your parson, vicar, or curate do call for, hear, and instruct all the children, apprentices, and servants of both sexes that be of convenient age within the parish or at least so many of them by course as the time will serve and as he may well hear and instruct for half an hour at the least before or at Evening Prayer in the Ten Commandments, the Articles of the Belief, and the Lord's Prayer, and diligently examine and teach them the Catechism as it is now allowed and set forth; and whether for that purpose he doth take the names of them all and by course call certain of them by name every Sunday and Holy Day to come to the teaching of the same Catechism?

2. Whether any do preach, declare, or speak anything in derogation of the Book of Common Prayer which is set forth in the laws of this realm, dispraising the same or anything therein contained?

3. Whether your parson, vicar, curate, minister, or reader do church any unmarried woman which hath been gotten with child out of lawful marriage and say for her the form of thanksgiving for women after childbirth, except such unmarried woman have either before her childbirth done due penance for her fault to the satisfaction of the congregation, or at her coming to give thanks do openly acknowledge her fault be-
fore the congregation at the appointment of the minister ac-
cording to order prescribed to the minister by the ordinary
or his deputy; the same churcning to be always upon some Sun-
day or Holy Day and upon none other day?

4. Whether any of your parsons, vicars, curates or mini-
sters or any other priest, or any layman or woman, do wilful-
ly maintain or defend any heresies, false opinions, or popish
errors contrary to the laws of Almighty God and true doc-
trine by public authority in this realm now set forth, and
what be their names; and whether any keep any secret conven-
ticles, preachings, lectures, or readings contrary to the
laws, and what be their names?

5. Whether there be any in your parish that openly or
privately say Mass or any other kind of service or prayer
than is set forth by the laws of this realm?

6. Whether any popish priest either going as priest or
disguised in other apparel or altering their names for any
cause, or any other, or renegade person, mislikers or de-
pravers of true religion that do not minister or frequent
Common Prayer now used, nor communicate at times appointed
by the laws, do resort secretly or openly into your parish
and to whom; and of whom be they received, harboured, and
relieved; and what be their names and surnames or by what
names are they called?

7. Whether your parsons or vicars be resident and dwell
continually upon their benefices doing their duties in preach-
ing, reading, and ministering the Sacraments; and whether
they keep hospitality according as their living will extend;
and whether their houses and chancels be well repaired and
upholden?

8. Whether there they or any of them have more benefices
than one; and how many and in what countries they be, and
what be the names thereof?

9. Whether they or any of them keep any suspected woman
in their houses; or be incontinent persons, given to drunk-
eness or idleness; or be haunters of taverns, dikers, card-
ers, tablers, swearers, or otherwise suspected of any notor-
i ous crime, or give any evil example of life; and whether
they (as they ought to do) occupy themselves in the reading
or hearing of some part of the Holy Scripture or other good
author, or in some other godly or laudable exercise meet for
their vocation?

10. Whether they or any of them do keep or suffer to be
kept in their parsonages or vicarage houses any alehouses,
tippling houses or taverns; or do sell ale, beer, wine, or
any victual?
11. Whether your Parsons or Vicars have bought their benefices or come to them by simony, fraud, deceit or colourable pact or other unlawful means whatsoever, or be vehemently suspected or defamed thereof; and whether they keep in their own hands or have demised to let to farm their parsonages and vicarages or their glebe-lands or tithes or any part thereof; and whether any such lease be made for the performance of any simoniacal pact made directly or indirectly between the incumbent and patron, or between the incumbent and any other person for the presenting of the same incumbent to that benefice?

12. Whether there be any man or woman in your parish that resorteth to any popish priests for shrift or auricular confession; or any that within three years now last past hath been reconciled unto the Pope or to the Church of Rome; or any that is reputed or suspected so to be; and whether there be any that refuse to come to the church to hear Divine Service or to communicate according to the order now established by public authority, and what be their names?

13. Whether for the putting of their churchwardens and swornmen in the better remembrance of their duty in observing and noting such as offend in not coming to Divine Service, your minister or reader do openly every Sunday after he have read the second lesson at Morning and Evening Prayer monish and warn the churchwardens and swornmen to look to their charge in this behalf, and to observe who contrary to the statute offend in absenting themselves negligently or willingly from their parish church, or chapel, or unreverently as is aforesaid use themselves in the time of Divine Service?

14. Whether your hospitals, spitals, and almshouses be well and godly used according to the foundation and ancient ordinances of the same; whether there be any other placed in them than poor, impotent, and needy folk that have not wherewith or whereby to live?

15. Whether the schoolmasters which teach within your parish, either openly or privetly in any noble or gentleman's house, or in any other place there, be of good and sincere religion and conversation, and be diligent in teaching and bringing up of youth; whether they be examined, allowed, and licenced by the ordinary or his officers in that behalf; whether they teach the grammar set forth by King Henry the Eighth of noble memory and none other; whether they teach anything contrary to the order of religion now established by public authority; and whether they teach not their scholars the Catechism in Latin lately set forth, and such sentences of Scripture as shall be most expedient and meet to move them to the love and due obedience and reverence of God's true religion now truly set forth by the Queen's Majesty's authority, and to move them to all godliness, and other honest conversation; and what be the names and surnames of all
such schoolmasters and teachers of youth within your parish, as well of such as teach publicly as those that teach in the houses of noblemen, gentlemen, or other private men?

16. Whether there be any in those parts that have married within the degrees of affinity or consanguinity by the laws of God forbidden, so set out for an admonition in a table appointed to be fixed in every parish church within the diocese; or any that being divorced or separated from the same do yet notwithstanding cohabit and keep company still together; or any that being married without those degrees have unlawfully forsaken their wives or husbands and married others; any man that hath two wives; or any woman that hath two husbands; any that being divorced or separated asunder have married again?

17. How many adulteries, incests and fornications are notoriously known to have been committed in your parish since Easter 1580; how many offenders in any such faults have been put to open penance and openly corrected; and how many have been winked at and borne withal or have fined or paid money to the archdeacon, chancellor, commissary, official or their deputies, or to the deans, registrars, or somners, or any of them for to escape open punishment and correction; and what their names and surnames be?

18. Whereas lately there have been sent unto you certain articles devised by the Queen's most honourable Privy Council and sent and recommended to the said Archbishop of Canterbury to be published and put in execution throughout his whole province, you shall inquire and certify how the same have been and are executed and satisfied within that diocese; and also you shall procure the like inquiry to be made of the execution of certain articles lately sent unto you from the said Archbishop himself, and make true certificate after the end of his visitation how the same be also executed within the said diocese.
APPENDIX III

ARCHBISHOP WHITGIFT'S ARTICLES FOR
CANTERBURY DIOCESE

1589

(W.P.E. Kennedy in Elizabethan Episcopal Administration, vol. III, 247-249, has printed this set of articles as being first used in the visitation of Salisbury in 1589. Cross-checking with Whitgift's Register, however, it was discovered that Salisbury was not visited until 1590, and, although the articles were the same, the first use of them was made at Canterbury and Rochester. Reg. I, Whitgift, f. 400 for Salisbury, Reg. I, Whitgift, f. 254.)

Articles to be inquired of by the churchwardens and sworn men in the ordinary visitation of the Lord Archbishop of Canterbury in the diocese of Sarum.

1. **Imprimis**, whether your church be void, and if it be who gathered the fruits thereof; and if it be full whether the incumbent hath any more benefices than one; whether he be a preacher, yea or no; and what degree of school he hath taken?

2. **Item**, whether your minister doth reverently say service and minister the sacraments according to the Book of Common Prayer; and whether he doth use in his ministrations the ornaments appointed by the laws now in force?

3. **Item**, whether you have in your church all things necessary for the Common Prayer and the administration of the Sacraments, according to her Majesty's laws and Injunctions?

4. **Item**, whether you have had monthly sermons in your parish church at the least, or no; and whether are the Homilies read when there is no sermon?

5. **Item**, whether any person, being not deacon at the least, is suffered to say service in your church, to minister the sacraments, or bury the dead; and whether doth any take upon him to preach not being sufficiently licenced; and whether any doth use to preach that doth not once in the year at least administer one of the sacraments?

6. **Item**, whether your parson or vicar be resident upon his benefice; and whether he be an incontinent person or suspected thereof, or faulty in any other kind of lewdness?

7. **Item**, whether your parson, vicar, or curate have publicly or otherwise spoken against the order of the government of the Church of England, or the Book of Common Prayer, established by law?
8. **Item**, whether your ministers use to pray for the Queen's Majesty, Queen Elizabeth, by the title and style due to her Majesty, appointed by the statutes of this realm and her Highness' Injunctions, and exhort the people to obedience to her Highness and other magistrates being in authority under her?

9. **Item**, whether your minister doth not openly in your church catechize such as be of convenient age, according to the orders set forth in the Book of Common Prayer?

10. **Item**, whether all persons of convenient age doth not repair to the church upon Sundays and Holy Days, and receive the Communion thrice yearly?

11. **Item**, whether you know any person that withhold any church-stock or hath not made their accounts duly according to the law, having been churchwardens?

12. **Item**, whether you know any common swearer, drunkard, or blasphemer; any simoniacal person, usurer, witch, conjurer, soothsayer, charmer, fornicator, adulterer, incestuous person; or any that harboureth incontinent persons; or any vehemently suspected of any of those crimes?

13. **Item**, whether you know any schoolmaster that doth teach within your parish without licence of his ordinary under his seal, or no?

14. **Item**, whether you do know in your parish any man that hath two wives living, or any woman that hath two husbands living?

15. **Item**, whether you do know any that doth obstinately defend papistry, heresies, errors, or false doctrines?

16. **Item**, whether you do know any persons excommunicate in your parish, and whether any such doth repair to the church?

17. **Item**, whether your church or chancel be ruinous or decayed; and by whose fault?

18. **Item**, whether you know any receivers of Jesuits, seminaries, or massing priests, or any other fugitive persons; or reconciled to the church of Rome?

19. **Item**, whether you know any that use conventicles or meetings for expounding scriptures, or saying of prayers in private houses or places?

20. **Item**, whether there be any hospitals or almshouses in your parish; and whether the same be used according to the foundations and ordinances thereof?
21. Item, whether you know any persons ordered by the law to do penance, or excommunicate for not doing the same, do still so continue unreformed?

22. Item, whether you do know any other matter worthy of presentment above not express, yea or no; which you shall likewise present by virtue of your oaths?
APPENDIX IV

ARCHBISHOP WHITGIFT'S ARTICLES FOR
ST. ASAPH DIOCESE

1600

(W.P.K. Kennedy in Elizabethan Ecclesiastical Administration, vol. III, p. 334, is mistaken when he states that there was only one small addition to the basic list of twenty-two articles which had been in use since 1589. Rather than twenty-three articles, as he would have us believe, there were twenty-seven articles sent to St. Asaph in 1600. These are printed in full below from the Archbishop's Register. Reg. III, Whitgift, f. 217b-218b.

1. Imprimis, whether your church be void, and if it be who gathered the fruits thereof; and if it be full whether the incumbent hath any more benefices than one; whether he be a preacher, yea or no; and what degree of school he hath taken?

2. Item, whether your minister doth reverently and distinctly say service and minister the sacraments according to the Book of Common Prayer with an audible and distinct voice for the people to understand him, and whether doth he use in his ministration the ornaments appointed by the law now in force, and whether your minister doth not often give himself to some manual trade, as going to plow and cart to the infamous of his calling?

3. Item, whether you have in your church all things necessary for the Common Prayer and the due administration of the Sacraments, according to her Majesty's laws and Injunctions?

4. Item, whether you have had monthly sermons in your parish church at the least or no; and by whom have you those sermons you have; and whether are the Homilies read when there is no sermon?

5. Item, whether any person, being not deacon at the least, is suffered to say service in your church, to minister the sacraments, or bury the dead; and whether doth any take upon himself to preach not being sufficiently licenced; and whether any doth use to preach that doth not one in the year at least administer one of the sacraments.

6. Item, whether your parson or vicar be resident upon his benefice; if he be not, how long hath he been not resident, and where doth he remain, and whether he be noted or defamed to come by his benefice by simony, and whether he be an incontinent person, or suspected thereof, a common haunter
of taverns, alehouses, tippling houses, given to drinking, a common gamester, a player at dice, or faulty in any other kind of lewdness whereby his ministry is offensive or scandalous?

7. Item, what or how many chapels are there belonging unto your parish beside the chief church; and by whom is it or they served, and how often in the quarter is there public prayer in that chapel or chapels?

8. Item, whether have you a convenient pulpit in your Church, placed where the people may well hear and understand God's word preached unto them, and whether doth your minister read public prayer in such seat at the partition betwixt the church and chancel where he may be heard by the whole congregation, or read his divine service, as in the time of popery, at the upper end of the chancel, commonly called by the name of the high alter, whereby few can hear or understand him?

9. Item, whether is your parson, vicar, or curate noted to frequent or be overconversant, or a favorer of recusants, or a company keeper with any such, whereby his ministry is the more suspected to insincere?

10. Item, whether is your benefice a cured benefice of itself, or endowed with a vicarage, if it be, what is the parson's names and the vicars: where do they or either of them dwell and reside; if you be served by a curate, whether he is a public preacher, yea or no, or allowed by his ordinary to serve the cure, and whether doth he serve more cures then one, or keep any alehouses or other tippling houses or use any other handicraft or trade unfit for his ministry?

11. Item, whether your parson, vicar, or curate have publicly or otherwise spoken against the order of the government of the Church of England, or the Book of Common Prayer, established by law; or doth refuse or neglect to use the service in the said book prescribed in public prayer or administration of the sacraments?

12. Item, whether your ministers use to pray for the Queen's majesty, Queen Elizabeth, in your church, by the title and style due to her majesty, appointed by the statutes of this realm and her Highness' Injunction, and exhort the people to obedience to her Highness and other magistrates being in authority under her?

13. Item, whether your minister doth not openly in your church catechize such as be of convenient age, according to the order set forth in the Book of Common Prayer; and do your parishioners duly send their youth to be catechized, and what be the names either of the ministers that doth it not, or of the parishioners who neglect to send their youth to it?
14. Item, whether all persons of convenient age doth not repair to the church upon Sundays and Holy Days according to the Statute in that case provided, and receive the Communion thrice yearly, as by law they are bound, and what be their names and do not so?

15. Item, whether you know any common swearer, drunkard, or blasphemer; any simoniacal person, usurer, witch, conjurer, soothsayer, charmer inquirible by the ecclesiastical laws, fornicator, adulterer, incestuous person, or any that harbors incontinent persons since the first of August 1597, or any vehemently suspected of any of these crimes?

16. Item, whether you know any schoolmaster that doth teach within your parish without licence of his ordinary his seal or no; whether publicly or privately in any man's house?

17. Item, whether you do know any that doth obstinately defend papistry, heresies, errors, or false doctrines, or do privately receive into their houses any known Recusants?

18. Item, whether you do know in your parish any man that hath two wives living, or any woman that hath two husbands living; or any that have married incestuously with their kindred contrary to the laws of God and of the Church of England.

19. Item, whether you know any persons excommunicate since August 1597, in your parish, and whether any such doth repair to the church not seeking to be restored to the church, and what be their names, and how long have they stood so?

20. Item, whether your church or chancel be ruinous or decayed or out of reparations, and by whose default is it so, and how long hath it so been, and whether is your pulpit the ministers seat to read prayers in, or any pews in your parish church out of repair, and by whose default they be so?

21. Item, whether you know any that use conventicles or meetings for expounding scriptures, or saying prayers in private houses or places other than in their open and public church or chapel?

22. Item, whether you know any receiver of Jesuits, seminaries, or massing priests, or any other fugitive persons; or of any goers about from place to place to recusants houses within your parish under color of maintanence [sic.] for their obstinacy in religion?

23. Item, whether there be any hospitals or almshouses in your parish, and whether the same be used according to the foundations and ordinances thereof, and the poor in them maintained accordingly?
24. Item, whether you know any persons ordered by the law to do penance; or excommunicate for not doing the same, do still continue unreformed, and what is the offence for which they so stand and their names which so stand?

25. Item, whether the register book of marriages, christenings and burials be made of parchment and kept and other things observed according to the late canons made and published in that behalf, and a true transcript and copy thereof brought unto the Lord Bishop's register yearly as is appointed?

26. Item, whether have any been married in your parish church or in any houses since the first of June 1598 not being publicly asked thrice several Sundays or Holidays, and by whom have they been so married?

27. Item, whether you do know any other matter worthy of presentment above not expressed, yea or no; which you shall likewise present by virtue of your oaths?
APPENDIX V

ARCHBISHOP WHITGIFT'S ARTICLES FOR
ST. ASAPH CATHEDRAL

1600


Articles for the Cathedral Church of St. Asaph.

1. Imperimis, whether every member of this Church at his first admission doth swear to observe such statutes as have been hitherto used as statutes and not contrary to the laws of the realm of England; and whether any hath been admitted to be dean, prebendary, or any other minister of this Church whatsoever that hath not taken the oath for the observation of the statutes?

2. Item, what other benefices ecclesiastical the dean, archdeacon, prebendaries, or other ecclesiastical persons of this Church have, besides their rooms and places in this said Church?

3. Item, how long in every year every of them do or ought to remain resident in this Church; and how long in every of their other benefices?

4. Item, whether the number of those that serve the choir and all other ministers of this Church is kept so full, and the choir indifferently furnished with indifferent furnished with *sise* able singers, and daily service there sung according to the foundation of that Church?

5. Item, whether your Divine Service is used and the Sacraments administered in due time and according to the Book of Common Prayer and by singing and note according to the statutes of this Church?

6. Item, whether all the members of your Church, especially the prebendaries and ecclesiastical persons, do use seemly garments and attires according to the Queen's Majesty's Injunctions both abroad and in the Church?

7. Item, whether the prebendaries and preaching in your Church do preach yearly the full number of sermons appointed by the statutes and ordinances of the said Church and the late Constitutions ecclesiastical in their own persons or by others; and who doth most usually preach them; and how often have sermons or lectures in the Cathedral Church and by whom in every week or month; and what be the statutes of this Church in that behalf?
8. Item, whether the muniments and evidences of this Church be safely kept; and what yearly stipend every penion and vicar-choral hath and ought to have; and what persons is the foundation of your Cathedral Church — namely of how many prebendaries, canons, pensioners, vicars-choral, choristers, vergers, grammar-school master and scholars or other like; and who is bound to maintain and find them; and are they at this present full and serve the church in their own persons as by the laws they ought to do?

9. Item, whether the choristers be well-ordered and the number of them furnished?

10. Item, whether the choristers be brought up in good order and profit in learning; and whether their schoolmaster be diligent in teaching and bringing up of them?

11. Item, whether the officers of this Church — namely stewards, treasurers, bursars, receivers or accountants, any otherways — do yearly make a true account of their receipt and pay such money as is due to the Church upon their account; and whether any such person be now indebted into the Church and in how much?

12. Item, whether the Cathedral Church be sufficiently repaired; and by whose default it is unrepaid and who ought to repair it?

13. Item, stock is appointed for the repairing of the said church and how much now remaineth and in whose hands?

14. Item, whether the prebendaries and other the preachers of this Church in their sermons do use to pray for the Queen's Majesty and give unto her Highness in their prayer according to the statutes and Injunctions her style; and whether they pray according to the same Injunctions for the archbishop their ordinary?

15. Item, whether there be within this church or the precincts and limits thereof any usurers, drunkards, adulterers, fornicators, incestuous persons, swearers, or such as neglect or refuse to repair to the Church to service, or do not receive the Communion thrice yearly; or vehemently suspected of the crimes aforesaid; or any that be familiarly and daily conversant with recusants or notorious papists; or harbourers and receivers of any such into their houses?
APPROVAL SHEET

The dissertation submitted by Barry McCauley has been read and approved by the following Committee:

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Professor, History, Loyola

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Associate Professor, History, Loyola

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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 by the Committee with reference to content and form.

The dissertation is therefore accepted in partial fulfillment of the requirements for the degree of Barry McCauley.

February 24, 1975
Date

Director's Signature