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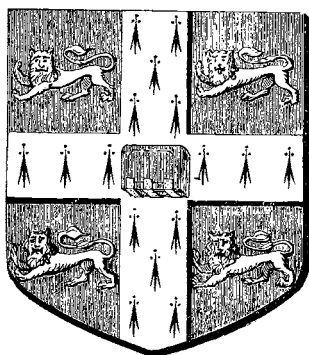
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Edited by James Heywood and Thomas Wright

Excerpt

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UNIVERSITY OF CAMBRIDGE.



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THE UNIVERSITY TO LORD BURGHLEY.

[From MS. Lansd. no. 62, art. 39.]

Honoratissimo domino, domino de Burleie, summo totius Angliæ
thesaurario, academiæ Cantabrigiensis cancellario amantissimo.

Vix dum ob recens acceptum beneficium honori tuo gratias
egimus, cum ecce novum a te subsidium postulamus: adeo
hæc ætas non solum litteratis sed ipsi etiam literarum do-
micilio infesta est, feraxque et invidiæ et injuriarum. Non
fugit prudentiam tuam (honoratissime Burleiensis) jam olim
veterem fuisse nobis cum Londinensibus de jure nostro ad
imprimendum contentionem. Ea cum interposita Thomæ
Thomasii morte aliquantisper deferbuisset, post alium in
ejus locum surrogatum a nobis impressorem, emersit denuo
jamque exardescit ita vehementer, ut verendum plane sit
(nisi mature subveniatur) ne eodem incendio et fortunæ

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omnes hominis officiosissimi et auctoritas privilegiorum nostrorum sit conflagratura. Ac cætera quidem non inviti præterimus. Nam de dictionariolo, confecto primum apud nos ab ipso Thomasio, locupletato deinde ab ejus successore, jam semel atque iterum nostris typis tua auctoritate emisso, tametsi quæ minantur minime sunt ferenda, de iis tamen, vel quia minæ ac verba tantum adhuc sunt, vel quia eam rem curæ tibi et jam ante fuisse cognoscimus, et futuram etiam esse vehementer speramus, minus nunc laborandum duximus. Equidem ingenue fatemur, quæ tam confidenter vociferantur nonnullum nobis timorem injiciunt, sed eæ minæ tantum, quæ tam iniique fecerunt, querelam exprimunt. Terentii comœdias, quo et facilius emi ab indigentibus et commodius gestari ab omnibus possent, impressor noster (ut est homo non suæ magis quam studiosorum utilitatis cupidus) contractiore volumine et minoribus sed scitissimis litteris excudendas curavit. Earum cum satis magnum numerum Londini apud amicos quosdam suos deposuisset, quibus hoc negotii datum est ut venderent distraherentque, præfecti bibliopolarum eas omnes, excussas ereptasque e manibus, domum ad se et in rem suam contulerunt. Satis hoc inhumanum videretur, etiamsi quid peccatum in privilegia probaretur. Nam universum jus suum cum jactura alterius persequi magis semper permisit lex quam probavit æquitas. Nunc vero cum nec fraus ulla legi, nec injuria cuiquam homini illata sit, cum libri ipsi sint et tam utiles ut digni existimentur qui ab omnibus ediscantur, et tam approbati ut etiam ab exteris non modo invehantur impune sed etiam ubique vendantur, cum ipsa privilegii nostri disertissima verba nullius non libri (modo legitimi) copiam nobis faciant, nullam hujus regni partem a vendendo excludant, recusari non potest, quin iniquissime ab iis consultum nobis fuisse omnes existiment. Quare majorem in modum ab honore tuo contendimus (illustrissime Cecili) ut præsidio esse velis juri et inopiæ contra vim atque

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cupiditatem : ut eripias e faucibus pecuniosorum hominum quantulasunque servi nostri facultates ; quas neque illi sine summa injuria retinere, neque hic sine maximo suo incommodo potest amittere. Da hoc homini, da humanitati tuæ, da academiæ, cujus periculum ita cum hac causa conjungitur, ut aut recreari illam per te necesse sit, aut eodem confecto vulnere privilegia etiam nostra interire. Cantabr. e senatu nostro, 4^o Non. Jan.

Honoris tui observantissimi,
Procancellarius et reliquus senatus Cantabr.

AGAINST A VISITATION OF THE UNIVERSITY.

DR. WHITAKER TO LORD BURGHELEY.

[From MS. Lansd. no. 62, art. 41.]

To the right honorable the lord of Burghley, lord high treasurer of England, and chancellor of the University of Cambridge.

AFTER my humble dutie to your honourable lordship : I reckon myself bownden in conscience, both by private dutie to your lordship, and in regard of my othe to this Universitie, to sollicite your lordship, as occasion requireth, in such things as doe nerely concerne the welfare of our Universitie, which hath florished theis many yeares under her majesties most happie raigne, and your lordships carefull governement (which both I beseach Godd long and long to continue), but now is in danger to fall into divers great incombrances, to the grevous præjudice therof, unles your jordship, upon whom the safetie and, as it were, the lyfe therof, next under Godd and her majestie, dependeth, will prevent the same in tyme. The libertie of appeles being now of late utterly lost, wherby one member is alreadie cut of, not the worst: the inconvenience herof will appeare, as maie justly be feared, more hereafter, not in one

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or two, but in as many as shall utter any thinge, thoughē in never so good sort, contrarie to the lykinge of a fewē. Wherin I pray your lordship to pardone me for my grieffe, bycause it toucheth me soe nere. For althoughē I have not, neither doe I purpose to teach any thinge but the truth, and that without the offense of any, either state or statute, yet having to deale in so many matters of controversie with the papistes, I may peradventure bee at sometymes mistaken, and so either compelled to offensive retractation, or expelled the Universitie. But this being now a commē mischiefe, I must bee content to undergoe with others, and will endeavour to escape, as well as God shall directe mee. But if further it come to passe, as of late hath bene bruted amongst us, and by secrete report upon some ground is brought to me, that some amongst us attempt to procure a generall visitation, then I may easilie forsee what is to bee looked for hereafter. A visitation (I know) in Cambridge is verie requisite, if such commissioners were appointed as wold in dede carefully reforme abuses, which are too many amongst us: but cause there is to feare, that this visitation would rather serve to root out such as speake against disorders, then to remove the disorders themselves, and that it wold be used as an instrument to pull up moe good plants then weedes. If this plott goe forward (as I am uncertaine) I humbly desire your lordship but only to examine throughly the causes and partes therof, and to bee enformed from hence what good or harme may arise therby to the Universitie. Having heard some inkling of suche a matter, and knowing the importance therof, I thought it my part ether to forewarne your lordship therof aforehand, or els, thoughē lately, yet (I hope) in tyme to make some intercession, that things may be caried with indifferencie, and this good Universitie may enjoy that peace and tranquillitie which thus long it hath enjoyed under your lordship, to Gods glory and encrease of religion and learning. And

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thus I humbly take my leave, beseaching the Godd of hea-
 ven to blesse your lordship with much honor and long liffe.
 From St. Johns Colledge in Cambridge, Feb. 3, 1589.

Your honors to use in the Lord,

WILLIAM WHITAKER.

DISPUTES IN THE UNIVERSITY.

THE VICE-CHANCELLOR TO LORD BURGHLEY.

[From MS. Lansd. no. 62, art. 42.]

To the righte honorable my singlar good lord, the lord Burghley,
 lorde highe treasurer of England, and chauncellour of the Uni-
 versity of Cambridge.

RIGHTE honorable, I was in good hope that it shoulde not
 have bene nedefull to have trobled youer lordshipp with
 anie vewe of the particuler disorders of the Universitie of
 Cambridge since my late comeinge unto that place, which
 I houlde there under your honor. But so it is, that find-
 inge no end of some mens forwardnes there, in troblinge
 the good quiet of that place, and beinge of my selfe most
 loathe to take anie other course in the restraineinge thereof
 then shall stande well with youer lordships good likeinge,
 for that your lordships present estate (as I do perceave)
 doth as yet very necessarily forbid the hope of any per-
 sonall accesse unto youer honor, I have thus thoughte
 meete, by a true reporte of the particulers here inclosed,
 most humblie to crave your lordships most honourable
 direction therein, as shall seme meetest unto youer wise-
 dome; moste entirely desyreinge the Lord God so to blesse
 youer honour with the recoverie of youer former goode
 healthe, as the weale publicke of this land may still receive
 the frutes thereof, and the churche of God the continuance

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of that benefitt it hath longe fownde by your lordships most honourable care, in the preservation of that her nursery of leareninge, whereof (under her majestie) it hath pleased him to make your lordship the cheife. At London, this sixte of Februarie, 1589.

Your lordships unworthy deputye
most dutifully bownd,

THOMAS PRESTON.

Firste, in that little intermitted time before mine eleccion to the place of vice-chauncellour, it was by some plotted that Mr. Bettess the proctour shoulde take upon him the controwleing of my predecessours sentence againste Mr. Johnson, by the inhibitinge of Mr. Dr. Barwell to proceede in the execution thereof; the which thinge, notwithstandinge my said predecessours expresse commaundement to the contrarye, the said proctor toke upon him to execute, though there were nether statute, custome, nor anie example to warrant the same.

The next devise was at the time of the eleccion ymmediately succeedinge, to proceede to a choise of delegates, upon Mr. Johnsons appeale, whereunto they offered names of men meerey partiall, as can be very well proved; in which they had suerlie prevayled (notwithstandinge the Universitie was then withoute a heade or governour for the orderinge of anie such accion), had not the gravitie and wisdom of some persons then present, (as I thincke) for shame, stayed them, and by expresse wordes forbidden there proceedinge.

This not succeedinge, there third attempt was, before my repaire to Cambridge, by a tumultuous assemblie in the streates, to the number of fyftie or threescore persons, to have won proctour Bettess to the callinge of a congregacion, purposelie to further that appeale, utterlie withoute all warrant of statute or example, and had prevayled therein, had not the keies of the regent-house dore bene carefullie withhelde by Mr. Dr. Still and Tindale, who heard of and perceaved the violence they intended.

This prevented, there fourthe plott was, by a confederacie, to overturne the ordinarie proceedinge in all graces and grauntes in the schooles, and to this end did, withoute all regard ether of equity or conscience, combine themselves under there handes therein geven to the staie of anie thinge that should be there propownded: as did verie well appeare by the denial of Mr. Andrews to be doctour of

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divinitie in the firste congregacion after my admission; and had still continued the same course, had they not then fownde them selves to weake by the repayreinge of diverse men to the scholes, to withstand there unrulines, as in that accion concerninge Mr. Andrews they did.

This course thus hindred, there fite devise was, and is still continued, by a certaine libertie of speache in the pulpitt, ether to discourage the magistrate, as farr as by wordes they may, from the doeing of his dutie in the repressinge of them, or by animatinge the younger sorte againste lawfull auctoritie, by the libertie and straungnes of there posicions, to bringe the governours there into contempte, beinge agreable to that course which hath bene latelie taken for the overthrowinge of the present estate, as your lordship better knoweth, and is the readie waie to confusion in that commen nurcerye of learninge, as ouer experience teacheth us.

To which purposes they do ordinarilie houlde and bowldie geave oute in there publike sermons as followeth, viz.:

That anie sentence geaven by a judge is to be examined of everie private man by the word of God.

That it deserveth no obedience yf by them it be not fownd to be thereunto agreable.

That the godlie and zealous in these times are ordinarilie persecuted by the authoritie of the superiors.

That the younge ones in Gods schole are not to be fainte or to be discouraged by such tirannie.

That the bewtie of ouer churche, in the government thereof, is farr from that of the presbyterie, etc. in the time of the apostles, etc.

Whereupon, forasmuch as I take it to be verie apparent that all these hurtes and incumbrances do principallie rise from Mr. Johnsons complottinge with his associates: and that it must needes be confessed, I do not see how to provide for the greatnes of the inconveniences like to insue, unlesse by your honours wisdom we be therein releived; my most humble desire is, yt may please your good honour so regard us therein, as, by your honours meanes, we may finde how ether to stay or to remove the greatnes of so daungerous an evill from us; and am the boulder to conceive good comfort therein by that honourable reliefe which I do heare the Universitie of Oxford hath latelie received in the like case; wherewithal it may be your honour is not unacquainted; upon whose direccion, as towcheinge our particuler herein, both I and the rest of ouer bodie do most humblie crave we may wholie rely, with all most humble and dutifull submission.

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DISPUTE WITH THE TOWN.

THE UNIVERSITY TO LORD BURGHLEY.

[From MS. Lansd. no. 62, art. 43.]

RIGHTE honorable and ouer singuler good lord: as we are not desirous at anie time to offer unto your lordship matter of complainte, so are wee most hartely sory that wee are at this present constreyned thereto. Howbeit unles we shoulde willingly suffer a manifest breache of ouer aun-cient priuiledges and liberties (for the due preservacion whereof every member of the University is strictlie bownde by corporall oathe), wee coulde not but acquainte your lordship with a late accident which hath here fallen oute, the effect whereof, may it please your lordship to understand, as well by a breife of the fact conceived in writinge, which wee have transmitted herewith, as also more at lardge by the relacion of ouer messengers, Mr. Mowtlo and Mr. Stringer, the bearers of these, who are the more able to make faithfull report of every particuler for that they were present at the accion. Most humbly cravinge of your good lordship to vouchsaffe to afford us your honorable proteccion no lesse at this time then your lordship did in the very like case aboute fower yeres past; for the which we shall continue (as of duetie wee are bownde) your lordships dayly oratours, with ouer hartiest prayers unto the Allmightie, who alwaies have your lordship in his most blessed tuicion. From Cambridge, the xiiijth of Marche, 1589.

Your lordships most humble at commaundement,

THOMAS PRESTON, procanc.

ROBERT SOME.

THOMAS LEGGE.

THO. BYNGE.

LAURENCE CHADERTON.

ROGER GOADE.

WILLM. WHITAKER.

UMPHRY TYNDALL.

EDMUND BARWELL.

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The breife of the fact concerninge the lisensinge and orderinge of victualers within the towne and precinctes of Cambridge.

In shrove weeke last past, the vice-chauncellour of the Universitie of Cambridge (acordinge as in all former times it had bene accustomed) gave chardge to the bedill to warne all butchers, taverners, tiplers, inkepers, and all other victualers within that towne and precinctes thereof, to appear before him upon Frydaye and Satterdaye in that weeke, to enter bond for the due observinge of such orders, this Lent time, as shoulde be sett downe unto them concerninge the killinge, dressinge, and eatinge of fleshe. Divers did appeere and entred bond accordinglye; but a greate number of the townsemen refused to come, because, as they sayed, the maior of Cambridge had already taken bond of them for the same matter. The vice-chauncellour knowinge that, by auncient charter and graunte from king Rychard the Second, the orderinge and governinge of fishe and fleshe, and all other victuall, within the precinctes of Cambridge, belonged of righte only and wholly to him as the ordinary officer of the Universitie, and that as well the maior of Cambridge, as also all other of that corporation, weare, by the same charter, utterly forbidden to entermedle therein, caused a second warninge to be given to the sayed refusers, apointinge them to appeare on Monday then next ensewinge, before which daye the lord Northe, havinge bene enformed thereof by some of the towne, wrote his lettres to the vice-chauncellour, requearinge him to stave from further proceedinge therein till Tewsdaye followinge. Hereupon the vice-chauncellour stayed. On the sayed Tewsdaye, the vice-chauncellours deputie (him selfe then beinge farthe of towne) with some other of the heades of colledges and assistantes, attended on the lord Northe at his inne, the Falcon. His lordship there declared his discontentment, in that the vice-chauncellour had offred to take bonde of anie townesman, or to apointe which of the butchers should be licensed to kill fleshe, affirmeinge that it was a thinge perteyninge to his lordships autoritie, geaven him in her majesties name by lettres sent from the righte honorable the lordes of her highnes privie counsell; which lettres beinge reade, it was answered, on the Universities behalfe, that (in their opinions) the meaneinge of those lettres coulde not be drawn to entitle his lordship to have to deale with victualers within Cambridge precinctes: fyrste, for that the sayed lettres made reference to certayne orders established within the cittie of London, in the xth and xith articles of the which orders it is plainly expressed

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that within priviledged places the hed officers of those places shoulde see to thexecucion of the sayed orders, so that the Universitie and precinctes thereof beinge specially priviledged towchinge all matters perteyninge to victualls, as by the wordes of the charter cleerely appeareth (which wordes were then and there readd to that effect), it necessarily followeth that, by vertue of those orders, the officers of the Universitie have to deale therein. Secondly, for that the sayed lordes them selves did so expownde there owne lettres written in the like case aboute fower yeres since; for whereas at that tyme they had written to the sheriffe to like effect concerninge the same matter, as now they have done to the lord lieutenaunt and the maieur of Cambridge, by vertue of that warrant, began to deale with victualers as now he hath done by pretence of this: it seemed good to there honours consideracions to write other lettres to the sayed maieur and burgesses, expressly declareinge that there meaneinge was not, by there former lettres, to authorize anie to interrupt the jurisdiction of the Universitie, and therefore willed the sayed maieur and other justices not to medle with the victualers within that precincte. Hereunto the lord Northe replied, that the councells lettres last mencioned served but for that time onely; and as for the wordes of the charter, he sayed he did not compte them of sufficient force, nor to beare such construccion as the Universitie conceived. Whereto it was added for further answer, that the continuall practise and usage of the Universitie had so received it, and that her majestie, the best interpretour of her owne graunte, had so construed that charter, as mighte appeare by her speciall lettre to that effect, directed to the maieur and burgesses of Cambridge in the sixte yere of her highness reigne. To the which lettre, remaineinge still in the custody of the towne, the Universitie most willingly referred themselves. All this notwithstandinge, the lord North protested that he woulde not cease to pursue his purpose until the auctoritie therein committed by the lordes of the cowncell should, by there commandement, be revoked againe. These speaches thus passed, they of the Universitie tooke there leave of the lord Northe, and so departed.