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Edited by Albert Peel

Excerpt

[More information](#)

**184.** [1586.] “An acte for the restitution of christian discipline in the Church of England, and for the abolishing of the Cannon Lawe in that behalfe.”

“Wheras in the Reigne of her Ma<sup>ty</sup>s most renowned father, Kinge Henrie the eight and other times since it hath bin intimated unto this honourable Courte of Parliament of the great disorders that are in the Cannon Lawe, wherby the ministers of the popes decrees in the time of grosse ignorance and idolatrie did divert the church orders to the great derogation of the authoritie of the Imperiall Crowne of this Realme and the intollerable burthen of the Church of England, for the abolishing whereof somewhat was also intended, but nothing brought to perfection :

To the end that the same maye nowe be fullie accomplished and that such Church discipline maie be established as Gods word doeth appointe, Be it enacted &c, that w<sup>th</sup>in three monthes after the end of this present parliament, the minister and whole congregation, or the moste parte therof, in all and everie parishe and parishes w<sup>th</sup>in her ma<sup>ties</sup> Realme of England, and of Wales, and other her highnes domynions, shall nominate and elect six at the leaste of everie parishe, being knowen to be the moste forward and sound in setting forth the proceeding of the gospell, and not spotted with any notorious crime, whiche by vertue of this acte shall have full power and authoritie, together with the minister (and whiche shalbe named the presbiterie of the parishe), to heare and examyne all causes of offence to the church whiche shall arise in their severall parishes concerning any disorder of life, whiche nowe is used to be broughte into any of those courts that thei call Spirituall Courts, of Archbishops, Bishops, Chauncelors, Archdeacons, and Officials; and the said presbiterie, or minister and Elders, upon examination therof, according to the smalnes or greatnes of the fault shall proceed against the offenders, man or woman, either by godlie admonitiones, one or more, or by excommunicating and excluding him or her from partaking of the holie Sacrament of the Supper of the Lord, untill, by good tokens of repentance shewed in the face and assemble of the same parishe, it shalbe by them thought meete to restore him or her to his or her former state againe, the minister in the name, and with the consent of the rest, denouncing the excommunication and likewise signifying the restitution openlie in the Church before the whole congregation upon some daie of their publike assemble,

Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register*, Volume 2

Edited by Albert Peel

Excerpt

[More information](#)

## 2 *The Seconde Parte of a Register*

and so to allowe them to the partaking of the holie Supper againe. And whosoever shall contemne them, and shall not seeke to reconcile themselves w<sup>th</sup>in one moneth after thei stand excommunicate, by submitting themselves to this discipline, upon a certificate unto three of the next Justices of that Shire, subscribed by the minister and the rest of the Elders, the same Justices shall send forth their warrant for him or her, and comitt them to the Shirif, by whom they shalbe sent to ward, to remaine there without baile or mainprise for the space of six weekes moe, and if in that space thei shall not yelde to reconcile and submit themselves unto the discipline, then thei shalbe in like case as if thei were in execution upon the writt de excommunicato capiendo, and not to be delivered but by pardon from the Prince, putting in suertie before the Lord Chauncelor or lord keeper of the great seale, unfeinedlie to reconcile themselves as aforesaid. And the said Minister and Elders shalbe in full authoritie to take orders in the said parishe for the furnishing of ther Church with convenient books, pulpitt, and whatsoever els is requisite for the necessarye adorninge and decent furniture of the same, at the charge of their severall congregations.

Provided alwaies that those things which shalbe agreed upon for eche parishe to put in practise, by apointment from the larger conferences, or by provinciall and nationall counsaile, when anie suche are called together by her Ma<sup>tie</sup>, by her honorable Privie Counsaile, or by the highe Courte of Parliament, that then no severall ministers nor parishes neglect the same, but in case thei do, that the next conference informe the Justices at their nexte Sessions of Peace for the Shire, and crave their authoritie to constraine the offenders presentlie to redresse the same, and the said Justices have full power and authoritie by vertue of this acte to assist them in all suche cases as are laid to the ecclesiastical censures of those that in this statute are authorised to be ministers of the same, against all persons that thei complaine to them of, so that the said Justices shall have full power to proceed against the parties so complained of by imprisonment and by taking bands of them at their enlargement, for their submission and good behaviour in that behalf.

Provided also, and be it enacted, by the authoritie aforesaid, that the said ministers and Elders deale not with probat of Testaments, with cases of mariage, nor with matters of tithes and suche like in cases mere civil, although used to be tried in the foresaid Courts, neither proceed by any other censure save onelie with admonitions and excommunications as before, but for their further redres seeke the same at the hands of the Justices of peace of the same shire, as is above said.

Provided also by the like authoritie that if the said Elders refuse to do those things that appertene to their office in this behalfe, or that the Minister neglect his dutie, or will not be ordered in all matters by the consent of their Elders, or if the congregation refuse to follow the good orders of their Minister and those Elders, or if

Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register, Volume 2*

Edited by Albert Peel

Excerpt

[More information](#)*Calendar*

3

the Minister and Elders do otherwise then thei ought in anie matters of the Churche, that then the parties grieved open the case to the next conference, to see if, by their good instructions, thei wilbe reformed, and so the matters to be ended, or els to complaine to the Shire assemblee, that thei maye judge of the case, and purifie it by their admonition if they can; if not, to condemne the fault where it lieth, and for the contempe of their admonitions, to excommunicate the offenders, one or moe, and if thei signifie not their submission and reconcilement in their owne parish within the space before limited, that then it be further proceeded in, as before is apointed, but if thei submitt and reconcile, then the same to be certified at the next shire assemblee, by testimoniall therof subscribed with the names of the parties grieved, and the same to be read openlie in that assemblee, to the satisfying of the Churche for the contempe in that place before by them committed.

Provided also that all Ministers and Elders dealing in thes foresaid Church cases shall by this Statut be esteemed ecclesiasticall officers in that respect, and be fullie cleared, and sett without all daunger for the same, any thinge in any Statute, lawe, or ordinance heretofore to the contrarie notwithstanding.

Be it also enacted, by the autoritie aforesaid, that neither the Cannon lawe, nor the courts of chauncelors, archdeacons, and officials, nor any other court judging by the cannon lawe, nor any provinciall or other lawe commonlie called Cannon Lawe, in any causes before in this Statute appointed to be executed by the Ministers and Elders of eche parishe, from and after the daie before appointed, shall have any autoritie or jurisdiction, any lawe, statute, custome, or ordinance heretofore in any wise to the contrarie notwithstandinge. And the subjects of this Realme to be utterlie freed from the force of all such processe, and from the payment of all suche fees and payments, wherewith by that lawe and those courts heretofore thei have bin moste exceedinglie burdened.

Provided also, and be it enacted that in case of probats of Testaments, cases of marriages, and such like civill cases, as before this time have bin heard, tried, and adjudged by that lawe, from and after the daie before specified shalbe heard, tried, and adjudged by no ecclesiastical persons nor censures, which by the autoritie of this present parliament in those cases shalbe utterlie void and of no force, but in place therof, suche processe and judgement to be used and had, as by the course of the Civill lawe in suche case is to be used, and in cases where there is no due course, order, or proceeding by the provision of that lawe, suche processe, order, course and proceeding shalbe [and be] used as in causes called and ordered before the Counsaile in the North partes of this Realme of England.

Provided also and be it enacted by the autoritie aforesaid that the Ministers of suche processe and execution for probats of Testaments &c in form aforesaid, or any waie in or aboute any thinge appointed in this acte according to the same, shall by this present Statute be fullie cleared and sett without all daunger of anie thinge

1—2

Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register*, Volume 2

Edited by Albert Peel

Excerpt

[More information](#)

#### 4 *The Seconde Parte of a Register*

in anie other statute, law or ordinance heretofore made to the contrarie notwithstandinge.”

185. [ . . . ] “A Bill exhibited to the parliament concerning order to be taken for Printing.”

“Whereas diverse great inconveniences have come and dailie do arise by disorder of printers, which for their owne covetousnes have imprinted sondrie books tending to the maintenance of errours, sedition, and other ungodlie abuses, to the dishonor of God, and the corruption of many mens mindes and affections: for remedie wherof and for preventing of farther daunger which maie ensue by the licentious boldnes of some evill disposed printers:

It maie be enacted by the authoritie of this present Parliament that:”

1. After Mar. 1<sup>st</sup> no printer shall print any “booke, treatise, ballad, or pamphlet” that has not been authorised according to the Queen’s Injunctions.

2. Any new work which a printer desires to publish must be submitted to the Archbishop of the province, or the Bishop of the diocese where the printer dwells (or if in the Universities to the Chancellor or Vice Chancellor). These authorities must hand the book to “two learned, grave, and discrete persons to be examined and read over,” to see that it contains “nothing contrarie to true religion, or tending to the maintenance of schisme, sedition, sinne, or lewd behaviour.” If the volume is approved, the printers are to pay an honorarium of a penny per sheet to the two examiners.

3. Anyone printing a volume not thus sanctioned, shall not only forfeit the whole impression and be committed to the common gaol for three months without bail or mainprise, but shall also “suffer further punishment as the matter of anie such booke, treatise, pamphlet, or ballad...maie deserve.”

4. Any sanctioned work touching religion or virtue, which has not a printer willing to undertake its publication, is to be committed to the Master and Wardens of the Company of Stationers to be printed. If they fail to publish the book within a reasonable period, the author may claim £10 from the Master and each of the Wardens. On the other hand, the Company shall have power to compel—“by imprisonment or otherwise”—all booksellers within the city and liberties of London to buy, at a reasonable price and according to their

Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register, Volume 2*

Edited by Albert Peel

Excerpt

[More information](#)*Calendar*

5

several abilities, as many copies of the book as shall pay for the printing.

5. Seeing that printers are unwilling to print learned treatises in Latin owing to the small demand,

“to the discouraging of learned men to bestow their travaile in writing such books as maie be profitable to the Church of God, the furtherance of good learning, and to the honor of the said Universities,”

they are to be allowed to make “request to the Master and Wardens...to have not more than 500 copies by them printed.” The Master and Wardens are empowered to compel “strangers” and their servants, bringing into the country books printed abroad, to buy these copies at a reasonable price, or to exchange them for their own books—divinity for divinity, physic for physic, &c. Any “stranger” refusing to purchase or exchange is to forfeit the double value of the books offered. If the Wardens refuse to execute this provision they shall, upon complaint made to the Archbishop of Canterbury or the Bishop of London, be imprisoned until they acknowledge their fault and express their readiness to carry out the law.

**186.** [1586.] “Certaine points concerninge the pollicie and government of the Ecclesiastical State.”

After referring to the casting into the sea of “drowsie Jonas” and to the slothfulness of those who did not assist King Josiah in his reformation, the writer says:

“If our reformation after now eight and twentie yeeres profession of the gospell, far exceeding the preaching of the law, by conference of our owne daillie knowledge and experience with the sacred histories of those daies recorded in the holie Bible, be farre inferior to the zeale of those times, and the sinnes of this age fall out not onelie to be like theirs, but also to be multiplied in great abundance,...it becometh everie subject in this land, having interest for his prince, his countrie, his life, his goods, and his lands, his wife, his children and posterity, and that which should surmount all these, for the honor and glorie of God in the kingdome of Christ Jesus, which is the true and sincere preaching and embracing of the gospell according to the rules of his word, now when the like daungers are entended, naie, setting forward to be put in execution against us, to enter into a deep unfeined serious consideration... what he hath observed...displeasing to God, offensive or daungerous to the state, like to hasten or staie this burning flame of Gods vengeance readie to burst forth against us, and to communicate the same in all

Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register*, Volume 2

Edited by Albert Peel

Excerpt

[More information](#)6 *The Seconde Parte of a Register*

humble and loiall dutie to the honorable assemblie of parliament, you who are put in trust by her most excellent Ma<sup>tie</sup> and the whole land (in the sight of Almightye God, to whome you shall give an accompt at that great daie), to consult, to advise, and conclude :

First, the timelie pleasing of him without respect of persons, who is the Lord God of all flesh...; next for the honor, safetie and prosperitie of this renowned land of England, and all trueharted English men, that at the leastwise such as do their endeavors therein maie be marked...as men who sigh, mourne, and lament for all the abhominations unreformed in the land."

Parliament is therefore requested to consider carefully the points mentioned, for they are set forward by men "for manie yeers conversant and exercised in observing the state and government ecclesiasticall," who feel bound

"in all dutie and conscience to laie open the same for timelie reformation, least the ship of our Church and commonwealth still beating upon the same rockes, be in time shivered or overwhelmed irrecoverable."

After this introduction the treatise proper begins, under the heading :

"Certaine points concerning the pollicie and government of the state Ecclesiasticall, and some abuses touching the execution and executioners of Ecclesiasticall government, which upon further inquirie and examinations by faithfull and painfull Commissioners, to be appointed by her Ma<sup>tie</sup> and this high Courte of Parliament, found to be more favourable reported and propounded then either by the lawfull warrant of their callings can bee maintained and justified or for the manifold abuses of their severall offices is deserved."

"May it please her highnes and this hon. assemblie to name some number of learned faithfull, experienced and zealous Commissioners, which fearing God more then the face of man, and preferring his truth before the love of their owne affections [and] the pompe and pelf of this transitorie vanitie, maie upon mature and grave consideration, digest such a course of Ecclesiasticall discipline as maie come nearest to the prescript rules of Gods word, and be best agreeing with the state of our Commonwealth and Church, all circumstances truelie enformed, enquired, examined, and rightlie considered.

And, in the meane season, that all severitie executed or entended against manie faithfull and zealous prechers for anie other subscription then according to the words and meaning of the act of Parliament, the 13<sup>th</sup> of her Ma<sup>ties</sup> raigne, those articles also rightlie conceived, understood, and interpreted according to the truth of Gods word and the analogie of faith, to be restrained and countermanded, and that for the necessarie and profitable conferences of the ministrie to the great good of the church for learning and manie other waies in divers Countries long continued and latelie inhibited,



Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register, Volume 2*

Edited by Albert Peel

Excerpt

[More information](#)*Calendar*

7

maie be again enlarged and revived, with caution that brotherlie peace be maintained, notwithstanding some differences of judgment otherwise, and all publike or private occasion of variance or disturbance be carefullie prevented and cut off], untill further order and direction for these causes taken.

1. First, let it be considered, where lawes of everie pollicie are truelie tearmed and accounted the verie joints, marrow, sinews, strength, and life of that government, how it maie sound with anie reason or pollicie that the Church of Christ should stand and flourish, and not be undermined and utterlie supplanted, retaining still or interteining by publike authoritie the lawes of Antichrist for direction of Church government?

And therefore to be feared on our behalf without timelie reformation, that which was observed and so forewarned to K. Edward of famous memorie by that deepe, learned, politique, and experienced souldiour in God[s] Church<sup>1</sup>, viz., That where the doctrine of the gospell was received, and the discipline prescribed in the word rejected, that by the just judgment of God those nations were not onelie exercised with sundrie calamities, but in the end brought slaves in thralldome againe to Antichrist, a watchword repeated to Cranmer and remembered at his last gaspe and farewell of this life, wherin he proved shortlie after to[o] true a prophet against England.

2. Seeing from one and the same fountaine of the Canon lawes, in that cloudie mist and darknes of the world wherby Antichriste was first hatched, crept on his throne, hath so long reigned, and doth still exercise his tirannie on a great part of the face of Christendome even untill this daie, proceade those filthie puddles of usurpation, to depose princes, to free subjects from their othe of obedience, and to animate them to all rebellious and desperate treasons, with this also, (*non subditus non committit crimen laesae maiestatis*)..., by which ground the late Q. of Scots blindefolded and peradventure by her Catholique Consailers presumed to adventure so far as she did.

Seing all the world seeth and we all confesse that the man of sinne is at this daie the principall motive of all mischiefs and daungers past or entended against her Ma<sup>tie</sup>, the realme, and this your honourable assemblie, the goods, lands, lives, and soules of all true Christian Englishmen, Let it be considered how it can stand with the honor, learninge, judgement, courage, and pollicie of this land, anie longer to deferre the politique entendment authorised by act of Parliament in King Edwardes daies and since revived in her Ma<sup>ties</sup> raigne, to committ eftsoones without delaiie to certaine just, faithfull, zealous, and learned persons, the reformation of the Canon law according to the truth of Gods word and the old auncient Canons of the Primitive Church for three or four hundred yeers after Christ, howsoever anie crie out deceaveable, All is well, all is well, the state of the Church can not possible bee bettered.”

<sup>1</sup> Martin Bucer.

Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register*, Volume 2

Edited by Albert Peel

Excerpt

[More information](#)8 *The Seconde Parte of a Register*

3. Let it be considered, unless we love to follow the Pope's precedents, whether "usurpers and abusers" should be appointed "hearers, judges, and determiners" of their own "usurpations and abuses."

"And therefore, seing the whole Clergie of the Convocation house consisteth of Archbishops, Bishops, Deanes, Archdeacons, Canons, for the most parte Nonresident and double-beneficed men, who in this consultation for reformation are to awnswer as parties impleaded for degenerating from their true and originall offices, founded either by the word of God or by the pollicie of the purer Church, and are to be arraigned themselves, either for intruders, counterfaits, or utterlie destitute of anie lawfull warrant of a Christian calling, or for most shamefullie, corruptlie, and disorderlie executing their severall functions: It maie not stand with the honorable estimation of so statelie an assemblie and counsaile of the whole land to turne over the cause of Christ and his Church to the Convocation house, and to make so hoat and eger parties Judges of their owne causes, a verie unreasonable thing,...besides, everie one forestalled by subscription and terrified by late examples of severitie, who dare, will, or maie once open his mouth in that place, to offend or oppugne the purposed course of the reverend fathers and governours of the Church, or of that assemblie whome he must gaule and touch for the most parte everie one."

4. "Let it be considered, for the better satisfying of wise and Christian consciences, greatlie dismaied and discouraged by reason of some mens disdainfull contemptuous disgracing of their persons, yeers, and number, which wish and stand for reformation, in what condition and state the true Church was accounted in the daies of Elias, Micheas, Christ, and his Apostles, and all most ever since (the greater swaie allwaies of wolves bearing down with skorning, scoffing, and hard dealing, the poore simple innocent lambes) and if thei desire truelie to be enformed, what the wise fetching heades, and long hands of cunning ambition and vaine glorie in Clergie men, furnished with wealth and countenance, armed with the name of the Magistrates, by terrour of losse of libertie and living, maie compasse and effect, to the bane and stifling of the best causes manie times, not to speake of the continuall course of popish proceedings, the late most daungerous and pestilent presidents [*sic*, precedents] in Germanie, to winne and winde so manie thousands to subscription under color and pretence of unitie and conformitie, to the great dishonor and wound of the gospele and weake consciences, and to the disturbance of so manie Countries and Churches professing the gospell, should terrifie all well affected Christians and fathers of the Church for feare of like sequells to tread in the like steps.

And yet if the Confession of the most and best reformed Churches of Christendome, and the judgement of the most notable instruments in manie Countries, raised up by God extraordinarilie in this latter



Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register, Volume 2*

Edited by Albert Peel

Excerpt

[More information](#)*Calendar*

9

age of the world, to revive as it were, the sinceritie of the gossell, and to uphold and maintaine the same against all the bullets of Antichrist, be added to those in this land, which grone for reformation, naie, if those which now so bitterlie inveigh against, and so egerlie pursue the cause and persons, would remember their former love and writings, being then incorrupt (as maie seeme) from the violent affection and greedines of honor and gaine wherwith thei now are possessed, and if subscription were left free to the full perswasion and resolution of a good conscience, without menacing of imprisonment, suspension, or deprivation, the cause will not appear contemptible, either for the number, worthines, or estimation of the favorers or folowers therof, to be examined and ordered by direction, appointment, and authoritie of this honourable court of parliament.”

5. “Let it be considered for the further satisfying of manie well affected and meaning professors of the gossell, and for awnswer to the undermining malice of such as harpe still upon this stringe and throw this bone in the waie,—that the honorable assemblie of parliament hath manie yeers agoe established an uniforme order of publike praier, ceremonies, and discipline in this Church of England, from which now to receade would prove dishonorable to our nation, and marke us with a brand of inconstancie and lightnes as not knowing wherein upon to rest and staie....”

This was a great achievement at the time, but Antichrist has been continually creeping in, so that he “seemeth to have dispensed of the times of the gossell, as it were by certaine steps and degrees.”

“But as time did allow a second edition of the saide booke reformed in diverse pointes, why maie not so long a sight of the word, and the manifold experience of the sequeales in the fruitles succes of the gossell, joyned with the advertisements of so manie learned servaunts of God, foraine and English, laie open some further oversights, imperfections, or blemishes, and wishe and call upon them (without offence) to be reformed? Whie maie not this honorable assemblie (even in some chiding reproof on Gods behalfe) be put in minde of so long neglecting of half a promise (by wishing) made in that booke, of restoring the true discipline of the Church (with which all other superstitious trifles will fall in a moment to the bottomles pit of hell), especially being admonished by that reverend famous father<sup>1</sup> by whose direction and censurs the second edition of the booke came forth (with the assent and allowance since of all the best reformed Churches and true zealous prophets of the Lord at home and abroad), that the rule of the word concerning the order of the discipline of the Church prescribed by Christ and his Apostles were not of less accompt one heare [*sic*] then those which witnes

<sup>1</sup> Martin Bucer again.

Cambridge University Press

978-1-108-01219-5 - *Seconde Parte of a Register*, Volume 2

Edited by Albert Peel

Excerpt

[More information](#)10 *The Seconde Parte of a Register*

him to be God, the creator of heaven and earth: and that the professors of the gospell should no lesse tremble to neglect anie one jote of those rules then those wherin he forbiddeth theft, adulteries, murthers, the careles regard wherof had kindled the unquenchable flame of Gods vengeance against a great parte of Germanie, as he mourninglie [ ]<sup>1</sup> out when he so wrote and foretold the like to England.”

6 & 7. Let Parliament consider this history of the rise of bishops. When the Emperors became Christians, the clergy were particularly careful to show that they were concerned with the teaching of God’s Word, and not with the pomp and riches of the world. Thus they committed their wealth to deacons, who used it to relieve the poor, to help inferior clerks and strangers, &c.

Owing to the size of the Empire,  
“it was hard to furnish so manie Churches with men of excellent learning and wisdom for Church government, and in the Metropolis where the Lieutenant of everie province made his abode, there were placed for the most part Clergiemen of great gifts, zeale and dexteritie.”

To these the care of the churches of the province was entrusted, but

“thus farre only, that thei would vouchsafe to be present for the well ordering of the elections and admissions of their felowe Bishops or Pastors in everie severall congregation, with the assistance of all or the nearest of their felow Bishops or Pastors of the same Province, as also in like manner for their Synodes twice a yeere to be assembled.”

“Patriarchs<sup>2</sup>” then arose, having the “oversight of divers provinces,” “the Bishop and Presbiterie of everie severall congregation” still retaining “the judgement of doctrine and maners.” The Patriarchs had no “superioritie or authoritie” other than that “of everie Christian man towards his neighbour, to advise or admonish to give no just cause of offence, and if anie thinge were done amisse, to wish it reformed.” Ambition and covetousness, however, resulted in usurpation of power by the Patriarchs, and “Rome getting the maistrie, by the just judgement of God, set up that manne of sinne by such means

<sup>1</sup> Blank in MS.; perhaps “pointed.”

<sup>2</sup> “namelie, of Rome, Constantinople, Alexandria, Antioch, Hierusalem.”