

*The Church Courts 1660-1720:
the Revival of Procedure*

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'Nowhere is the basic conservatism of the re-establishment of the church better seen than in the revival of its judicial authority'.¹ But such an outcome was not at first a foregone conclusion. On entering London the king had been met on the steps of St Paul's by the presbyterian incumbents of the City churches, who were all made royal chaplains, though all except Edward Reynolds, who had accepted the see of Norwich, were ejected after St Bartholomew's Day, 24 August, 1662. A vigorous pamphlet warfare ensued. Typical was *Reasons Showing the Necessity of Reformation*, published anonymously in 1660 but in fact by Cornelius Burgess: 'if episcopacy is to be restored we beg it to be primitive'.² Suffragan bishops, a Henrician reform which had lapsed, should be restored; the church should cease to be bound by the unreformed pre-Reformation canons; the canons of 1604 should be the model, but even they were muddled and self-contradictory and needed revising 'in a solid and moderate way'. All this was, in the light of later events, perfectly reasonable. But it was answered, also in 1660, by John Pearson in *No Necessity of Reformation*. There was even *Some Necessity of Reformation* by William Hamilton.

The most concerted attempt to reach a comprehension which would satisfy moderate presbyterians and anglicans alike was the series of meetings between the leaders of both sides between 11 July 1660 and 22 October which resulted in the Worcester House Declaration of 25 October issued by the king.³ This started with an undertaking to 'appoint a number of suffragan bishops in every diocese ... because the dioceses, especially some of them, are though to be of too large extent'. Bishops were not to 'exercise any part of jurisdiction which appertains to the censures of the church, without the advice and assistance of the presbyters'. Deans and chapters and elected diocesan clergy were to 'assist' the bishop on all matters of diocesan administration. A strengthening of the final Declaration, compared to earlier versions, concerned rural deans: they were to meet monthly to receive complaints from the parishes and, where the issue could not be composed in a 'pastoral and persuasive way', were to report it to the bishop. This was not in earlier drafts of the Declaration and had not been put forward by the presbyterians, perhaps because they had been told to ask for nothing which could not counted as 'of flat necessity', and they thought