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PURITANISM AND CIVIC LIFE

IN

YORK, NEWCASTLE, HULL, BEVERLEY AND LEEDS,

1590-1640.

Submitted by The Revd. Kimberly David Murray

for the Degree of Doctor of Philosophy, from
the University of Durham, Faculty of Arts,
(Theology).

Anno Domini 1990

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Puritanism and Civic Life in York, Newcastle, Hull, Beverley and Leeds, 1590-1640.

By the Revd. Kimberley David Murray

University of Durham Ph.D. Thesis, 1990

This thesis is a discussion of the influence of puritanism in five towns of northeastern England: York, Newcastle, Hull, Beverley and Leeds, 1590-1640. Evidence of the activity of puritan ministers and magistrates is reviewed in the light of recent revisionist historiography to investigate the possibility that puritanism was part of a larger "Calvinist consensus" in the northeast, and to illustrate changes in the role played by puritanism in town life and in the relationship of local government to superior local, regional and ecclesiastical jurisdictions after the establishment of Arminianism in the Province of York in 1628. The patronage of puritan preachers by town corporations is considered against the background of the development of local statutes regulating church attendance and alehouses. Puritanism is shown as contributing the inspiration and the ideological edge needed for local reform through examination of local and regional sources. Evidence of puritan piety and initiative is also examined in terms of the origination of emerging role-related expectations of ministers and magistrates. Selected case studies illustrate the role played by puritanism in situations of conflict in towns arising from differences between ministers and magistrates over issues of status, reputation and public trust. Evidence is presented which demonstrates that after 1628, a significant change occurred, both in the definition of the term "puritan" by diocesan and regional authorities, and in the relationship of puritan ministers and magistrates to these superior levels of jurisdiction.

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DEDICATION

This thesis is for Janet, who never allowed me to give up, and who believed in this thesis at times when I did not.

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The completion of a Ph.D. thesis represents the effort, not of an individual, but of a community. Space does not permit all of the members of this community to be named, but it would be less than gracious of this writer not to acknowledge significant contributions. I should like to thank my supervisor, Dr. Susan Hardman Moore, for her patience, clarity of insight, and for substantial contribution to the present format of the work. Marcia Williams, Chris Eve, Penny Holt, Michael Czwarno and Dan Scott helped out by proof-reading and discussing the subject matter. The parishioners of the Church of St. John the Divine, Victoria, British Columbia, supported me by their prayers and good will. Finally, the W.G.H. Mann Foundation provided a substantial grant, without which the sabbatical leave needed for the completion of this thesis would not have been possible.

DECLARATIONS

DATES, SPELLING AND PUNCTUATION

Dates entered in this thesis are given in the modern style, that is, with the year beginning on 1 January. Spelling and punctuation in direct quotations from 16th- and 17th-century sources has been preserved in the original style, except where it has been altered in the interest of clarity.

ABBREVIATIONS

Throughout the thesis the following abbreviations are consistently employed:

Borthwick - The Borthwick Institute for Historical Research, York

CSPD - Calendar of State Papers Domestic, Elizabeth I, James I, Charles I

PRO - The Public Record Office, London

STAC - Star Chamber Bills of Complaint, Demurrers and Depositions

ORIGINALITY

None of the material offered in this thesis has previously been submitted by me for a degree in this or any other university.

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INTRODUCTION

Over the last twenty years discussion of puritanism as a component of the English reformation has undergone a number of significant shifts of focus.[1] Perhaps the most important of these transformed the way in which puritanism as a movement within the Church of England is identified as part of the larger body of English protestantism. Before the emergence of a "slow reformation from below" revisionist school of thought, which has argued for puritanism as part of a Calvinist consensus in the English church, analysis of the Tudor-Stuart period tended to define puritanism by evidence of conflict, of opposition to the partial reformation of the church under Elizabeth I and her next two successors. Basic to this position was the notion that from the earliest days of Elizabeth's reign, a "puritan faction" within the English church found itself inevitably at odds with both secular and ecclesiastical authority. Conflict between the puritans and the ecclesiastical and secular establishment was perceived to involve the survival of catholic liturgy and vestments, the lack of maintenance for an educated, "painful" preaching ministry and to varying degrees the failure of the hierarchy to effect a complete reformation of the national and parochial church structures after the pattern which prevailed in the Calvinist centres of Switzerland, Holland and Scotland. Notable studies by Christopher Hill, Lawrence Stone and (more recently) by Paul Seaver have propounded this view of the English church.[2] This "oppositional" understanding of puritanism also shaped specialist local studies of northern England. Ronald Marchant's discussion of puritanism in the diocese of York, 1560-1640, almost exclusively identifies puritans as those persons, clerical and lay, who appeared before the ecclesiastical authorities to answer charges of non-conformity. Marchant's study owed much to previous work by John A. Newton, who similarly relied heavily upon the "oppositional" evidence of non-

conformity, particularly when identifying puritan clergy.[3] This was also the basic orientation of B.N. Wilson's much earlier study of the reformation period in Durham and Northumberland, of Roger Howell's treatment of the role played by puritan preachers and laymen in Newcastle-upon-Tyne during the civil war, of R.C. Richardson's study of pre-civil war puritanism in the Diocese of Chester, and (in a more general sense) of recent work done by Claire Cross on the "triumph of the laity" during this period.[4]

More recently, historians dealing with the growth of protestantism prior to the civil war have interpreted the evidence concerning the place of puritanism within the Church of England in a new way. Patrick Collinson's treatment of puritanism to 1625 as part of "the mainstream of English Protestantism" typifies what has come to be known as the "revisionist" position on the English reformation. As Christopher Haigh puts it, Collinson "has treated Elizabethan puritanism as the evangelical phase of the English Reformation".[5] Setting aside the notion of a reformation enacted by royal and ecclesiastical authority under Henry VIII and Edward VI, this school of thought describes the English reformation as having occurred slowly, "from below", in the period which might roughly be described as 1570-1625. Peter Lake's discussion of puritanism at Cambridge in the last two decades of the sixteenth century has done much to expand the basis for a Calvinist common ground between puritanism and the established church. Nicholas Tyacke's exploration of the impact of Arminianism on this "Calvinist consensus" has added considerable weight to the argument that the "oppositional" evidence which has been used to identify puritanism, particularly in the period after 1628, is not to be taken as indicative of the nature of puritanism throughout the pre-civil war period. Dr. Tyacke's findings suggest that the conditions which set puritanism against the ecclesiastical and royal establishment were symptomatic of changes effected by the rise to high office of Arminians like Richard Neile and William Laud, and not of an

intrinsic alienation of puritanism from the status quo, which, before the revisionists put their case, was supposed to have been typical of the godly from the early years of the Elizabethan period.[6] As the oppositional view showed itself in local studies, so now this new understanding of puritanism as part of the pre-Arminian Calvinist "consensus" of Elizabethan and Jacobean England has also been evident in a number of recent local studies. Thus far, these have dealt with developments in the southern province. Diarmaid MacCulloch on Suffolk, Ann Hughes on Warwickshire, Martin Ingram on Wiltshire and William Hunt on Essex, have each established the existence of a natural partnership between puritanism and the establishment, secular and ecclesiastical, from the early days of Elizabeth's reign until about 1628. By that time, as Dr. Tyacke has pointed out, the prevailing theological orientation of the ecclesiastical hierarchy had become the preserve of individuals who had rejected Calvinism in favour of Arminianism.[7] No one, however, has yet undertaken a study of puritanism in the northern province which examines the evidence with this new perspective on puritanism in mind.

This study will deal with puritanism in the northeast, 1590-1640, as found in five towns, all but one in Yorkshire: York, Hull, Leeds, Beverley and Newcastle. It has a two-pronged intent. First, it aims to explore the possibility of the existence of puritanism as an intrinsic element of the Calvinist consensus in the northeast; to reveal the extent to which the the rhetoric of statutes and policies adopted by secular and ecclesiastical authorities reflected both a "godly policy" envisioned by puritan preachers and magistrates, and the ties created between preacher and magistrate through the patronage of the former by the latter. Secondly, this study will seek to discover what changes occurred in the role of puritanism in relationships between ministers and magistrates, and in the relationship of ministers and magistrates to superior levels of secular and ecclesiastical authority in the region as a result of the rise of Arminianism.

Where is the necessary evidence for this study to be found? The formulation and enforcement of godly policy and the changes which followed the rise of Arminianism in the northeast will be seen most clearly in the operation of the interdependent levels of administration: of civic, regional, ecclesiastical, (and in the case of Newcastle in the 1630s), central government. Marchant and Richardson, having an oppositional model, looked for evidence of puritanism in tension and conflict between puritans and the larger church. This resulted in a representation of puritanism heavily dependent upon the evidence of the diocesan and provincial church courts, and thereby primarily clerical. The evidence from the church courts is probably the richest surviving material from which to construct a picture of northern puritanism, but its nature is such that, taken by itself, it produces a picture which is biased towards a model of conflict between puritanism and the ecclesiastical hierarchy. In order to develop a more balanced understanding of puritanism in the northeast, we must look for evidence which broadens and to a certain extent balances the picture presented in the records of the church courts. This more positive representation of puritanism has been demonstrated for the southern province by Patrick Collinson and others: in terms of the contribution of the laity towards the provision of protestant preaching; and in the cooperation of minister and magistrate in the application of the principles of protestantism, in the implementation of what William Hunt has termed the "culture of discipline".[8]

It might be possible to approach the question of the nature of puritanism in the northeast through a "county study", perhaps of Yorkshire, the largest county in the region. But there are difficulties in attempting such a study. The records of the Quarter Sessions Courts, from which evidence of policy and enforcement in the county jurisdiction could be

drawn, in most instances do not survive for the period. Where such records are extant, their survival is either fragmentary or (as will be explained shortly) they simply do not provide the sort of information necessary to the discussion of godly policy in a county-wide context. It might be feasible to trace a network of puritan lay patronage for the county: but it is difficult to proceed beyond the bare evidence of patronage to the interdependent roles of the puritan preachers and their patrons, in calling together an audience for protestant preaching with the intention of creating a godly society.

This is why a special study of puritanism in towns of the northeast is particularly helpful. Between 1590 and 1640, York, Newcastle and Hull were the three principal towns of the region, long-established corporate towns with well defined structures of local government. All have excellent documentary sources for the period of the study. In each there exists evidence of committed protestants significantly involved in local government, and of notable preaching ministers supported by the civic corporations. Beverley has been chosen for similar reasons. As a corporate town its origins are less ancient and its structures of local government less complex that that found in the three towns mentioned above. Once the principal town of the East Riding of Yorkshire, it was by the end of the 16th century in decline, due to the loss of its position as a port city to Hull. It is of special significance that in Beverley there is a clearly identifiable succession of puritan clerics in both of the town's parishes from 1590-1640. While the corporation of Beverley was not sole patron to these livings, it contributed most of the income of the preaching ministers, and to the maintenance of the fabric of both churches. Leeds, unlike the other towns in this study, did not have corporate status at the beginning of the period (it was a royal manor), but it became a corporate town in 1626. It was a community of new and rapid growth based largely on the textile industry, its population increasing from about 2,500 souls at the beginning

of the period to approximately twice that number at the time of its incorporation. There exist for Leeds a good range of ecclesiastical and secular records. From these it is possible to trace decisive lay initiative in the procuring and maintaining of a protestant preaching ministry. Leeds is also important because amid the pressures driving it toward corporate status, implicit attitudes and presumptions about the role of godly ministers and godly magistrates were made explicit. These five substantial towns therefore all either had corporate status, or, in the case of Leeds, were driving towards it and achieved corporate status within the period of this study. In them it is possible to observe the interaction of minister and corporation (or, in the case of Leeds, at the beginning of the period, the interaction of minister and lay leadership).

The nature of the sources makes it far easier to follow the careers and motives of the clergy than those of the laity - individual aldermen and other civic officials. However, we can examine through the sources the development of corporate policy in the encouragement of preaching and in the application of the principles of godliness to town life. Indeed, in contrast with the county administration through the Commission of the Peace, town government had a remarkable degree of consistency: aldermen were elected for life, whereas the composition of the county bench changed fairly frequently.[9] Thus in the towns over an extended period it is possible to observe civic officials, who had institutional ties to the support of preaching, directly involved in formulating laws for the regulation of town life. In the prevailing spirit of the leadership of these towns, clerical and lay, we may also look for the growth of a heightened awareness of and jealousy for the integrity of the town, or of the corporation itself. This will be important as, across the period, the towns' relations with external authorities are examined: relations with diocesan and regional, and, in the case of Newcastle in the 1630's, with central government. In particular, we

shall be alert for changes in the character of civic godliness relative to the rise of Arminianism: did policy which originated in a climate of Calvinist consensus between civic and diocesan authority become a matter of defiance, and therefore put civic status under stress or at risk?

Insufficient records survive to allow the other corporate towns of the region -- Durham, Sunderland, Hartlepool and Berwick -- to be included in this study. In other sizeable towns which could have been examined, such as Rowley in the East Riding, Bradford, Rotherham and Halifax in the West, and Barnard Castle in County Durham, there is evidence of puritanism, but frequently the character of the surviving Quarter Sessions and ecclesiastical court records for these towns does not permit insight into the workings of local policy. Significant evidence survives for lay patronage and maintenance of ministers in Sheffield, in the "Accompt Books" of the town's Church Burgesses. However, these records are essentially accounts of funds collected and disbursed, and lack the statements of policy contained in other towns' corporation minutes. The difficulty of including Sheffield is compounded by the character of the Quarter Sessions and church court records for the town.[10] The Quarter Sessions records (West Riding) deal almost exclusively with trade regulation (with occasional serious criminal prosecutions). The church court records are remarkable for the relative absence of presentments for moral lapses: given the strength of protestant ministry in that town, this encourages the suspicion that such matters were being dealt with at a local level and may have been, by common agreement, not referred to higher authority.

This study of puritanism in five towns of the northeast will rest upon three main types of primary sources. First, the minute books and other records of civic corporations, with subsidiary and supportive correspondence. These records exist in good quantity for York, Beverley and

Hull. No corporation minutes survive for the period for either Newcastle or Leeds, but substantial material from other sources more than compensates for this deficiency. For Newcastle, there is the substantial evidence of the puritan preacher Robert Jenison's correspondence with his friend and ex-tutor Samuel Ward of Emmanuel College, Cambridge, as well as Jenison's tract Newcastle's Call: both provide considerable information about the relationship of minister and magistrate in that town, at least as Jenison experienced it.[11] The second type of primary source material upon which this study will depend will be the already much-mentioned records of the church courts for the diocese and ecclesiastical province of York. In particular, the Archiepiscopal Visitation Court Act Books and cause papers from the Courts of Chancery and High Commission[12], which give considerable evidence of the enforcement of moral policy and church discipline at the parish level, as well as evidence of puritanism in the "oppositional" sense of presentments which involved clerical and lay non-conformity. Evidence in this class of documents is excellent for Beverley, given that the visitation Court records for this town are probably the most complete set in existence for any town in the region. Church court evidence is reasonably complete for York and Leeds, but patchy for Hull. One suspects that the puritan corporation and parish officers of Hull may have been reluctant to refer cases to higher diocesan authority, as was probably the case in Sheffield (as has been mentioned earlier). Finally, this discussion will draw upon specific records arising from the intervention of external authority. This takes the form of correspondence and memoranda from the State Papers Domestic, and, (in the case of Hull and Leeds) of petitions made by local individuals and groups to the courts of Chancery, Duchy Chamber, and Star Chamber.

A fourth strand of evidence provides an additional perspective. Three of the puritan clergy who served in the towns had work published: Alexander

Cooke, William Crashawe and Robert Jenison.[13] Crashawe and Jenison commented specifically on the issue of "magistracy and ministrie". Crashawe, lecturer in Beverley from 1599-1605, had A Northe Countrie Catechism and several sermons printed after he left the town to become the preacher at the Inner Temple, London.[14] Robert Jenison, lecturer in Newcastle from 1614-1640, had numerous tracts and sermons published while working in the northeast. Two of the tracts, The Cities Safetie (1630) and Newcastle's Call (1637), works of practical divinity for his Newcastle flock, were derived from sermons he had preached. They specifically addressed the question of the role played by ministers and magistrates in the creation of a godly protestant town. Both of Jenison's tracts reflect the changing climate of the 1630's: he believed his ministry to be under threat from diocesan and local Arminianism from about 1624, as his correspondence with Samuel Ward indicates. Nevertheless both show substantial continuity with Jenison's attitudes as they can be seen in his earlier works and in his correspondence with Ward. He consistently perceived himself, both before and during the 1630's, as a loyal, orthodox, member of the Church of England. It is only in writings published after 1640, when circumstances at Newcastle forced him to flee to Danzig, that a profound sense of alienation from the Church of England is evident. The Cities Safetie expressed surprisingly moderate comment considering the "dangerous times" in which Jenison felt himself to be living, under the succession of Arminians who had occupied the see of Durham since 1617 (Richard Neile, George Montaigne and John Howson). Used with care, these sources provide an ordered and comprehensive "commentary" to set beside "minute-book" records which rarely articulate the theology which lay behind policy. For this reason, quotations from The Cities Safetie, Newcastle's Call, and from Crashawe's sermons and catechism will be used to provide an extra perspective on records discussed in chapters IV - VIII, in the absence of suitable contemporary comment from any other cleric in the five towns.[15]

The argument of the thesis will develop as follows. Chapter I will be divided into two parts: the first will take further the question of a definition of puritanism within the Calvinist consensus of the Church of England; the second will describe the context in which local government functioned in the towns of the northeast during the period of this study. Chapter II will outline the various ways in which the governing bodies of the five towns became involved in the support and patronage of protestant preachers. Here the careers of the preachers and their connections to town corporations and, where possible, to individual aldermen or other civic officials, will be traced. Chapter III, which concerns itself with the development of the cooperative concept of "magistracy and ministrie" as the distinctively puritan contribution to the process of social reform and regulation in the period, sets the scene for chapters IV and V, which deal respectively with the formulation and enforcement of policy concerning church attendance and alehouses in York, Hull, Beverley and Leeds. Other issues, such as the repression of sexual immorality, could have been included in these chapters, and indeed, do appear, but because church attendance and the "haunting" of alehouses were more particularly issues of concern to the "godly sort", these have been selected as the primary focus for the description of "godly policy".

The final three chapters of the thesis are devoted to the consideration of the changes brought about in puritanism in the towns as a result of the Arminian ascendancy. Chapter VI traces the rise of Arminian clerics in the northern province, and describes the effects of this in terms of the treatment afforded the puritan clergy and laity of the region by the church courts. Chapters VII and VIII explore the effects of the ascendancy on the relationships which existed between ministers and local governors before and after 1628. In Chapter VII, aspects of these relationships are examined in

terms of reputation, public trust and status in Hull and Leeds before the Arminian ascendency; chapter VIII considers the same issues in York, Hull, Leeds and Newcastle after the coming of Archbishop Neile's Arminian administration. Thus we shall pursue the two-pronged intent mentioned above: to look at evidence of puritanism in the northeast with an eye to discovering whether puritanism functioned as part of a "Calvinist consensus" before the coming of Arminianism to the region; and to discover what changes the coming of Arminianism to the northeast may have effected in the character of puritanism in the region.

Notes for the Introduction

1. See Christopher Haigh, "The Recent Historiography of the English Reformation", C. Haigh (ed.), The English Reformation Revised, (1987), pp.20-28.

2. Christopher Hill, Society and Puritanism in Pre-Revolutionary England, (1964); Lawrence Stone, Social Change and Revolution in England, 1540-1640, (1965), and The Causes of the English Revolution, 1529-1642, (1972); Paul S. Seaver, The Puritan Lectureships: The Politics of Religious Dissent, 1560-1662, (1970).

3. Ronald Marchant, The Puritans and the Church Courts in the Diocese of York, 1560-1642, (1960); John Anthony Newton, "Puritanism in the Diocese of York (excluding Nottinghamshire) 1603-1640", (Ph.D Thesis, University of London, 1956).

4. B.N. Wilson, "The Changes of the Reformation in Durham and Northumberland", (Ph.D. Thesis, University of Durham, 1939); Roger Howell, Newcastle-upon-Tyne and the Puritan Revolution, (1967); R.C. Richardson, Puritanism in North-West England: A Regional Study of the Diocese of Chester to 1642, (1972); Claire Cross, Church and People: The Triumph of the Laity in the English Church, (1976).

5. Patrick Collinson, "Towards a Broader Understanding of the Early Dissenting Tradition", in C. Robert Cole and Michael E. Moody, (eds.), The Dissenting Tradition: Essays for Leland H. Carlson, (1975), reprinted in Patrick Collinson, Godly People: Essays on English Protestantism and Puritanism, (1983), p.534; P. Collinson, The Elizabethan Puritan Movement, (1967), Religion of Protestants, The Church in English Society, 1559-1625, (1982), The Birthpangs of Protestant England: Religious and Cultural Change in the Sixteenth and Seventeenth Centuries, (1988); C. Haigh, "The Recent Historiography of the English Reformation", pp.27-8.

6. Peter Lake, Moderate Puritans and the Elizabethan Church, (1982); Nicholas Tyacke, Anti-Calvinists: The Rise of English Arminianism c.1590-1640, (1987).

7. Diarmaid MacCulloch, Suffolk and the Tudors: Politics and Religion in an English County 1500-1600, (1986); Ann Hughes, Politics, Society and Civil War in Warwickshire, 1620-1660, (1987); Martin Ingram, Church Courts, Sex and Marriage in England, 1570-1640, (1987); William Hunt, The Puritan Moment: The Coming of Revolution in an English County, (1983).

8. Patrick Collinson, The Religion of Protestants: The Church in English Society, 1559-1625, (1982), chapter IV, "Magistracy and Ministry", pp.141-188, and The Birthpangs of Protestant England: Religious and Cultural Change in the Sixteenth and Seventeenth Centuries, (1988), chapter II, "The Protestant Town", pp.28-59; D. MacCulloch, Suffolk and the Tudors, pp.218-19; Susan Dwyer Amussen, An Ordered Society: Gender and Class in Early Modern England, (1988), pp.22-3; Paul Slack, "Poverty and Politics in Salisbury, 1597-1666", in Peter Clark and Paul Slack, (eds.), Crisis and Order in English Towns, 1500-1700, (1972), pp.164-203; William Hunt, The Puritan Moment, pp.79-84.

9. Anthony Fletcher, Reform in the Provinces: The Government of Stuart England, (1986), pp.6-11; J.T. Cliffe, The Yorkshire Gentry From the Reformation to the Civil War, (1969), pp.233, 238-244.

10. For the "Accompt Books of the Church Burgesses of Sheffield" see Sheffield City Archives, CB/160 and 161; J. Lister, (ed.) West Riding Sessions Records, 1597-1642, Yorkshire Archaeological Society Record Series, III (1888) and LIV (1915); Borthwick Institute, York Archiepiscopal Visitation Court Act Books, 1595-1640. Recent studies of local administration and enforcement by Martin Ingram, Church Courts, Sex and Marriage; Susan Amussen, An Ordered Society; and by Joan R. Kent, The English Village Constable 1580-1642: a Social and Administrative Study, (1986) tend to support the analysis offered above with reference to the paucity of church court evidence noted for Sheffield.

11. Bodleian Library, Tanner Mss. 71, 72 and 73; Robert Jenison, Newcastle's Call to her Sister Townes and Cities throughout the land, to Take Warning by her Sins and Sorrows, (1637).

12. The "Court of High Commission" was a royal prerogative court, conducted by the same diocesan officials as the other church courts, but technically not one of the "courts Christian", see chapter I, pp.47-9. It is mentioned here in the context of the church court records because of the great similarity of these records to the records of the church courts.

13. Cooke, vicar of Leeds from 1615-1632, had several anti-papist tracts published while he was at Leeds. For Crashawe and Jenison, see below.

14. William Crashawe, Milke for Babes, or A Northe-Countrie Catechisme, (1618); A Sermon Preached at the Cross Feb. 14, 1607, (1608); A Sermon Preached in London before the right honourable the Lord Lawarre... at the said Lord Generall his leave taking of England his native countrey, and departure for Virginea, Febr; 21. 1609, (1610).

15. Robert Jenison, The Cities Safetie: Or a Fruitfull Treatise (and usefull for these dangerous times) on Psal.127.1, (1630); Newcastle's Call, (1637). Earlier works include Directions for the Worthy Recieving of the Lord's Supper, (1624) and The Christian's Apparrelling for Christ (1625). For the discussion of the Jenison-Ward correspondence found in the Tanner Mss., see below, pp.365-77. Where appropriate, reference will also be made to puritan writers from the southern province, notably to Samuel Ward of Ipswich, Jethro's Iustice of Peace, (1618), and to Robert Pricke's sermon The doctrine of superioritie, and of subiection, contained in the fift commandment of the holy law of Almightie God, (1609).

CHAPTER I

Puritanism and the Context of Ecclesiastical and Secular Authority in the Northeast

At the outset of this discussion of puritanism in the context of urban government in the northeast during the period 1590-1640, it is important to clarify three elements of the situation. First, what was puritanism, and by what functional parameters might it be defined? Secondly, what were the structures and functions of local government and what was its relationship to other jurisdictions, superior and inferior, secular and ecclesiastical? Thirdly, what was the role of lay patronage in the recruitment, maintenance, and (as it became necessary) in the protection of puritan lecturers and parochial clergy? This chapter will focus on the functional definition of puritanism in the northeast, and on local government and the superior and inferior administrative structures through which it functioned. Chapter II will explore the establishment of corporate patronage within each of the communities included in this study. Needless to say, this issue is woven into the fabric of succeeding chapters, as it played an integral role in the programs of "godly policy" undertaken by those who governed the towns and cities of early modern England. Chapter VI completes the discussion of puritanism initiated in this chapter, specifically tracing its development in light of the impact of Arminianism on church and society in the northeast.

Puritanism: the spread of evangelical protestantism, voluntary religion and discipline.

A question is begged by the above. What is puritanism? More to the point, who were the puritans? How were they to be distinguished from the rest of the membership of the Church of England? Did "puritanism" necessarily imply dissent, or might it not more positively be described as a commitment to a certain vision of church and society? If we are to explore the development of policy by town corporations as the practical implementation of the "puritanism" proclaimed by preachers to whom they were linked through corporate patronage, we must first attempt to answer these questions of definition.

Patrick Collinson has suggested that the term "puritan" carried a derogatory connotation, and that it was used, along with "precisians", "saints" and "scripture men" as a term of abuse by persons hostile to the aims and intentions of the movement.[1] He further suggests that the term which the puritans used for themselves was "the godly", or "professors", referring, as Peter Lake puts it, to "a common experience of, and response to, the doctrine and reality of the providence of God" expressed as "personal godliness and a proper zeal for God's cause". This "proper zeal" appears to have engendered a certain "violence of preciseness", at least in the perception of persons not of the "godly" community.[2] Paul Seaver has described this "proper zeal" in terms of a program of reform from within the Church of England, which institution the puritans perceived as having been but "halfly reformed".[3] One of the questions which distinguishes writers like Seaver, who tends to identify puritanism through evidence of clerical and lay opposition to the survival of traditional elements of ceremony and practice in the English church, from Collinson, Lake, Haigh and others of the "slow reformation" school of thought, is that which concerns the context

of this puritan program of reform. Seaver understands this program as something accomplished in spite of the church hierarchy: Collinson and the "slow reformationists" see it (particularly during the reign of Elizabeth I) as the accomplishment of the English reformation from "below", but with the tacit approval of the episcopate.[4]

From the time of the return of the exiles from the Continent, at the beginning of the reign of Elizabeth I, there had been those within the Church of England who yearned for a full reformation in the style and structure of European Calvinism.[5] Within this group there existed a spectrum of opinion on just what such a full reformation might involve. Consensus seems to have been reached on three needs: the purging of the English church of all remnants of Catholicism; the elevation of preaching as the primary means of salvation (and by inference the training and support of ministers capable of such preaching); and the establishment of a "godly discipline" within the church, by means of which the sacraments might sincerely be administered to a people who were duly prepared to receive the same.[6]

Elizabeth, for reasons of diplomacy as well as for reasons of her own, mistrusted this reforming element in the church, regarding it as potentially destructive of royal authority and liable to create discord within both church and state. She resisted the intentions of those who would have a more "fully reformed church", seeking instead to establish a church which, while undoubtedly Calvinist in theology, retained much of the ceremony and structure of the past.[7] She particularly mistrusted puritan preachers, taking steps very early in her reign to see that those licensed to preach were "diligently examined for their conformity of doctrine established by public authority," and "admonished to use sobriety and discretion in teaching the people."[8]

The dissatisfaction of the "godly party" made itself known officially in the "vestiarian" controversy of the mid 1560s and in the Presbyterian platform proposed by Thomas Cartwright, John Field and Thomas Wilcox two decades later. In a celebrated sermon, preached before the Queen on 25 February 1570, Edward Dering threw discretion to the winds and told his sovereign that the church, of which she was head and protector, was "defiled" and insufficiently supported; he described the majority of the clergy as "some ruffians, some hawkers and hunters, some dicers and carders, some blind guides and cannot see, some dumb dogs and will not bark...". To make matters worse, Dering concluded by telling the Queen that this deplorable situation was her fault, and that God would call her to account for such "carelessness".[9]

The complaint of Edward Dering was reflected in the hearts, minds and voices of the growing number of people who had, as Collinson puts it, "internalized" the protestant reformation in England. Confronted by a larger population which had abandoned catholicism but which had not taken up the practice of protestant belief with any vigour, the "godly", particularly those who had means and influence, began to seek the reformation of society in the hope of creating "an elect nation on the model of biblical Israel."[10]

The "official" reformation had removed the church of England from the catholic fold, but had fallen short of bringing the majority of its members to the point of embracing lively protestant practice and belief. As will be shown in chapter II, there is evidence that as the leadership of the corporate towns began to embrace protestant teachings, these same "godly" people became increasingly more active in procuring and maintaining preachers in the hope of effecting just such a reformation in the lives of their neighbours. Influenced by highly-placed evangelical Calvinists like Henry Hastings, (third Earl of Huntingdon and Lord President of the Council

of the North, 1572-1595), and Edmund Grindal (Archbishop of York, 1570-1576) the merchants, artisans and lesser gentry who made up the bulk of the membership of town corporations initiated a process of unofficial reform, a movement of reform "from below" which was to distinguish the towns of the region as centres of protestant piety and practice by the mid 1620s.[11]

The drive for the provision of learned and "painful" preachers during the last half of Elizabeth's reign therefore tended to involve the puritan members of town corporations and parish councils in a work for which, by and large, they enjoyed official encouragement, if not outright sanction. This, coupled with the description of Elizabeth as the "new Constantine" which was popularized in the apocalyptic histories written by John Foxe, contributed to the fact that despite her relative religious conservatism, the "godly" believed that national reformation must necessarily proceed from the crown. Puritanism, therefore, saw itself as a movement within the scope of both royal and ecclesiastical policy. For the greater part of the period of this study, the struggle of the godly was perceived as being against the "backwardness" and "papistry" of the larger population, a struggle in which they were supported by the hierarchy of the church and the various levels of local, regional and central secular authority.[12]

The accession of James I to the English throne momentarily raised the hopes of the "godly" for a further reformation. The sum and substance of these hopes was presented to the new king in what was called the "Millenary Petition." James responded by calling puritan leaders and bishops to attend what became known as the "Hampton Court Conference". Opinions differ as to the precise intent of the king in calling the conference, but it is undeniable that the puritan leadership went away from the event bitterly disappointed.[13] They had presented what by all accounts was a moderate program of reforms needed in the church, only to be subjected to a lecture

concerning the divine right of kings and to threats of even more rigorous measures which might be implemented to ensure their conformity. Partly as a result of the apparent failure of the bid for a more fully reformed church at the Hampton Court Conference, and also probably in response to what they perceived as the need for reform in the local setting, the "godly" turned their energies toward the structures of local government, toward the county bench, the parish council or vestry and the town corporation. Godly laymen like Robert Askwith, Robert Watter, Christopher Concett, and James Cotterell funded lectureships and formulated legislation aimed at compelling the inhabitants of York to attend church services and to hear sermons offered by the "godly" and "painful" preachers maintained by the corporation of York.[14] William Gee, who delighted in reading the works of the puritan divine William Perkins, was Mayor of both Hull (1562, 1573 and 1582) and Beverley (1594).[15] In this capacity he contributed substantially to the selection and maintenance of puritan lecturers in both towns. In 1588, persons of strong protestant conviction in Leeds formed a combination and appealed for the aid of the Lord President of the Council of the North in their bid to purchase the parish advowson so that they might "be provided and furnished with an honest, learned and able minister". After the death of the incumbent of the parish in 1590, the group of feoffees succeeded in calling Robert Cooke, a local man who had achieved distinction both as an academic theologian and as a preacher during his early career at Oxford.[16] Of all of these we shall say more in the next chapter, it being sufficient for our purposes here to indicate how the "slow reformation" was being accomplished through the exercise of corporate patronage and authority to provide protestant preaching and to encourage (sometimes by threat of fine and/or punishment) the inhabitants of the towns to hear the same. It would be ill-advised to assume that there existed a "party consciousness" in any clearly developed sense, but there does appear to have been a common understanding that the occupation of public office was an acceptable and effective way in which to

engender local reformation.

This provides us with something of a schematic overview of the underlying factors which motivated the "godly" by the time of the accession of James I. However, the question "who were the godly?" remains unanswered: how were they to be distinguished from other English protestants?

If we were to consider only those puritan clergy and laity who appeared in the ecclesiastical courts to answer charges of non-conformity, identification would be a relatively simple matter. Puritans were those who had scruples concerning the wearing of surplices, the use of the ring in matrimony, the sign of the cross in baptism, and who frequently objected to other customs redolent of Catholicism such as the ringing of church bells on All Souls' tide. But against this rather limited definition, we must place the testimony of clerical puritans like Edward Dering, who asserted that he had "never broken the peace of the church, nether for cappe, nor surplesse, for archbyshop nor byshop".[17] Were it not for Dering's close association with the authors of the Presbyterian Admonition to Parliament, Field and Wilcox, or for his advocacy on Cartwright's behalf with Cecil, we should have only his rather imprudent sermon to cite as evidence of his "puritanism" in a dissenting or oppositional sense. Even the sermon gives evidence only of his dissatisfaction with the state of the church: in no way does it testify to any instance of non-conformity on Dering's part. This is generally true of most of the clerical puritans encountered in the first thirty years of our period of study. Often such persons, confronted by the church courts over matters like wearing the surplice, offered to conform to the court's ruling, but went back to their original practice after the attention of the diocesan authorities had turned elsewhere. As Andrew Foster has recently pointed out, it was not until the 1630s that failure to conform in matters like wearing the surplice or bowing at the mention of the holy

name were to be regarded as "serious crimes" by the diocesan authorities.[18] This suggests that we must look beyond instances of overt non-conformity for a workable definition of "puritanism". We must look to the spirituality, the sense of inner conviction which produced, in some but not in all of the "godly", acts of ecclesiastical non-conformity. In this examination of the spirituality of puritanism we may find, as Professor Collinson has suggested, that here we have "the mainstream of English Protestantism, to which some of the distinctive ordinances of the established church... were not so much opposed as irrelevant".[19]

Let us therefore continue in the company of "godly Master Dering" in the hope that we might discover something of the inner reality which informed the "puritan" way of life. Professor Collinson suggests that Dering's character was dominated by "the intense evangelical experience...of justification and union with Christ through renunciation of `will-works' and of the world and the exercise of a lively faith; and the consuming desire to convey this experience to others". This alone, as Collinson himself admits, appears to be nothing more than "authentic" Protestantism. It is in the application, the outward expression of this experience of conversion and regeneration that we find the first clues as to the distinction between Protestant and puritan. Dering, for instance, appears to have undergone a "kind of watershed" by reason of which experience he was transformed from being an evangelical divine on his way up through the ecclesiastical system to the prophetic, almost tragic figure who confronted his monarch with what he perceived as her dereliction of duty.[20]

This same evangelical experience and pious fervor is to be found in what we know of the lives of "godly" magistrates of this period. Very little in the way of private memoirs or memoranda survives for the godly laity of the towns in this study, though their zeal for God's word and for holiness

of life may be observed in the policy which applied these principles to the lives of the inhabitants of the towns in which they lived and held office. Further afield, and by way of example, we might consider the lifestyle of Ignatius Jordan, who was Alderman, Mayor, and twice elected M.P. for Exeter during the course of a long, active, and (according to his biographer) exceedingly saintly life. Jordan was reputed to have made a practice of rising as early as "two or three of the clock in the morning... to spend time in secret meditation and prayer" until six, at which time he would lead the rest of his household in the "morning sacrifice". He was a man whose care in "all his affairs and dealings... was to walk very exactly, and sincerely...in all things he studied to approve himself to God, and to walk as in the sight of God". Jordan was "a constant writer [note-taker] of sermons... and that, not for his benefit alone, but for the good of his family, to whom he did constantly repeat the sermons". Sermon repetion, usually in a form of review conducted by the head of the household, was a common practice among those who called themselves the "godly". Jordan was alleged to have read the Bible in its entirety "above twenty times over... making particular application to himself." He was also said to have read Richard Rogers' Seven Treatises with almost equal care as that with which he applied himself to the reading of scripture, and to have taken "so much delight" in reading Foxe's Acts and Monuments that he had read it "seven times over". Given to acts of exemplary charity when confronted by the needs of those whom he regarded as "Gods poor, honest poor persons", he was nonetheless a terror to vagrants, adulterers, sabbath-breakers, swearers and drunkards. As will be discussed in greater depth in chapter III, his attitude toward the exercise of magisterial authority was that he was executing a sacred trust from God, who had "honoured him" in bringing him to such a place of authority.[21]

A similar example of the godly magistrate is to be found in John Bruen

of Tarvin, as described in Richardson's study of early 17th-century puritanism in the diocese of Chester.[22] Sir Richard Grosvenor, senior magistrate for the county of Cheshire and an M.P. for the county in 1621, 1626, and 1628, was raised in the Bruen household and demonstrated attitudes coincident with such a nursery of godliness. Grosvenor, like Jordan and Bruen, practiced a piety which extended beyond the sphere of personal religion. For him, the function of good government was the suppression of popery and the vigilant safeguarding of protestant religion: small wonder that the speech which he delivered at the Cheshire election on 1 February, 1624, has been called a "lay sermon". In common with the magistrates mentioned above, as well as with others whose corporate policies aimed to achieve proper observance of the sabbath and the repression of drunkenness and disorder, Grosvenor believed that political action for the reformation of society naturally proceeded from true religion and a godly personal lifestyle.[23] Sometimes this sense of political vocation was expressed in a way which offered solutions to pressing social problems, as when Henry Sherfield and the other godly magistrates of Salisbury opened three storehouses and a municipal brewery for that town in 1623. The profits of the brewery were intended to supplement the poor rate, while the storehouses were part of an overall scheme whereby the town corporation would purchase and store grain which would be sold to the poor at a subsidized rate. Yet in Sherfield, as in many of the godly, there lurked a zeal which, when expressed against real or suspected survivals or incursions of "popery" could issue as a "holy violence". In 1633 he was fined £500 by the Court of Star Chamber for destroying a stained glass window in one of Salisbury's churches. It should be emphasized, however, that had this act of iconoclastic vandalism occurred in earlier times, when the atmosphere of the case might not have been so infused with the bitterness of the Arminian-Calvinist power struggle, the matter would not have been given such weight as it was. Patrick Collinson is essentially correct in his assertion that

acts of iconoclasm like that perpetrated by Sherfield were "not the work of the mob but the orderly iconoclasm of aldermen, bailiffs and constables".[24]

This "holy violence", or perhaps put more aptly, this "violence of preciseness" appears to have arisen from what Mary Fulbrook has identified as being the "fundamental biblicism" of the "godly".[25] She suggests that this fascination with the scriptures informed not merely the evangelical zeal of those whom we may identify as puritans, but also their desire "to erect a church according to the Word of God as revealed in the Bible". Central to this "biblical" conception of the life and structure of the church was the application of the Word of God to all elements of life, public and private. But the word must, in order to be applied, first be heard by the people. Hence the energy which the godly magistrates who comprised the membership of town corporations devoted to the support of "painful preaching". Preaching, in the words of Archbishop Grindal,

> is the ordinary mean and instrument of the salvation of mankind. St. Paul calleth it the "ministry of reconciliation" of man to God. By preaching of God's Word, the glory of God is enlarged, faith is nourished, and charity is increased. By it the ignorant are instructed, the negligent exhorted and incited, the stubborn rebuked, the weak conscience comforted.[26]

Throughout the reigns of Elizabeth and her successors various innovative schemes were introduced to support such ministries. In the main, these initiatives represented the voluntary action of the puritan laity, though some schemes, such as "Lectures by Combination" and the formation of the "Feoffees for Impropriations" were primarily clerical in origin and execution.[27] This concentration of resources and energy upon the provision of a preaching ministry, while certainly a part of the authentic protestantism of the time, was also a key plank in the puritan platform. As the sentiment of Archbishop Grindal, cited above, would indicate, we appear

to be discussing a difference in the intensity of expression between the merely protestant members of the Church of England and the "godly".

In many, if not most market-towns and corporate boroughs the presence of a significant number of the "godly" within the local oligarchy resulted in the maintenance of preaching ministers, by means of either private subscription or public funds. In some cases the clerics involved were already incumbents of local parishes, in which case the individuals or the corporation involved merely augmented the stipend of the cleric involved in return for sermons or "lectures" preached on Sunday afternoons and weekdays. Many clergy who had no official parochial base were maintained as "Lecturers" and depended solely upon the stipend paid to them by the corporation or body which maintained them. Specific examples of how this sort of relationship functioned in the corporate towns and cities of the northeast will form the basis of our discussion of lay patronage in chapter II.[28]

This high regard for preaching, particularly "painful" preaching which confronted the individual with his need for repentance and regeneration, did lead to activities which the ecclesiastical authorities found alarming. For instance, persons who belonged to a parish whose incumbent was either a non-preacher or perhaps an indifferent preacher, might "gad" to other parishes where the word was proclaimed in the style which they desired. "Sermon gadding" as it was called, appears to have become a regular pastime of persons of the "godly persuasion", as they travelled, sometimes considerable distances, to hear sermons on both Sundays and weekdays. What the ecclesiastical authorities may well have found alarming was the potential erosion of the parish community as a result of these excursions, especially in cases where "Sermon Gadding" was coupled with refusal to receive the sacrament from a non-preaching incumbent.

The puritan sabbath, given this high regard for the proclamation of the word, evolved into a day-long series of "exercises", beginning with a form of Morning Prayer, followed by a sermon, which in turn might be followed by some form of catechizing or "repetition" in the early afternoon. Where the incumbent or some other cleric was retained to do so, an afternoon sermon, or "lecture" might be preached, and this might also be followed by "repetition" or some other "godly exercise" in private homes after supper.[29] Chapter V below will deal with the social implications of the puritan emphasis on the sabbath as a day set aside for worship, preaching, and other "godly" exercises, as well as with the manner in which this attitude tended to identify the "godly" as a distinct group within the community.

Thus far we have discussed the puritan objection to remnants of Catholicism and their high estimate of the importance of preaching. We now turn to the third area of general concern among the "godly", discipline. Discipline, in the puritan sense, referred to the establishment of a system of pastoral oversight and correction within the parish, by means of which "obedience to the gospel would have been impressed on the whole parish".[30] This process of "oversight" appears to have been intended to involve the ministry of "elders" or "ancients" within the parish who together with the minister would conduct a program of investigation and catechizing from which no inhabitant of the parish might be excused. The result, or objective of this "discipline" was to be the uniform "godliness" of the parishioners, thereby bringing them to a state in which they were fit to receive the sacraments.

The failure of the Admonition to Parliament in the 1570s and subsequent lack of any royal or highly-placed ecclesiastical sanction meant that the puritan program of "discipline" became a matter of local initiative. Where a

puritan cleric could muster support for a program of "discipline" within his parish, such a program was attempted, usually not without considerable resistance from those inhabitants who were not of the "godly persuasion". Attempts to establish "discipline" were often suppressed by diocesan authorities suspicious of the intrinsic Presbyterianism of such programmes.[31] Parishes in which "discipline" was thoroughly established appear to have been few and far between, Braintree in Essex being one such example.[32] By and large "godly discipline" was limited to the voluntary community of the "godly" within the parish community, and until the Interregnum was something of the "substance of things hoped for, the essence of things not seen".[33]

As an adjunct to this desire for the establishment of a "godly discipline", puritanism provided the intellectual and religious infrastructure for what William Hunt, in his discussion of puritanism and local government in Elizabethan and Jacobean Essex refers to as the "culture of discipline".[34] Throughout this period all levels of government, from the monarch's Council down to the Justices of Petty Sessions and the minor officialdom of the parish, were preoccupied with the maintenance of order and the "reformation" of the people.[35] This "reformation" included the correction of such social evils as drunkenness, illicit sexual liaisons, bastardy, vagrancy, and in a sense, poverty. Also targeted were blasphemy, recusancy and non-attendance at Sunday services. As if this were not enough, "rude" or "unseemly" behavior appears to have been enough to attract the attentions of some local authorities.

Basic to the combination of religious and secular authority in the form of the "culture of discipline" was the view taken by the "godly" regarding the complementary roles of minister and magistrate. In what is perhaps the most germane of sermons on this issue, Samuel Ward, the lecturer at Ipswich

described magistracy and ministry as "two opticke peeces" which worked together for the proper instruction and ordering of the body politic. Robert Prick, who preached at Denham in Suffolk said of the magistracy that if one were to "take away the Magistrate... there would remaine no outward worship of God, or if it did, it would easily degenerate into Idolatrie and Superstition. Againe, take away the Magistrate, and the publicke ministerie of the word, and all other means of salvation do utterly cease".[36] Laurence Chaderton, the puritan Master of Emmanuel College, Cambridge, preached a sermon at Paul's Cross, London, in 1580, during the course of which he outlined the essential and necessary unity of "spiritual and secular leaders in the task of leading the community to repentance and godliness".[37] Nor was this understanding of the mutual interdependence of minister and magistrate limited to the clerical members of the community: it has already been shown that magistrates like Jordan and Grosvenor had absorbed a similar ethic which understood their role as local governors to be the application and where necessary the enforcement of the biblical principles of godliness proclaimed by "painful" preaching. Certainly this is the understanding expressed when in 1608 the membership of the common council of York petitioned the mayor and aldermen "that good order might be taken for the continuance and increase of [the preaching of] God's Word" in that city. The petitioners concluded with the assertion that "Thus the magistrate with the sword, and the minister by the word, joining together, they have been a sacrifice always acceptable unto the Lord".[38] The theological undergirding of this notion of "Ministry and Magistracie" will be the subject of our discussion in chapter III, and its application will occupy much of our discussion in chapters V-VI.

The "puritanism" described above, is therefore something much broader than simple non-conformity. To focus simply on those who were presented for such misdemeanors is to overlook its powerful presence as the zealous

element which empowered and informed the spread of protestant preaching and practice throughout the reign of Elizabeth and on into that of James I. Puritanism, with its dual concern for the conversion of the individual and the reformation, not merely of the church, but of society as an integrated, coinherent body, provided the impetus for much more than the development of personal piety. While later forms of sectarianism would lead some to a more introspective or insular posture, the attitude of the puritanism which was practiced in England prior to the civil war was essentially outward-looking. Society at large was in need of being ordered in a "godly" fashion. The pulpit, reinforced by the judicial authority of the local and regional magistracy was the instrument through which this ordering of society might be accomplished. This vision of a "godly" society, as William Hunt has so aptly pointed out, bears witness to the fact that in the puritan mind, if not, indeed, in the mind of Elizabethan and Jacobean Protestants in general, social and spiritual reform were virtually inseparable. To be a puritan was to be driven (or if you like, led) by a personal awareness of sin and redemption so as to intervene in a manner aimed at fostering godliness in the lives of others.[39]

As examination of the development of puritanism in the five towns of this study will reveal, this positive aspect of puritanism was most forcefully expressed when it informed the policies of urban government. As we shall discover in chapters IV and V, the combination of "painful preaching" and "godly policy" resulted in some very ambitious attempts to convert and as necessary, compel the inhabitants of York, Hull, Beverley and Leeds to a higher standard of personal piety and public behavior. These attempts to convert the townspeople were not uniformly successful: sometimes puritanism created division, and where that division alienated minister from magistrate, it was, as will be shown in chapter VII, deep division indeed. But in the main, and particularly before the erosion of the Calvinist

consensus which prevailed until at least the late 1610s in the diocese of Durham and until about 1628 in the diocese of York, puritanism became synonymous with zealous protestantism and good government. In order to better comprehend the manner in which puritanism both affected and was affected by the structures of government in the northeast, we turn now to a discussion of these structures.

Secular and Ecclesiastical Administrative Structures in the North-East.

Having thus explored something of the history and definition of "puritanism" let us now turn our attention to the milieu in which we shall observe the growth and application of "godly policy". We begin with a look at the structures of local and regional government, together with the courts by which those who controlled these structures sought to enact and enforce what they deemed proper behaviour. This done, the structure of ecclesiastical authority within the province of York will be outlined, particularly with reference to the role of the church courts in the correction of immorality and anti-social or aberrant behavior.

A. Local Government in County and Corporate Town.

Corporate boroughs occupied a unique niche in the governmental structure of Elizabethan and Stuart England. The principal unit of government during this period was the county, of which there were fifty-one; the two largest, Lincolnshire and Yorkshire, being further sub-divided into ridings, bringing the actual total to fifty-seven counties or county-like jurisdictions.[40] Each county was governed by what was called the "Commission of the Peace", a body comprised of men nominated to serve as Justices of Peace by the Lord Chancellor. Membership in this "commission" was largely confined to the gentry of the county, though exceptions to this general rule

were not unknown. The county "Commission", through its quarter and petty sessions, was responsible for administering the law and implementing those particular initiatives and directives impressed upon it by the King's Council. In doing this, it depended heavily upon the initiative and dedication of two distinct and dissimilar groups of people. At the upper level, the effectiveness of the Commission depended upon the dedication to duty of those members of the gentry who were nominated to serve as Justices of the Peace and as county Sheriffs. At the level of the parish or village, the Commission relied upon the integrity and moral courage of constables and churchwardens.[41] A breakdown in the system at either level could effectively frustrate the best intentions of Commission or Council. Anthony Fletcher has pointed out that frequently those who were nominated to be J.P.s sought the nomination as a stepping-stone to greater things, or simply as an enhancement to personal prestige. Therefore it seems that in many counties the proportion of J.P.s who actually carried the burden of administering the law and promoting the good government of the region was small in relation to the number of men named to the Commission.[42] Combine this with the relative difficulty of travel during the period and the limited time allowed for any given meeting of the quarter sessions court (three days) and it is no wonder that the members of the county "Commission" had difficulty establishing a consistent administration of justice. That in some counties actual programmes of moral and religious reform were initiated by the Commission testifies to the indefatigable application to duty of a minority of J.P.'s.[43] At the local level, constables and churchwardens were likely to be hindered in reporting of breaches of the law by the simple fact that they had to live in the same communities for which they held office. Neither office conveyed an elevation of the status of the individual to the extent that he might effectively ignore the opinions of his neighbors. It is therefore quite conceivable that unpopular programs of social or moral reform may well have had their effect blunted at this level. It is also

believable that a considerable proportion of the crimes or breaches of the peace committed at the village or parish level went unreported. The constables and churchwardens in many cases appear to have found it more congenial to allow the local community to effect its own resolution of justice.[44]

Physically situated within the county community, but separate from it in terms of jurisdiction, were the corporate towns. In order to become a corporate town, a community had to have had success in petitioning the crown for a royal charter of incorporation. The larger communities included in our study, Newcastle, York, and Hull, had enjoyed the benefits of incorporation under a royal charter from as early as the twelfth century. Previously insignificant communities like Leeds, which grew exponentially during the period 1600-1640, largely due to the influx of people seeking work in the cloth-trade, proceeded through a transitional stage in which local people formed a *de facto* civic government prior to the actual granting of a royal charter. In either case, the terms of each town's charter of incorporation established that the mayor and aldermen should act as "ex officio" J.P.s in all matters within the jurisdiction of the corporation, except for those crimes deemed to be within the jurisdiction of the assize court, such as grievous bodily harm, murder, rape, and sedition. The corporate town in effect constituted by virtue of its charter a "county corporate" with its own justices, sheriffs and lesser functionaries.[45]

The significance of this separate status of corporate towns, so far as our discussion is concerned, lies in the probable difference between the manner in which such towns were governed as compared to the government of the county community by the Commission of the Peace. In general, this difference might be described in terms of the consistency of administration and the stability of the membership of the "bench" in most corporate towns

during the pre-civil war period. Puritanism could and did find ready allies among the members of the county bench, in magistrates like Sir Richard Grosvenor in Cheshire, Sir Edward Lewkenor in Suffolk, or, closer to this study, Sir Thomas Hoby in the North Riding of Yorkshire. But in some urban communities, where like-minded ministers and magistrates can be seen "imbracing and seconding one another" it appears to have found ready and consistent allies among the members of town corporations.[46] Due to the lack of suitable sources, as was noted in the introduction, it is not possible to pursue this comparison further than to suggest the strong possibility that the application of "godly policy" might have been more consistent in the corporate towns than in the county.[47]

The gentry, as has already been mentioned, dominated the ranks of the county judiciary. When we come to consider the men who fulfilled similar roles in corporate towns, we find that the majority of these were either merchants or well-to-do artisans. These "industrious sort of people" tended to dominate the upper echelons of civic government for two main reasons. They represented the interests of the two dominant groups within the towns, merchants and artisans; and they had taken the time to "come up through the ranks" of the civic electoral process. In any corporate town, an individual's progression to high public office, say to that of alderman or mayor, might take a number of years of service and require the cultivation of a broad base of support in the community. The beginning was to obtain the status of freeman, which was usually inherited, or might be earned through serving an apprenticeship, or purchased for a fee. The corporation of most towns also had the right to grant the status of freeman to individuals who, because of circumstance or merit, might deserve it at no cost. Freedom, in terms of the corporate town, entitled the "freeman" to conduct business, to belong to the "company" or "craft" which regulated his trade or business, and to vote and be eligible for nomination and election to office in civic

elections.[48]

It is important to note at this juncture that this was not representative democracy as it exists now in western Europe or North America. The government of corporate towns in Elizabethan and Stuart England was essentially the practice of oligarchy. With the exception of those persons who for special reasons were granted the status of freeman by the corporation at no cost, the ability to pay the requisite fee or fine, or the serving of an apprenticeship in fact limited the franchise to persons of a certain minimum economic standing. In Newcastle, for example, a man had to have an income of £10 per annum or better in order to be eligible for nomination to public office. This standing was certainly well above that described by the term "the poor" as it is used in 17th century parlance.[49] When John Stoddart, the curate of St. John's, Ousebridge, and Allhallows, Northstreet, applied for the status of freeman in 1599, the corporation of York denied his petition on the grounds that he could not afford the 20 nobles' fee.[50] Stoddart was the incumbent of two charges and owned cattle for which he obtained grazing rights on the city's common land, but he was not of adequate substance to obtain the franchise in York.

Having obtained the status of freeman, the aspiring individual's next step was to secure some minor civic post, such as bridgemaster, muremaster, or chamberlain, and presumably by doing well at this, create support for his election by the members of his guild or craft to the common council. In York, which apart from Newcastle had the most fully developed civic structure of the corporate towns of the northeast region, the common council was the "outermost circle" of the corporate power-structure. Members of the common council were persons who had been designated as "searchers", chosen to oversee matters of quality and internal regulation for their particular

craft or guild. There were in fact two sorts of "searchers" in York: the guild or craft "searchers"; and "searchers" specifically appointed by the corporation to see that its Sabbatarian ordinances were observed and, where necessary, enforced. It is not clear whether these "searchers" were indeed one and the same group of people, but it is not unlikely that this was the case.[51]

The common council of York met yearly for the Michaelmas civic elections and at other times when the mayor and corporation felt that a broader consensus of opinion was necessary in dealing with any specific issue. From membership in the common council, the next step on the road to high office was to be elected as one of the town's two sheriffs. At the end of his year as sheriff, the individual was automatically made a member of the "twenty-four". This was an intermediate consultative body which regularly was present at meetings of the corporation and from which candidates were nominated to fill aldermanic posts. As aldermen were elected for life, elections to this highest level of civic authority occurred only when positions became vacant due to either death, or in rare cases, impeachment. The mayor was elected from among the most recently elected aldermen by the assembled electors (that is, the common council, twenty-four and aldermen) annually on the 15th of January.[52] Having served his term as mayor, he could not be nominated for that office again until all of his fellow-aldermen had served a term as mayor.

York has been used as an example in this description of the electoral process in Elizabethan and Stuart corporate towns. With some minor variations, the process was similar in all such corporate communities throughout the northeast. Structures of civic government in Hull during this period were virtually identical to those described for York. Beverley and Leeds each had somewhat simpler structures of government in that they lacked

the equivalent of the "commonality" or common council. Newcastle closely resembles York in terms of the structure and complexity of its civic government, with the added dimension of a much more highly-polarised situation in terms of inter-craft rivalry, notably between the Hostmen, who held the coal monopoly, and the Mercers' company.[53]

What is significant for the purpose of our discussion at this time is that in all of these communities the occupation of high public office and the exercise of magisterial authority usually represented several years of steady progression up a well-established and universally recognized ladder of advancement. Those who were elected to be sheriffs, aldermen, or mayors enjoyed security of tenure and a sense of broadly based community support. It may therefore be reasonable to expect that the quality and consistency of administration relating to programs of moral and religious reform in corporate towns might reflect this security of tenure and election on the basis of moral and political consensus, at least within what we might term the "franchised" members of the community. In part, our discussion of puritanism as it developed in the context of the corporate towns of the northeast will attempt to explore the viability of this assumption.[54]

B. Regional Authority.

England, for secular and ecclesiastical purposes, was divided into two geographical regions. The dividing line was the course of the river Trent: the northern province included Yorkshire, Durham, Northumberland, Cheshire and the northern part of Nottinghamshire (the duchy of Lancaster was maintained as a separate jurisdiction during this period).[55] This region was governed by a body called the "King's Council of the Northerne Partes", or, as it was more usually called, "The Council of the North". This body was established under Richard III to maintain order and see to the defence of

the northern province. Under the Tudors, particularly in response to northern unrest as expressed in The Pilgrimage of Grace (1536) and the Rising of the North (1569), the authority of the council was greatly expanded. During the time of Elizabeth I and the first two Stuart kings the council had the authority to conduct "a northern Star-Chamber" and was additionally empowered with its own Commission of Peace and of "oyer and terminer". In effect this meant that the Council was able to try major felonies, acts of treason and other serious crimes to which the penalties of death or forfeiture obtained. Membership of the council included highly-placed clergy, members of the local gentry and court appointees, usually of the aristocracy. These members were supported by persons recruited from the legal profession. The council functioned as the *de facto* royal presence in the north, and particularly under Elizabeth I and James I was principally used for the suppression of recusant Catholicism in the province.[56] The influence enjoyed by the Lord President of the Council of the North and his deputies was therefore quite considerable. This originated not only in the authority of the council but also in the connections between the membership of the council and the royal court. In 1585, when the corporation of York desired to secure the services of a new town preacher, they wrote to Henry Cheke, a member of the council, asking him to use his wider connections to find a "grave, learned and godlie man... both comfortable for our sowles and great commendacions to us all".[57]

In 1580 these same city fathers had been constrained, somewhat against their inclinations, by the "puritan Lord President" Henry Hastings, to retain a city preacher.[58] During the course of Hastings' career, and due in some respect to Hastings' initiative, civic lectureships were established in York, Leeds and Newcastle. Such was the influence which might be wielded by the Lord President and Council. For an example of this influence used in an

anti-puritan direction we need look no further than to the career of Thomas Wentworth, the Earl of Strafford, who used his position as Lord President in the 1630s to effect a policy supporting Archbishop Neile's campaign against clerical and lay non-conformity.[59]

In the hands of Henry Hastings and like-minded persons such as his successors, Thomas Cecil (1599-1603) and Lord Sheffield (1604-19), all of whom were of a committed protestant if not puritan outlook, the Council of the North constituted an effective instrument for the suppression of Catholicism and the establishment of "godly" preaching ministers.[60] During much of the period under examination this was undertaken as much for reasons of state as for reasons of faith. The northern population was notoriously Catholic in its orientation. Guy Fawkes was originally from York. The Pilgrimage of Grace and the 1569 "Rising of the North", while primarily vehicles of economic protest, both carried overtones of protest against the reformation undertaken by Henry VIII and that which occurred early in Elizabeth's reign. The surviving records of the church courts and of the Court of High Commission bear witness to the fact that at least half if not three-quarters of the cases heard by these courts involved either recusancy or the survival of other conservative or folk religious practices. Protestant preaching was seen as a necessary means of ensuring the loyalty of the northern population. Until the accession of Richard Neile to the see of York, puritan clergy appear to have been tolerated and at times positively encouraged by both lay and ecclesiastical authorities, who saw them as a corrective to the catholicism which pervaded the region. Frequently local clergy and churchwardens were required to act as agents of the regional authority in reporting the names of persons either known to be recusants or who, by a variety of "tests" might be strongly suspected of clandestinely practicing Catholicism.[61]

C. Ecclesiastical Authority.

Existing in parallel with the county Commission of the Peace and the magistracy of the corporate towns were the ecclesiastical courts of the Church of England. Each of the two archdioceses or provinces in England had its own Court of High Commission as did the diocese of Durham. Next in order of importance was the Chancellor's Consistory Court, which during this period was often referred to as the Chancery Court, but which had nothing in common with the legal institution so artistically maligned in Charles Dickens' Bleak House. At the lowest level we find the archidiaconal courts and the courts relating to the "peculiar", that is, independent, jurisdictions within each province (usually properties relating to cathedral chapters and other, similar ecclesiastical corporations).[62]

Within each archdiocese the Archbishop, or in most cases his Chancellor acting as the archbishop's Official Principal, periodically conducted what were called visitations. This was also the prerogative of each diocesan bishop, as for instance it was in the dioceses of Durham, Chester and Carlisle which together with the diocese of York comprised the archiepiscopal province of York. The diocese of Durham enjoyed the status of a Palatinate, and therefore the bishop of Durham was entitled to convene his own Court of High Commission.[63] In the province of York during the period of our discussion, visitations were in theory conducted within the diocese of York once every three years, but in practice a stretch of as many as seven years could occur between visitations.[64]

The process of a visitation, whether episcopal or archiepiscopal, followed a predictable schedule, in each archdeaconry. The visitor would issue an invitation to all clergy and other persons holding episcopal licenses (such as schoolmasters and physicians) to be present at a certain

date and time in one of the principal churches of the archdeaconry. Churchwardens, together with parish clerks and other lay officials were also required to attend. The visitor would deliver a charge, usually containing something of the matters of import weighing upon the episcopal mind at the time. He would then bind all present by solemn oath to tell the truth, following which those who had licenses would be required to present the same for inspection. This being done, the visitor would receive the reports from churchwardens and other parochial officials. More often than not it appears that a schedule of interrogatories had been sent out ahead of time, for there are a significant number of instances where reports were rejected for either not having been written down or for having been "poorly written". Persons guilty of crimes or misdemeanors would then be summoned to the court thought appropriate to the seriousness and nature of the offence.[65]

Unlike the secular courts, which had the authority to inflict a number of penalties ranging from imprisonment to corporal and (in the case of assize courts) capital punishment, the church courts were relatively powerless to do other than harrass the laity. In most cases the offender was let off with a warning and court costs, especially if contrition was evident. The worst that the church court could do was to pronounce an offender to be excommunicate on the grounds of contumacy. From the evidence of the court records, it appears that nearly half of the population of Yorkshire was at one time or another excommunicated in this manner. This may have been an effective sanction when the people's religious attitudes reflected a greater sense of homogeneity, but in a time of increasing factionalism within the religious community, excommunication was no longer an effective curb.[66]

Over the clergy these courts had significantly more suasion through the threat of suspension and ultimate deprivation from the living of the parish.

Even this, though, was to a certain extent limited in its impact where the cleric in question enjoyed the protection of a powerful lay patron or of a wealthy town corporation. Either might intervene on his behalf and see to it that at least the fiduciary effects of the court's censure were negligible.[67]

The church courts dealt with much more than questions of "religious" misconduct. In addition to investigating and attempting to correct instances of non-conformity, recusancy and non-attendance, the courts tried cases of alleged marital breakdown, adultery, fornication, drunkenness, sabbath-breaking, swearing and disorderly conduct.[68] There is a sense, therefore, that in those towns where visitations or archidiaconal courts were regularly convened, as they were in Beverley and York, some overlap between the secular courts and the ecclesiastical jurisdiction was highly likely if not inevitable. In York, for instance, the local magistracy was flanked by the additional levels of Consistory Court and the Court of High Commission, as well as the courts pertaining to the Council of the North. It appears that there was substantial overlap in some cases, both of defendants and of the occupants of the bench. For instance, when the lecturer John Conyers was tried by the Court of High Commission in 1621 for "the words which he confessed in his person, all spoken against the church", the "bench" included the mayor of York, the attorney-general of the Council of the North, and the Archbishop.[69]

In the main, this sharing of jurisdictions and of personnel did not created difficulties between the ecclesiastical and the secular authorities. The corporation of York was engaged in a drawn-out dispute with the dean and chapter of the Minster regarding jurisdiction in areas of the city claimed to be part of the chapter's "peculiar".[70] Other than this relations between the various authorities appear to have continued in a spirit of healthy

cooperation until the late 1630s, when Archbishop Richard Neile's aggressively Arminian policies of liturgical and architectural reform substantially disturbed the existing balance

D. The Interdependence of Administrative Bodies in the North-East.

While corporate towns enjoyed exemption from the county commission's jurisdiction there does not appear to have been any appreciable jealousy or mistrust between these structures. Similarly, (as has been above) for most of the period of our study the relationship which existed between town corporations and the ecclesiastical authorities was one of close cooperation in a common cause. In Beverley, for example, we have evidence that the corporation welcomed the meetings of the county commission when they were held in their town. In an entry from the corporation's minute books dated 27 May, 1600, it was ordered that "in respect that the Justices of Peace within the East Riding do hold their sessions of peace now after Easter within the Hallgarth... that Mr. Mayor... may invite and bid to dinner the said justices for the same day as the sessions is at his house, and for the same shall allow him the sum of £3.6s.8d. towards his charge."[71] Beverley was also the regular venue of the visitation court for the archdeaconry.[72] Matters ecclesiastical were often helped along by the intervention of highly-placed persons of other jurisdictions, as when Lord President Henry Hastings consented to represent the interests of the group of Leeds' parishioners who wanted to purchase the advowson to their parish in 1588. Similarly, when Leeds was incorporated in 1626, the first "Alderman" to be chosen was Sir John Savile, M.P. for the West Riding of Yorkshire.[73] As will be noted in chapter VIII, legal experts like Sir Richard Hutton, a Justice of Common Pleas, often found that their services were shared by several different jurisdictions at the same time.[74]

The overall picture which develops with regard to the interaction of these several and distinct levels of authority throughout the region is one of cooperative harmony. For the greater part of the period marked by the reign of Elizabeth and the first two Stuarts the overriding concerns and aims of these jurisdictions were basically the same. The magistracy was exercised with the suppression of recusant Catholicism; the preservation of public order and the rule of law; the improvement, and where necessary, the correction of public and private morality. From the point of view of the crown and its agents in the Council of the North, county Commission of the Peace and town corporations, this was the sum and substance of a "well-governed commonwealth". The same agenda was seen by the church, which until the rise of Arminianism reflected a broad spectrum of English Protestantism and puritanism, as the very essence of the "advancement of true religion."

Conclusion

At the beginning of the chapter, it was stated that this chapter should accomplish two goals: the definition of puritanism in the context of protestant belief and practice, and the description of the context of administration and government in which puritanism will be examined in the five towns of this study. Puritanism has been identified with the zealous protestantism which contributed to the accomplishment of the reformation in the North-East. Puritan concern for the extirpation of catholicism, the regular exposure of the population to "godly and painful" preaching, and the imposition of "godly discipline" as a way of life which governed the corporate or public life of the community as well as the personal or private life of the individual contributed substantially to the "protestantization" of the region. The puritan concept of cooperation between magistrate and

minister, of which more will be said in chapter III, has been shown to fit well with the concerns of regional, diocesan and local government. While not denying that non-conformity was, in certain circumstances, a feature of puritan practice, this chapter's discussion has suggested that a definition of puritanism which fixes solely on the evidence produced by non-conformity has overlooked the mass of positive evidence which shows that the godly were in fact distinguishable from other English protestants only by their zealous commitment to bring church and society into line with the principles of the "holy city" as shown to them in the Bible. The extent to which these principles informed the cooperative efforts of magistrates and ministers is the focus of the next four chapters.

This chapter's discussion of the structures of secular and ecclesiastical administration in the northeast has shown, among other things, the strength and inherent security of town corporations and their officers. Elected by a process which necessarily meant that each alderman or mayor represented a broad consensus of the "free citizens" of the town, it has been suggested that the policies of town corporations might reflect this sense of security in the formulation and implementation of godly policy. We shall see. Such security notwithstanding, the evidence presented for the interdependence of jurisdictions suggests, by inference, that should one or another of these levels of authority deliberately choose to violate or change in any way the basis upon which cooperative action was based, the result would be the rapid deterioration of the interdependent relationships which made government in the North-East not only effective, but simply possible. Again, in chapters VI-VIII, we shall see.

Notes for Chapter I

1. Patrick Collinson, "The Godly: Aspects of Popular Protestantism", in Godly People: Essays on English Protestantism and Puritanism, (1983) p.1.

2. Peter Lake, Moderate Puritans and the Elizabethan Church, (1982), pp.12, 113, 179.

3. Paul Seaver, The Puritan Lectureships: The Politics of Religious Dissent, 1560-1662, (1970), pp.3-4.

4. Patrick Collinson, "The Elizabethan Church and the new Religion", C. Haigh, (ed.), The Reign of Elizabeth I, (1984), pp.178-181; Peter Lake, Moderate Puritans and the Elizabethan Church, pp.280-82; Christopher Haigh, (ed.), The English Reformation Revised, pp.213-15.

5. Mary Fulbrook, Piety and Politics: Religion and the Rise of Absolutism in England, Württemberg and Prussia, (1983) pp.102-104.

6. Patrick Collinson, "John Field and Elizabethan Puritanism", Godly People, pp.332-370.

7. Nicholas Tyacke, "Puritanism, Arminianism and Counter-Revolution", in Conrad Russell, (ed.), The Origins of the English Civil War, (1973) pp.122-124.

8. Christopher Hill, Society and Puritanism in Pre-Revolutionary England, (1969) pp.34-5.

9. Patrick Collinson, "A Mirror of Elizabethan Puritanism, The Life and Letters of`Godly Master Dering'", Godly People, citing Edward Dering, "A Sermon preached before the Queenes Maiestie the 25 day of Februarie...1569", (1570).

10. Patrick Collinson, "The Elizabethan Church and the New Religion", C. Haigh, (ed.), The Reign of Elizabeth I, (1984), pp.172-4.

11. See below, pp.60-96; Patrick Collinson, The Birthpangs of Protestant England, pp.36-40.

12. William Lamont, Godly Rule: Religion and Politics, 1603-60, (1969), pp.42-3.

13. Lamont, Godly Rule, pp.28-30; David Loades, Politics and the Nation, 1450-1660, (1986) pp.352-3.

14. York City Archives, York Corporation House Books, B/XXVII, fols.226^{v}-227^{r}, 228^{r}, 230^{r+v}; B/XXXII, fol.2^{v}, 38^{v} -39^{v}. Askwith, Concett and Watter were all aldermen and Mayors of York during the late Elizabethan period; Watter and Cottrell each endowed lectureships to provide protestant preaching in addition to that provided by the corporation's patronage. See David M. Palliser, Tudor York, (1979), pp.86, 101, 103-4; W.K. Jordan, The Charities of Rural England, 1480-1660, (1961), pp.376-7; and below, pp.71, 137-8, 141-56.

15. W.K. Jordan, The Charities of Rural England, pp.235-6, 265-6; J.T. Cliffe, The Puritan Gentry: The Great Puritan Families of Early Stuart England, (1984), p.36; Kingston-upon-Hull Record Office, Hull Corporation Bench Books, 4, fols.36^{r}, 107^{v}; Borthwick, York Archiepiscopal Visitation Court Act Books, V1594/CB, fol.154^{r+v}; East Yorkshire County Record Office, Beverley Corporation Minute Books, BC/II/7/4/1, fol.15^{r}.

16. Borthwick, Bishopthorpe Mss., Correspondence and Papers of Archbishop Thomas Herring, Box IV, Item 20; Claire Cross, Urban Magistrates and Ministers: Religion in Hull and Leeds from the Reformation to the Civil War, Borthwick Paper No.67, (1985), pp.18-19; for Robert Cooke see Marchant, The Puritans and the Church Courts, p.241; see also pp.78-9, below.

17. Christopher Hill, Society and Puritanism, p.22; Patrick Collinson, "Godly Master Dering", pp.295-6, citing Dering to Cecil, 18 Nov. 1570, B.M., MS. Lansdowne, 12, fols. 190-1^{v}.

18. Andrew Foster, "Church Policies of the 1630s", R. Cust and Ann Hughes, (eds.), Conflict in Early Stuart England, (1989), pp.213-14.

19. Patrick Collinson, "Towards A Broader Understanding Of The Early Dissenting Tradition", Godly People, p.534; Peter Lake, Moderate Puritans and the Elizabethan church, (1982), pp.16-24 expands upon the commentary begun by Collinson and arrives at similar conclusions.

20. Patrick Collinson, "Godly Master Dering", p.392.

21. Samuel Clarke, "The Life, and Death of Mr. Ignatius Jurdaine, who dyed Anno Christi 1640", A Collection of the Lives of Ten Eminent Divines, Famous in their Generations for Learning, Prudence, Piety and Painfulness in the Work of the Ministry, (1662), pp.450, 453, 455, 463-9, 471; Richard Rogers, Seven Treatises, containing such direction as is gathered out of the holie scriptures, (1603).

22. R.C. Richardson, Puritanism in North-West England, pp.89-91.

23. Richard Cust and Peter G. Lake, "Sir Richard Grosvenor and the Rhetoric of Magistracy", Bulletin of the Institute of Historical Research, CXXIX, (1981), pp.40-53.

24. Paul Slack, "Poverty and Politics in Salisbury, 1597-1666", Peter Clark and Paul Slack, (eds.), Crisis and Order in English Towns, 1500-1700, (1972), pp.181-193; Patrick Collinson, The Religion of Protestants, p.147.

25. Archbishop Whitgift used the phrase "violence of preciseness" in describing the Puritan William Whitaker's role in the dispute which troubled St. John's Cambridge during the late 1580's. His letter to Burghley, British Library, Lansdowne Mss. 70, fol.160, is quoted at length in Peter Lake, Moderate Puritans, p.179. See also Mary Fulbrook, Piety and Politics, p.31.

26. Edmund Grindal to Elizabeth I, 20, December, 1576, cited by Seaver, The Puritan Lectureships, p.18, citing John Strype, The History of the Life and Acts of the Most Reverend Father in God, Edmund Grindal, (1821) pp.561-62.

27. Patrick Collinson, "Lectures By Combination: Structures and Characteristics of Church Life in 17th-Century England", Godly People pp.467-498; Christopher Hill, Economic Problems of the Church from Archbishop Whitgift to the Long Parliament, (1956), pp.256-61; Society and Puritanism pp.91-105.

28. Rosemary O'Day, The English Clergy: The Emergence and Consolidation of a Profession, 1558-1640, (1979) pp.12-27 and Christopher Hill, Economic Problems, p.220.

29. Patrick Collinson, "The Godly: Aspects of Popular Protestantism", Godly People, pp.7-10; "Towards a Broader Understanding of the Early Dissenting Tradition, Godly People, pp.536-7; Kenneth L. Parker, The English Sabbath: A Study of Doctrine and Discipline from the Reformation to the Civil War, (1988).

30. Patrick Collinson, "The Godly: Aspects of Popular Protestantism", Godly People, pp.4-6.

31. As it was, for instance, in Elizabethan Northampton, see W.J. Shiels, Puritans in the Diocese of Peterborough: 1558-1610, Northamptonshire Records Society, XXX, (1979), pp.55-56.

32. William Hunt, The Puritan Moment, pp.82-83.

33. Hebrews 11:1.

34. William Hunt, The Puritan Moment, pp.79-82.

35. L.M. Hill, "County Government in Caroline England, 1625-1640", Conrad Russell, (ed.), The Origins of the English Civil War, pp.79-83; Anthony Fletcher, Reform in the Provinces, pp.262-270; Susan D. Amussen, An Ordered Society: Gender and Class in Early Modern England, (1988), pp.175-6.

36. Samuel Ward, Jethros Iustice of Peace (1618); Robert Prick, The Doctrine of superioritie and of subiection..., (1609) cited in Patrick Collinson, The Religion of Protestants, pp.153-6.

37. Laurence Chaderton, An excellent and godly sermon....preached at Paules Crosse, (1580), cited in Peter Lake, Moderate Puritans, pp.139-141.

38. York City House Books, B/33, Fols. 110^{v} - 112^{r}, 3 February, 1608.

39. William Hunt, The Puritan Moment, pp.81-82, 146; Keith Thomas, Religion and the Decline of Magic: Studies in Popular Beliefs in Sixteenth and Seventeenth Century England, (1984), pp.74-76.

40. Anthony Fletcher, Reform in the Provinces, pp.4-5.

41. L.M. Hill, "County Government", pp.67, 72-77.

42. Anthony Fletcher, Reform in the Provinces, pp.41-2; "Honour, Reputation and Local Officeholding in Elizabethan and Stuart England", Anthony Fletcher and John Stevenson, (eds.), Order and Disorder in Early Modern England, (1985), pp.92-3.

43. L.M. Hill, "County Government", p.69; meetings of quarter sessions court were limited by statute to three days' duration.

44. Anthony Fletcher, Reform in the Provinces, p.62-82; J.A. Sharpe, Crime in Early Modern England, 1550-1750 (1984), pp.74-7; Joan R. Kent, The English Village Constable, 1580-1642: A Social and Administrative Study, (1986), pp.252-64.

45. D.M. Palliser, Tudor York, p.60, and Anthony Fletcher, Reform in the Provinces, p.4.

46. J.T. Cliffe, The Yorkshire Gentry, pp.239-40; Patrick Collinson, "Magistracy And Ministry, A Suffolk Miniature", Godly People, p.445-6, citing William Burton, "Seven dialogues both pithie and profitable", (1606), Sig. A2.

47. See pp.12-13, above.

48. J.T. Evans, Seventeenth Century Norwich: Politics, Religion and Government, (1979), pp.8, 31-34; D.M. Palliser, Tudor York, pp.60-72.

49. Paul Slack, Poverty and Policy in Tudor and Stuart England, (1988), pp.38-43; Christopher Hill, Society and Puritanism, p.130; John Brand, The History and Antiquities of... Newcastle upon Tyne, II, p.176.

50. York City Archives, York Corporation House Books B/XXXII, fol.18^{r}, 11 May, 1599.

51. D.M. Palliser, Tudor York, p.61; York City Archive, York City House Books, B/XXXIII, fol. 2^{r}, 17 February 1606.

52. D.M. Palliser, Tudor York, pp.63-4.

53. Gillett and Macmahon, A History of Hull, (1980), p.83-85; George Oliver, The History of the Town and Minster of Beverley, in the County of York, (1829) pp.188-190; Margaret A. Hornsey, "John Harrison, The Leeds Benefactor, And His Times", Thoresby Society Publications, XXXIII, (1935), p.121; The Rev. John Brand, The History and Antiquities of the Town and County of the Town of Newcastle upon Tyne, (1789) II, p.176; M.H. Dodds, (ed.) Extracts From the Newcastle upon Tyne Council Minute Book, 1639-1656, Publications of the Newcastle upon Tyne Records Committee, I, (1920) p.1.

54. Anthony Fletcher, Reform in the Provinces, pp.6-11, 39-41, 45-47.

55. R.R. Reid, The King's Council in the North, (1921).

56. David Loades, Politics and The Nation, pp.92, 177, 284-5.

57. York City Archives, York Corporation House Books, B/XXVIII, fol.184, 8 February 1585, also printed in Angelo Raine, (ed.), Publications of the Yorkshire Archaeological Society, CXIX, (1952), pp.91-2.

58. York City Archives, York Corporation House Books, B/XXVII, fols. 159^{r+v}, 230^{r+v}; see pp.66-68, below.

59. David Loades, Politics and the Nation, pp.279, 400-1; Claire Cross, Church and People, 1450-1660: The Triumph of the Laity in the English Church, (1983), pp.156-9; Richard Welford, (ed.) History of Newcastle and Gateshead, (1857), III, p.56; Borthwick Institute, Bishopthorpe Mss., Correspondence and Papers of Archbishop Thomas Herring, Bundle IV, Item 20; also see below, pp.336-42.

60. J.T. Cliffe, The Yorkshire Gentry, pp.173-4; see also pp.60-96, below.

61. R.C. Richardson, Puritanism in North-West England, pp.17-18; John Newton, "Puritanism in the Diocese of York" pp.84-5.

62. R.A. Marchant, Puritans in the Church Courts, pp.7-8; The Church Under the Law: Justice, Administration and Discipline in the Diocese of York, 1560-1640, (1969), pp.33-34.

63. Ralph Houlbrooke, Church Courts and the People During the English Reformation, 1520-1570, (1979) pp.24-27.

64. Borthwick, York Archiepiscopal Visitation Court Act Books, V1590-1640/CB; Marchant, Puritans in the Church Courts, pp.9-10.

65. Ralph Houlbrooke, Church Courts and the People, p.29; for instance, churchwardens of St. Nicholas, Beverley, were presented for the lack of appropriate reports, Borthwick, York Archiepiscopal Visitation Court Act Books, V1604/CB, fol.96^{v}.

66. Ronald Marchant, The Church Under the Law, pp.140-44.

67. See, for instance, the cases of John Shaw, p.231, and of William Birchall, pp.259-261, 347-50, below.

68. Martin Ingram, Church Courts, Sex and Marriage in England, 1570-1640, pp.67-9; Christopher Hill, Society and Puritanism, Chapter VIII, "The Bawdy Courts", especially pp.291-296.

69. R.A. Marchant, Puritans in the Church Courts, p.240; Borthwick, York High Commission Act Book 16, fols. 274^{r}, 275^{r}, 30 July, 1621.

70. York City Archives, York Corporation House Books, B/XXXV, fols. 44^{r}, 45^{r}, 98^{r}; see below, pp.332-46.

71. East Yorkshire County Records Office, Beverley Corporation Minute Books, II, (1597-1660) fol. 5^{r}; in Beverley the "governors" fulfilled duties synonymous with those of aldermen in other corporate towns.

72. Ronald Marchant, The Church Under the Law, pp.115-118.

73. See below, pp.309-10. The "Alderman" of Leeds was the equivalent of a mayor in other corporate towns: Margaret Hornsey, "John Harrison, pp.121-2.

74. See below, pp.340-1, 357-8.

CHAPTER II

CORPORATE PATRONAGE IN NEWCASTLE, YORK, LEEDS, HULL, AND BEVERLEY.

In the previous chapter brief reference was made to the way the corporations of the towns in this study contributed to the spread of protestantism in the northeast through their patronage of preachers.[1] The purpose of this chapter will be to provide detailed discussion of how various patronage relationships came to exist in the towns, and of such information on the motivation of corporations and individual aldermen as has survived. Also, where possible, personal connections between members of town corporations and preachers will be noted. It must be stressed at the outset that the focus of this discussion is corporate patronage, and not a brief history of selected puritan lecturers. The necessity of stating this so obviously at this point arises as a result of scant biographical evidence on the aldermen and other civic officials whose names appear in the discussion which follows. At times, because of the nature of the surviving sources, it will seem that the focus has been allowed to shift to the preachers: but this material can be used to gain insight into the puritanism of a particular town corporation or of its members. For instance, the piety and practice of a group of aldermen, or of churchwardens, while not officially recorded, may be inferred from the preaching and practice of the clerics who were chosen and supported by these persons.

In our discussion of puritanism to this point, it has been established that the absolute necessity of preaching, as the means of personal and social conversion to "true religion" and a "godly" way of life, was one of

the essential elements of puritanism. As members of civic corporations and influential townsfolk were converted to protestantism, they began to turn their attention to the provision of preaching in the parish churches of their communities. Sometimes, as will be seen below, this was accomplished in the spite of the apathy or even the open hostility of a religiously conservative or otherwise unconverted population. As has already been mentioned in the previous chapter, the northeast region was perceived as politically unreliable in the aftermath of the Northern Rising. The reason for this unreliability, in the mind of Elizabeth, her administration, and local protestant governors, lay almost totally in the indigenous religious conservatism, the "backwardness in religion" which typified the people who inhabited the region. For this reason, in addition to being a matter of evangelical concern on the part of the converted, it was also a matter of royal policy to establish protestant preachers in key centres throughout the northern province. In this manner political loyalty and "true religion" became synonymous in the thinking of regional and local government in the northern province.[2]

Much has already been written concerning the debilitating effects of the Tudor policy of plundering ecclesiastical establishments: it is not necessary to duplicate here the excellent work which has been done by Rosemary O'Day, Christopher Hill, Claire Cross and others.[3] However it is necessary to illustrate the issues which gave rise to lay patronage, particularly those peculiar to the northeast region, in order that our discussion of corporate patronage and its relationship to the development of puritanism may have a foundation on which to build.

The establishment of preachers in towns and cities was not a simple matter. The tithes supporting most of the parochial livings in cities such as York and Newcastle were badly decayed, so that they were not able to

offer remuneration sufficient to attract an educated preacher. For example, the living of St. Michael's, Ousebrige, in York paid its curate a mere £12 p.a. until this was augmented by means of a bequest from the will of alderman James Cottrell in 1599.[4] More often than not parochial livings were in the hands of non-resident lay impropriators, as was the case, for instance, at Leeds.[5] While it would be less than accurate to suggest that the corporations of cities such as York and Newcastle were in the hands of survivalists or recusants at the beginning of the period in question, evidence will be presented which suggests a certain religious ambivalence, an almost Laodicean lack of commitment to the new settlement in the leadership of these cities even as late as the 1580s. This supports the thesis advanced by Patrick Collinson, Christopher Haigh and W.J. Sheils that the latter half of the Elizabethan period, far from being typical of what is though of as a "post-reformation" era, was in fact the period in which the conversion of the English people to protestantism was accomplished. It is not, therefore, surprising that the initial drive behind the provision of preaching in the towns sometimes came from persons representing central or regional levels of government. Lord President Huntingdon, for instance, regarded the establishment of preaching in the nation's towns as a matter of primary importance. As we have already mentioned in chapter I, this was an opinion which was shared by Archbishops of York like Edmund Grindal. But as we shall see, once significant numbers of aldermen and other influential townsfolk were exposed to protestant preaching, and through that exposure, converted to the new religion, it was not long before they themselves began to move "heaven and earth to get a preaching ministry established".[6]

Newcastle

A major source of external initiative on behalf of the establishment of protestant preaching entered the northern province in 1572 in the person

of Henry Hastings, the third Earl of Huntingdon, then newly-appointed Lord President of the Council of the North. Hastings, who has been described by Claire Cross as "the puritan Earl" used his influence as Lord President to encourage the establishment of protestant preaching in Newcastle, York, and Leeds. In his role as Lord President, Hastings wielded vice-regal authority, and it is therefore understandable that individuals and civic corporations approached by him might be overawed by the office which he held, if not by his personal zeal and determination.[7] In the autumn of 1589, during a time when plague was running unchecked in Newcastle, certain citizens "made mean" to the Earl of Huntingdon to use his influence in order to obtain John Udall, the suspected author of the "Marprelate tracts", as civic preacher. Plague had claimed the lives of four of the clergy serving the city's churches, which may in part account for the corporation's willingness to receive so notorious a puritan as preacher. Even so, Huntingdon's assistance, particularly considering Udall's eventual recall to London to face charges related to the Marprelate tracts, should not be minimized. Nor should the zeal of the unnamed parties who requested his ministry through Huntingdon's influence and authority.[8] No other correspondence concerning Udall's time in Newcastle has survived, so it is impossible to determine more about the attitude of the corporation there to the Lord President's sponsorship of the puritan preacher. We do know that committed Protestants, in the persons of John Knox and John Mackbrey had previously preached in the city. Knox, in a tract published in 1554, made mention of having preached in Newcastle; Mackbrey was vicar of Newcastle from 1568 until his death in 1584.[9] Perhaps the ready acceptance of Udall's appointment reflected a growing protestant element within the corporation. Roger Howell, in his study of puritanism at Newcastle, mentions that there was at least one "congregation on the strictest Genevan model" in Newcastle during the five years prior to Udall's appointment in 1589. The establishment of this congregation undoubtedly owed something to the presence, (noted by Howell)

of a number of Scottish Presbyterians who had migrated to Newcastle in 1584, after the passage of the "Black Acts" which reaffirmed episcopal church polity in Scotland.[10]

This must be balanced against the assessment of the recorder of Gateshead, one Fleetwood, who in 1575 reported that "The towne of Newcastell are all papists...". This statement, arising from the context of a dispute involving Newcastle's bid to annex the town of Gateshead, was undoubtedly an exaggeration for effect, but it nonetheless suggests that even during Mackbrey's time as vicar, Newcastle was far from being completely won over to the protestant settlement.[11] The prestige and authority of the Lord President would therefore not have been insignificant in the appointment of John Udall as civic preacher.

The city of Newcastle was technically all one parish, St. Nicholas, to which the churches of All Saints, St. Andrew and St. John were dependent chapels. The right of presentation to the vicarage was owned jointly by the bishop and Cathedral Chapter of Carlisle, as was the living. Appointees to the vicarage after John Mackbrey were all committed protestants. Richard Holdsworth (1585-1596) and William Morton (1596-1620) were both paid by the corporation for preaching, presumably over and above the duties expected of them in the serving of their cure.[12] In addition to Holdsworth and Morton, there is evidence to show that from 1595 on the corporation paid for the services of two lecturers, James Bamford and William Pierson. Pierson, who was Holdsworth's son-in-law, held both the curacy of St. Nicholas' church and a lectureship, this last being paid for "quarterly... out of the town of Newcastle". As well as Pierson and Bamford, Howell reports fragmentary evidence for the presence of four other protestant preachers in Newcastle between 1600 and 1628.[13]

William Morton was something of a zealot where the prosecution of papists was concerned, and carried on a correspondence with Secretary of State Winwood, informing him of the activities of suspected papists in Newcastle and Northumberland.[14] During the time in which Morton was vicar of Newcastle steps were taken whereby the city council consolidated its role as "founder and patron" of lectureships in each of the city's four churches. The value of this patronage, together with the support of positions at two hospitals and the chapel of St. Thomas the Martyr, amounted to a staggering £400 per annum. By means of this patronage the corporation of Newcastle exercised the right of appointment to as many as seven livings or supplements to livings within the city. The lectureships of Newcastle, three of which each paid a stipend of £100 per annum and two of which permitted the lecturer to hold "other livings", outstripped the value of any similar patronage appointments available in the region for the entirety of the period.[15] Most of the preachers attracted to these positions, while committed protestants and probable puritans do not seem to have left much of a lasting impression upon Newcastle. One did, however, and the manner by which Robert Jenison came to be lecturer at All Saints Church is worth examining in closer detail.

Robert Jenison was the son of Ralph Jenison, mayor of Newcastle in 1597. His uncle, William Jenison, was a J.P. (and therefore an alderman) for Newcastle during the 1620s, and his cousin, (another William) was mayor in 1621, when Robert was installed as master of the hospital of St. Mary Magdalene and curate of the chapel of St. Thomas the Martyr. From this position Jenison moved in 1622 to be the lecturer at All Saints' Church, a post which he held until he fled to the continent in 1640.[16]

Jenison's appointment reflected more than mere family ties. Roger Howell suggests that the vigorous anti-papist vicar, William Morton, had a

"direct part in procuring him" for Newcastle, and cites evidence from the preface of Jenison's The Height of Israels Heathenish Idolatrie to suggest that Jenison was offered a position in the city as early as 1614. This being the case, Jenison's appointment as lecturer, while in some measure representing the benefit of family connections, may also be seen as part and parcel of Morton's desire to see committed Protestant clergy employed through the city's patronage. Jenison had studied under Samuel Ward at Emmanuel college, Cambridge, and had thereby been schooled in the practice of English Calvinism which was to be the hallmark of his career in Newcastle until the crisis of the 1630s. His appointment to the lectureship at All Saints' church also appears to have attracted the support of a group of parishioners, some of whom contributed to a subscription for his support, "whose pains and labours in this parish is extraordinary amongst us".[17]

The Jenisons and their cousins, the Bewicks, were synonymous with the leadership of the Merchant Adventurer's Company of Newcastle, which together with the coal merchants, the "Hostmen", constituted the inner elite that effectively governed the city of Newcastle. During the forty year period leading up to the civil war, 18 of the 28 persons elected to the mayoralty were members of both guilds while a further 10 were members of the Merchant Adventurers alone.[18] The membership of this "inner ring" does not appear to have demonstrated a particular religious orientation. What we know of Jenison's cousin William does suggest that religious conservatives were to be found at the highest levels of the coalition. In 1622, when the city began to search for a new afternoon lecturer to fill the place vacated by Steven Jerome at St. Nicholas' church, Jenison wrote to his former tutor, Samuel Ward, asking for advice and requesting him to keep a watchful eye on the deputation whom the city had sent to Cambridge seeking likely candidates. Jenison was concerned that the deputation's inclination might prove to be similar to that of his cousin, whom he described to Ward as

"popish, though nowe and then hee comes to churche".[19]

Jenison's appointment may therefore be understood as originating from a combination of the preference of William Morton as vicar for committed protestant graduates and, to a lesser degree, from local and family ties. It cannot at this point be said that his arrival and preferment in Newcastle to the lectureship at All Saints' church in any way indicates a self-conscious inclination towards puritanism on the part of the city's corporation.

The sort of cleric being appointed to lectureships and curacies in Newcastle changed significantly after the translation of Richard Neile to the see of Durham in 1617. When William Morton died in 1620 he was succeeded by Henry Power, whose incumbency lasted less than three years. Power seems to have "inclined to Jenison's side" of what was becoming the debate between puritan and Arminian opinion. Power's death in 1623 cleared the way for bishop Neile to appoint Thomas Jackson to the vicarage of Newcastle.[20] Jackson was a protegé of Neile's and in 1628 had openly declared himself an Arminian in the dedication of his Treatise of the Divine Essence and Attributes. Robert Jenison wrote to his old tutor, Samuel Ward, to say that

> I now remayne firm and in the same judgement, which long since I was, notwithstanding that my brethren here about me at Durham (excepting I take only Mr. Morecroft and Mr. Smart) and at Newcastle, especially those of note and of the greatest favour, Doctor Jackson and Mr. Alvey, are all of them Arminians, or little better.[21]

The patronage exercised by the corporation of Newcastle does not, from the evidence above, seem to have been used to further the cause of puritanism. But despite the extensive presence of openly Arminian clerics, such as Jackson, Alvey, and Amor Oxley, it would be equally untenable to suggest that the corporation aggressively supported an Arminian or Laudian

platform. It is quite possible that we will come closest to the truth if we suggest that the city fathers acted more in the manner of an ecclesiastical weathervane, turning to match the strength of the prevailing wind. Under the influence of a highly-placed puritan like the Earl of Huntingdon, they would gladly endure, if not embrace the preaching of a radical puritan such as John Udall. When a similarly oriented, or at least sympathetic bishop of Durham preferred a "hot protestant" like William Morton to the vicarage, the positions within the city's gift were filled by men of his liking: James Bamford, William Alder, and Robert Jenison.[22] With a change of bishop and a change in the prevailing popularity of a certain style of churchmanship and theology, we see the city's patronage given to an almost entirely opposite sort of cleric. It may be that the highest priority of the corporation of Newcastle was not the pursuit of a "godly commonwealth" so much as it was the pursuit of a peaceable market-place in which the commerce of the city might continue with a minimum of interruptions.

York

As is the case for most areas of this study, the sources regarding corporate patronage are better for York than for any of the other four towns. When we come to consider the appointment of the first civic preacher in the city of York, evidence survives which provides us with a deeper insight into the role played by Hastings. In May of 1579 we find a letter addressed to Hastings from the corporation, protesting that

> this Citie is not as Kyngeston upon Hull, and Newcastle upon Tyne, and other are whome have neither Cathedral church, bushope, prebends nor preachers but of their owne provision unlesse such preachers come thether by fortune, for they doo say that wee have a Bishop, and he hath dyverse chapelleynes, and also Mr.Deane, a Chanceller, twoo Archedeacons, and Lij prebendars or moo; and that they are willynge to resort to the Mynstar and other churches to heare the sermons as they ought to doo. And they further thynke

> that it is not requysit for them to be at further charges for fyndyng of a preacher, for thanks be to God, there are sermons every Sonday and holyday in the Mynstar and besides often tymes at other paroche churches; soo that by any perswasion that we can make unto our neighburghs, Citizens of this Citie, they are not willyng to gyve any money towards the fyndyng of a preacher.[23]

Huntingdon, as Lord President, lived in York. He no doubt was aware that this was indeed a city unlike Hull or Newcastle, that it had a bishop, a cathedral, and a host of cathedral clergy. He was also no doubt aware, in the 1580s, that with certain notable exceptions, most of the clergy, both of the cathedral chapter and of the city's parish churches, were remnants of pre-reformation Catholicism.[24] They were for the most part conservative non-preaching clergy who were more concerned with weathering the change from Catholicism to the Protestant settlement than with any "hot" or committed proclamation of the latter. His letter requesting that the corporation establish a civic lecture was sent to the corporation in a year when a known recusant, Robert Crypling, was mayor. Huntingdon's request appears to have initiated a series of events which resulted in Crypling's impeachment. In March 1580 we find that Crypling had been imprisoned in York castle, and that among his many offences was the charge that he had refused to execute the ordinance

> for the punnyshment of such as obstinately and willfully refused to come to devyne service in their parish churches on the Sondayes and hollydayes... contrarye to the request and admonycon of some of the Aldermen, and his owne promyses gyven to sundrye of the greate estates and magistrates under the queenes majestie in their parties.[25]

Crypling had been attempting to use his authority as mayor to shield other recusants from the penalty which the law required for not attending church services. David Palliser describes the action taken against Crypling by the Council of the North as "unprecedented", yet the mayor's imprisonment did not provoke any significant protest from the city council, whose autonomy was obviously threatened by such action. Upon Crypling's release from prison

the council lost no time in depriving him of his status as a freeman of the city, their haste arising from a concern that Huntingdon and the Privy Council should in no way consider them supportive of "so rash and heady a man to be there chief governour".[26]

In this context, the corporation's earlier refusal to fund a civic lectureship takes on a much more partisan aspect, as does the probable role of Huntingdon as Lord President of the Council in Crypling's removal from office. With Crypling gone, the corporation lost no time in acceding to Huntingdon's request, and in April 1580 we find that it was "Agreed that ther shalbe a preacher for this Cyttie yf sufficient money can be had for the maintenyaunce thereof". Palliser has suggested that the alacrity of the corporation's actions upon Crypling's removal suggests that "a group of committed Protestant merchants were taking over the city council" and presents evidence that Crypling's support came from the ranks of York's "poorer citizens".[27]

Committed or not, the corporation of York had some difficulty in regularly collecting the necessary funds for their town preacher's stipend. The undertaking began well, with an initial assessment of the town's population by wards to determine "what everye of them shall pay yearlie towards the finding of a preacher within this cyttie". In what appears to have been intended as an interim measure, the corporation instructed the "officers to the Maior [to] geve commandment to the maisters and head searchers of every occupacon... to repare to the Mynster to the sermons or such like assemblies". By 10 June, 1580 a task force from the common council reported to the mayor and aldermen that subscriptions amounting to the sum of £40 per annum had been solicited for the support of a preacher. Almost a year later the house books record that a Mr. Cole had been retained to preach, and that he would begin his term of one year at "midsomer next". But

in an entry dated 18 May, 1582, the house books provide evidence that subscriptions were not being paid. Parish constables were to collect the delinquent subscriptions,

> and if any free cittizen refuse to paie then he and they to be brought before the wardens of the ward; and if they will not thereupon paie, that every such citizen so refusing to be by consent of my Lord Mayor committed to ward, there to remaine until such time as he or they will do so.[28]

By 27 June 1582 the corporation had taken advantage of a change of preachers to reduce the stipend offered to £20 per annum. They also added the clause that the preacher (a Mr. Middop) should be retained

> provided always that if the Lord Mayor of this city for the time being, and his brethren, Aldermen, do find any cause of misliking in him, that upon one quarter of a year warning to the said preacher he shall depart...[29]

This comment piques the imagination. Had the short term of Mr. Cole (at most a year, and probably less) something to do with a less than satisfactory performance level, at least in the estimation of the city fathers? Middop stayed on as city preacher until 1584, when he was replaced by a Mr. Holden. Middop's talents were to be shared between the parishes of St. Helen's Stonegate, Christ Church, and St. Martin's Micklegate, "he to preach in every of the said churches for two months at the least". Parish constables were to "warn their parishioners to come to the said parish churches to the sermons".[30]

Perhaps it was in response to this legalized "sermon gadding" and the potentially disruptive effect which it may have had on the lives of the city's parishes that Archbishop Sandys offered the council his services, and those of his chaplains. The Archbishop would "preach at Crux church, and one of his chaplanes at Trinities in Goodramgate, one other of his chaplanes at Saint Margarets Church in Walmgate, and one other of his chaplanes at

Trinities Church in Miclegate". These are not the churches at which Middop was required to preach in rotation, which may indicate one of two possibilities. It may have been that Sandys was concerned about the effects of "sermon gadding" and chose to spread the preaching around the city so as to keep people within their own wards if not in their own parishes. Alternatively it may have been that his Grace, being a committed Protestant, perhaps even something of a moderate puritan, sought merely to provide more of what he regarded as a good thing. In any event, where there had before been only sermons in the Minster there were, by 1583/4, sermons in five or more of the city's parish churches.[31]

Further evidence of the problems attendant to the establishment of a preaching ministry in York is indicated by civic injunctions threatening severe penalties for absence from church services. More will be said about this in the discussion of puritanism and the formulation of policy regarding church attendance and sabbath observance in chapter IV. Here let us note that by the summer of 1580 the corporation had decreed that any citizens who "wilfully" were absent from church "in tyme of devine service" should, after due warning, be fined and "utterly desfraunchesed".[32] The fine of 12s per occurrence was standard in the dealings of local authorities with recusants; the loss of franchise, or civic "freedom" was not, and signified a significant increase in the severity with which non-attendance was treated by the corporation. We must, however, remember that the loss of the franchise was a significant threat to only a small proportion of the total population of York. The majority of the city's estimated 12,000 inhabitants lived at an economic level below that which was required to aspire to the status of "freeman".[33] This, taken together with the difficulty encountered in collecting the money for the preacher's fee, serves to support Palliser's claim that a committed Protestant faction had taken control of the city council and was moving in a direction not entirely endorsed by, or even

significantly involving the "lower orders" of the city's population.

Mr. Holden, who followed Mr. Middop into the city preacher's position at York, did not stay more than four months. He was officially retained in October, 1584, and by February, 1585, the city council was writing to instruct aldermen Robinson and Brook, M.P.s for York, to contact and solicit the aid of Henry Cheeke, secretary to the Council of the North, in the finding of "a grave, learned and godlie man" to be the city's preacher. It is most likely that the city fathers hoped to find a better candidate for their city's lectureship through of his more extensive circle of contacts.[34]

By April, 1585, through the assistance of Cheeke, Richard Harwood was retained as the city's preacher. Harwood gave the people of York years of service. He was still civic preacher when he died in 1615. During his time there, there appears to have been a broadening of support for protestantism, at least in the ranks of merchants and artisans. In 1587 aldermen Askwith and Beckwith each requested that Harwood preach sermons at their funerals. Beckwith left the preacher a gratuity of 20s for doing so. In 1599 a gentleman named James Cotterell died, leaving £100 and a "silver salt" weighing 17 ounces to the corporation on the condition that they pay the curate of St. Michael's, Ousebridge End the sum of £8 per year. Cotterell specified that "the same parson being a preacher, or to any other godly minister or preacher". As the curate of St. Michael's had only £12 per annum from the cure, the £8 might well have raised the living to a level whereby a preaching minister might have been willing to serve the cure. In 1624 the living of St. Michael's was further augmented by means of an annuity of £4 p.a. "towards the furtherance of holy and sacramental sermons and religious exercises" from the estate of a merchant named Thomas Moseley.[35]

The appetite of the corporation and "better sort" of York's inhabitants

for protestant preaching appears to have grown rapidly from the turn of the century on, although, as we shall see in chapter IV, this appetite was not necessarily shared by the "lower orders".[36] An entry in the corporation's records dated 15 June, 1607, proposed yet another scheme by which more of the inhabitants of York might be exposed to sermons. Harwood was at that time in the habit of preaching "on the Wednesdays at my Lord Mayor's parish church, or some other church in this city where my Lord Mayor appointeth him, unto which sermons there is little or small resort". It was therefore proposed that because

> there are divers churches in this city at which there is few sermons made throughout the year, therefore it is thought good by this court that he shall be spared from making his sermons on the Wednesdays, and preach on the Sundays in the forenoon at some of the churches where he shall think good... and when he hath ended his sermons, to declare unto the auditory there where he intendeth to preach on the Sunday following.

In addition to this preaching rotation Harwood was to "continue his exercises on the Sabbath days in the afternoons as he hath heretofore used".[37]

It is evident that this arrangement did not satisfy the need for a greater number of sermons. In January, 1608, a petition from the common council requested that "order may be taken for the continuance and increase of God's word within this city". The petitioners proposed that the £40 paid to Mr. Harwood "might well be employed in every ward by equal portions, that the word might dwell with us more plentifully". Citing the fact that Harwood was "beneficed in another place" and that "to be absent and non-resident is a grievous sin in him" they suggested that the stipend might be better used in hiring a preacher for each ward. Their concluding comments illustrate the process of conversion which had overtaken the city in the past three decades:

> seeing that many citizens who have been compelled to come to the hearing of God's word do now freely come of themselves, and do no doubt procure others. Thus the magistrate with the sword, and the minister by the word, joining together, they have been a sacrifice always acceptable unto the Lord.[38]

The petition appears to have had the support of a majority of the members of the common council, judging by the large number of signatures appended. What this indicates is that over the three decades since the decision to employ a civic preacher, a widening circle of the citizens of York had come to appreciate hearing sermons and attending "exercises". Lay patronage might be officially vested in the corporation, but it was unofficially owned by a significant proportion of the artisans and merchants of the city. The petitioners themselves, however, had a healthy appreciation of their situation as a minority, admitting that "yet if it please your honour to examine the desire of the whole city, you shall find for one that hath subscribed, twenty that will not willingly subscribe if they be thereunto required".

The corporation responded to the petition by requesting that three "of the most substantial" from each of the four wards be chosen to represent the petitioners at the next meeting of the mayor's court. By 16 February, 1608 the corporation had agreed in principle to the division of the preacher's stipend so that £20 should continue to be paid to Harwood and £20 be used to pay for the services of three other preachers. When presented with this proposal, Harwood asked if he might have until Easter to think things over. The corporation rather arbitrarily gave him until "Wednesday before Palm Sunday". In the same entry the corporation agreed to pay Harwood at the old rate of £10 per quarter for the quarter ended "this February last...and from thenceforth after the rate of £5 the quarter". Harwood, faced with a "take it or leave it" proposition, agreed to accept the new arrangement at the meeting of the corporation which was held on 16 March. By October of the

same year we have mention of three new preachers, Sadler, Grainger and Grave, each being paid from the common fund "for their extraordinary pains taken in preaching on the Sabbath days".[39]

In 1612 the corporation received yet another opportunity to exercise patronage, this in the form of a bequest from alderman Robert Watter. Watter died, leaving £120, "his gold chain, and plate of the value of 20 marks" to enable the corporation to pay £10 per annum to "Mr. Roger Belwood, minister and preacher of St. Crux parish... during his life, or so long as he shall continue minister and preacher of the same parish... and to such as shall succeed him £8 yearly". Thus by the end of a process lasting a little better than three decades the corporation of York effectively exercised patronage concerning six preaching ministries within the city.[40]

When Richard Harwood died in 1615, the corporation employed Henry Hooke, who was commended to them by the Lord President of the North (Lord Sheffield) as "a man of extraordinary gifts", whose "conversation I have known long to be without exception... happy are those who live under such a pastor".[41] Happy indeed! That is, if only the pastor would remain within the city. Hooke's seven-year term as the corporation's lecturer was punctuated by frequent, often lengthy absences from York. He had a living in Lincolnshire, and this, in combination with the duties of his appointment as Archdeacon of York in 1617 probably accounted for much his time away. Perhaps not surprisingly, the corporation's minute books show that during this time the voluntary contributions toward the preacher's maintenance flagged, necessitating two supplementary collections from the members of the corporation and common council, one in 1620 and another in 1621. As Hooke's absences continued, the corporation resorted to asking other preachers to discharge the lectureship, paying them on a sermon-by-sermon basis. Towards the end of Hooke's term their exasperation began to show itself: in January,

1621 it was ordered that instead of being paid quarterly, (as was the usual practice), "Mr. Doctor Hooke shall have paid him, forth of the Common chamber for every sermon that he preached at Allhallows church in the forenoons on the Sabbath dayes [in 1620], 10s".[42] Hooke, despite his absences, enjoyed a considerable degree of support from some people at York. Even at the end of his dealings with the corporation, when it was evident that he had "packed up his books and other things to send to Lincolnshire", the House Book entry for 14 June, 1622, records that

> this court is given to understand that if this court will give him [Hooke] forth of the common chamber £40 yearly, that there are some discreet citizens that will undertake to collect as much money in this city as will give him content, so as he remain preacher at Allhallow's church...

This offer proved to be in vain, and for almost a year thereafter the corporation continued to "make do" by hiring preachers on an occasional basis. Late in 1624 the post was filled by the puritan preacher Henry Ayscough, who would be the civic preacher until 1642.[43]

Perhaps what is most significant about this is the manner in which the corporation's role as patron to these preaching ministries was enlarged. What began at the insistence of an external authority was, within a fairly short period of time, taken up by an increasingly enthusiastic "godly faction". Members of this group almost undoubtedly were the principal source of the subscription money which paid the stipends of the four "civic" preachers. From their own words we have evidence of their conviction that an abundant opportunity to hear God's word preached was essential to the well-being of the city's commonwealth. Not satisfied with the corporation's efforts to provide for regular sermons, members of the city's governing class made generous bequests whose declared intent was the increase of preaching in parishes which could not otherwise afford such a ministry. The frustrating term of Henry Hooke as the city's preacher highlights in the

corporation of York the value which was placed upon "constant preaching": Hooke's frequent absence from the pulpit and from the city deprived the "godly" citizens there of the pastoral and homiletical continuity to which they had grown accustomed during twenty years of faithful and "constant" ministry from Richard Harwood. Preaching, and with it the patronage of preaching ministers, had become an important part of the civic identity in York, representing a significant opportunity for both personal and corporate expressions of "godliness" by the merchants and artisans of that community.

It is also worth noting that while this expressed zeal for sermons was from time to time aided directly by the largely sympathetic if not overtly pro-puritan succession of Archbishops who served York during the Elizabethan and early Jacobean periods, the city's patronage was essentially established as an entity unto itself. Preachers retained by the city required an episcopal licence to preach, but their source of income, being a matter of voluntary subscription, was outside the diocesan's control. The advantage of such an arrangement is barely worth mentioning during the first three decades of the seventeenth century. But with the arrival of Archbishop Richard Neile and his Arminian, anti-puritan program of reform, the autonomy of the city's preachers became something of a rallying-point for the "godly people" of York. The original intent of the patronage structure undertaken by the corporation of York did not, we may be certain, envisage such a necessity. The sponsorship of preachers arose out of what appears to have been an earnest desire to foster those conditions in which a "godly commonwealth" might flourish. In the thinking of all but the most radical of separatists or hardened recusants, the "godly commonwealth" so envisaged included an episcopally administered Church of England.

Leeds

The town of Leeds was not granted a charter of incorporation until 1626.[44] Intrinsic to the developments which led to the town's formal incorporation were issues arising out of a struggle between local factions for ownership and exercise of the right (the advowson) to present the clergyman to the vicarage of Leeds. As David Underdown has discovered in his research concerning the causes of local disorder in parishes of the southwest, so here what at first glance might appear to be discord between puritan and traditional elements is nowhere near so simple an equation.[45] The causes and consequences of local disorder at Leeds will be dealt with more fully in chapter VII. Here it will be necessary to enter into this element of the discussion solely in order to explain the peculiar nature of lay patronage as it developed in this community prior to the town's incorporation, and how the common concern aroused by this issue contributed to the appeal for a civic charter.

Through her work with wills dating from the early Elizabethan period, Claire Cross has shown that there were a handful of committed Protestant souls to be found in Leeds as early as 1575.[46] It was not until 1588, however, that a group of like-minded parishioners took counsel to discover how they might "be provided and furnished with an honest, learned and able minister".[47] The clergyman who was at that time vicar of Leeds was an old and blind man by the name of Alexander Fawcett. Fawcett was himself a native of Leeds. Having been in holy orders since at least 1540, he was in all likelihood typical of those priests who had chosen to continue with the Elizabethan church while never completely adapting to the new emphasis placed upon the exercise of a preaching ministry. Fawcett does not appear to have been educated at a university level and therefore it is fairly safe to

assume that he was never granted a licence to preach. He did, however, possess both a Latin and an English translation of the Bible, together with one volume each of the works of Tyndale, Frith, and Barnes. This may be taken as evidence that he had in some measure accepted or at least tried to comprehend the Elizabethan religious settlement.[48] By 1588 his ministry was perceptibly in decline, as was his health, and it was at this time, in anticipation of his death and the resulting vacancy of the vicarage, that a group of the parishioners delegated Thomas Foxcroft, William Birkhead, Thomas Casson, William and Thomas Coldcall to approach the owner of the advowson with an offer to purchase the same.[49]

Oliver Darnley of London owned the advowson and initally demanded £150 for it. This may not have been an unrealistic request, as the amount was barely four times the yearly value of the living. The parishioners of Leeds seem to have thought it excessive, for they prevailed upon the Earl of Huntingdon to intercede with Darnley on their behalf. When the Lord President explained to the London Haberdasher that the advowson was being purchased for "so godlie a purpose" as the provision of a preaching ministry and not for the purchasers "themselves but only for the use of all the said parish", Darnley was willing to reduce the price of the advowson to £130. It is perhaps worth noting that here, as was the case also in York, the appeal for aid in the task of providing adequate ministry was directed to the office of the Lord President of the Council of the North and not, as would have seemed to be the more appropriate line of inquiry, through the Archbishop of York and his diocesan officers. This may in some measure show that in the perception of the people of York and Leeds, indeed in the thinking of many of the people of the northern province, the authority necessary for accomplishing local reform lay more in the secular authority than with the occupants of high ecclesiastical office. It certainly seems to indicate that the inhabitants of Leeds, in this case, felt that the Lord

President's influence would count for more with a London impropriator than would that of the Archbishop of York.[50]

The ownership of the advowson, there being no town corporation or other local body to whom its ownership and administration might be suitably entrusted, was placed in the hands of a group of feoffees. These were in fact the same persons whom the parishioners of Leeds had delegated to negotiate the purchase of the advowson from Darnley. The feoffees were to

> take the said purchase to them and their heirs in their own names only as persons most indifferent and fit to be trusted unto and for the generall use and good of all the said parishioners and parish...[51]

Using the advowson in this manner, the parishioners were able to choose and present Robert Cooke to the vicarage after Fawcett's death in 1590. Cooke, like Fawcett before him, was a native of Leeds, and had begun his career as a pupil at Leeds grammar school. He went from there to Oxford, where he proceeded to earn his B.A., M.A., and B.D. Thoresby records his vigorous anti-papist rhetoric and seems to base upon this his categorization of Cooke as a puritan.[52] While vigorous opposition to Catholicism was an important part of the puritan platform, Thoresby's assessment appears to be grounded on thin evidence. Robert Cooke's brother, Alexander Cooke, was most definitely a "factious puritan and sectary", so perhaps Thoresby may be forgiven for assuming that the brothers, who shared the parish of Leeds between them for some time prior to Robert's death in 1615, had attitudes in common as well.[53] In appointing Robert Cooke as the vicar of Leeds, therefore, the parishioners acting through their feoffees had chosen a committed protestant, who possibly had puritan inclinations.

The patronage arrangement in Leeds described above did not prove to be impervious to corruption. During the time of Robert Cooke's incumbency,

Thomas Foxcroft, one of the original feoffees, died. Upon his death William Birkhead and Thomas Casson were accused of conspiring to purchase the remaining claims to the advowson from William and James Coldcall. Birkhead was then alleged to have bought up Casson's share, so as to legally possess the advowson solely for his own use and benefit. This being accomplished, William was further said to have conveyed the ownership of the advowson to his son, Robert Birkhead.[54]

When Robert Cooke died in 1615, the parishioners of Leeds approached Birkhead with the request that he, as the sole legal owner of the advowson, present Robert Cooke's brother, Alexander Cooke, to the vicarage. Under the terms of the original purchase of the advowson this should have been nothing more than a formality, for although the advowson was legally "owned" by a group of individuals who in turn passed the ownership to Birkhead, the advowson had been purchased by the parishioners and was supposed to be held in trust for them and for their use. Robert Birkhead had a different understanding of the matter, and appears to have claimed sole ownership of the advowson by means of his father's purchase of the other feoffees' interest. Birkhead

> was so farr from performing the said trust that he not only gave very reproachful speeches to the persons so soliccitting him, but also presently sett on sale both the presentation and the advowson to whomsoever would give the most for the same...[55]

Shortly after this initial encounter with the parishioners of Leeds, it appears that Robert Birkhead "by combination with the said William Birkhead, Thomas Casson and one John Harrison" indicated his intention to present a clergyman named Richard Midleton to the vicarage. At the same time, or perhaps shortly before Birkhead's announcement of his intention to present

Midleton, a group of the parishioners approached the Archbishop of York, Toby Matthew. On the strength of their claim and on the basis of a questionable "grant" of the living as a collative appointment to the Archbishop of York in Henry VIII's time, Matthew collated Alexander Cooke to the vicarage of Leeds. Faced with this development, Birkhead had brought a *Quare Impedit* suit against the Archbishop and Alexander Cooke. A *Quare Impedit* action constituted a legal challenge to the right of a diocesan bishop to appoint a candidate to a living contrary to the expressed wishes of the legal owner of the advowson. In responding to such a challenge the ordinary was required to show "specific cause" for his violation of the patronage rights of the person or persons holding the title to the advowson.[56]

At this point the parishioners of Leeds, under the leadership of Sir John Savile, Sir Arthur Ingram, Sir Philip Carey and Sir John Wood, presented a bill of complaint to the court of Chancery. In their bill they claimed that the original trust implicit in the purchase of the advowson had been violated, and that William and Robert Birkhead had in effect embezzled the advowson's ownership from their fellow parishioners. Three of the four gentlemen named at the head of a long list of what purported to be "the best disposed and most religious persons within the said parish" constituted in fact a formidable power base within the county community. Sir John Savile of Methley was a Baron of the Exchequer and one of the M.P.s for the West Riding. Sir Arthur Ingram of Temple Newsam was secretary to the Council of the North; Sir John Wood was renowned for his prowess in legal matters.[57] The list of complainants also included local merchants such as John Metcalfe, Richard Sykes and Ralph Cooke, as well as lesser gentry like Seth Skelton and Edward Fairfax.[58]

The complainant's case was eventually heard by no less a personage than

Sir Francis Bacon, the Lord Keeper. Bacon's judgement, issued 23 June 1618, ruled in favour of the complainants' claim that the advowson in fact belonged to the parish and not to any individual or group of individuals. Birkhead's *Quare Impedit* suit was set aside as being groundless, while at the same time the Archbishop of York's supposed grant of the advowson as a collative living was also declared to be flawed and therefore void. Alexander Cooke's incumbency was consequently confirmed and a new group of 25 feoffees were named, chief amongst whom were Savile, Ingram, Carey, Skelton, Ralph Cooke and Richard Sykes. Bacon's judgement proceeded somewhat beyond merely identifying the true ownership of the advowson. In order to avoid disputes over the presentation to the vicarage at some future time, the feoffees were to consult with a panel of seven "sufficient preachers, inhabiting or near the West Riding of York". Among the preachers named in this capacity by Bacon were the puritans John Favour of Halifax and William Lister of Wakefield.[59]

Bacon's ruling in favour of the parishioners of Leeds was, as will be explained in chapter VII, by no means the final word in the troubled history of the vicarage and advowson of Leeds. Alexander Cooke's abrasive personality and doctrinaire application of puritan practice were to alienate a significant proportion of the parish so severely as to bring the question of his incumbency as vicar to the court of Star Chamber. For the purpose of our discussion of the origins of lay patronage in this chapter, however, the judgement handed down by Lord Keeper Bacon established the patronage structure which was to continue within the parish of Leeds until after the restoration of the monarchy.

There are significant similarities to be discovered when we compare the list of feoffees established by Bacon's judgement with the list of persons named to the "Committee of Pious Uses of Leedes" which was established in

1620 to administer bequests and other funds which had been set aside for municipal or charitable purposes in that town. Many of the names which occur in both lists are also to be found on the list of persons nominated to form the first town council when Leeds was incorporated by royal charter in 1626. Constant throughout we find the leadership of Sir John Savile, Edward Fairfax, Richard Sykes, John Harrison, Ralph Cooke and members of the Casson, Marshall, Jackson, Cowper, Hargrave, Metcalfe and Skelton families. The list obviously contains names of parties from both sides of the original advowson dispute, and (as will be shown in chapter VII) from both sides of the Metcalfe/Cooke Star Chamber case. Nevertheless it appears that a consistent group of concerned inhabitants of Leeds and of its surrounding chapelries, had developed, through a process of debate over issues which concerned the parish and town communities, into the sort of local elite which could quite naturally become the town council upon incorporation in 1626.[60] It might therefore be said that the purchase of the advowson and the debate which followed the purchase in some manner contributed to the process which brought Leeds to the point of incorporation.

The ownership of the right to nominate the parish priest at Leeds became the focal issue for those who wanted to be sure that the parish enjoyed the gifts of a protestant preacher. As will become clear in chapter VII, it is by no means certain that the group which opposed the use of the advowson to nominate Alexander Cooke to the vicarage in 1615 based their opposition solely upon his puritanism. The conflict regarding the exercise of the advowson, particularly as it brought to light the involvement of local gentry like the Skeltons, Sykes' and Fairfaxes with the townsfolk and the "greater" gentry (Savile and Ingram, particularly) shows how the drive to secure protestant preaching at Leeds tended to unite persons of different status in a common cause.

The population of Hull had been exposed to Protestant thinking, if only peripherally, from as early as 1528, when a group of sailors returned from a voyage to Amsterdam and Bremen, where they had witnessed Lutheran worship in the vernacular. One of the sailors, Roger Daniel, had brought home with him a copy of Tyndale's translation of the New Testament. Another sailor, Robert Robynson, is known to have uttered statements calling into question the efficacy of fasting and the necessity of auricular confession to a priest. The sailors were swiftly brought before the ecclesiastical courts at York, forced to abjure their heretical beliefs, and required to make public acts of penance at Hull.[61] During the reign of Edward VI, a Scottish protestant, John Rough, preached at Hull. Probably as a result of Rough's preaching, Protestantism survived the Marian interlude at Hull, though in what strength we cannot determine. What we do know is that as early as 1560 the Mariner's Guild (Trinity House) had approached the corporation with an offer of £6 per annum towards the "maintaining and finding of one discrete person to be a preacher, to be had and placed within the Trinity Church of Hull".[62]

At about the same time as the offer from Trinity House the corporation set in motion the means whereby they might rid themselves of Fugall, the incumbent of the vicarage of Hessle and Hull, and procure a protestant preacher in his stead. Fugall was a vigorous catholic, and zealous in his attempts to keep the citizens of Hull catholic. He also had feet of clay, for the corporation, in order to remove him, found evidence which led to his being brought before the Court of High Commission at York on charges of immorality in addition to those of unjustified persecution. Fugall was deprived of his benefice in 1561 and the corporation secured the services of Melchior Smyth, a lecturer at St. Botolph's church in Boston. The vicarage of Hessle and Hull was a crown living, which in effect meant that the

corporation would have arranged Smyth's appointment through the office of the Lord Keeper, with only nominal involvement of the Archbishop of York.[63] Melchior and his son, Theophilus, would serve the people of Hessle and Hull for a tempestuous 60-year span. As we shall discover below, he was undoubtedly a protestant of distinctly puritan persuasions, and one who "hath been a great occasion of contention and great strife amongst the inhabitants of Hull".[64]

More will be said in chapter VII of the contentious incumbencies of Melchior Smyth and of Theophilus, his son. Here it may be sufficient to note that Melchior, after a period of relatively stiff resistance from local recusants and traditionalists, effected the conversion of a significant proportion of the city's ruling elite: he also managed to alienate a significant section of the town corporation. By 1572 the corporation of Hull was actively searching for a lecturer to supplement, or perhaps even to totally replace Melchior's efforts in the pulpit at Holy Trinity Church, Hull.[65] This initiative may have originated partly from the fact that the vicar of Hessle and Hull, though obligated to serve Holy Trinity, was resident in the rural living of Hessle. It may well have been that Melchior was unable to meet the needs of a regular preaching ministry in both places. He definitely appears to have been negligent of the church at Hull in other areas of pastoral responsibility. For instance, we have evidence that in 1569 the corporation was required to mediate a dispute between Smyth and the churchwardens of Holy Trinity which had arisen from Smyth's failure to pay for his share of the cost of the "reparations of the chancell" for the entirety of the eight years during which he had been vicar.[66]

It seems that even in the earliest part of Melchior Smyth's incumbency the needs of Holy Trinity church had in some measure been supplied through the services of a curate. The curate, Simon Pynder, was licensed to preach

as part of his duties, though not all of the parishioners of Holy Trinity would seem to have rejoiced in his homiletical offerings. In 1570 Pynder brought charges against William Steade, the parish clarke, accusing him of numerous misdemeanors, among which was the allegation that he had been setting the clock ahead in order to reduce the time allotted for Pynder to preach. Steade responded in his own defense that Pynder's sermons often exceeded two hours' duration! Pynder's case against Steade will be more fully discussed in chapter V, in the context of puritan attitudes to drunkenness, and again in chapter VII, where his lack of deference to his "betters" will contribute to that chapter's discussion of issues relating to status, reputation and public trust. The significance of the case brought against Steade in 1570, and of that which the corporation promoted against the Master of the Charterhouse hospital at Hull, Thomas Turner, in 1571, is that in both cases the intent of the action was to justify the dismissal of the incumbent in order that the funds which would normally be used for his stipend might be used by the corporation to offset the cost of employing a civic lecturer. Pynder's submission in the case against Steade concluded by saying as much: "his lyvinge is worthe £20 at the least, and some say £40; it would help well to the maintenaunce of a goode preacher of Goddes worde, which were verie necessarie and is muche to be wished for". Steade was dismissed in 1571, and a man named Richard Nicholson was hired as his replacement, at the much reduced stipend of £4 p.a. For reasons which will be discussed in chapter VII, the case against Thomas Turner did not bring about his dismissal. Nevertheless, it was clearly the intent of the corporation that the benefits of the Mastership of the Charterhouse should be redirected to the maintenance of a civic preacher.[67]

In April, 1572, at the recommendation of Archbishop Edmund Grindal, the corporation agreed to retain Gryffith Briskin as the city's preacher and curate of Holy Trinity church. In order to raise the lecturer's stipend of

£40 p.a. the corporation, through the Archbishop, prevailed upon Melchior Smyth to relinquish the profits of the vicarage, the house and garden. The profits released amounted to approximately two-thirds of the lecturer's stipend. The remainder of the amount was raised through the redirection of the unused portion of the parish clarke's stipend ($53^s\,4^d$) and of the £8 p.a. which in "past times hath been [paid] to singing men in the quire". In addition to this, a yearly subscription of 13s 4d each from the members of the corporation rounded out the stipend to £40 p.a. In compensation for the profits of the vicarage and for the use of the vicarage house, the corporation exempted Melchior Smyth from any liability for the upkeep of the chancel at Holy Trinity, the vicarage house, and also from the payment of the curate's stipend. They also agreed to "discharge the said vicar of half his tithes and subsidies due to the Queen's Majesty".[68]

At this juncture both the corporation and the Archbishop appear to have been skating on the fine edge of the law. So long as Melchior Smyth was legally instituted as vicar of Hessle and Hull, the profits and other "appurtenances" of the vicarage were his to dispose of as he pleased, assuming the needs of the cure were adequately served. The arrangement concluded between the corporation, the Archbishop and the vicar therefore should only have held good for as long as Melchior Smyth was vicar; such an arrangement could not be made binding upon future incumbents, particularly because the living belonged to the crown and not to the Archbishop or to the corporation. This may explain the willingness of the corporation to allow Melchior to resign the vicarage in favour of his son, Theophilus Smyth, in 1591.[69] While there is no record to substantiate the supposition, it is quite probable that the father-to-son transition was allowed so as not to subject the 1572 agreement to the scrutiny of the Lord Keeper.

As indicated above, the intent of the corporation and the Archbishop

was that the lecturer should also function as a curate, "assisting in the ministry of the holy communion, baptism, etc., as necessity or occasion shall require". Briskin was only in deacon's orders at the time of his appointment to the lectureship, and did not seek ordination to the priesthood until he was required to do so by the Court of High Commission in 1578. As he appears to have been avoiding further ordination in order to escape from being required to perform pastoral offices concerning which he, as a non-conforming puritan, had scruples, it is doubtful that the original intentions of the agreement were fully realized.[70] Either Smyth must have periodically appeared at Holy Trinity to preside at the celebration of the eucharist, or the corporation must have retained (until 1578) a curate who was licensed to do so. As there is no record of the latter, the former is more likely to have been the case. Nonetheless Briskin seems to have been held in much higher regard by the inhabitants of Hull than was Melchior Smyth. Between the years 1572 and 1600 only one person from Hull remembered Smyth in his will, as opposed to seventeen who remembered Briskin and left him bequests. The most substantial of these was that of James Chapman, a brewer, who left Briskin his house.[71]

When Melchior resigned the vicarage in favour of his son, it would appear from the facts as described above and from the absence of any notation to the contrary in the corporation's bench books, that Theophilus accepted the vicarage in such a manner as to confirm the 1572 agreement. In an entry made in 1591, Theophilus was partially compensated for the continued alienation of the Hull-based profits of the vicarage in that he was to be paid the sum of £6 6s 9d for reading morning and evening prayer in Holy Trinity Church.[72] At some point between 1591 and 1609, (when his testimony in the Star Chamber case initiated against him by the corporation makes mention of it) Theophilus regained the use of the vicarage and grounds thereunto attached. This may have occured prior to Briskin's departure in

1598, for the preacher who succeeded Briskin, Thomas Whincopp, was not offered the vicarage house but was instead installed as master of the Charterhouse hospital, which position made provision for his housing. Briskin's departure was at least partially a result of bad feeling between the lecturer and Theophilus Smyth. This will be more fully explored in chapter VII; for the purposes of our discussion at this point it is significant to note that the evidence suggests that Theophilus Smyth considered himself to have a right to the lecturer's position, as much of the funds maintaining it belonged to the original vicarage. The corporation, however, did not appoint Smyth as lecturer after Briskin had gone, but instead hired Thomas Whincopp, who had been the lecturer at St. John's Church, Beverley, since 1583, and whom they regarded as being both better qualified and of a more "godly and zealous" character than Smyth. John Groves, who was mayor at the time, together with aldermen Anthony Cole and William Gee, was personally involved in the selection and appointment of Whincopp.[73]

Whincopp and Smyth do not appear to have warmed to each other at all, so that by 1608 the community of Hull was deeply divided by strongly-held loyalties to one or the other of the preachers. The resulting drawn-out feud was eventually mediated by Archbishop Matthew and John Favour, vicar of Halifax and chaplain to the Archbishop.[74]

The corporation of Hull, from early in the reign of Queen Elizabeth I, exercised definite and virtually independent patronage of the clergy who served the city's main parish church. Through their manipulation of Melchior Smyth, aided by the influence of the Archbishop of York, they effectively muzzled the vicar whom, as we shall see in chapter VII, they had found to be "an occasion of great dissension and debate and a great sower of discord".[75] More than this, the corporation effectively pillaged the profits of the

vicarage and the living of the parish clerk in such a manner as to acquire provision for a civic lectureship at minimal cost to themselves. Griffith Briskin and his successor Thomas Whincopp, were both in a very real sense the corporation's "creatures" in a manner not applicable to either Melchior Smyth or his successors.

The corporation's contact with successive Archbishops, as we have seen in the case of Grindal and as we shall see shortly (in chapter IV) in relation to Sandys and Matthew, was such that the full effect of any episcopal involvement was deflected or kept at arm's length. The bishop's influence appears to have been welcome so long as it did nothing to compromise or limit the independence of the corporation in its dealings with the clergy whom it either directly or indirectly employed.

Beverley

In Beverley the means by which local governing bodies gained control of the ecclesiastical livings within their communities originated to a greater extent from concerns relating to local prestige rather than from any sense of a need to establish an identifiably protestant ministry. The town had suffered (as for that matter had all the communities under discussion here) as a result of the dissolution and dispersal of monastic communities under Henry VIII. Towns like York, Newcastle and even Leeds, however, enjoyed a continuity of parochial ministry which was not significantly disrupted or hindered by the removal of the monastic houses. This was not the case in Beverley, and the concern aroused in the inhabitants of the town by the effects of the dissolution directly resulted in actions by which the patronage of the local churches was invested in the town corporation.

The town of Beverley was directly affected by the dissolution of the

monasteries. For the citizens of Beverley it may have seemed a harder blow than for most, as the loss of revenue derived from pilgrimages to the Minster church was compounded by the decline of their town as a port city. Kingston-upon-Hull now straddled the mouth of the river, and the growth of that town into a major seaport was almost entirely at Beverley's expense. Parish ministry does not appear to have been significantly interrupted in Beverley as a result of the dissolution, but the maintenance of the church buildings within the town seems to have been neglected. In response to the alarm of the townspeople at the decay of the churches, particularly of the Minster, the mayor and governors of Beverley applied for and received a grant of land from the crown in 1522, the revenue from which was to be used for the repair and good maintenance of the same. In 1581 the terms of a further "exemplification" of the grant provided funds to pay the stipends of a minister and an assistant at the "collegiate" (that is, the Minster) church. The town corporation was empowered to nominate both the minister and the assistant in the case of any vacancy.[76]

The antiquarian George Oliver makes mention of how in 1585 the town governors received a further grant of lands from the crown by letters patent. The text of this grant makes mention of the maintenance of St. Mary's church as well as of the Minster. Thus by the beginning of the 17th century the town governors of Beverley were the "de facto" patrons of the two livings of the Minster church and exercised considerable influence in the affairs of St. Mary's parish.[77] From the papers relating to a dispute between some of the parishioners of St. Mary's concerning the validity of the churchwardens' elections held in Eastertide, 1594, it is apparent that not only did the Mayor and Governors of Beverley possess the properties from which the maintenance of the buildings and the payment of stipends was derived, but also that the corporation exercised a deciding vote in the choice of lay officers for both parishes. The bill of complaint made to the

Court of High Commission by William Wakefield and his fellow complainants stated that

> no churchwardens of the said parish of St. Maries hath been at any time during the time of 12 years last past nominated and elected to the office of churchwarden within the parish, neither ought to be, without the consent or assent of the Maior of Beverley for the time being, dwelling within the said parish of St. Maries or without.[78]

Even with the revenue obtained from the land grants, it is apparent that financial concerns constantly bedevilled the town governors in their management of the churches of Beverley. The mayor, governors and churchwardens regularly appear in the records of the visitation Court as being "in default" for some material necessity or other related to the maintenance or furnishing of the churches. Equally numerous are presentations for non-payment of various dues and church fees, often by the same individuals whom we discover being presented for non-attendance of services or for "standing excommunicate". This combination of corroborative evidence suggests that the effect of the general economic decline of the town was further aggravated (for the church) by what appears to have been significant resistance to the collection of parish rates. The evidence also seems to indicate that in addition to having a disproportinately high number of known recusants, the town had a higher than average number of what might best be termed religious and cultural "traditionalists".[79] David Underdown and Jeremy Goring have both suggested that throughout England, around the beginning of the 17th century, traditionalists and reformers locked horns over the issue of whether the poor rate and other church funds should be raised by traditional "church ales" and "revels" or by the morally antiseptic assessment of church rates.[80] Numerous presentations for non-payment of church rates may indicate that this was partially responsible for the corporation of Beverley's financial difficulties concerning the churches

entrusted to their stewardship.

The minute book of the corporation of Beverley does not contain records earlier than 1597, but from the visitation court records and local antiquarian collectors (mainly 18th and 19th century) we are able to determine that Thomas Whincopp was employed as "the preacher of Beverley" from 1583 until he was called to Hull in 1599. It is not entirely clear whether Whincopp was the "minister" (the incumbent of the Minster church) or the "assistant". Both the visitation court material and the minutes of the corporation provide evidence to suggest that he was employed in a role superior to George Kytchin, the other clergyman who served the Minster, and to Thomas Utye, the curate of St. Mary's church. Utye, for instance, was presented to the visitation court in 1594 by "Mayor Gee" (almost certainly Sir William Gee of Bishop Burton) for not performing pastoral services when requested by the parishioners of St. Martin's chapel, and because "he repayreth not to Mr. Whincopp with his exercise according to commandment". Whincopp's "exercises", which he also conducted with the recusant members of the Ryclem family of Routh, were most probably periods of instruction in the Protestant interpretation of the faith. In Utye's case these "exercises" were possibly intended as a form of post-ordination training.[81] The corporation minutes make reference to the cost of certain repairs to the Minster church being charged to Mr. Whincopp. It was usual for the incumbent to bear certain responsibilities for the maintenance of the church building, hence this would tend to add to the evidence supportive of Whincopp's having been the "minister" of the Minster church at Beverley.[82]

Upon Whincopp's departure in 1599 the mayor and governors retained Mr. William Crashawe to take his place. He was to be provided with a stipend of £40, a house, and grazing for two horses. Crashawe resigned his position at Beverley in 1605, at which time the corporation employed the services of a

preacher named James (also known as Thomas) Bindes. In this same year the minute book records that a voluntary subscription was collected for the payment of the preacher's (ie. Bindes') stipend. The mayor and governors each pledged to pay 6s 8d p.a., and a further eight "burgesses" each pledged amounts which varied from 6s 8d to as little as 2s p.a. William Gee, then the town's recorder, pledged an annual contribution of 40s.[83]

The subscription for the preacher's stipend probably means that the revenues which derived from the royal land grants were by this time being expended in their entirety for the maintenance of the Minster and for the assistant clergyman's stipend. £40 p.a. seems to have been the "going rate" for town preachers in Yorkshire at this time, being the standard amount paid to lecturers at York and Hull, as well as at Beverley.[84] The subscription may have also reflected a growing interest in sermons and other "godly exercises" as it was taken up in the same year that the preacher's contract was specifically written in such a way as to commit the preacher to offer sermons "twice weekly, vizt., once upon the sabbath day, and once upon some other convenient day in the week, except other urgent occasions do hinder or let him".[85]

James Bindes died in 1613 and his place was taken by Richard Rhodes, a puritan who had previously served as domestic chaplain to the Hoby family of Hackness, Yorkshire. Prior to Rhodes' arrival, indeed during the time of Bindes' incumbency, another puritan, William Ellis, was presented to the living of St. Mary's church in Beverley. In addition to paying Bindes' stipend the corporation paid Ellis an allowance of £3 6s 8d p.a "for his paines in preaching". As there are no allowances granted him after Rhodes' arrival, it would appear most likely that he supplied the pulpit at the Minster in Bindes' declining health and during the interregnum between Bindes and Rhodes.[86]

The particular wording used to describe the appointment of the town preachers at Beverley is worth noting here. This was probably the wording of William Gee, the recorder, but it may well represent a wider consensus among the town's governors. The ministers are "chosen and elected" or "chosen and appointed" to be "the town preacher" by the corporation. At some point application must have been made to the Archbishop of York for the induction and licensing of these individuals, but no mention of this is to be found in the minute book. While it is dangerous to argue from silence, the combination of the consistent use of the phrase "elected and chosen" with the absence of reference to a higher diocesan authority suggest that the corporation perceived itself as having a virtually independent right to select and appoint clergy to the livings within its gift.[87]

In addition to their patronage of the clergy, the corporation of Beverley made provision for the beginnings of a grammar school in the town. In 1601 they made arrangements so "that Mr. Sotheran shall have a chamber room for teaching his scholars in some of Mr. Crashawe his chambers... while the school house be repaired".[88] By 1615 we have evidence that the schoolmaster, John Garthwaite, was a puritan cleric, and that he and Rhodes from that time on had periodically led groups of people, some of them school-children, in Sunday afternoon exercises involving the "repetition" of the morning's sermon.[89]

Corporate patronage at Beverley therefore originated as a consequence of the institutional linkage created by royal grants to the corporation for the maintenance of church buildings and ministry. Apart from Sir William Gee, the members of the corporation of Beverley unfortunately remain shadowy, unidimensional figures. Their commitment to protestant preaching is, however, evident in the sort of men chosen to be preachers in their

town, and, as will be seen in chapters IV and V, in their formulation of civic ordinances against activities which would take persons away from church on the sabbath. The consistent choice of persons of the puritan or "hot protestant" inclination suggests that despite the absence of conspicuous godly rhetoric, as may be found, for instance, at York, the membership of the corporation of Beverley were nevertheless persons who had come to believe in the importance of "godly, painful and constant" preaching as an essential component of a properly ordered community.

Conclusion.

Here then we have outlined the origins of corporate patronage of puritan clerics in the five northeastern towns of this study. In doing so we have also begun to explore the process by which urban communities that in 1559 had been part of the "Catholic north" were to be transformed by the early decades of the 17th century into cities of light, illuminated by the preaching of puritan ministers and (as we shall see in subsequent chapters) ordered by the magisterial authority of "godly" aldermen and other civic and parochial officials. In the course of this examination of corporate patronage, certain patterns and similarities have emerged. The corporations of cities like York, Newcastle and Hull, which had comparatively long histories as chartered boroughs, tended not to rely to any great extent upon the influence or economic resources of the gentry. This is not to say that the local gentry were excluded, but rather that their role cannot readily be distinguished in terms of influence or economic support from that of the merchants and more well-to-do artisans of the civic community. At the beginning of the period, it is true that the corporation of York required the insistence of the Lord President to motivate their efforts to find and provide for a civic preacher. True also that corporations might make periodic use of the influence of the external authority, as when the people

of Newcastle approached John Udall through the Earl of Huntingdon, or when the corporation of York approached Henry Cheeke for assistance in finding a town preacher. After protestant preaching became established and began to enjoy some degree of popularity, however, the larger civic corporations appear to have been remarkably self-reliant: it was the financial and moral resources of the "middling sort" which sought out and supported good and godly preachers.

In the lesser towns, namely Beverley and Leeds, we discover that the influence of local gentry is a far greater part of the equation. Whether it be Sir William Gee in Beverley or Sir John Savile and Sir Arthur Ingram in the case of Leeds, it would seem that the inhabitants of these towns sought out the authoritative voice of the gentry to speak on their behalf in dealings concerning patronage and preachers. Even so, it must be noted that in these lesser towns the contribution, both in terms of hard cash and moral support, of the "middling sort" --clothiers, bakers, brewers, drapers, cutlers, iron-masters and merchants-- was not inconsiderable.

Common to all the cities and towns which we have examined is a growing sense of ownership concerning their selection and support of local clergy and of other "godly" projects. Even the corporation of Newcastle, the centre which during the period displayed the least consistent commitment to "hot protestants" or puritan preaching, regarded the nomination of lecturers and curates as distinctly and independently belonging to themselves.[90] This sense of ownership may partly have arisen from the local connections which many of the clergy named in this discussion had with the communities which employed them. Significant in this matter may also have been the length of certain ministers' incumbencies and their tendency to create clerical dynasties which often meant that the parish or town was served by the same clerical family for almost two generations. Leeds, for instance, was served

successively by Alexander Fawcett, Robert Cooke, Alexander Cooke and Henry Robinson. All four clerics were sons of the parish. Robert Jenison had family connections with the highest levels of the Newcastle oligarchy.[91] Such connections cannot but have contributed to the growth of a sense of local ownership.

Consistent with the growth of this attitude was a tendency to attempt to solve disputes concerning the parish within the parish, without frequent recourse to external authority. Or perhaps more correctly, the corporations and representative groups from the towns tended to solicit the aid of either the church or the state, the Archbishop or the Lord Keeper, but not both. We have seen this in the 1572 agreement between the town of Hull and Melchior Smyth and its consequences; we shall see it again in the handling of the dispute between Alexander Cooke and his parishioners at Leeds.

It is especially helpful when the records of a corporation specifically bear witness to the connection between motivation and behaviour, between faith and active faithfulness. The words of the York petitioners concerning the "acceptable sacrifice" of minister and magistrate constitute what unfortunately is a rare instance of clarity in what seems all too often to have been a matter of "muddling through". Yet there is existed, though perhaps not always at the conscious level, a basic connection between the creation of a society in which the "middling sort" might prosper and the collective activity of seeking to create the "city of God" in the urban community. Perhaps it was this seeking after godliness, this "doing" of good works, which John Morgan has described as "an integral part of the earthly existence of the regenerate, in that they were necessary to the living of a godly life" which inspired and informed the godly yearnings of the inhabitants of these northern towns and cities.[92] When they contributed to voluntary subscriptions which ensured that they and, perhaps more

importantly, others could hear the word of God preached and explained in terms of "practical divinitie", was this not integral to the actualizing of a particular vision of a godly and ordered society?[93]

This examination of the development of corporate patronage in urban centres of the northeast has admittedly not dealt adequately with these questions of vision and motivation. That is because the puritan vision of the "city of God" cannot be understood without examining the practicalities attendant to the application of the vision. The day-to-day encounter between the godly and the world is what essentially shaped the puritan consciousness of magistrates and ministers in the communities which form the basis of our discussion. Robert Jenison had studied under Samuel Ward and Sir William Gee had a "revered opinion" of Perkins,[94] but the essence of their puritanism was created when they tried it in the crucible of the reformation of urban society. For this reason we shall, in chapters III - V, turn to the examination of these programs of reform, which are in essence both the inspiration for and the product of corporate patronage.

Notes for Chapter II

1. See above, pp.33-4.

2. D.M. Loades, Politics and the Nation 1450-1660, (1974), pp.279-291; John Strype, Annals of the Reformed Church of England, III, Part I, pp.396-8 refers to a scheme "at the beginning of Queen Elizabeth's blessed reign" for the support of protestant preachers in the north for reasons related to the "authority of the church of Rome" in the northern province.

3. Rosemary O'Day, The English Clergy: the Emergence and Consolidation of a Profession, 1558-1640, (1979); Christopher Hill, Economic Problems of the Church from Archbishop Whitgift to the Long Parliament, (1956); Claire Cross, Church and People, 1450-1660: the Triumph of the Laity, (1976).

4. Claire Cross, "Priests into Ministers: the Establishment of Protestant Practice in the City of York", P.N. Brooks, (ed.) Reformation Principle and Practice, Essays in Honour of Arthur Godfrey Dickens (1980), p.233; Borthwick, York Corporation House Books, B/XXXII, fols. 38^{v}, 39^{v}, 3 August, 1599; see below, p.71.

5. Borthwick, Bishopthorpe Mss., Correspondence and Papers of Archbishop Thomas Herring, Bundle IV, Item 20; Christopher Hill, Economic Problems, pp.107-8; see below, pp.77-8.

6. Patrick Collinson, "The Elizabethan Church and the New Religion", C. Haigh, (ed.) The Reign of Elizabeth I, (1984), pp.173-4; Christopher Haigh, "The Recent Historiography of the English Reformation" p.28, cites among others W.J. Sheils, The Puritans in the Diocese of Peterborough 1558-1610, Northamptonshire Record Society, XXX, (1979), pp.14-24; Collinson, The Birthpangs of Protestant England, pp.40-42, citing Sheils, "Religion in Provincial Towns: Innovation and Tradition", Felicity Heal and Rosemary O'Day, (eds.), Church and Society in England Henry VIII to James I, (1977), pp.156-76.

7. Claire Cross, The Puritan Earl: The Life of Henry Hastings, Third Earl of Huntingdon, 1536-1595, (1966).

8. Richard Welford, (ed.), A History of Newcastle and Gateshead III, (1857) p.56; Patrick Collinson, The Elizabethan Puritan Movement, (1967), pp.343, 407.

9. The Rev. John Brand, The History and Antiquities of the Town and County of the Town of Newcastle upon Tyne, (1789), I, pp.303-4; Roger Howell, Newcastle-upon-Tyne and the Puritan Revolution, p.78-9, cites John Knox, To the Faythfull in London, Newcastell, Barwyke, and all others within the Realme of Englande, (1554).

10. Howell, Newcastle-upon-Tyne and the Puritan Revolution, pp.78-9.

11. W.H.D. Longstaffe, (ed.), The Memoirs of Ambrose Barnes, Surtees Society Publications, L, (1866) p.287.

12. Durham University Library, Mickleton and Spearman Mss., X, fol. 204^{r}; Brand, The History of... Newcastle, I, pp.303-4; Holdsworth had been chaplain to the Earl of Huntingdon, see M.C. Cross, "Noble Patronage in the Elizabethan Church", Historical Journal, III, (1960), p.9.

13. Longstaffe, The Memoirs of Ambrose Barnes, pp.296, 297, 298, 300, 302, 308; Howell, Newcastle-upon-Tyne, pp.81-2; the preachers were: Alexander Leighton (1612), John Knaresdale (1604), William Swan (1623) and Robert Slingsby (1628); Longstaffe, p.303, notes the presence of another protestant, William Alder in the register of All Saints' church in 1616.

14. Calendar of State Papers Domestic, James I, 1611-18, p.355, Items 96, 96.1; p.362, Item 136; p.395, Item 94; p.465, Item 17.

15. Durham Cathedral Library, Randall Mss., XI, fol.34^{r}.

16. Durham Cathedral Library, Randall Mss., fol. 39^{v}.

17. Roger Howell, Puritans and Radicals in North England: Essays on the English Revolution, (1984), pp.113-14; Robert Jenison, The Heights of Israels Heathenish Idolatrie, (1621), sig. A.2; Longstaffe, The Memoirs of Ambrose Barnes, p.308, citing a vestry minute dated 26 December, 1622.

18. Howell, Puritans And Radicals, pp.19-20.

19. Howell. Puritans And Radicals..., p.115, citing Bodliean Library, Tanner Mss.73/1, fol.136.

20. Howell, Puritans and Radicals..., p.115, citing Tanner Mss. 73/2, fol.437.

21. Brand, The History... of Newcastle, pp.304-5; Hugh Trevor-Roper, Catholics, Anglicans and Puritans, Seventeenth Century Essays, pp.70-72; Tanner Mss. 72, fol.260^{r}, Robert Jenison to Samuel Ward, 20 March, 1627. Peter Smart was a Prebend of Durham Cathedral who would in 1628 attain notoriety for his public attack on Arminianism in the diocese. Morecroft is undoubtedly Ferdinando Moorcroft, also a Prebend of Durham Cathedral and Rector of Heighington from 1625: see William Hutchinson, The History and Antiquities of the County Palatine of Durham, II, (1787), pp.183-4, 191; Yelderd Alvey was lecturer at St. Nicholas' church and succeeded Jackson to be vicar of Newcastle in 1630.

22. Bamford, Alder and Jenison are held up as puritan "saints" in a tract by Lieutenant Colonel John Fenwick, Christ Ruling in the Midst of his Enemies; or, Some First Fruits of the Churches Deliverance, Budding forth out of the Crosse and Sufferings and some remarkeable deliverances of a twentie yeeres Sufferer, and now a Souldier of Jesus Christ; (1643), reprinted by R.A. Richardson, (1844) Volume I; During the time of Morton's vicarage Toby Matthew, another puritan "saint" was Bishop of Durham.

23. York City Archives, York Corporation House Books, B/XXVII, fols.159^{r+v}, 6 May, 1579, printed in A. Raine, (ed.), York Civic Records, Yorkshire Archaeological Society, Record Series, CXIX, (1952), pp.8-9.

24. Claire Cross, "Priests into Ministers", pp.203-225; "From the Reformation to the Restoration", Chapter V of G.E. Aylmer and R. Cant, (eds.), A History of York Minster, (1977) pp.193, 209.

25. York Corporation House Books, B/XXVII. fols. 226^{v}-227^{r}, 4 March, 1579/80.

26. D.M. Palliser, Tudor York, p.254, citing Angelo Raine, (ed.), York Civic Records, VIII, p.25.

27. York Corporation House Books, B/XXVII, fol. 230^{v}, 8 April, 1580; D.M. Palliser, "Popular Reactions To The Reformation During The Years Of Uncertainty, 1530-70", Christopher Haigh, (ed.), The English Reformation Revised, p.109.

28. York Corporation House Books, B/XXVII, fols.230^{v}, 231^{v}, 241^{r}; B/XXVIII, fols.12^{r}, 51^{r}.

29. York Corporation House Books, B/XXVIII, fol.54^{r}.

30. York Corporation House Books, B/XXVIII, fol.59^{r}.

31. York Corporation House Books, B/XXVIII, fols.116^{r}, 155^{r}. For Sandys' moderate puritanism see the quotation from his will in Claire Cross, Church and People, p.160: "concerning rites and ceremonies by political constitutions authorized amongst us, as I am and have been persuaded that [they]... are no way either ungodly or unlawful... so have I ever been and presently am persuaded that some of them be not so expedient in this Church now, but that in the Church reformed, and in all this time of the gospel (wherein the seed of the scripture hath so long been sown) that they may better be disused by little and little, than more and more urged".

32. See below, pp.137-8; York Civic House Books, B/XXVII, fol.246^{v}.

33. D.M. Palliser, Tudor York, pp.10-12.

34. York Corporation House Books, B/XXVIII, fols.155^{r}, 184^{r}; see above, pp.44-5.

35. Claire Cross, "Priests into Ministers", pp.222-3; York Corporation House Books, B/XXXII, fols.38^{v}, 39^{v}, 3 August, 1599; J.T. Cliffe, The Yorkshire Gentry, p.270.

36. As is evident in the charge of Christopher Concett, Mayor, York Corporation House Books B/XXXII, fol.2^{v}, 12 February, 1598; see below, pp.141-5.

37. York Corporation House Books, B/XXXIII, fol.75^{v}.

38. York Corporation House Books, B/XXXIII, fols.110^{v}-112^{r}.

39. York Corporation House Books, B/XXXIII, fols. 112^{v}-113^{r}, 114^{r}, 116^{r}, 140^{r}.

40. York Corporation House Books, B/XXXIII, fol.188^{r}, 20 December, 1609.

41. York Corporation House Books, B/XXXIV, fol.77^{r}.

42. York Corporation House Books, B/XXXIV, fols.114^{r}, 129^{r}, 133^{r}, 141^{r}, 184^{r}, 188^{r}, 189^{r}, 213^{v}, 241^{r}. The preachers who supplied the city's pulpit at All Saints', Pavement during Hooke's absences were: Henry Rogers (1617-1620), James Conyers (1621), John Wittakers, Marmaduke Gibbons and a "Mr. Smithson" (1622-4); for Conyers, see below, pp.235-8; Gibbons was the rector of St. Martin's, Micklegate; Whittakers had been curate at Bishop Burton (1620), and at Selby (1625), he eventually became rector of St. Saviour's, York, in 1632 through the corporation's intercession on his behalf with the [illegible] see below, p.261.

43. York Corporation House Books, B/XXXIV, fols.244^{r}, 261^{v}, 283^{v}, 308^{v}; for Henry Ayscough see Marchant, The Puritans and the Church Courts, pp.226-7.

44. Margaret A. Hornsey, "John Harrison, The Leeds Benefactor" p.115; Claire Cross, Urban Magistrates and Ministers, p.26.

45. David Underdown, Revel, Riot and Rebellion: Popular Politics and Culture in England, 1603-1660, (1985), pp.48-72.

46. Cross, Urban Magistrates and Ministers, p.18.

47. Borthwick, Bishopthorpe Mss., Correspondence and Papers of Archbishop Thomas Herring, Bundle IV, Item 20: a copy of the Chancery Court bill of complaint and judgement concerning the ownership of the advowson of St. Peter's church, Leeds.

48. Cross, Urban Magistrates and Ministers, p.17, citing York Chancery Wills 1590 (Alexander Fawcett); T.D. Whitaker, Loidis and Elmete: or, An Attempt to Illustrate the Districts Described in Those Words by Bede, and Supposed to Embrace the Lower Portions of Aredale and Wharfdale, Together with the Entire Vale of Calder, In the County of York, (1816), p.21.

49. Borthwick, Bishopthorpe Mss., Correspondence and Papers of Archbishop Thomas Herring, Bundle IV, Item 20.

50. Bishopthorpe Mss., CAP Archbishop Herring, Bundle IV/20, Bill of Complaint, 1 November, 1615.

51. Bishopthorpe Mss. CAP Archbishop Herring, Bundle IV/20, 1 November, 1615.

52. Ralph Thoresby, Vicaria Leodiensis, pp.51-4.

53. Bishopthorpe Mss., Correspondence and Papers of Archbishop Herring, Bundle IV/20. Cooke is described as having "supplied and exercised the place of a preacher" at Leeds "in the declining age of the said Robert Cooke, his brother"; for Alexander's puritanism see below, pp.297-304.

54. Bishopthorpe Mss. CAP Archbishop Herring, Bundle IV, Item 20.

55. Bishopthorpe Mss., Bill of Complaint.

56. John A. Newton, "Puritanism in the Diocese of York" p.140; for a discussion of the *Quare Impedit*, see Rosemary O'Day, The English Clergy, pp.79-81.

57. R.R. Reid, The King's Council in the North, (1921) pp.380-85; J.T. Cliffe, The Puritan Gentry, pp. 82-83, 119, 280.

58. Metcalfe identifies himself as a merchant in his "Bill of Complaint" made to the court of Star Chamber against Alexander Cooke in 1622, PRO STAC 8/215/6; Ralph Cooke was Alexander Cooke's brother and one of the churchwardens of Leeds; for Sykes and Skelton see Newton, "Puritanism in the Diocese of York", p.101; Cross, Urban Magistrates and Ministers pp.18, 21-22; Hornsey, "John Harrison, p.121; for Edward Fairfax's connection to the Fairfax family of Denton, Yorks., see Cliffe, The Yorkshire Gentry, p.83.

59. Ralph Thoresby, Vicaria Leodiensis, pp.65-68. Favour was a J.P. for Halifax and chaplain to Archbishop Matthews; He was also a "Doctor of Laws" and from time to time appears to have acted as legal counsel for the Archbishop, as he did in the resolution of the dispute between Theophilus Smyth and the corporation of Hull, see below, pp.293-4. William Lister of Wakefield preached as a regular participant in the "Halifax Exercises" a puritan combination lecture peculiar to the West Riding of Yorkshire, see Thoresby, p.65; J.A. Newton, "Puritanism in the Diocese of York," p.32-3; the other three clergymen named by Bacon, Robert Moore, William Pullen and Richard Stock, were all situated in parishes near Leeds; one of Pullen's sons married Anne Cooke, daughter of Alexander Cooke.

60. Old Leeds Charities: The First and Second Decree of the Committee of Pious Uses in Leedes, (1926) pp.3-7; PRO STAC 8/215/6, Metcalfe & Jackson contra Cooke, 1622 and Margaret Hornsey, "John Harrison", p.121.

61. Claire Cross, Urban Magistrates and Ministers, pp.4-5; G.C.F. Forster, "Hull in the 16th and 17th Centuries," K.J. Allison, (ed.), Victoria County History of York, East Riding, I, (1969), p.90.

62. Kingston-upon-Hull Record Office, Hull Corporation Bench Books, 4, fol.25^{v}.

63. Borthwick, High Commission Court Cause Papers, 1563/4; E. Gillett and K.A. MacMahon, A History of Hull, (1980), p.116; Claire Cross, Urban Magistrates and Ministers, p.14. For a discussion of the role of the Lord Keeper in the disposition of crown livings see Rosemary O'Day, The English Clergy, pp.113-125.

64. Borthwick, Cause Papers G/1396 and Purvis, Tudor Parish Documents, p.209-12.

65. The corporation had in fact agreed in principle to search for a preacher as early as 1560, when they had accepted the offer of £6 p.a. in support of such a ministry from the Mariner's guild.

66. Kingston-upon-Hull Record Office, Hull Corporation Bench Books, Volume 4, fol.79^{v}; see below, pp.453-60, for the manner in which this arrangement surfaces in 1638-9 (Richard Perrot's succeeded Theophilus Smyth as vicar of Hessle and Hull in 1616).

67. Borthwick, York High Commission Court Cause Papers 1570/3, Office c. William Steade at the promotion of Simon Pynder, 10 November, 1570, mentioned in Purvis, Tudor Parish Documents, p.228; York High Commission Cause Papers 1571/5, Office c. Thomas Turner, Master of the Charterhouse Hospital, Hull, 6 November, 1571; Hull Corporation Bench Books, 4, fol.87^{v}; see below, pp.274-5.

68. Hull Corporation Bench Books, Volume 4, fols.105^{v}, 106^{r}, 107^{r}, entries dated 22 April, 1573; among the contributing aldermen was William Gee, who would be mayor of Hull in 1574, at which time the city would request and receive from Archbishop Grindal permission to conduct its own court for the punishment of "malefactors in the crimes of fornication and adultery", fol.112^{v}; see below, pp.276-7.

69. Claire Cross, Urban Magistrates and Ministers, p.23; Hull Corporation Bench Books, Volume 4, fol.268^{v}.

70. Ronald Marchant, Puritans and the Church Courts, p.234; Briskin was presented in 1578 for not wearing the surplice and for not seeking ordination to the priesthood while serving a cure of souls.

71. Claire Cross, Urban Magistrates and Ministers, p.16.

72. Hull Corporation Bench Books, Volume 4, fol.268^{v}.

73. PRO, STAC 8/79/5 Richard Burgess c. Theophilus Smyth, 1609, Whincop is described by Richard Burgesse as "being also commended... by others to be a very godly, learned and zealous man," better qualified for the position than was Smyth; Kingston-upon-Hull Record Office, M.106, Agreement between the Corporation of Hull and Thomas Whincop, concerning his appointment as master of the Charterhouse, 16 February, 1599; East Yorkshire County Record Office, Beverley Corporation Minute Books, 1597-1660, BC/II/7/4/1, fol. 6^{v}; Thomas Gent, Annales Regioduni Hullini: or, The History of the Royal and Beautiful Town of Kingston-upon-Hull, (1735), p.45, quotes Whincop's memorial at Holy Trinity, Hull, establishing that Whincop had preached at Beverley for 16 years prior to being appointed to Hull in 1599; see below, pp.275-6.

74. Hull Corporation Bench Books, 5, p.9; see below, pp.293-4.

75. Borthwick, High Commission Court Cause Papers, G/1396, Articles Exhibited by Edmund Roberts against Melchior Smyth, (1564), ix.

76. George Oliver, The History and Antiquities of the Town and Minster of Beverley, in the County of York, (1829), pp.183, 187-89, 191.

77. George Oliver, The History...of the Town and Minster of Beverley.., pp.190-91; R. Poulson, Beverlac, or the Antiquities and History of the Town of Beverley, (1829), Appendix II, contains the full text of these grants and letters patent.

78. Borthwick, High Commission Court Cause Papers, 1594/4, Wakefield, Hadsby, Caine and Manne c. John Jackson: no date on the papers, but presumed to be 1594 from the deposition of Thomas Utye, vicar of St. Mary's, who stated that he had been vicar of the parish for sixteen years at the time of the dispute.

79. Borthwick, York Archiepiscopal Visitation Court Books, V/1590-1642 contain numerous presentments for the lack of everything from "homilie bookes" to bells, even to the lack of lead on the church roof.

80. David Underdown, Revel, Riot and Rebellion, pp.60-63; Jeremy Goring, Godly exercises or the devil's dance? Puritanism and Popular Culture in pre-Civil War England, Friends of Dr. Williams' Library, Thirty-Seventh Lecture, (1983), pp.4-5.

81. Thomas Gent, Annales Regioduni Hullini, p.45; R. Poulson, Beverlac, p.689; Borthwick, York Archiepiscopal Visitation Court Act Books, V/1594, fols.154^{r+v}; Ecclesiastical Cause Papers G/2667. Sir William Gee was the Puritan squire of Bishop Burton: see J.T. Cliffe, The Puritan Gentry: The Great Puritan Families of Early Stuart England, (1984), pp.36, 238.

82. Beverley Corporation minutes, BC/II/7/4/1, fols.2^{r}, 6^{r}, 26 July, 1599.

83. Beverley Corporation Minutes, BC/II/7/4/1, fols.6^{r}, 15^{r}, 26 July, 1599, 23 May, 1605; the minutes make a distinction between the "mayor and governors" and a second group of "elected burgesses."

84. Poulson, Beverlac, Appendix II: the original land grants were intended to provide stipends of £21 6s 8d and £16 for the incumbent and assistant respectively; for lecturer's stipends at York and Hull, see above, pp.72, 87.

85. Beverley Corporation Minutes, BC/II/7/4/1, fol.20^{v}, 16 May, 1605.

86. Beverley Corporation Minutes, BC/II/7/4/1, fols. 24^{v}, 26^{r}, 32^{r}; For Ellis see R.A. Marchant, Puritans and the Church Courts, p.245; Borthwick, Ecclesiastical Cause Papers, H/2106, shows that he preached as part of a "lecture by combination" at Rowley when Ezekiel Rogers was rector there; for Rhodes and Rogers see Marchant, op. cit., pp.271, 274; Rhodes was chaplain to the Hoby household from 1605-1613.

87. Beverley Corporation Minutes, BC/II/7/4/1, fols.6^{r}, 15^{r}, 20^{v}, 24^{v}.

88. Beverley Corporation Minutes, BC/II/7/4/1, fol.14^{v}.

89. Borthwick, York Archiepiscopal Visitation Court Act Books, V/1615, fols.212^{v}-214^{v}; York Chancery Act Books, 29 July, 1631.

90. As was the case when Charles I intervened in their nomination of a preacher to replace Robert Jenison in 1639, see M.H. Dodds, Extracts from the Newcastle upon Tyne Minute Book, 1639-1656, Newcastle upon Tyne Records Committee, I, (1920), p.3.

91. J.A. Newton, "Puritanism in the Diocese of York", p.43.

92. John Morgan, Godly Learning: Puritan Attitudes towards Reason, Learning, and Education, 1560-1640, (1987), p.37.

93. G.J.R. Parry, A Protestant Vision: William Harrison and the Reformation of Elizabethan England, (1987), p.258-9.

94. For Jenison see above, pp.15-16; for Gee see J.T. Cliffe, The Puritan Gentry, p.36.

CHAPTER III

Ministry and Magistracy: a "sacrifice acceptable to God".

Chapter II concluded with reference to the "puritan vision of the city of God", and to how the means of realizing that vision was believed to lie in the partnership of minister and magistrate as agents of social and religious reform. The two chapters which follow this will deal with the practicalities of attempting to apply the vision in terms of church attendance, sabbath observance, and the suppression of drunkenness and disorderly behavior. Before discussing the application of "magistracy and ministry" in terms of policy which addressed practical issues, however, it is requisite to examine more closely the puritan ideal of minister and magistrate as partners in the reformation of English society.[1]

In his biography of the Devon magistrate Ignatius Jordan, the puritan hagiographer Samuel Clarke recorded that the saintly Mr. Jordan

> looked upon it, [magistracy] not as a place of honour only, but as an office of trust, wherein he might honour God, and execute justice amongst men, and reform those evils which abounded in those times in that place: He did not glory so much in having the sword carried before him... as he was desirous to draw forth the sword of Justice against evil doers, and not to carry it in vain.[2]

Clarke's account of Jordan's career, which spanned the reigns of Elizabeth I and Charles I, stressed the integration of puritan belief, that is "godliness", with the vigorous manner in which Jordan applied himself to the magistrate's work of repressing vice, disorder and impiety. Jordan "knew that religion consisted not in hearing, repetition, and profession, but in practice". His "practice" of religion, according to Clarke, found expression

in every facet of his life, personal and public.[3] So scrupulous was his observance of the Sabbath that he was known to harangue passers by "and would ask them, how they could rise so early to get the world, and not rise as early to get interest in Jesus Christ." Clarke further related an incident in which Jordan, travelling home from Parliament one Saturday evening, allegedly refused the hospitality of "a person of Honour... for that he was a swearer and he feared that the house would fall upon his head". Jordan apparently detained his would-be host at the doorstep, refusing to enter the house until he had received assurances that the Sabbath would be observed with due piety; with church attendance and a sermon both morning and afternoon.[4]

Upon reading Clarke's biographies, there is an inevitable temptation to discount the almost unbelievable piety attributed to his subjects. Knowledge of human nature suggests that we are being shown the ideal, the example toward which puritanism's practical divinity consistently reached. The determination of the exact relationship between the reality and the ideal in Clarke's biographies is not the focus of this discussion. The example of Mr. Jordan is introduced at this point in order to demonstrate that in puritanism there was an unusually high regard for the office and calling of the magistrate, who wielded the "sword" of his office to protect the godly and punish the wicked. Whether or not Mr. Jordan attained the high level of personal and public piety ascribed to him by Clarke is immaterial to the fact that for puritan writers like Clarke, such piety was an indispensable element in the making of a good and "godly" magistrate. Mr. Jordan is therefore a symbol of the puritan ideal of government by individuals who had so integrated the precepts of Calvinism into their approach to government that the business of governing had itself become the extension of the kingdom of God.[5] Indeed, Clarke noted that Jordan encouraged timorous "officers" to do their duty without regard to the dignity or estate of the

particular offender by

> telling them, in good earnest (for that was his usuall word) that if he had as good a warrant from God, as they had from him to apprehend offenders, if he were required to apprehend the Devil himself, he would not be backward to put it in execution.

Jordan regarded the office of magistrate, to which he had come "through severall inferior offices" as a post from which he had a mandate "to highly honour God, who had thus honoured him".[6]

This high regard for the calling of magistracy and by inference, of jurors and petty officials, is also present in the rhetoric of Sir Richard Grosvenor of Cheshire. Grosvenor, who like Jordan had been raised in the puritan tradition of godliness, saw the essential role of government as the furtherance of wholesome religion. The royal authority which magistrates exercised in the king's place was ultimately granted by God for the unifying of the nation in the supression of popery and its attendant vices. In the context of a charge delivered at the Quarter Sessions held in Chester on 24 January 1625, he told the Jurors

> There is noe reason you should be posessed with the least feare of offending any man (bee he never so great) whilest you doe your dutie because God is greater than the mightiest and lookes first to be served, first to be feared. And by keeping a good conscience you shallbe armed agaynst all opposicon... And good conscience is like a brasen wall.[7]

Good government was therefore the service of God, and required that the governors, for the proper exercise of their magisterial authority, be properly attuned to the will of God. Robert Jenison, Lecturer of Newcastle, described the role of the minister as that of the prophet, whose ministry of preaching and teaching was like

> the trumpet blowen in the citie, that the people may be afraid. Thus by giving warning by *preaching* they helpe to turne away Gods wrath from the Citie, as also by reproaching such sinnes, as for which God destroyes

> great Cities: (of which afterwards) this they also doe, by prayer and intercession to God for the averting of his wrath, as did *Ezekiel* in the vision.[8]

Thus the function of the minister was to inform the conscience, not only of the magistrate but also of the population at large. The intention obviously was for the reformation of sin and disorder to begin in the hearts and minds of individuals through the preaching of God's word. In this Jenison reflected the thinking of William Perkins, who saw the role of the magistrate as a necessary support to the work of the preacher. Perkins wrote that

> the Magistrate doth not compell any to beleeve: for when a man doth beleeve, and from his heart imbrace true religion, he doth it willingly: notwithstanding meanes are to be used to make them willing, that are unwilling, and the meanes is to compell them to come to our assemblies, to heare the word, and to learne the grounds for true religion...[9]

Magisterial action, through which the unrepentant were compelled to "heare the word" and to behave in a manner consistent with the gospel, was seen as a necessary response to the preaching of the word of God. The magistrate, according to Robert Pricke, the preacher of Denham, Suffolk, was one of the two sorts of "public superiors" necessary for the ordering of a godly commonwealth. Without the coercive power of the magistrate "there would remaine noe outward worship of God, or if it did, it would easily degenerate into Idolatrie and Superstition". As has already been noted in chapter I, Samuel Ward of Ipswich was of a similar mind, alluding to the nature of the relationship between the sacred and secular jurisdictions as being like that between the "two opticke peeces" of a looking-glass.[10] In the ideal commonwealth the minister and the magistrate exercised authority in a symbiotic partnership. In The Cities Safetie, (1630), Robert Jenison set down his argument for the necessary cooperation of magistrate and minister in the proper ordering of a community. It was, according to Jenison, the duty of the magistrate to "see and foresee danger, and care to prevent the

same. In which regard the magistrate (whether chief or subordinate) is, even by the Heathen, called by divers names, as *Shepherd of the people*... (by Homer)... or *bishop* by Plato...". The minister, according to Jenison, was to complement the Magistrate as a "watchman... to keepe us awake and watchfull, as men watch Deere, or Hawkes, or sicke Patients, after physicke taken, or a veine opened, when sleepe would prove dangerous". In his development of the role of the godly magistrate, Jenison enumerated the means by which the city might be kept in safety, first of which was the exhortation of the community to acts of both public and private humiliation for sins committed, "For thus God in effect bids us speake to the cities of *England*, as once *Ieremie* to the cities of *Iudah*...". This exhortation to repentance, according to Jenison, was the shared responsibility of the minister and the magistrate as they worked together to ensure the "citie's safetie".[11]

But prayer, even prayer offered in the form of public acts of humiliation and civic "fast days", was not enough. Jenison told his readers

> Wee must not looke for God's help by our lazie prayers and womanish entreaties: we must watch as pray, and labour and use meanes, as expect the end without meanes... wee indeed must not neglect prayer, but have our hearts and our one hand at least lift up to God by daily and constant prayer against the prevailings of Amalek, yet our other hand must wield the weapon. At least Joshua must fight, as well as Moses pray.[12]

If Jenison understood the role of Moses to be that of the church generally and of ministers in particular, then he cannot but have understood the work of the magistrate as the work of Joshua, the work of the hand that fights for the cause of the godly. Magistrates

> by drawing out the sword of Iustice against the enemies of truth and holiness, not suffering the wilde Boare to enter Gods vineyard, nor seducers of God's people to finde harbour and entertainment within our wals: Thus with the sword in hand should the Magistrate play the part of the Angell, set at the doore of Paradise, to keepe the way of the tree of life.[13]

Jenison's concept of the cooperation of minister and magistrate was therefore quite similar to Samuel Ward's "two opticke peeces".[14] Both were necessary and both must work together for the good of the commonwealth, the minister identifying and reproving sin by his exercise of the ministry of preaching, the magistrate punishing sin and protecting righteousness by his impartial execution of justice. In the context of his later work, Newcastle's Call, to Her Sister Townes and Cities... To Take Warning By Her Sins and Sorrows (1637), Jenison seems to have envisaged that the communication of God's directions between the minister and the magistrate need not always proceed from the former to the latter. Commenting on Psalm 106, Jenison portrayed Moses in the role of the "Supreme Magistrate" of Israel, who in time of plague "did injoine the Priests of the Lord, Aaron and his Sons" to perform the necessary act of prayer and sacrifice by which God's wrath might be turned aside. Conversely, the ministry of propitiatory intercession "belongs to others also, as to *Christian Magistrates*, and generally to all and every one who in *Christ* professeth himself to be a *Spirituall Priest*". Jenison seems to have understood the relationship of magistrates and ministers as that of equal partners whose roles, while not interchangeable, were not rigidly defined. But woe betide the city whose magistrates (or ministers) failed to heed the warnings of God's displeasure. No doubt Jenison had in mind the plague which, at the time of his writing Newcastle's Call had halved the population of Newcastle in less than eight months. The magistrates of that city had not, in Jenison's estimation, listened to the admonitions of the "godly" ministers, nor had they requested that the clergy of Newcastle call the people to observe the necessary public day of "humiliation and solemn prayer" by which (in Jenison's reasoning) the onset of plague might have been avoided.[15]

Intrinsic to the functioning of the complementary roles of minister and

magistrate was the belief that the "godly" were engaged in a life-and-death struggle against the forces of evil. This evil might be manifested locally in terms of drunkenness, sexual immorality, gaming, swearing, sabbath-breaking or any of a number of other acts of impiety and disorder. The repression of such activities was an important element of the work of the minister and the magistrate. But this was only to treat the symptoms of the disease. For puritans, indeed for almost all Calvinists of this period, the forces of evil were personified in the Pope as Antichrist, and the church of Rome, as an antichristian church.[16] This powerful symbol of evil, omnipresent and yet external to English society, served to unify the efforts of magistrates and ministers in the work of social and religious reform. As Peter Lake and Richard Cust have described it, in the thinking of Sir Richard Grosvenor popery "was not merely a collection of heretical opinions: it was a poison, a toxic substance which, unchecked, would dissolve all the ties of loyalty and obligation that held civil and political society together".[17] Consequently, for Calvinists in general, and for puritans in particular, the implementation of godly policy through the cooperation of ministers and magistrates was more than merely social or religious reform. The shaping of English society in the image of the gospel had an ideological edge to it: it was the work of preserving the nation from a recently expelled evil which could be readily identified both politically and theologically with Rome.

It is this struggle against the Antichrist which William Lamont has identified as having a *centripetal* or unifying effect in the context of Elizabethan and Jacobean puritanism. So long as the main enemy was without, the godly magistrate and the puritan minister might see their labours to keep him out as coincident with the best interests of the city, county and nation.[18] Peter Lake has taken this a step further in distinguishing puritans from other English Calvinists by their assertion "that the English

Church contained too many remnants of the rule of Antichrist to qualify as a properly reformed church".[19] Thus the alliance between minister and magistrate could and (as we shall see) sometimes did involve the application of a discipline beyond that which was required by the established church or enforced by its courts. Nevertheless, until the rise of Arminianism this tendency to go beyond the letter of the law does not appear to have been perceived as a threat to the state or an encroachment upon ecclesiastical jurisdiction.

We need look no further than to the godly Mr. Jordan for an example of at least the intent to execute justice with a severity arising from this sense of cosmic struggle. As Professor Collinson has pointed out, there is a certain uniqueness in Jordan's "exceptional and humourless severity", but nevertheless it may be said that he stands as a model (extreme or not) of the manner in which reforming zeal in a magistrate might be informed by this sense of struggle against the Antichrist. In the Parliament of 1626 Jordan endeavoured (without success) to see the death penalty instituted for adulterers. Samuel Clarke described how "the stocks, and whipping-post could terrifie drunkards, unclean persons, and such like notorious offendors" as instruments of Jordan's "indifferent execution of justice". Jordan even went so far as to equate sin (and by inference, popery) with plague.[20]

The foregoing is not intended to deny that real issues of social control obtaining to the management of urban populations were substantially responsible for much of the policy undertaken by town magistrates. As William Hunt has demonstrated in his study of magistracy and ministry as what he terms "the culture of discipline" in Elizabethan and Jacobean Essex, it is sometimes difficult to ascertain whether godly rhetoric served to create the policy or was simply a matter of pious commentary after the fact.[21] This is particularly true of pious rhetoric concerning offences like

illicit sexual liaisons, bastardy and vagabondage, each of which had demonstrably deleterious consequences for the community regardless of whether or not the community regarded such occurrences as breaches of an accepted moral standard. A child born out of wedlock, for example, automatically became a charge to the parish unless the father could be identified and compelled either to marry the woman who bore it or otherwise undertake responsibility for its maintenance. Particularly in times of dearth, but at all times during the period of our discussion, the arrival of landless migrants in search of work was a matter of great concern to town and village governors. If such persons were allowed to settle down long enough to have some claim on the parish, they might represent an increased demand upon the community in terms of poor rates.[22] Paul Slack's discussion of the relationship of population increase to harsh attitudes regarding bastardy and vagrancy in the early seventeenth century suggests that action taken against persons whose sexual liaisons threatened to tax the resources of the community in the form of unsupported bastards, or against persons who "harboured" pregnant women or "foreigners", might be understood as the protection of the economic interests of the community.[23] Martin Ingram's discussion of the attitudes of persons presenting bastard-bearers to the church courts in Wiltshire during this period similarly indicates a "more obvious link" between the prosecution of such individuals and hard economic times than can be shown to have existed between the initiation of such prosecutions and the prevalence of a particular religious viewpoint.[24]

The questioning of the exact causal relationship between religious belief and public policy does not, however, negate the fact that where social policy emerged during this period it more often than not appears to have had some sort of connection with committed protestantism or puritanism. William Hunt suggests that there was within puritanism a reforming zeal which required that the "culture of discipline" proceed from the godly to

society at large: "their aspirations were social, not to say pancosmic... This vocation committed them to a reformation not only of religion but of manners and morals as well...".[25] Anthony Fletcher's study of the reforming work of magistrates and local governors in the provincial jurisdictions of Stuart England comes to much the same conclusion. But Fletcher reminds us that "not every magistrate" who advocated the reformation of manners "was himself a strict puritan" and that reasons other than religious conviction were definitely active in the drive for such personal and social reformation. Nonetheless he points out that the "driving force" behind the magisterial campaign against social evils "took its imprint from puritanism and was associated with the godly in the public mind".[26] Joan Kent supports this in her discussion of the attitudes of Elizabethan and Jacobean M.P.s to issues concerning the regulation of personal conduct. While noting the importance of economic factors in the weight given to specific issues, she has pointed out the regularity with which puritan members of the House of Commons sponsored a variety of bills specifying propriety in matters of personal conduct as diverse as sabbatarianism and excessively luxurious apparel. In her recent study of the character and function of village constables in the Tudor-Stuart period, she has concluded that puritanism appears to have contributed to the enforcement of order and moral reform at the parish level, as "those imbued with puritan ideals may even have sought the position because of the opportunities which it afforded to implement social and moral reform". [27] While there may have been sound economic reasons behind such bills, the rhetoric with which they were often presented was the rhetoric of religion. Christopher Brooke, M.P. for York in 1614 and 1621 introduced bills against "excessive and luxurious attire" stating that such ostentation "occasioned the disapproval of God, who had first dressed men in skins".[28]

Nor were issues of conduct clearly defined or separated one from

another. As we shall see in our discussion of sabbatarianism, this "religious" issue cannot be discussed without reference to drunkenness, swearing, poverty and the regulation of alehouses.[29] The modern historian may, for the sake of clarity, attempt to treat issues as either "economic" or "political" or "religious". While in certain cases this may aid understanding, it is nonetheless extremely unlikely that this separation of matters accurately reflects the mind of the average seventeenth-century magistrate or minister. Robert Jenison, for example, viewed Machiavelli's The Prince and the Discourses as "the pernicious doctrine of that Florentine Monster Machiavel... that vertue and religion is not needful in a true and good politie or to the government of the Commonwealth, whether more publike or private in a citie...". Jenison rejected Machiavelli's division of government from faith as something condemned even by pre-Christian philosophers like Aristotle. The "citie" or "commonwealth" was (according to Jenison) appointed and established by God, and

> he must be as good as mad that will say, that either man or *Citie* can be conjoyned, or cleave to God, who is the first and chiefe Truth and Goodnesse, without both truth and goodnesse in themselves.[30]

Peter Lake's discussion of the thinking of the Cambridge puritan diarist Abdias Ashton reflects this same unity of godliness and good government. "Social peace" was essentially the "gift of God to those who served him". Ashton's magistrate had a duty "to preserve social peace" through the impartial administration of justice and due observance of God's law. The successful magistrate, according to Ashton, would find it necessary to consult "the direction of the priest (Deut. 17.9,10,11); for this the priests mediate in God's law that he may judge wisely (Josh.1:18)".[31] Similarly Laurence Chaderton, the puritan Master of Emmanuel College saw the cooperation of secular and ecclesiastical leaders, ministers and magistrates, as necessary to the sanctification of the social order,

"leading the community to repentance and godliness".[32]

Therefore we may with some confidence advance the suggestion that issues of church-attendance, substance abuse, sexual and fiscal morality were not "secular" issues any more than they were "religious" issues. (It should be noted, however, that church-attendance, sabbath observance and issues related to drunkenness may be more clearly identified with puritanism during this period than those related to sexual immorality or fiscal dishonesty.) Faith pervaded the whole of life, at least for the "godly" and probably to a greater or lesser extent for much of the "better sort" of the population. There is, as we shall see, evidence that a significant stratum of English society was in fact either resistant to or untouched by Christianity in either its protestant or its catholic manifestations.[33] The likelihood of persons from this sector of society (often homogeneously referred to as "the poor" by those who saw themselves as their betters), having much direct influence on the policy-making function of magstrates and their clerical colleagues was negligible. Consequently we may say that for the portion of the population which mattered in terms of civic government, faith and policy-making were inseparably comingled. In his recent article discussing the implementation of congregational discipline within the Calvinist congregations of Emden, Groningen and Leiden, Heinz Schilling has come to the conclusion that writers dealing with the history of "discipline" ought to be careful to distinguish what he terms the "history of sin", that is, of congregational, penitiential discipline, from the "history of crime", where the focus is upon punitive discipline imposed by the state. Schilling admits that there are serious problems attendant upon applying this distinction in the context of the "state churches" of England and of Zürich, particularly because of the lack of true congregational independence and of a clear delineation between secular and ecclesiastical jurisdictions. Nevertheless, elements of his discussion have provided some useful warnings and

suggestions for this study of ministry and magistracy. Schilling's call for a distinction between "sin" and "crime" suggests that in considering programs of local godliness, serious consideration should be given to the question of whether or not a particular issue reflected a primarily "religious" concern, or if its genesis lay in more mundane concerns of an economic or purely social nature. As a result, in this thesis it has been decided that the issues of church-attendance, sabbath observance and the suppression of drunkenness will be examined in some depth as examples of enforcement which, while "criminalized" through application by secular authority, fundamentally reflect their origins as matters in which the primary intention was the correction of sin as distinct from the punishment of crime. Issues of sexual impropriety and matrimonial irregularity, while they will appear peripherally within the discussion of godly policy in the next two chapters (and while they originally belonged to the jurisdiction of the church courts), will not enjoy as dominant a place in the study because their origins may be deemed to lie more appropriately in the concern that illegitimate children and unsupported women should not become a burden upon the rate-paying community. Thus such issues, as Martin Ingram has suggested in his study of the church courts in Wiltshire, were more likely to be enforced with a vigour reflective of the economic, and not the theological or moral climate of the locality.[34]

In the course of this discussion of magistracy and ministry we have referred to the practical divinity of Robert Jenison, a cleric from the northeast. Before leaving this general discussion and initiating a more detailed examination of godly policy in northeastern towns, it is helpful to point out two instances in which the laity of the region appear to have voiced opinions similar to those recorded above: the first of these involves the establishment of a local court of correction in Hull; the second is a contextual discussion of the 1608 petition to the corporation of York from

that city's common council which has already been noted in chapter II.

In 1563 the city of Hull had had the benefit of the puritan preaching of Melchior Smyth for two years. Smyth had been sought out by the civic corporation shortly after Elizabeth I's accession to the throne, and the selection of so "hot" a protestant reflected, even at that time, a similar orientation in the mayor and aldermen.[35] For reasons which will be more fully discussed in part II of chapter VII, there are reasons to suspect that the combination of Smyth with the magistrates of Hull was not altogether felicitous. By 1564 the corporation was involved as the promoter in a disciplinary cause against him before the Court of High Commission at York.[36] Nevertheless there is reason to suspect that the effect of Smyth's preaching and teaching was to a certain extent reflected in the comprehensive civic ordinance against all manner of sin and disorderly behaviour which was published by the corporation of Hull in 1563.

The ordinance of 18 December, 1563 is worth quoting at length, if only to demonstrate both its comprehensive nature and the tendency of its authors to moralize while legislating.

> For as much as in every well-ordered commonwealth most principally is sought out the... offendors and insensible persons which be delighted in drunkenness, excess, riot, whoredom, wantonness, lightness, idleness and scolding with such like, that by reasonable and politic laws and ordinances may be converted, made sensible, and brought to good order: We therefore, the said mayor, aldermen and burgesses, knowing nothing more convenient, needfull or requisite, than to supplant or pluck up these great infections and enormities most especially at this present time rearing in this town, do with one assent, consent and agreement, enact, ordain, and agree that from this present 18th day of December in the year aforesaid, no manner of person or persons within this town or any of the liberties of the same to be so hardy to committ any whoredom, fornication, or adultery, nor use nor exercise himself in excessive drinking, riot, dispending his or their time in idleness, wantonness, lightness, scolding or maliciously blaspheming the name

> of God, to the great provocation or kindling of God's wrath against this town, upon pain that every one offending contrary to the tenor and aspect of this ordinance or any parte or worde thereof to be punished and made an example to all others, whether it be by cart, tumbril... thew, stocks, pillory, or otherwise by imprisonment at the discretion of the mayor for the time being and the most part of the aldermen at the time resident within the said town.[37]

Of particular significance to our discussion of magistracy and ministry are the number of offences listed in this ordinance which by right belonged to the jurisdiction of the ecclesiastical courts. Offences of a sexual nature, ("whoredom", fornication and adultery) as well as breaches of charity like scolding and especially the theologically significant charge of blasphemy were not usually the concern of secular jurisdictions. Civic officials as prominent members of the community might be expected to support churchwardens and other parish officials in their presentment of offenders to the church courts. They might also be expected to offer assistance to the pursuivants or apparitors of the church court in the apprehension and bringing to trial of contumacious defendants. But until this time it was not usually the case that the civic bench should actually try cases involving issues of immorality or breach of charity except where they might be shown to have also involved a breach of the peace.[38] The inclusion of adultery, scolding and blasphemy as matters of civic jurisdiction constituted a major encroachment upon the traditional territory of the church courts.

The ecclesiastical authority of the northern province does not appear to have treated the action of the corporation of Hull as a threat or an encroachment. Indeed, the arrangement, which was even more explicitly established with the publication of 65 civic ordinances in 1566,[39] seems to have passed without notice until 1574, when Archbishop Grindal responded to correspondence from the corporation which had requested formal permission to try such cases. Grindal's letter reflects what was by then an already established sense of common cause in the fight against "that kind of

licentious living... so common within your town" and exhorts the mayor and aldermen to "minister justice according to the quality of the offence without respect of persons, only seeking the reforming of such as shall be offenders, the suppressing of vice and maintenance of virtue, and good politic government of your corporacy".[40] This permission to try moral causes was reaffirmed by Archbishop Sandys in 1582 and by Archbishop Hutton in 1599. Hutton's commission, as noted in chapter IV, specified that one of the two preachers (Theophilus Smyth and Thomas Whincopp) of Hull should sit as a member of the bench, and that the corporation should consult with John Spence, (who appears to have been known to the Archbishop as having had some experience in the conduct of the church courts at York) on matters of proper record keeping.[41]

Other instances in which the desire of the godly laity at Hull resulted in the cooperation of secular and ecclesiastical jurisdictions in the enforcement of godly policy will emerge in our more detailed discussion of specific issues over the next two chapters. The material presented here has served to demonstrate the development of a situation in Hull where minister and magistrate appear to have worked together to enforce a rigorous program of social and moral reform.

In our discussion of the process whereby the corporation of York came to undertake the support of a civic lecturer we have already to some extent explored the development of cooperation between magistracy and ministry in that city.[42] Because of the presence of the church courts and of the courts attendant to the business of the Council of the North, there was no need for the establishment of a separate civic court of correction along the lines of that which emerged in Hull. There is no evidence that local clergy ever shared the civic bench with members of the York corporation, but as has been already shown in chapter 1, clergy and laity often worked side-by-side in

the Court of High Commission and the Council of the North.[43] The records of the civic court, while demonstrating that this level of jurisdiction dealt mainly with issues of church attendance, drink-related offences and instances of disorderly behaviour, suggest an orientation to moral and social reform similar to that which existed at Hull. Recusancy, religious conservatism and simple indifference to religion appear to have been of absorbing importance for the "better sort" of York.[44]

The numerous ordinances enacted by the corporation to engendering the habit of regular church attendance in York will be discussed in chapter IV. From this discussion it will become apparent that from 1580-1610 the corporation believed itself to be engaged in an uphill struggle to compel the inhabitants of the city to observe the rudiments of reformed piety. The first really significant indication that a significant sector of the population shared the corporation's commitment to a "painful" preaching ministry and to a coincident program of social and moral reform occurs as the text of a petition arising from the common council in 1608. The focus of the petition was the need for "a more general increase and spreading of the word of God" in York.[45] Pertinent to our discussion of "magistracy and ministry" are the comments with which the petitioners conclude their argument:

> that the service of God so well begun, may not go backwards, but rather forward, seeing that many citizens which have been compelled to come to the hearing of God's word do now freely come of themselves, and do no doubt procure others. Thus the magistrate with the sword, and the minister by the word, joining together, they have been a sacrifice always acceptable unto the Lord...[46]

In the course of our discussion of godly policy we shall demonstrate numerous situations in which the implications of this statement were put

into practice, but apart from the practical divinity of Robert Jenison we shall find no clearer statement by local people of the ideal of magistracy and ministry linked to a program of social, moral and religious reform. The theologically precise nature of this statement, offered by artisans and merchants, suggests that the wording may have been borrowed from another source, perhaps from one of the local clergy, from the writings of William Perkins or of some other puritan divine. Nevertheless it stands as eloquent testimony to the penetration of the puritan ideal of ministry and magistracy to the level of the hearts and minds of the "middling sort" of York. The petitioners had seen the cooperation of preachers and magistrates effect appreciable change in the churchgoing habits of their fellow-citizens. They wished to see the scope of the program extended and were willing to request that their "magistrates" re-allocate the city's resources to hire four preachers instead of only one. The petition therefore reflects the extent to which that concept of vocation as a means of giving honour to God, particularly applied to magistracy and ministry in the shared capacity of moral and social regulation and reform, had come to be understood as "a sacrifice always acceptable unto the Lord."

Notes for Chapter III

1. See above, pp.98-9.

2. Samuel Clarke, "The Life, and Death of Mr. Ignatius Jordan,who dyed Anno Christi 1640", A Collection of the Lives of Ten Eminent Divines, Famous in their Generations for Learning, Prudence, Piety and Painfulness in the work of Ministry, (1662), p.463.

3. See above, p.30.

4. Samuel Clarke, "The Life and Death of Mr. Ignatius Jordan", pp.450, 456, 468.

5. Samuel Clarke, "The Life and Death of Mr. Ignatius Jordan", p.469.

6. Samuel Clarke, "The Life and Death of Mr. Ignatius Jordan", p.477.

7. Grosvenor Mss., Item 26, Eaton Hall, Cheshire, Richard Cust and Peter G. Lake, "Sir Richard Grosvenor and the Rhetoric of Magistracy", Bulletin of the Institute of Historical Research, LIV, No. 129, (1981), pp.41, 45; see above. pp.~~000-000~~.31-2

8. Robert Jenison, The Cities Safetie (1630), pp.43-44.

9. William Perkins, Works, II, (1617), p.412, cited in David Little, Religion, Order and Law: A Study in Pre-Revolutionary England, (1984) p.126.

10. Patrick Collinson, The Religion of Protestants pp.154-5, citing "The doctrine of superioritie, and subiection, contained in the fift commandment..." (1609), sig. D5^{v}-6^{v}; Collinson, "Magistracy and Ministry: A Suffolk Miniature", Godly People, pp.447-9.

11. Robert Jenison, The Cities Safetie, pp.7, 31-35.

12. Robert Jenison, The Cities Safetie, pp.40-41.

13. Robert Jenison, The Cities Safetie, p.42.

14. Samuel Ward, Jethros Iustice of Peace, (1618) cited in Patrick Collinson, Religion of Protestants, p.153-4.

15. Robert Jenison, The Cities Safetie, (1630), pp.41, 129; Newcastle's Call, To Her Sister Townes And Cities Throughout The Land, To Take Warning By Her Sins And Sorrows, (1637) pp.205-6.

16. Robin Clifton, "Fear Of Popery", Conrad Russell, (ed.), The Origins Of The English Civil War, (1973), pp.146-151.

17. R. Cust and P. Lake, "Sir Richard Grosvenor", p.42.

18. William Lamont, Godly Rule: Politics and Religion 1603-60, (1969) pp.31-2, 45-7.

19. Peter Lake, Moderate Puritans and the Elizabethan Church, (1982), p.56.

20. Patrick Collinson, "A Magazine Of Religious Patterns: An Erasmian Topic Transposed in English Protestantism", Godly People, p.515; Conrad Russell, Parliaments and English Politics, 1621-1629, (Oxford, 1979), p.29; Samuel Clarke, "The Life and Death of Mr. Ignatius Jordan", pp.464-5, 477.

21. William Hunt, The Puritan Moment, pp.79-84.

22. Sidney and Beatrice Webb, "English Poor Law History, Part 1: The Old Poor Law", English Local Government, 7, (1927), pp.316-22.

23. Paul Slack, Poverty & Policy In Tudor & Stuart England, (1988), pp.102-4; L.M. Hill, "County Government in Caroline England, 1625-1640", Conrad Russell, (ed.) The Origins of the English Civil War, pp.76-77.

24. Martin Ingram, Church Courts, Sex and Marriage in England, 1570-1640, pp.278-80.

25. William Hunt, The Puritan Moment, p.91

26. Anthony Fletcher, Reform in the Provinces: The Government of Stuart England, (1986), p.263.

27. Joan Kent, "Attitudes of Members of the House of Commons to the Regulation of `Personal Conduct' in Late Elizabethan and Early Stuart England", Bulletin of the Institute of Historical Research No. 46, (1973), pp.41-71; The English Village Constable 1580-1642: A Social and Administrative Study, (1986), p.305.

28. Joan Kent, "Attitudes of Members", p.43, citing W. Notestein et. al., (eds.) The Commons Debates, 1621, (1935), V, p.465.

29. See below, pp.141-5, for an example of an "omnibus" civic ordinance in Mayor Christopher Concett's letter to the incumbents and churchwardens of York, York City Archives, Corporation House Books XXXII, fol. 2^{v}, 12 February 1598.

30. Robert Jenison, The Cities Safetie, pp.25-26, 28.

31. Peter Lake, Moderate Puritans, pp.138-9, citing the commonplace book of Abdias Ashton, Chetham Library, Manchester, Mss. Mun. A/2/78, p.186.

32. Peter Lake, Moderate Puritans, pp.140-1, citing Laurence Chaderton, An excellent and godly sermon... preached at Paules Crosse, (1580), sig. F3.

33. Keith Thomas, Religion and the Decline of Magic: Studies in Popular Beliefs in Sixteenth- and Seventeenth-Century England, (1971), pp.190-93.

34. Heinz Schilling, "`History of Crime' or `History of Sin'? - Some Reflections on the Social History of Early Modern Church Discipline", E.I. Kouri and T. Scott, (eds.), Politics and Society on Reformation Europe: Essays in Honour of Geoffrey Elton, (1988), pp.294-7, 300-302, 304-6; Martin Ingram, Church Courts, Sex and Marriage, pp.166-7.

35. Claire Cross, Urban Magistrates and Ministers, p.14.

36. J.S. Purvis, Tudor Parish Documents of the Diocese of York (1948) pp.209-13.

37. Kingston-upon-Hull Record Office, Hull Corporation Bench Books, 4, fol.50^{r}; Heinz Schilling, "History of Crime or History of Sin?", pp.301-2, presents evidence of a "matrimonial court" in Emden which is remarkably similar, both in structure and in the business of the court, to the court of correction established in 16th-century Hull.

38. J.A. Sharpe, Crime in Early Modern England 1550-1750, (1984), pp.85-89; Martin Ingram, Church Courts, Sex and Marriage, pp.2-6, 27-34; Ronald Marchant, The Church under the Law, pp.118-19.

39. Kingston-upon-Hull Record Office, Hull Corporation Bench Books, 4, fols.65^{v}-71^{v}.

40. Kingston-upon-Hull Record Office, Hull Corporation Bench Books, 4, fol.112^{v}, copy of a letter from Archbishop Edmund Grindal, 21 July, 1574.

41. Kingston-upon-Hull Record Office, L.25.Mss. Letter from Archbishop Edwin Sandys, 7 July, 1582; Hull Corporation Bench Books, 4, fol.326^{v}, copy of a "Commission for Punishment of Adultery, Fornication and Drunkenness" from Archbishop Matthew Hutton, 12 June, 1599; see below, p.208.

42. See above, pp.72-4.

43. See above, p.50-1.

44. Unfortunately the Quarter Sessions Records for the city of York are not extant for the period 1600-1638. The records for the last decade of the sixteenth century, York City Archives F/4 and F/5, together with an index of cases E/136A, and evidence from cases recorded in the York Corporation House Books for the period are the evidence upon which this assessment is based; see also D.M. Palliser, Tudor York, (1979), pp.254-8; and below, pp.137-41.

45. See above, pp.72-4.

46. York City Archives, York Corporation House Books, XXXIII, fols.111^{r}-112^{r}, 3 February, 1608.

CHAPTER IV

"Nehemiah's Watchmen": Church Attendance, Sabbatarianism, Recusancy and Irreligious Behavior.

Lastly, the *Profanation of the Lord's Sabbath* is such a

> sinne, as brings destruction to the place, where it is with impunitie suffered to be profaned. This is given as the principal cause of the desolation of *Ierusalem* by *Nehemiah*, (Neh. 13.17,18) when he reproved so sharply the breach of the same, by occasion of burthens and wares, carried, bought and sold upon that day: *What evill thing is this* saith he to the Rulers and Nobles of Iudah, *that ye doe, and profane the Sabbath day?*...[1]

Our discussion of the application of magistracy and ministry as "godly policy" begins with the development and implementation of policies intended to enforce church attendance. Because the sources for this discussion are much more comprehensive for York than they are for Hull, Beverley or Leeds, the development of policy relating to church attendance, sabbath observance, recusancy and irreligious behaviour will be explored most fully for York, with evidence presented for the other three towns to illustrate local similarities and contrasts to the pattern which evolved in York. Evidence of the formulation of policy (and where it exists, of enforcement by town corporations), will be supplemented with the evidence of churchwardens' presentments to the Archiepiscopal visitation court in order to provide evidence of both rhetoric in statutes and enforcement of policy. Due to the lack of corporation minute books for Newcastle during this period, this town has not been included in the discussion of policy here or in the next chapter.

For Robert Jenison, as for other puritans and English Calvinists, the proper observance of the sabbath in obedience to the fourth commandment was

a matter of great importance. Jenison listed the "profanation" of the sabbath as one of the five great sins by which God might be provoked to "destroy sinners and their Cities".[2] As we shall see, there is ample evidence to suggest that he was not alone in this belief, and that the governors of urban communities in Elizabethan and Stuart England sought to compel regular church attendance at least partially out of fear of divine retribution. This was not, however, the only source of motivation for programs of sabbatarian enforcement. The northeastern counties of England were notorious for recusancy and religious conservatism. Memories of the Northern Rising of 1569, fear of the supposedly subversive activities of "seminary priests" and the threat of military invasion from the continent tended to cast Catholic dissent from the Church of England in the guise of implicit disloyalty.[3] It is therefore impossible to discuss policies for the enforcement of church attendance arising from sabbatarian beliefs without reference to the parallel impact and intent of such policy as the repression of recusancy. Nor, as has already been mentioned in chapter III, was recusancy regarded solely as a matter of political unreliability: catholicism, "popery", was regarded as the rot which might bring down the entire nation. According to Jenison, even the toleration of recusancy, particularly by magistrates and ministers, carried a frightful penalty.

> To neglect this, and not doe it for the Lord our God, and in a zeale of his glorie, is to cause God to take the sword out of our hands, which wee use not aright, and therewith to execute his owne vengeance both on us and them.[4]

Recusants, however, were not the only people to lack enthusiasm for what one Thomas Nickolson was to call "this religion of sermons" while pelting the parishioners of All Saints' Pavement, York, with snowballs on a Monday afternoon in February, 1615.[5] The records of both secular and ecclesiastical jurisdictions show relatively large numbers of persons presented for being "negligent in coming to church". While the line which

divides such cases from instances of recusancy is not always clearly drawn, persons presented for simply being "negligent" in the matter of church attendance do not appear to have been absent as a consequence of religious conviction. More often than not they seem to have been sleeping-in, out playing games, pursuing their trades or enjoying the liquid inspiration of the local alehouse.[6]

Our discussion of godly policy as applied to church attendance must therefore take into account at least three sources of motivation. sabbatarianism appears to have arisen out of the confluence of social, political and theological concerns regarding the absence from church of significant groups within the local community. As such, it was a complex policy which interacted with almost all other issues of social and moral reform during the period. Most particularly the rhetoric concerning abuse of the sabbath is difficult to separate from that which deals with drunkenness and alehouses. For purposes of clarity, a separation has been made between issues related to drink and those relating to sabbath observance and church attendance, but this distinction was not likely to have existed in the minds of contemporary urban governors and magistrates.

Until recently the assumption that this preoccupation with church attendance (particularly as applied to the sabbath) originated with the reformation has been something of a commonplace. Christopher Hill, for instance, argues that the emphasis placed upon sabbath observance, both in terms of worship and abstinence from "mundane" activity owes its development as much to a growing awareness of the utility of a six-day work week as to an increasing desire among protestants for the practice of a biblically-based form of religion.[7] Patrick Collinson's discussion of "The Beginnings of English Sabbatarianism", while acknowledging the contribution of continental protestantism to the development of this issue, maintains that

"the Sabbath received an emphasis in English protestant religion which was unknown in the continent except in the Netherlands; and that the sabbatarianism of Dutch Calvinists owed something to English influence". In both treatments of the issue, the presumption appears to be that sabbatarianism developed as a result of the reformation, and that it did not fully emerge as an applied doctrine until it was endorsed by Nicholas Bownde and other puritan ethicists. In this sense both Hill and Collinson associate sabbatarianism, the "doctrinal assertion that the fourth commandment is not an obsolete ceremonial law of the Jews but a perpetual, moral law, binding on Christians,"[8] with the emergence of puritanism as distinct from Elizabethan protestantism. Both Collinson and Hill acknowledge that puritans shared with other members of the English church a concern for the proper observance of the sabbath, but seek to differentiate the puritan application of this from that of the English church as a whole. Collinson for instance describes the attitude of Thomas Rogers, whose condemnation of presbyterians and sabbatarians in the preface of his Catholic Doctrine of the Church of England constituted a direct attack on Bownde's Doctrine of the Sabbath as that of one who "sensed an opportunity to uphold Anglican orthodoxy against a new-fangled notion".[9] Hill and Collinson both appear to identify the emergence of a uniquely puritan concept of sabbath observance as distinct from, if not actually in opposition to the observance of holy days, with the period of the campaign against non-conformity initiated by Archbishops Whitgift and Bancroft.

In his recent examination of sabbatarianism, Kenneth Parker has questioned the commonplace assumptions upon which both Hill and Collinson have based their arguments. Parker presents substantial evidence to support his assertion that sabbatarianism, at least insofar as it was expressed in terms of a concern for proper behavior and participation in public worship on Sunday, was well-established in medieval piety. His quotation from a

sermon by the 14th-century Dominican John Bromyard bears repetition, if only so that we might be able to see how strikingly similar it is to later protestant and puritan rhetoric.

> They get up late, and come late to church, and wish to be so little there, that they will urge the priest to be quick because they have a friend coming to dinner. If there should be a sermon about their salvation, they excuse themselves from hearing it, by saying it is getting too late for them to remain... Even the short time that they cannot help remaining in the church they spend in unnecessary talk, forgetting that the house of God is a house of prayer. Then they go away to dinner or to the tavern, and there they are in no hurry, for some spend the whole rest of the day and even till late at night, like the Amalecites eating and drinking as it were keeping a festival day.[10]

Parker proceeds to demonstrate that the essential distinction between the "obsolete ceremonial law" and the "perpetual, moral law" had been established by Thomas Aquinas in his Summa Theologica. In his treatment of the significance of medieval representations of Christ, wounded by persons following worldly pursuits on the sabbath, commonly called "St. Sunday", Parker argues that concern for the proper observance of the Lord's day was not limited to theologians or to members of religious communities. Indeed, Parker shows how even in the 1630s persons concerned about the proper observance of the sabbath relied upon the medieval precedent of "the picture of Saint Sunday on the walls many times stabbed through and he gave his interpretation thereof that Christ had received of Christians more wounds on Sunday than he did of the Jews". Medieval sabbatarianism, according to Dr. Parker, cannot be distinguished from post-reformation sabbatarianism, at least not in terms of the arguments made from scripture in support of proper sabbath observance.[11] What Parker seems to have overlooked in his likening of medieval sabbatarianism to that of the post-reformation period is the intensity with which lay people and the secular jurisdiction, in response to reformed preaching and teaching, undertook to see that the sabbath was properly observed. His evidence supports the notion of a continuity of

concern regarding the sabbath from the medieval church to that of the early modern period, but only, it would appear, as a continuity of concern among clerics and moral theologians.

Having established that a clerical concern for proper sabbath observance pre-dates the Reformation, Dr. Parker argues that this teaching was established as an integral part of the "English consensus", emerging from the teachings of Theodore Beza and Heinrich Bullinger. He suggests that Elizabethan and Jacobean "discord" about the keeping of the sabbath "stemmed from differing views of Church authority and interpretations of scripture, and does not detract from the fundamental consensus on the divine imperative to observe one day in seven". Thus Parker dismisses Thomas Rogers' claim that sabbatarianism was an erroneous "innovation" of puritan origins as so much posturing and political opportunism.[12]

Collinson and Hill therefore appear to be contradicted by Parker in their assertion of the origination of the sabbatarian debate in the period of the reformation. In The Elizabethan Puritan Movement, Collinson briefly alludes to how "the English Church followed the medieval tradition in forbidding Sunday work". He goes on to define sabbatarianism as distinct from this general sabbath proscription by saying that the "novelty" of sabbatarianism "lay in the insistence that the strict observance of the sabbath was a perpetual necessity, part of man's moral obligation".[13] In this sense he is more in line with Parker than he is with Hill, who rather sweepingly informs us that the Bible "had been read for centuries without sabbatarian inferences being drawn by significant sections of the population".[14] Here Parker's analysis of the debate between Whitgift and Cartwright is helpful, for Parker asserts that both men were in agreement that "the observance of one day in seven was a divine imperative, established by God in the fourth commandment". Whitgift and Cartwright were

also essentially agreed that "this commandment required men to rest from worldly occupations and devote that day to spiritual labours". Their debate, in this case regarding the observance of holy days as distinct from the sabbath, was essentially about the Church's authority to require a sabbath-like observance on days other than those for which a biblical precedent might be found. Thus while Hill associates sabbatarianism almost exclusively with the emergence of puritanism, both Collinson and Parker make arguments in support of a consensus within the English church for the necessity of proper sabbath observance. The issue which divided the puritan concern for the keeping of the sabbath from that of the larger Church was the matter of their distinction between the scriptural (divine) authority by which the sabbath was ordained and the human (episcopal) authority by which holy days were appointed.[15]

But sabbath observance for puritans consisted of more than merely an assertion of biblical as opposed to ecclesiastical authority. William Harrison, the puritan vicar of Radwinter, Essex, referred to the manner in which the people kept holy days as a "heathenish rioting" not unlike that attendant upon bride-ales, wakes and other traditionally established communal festivities. Harrison's concern, which was shared by many other puritans, clerical and lay alike, was that for lack of a distinction between the divinely ordained and biblically requisite sabbath and the humanely ordered holy days, the crucial importance of the sabbath as a day of solemn observance might be obscured. Indeed, such a situation might produce in certain persons a lack of conscience concerning the sabbath, as in the case of the man who told Harrison that "we have no more of goddes law to follow then the act of Parliament doth allow of".[16]

Attitudes like the one expressed to Harrison concerning the sabbath were a challenge, not only to the authority of the church in the person of

the vicar or bishop, but also to the authority of scripture itself. In the thinking of Harrison and of others who sought the establishment of a "godly commonwealth", this Laodicean attitude was in some ways worse than outright disobedience. It demonstrated the necessity for a "complete reformation of society which would bring it to that godly obedience which distinguished the true church".[17] The accomplishment of this "complete reformation" was believed to be the complementary work of minister and magistrate. Bullinger said as much when he commented that

> The peeres of Israell, and all the people of God, did stone to death (as the Lord commaunded them) the man that disobediently did gather stickes on the sabboth daie. Why then should it not be lawful for a Christian Magistrate to punish by bodily imprisonment, by losse of goods, or by death, the despisers of religion, of the true and lawfull worship done to God, and of the sabbath day?[18]

Bullinger's sermonizing about the role of the "Christian Magistrate" brings us back to the central issue of our discussion. If the expectation of puritanism was that the strict observance of the sabbath, both in terms of participation in worship and in abstinence from mundane activities was to be enforced, what was the role played by the secular magistracy? In the diocese of York, where Archbishop Grindal's visitation articles of 1571 had become something of a benchmark for succeeding visitations, the ecclesiastical courts regularly dealt with individuals who were in breach of the expected sabbath observance. Indeed, church courts throughout England from the middle 1560s onward were at least going through the motions of bringing sabbath-breakers to book.[19] Where was the need for the secular magistrate in all of this? Was there a role for the godly laity in the correction of their neighbors?

In York, Hull, Beverley and Leeds we find evidence of consistent attempts by town corporations and parish officers to enforce regular church

attendance on holy days, on days when mid-week sermons or lectures were offered, and especially on the sabbath. The evidence of the ecclesiastical courts, seen in the light of contemporary population figures, suggests that even when the system worked well and was administered with zealous efficiency, the number of persons presented were in fact only a fraction of the actual number of sabbath-breakers. In York, for instance, the number of presentations for sabbath-breaking and non-attendance rises to an all-time high of 56 individuals in the visitation of 1600.[20] The population of York in 1600 is estimated at about 12,000 souls. Even assuming a best-case scenario it is somewhat beyond the bounds of credibility to presume that instances of sabbath-breaking and non-attendance were limited to the hapless individuals presented for their sins in 1600.[21] Martin Ingram's study of similar records for the ecclesiastical courts of the diocese of Wiltshire during this same period suggests that in most cases the individuals presented represent only a fraction of those who transgressed through absence. Similarly, Joan Kent's work with village constables has provided ample illustration of the difficulties attendant upon bringing one's neighbors to book. Individuals presented to either the ecclesiastical or the Quarter Sessions courts for absence from church appear to have often been presented partially because of other factors which made their non-attendance a matter of public notoriety. They may have been presented for abusive behaviour, obstinate and obvious non-attendance, or because their status in the community made their absence from church "an evil example" to others.[22]

Despite the discrepancy between the rhetoric of the statutes and enforcement statistics, the problem of encouraging people to attend church regularly in order to hear protestant preachers figured largely on the agenda of the town corporations featured in this study. As has been mentioned above, the documentation of policy arising as a result of this concern is best for the corporation of York, to which will be given the

greater part of this chapter, and to which we now direct our attention.

York.

In the summer of 1580, shortly after the corporation of York had agreed to take steps in the direction of retaining a civic preacher, the following directive was entered in the House Books:

> Agreed that so soone as it is knowne by presentment of the jury nowe charged, what persons have and do willfully absent them selfs frome their parish churches on sondayes and holy dayes in tyme of devine service, that then forthwith commandment shall be geven or left at the dwelling howses of all persons... that they themselfs do resorte, and also do bryng their wifs and children and servants, so offendyng, to their severall parishe churches within tenne dayes then next comyng, there to remain orderly and soberly during the tyme of devine service; and so conthynually every sunday and holy daye from thenseforth; and also to paye all their fynes for the tyme past; or els that upon their refusall, as well the said persons offendyng beyng men, as the husbands of all the said wifs, and fathers of all the said children, and maisters of all the said servants so offendyng, to be utterly desfraunchesed, onlesse every person so offendyng can shewe a lawfull excuse for their absens, to be allowed by my Lord Maior and Aldermen.[23]

This injunction serves as a window into the mind of the corporation of York as it considered the enforcement of church attendance upon the inhabitants of that city in 1580. It is noteworthy that the corporation made no distinction between "sondayes" and "holy dayes". As our discussion will shortly demonstrate, it is perhaps not appropriate to use the term "sabbatarian" in describing this or similar ordinances regarding church attendance in Elizabethan York. It is also helpful to note that the injunction, despite its sweeping language, appears to have overlooked the "poor" in this instance, and seems to have been intended for the reformation of the churchgoing habits of the members of reasonably well-to-do households (including servants).

With regard to the issue of church attendance: by the end of the first decade of the 17th century it may be possible to understand this issue in terms of sabbatarianism. However in York, in the summer of 1580, the evidence suggests something slightly less partisan, and considerably less focussed on the sabbath itself. The population of York was enjoined to attend "devine service" on "sondayes and holy dayes". The injunction did not make any distinction between the two sorts of days upon which people were expected to attend services. Note also that the injunction made no mention of prescribing or proscribing activities for the days in question, particularly the sabbath, but contented itself with the provision that people should attend services.

In his discussion of sabbatarianism, Kenneth Parker suggests that the question of whether or not holy days should be observed in the same manner as the sabbath was a matter of concern and debate in the church as early as 1560. Bishop Pilkington is noted as having asserted that "in the New Testament I find no days named, but first of the sabbath, etc., and the Lord's day, which I take to be Sunday". In 1563 Convocation discussed a proposal to dispense with the observation of all holy days which were not "principal feasts of Christ". The proposal was defeated by one vote. Edmund Grindal and Archbishop Parker "either drafted or approved" bills presented to the House of Commons in the 1560s which were intended to apply "a strict prohibition on ordinary activities to Sundays and principal feast days, with the conspicuous omission of saints' days". Parker goes on to note that the authorized "Homilies" and Alexander Nowell's Catechism both emphasised Sunday observance with no mention of holy days.[24]

In terms of the church at a national level, the sabbatarian debate was therefore well established prior to the formulation of the York

corporation's 1580 injunction regarding church attendance. One of the principal proponents of the argument for sabbath observance as distinct from that of holy days, Edmund Grindal, had been Archbishop of York prior to his translation to Canterbury. It is therefore unlikely that the mayor and aldermen of York were themselves unaware of the debate concerning sabbath observance as distinct from that assigned to holy days. Yet the terms of the injunction refer to "sondayes or holy days" with no sense of distinguishing the former from the latter. Even allowing for the fact that the 1580 injunction is not a theological document, and that the persons who drafted it were in all likelihood not theologians or canon lawyers, the wording seems to suggest a frame of mind to which the term "sabbatarian" does not apply. Instead the wording of this injunction of 1580, and of that which was issued in 1587, seems to indicate a general concern for basic church attendance rather than for strict sabbath observance. The injunction of 1587 put greater emphasis on the purpose of church attendance being the hearing of sermons, and specifically required "that one or moo of everye house do make their resorte to the sermons, as well at the Minster as to the sermons to be made by Mr. Harwood".[25]

With reference to the enforcement of policy, the text of the 1580 injunction bears witness to a particular understanding of the community of York at that time. The burden of ensuring church attendance was laid upon the heads of individual households. Each householder (by definition at this time an adult male) was deemed to be responsible for the actions of his wife, children and servants. Householders whose family members or servants did not attend were to be penalized as if they themselves were guilty of the offence. In part this injunction's wording may have had in mind those households (like that of Robert Crypling) in which the householder himself made the requisite appearances in church while his wife, children and servants did not, worshipping instead at home, often practicing clandestine

catholicism through the ministrations of private chaplains or seminary priests posing as tutors within the household.[26] The injunction of 1580 lacks the bite and the monetary fines usually assigned to anti-papist bylaws. It is therefore more likely to have been intended as an encouragement to regular church attendance generally, presuming that responsible householders would, as a matter of good management and good example, see to it that their household was present for worship in their parish church. The ordinance of 1588, however, did carry the standard fine of 12d per instance of non-attendance, and therefore fits into the model of statutory penalties directed at recusants.

Finally, this bylaw of 1580 suggests that a particular stratum of York's population was being exhorted to attend church. The threat that heads of households who did not themselves attend church, or who could not compel the members of their households to attend, should be "utterly desfraunchesed" suggests that inhabitants of York who lived below a certain level of affluence might evade the penalty altogether. In order to lose the franchise or freedom of the city, one had first to at least have the possibility of receiving the same. As has been mentioned in chapter II, this would seem to indicate that the bylaw's punitive capability was directed at persons who had at least the status of artisan or merchant. Day labourers, agricultural and dock workers, "the poor" all lived well below the level at which official citizenship began. The call to regular church attendance in this injunction was therefore most probably a directive to the practice of the upper one-third or so of the population of York, to the "middling sort" of people.

The strength of recusancy and religious indifference in Elizabethan York may also have been a factor in the corporation's apparent preoccupation with simple church attendance rather than full-blown sabbatarianism. It is

necessary to be able to walk before one can run. During the five years which followed the retaining of Mr. Cole as the first civic lecturer of York in 1581, the corporation found itself engaged in a struggle to maintain the presence of a preacher, let alone enforce attendance at services and sermons. By 1584 Cole had had two successors, one of whom had barely remained in the post for six months. Collection of the subscription in support of the preacher's stipend had proved difficult, and on at least one occasion the corporation had been forced to threaten citizens whose subscriptions were in arrears with imprisonment for refusing to pay.[27]

The various arrangements by which the corporation attempted to expose as much of the population of York as was possible to the benefits of protestant preaching have already been discussed.[28] It seems that this, and the repression of recusancy were the main concerns of the corporation until the final years of the sixteenth century. Public policy enforcing church attendance, particularly attendance at services where a sermon was offered, was maintained and to a certain extent strengthened by the corporation from 1580 onwards. Even so, there does not appear to be evidence to suggest the widespread development of a sabbatarian attitude to church attendance among the inhabitants of York at this time. At best it may be stated that a commitment had been made on the part of the corporation to make provision for a regular preaching ministry within the city, and that despite difficulties encountered in funding and (initially) in securing the services of a suitable preacher, this commitment had been fulfilled.

The first ordinance which might merit the sabbatarian label appears in the corporation's minutes for February 12, 1598. Christopher Concett, who was then the mayor, sent a letter to the "curate and churchwardens of St. Sampson's parish," indicating the corporation's distress that parishioners were going "neither to the sermons at the Minster and at other churches

within this city, as both by God's laws and the laws of this realm there ought to be". The text of Concett's letter, while formally addressed to St. Sampson's, is written in such a form as to suggest that a copy of the letter had been sent to each parish of the city. Certainly the matter under discussion speaks of a concern for church-attendance and sabbath observance throughout the city and does not appear to have been limited to this one parish.[29]

Concett's letter is useful in that it provides not only evidence of the corporation's attempt to enforce proper sabbath observance and church attendance, but also underlines the social and theological rationale which informed the corporation's interest in the matter. It is apparent from the letter that the corporation's perception of the problem and of how it might best be resolved had undergone significant changes since the issuing of the 1580 ordinance.

In 1580, the intent of the regulation was to reach those who might be compelled to attend church by the threat of being "utterly desfraunchesed". The people whose reformation was intended in Concett's letter were described as "divers of the inhabitants of this city, especially of the inferior sort". No mention was made of any threatened loss of enfranchisement, rather a statutory fine of 12d per unjustified instance of non-attendance is prescribed. The offending population were no longer referred to in terms suggesting that they were heads of substantial households (with servants) as in 1580, but rather as "inhabitants": the admonition was no longer specifically addressed to individual households but to the clerical and lay officers of the parish. Clearly more comprehensive and possibly different strata of the city's population were being addressed in 1598 than had been addressed by the ordinance of 1580.[30]

In his letter, Christopher Concett presumed to describe the motivation of those who did not attend church services or turn out to hear sermons. Such people were guilty of "great negligence or careless lawlessness", which faults "groweth either by obstinacy and contempt of God and his word, or by slothfulness or idleness... rather seeking to satisfy their vain desires and pleasures than the glory of God in time of divine service and sermons". Nor was the issue of church attendance limited to the simple lack of participation in worship. At least part of the mayor's objection had to do with the manner in which the sabbath (and other days upon which divine service and sermons were offered) was abused by those who did not appear among the godly. People were alleged to be "lying in their beds or idly sitting at their doors or in the streets, or walking abroad in the fields". Worse still were those who instead of seeking improvement through worship and enlightenment, resorted "unto... alehouses or taverns, drinking and disordering themselves till some of them be drunk, or grow so disordered and ragious as that divers affrays and other such inconveniences have thereupon ensued". Such persons, presumably under the corrupting influence of both drink and bad company, were alleged to take part in "unlawful games". Having exhausted their resources by gambling and drink, these sabbath-breakers "will in the end either become beggars, and burdensome to this city, or else thieves and robbers, spoiling other good people".[31]

In Concett's short exposition of the ruinous consequences of sabbath breaking we encounter something of the rationale behind the "culture of discipline" as understood by those whose task it was to conduct the affairs of local government. Sabbath-breaking was not merely a matter of failing to fulfill a statutory duty, it was a practice which, in the mind of Concett and other local governors, threatened the stability and well-being of the community as a whole. Sabbath breakers might drink, "become ragious" and by argument or violence disturb the peace and good-will of the community; they

might gamble, lose money and be reduced to beggary or introduced to crime as a means of livelihood. Perhaps worst of all, they would inevitably be guilty of wasting time on a day specifically set aside for "a different kind of labour, for wrestling with God".[32]

This last concern appears to have been of paramount importance to Concett, who concludes his list of disastrous consequences attendant upon sabbath-breakers with a stern warning to the community. Sabbath-breaking, in addition to providing the idle time which might contribute to drunken-ness, disorder and crime, "being suffered to continue... to the high displeasure of Almighty God... will in the end (we fear) bring God's hand of wrath upon us, if the same be not reformed".[33] The community which permitted sabbath-breaking to go unnoticed and unpunished was presumed, like the rulers of Jerusalem, to share in the sin and therefore to be liable to receive the terrible judgement of God. Robert Jenison, working from the text of Nehemiah quoted at the beginning of this discussion of sabbatarianism, pursued this theme:

> See here how those sins which are committed under Rulers and Magistrates; which they might redresse, are *their sinnes*; they are said to profane the sabbath, and to doe that evill which they only suffered. As then, to reforme the abuses of the sabbath had a promise that the citie (Ierusalem) *should remaine for ever*, as we have heard: So the not reforming thereof, *brought and kindled a fire in the gates thereof*, which should have beene better kept and watched, for the prevention of the like evil afterward.[34]

Here the interests of civil administration have become inextricably entwined with matters of religious observance and with what modern (some might say post-christian) society has come to regard as matters of "private" belief and morality. If plague, earthquake, fire and famine might be seen as the outward signs of God's judgement, why not riot, disorder, poverty and endemic crime as well? Mayor Concett, in reciting what to the modern reader

appears as a rather simplistic description of progressive decline from idleness to criminal poverty, may in doing so have felt that he was describing the personal consequences of "God's hand and wrath" for the sin of improper sabbath observance. If this was the case he was in good company, for puritan "complaint literature" was punctuated with vivid (often lurid) accounts of how God's judgement was expressed in disastrous occurrences attendant upon sabbath-breaking, particularly when it involved a substantial portion of the community.[35]

Concett's assessment of the motivation and activities of those who did not attend church on the sabbath must be balanced, however, with a recent observation by Susan Amussen. Dr. Amussen suggests that while universal church attendance may have been held up as the ideal, there were many in any given community who for practical reasons found regular church attendance difficult. The law might require that all households, even those with young children, should regularly attend services, but in an age which predated the advent of Sunday school, children may well have presented their elders with a serious disciplinary problem. Some people, according to Dr. Amussen, may have opted to stay home with their children rather than incur the ire of the churchgoing community.[36]

While allowing that the motivation of a portion of those who chose not to attend church may have been based upon practical as distinct from religious or political considerations, Dr. Amussen does admit that absence from church services and catechetical exercises was always a serious matter. Even if the persons involved did not become "disordered" with vice, drink, or unseemly behavior, they were nevertheless separating themselves from the principal vehicle by means of which the emerging cultural and economic consensus of post-reformation England was communicated and reinforced. This in itself might be manifested in their expression of ideas and standards of

behavior which were not in step with the social and moral consensus of those whose churchgoing habits regularly exposed them to the proclamation of the "culture of discipline".[37]

Dr. Amussen's observations should be kept in mind as we consider the means by which Concett proposed to ensure proper observance of the sabbath. The 1580 ordinance had depended principally upon the faithfulness of the heads of individual households. Later developments suggest that reliance upon these people to ensure regular church attendance had proved less than effective. The statute of 1587 placed the burden of enforcement upon parish constables. In 1590 the task was delegated to "sabbath searchers". By 1598 the corporation felt the need to increase the number of these officials from four to twelve. These persons, three chosen for each of the city's four wards, were

> certaine credible and honest citizens, such as we are persuaded of do both fear God and are grieved in their own consciences at these disorders, and that God is not better served, nor his service more highly regarded, to make search for and presentment of these disorders and persons disordered, as well in the streets as in the alehouses and taverns.[38]

The sabbath searchers were commissioned in order to supplement rather than to replace the role of parish officers. Priests were enjoined to "publish the tenor" of the mayor's letter to their parishioners, "to the end that none of your parish shall have excuse by ignorance". Churchwardens were specifically required "not only to reform in this behalf, but to have due regard unto and make due presentment to me, from time to time, of all such of your parishioners as shall be absent from your said church from divine service... any Sunday or other Holy Day".[39]

Following the proclamation of an injunction so strongly-worded and specifically focussed it would seem that the records of the civic court

should show a marked increase in presentations for sabbath-breaking and failure to attend church on Sundays and holy days. In fact the civic records give little evidence of an increase in the number of persons presented for such crimes. Indeed, it is not until 28 May, 1600 that we find mention of Thomas Dockwray, Richard Carter "and others" being charged for playing cards on Easter day.[40]

The paucity of presentations involving sabbatarian offences and instances of absence from church in the York House Books may have been due to the fact that two other jurisdictions regularly dealt with such cases: the Quarter Sessions Court for York and the diocesan visitation court. The records of the Quarter Sessions Court for York do not survive past 1599. A sampling of the records extant for the years 1595-6, however, provides evidence that during these years the court regularly handled cases of recusancy and non-attendance. The manner in which the presentments are recorded, as, for example, in the case of "Robert Crypling and Margaret his wife, for absenting themselves from the church by the space of 9 months" seems to indicate that the majority of these cases involved recusancy rather than negligence. Of twenty-nine individuals presented between 12 October, 1595 and 9 January, 1596, seventeen were recorded as not having attended church for a month or more, and of these, most had not attended for more than two months. Ten were presented for simply "not repairing to church". Only two persons were presented in such a manner as to suggest that their absence might have involved negligence or non-recusant sabbath-breaking: Christopher Watter was presented for "suffering divers persons to play in his house at cards in Stonegate in time of divine service". William Roper was similarly charged "for suffering tinkers and pedlars to remaine in his house in time of divine service" together with "other persons of evil conversation".[41] This evidence supports the judgment of Martin Ingram and Joan Kent that presentments for misdemeanors like sabbath-breaking were

usually compounded with something else.[42] In most of the cases noted above, the "something else" tends to have been recusancy or some other form of consistent absence. In the two cases which involved persons engaged in activities "during time of divine service" (which probably, but not necessarily, also involved sabbath-breaking) the offences were compounded by either the illicit nature of the activity (playing cards) or the suspect character of the company being kept (tinkers, pedlars and persons of evil conversation). The compounding factors seem to have aggravated the seriousness of the offence in the judgement of the parish constable or churchwardens, in such a manner that the offenders could not either be informally corrected or tolerated for the sake of peace within the community.

As the mayor and aldermen of York constituted the bench for the York Quarter Sessions, this jurisdiction may be understood as formally distinct from but nonetheless virtually identical to the civic authority. From the evidence cited above, it would seem reasonable to suppose that the Quarter Sessions Court continued to try cases involving absence from church during the period 1600-1640. The rhetoric of official pronouncements like Concett's letter would seem to indicate that the court may have enforced a stricter, more sabbatarian discipline from 1598 until about 1615, but without the necessary court records, this cannot be verified.[43]

The church courts of York were formally separate from the civic authority, and were presided over by different personnel, but nevertheless relied on the same set of parish officers. Thus it is reasonable to expect that the pronouncement of a vigorous program of enforcement regarding church attendance on the part of the civic authorities might be reflected in the records of subsequent Archiepiscopal visitation courts. A comparison of the results of the visitations of 1594, 1595-6 and 1600 reveals a shift in the

policy of enforcement which roughly coincides with Concett's letter and the introduction of "sabbath searchers". In 1594, only one person, Alexander Metcalfe, was presented for breaking the sabbath.[44] In 1595/6, two individuals were presented, one for keeping "misrule in his house in time of service and sermon" and the other for "he keepeth his shop windows open in service time".[45] But in 1600 a total of six persons were presented for "they keep open their shop windows and suffer their servants to work on sabbath days in prayer time".[46]

The distinction between the church court presentations of 1600 and the others mentioned above from the Quarter Sessions and the church courts, is twofold. First, the sabbath was especially mentioned, replacing the more imprecise "during time of divine service". Second, the individuals charged were not doing anything which (were they to have done the same on any other day of the week) might have been understood as a presentable crime or misdemeanor. They were simply open for business and requiring their servants to work on the sabbath day during service time. It is worth noting that (as has already been mentioned) it was also in 1600 that Thomas Dockwray and ~~his~~ his companions were presented to the mayor's court for playing cards on Easter Sunday.[47]

Concurrent with this trend in presentments for sabbath-breaking there seems to have been an increase in the number of persons presented to the ecclesiastical courts for absence from church. The visitation records for 1594 seem suspiciously incomplete, for only one person, John Harper of St. Crux parish, was presented for anything approaching recusancy. In 1590 a total of ten recusants and four non-communicants had been presented, together with one man and three women who were accused of being "common cursers, blasphemers of God's name, and great disquieters of their neighbors". The man, Robert Baxter, was also accused of being "a railer of

the minister and others".[48] In 1595/6 the number of presentations for recusancy rose to eighteen; there were also twenty-five persons presented for failing to make their communion at Easter, two of whom were listed as excommunicate persons. Some of the non-communicates may well have been recusants, like Christina Robynson and Christina Harrison of St. Michael's Ousebridge, who were said to "obstinately refuse to come to church or communicate". But the majority of those presented as non-communicants appear to have been absent from church for reasons other than religious conviction. Of those whose reason for not communicating is stated, four had not done so because they had not payed the "clerke's wages". Brian Wharton of All Saints' North Street said that he had not communicated because he was "out of charitie"; Mary Babthorpe had been illicitly "entertained in the house of Robert Sherbourne" and consequently "does not come to church or communicate". Henry Dixon, a joiner, may have missed his Easter communion through a dispute over fees of some sort, for he was charged with being a "brawler, and drew his dagger against the clerke". In all, forty-four persons were presented for some manner of discrepancy in their churchgoing habits or for bad behaviour while in the church or churchyard.[49]

In 1599 the corporation of York received a letter from Thomas Cecil in his capacity as Lord President of the Council of the North. The letter made reference to the

> great declining of her Majesty's subjects in these northern parts from the religion established within this realm, by reason of their backwardness in not repairing to the churches to hear divine service and sermons, but also drawn away from their due allegiance to her Majesty, especially by the seditious... practices of recusants and seminary priests sent in secret manner from beyond the seas, to the great dishonor of Almighty God, the discontent of her most excellent Majesty, and danger of the estate.[50]

To counter this threat and reform the churchgoing practices of recusants,

the Lord President required the corporation to gather all clerical and lay parish officers within their jurisdiction and through them to conduct an inquisition as to the number and identity of recusants living within the parishes of York. In September 1599, Cecil wrote to the corporation a second time concerning the matter, possibly because he sensed that action had not yet been taken. In fact it was not until 3 November 1599 that the corporation gathered together the clergy and parish officers of York to charge them with the task of identifying recusants and of communicating the warning that recusancy was from that time liable to a fine of £10 for each month in which the individual or household did not conform.[51] J.T. Cliffe, in his discussion of recusancy and the gentry families of Yorkshire, has pointed out that following the death of Henry Hastings in 1595, persecution of Catholics had "slackened for a time", but that the appointment of Thomas Cecil to the Lord Presidency of the North in 1599 marked the initiation of a second wave of official persecution which, continued by his successor, Lord Sheffield, was to go on until 1619.[52]

It is therefore not surprising that in 1600 the number of persons presented for recusancy rose to twenty-nine, and another twenty-one persons were presented for not communicating at Easter or for standing excommunicate. What is surprising is that given the pressure exerted on the corporation from the office of the Lord President, the number of presentments for such offences was not much greater than that reported for 1595-6. As in 1595-6, a small but significant number of those listed as non-communicates seem likely to have been recusants, but some of those for whom a reason is offered appear to have failed to make their communion for reasons of social difficulty. For instance, Margaret Carre refused to communicate on the basis of being "offended with the churchwardens" of St. Martins, Coneystreet. Two years previously these officials had presented her "for suspicion of incontinence with James Gibson". Carre was apparently not

in a mood to forgive and forget, as she "did also address the minister and the churchwardens in most opprobrious speeches, and is not yet contented to reconcyle herself to them whom she offended... neither made any reconciliation to the congregation".[53]

Carre's case, like Concett's discussion of the role of alehouses and drink in the matter of sabbath-breaking, demonstrates the complex relationship of moral and social issues during this period. A vigorous program of enforcement tended to work in a manner similar to a dragnet, producing significant increases in presentments for apparently unrelated offences. For example, it may have been that the energetic enforcement of church attendance verbalized in Concett's letter to the parishes of York was also partially responsible for the fact that the number of presentations for sexual misdemeanors of all kinds leapt from five in 1594 and twenty-two in 1595-6 to an all time high of seventy-one individuals and couples in 1600.[54]

It is unlikely that Concett's letter to the clergy and churchwardens of St. Sampson's (and, from the context of the letter, to the other parishes of York), followed by the appointment of "sabbath searchers" and the official inquisition by parish officers for recusants, ordered by Cecil, brought an immediate end to the problem of absence from church and sabbath-breaking in York. There are indications that the intentions of the corporation and the Council of the North were to some extent frustrated by the intransigence of parish officers with recusant sympathies. David Palliser notes that in 1600 "the entire body of constables and churchwardens of one parish had to be imprisoned for refusing to certify what education recusants' children were receiving".[55] It is also likely that in some instances the matter of sabbath-breaking or failure to attend services was dealt with at the parochial level, and that only those cases in which the accused proved either obdurate or incorrigible were forwarded to that level of either civil

or ecclesiastical jurisdiction at which formal records were kept. This is the thesis advanced by Anthony Fletcher, who suggests that in most situations discipline was administered by either the constable or the head of the household, without recourse to the courts. [56] It is quite possible, for instance, despite the mayor's instruction that sabbath-breakers be brought to his court, that these cases might for the most part have been resolved at the level of the ward-court or through the informal admonition of offenders by the aldermen responsible for each ward.[57]

The period 1580-1605 may therefore be regarded as the time in which the corporation of York made the gradual transition from simple concern for church attendance to sabbatarianism. Over the next ten years, from 1606-1615, the corporation may be seen to have enacted regulations intended to enforce a yet more strict form of sabbath observance which was extended beyond church attendance to embrace the entirety of the day. In 1606 Robert Askwith (the son of the protestant mayor of that name who had succeeded Robert Crypling in 1580) was elected mayor of York. Askwith appears to have been unsatisfied with the results of the work of the sabbath searchers. At the beginning of his term of office, a comprehensive set of articles outlining the activities of these officers was published, the preamble to which complains of how citizens, both young and old

> have heretofore neglected their duties towards God in not resorting to divine service and sermons on the sabbath days, both in the forenoones and afternoones, but have continued idle, sitting in their doores in the streetes or walking or playing up and down the street, or resorting to alehouses and taverns, to the great dishonor of God, contempt of His Gospell, and to the great grief of the godly and better sort of people.[58]

The wording of Askwith's ordinance is significant in that it contains no direct reference to recusants in either the preamble quoted above or in the subsequent five articles. The concern of the corporation in this instance

was focussed entirely upon those whose negligence and irreligious habits profaned the sabbath, not just by failure to attend church services "forenoones and afternoones", but by their indolence and inappropriate industry. As was the case with Concett's letter, here there is evidence that the corporation understood the matter of Sunday observance as indicative of a division or distinction between groups of people in York. Concett referred to sabbath-breaking and absence from church as occurring "especially of the inferior sort who neither...fear God nor the laws of this realm". Askwith's preamble stated that the activities of sabbath-breakers caused "great grief" to "the godly and better sort of people".[59] Without wishing to draw too distinct a delineation between the "inferior" and the "better sort", it would appear that the rhetoric of the corporation of York provides evidence that by 1606 a group of people were beginning to associate themselves with the identity of godliness and that the practice of regular church attendance and abstinence from recreation and trade on Sundays was deemed to be intrinsic to this identity.

The five articles for sabbath searchers had a dual intent: to spell out those offences for which the officers, with the aid of parish constables and churchwardens, were to "search"; and to specify a procedure for regular reports and presentment of miscreants. In addition to those who played games, idled about, or drank together in alehouses, those who "do not keep shut their shop windows and doores" were liable to be presented and fined. While Concett's instructions had made no mention of a report procedure for sabbath searchers, relying instead on the appearances of churchwardens at the city's Quarter Sessions Court, Askwith's articles specified "that you do weekly, every Tuesday for the space of three months next, make true certificate to me in my chequar court".[60]

When the same articles were published again in 1607, a paragraph was

added which instructed the clergy to remind their parishioners that there were now three opportunities to hear sermons, all beginning at two o'clock on Sunday afternoons. Sermons were offered at St. Martin's Micklegate, St. Michael's Ousebridge End, and at "Christ's Church in Petergate". Parishioners were exhorted to be present at one of the three gatherings "where they shall hear God's word preached, to the amendment of their lives, and to the comfort of their souls".[61]

Four months later an ordinance was published which required that the city gates be shut on the sabbath "from nine... until eleven of the clock in the forenoon, and also from one... until three in the afternoon".[62] The intention seems to have been to stop residents from leaving the city and "strangers" from entering while services were in progress. A similar ordinance was in place at Hull, as we shall see shortly, and in both instances the object was the restriction of travel and trade on the Lord's day.[63] This ordinance was further strengthened on the nineteenth of April 1615, when the corporation, out of concern for the fact that people were managing to leave the city to drink in alehouses outside the walls on the sabbath, decreed that "a watch shall be set every sabbath day at every of the gates, and at Laithorpe postern". The ordinance provided that all of the posterns except "Laithorpe postern" should be shut, and that the watch was set to ensure that "none go forth during the same time, but upon earnest occasion". By 17 February 1616 it was apparent to at least some members of the corporation that the "shutting of the gates did not at all restrain the worser sort of the city... but did hinder passengers which had urgent occasions to travel to this city". It was agreed that the ordinance of 19 April 1615 should be amended: the gates and posterns would "sit open" on the sabbath so as not to hinder travellers with legitimate or "urgent" cause. The original intent of the gate-closing ordinances was still deemed to be in force, and the watch was instructed "not to suffer any citizens to go forth

of the city on the sabbath day, but on especial occasions".[64]

The same intention seems to have informed the corporation's policy on issuing permits to companies of actors. In 1601 the corporation gave "Lord Shandize players" permission to perform in York "at Marmaduke Gill's house till Sunday next, and then to depart, and not to play in the night time". In December 1605 a group of "divers citizens' sons" applied for permission to "play" in the city over Christmas. Permission was granted, provided they did not play on the sabbath, or at night. In 1607 the "Queene's players" presented a royal licence to the corporation, because of which they were allowed to "play" in the city, but not on the sabbath. In 1609, when Christopher Concett was once again mayor, a local company, "Richard Middleton and others" were granted permission to erect "a theatre or playhouse" with "certain conditions"; one of which was that they did not play on the sabbath. Within the year Middleton and his company had lost their permit to play. They had not consulted the corporation about conditions of operation, and had caused both "strangers" and inhabitants of York "to give over their occupacions and fall to an idle course of life".[65]

The records of the York Quarter Sessions Court do not, as has been noted earlier, survive past 1599. The House Books, however, provide merely a clutch of presentments relating to church attendance and sabbath-observance during the period 1600-1615. A minute from 10 September 1600 complained of pensioners in St. Thomas' hospital who "will not lie in the said hospital nightly, and come and be there at prayers daily". It was decided that "they shall be discharged from there, and others that will lie there and come to daily prayers" would replace them.[66] In 1603 an alehouse-keeper named Thomas Lumley was presented for "suffering men to drink in his house in time of divine service and sermon". Lumley admitted his guilt, was fined "5s for each offence" and "committed till he pay the same and until entered into new

recognisance for observance of order". Christopher Sleightholm, Christopher Lumley, William Busseye, John Harrison, William Whytlyn and Christopher Pentance were similarly charged, fined and imprisoned.[67] In 1607 Anthony Wardall was presented "for that he had kept two sabbath days, men drinking in his house in sermon times". In the same session of the mayor's court Richard Newby was charged for being in his shop on a Sunday "during sermon time". Both men were less than penitent. Wardall told the court that the mayor "could not compell him to go to the minster nor to any other place, for his house was his castle". Newby threatened to sue the constable who had presented him to the court "at London". Newby's punishment does not appear to have been recorded but Wardall was fined 20s and lost his licence to brew.[68] In 1615 John Stanerman was arrested for contempt of the civic bench "for that he did very seldom resort to his parish church or to the Minster in sermon and service time". Also in that year Richard Browne was fined 3s for "carrying divers of his parishioners upon sabbath days, in service and sermon times, to alehouses".[69]

The House Books also provide evidence of the corporation's implementation of measures against persons either known or suspected by them to be recusants. For example, in 1609 Richard Wilde appeared before the "Mayor and Justices" to prove "that he doth orderly repair to the churches to divine service and sermon every sabbath day". Wilde admitted "that he hath not received the holy communion within one year last past", but was willing, when required by the court, to "take the oath of loyalty made at the second session of parliament, holden in the third year of his Majesty's reign".[70]

There is an absence of sabbatarian and church-attendance related offences in the House Books from 1617 until 1624, when the churchwardens of St. Martin's Coneystreet were requested to present persons absent from

church. It does not appear that there was any formal relaxation of the administrative structures by which sabbatarian ordinances were enforced: sabbath searchers, for instance, continued to be chosen at the same time that the new Mayor took office. Indeed, during this period at least one of the more important vehicles of godliness, the sermon, appears to have proliferated: where there had been only one preacher in receipt of money from the corporation in 1607 there were, by 1624, four preachers paid directly from the "common chamber" and two others (Myles White of St. Michael's, Ousebridge end and Roger Belwood of St. Crux) in reciept of annuities from bequests entrusted to the corporation by aldermen James Cottrell and Robert Watter.[71]

During the period between 1600 and 1619, the ecclesiastical court records for York also show a marked decline in presentments for sabbath-breaking and other instances of absence from church, including recusancy. In 1600, six persons were presented for sabbath-breaking and fifty people were presented for recusancy, standing excommunicate or for not receiving the sacrament at Easter. In 1615 only two persons were presented for sabbath-breaking and the total for instances of absence from church had fallen to forty-three persons. The 1619 visitation records show presentations of only one person for sabbath-breaking and only twenty-eight persons for other forms of absence from church.[72]

It is perhaps significant that a renewed concern for the keeping of the sabbath, at least in terms of the rhetoric of the corporation's pronouncements, roughly coincides with the arrival of the puritan lecturer Henry Aiscough in 1624. Aiscough replaced Henry Hooke, whose term as civic preacher (1615-23) was punctuated by long periods of absence from York. Hooke had a living in Lincolnshire which he held in plurality with the York lectureship, and from January 1618 also had extensive responsibilities as

Archdeacon of York. In Hooke's place the corporation resorted to hiring a number of local clergy on a more or less "ad hoc" basis, but in the end it appears that they were forced to ask him to resign.[73] The hiring of Henry Aiscough represented a return to regular service by a senior minister specifically hired to offer "painful and fruitful" sermons. He is also the first of the "civic" preachers who can be identified as a puritan on the basis of non-conformity, though as has been suggested in the introduction, and as will be explored further in chapter VI, the use of non-conformity before the church courts as a "proof" of puritanism has definite limitations.[74]

In addition to the arrival of Henry Aiscough in 1624, the period 1620-26 was the time when a number of the men who were to constitute the "puritan party" of the corporation in the 1630s were chosen for significant positions of authority. John Vaux was elected one of the sheriffs of York in 1620. In the same year Thomas Hoyle, William Brearey and Robert Askwith sat as members of a commission "to set the poor on work". In February 1622, Matthew Topham was sent, together with Robert Hemsworth, to negotiate a settlement of the corporation's grievances with Henry Hooke. In 1624 Topham was elected Mayor of York, and Vaux appears as clerk of the sheriff's court. In the spring of 1625 we find that Brearey, Topham, Hoyle and Vaux are named with the puritan Alderman Elias Micklethwaite to "consider instructions for the citizens now to be chosen for the next parliament".[75] A year later Vaux was sent "to solicit this city's occasions at London this parliament time": Micklethwaite, Topham and Hoyle were named with four others "to confer of such instructions and directions as they shall think fitting for the said Mr. Vaux". In the autumn of 1626 Thomas Hoyle was elected sheriff, and Elias Micklethwaite was elected Mayor of York, 8 February, 1627.[76]

The years following the rise of this group of men saw a resumption of

the issue of sabbatarian ordinances and pronouncements by the corporation. As the end of Micklethwaite's term of office fell on a Sunday "it was agreed that the mayor would deliver the city's plate to the mayor elect on the Friday before". In 1629 an ordinance was published "for the reformation of divers offences in taverns and alehouses" which was particularly directed at "divers persons that drink wine and ale in the same on Sabbath days especially". In 1630 the applesellers at the Minster gates were told that they could no longer sell apples there on the sabbath.[77]

During the same time the House Books show that the civic bench was occasionally involved in the correction of sabbath-breakers. For the most part these cases were compounded with offences related to drink, like that of Myles Spence, who was charged for "brewing without a license and keeping lewd company in his house, playing at unlawful games upon the Sabbath day". In 1632 John Young and John Hall were imprisoned by order of Mayor Thomas Hoyle "for that they were fiddling, drinking and dancing yesterday, being the Sabbath day, in sermon time and all afternoon till eight of the clock at night". Not all of the cases involved drink, however. Some people were brought before the Mayor's court for fairly innocuous pursuits, like Philip Askwith whose crime appears to have been that his wife was seen visiting with "Mr. John Ryburn's wife Saturday night and Sunday morning".[78]

The evidence of the visitation courts, while demonstrating an increase in presentments for sabbath-breaking from one person in 1619 to four in 1633, also provides dramatic evidence of a confrontation between puritans and Arminians over the distinction between holy days and the sabbath. In 1633, eighty-one shop-keepers from York were charged with doing business on major saints' days.[79] There can be little doubt that the presentment of so substantial a number from the merchant community of York constituted a profoundly disturbing indication that the policy of the diocesan

administration towards the practice of puritan-style Calvinism had changed. Coupled with an equally unprecedented campaign of correction directed at clerical and lay non-conformity, the activity of the church courts seems effectively to have shifted the attitude of the corporation toward the church from cooperation to thinly-veiled hostility. The manner in which this ill-feeling permeated the corporation's disputes with the archbishop and Lord President of the Council of the North about seating in the Minster and in St. Michael-le-Belfry will be discussed in chapter VIII.[80] Here it is sufficient to suggest that there is reason to suspect that the acrimony which characterized these disputes was accentuated by the growing awareness of members of the corporation that considerably more than the city's honour was at stake.

In 1637 John Vaux was elected Mayor of York.[81] The memoirs of the puritan lecturer John Shaw state that by this time archbishop Neile had come to regard Vaux as the leader of what he (the archbishop) termed the "Puritan party".[82] In June 1637 Neile's Chancellor, William Easdall, and Archdeacon Henry Wickham sent a message by way of another Alderman, John Rawson, giving notice that the archbishop "required them to receive from his Lordship an answer by what authority he made warrants to particular persons for making search on the Sundays". The request, which appears to have been made of a junior Alderman, "on Saturday last, at night" carried with it the preemptory demand that the answer be received "tomorrow in the afternoon". Vaux's answer, while it substantially evaded the issue of what "authority" he had for commissioning sabbath searchers, bristled with righteous indignation:

> My Lord Mayor conceives himself bound in duty to observe what persons do neglect frequenting the church and resort to taverns and alehouses, especially on Sundays in time of divine service and sermons, and that by several statutes, and nothing repugning or contrary to what is commanded by his Majesty's declaration in that behalf, neither is it more than others, his predecessors, have done.[83]

Vaux's reference to "his Majesty's declaration" in all probability refers to the re-publication of the "Book of Sports", which provided official sanction for a variety of recreations on the sabbath, for reason of which its opposition had become something of a puritan *cause-celèbre*.[84] His reference to "several statutes" and to the long-established practice of his "predecessors" did little to answer Neile's query as to the authority by which he commissioned sabbath searchers and consequently tried cases which properly belonged to the jurisdiction of the church courts.

For some unknown reason Neile appears to have let the matter of the sabbath-searchers drop. There is no further mention of his or of his officials' intervention in the matter to be found in either the House Books or the records of the church courts. It may well have been the case that Neile, having already come out the loser in the matter of the dispute over seats in the Minster, was unwilling to risk being defeated a second time.[85] It must also be remembered that although Neile may have had a deep difference of opinion with Vaux and the corporation concerning the authority by which Sunday church attendance was deemed to be a legally enforceable duty, he was nonetheless deeply committed to the ideal that all members of the community should attend services and hear sermons on the Lord's day.[86] Neile's challenging of Vaux's authority, while it does not appear to have dissuaded Vaux from continuing in the practice of his predecesors, may have contributed to the careful wording of the instructions for sabbath searchers which the corporation published in September, 1637. These instructions, while strictly charging the sabbath-searchers to present all manner of persons who frequented alehouses, conducted business or indulged in "bearbaiting, bullbaiting, or other lewd or unlawful exercises or passtimes" appears to have walked wide of the "may-games", "revels" and traditional practices allowed by the King's declaration. Nevertheless the publication of

such a list of instructions only two months after the archbishop's challenge cannot but have been taken as a counter-thrust on the part of the corporation, unequivocally stating the intention of the civic authority to continue its policy of sabbatarian enforcement through the office of the sabbath-searcher.[87] There is good reason to believe that this discipline was continued by the corporation for the remainder of the period of our study. In an ordinance dated 15 January, 1642, we find evidence that the strict sabbatarian regulations of the early Jacobean period concerning trade and travel on the sabbath were once again being applied. Parish constables were ordered to "give strict charge to all persons to shut up their shops, and every man to be at church on Sunday next". In addition to this "upon that day six good sufficient watchmen" were to be "set at every Bar [gate] to watch, and the posterns to be locked up, and that the like watch be set every Sabbath day till further order be given to the contrary".[88] Nehemiah would have been delighted.

Hull, Beverley and Leeds.

At Hull, sabbatarian rhetoric in the form of civic ordinances restricting trade and other activities on the sabbath is evident from the early Elizabethan period onwards. In some measure this may be seen as reflecting the attitude of the members of the corporation who specifically sought out the puritan Melchior Smyth to replace their Catholic vicar in 1561.[89] The omnibus ordinance of 1563, which inveighed against all manner of sin and disorder, has already been quoted extensively and will be further discussed in the context of policy intended for the regulation of alehouses and the suppression of drunkenness. It would seem that this ordinance was not deemed to have had a sufficiently comprehensive nature, for in 1566 the corporation of Hull set out a lengthy list of "ordinances" which were "yearly to be proclaimed and published shortly after Michaelmas upon the

next day and in the [day] time".[90] The first article exhorted "all manner of persons chiefly and above all things" to attend church and hear God's "most holy word, principally upon Sundays and Holy Days and other days of common prayer". Scattered throughout this extensive body of legislation were other ordinances restricting the practice of trade on the sabbath. Article twelve required that "no innholder, alehouse-keeper or other person" should sell "any meate, drinke, or other thinge upon Sundays before morning prayer be ended", nor were they to "keepe open their doores in time of common prayers, preaching or reading". In the light of article one, which specifically mentioned "other days of common prayer, as of Wednesdays and Fridays", the closure required by article twelve seems to have applied not merely to the sabbath but to any regular "time of common prayer". Nor were innkeepers allowed to house guests over the sabbath, nor "keep or have in their houses any person or persons" on holy days and times of "divine service or preaching", except for "the traveller ready to take his journey". Butchers and other shopkeepers were forbidden to "open any shop or make any show or sell upon Sundays after knelling of the bell to morning prayers [until] evening prayers be done and ended". "Bassmen or sledmen" (water-sellers) were not allowed to "yoke any sled or leade any water upon Sundays". They, like the others listed above, were constrained to proper sabbath observance "upon pain of imprisonment and further fine at the discretion of Mr. Mayor".[91]

Early in 1576 two "honest and discrete persons" for each of the city's wards were sworn to "truly and diligently" and without "respect of persons... make searches within the houses of every innholder". The intent was that these sworn men should see that the corporation's regulations concerning alehouses and inns were being duly observed, including the regulations governing closure on the sabbath and other specified days. Later that same year the keeper of Blackfriar's Gate, Richard Louge, was

informed that his duties included "encouraging the inhabitants" of the "gate" or street to attend church services regularly. Later still in 1576 the "sworn men" were again commissioned, this time specifically to discover "the names of those resorting to alehouses upon the Sabaoth day, or other holy days in the preaching time table". At about the same time the corporation published an ordinance by means of which the parents of children which cried or otherwise disturbed church services might be fined 1d for each occurrence. The inclusion of the term "holy days" here, and in other contexts in the Bench Books of Hull does not indicate the ambivalence which it did in York prior to 1600. Here it is clear from the context that "holy days" were significant, not because of their pre-reformation commemorative significance, but because they had been incorporated into the "preaching time table" as weekdays upon which sermons were offered in the city's churches.[92]

In 1606 activities on the sabbath were further restricted by means of instructions to the city's gatekeeper, John Dickenson. Dickenson was to lock all the city's gates and posterns "at the last peal before morning and evening prayer" and not to open them again "for neither word nor favour nor reward" unless by special permission from the mayor, until the service was concluded. As the lecturer, Thomas Whincopp, lived outside the city walls at the Charterhouse hospital, Dickenson, having locked all the other entrances to the city, was directed to "go to the north gate and attend on Mr. Whincopp till he come, and then to shut the same gate and immediately to bring the keys to Mr. Mayor, or to stand near his person".[93]

After 1606 the Hull corporation Bench Books contain little by way of sabbatarian rhetoric. As was the case in York, the number of cases recorded in which persons were charged and punished for sabbath-breaking by the corporation is less than might be expected in light of the official rhetoric

described above. This may in part have been due to the fact that the corporation had episcopal permission to hold its own court of correction, the records of which were not kept in the Bench Books and have not otherwise survived. A scattered collection of presentments suggests a pattern of enforcement by the civic bench which was not unlike that found at York, where it seems that most cases reaching this level of enforcement were aggravated by recusancy, obdurate perseverence or violent behaviour.[94] Certainly this was the case in some of the presentments which occurred before 1606. Griffith Bryskin was involved in what appears to have been a shouting match with the mother of a boy whom he and the Mayor of Hull had punished for selling water on the sabbath in 1581. The boy's mother, Jane Smyth, told the court that she hoped "the Devil to brisk him [Bryskin] out of the town, as she doubted not he would shortly". For her impropriety she was put in the stocks and evicted from the tenement which she rented from the corporation.[95] Much later, in 1630, three butchers were charged and fined 3s 4d each for "killing and dressing of flesh on the Sabbath day", while a fourth butcher, Baruch Newton, was fined 10s for driving stock through the town on the sabbath.[96] These presentments provide evidence that the corporation could and did enforce obedience to its sabbatarian ordinances from time to time. The relative rarity of such cases, particularly in the face of the strong rhetoric of the ordinances, suggests that the bulk of the enforcement activity was settled locally, or in a separate court of correction, and thus did not come to be recorded in the Bench Books.

The records of the Archiepiscopal visitation court provide substantially more evidence of sabbatarian enforcement, but even in the case of this court the number of presentments is unusually small compared to that which exists for York, or even for smaller towns like Beverley or Leeds. In 1591, for instance, a total of twenty-three individuals were presented,

seventeen from the parish of Holy Trinity, where Griffith Bryskin was the preacher. Of these seventeen, five were suspected recusants and two individuals, Robert Spinkes and Thomas Clarke, were presented for "sporting" and for allowing "divers youths to sport in morning prayer time".[97] In 1600 six persons from St. Mary's, Hull, were presented for "bowling in prayer time". In the same visitation a man named Anderson Joyner was presented for "working on the Sabbath day in prayer time"; Christopher ~~Chester~~ Horncastle was presented "for keeping men drinking in his house in service time". Horncastle's case was aggravated in that "he did also abuse the churchwardens for telling of his fault".[98] At the visitation held in 1604, only eight persons were presented from Hull, two for not having communicated at Easter and one for gaming on the sabbath. The number of presentments remains at this level until 1619, at which time a combined total of twenty-four persons were presented from both of the city's parishes. Of these, five were either recusants or suspected recusants and three persons were presented as "seldom coming to church or communion". Roger Watts and Nathaniel Maxwell were presented for "disorder in sermon time", while William Thompson was presented for "fighting in church". Only one person, Lucea Crockie, was presented for "neglecting and profaning the Sabaoth day". Lucea confessed that "but one Sabaoth day she delivered a meas[ure] of mustard". In 1623 the number of presentments dropped to fourteen, of which seven individuals were presented for recusancy or for not communicating at Easter.[99]

In the visitation of 1627 a total of twenty-two individuals and couples were presented from St. Mary's and Holy Trinity, of which total six were recusants and five were presented as being "negligent in coming to church". One of the recusants, Thomas Dalton the elder, was presented for "frequenting Robert Eding's house upon the Sabaoth day in time of divine service, and reviling the churchwardens". His son, also called Thomas, was

presented for "not suffering his child to be baptized in the church". William Edwards was charged with having been drunk in church, and for creating a disturbance in the course of which he reviled the churchwardens "and... drawing his knife in the church and cutting the bell ropes". The records of the visitation court for Hull in 1633 also show a rise in the number of individuals presented. Twenty-eight individuals or couples were presented, of whom two families, those of the elder and younger Daltons were presented for recusancy. Five persons were presented for standing excommunicate and only one person, Richard Jackson, was presented for a misdemeanor, "drinking in service time". This year saw a number of presentments for behaviour which may indicate puritan non-conformity and sermon-gadding. Three persons were presented for "absenting themselves from their parish church", and two persons were presented for "sitting in the church with their hats on their heads in time of divine service".[100] Twenty-six persons or couples were presented to the visitation court in 1636. Two of the entries involve the Dalton families for recusancy; two women, Jane Marmaduke and Isabell Novraier were presented for not sending their children and servants to be catechised. Only one individual, Thomas Jackson (who was probably an alehouse-keeper), was presented for "keeping company drinking in his house in time of divine service on the Lord's day".[101]

The relatively small number of presentments for sabbatarian lapses, recusancy and negligence in church attendance does not seem consistent with the high profile given to the sabbath in the rhetoric used in the statutes found in the Hull Bench Books. As has been suggested above, it may have been the case that the majority of such cases were dealt with either by a local court for which the records have not survived, or on an ad-hoc basis by churchwardens and parish constables, with only the cases which were compounded by stubbornness or violent behavior being referred to higher levels of authority.[102]

The relationship of official rhetoric to evidence of sabbatarian enforcement at Beverley is in a way the mirror image of that at Hull. While the corporation of Beverley recorded nowhere near the volume of statutory pronouncements against sabbath-breakers, recusants and "negligent comers to church" as did their counterparts at Hull, the evidence of sabbatarian enforcement for Beverley is stronger and may be more clearly identified with the presence of puritan clerics as lecturers and incumbents of the town's two churches.

The minute books of the corporation or "Governors" of Beverley are not extant prior to 1597. Those which survive from that date until the civil war show little evidence that the corporation usually acted as a civic "bench" after the practice of York or Hull. This was probably due to the fact that both the Quarter Session Court for the East Riding of Yorkshire and the Archidiaconal and Episcopal Visitation Courts regularly met at Beverley.[103] It is likely that the "mayor and governors" found that it was a good deal simpler, not to mention more personally congenial, to allow external ecclesiastical and secular jurisdictions the often unpopular role of enforcing ordinances involving the "reformation of manners". The records of the East Riding Quarter Sessions Court do not survive for this period, so it is most fortunate that the visitation court Records for Beverley, 1586-1636, are not merely extant, but are possibly the best example of continuous record keeping to be found for any of the towns during our period of study.

Sabbatarian ordinances appeared much later in Beverley than they did in either York or Hull. It was not until the autumn of 1613 that the Mayor and Governors agreed

> It is this present day [14 October, 1613] ordered and agreed... that no person or persons inhabiting within

—

> this town shall at any time or times hereafter go, or send any his, neither servant or servants, to any place or places forth of the town on the Sabaoth day to sell or show any wares... in any church yard, or other place, upon paine of forfieture of 3s 4d for every such offence.

On the same day it was also agreed that persons "which shall at any time or times hereafter remaine or continue drinking upon the Sabaoth day in any alehouse, tipling house, bar or tavern" should be fined 3s 4d and that the offending alehouse-keeper should be fined 10s for every occurrence of the offence.[104] The only other statute to be passed by the corporation concerning the sabbath was that of 1630, when it was decreed that "every Sabbath day the mace shall be taken away from the Sergeant, that no [business] belonging to the Mayor shall be executed [on] the Sabbath day".[105]

There seems to be a significant connection between the sabbatarian ordinances of 1613 and the corporation's choice that same year of Richard Rhodes to be the lecturer at Beverley Minster.[106] Rhodes was a vigorous puritan who had served as chaplain to the household of Sir Thomas Hoby of Hackness from 1599-1605, and had probably continued in that capacity while he was curate of the parish of Hackness from 1605 until he was called to Beverley.[107] But Rhodes was not the first puritan to have served as a preacher in Beverley Minster, nor was he the first to serve in that capacity who had concerns for the proper observance of the sabbath. Thomas Whincopp served as preacher at Beverley Minster from 1583 until 1599, when he was called to take Griffith Briskin's place as the civic lecturer at Hull. The corporation replaced Whincopp with another puritan, William Crashawe, who preached at the Minster from 26 July, 1599 until he was called to preach at the Inner Temple, London, in 1604. During the period between Crashawe's departure and the calling of Richard Rhodes, the lectureship was filled by a man named Thomas Bindes, who appears to have died at Beverley in 1613.[108]

Whincopp's puritanism and concern for the sabbath will emerge shortly as our discussion of the visitation court records unfolds, and will be further discussed in chapter VII when his participation in the dispute between Theophilus Smyth and the corporation of Hull is examined. Of Bindes little more is known than his name and the extent of his time in Beverley. Marchant does not list him as a puritan in his survey of seventeenth-century Yorkshire, and as we shall see shortly, the evidence of the visitation courts may indicate that he was correct in not including Bindes. William Crashawe, on the other hand, was definitely of the old Calvinist consensus. There is no evidence of non-conformity in his career at Beverley or elsewhere, but his vigorous attitude towards the proper keeping of the sabbath, the extirpation of immorality and total opposition to "popery" mark him as being of the same order as other vigorous pre-Arminian Calvinists who have been broadly categorized as puritans.[109]

It is also worth noting that the corporation of Beverley had at least one member whose "hot" protestantism might have earned him the puritan label. Sir William Gee of Bishop Burton, already mentioned in the earlier discussion of corporate patronage in the town, had a "revered opinion" of William Perkins and is said to have taken "great delight in reading his books". Sir William seems to have also taken "great delight" in the holding of public office: in addition to being Secretary to the Council of the North, Mayor of Beverley in 1594 and Recorder for the town in 1605, he had been Mayor of Hull in 1562, 1574 and 1582. He was the patron of the living at Cherry Burton, a village just a few miles north-west of Beverley. That patronage continued after his death in 1611 by means of a "rent-charge" worth £533 which produced an annuity of £26 13^{s} for the maintenance of a preaching minister in Bishop Burton, "so long as the religion now established continue". Gee thereby maintained the puritan Ezekiel Culverwell

as Rector from 1579-1613, and his successor, Thomas Micklethwaite, 1613-62. In 1605, when the corporation of Beverley elected to collect a subscription from the town's "governors" and "burgesses" for the augmentation of Thomas Bindes' stipend, the average gift was $6^{s}\,8^{d}$: Sir William Gee is reported to have given 40^{s}.[110]

Sabbatarian concern is evident throughout the period of our study, although it waxed and waned in a manner which closely followed the changing of clerical personnel. This suggests that the varying numbers of presentments might have more to do with the attitude of clergy, members of the corporation and of their immediate minions, the parish churchwardens, than with any significant increase or decrease in the number of persons failing to attend church or keeping the sabbath in what was deemed an improper fashion.[111] The visitation court records for Beverley from 1586, which was the year that Whincopp was employed to be civic preacher, show that a total of sixty-three individuals or couples were named by the churchwardens of St. Mary's and the Minster as being guilty or strongly suspected of serious misdemeanors or breaches of charity. William Bell, John Jenkinson, John Barnsford, John Dawson, Robert Park and Edmund Lister were presented because "these persons keep shops open in service time". They confessed that "upon Sundays and Holydays at 9 of the clock in the morning they keep open their shops". In addition to these six who confessed to having broken the sabbath, another twelve persons were presented for being absent from church or indulging in illicit activities "in service time". John Watson was presented for playing cards "in time of divine service"; Christopher Phylliskirke was accused of "permitting men's apprentices to shoot at butts in time of divine service, he looking on himself". Edward Hamerton and eight other men were variously charged with drinking in alehouses "at sermon time", and one man, Thomas Shawe, was presented for simply "walking in service time". Four persons were presented who told the

court that they had been absent from church for fear of their creditors, an excuse made believable by the presentment of Thomas Jenkinson on suspicion of usury by both the wardens of St. John's and St. Mary's. Finally a group of nine men were presented "for they come not orderlie to the church, and refuse to pay for their absences". These last were almost certainly presented as the heads of recusant households. Of sixty-three presentments, thirty-one involved sabbath-breaking, recusancy or some other form of unauthorized absence from church.[112]

The results of the next three visitations suggest that Whincopp "cleaned house" upon his arrival and thereafter maintained a steady level of enforcement which kept lapses in church attendance to a more acceptable level. In 1590 only four individuals were presented for absence from church on the sabbath. Another man was presented for the compounded offence of "drunkenness and rayling in time of divine service". Six people were presented for not having communicated at Easter. In 1594 roughly the same level of presentments were made to the court as in 1590.[113]

Sir William Gee, who was Mayor of Beverley at the time of the 1594 visitation, was personally involved in the presentment of a man called Thomas Utye. Utye was curate of St. Mary's and held the chapelries of St. Martin and St. Nicholas, which were technically part of the Minster parish (St. John's), in plurality. A dispute had surfaced between Utye and the parishioners of St. Martin's in the visitation of 1590, at which time it was alleged that he had failed to catechize the youth of the parish. The settlement of the dispute revealed that Utye was not adequately educated for his position, because according to Mayor Gee, among other omissions of duty, "he repayreth not to Mr. Whincopp with his exercise according to commandment". In addition to Utye's "exercise", Whincopp was involved in "exercises" with three local recusants. These individuals had probably been

ordered by the court to hold conversations with Whincopp in the hope of their conversion.[114]

The visitation of 1595/6, which was the last in which Whincopp's influence could have played a part, suggests that the policy of sabbatarian enforcement evident in the three previous sets of visitation presentments was perhaps beginning to have an effect. The total number of presentments for 1595/6 was twenty-one, the same as it was in 1594, but the number of sabbatarian and church-attendance related offences dropped from ten in 1594 to eight in 1595/6, none of which presentments contained any specific charge of sabbath-breaking. Of the eight presentments, three persons were "obstinate excommunicates", two were "negligent in coming to church and non communicates at Easter", and one person, "widow Scales" had been absent from church for a year and was probably a recusant. Only two persons, Roger Moore and Thomas Middleton, were presented for "drinking in service time". The absence of specific reference to the sabbath in their case suggests that their offence involved an absence from some midweek service.[115]

William Crashawe was hired by the corporation of Beverley on 26 July, 1599.[116] We know something of his opinions concerning the observance of the sabbath from works of his which were published during his career as Lecturer at the Inner Temple. Shortly after he had left Beverley in 1605, he preached a sermon at Paul's Cross, London, in which he called upon the Mayor and magistrates of London to put a stop to the "horrible abuse of the Sabbath by fairs, markets, buying, selling and bargaining" as well as by "May games and morris dances, wakes and feasts".[117] In his sermon preached before Lord De La Warre and a group of settlers bound for Virginia in 1609, Crashawe urged that every effort be made to establish a society in which God was properly honoured. After admonishing the assembled faithful to "suffer no Papists... no Brownists nor factious Separatists", he went on to require that they:

> Especially suffer no sinfill, no leud, no licentious men, none that live not under obedience of good lawes: and let your lawes be strict, especially against swearing and other prophanenesse. And though the vaine swearing by God's name be the common and *crying sinne* of *England*, and no mortall, but a *veniall sinne* in Popish doctrine, yet know that it is a sinne *under which the earth mournes*: and your land will flourish if this be repressed. Let the Sabbath be wholly and holily observed, publike praiers daily frequented, idlenesse eschewed, and mutinies carefully prevented. Be well advised in making lawes, but being made, let them be obied, and let none stand for scarre-crowes; for that is the way to make all at last to be contemned.[118]

This high view of the sabbath was repeated in his later publication of Milke for Babes, or A Northe-Countrie Catechisme, the title of which suggests that he may have had his experiences of life at Beverley in mind as he was composing it, or indeed that he had composed it there and had it published later. In its exposition of the first table of the decalogue, Crashawe's catechism asks:

> Q. What is the fourth Commandment?
> A. Remember that thou keepe holy the Sabbath day. Exod. 20.8.9 &c.
> Q. What is the substance of this Commandment?
> A. It sets down the time allotted, and consecrated to the worship & glorifying of God.
> Q. What is the affirmative part of this Commandment?
> A. Keepe holy the Sabbath day of the Lord.
> Q. What is the negative part of it?
> A. Pollute not the Sabbath of the Lord.[119]

Given this later evidence of Crashawe's concern for the proper observance of the sabbath, as well as for the repression of "sinfull... leud... [and] licentious men" it is not surprising that the number of persons from Beverley presented to the visitation court in 1600 totalled sixty-four, a dramatic increase over the twenty-one persons presented to the same court in 1596.[120] The records of this visitation show a continued concern for church attendance and a new variation on this theme, concern for proper behaviour while in church. Five individuals were presented for the

usual mix of non-attendance, non-communication and drinking "in time of divine service". As in 1596, no one was specifically presented for activities which prophaned the sabbath. But under the new class of presentment involving inappropriate behaviour while at church, Robert Marwood was presented as "a sleeper in service time"; Michael Mowbray was named as a "talker in service time". This visitation also saw an unusual number of persons, twenty-six in all, presented for sexual misdemeanors involving fornication, bastardy and simple suspicion that all was not as it should be. For instance, one of the schoolmasters, Bartholemew Turner of St. Nicholas' chapelry was presented because "he keeps a young woman in his house, sometimes he said they were married and sometimes not".[121]

The visitation court records of 1604, which occurred just prior to Crashawe's departure for London, demonstrate a continued concern for sabbath observance, church attendance and propriety in personal behaviour. Two individuals were presented for sabbath breaking; one for gaming on the sabbath; the other, a tanner named John Drypon, for being "a common rider to fairs and markets on the Sabbath day". Six persons were presented for not making their Easter communion, and three for inappropriate behaviour while at church. John Bell and James Taplader were presented for "sleeping in church in sermon time"; Bryan Blaiklock, whose parents, Isabella and Edward were presented for absence from church, was presented by the churchwardens of St. John's for "sporting in the church".[122]

Crashawe, after leaving Beverley, gained not only the reputation of a stern sabbatarian but also became known as a staunch opponent of catholicism.[123] Given this, the small number of presentments involving recusancy in the visitations of 1600 and 1604 is something of a puzzle. The low numbers may have been due to the fact that during the period 1599-1607 the Council of the North took an active interest in the regulation and

prosecution of recusancy. The corporation minute books show that Beverley received a commission from the Lord President of the Council of the North to conduct "inquisition and presentment" of suspected recusants in the summer of 1599, at the same time as York. As no further comment occurs in the records, it is difficult to assess the response of the corporation. The visitation court records for 1600 show an actual decrease in the number of presentments likely to have involved recusancy. In 1596, five individuals had been presented, while in 1600 only four names were offered to the court by the churchwardens of one of the chapelries of Beverley Minster.[124]

We have already mentioned that Thomas Bindes, who replaced Crashawe in 1605, did not share in the former lecturer's reforming zeal or hot protestant commitment. In the sole visitation court held during Bindes' time at Beverley, 1607, the total number of presentments for all causes reached an all-time low of fifteen, only one of which involved the issue of church attendance. Marmaduke Kitchin, the curate of the Minster church, seems to have carried on what seems to have been Crashawe's concern for proper behaviour in church. Catherine Lowe was presented "for sitting on Ralph Freeman's knee in time of divine service, when there was sufficient room beside in the said stall" Freeman seems to have taken exception to the curate's reproving tone, for he was presented at the same visitation for having "abused" Kitchin on the sabbath.[125]

While it is not possible to be absolutely certain of the reasons for the sharp decline in presentments for sabbath-breaking and absence from church during Bindes' time at Beverley, it is clear that with his death in 1613, and the arrival of the puritan Richard Rhodes, strict discipline was once again the rule. Rhodes may not have been entirely responsible for the increased application of sabbatarian discipline, for in 1608, the year after the only visitation to occur during Bindes' ministry, William Ellis was

chosen by the corporation to serve as the vicar of St. Mary's. Ellis had an M.A. from Peterhouse, Cambridge, and was a licensed preacher. Entries in the corporation minute book for 1609 and 1614 show that Ellis was being paid a yearly subsidy of £3 6s 8d over and above his stipend "for his paines in preaching". Ellis is also known to have preached in the combination lecture organized by the puritan Ezekiel Rogers at Rowley, Yorks. We may therefore partially attribute the strengthening of sabbatarian discipline, particularly as applied to the parishioners of St. Mary's, to the presence of Mr. Ellis. Shortly after Rhodes' arrival in 1613, another puritan, John Garthwaite, was chosen by the corporation to be the Headmaster at Beverley School.[126] He was to become the central figure in the meeting of a group which "repeated" the sermon and conducted a service in the manner of a conventicle at the Minster on Sunday afternoons.[127] In 1622 the corporation employed Thomas Clarke to take the place of Mr. Brabbes, the non-preaching curate of St. John's. Clarke, who was described as "Master of Arts" may have been the same man who held the parish of Fraisthorpe, near Bridlington, from 1620-36 and whom Ronald Marchant has identified as being a puritan on the scanty basis of one presentation in 1633 for not wearing the surplice.[128] Coincident with this apparent improvement in clerical personnel and strengthening of puritanism or "hot protestantism" is the advent in 1613 of civic ordinances against commercial activity, travel and drinking on the sabbath already described above.[129] This shift is also clearly evident in the records of the visitation court of 1615. In 1607, a total of fifteen persons had been presented; in 1615, the court took notice of seventy-six individuals or couples. Six persons were presented for breaking the sabbath by travelling, drinking or pursuing their trades. Fifteen people were presented as "common absentees from the church", two of whom advanced the excuse that they had not attended for fear of their creditors. John Preston and his daughter Alice, were presented for recusancy, while a further seven people were charged with "carding, drinking, and other misbehaviour in time

of divine service or sermon". In all, a total of thirty-one persons were presented for some significant absence from church or breach of the sabbath.[130]

In the visitation of 1619 the total number of presentments fell to forty-eight. This was largely due to the fact that the 1615 total had been somewhat inflated by the last-minute presentment of the fourteen principal members of Garthwaite's conventicle by the curate of the Minster, Thomas Brabbes, and by a much greater than usual number of presentments (twelve) for non-payment of various church fees. However, in 1619 the number of presentments for sabbath breaking actually rose from six to eight persons. Those charged were accused of working on Sundays, drinking, gaming or "abusing the Sabaoth with scolding".[131] With recusants, "negligent comers to church" and excommunicants a total of twenty-eight persons were significantly noticed to have been absent from or to have misbehaved in church.[132]

The visitation of 1623, for which Rhodes, Clarke and Ellis were all present (Garthwaite had gone to St. Michael-le-Belfry, York, in 1618) recorded the highest number of presentments from Beverley for the entire period 1580-1636. Eighty-five individuals or couples were presented; sixty-six of these for sabbath-breaking, recusancy, failing to communicate at Easter, negligence in coming to church or disorderly conduct while actually present at services. Seven persons were presented for activities which profaned the sabbath. Laurence Giles, James Drye and William Fowels of St. Mary's were presented for "playing cards on the Sabaoth day in time of prayers". A butcher from the same parish, Cuthbert Cowper, was presented because his servant, whom he had sent "to buy fat wares" on a Saturday had returned from his journey on the following morning. Two men were presented for drinking in an alehouse on the sabbath and one man, Austen Browne, was

presented "for working upon his trade on the Sabbath day".[133] As in previous visitations, a small but apparently significant proportion of those who did attend church services did not behave in an appropriately pious manner. Edward Walker, a parishioner of St. Mary's, was presented for disturbing services in the Minster by "walking... in service time". Simon Stoute, John Ledall and Ralphe Dawe were named as "usual sleepers in time of divine service and sermons".[134] Only four of those presented were identified as being recusants, but a significant number of the nineteen entered as non-communicants may have missed their Easter communion for reasons other than negligence or irreligious attitudes. For example, George Bell was presented for "harbouring Constable and his wife, who did not receive the communion at Easter last, neither come to the church to hear divine service". Bell offered in his own defense that "he did harbour the said Mr. Constable and his wife for the part of a month... not knowing of what religion they were". The same might be said of John Wright, William Pape, Henry Curram and Thomas Sverie, who were each presented twice in the same court, once as "negligent comers to church" and once for not having received their Easter communion.[135]

The visitation of 1627 was the last to occur in Beverley prior to Rhodes' death in 1632.[136] The total number of presentments for this year are less than half of the total presented in 1623, forty-two as compared with eighty-five. Of these, twenty-three persons were presented for being either recusants (7), excommunicate persons (9), non-communicants (5) or for having created a "disturbance in the church on the Sabaoth day in time of divine service" (2). There is a pronounced absence of presentments for sabbath-breaking or negligent patterns of church attendance which may in part have been due to the fact that the Arminians Easdall, Wickham and Hodgson composed the visitation articles due to archbishop Matthew's declining condition (he died in 1627).[137]

The visitation court of 1633, ~~which~~ was the first held after archbishop Richard Neile's translation to York from Winchester. There is reason to suspect that a program of Arminian reform had been applied by archbishop Harsnet, who immediately preceded Neile, but the records of Harsnet's visitation have not survived.[138] As at York and Hull, the records of Neile's first Archiepiscopal visitation for Beverley demonstrate a distinct shift of emphasis, a shift which may have been anticipated in the visitation of 1627. The number of presentments from Beverley parishes and chapelries rose to seventy-seven in 1633. Nineteen cases involved the correction of non-conformist behaviour, or irregularities in the architecture and furnishings of churches. Ten persons were named as recusants and fifteen for negligence or occasional absence from services; one person had not received communion at Easter and three persons were presented for impious or inappropriate behaviour in the church or churchyard. As in 1627, there was a total absence of presentments for sabbath-breaking, but in 1633 there was also a significant absence of "sleepers in church" and of persons presented for frequenting alehouses in service time", though three persons were presented as common drunkards, which absence is consistent with the Arminian policy of greater leniency concerning sabbath observance apart from church attendance.[139]

The last visitation court prior to the civil war for which records exist involving Beverley is that of 1636. It would appear from the records of this visitation that sabbatarian discipline was once again being applied, for in this year twelve persons were presented to the court for sabbath-breaking, six for keeping "company drinking in their houses on Sundays at service time" and six for playing football on the Sabbath. Thirteen cases of recusancy were reported, and two people were named for "continual absence from the church". Five persons were presented for inappropriate use of

church property or disorderly behaviour while at church, and one James Blakiston was presented for keeping his shop open on holy days in service time. In all, thirty-three of the fifty-five presentments involved church attendance, sabbath-breaking, recusancy or irreligious behaviour.[140]

The reasons for the apparent falling-off of sabbatarian presentments from 1627-1633 are not easily isolated. Ronald Marchant has identified the visitation of 1627 with the rising presence of the Chancellor, Easdall, whom he suspects of being motivated by "southern influences" to begin an "anti-puritan policy" in that year. Inasmuch as Easdall, acting on his own due to the failing health of archbishop Matthew, may have drawn up the visitation articles used in 1627, it is possible that the absence of a sabbatarian bias may in part be attributable to his influence.[141] Certainly the unprecedented number of presentments involving acts of non-conformity and deficiencies in church furnishings which characterized the visitation of 1633 represented the introduction of a new bias in the articles at the direction of an Arminian archbishop.

A second cause of the decline in presentments for sabbath-breaking, at least in 1627, may have been the residual deterrent effect of the stiff campaign against such lapses which appears to have been conducted from the time of Rhodes' arrival in 1613. It may also be significant that Rhodes was no longer alive in 1633, though it is unlikely that the practice of puritanism died with him. William Ellis remained at St. Mary's until 1637, and was succeeded by his curate, a puritan named Nicholas Osgodby. Of "Mr. Bursey of Hull", who succeeded Rhodes as preacher at St. John's, nothing more is known than the date when the corporation of Beverley agreed to employ him.[142] Given the strength of puritan practice which developed during the time that Rhodes was in Bevereley, it does not seem likely that the corporation should have hired a preacher who was not "of the godly

persuasion". What the evidence suggests is the likelihood that the puritan discipline regarding church attendance and sabbath observance continued in Beverley, despite the shift away from strict sabbatarianism (due to Arminian influence in the church courts), and that the resurgence of presentments in 1636 bears witness to the continued vitality of such discipline.

Due to the absence of corporation minutes or other official records from which to determine the opinions of the godly laity of Leeds on church attendance and sabbath observance, what little that can be said of these issues in the context of that town must be drawn solely from the visitation court records. Briefly it is this; that in a pattern similar to the one which has been described at Beverley, numbers of presentments to the church courts for absence from church, sabbath-breaking and recusancy wax and wane in correspondence to the comings and goings of clerical personnel. Perhaps surprisingly, however, the greatest number of presentments occurred in 1640, and not in the turbulent period of Alexander Cooke's incumbency (1615-32). This is perhaps explained by the fact that in 1634 the town of Leeds was given a second church, complete with a curate, Robert Todd, whose later manifestation of Presbyterianism was to distress his puritan patron, the Leeds clothier John Harrison. The combined action of Harrison's nephew, Cooke's successor Henry Robinson, (who was himself a puritan), and that of Todd probably meant that there was a better level of enforcement attained simply through the increased number of clergy and churchwardens relative to the size of the population.[143]

Conclusion.

From the evidence available, it would appear that as vigorous protestantism gained adherents in the civic corporations of York, Hull and Beverley, those adherents used their position as town governors and

magistrates to enact legislation and to create structures to enforce church attendance and a strict sabbatarian observance of the Lord's day. While it is difficult to pinpoint precisely the role played by puritan clergy in this process of moral legislation and administration, it was of more than passing significance that the periods in which sabbatarian legislation was promulgated, and in which it was most strictly enforced, were also those periods in each of the three towns when committed puritan clergy were maintained through the patronage of like-minded civic corporations. There would also seem to be some correlation between programs of sabbatarian enforcement and long-term ministries of "hot" protestant or puritan ministers.

This appears to have been particularly true of Beverley, where, as has been noted in chapter II, the corporation had a substantial role in the choice of churchwardens as well as of clergy in both parishes.[144] As the role of enforcement, whether through unofficial censure or presentment to either the Quarter Session or visitation courts, ultimately depended on the parish constable and the churchwardens, court records are at least partially a reflection of how deeply the teaching and preaching of puritan clergy, together with the legislative power and moral witness of "godly" civic governors, had come to be accepted by the "middling sort" from whom such officers were usually chosen.[145] The zeal of "Nehemiah's watchmen" in York, Hull and Beverley therefore would seem to have been indicative of lay concern for the sabbath.

As our discussion of sabbatarianism has developed, it has become evident that church attendance was (as it still is today) a complex activity which represented the interplay of many significant social, political and moral elements. For example, the official rhetoric of the time wants us to believe that recusants did not attend church out of religious conviction and

political disloyalty. But between the identified recusant and the churchgoing protestant there existed a spectrum of non-attendance and non-compliance. People who did not regularly receive the sacrament at Easter and who may have been negligent in attendance on Sundays were potentially recusants, as were those who did not attend week-day lectures, or who, like Thomas Nickolson, wished for a time before "this religion of sermons". Alternatively, such people might just as easily fit into the ranks of the ignorant and irreligious, the "worser sort" whose bad behaviour and lack of sabbatarian discipline was not so much a matter of religious conviction as religious indifference. Many sabbath-breakers and non-attenders of "service and sermon" may have had economic or social reasons for their actions. Some were in debt and feared arrest by creditors; some were "out of charitie" or otherwise at odds with other members of the parish community, while still others appear to have simply been doing the necessary, like Robert Johnson of St. John's, Beverley, presented for repairing his shoes on the Sabbath. There are times when the court evidence suggests that the system of presentment suffered from the "Mikado syndrome": each set of parish officers having a "little list" of offenders ready made for occasions "when a victim must be found" to satisfy the magistrate or episcopal visitor.

The frequency with which those who had broken the sabbath or been absent from church for no "good reason" were to be found in the local alehouse is noticeable. At the outset of this discussion a perverse interrelationship between alehouses and the proper observance of the sabbath was suggested. This will be explored in greater depth in the next chapter.

The evidence available from the visitation court records, Quarter Session and Civic Courts supports the contention that ministers and magistrates faced a more-or-less continuous problem of enforcement which involved a significant segment of each town's population. Alternatively, as

has been suggested above, the persistence of the problem may indicate the persistence of an item on the magisterial or clerical agenda for good government. As the number of presentments cannot be taken to indicate more than a sampling of offenders, it is not possible to be definite about the size of this "non-churchgoing segment", save to suggest that from the frequent mention of the problem in official rhetoric, it cannot have been insignificant in terms of the total urban population. The court evidence, in and of itself, does not support the vehemence or the scope of the problem as expressed in much of the official rhetoric. This may, as has already been suggested, be indicative of the fact that the churchwardens and parish constables who actually enforced the statutes concerning sabbatarianism and church attendance found it more effective, if not more conducive to peace and good neighborliness, to settle all but the most extreme of cases through local mediation. Whatever explanation is accepted for the apparent gap between official rhetoric and enforcement, the evidence presented above, suggests that church attendance and the proper keeping of the sabbath was deemed vital to the fulfillment of the vision godly government the cooperation of minister and magistrate.

Notes for Chapter IV

1. Robert Jenison, The Cities Safetie, p.110.

2. Robert Jenison, The Cities Safetie, pp.101-110; the "greate sinnes" were: idolatry, rebellion against God, pride, restraining the means of God's pure worship and service, and the profanation of the Lord's sabbath.

3. D.M. Loades, Politics and the Nation 1450-1660: (1974), pp.271-72, 284-291; Richard Cust and Peter Lake, "Sir Richard Grosvenor and the Rhetoric of Magistracy", pp.42-3.

4. Robert Jenison, The Cities Safetie, p.105; see above, pp.153-4.

5. York City Archives, York Corporation House Books, B/XXXIV, fol.54^{r}, 20 February, 1615.

6.York City Archives, York Corporation House Books, B/XXXII, fol.2^{v}; Jeremy Goring, Godly Exercises or the Devil's Dance? Puritanism and Popular Culture in pre-Civil War England, Friends of Dr. Williams's Library Lecture Series, XXXVII, (1983), p.9; see below, pp.147-54.

7. Christopher Hill, Society And Puritanism, pp.142-149.

8. Patrick Collinson, "The Beginnings of English Sabbatarianism," Godly People, pp.429, 432; both Collinson and Hill lean heavily on Nicholas Bownde, The Doctrine of the Sabbath, (1595); Sabbathum Veteris et Novi Testamenti, or The True Doctrine of the Sabbath, (1606).

9. Collinson, "The Beginnings of English Sabbatarian-ism," p.442, citing Henry Rogers, The Catholic Doctrine of the Church of England, (1607), Parker Society, (1854).

10. Kenneth L. Parker, The English Sabbath: a study of doctrine and discipline from the Reformation to the Civil War, (1988), p.12, citing T.E. Bridgett, History of the Holy Eucharist in Great Britain, II, (1881), p.234.

11. Parker, The English Sabbath, pp.15-16, 19-23, citing a letter from Nicholas Estwick to Samuel Ward, (1633), Bodleian Library, Tanner Mss. 71, fol.186^{r}.

12. Parker, The English Sabbath, pp.27-29, 41, 92-97.

13. Patrick Collinson, The Elizabethan Puritan Movement, (1982), pp.436-7.

14. Christopher Hill, Society and Puritanism, p.142.

15. Kenneth L. Parker, The English Sabbath, p.54.

16. G.J.R. Parry, A Protestant Vision: William Harrison and the Reformation of Elizabethan England, (1987), pp.151-2.

17. G.J.R. Parry, A Protestant Vision, pp.152-3.

18. Heinrich Bullinger, Fiftie Godlie and Learned Sermons, (1577), p.141, cited in Parker, The English Sabbath, p.31.

19. Kenneth L. Parker, The English Sabbath, pp.61-64.

20. See Appendix I, Table A, "Presentations for York" to the Episcopal Visitation Courts, 1590-1640, p.397, based on Borthwick Institute, York Archiepiscopal Visitation Court Act Books, V1590-1640/CB.

21. D.M. Palliser, Tudor York, p.10.

22. Martin Ingram, Church Courts, Sex and Marriage in England, pp.104-7, 327-9; Joan Kent, The English Village Constable, pp.256-63.

23. York Corporation House Books, B/XXVII, fol.246^{v}, 26 July, 1580.

24. Kenneth L. Parker, The English Sabbath, pp.50-51.

25. York Corporation House Books, B/XXX, fol.9^{v}, 23 February, 1588.

26. J.T. Cliffe, The Yorkshire Gentry, pp.169-74; Robert Crypling was mayor of York in 1579, his wife was a known recusant and he was impeached by the Council of the North for, among other transgressions, his refusal to charge recusants for not attending church services; see above, pp.67-8.

27. York Corporation House Books, B/XXVIII, fols. 12^{r}, 51^{r}, 54^{r}, 155^{r}, 184^{r}; printed in Angelo Raine, (ed.), York Civic Records, The Yorkshire Archaeological Society, Record Series, CXIX, (1952); see above, pp.68-9.

28. See above, pp.69-70.

29. York Corporation House Books, B/XXXII, fol. 2^{v}.

30. York Corporation House Books, B/XXVII, fol. 246^{v}.

31. York Corporation House Books, B/XXXII, fol.2^{v}.

32. Christopher Hill, Society and Puritanism, p.169.

33. York Corporation House Books, B/XXXII, fol.2^{v}.

34. Robert Jenison, The Cities Safetie, p.111.

35. Philip Stubbes, The Anatomie of Abuses, (1583), p.117; John Field, A Godly Exhortation by Occasion of the Late Judgement of God, Showed at Paris-Garden, (1583), cited in Kenneth L. Parker, The English sabbath, pp.86-7; Lewis Bayly, The Practice of Piety, (1613: Reprint ed. 1708), p.247, cited in Keith Thomas, Religion and the Decline of Magic, p.98.

36. Susan Amussen, An Ordered Society, p.96.

37. Susan Amussen, An Ordered Society, pp.35-36.

38. York Corporation House Books, B/XXX, fols.162^{r}, 163^{r}, 169^{r}; B/XXXII, fol.2^{v}.

39. York Corporation House Books, B/XXXII, fol.2^{v}.

40. York Corporation House Books, B/XXXII, fol.81^{r}.

41. York City Archives, E/136A, an index to Quarter Sessions Minute Book F/4 (1595-99), unfoliated; the index does not go beyond 1596.

42. See above, pp.115-16.

43. See below, pp.152-6.

44. Borthwick, York Archiepiscopal Visitation Court Books, V1594/CB, fol.20^{v}.

45. V1595-6/CB-I, fols.20^{v}, 23^{v}.

46. V1600/CB-IA, fol.11^{r}.

47. See above, p.147.

48. V1594/CB, fol.27^{r}; V1590/CB, fols.85^{r}-90^{r}.

49. V1595-6/CB-I, fols.14^{r}-23^{v}: c. Wharton, fol.21^{v}, c. Babthorpe, and c. Dixon, 15^{v}.

50. York Corporation House Books, B/XXXII, fol.46^{r}, letter from Lord President Burghley (Thomas Cecil), 29 August, 1599.

51. York Corporation House Books, B/XXXII, fols. 53^{v}-54^{r}, 55^{r+v}.

52. J.T. Cliffe, The Yorkshire Gentry: From the Reformation to the Civil War, (1969), p.174.

53. V1600/CB-IA, fols.11^{r}-22^{r}, c. Carre, fol.15^{r}.

54. V1594/CB; V1595-6/CB; V1600/CB-IA; for comparative figures here and above see Appendix I, Table A, p.397; charges of fornication, bastardy, adultery and fornication prior to matrimony have been counted as one case per instance, whether or not both individuals were named.

55. D.M. Palliser, Tudor York, p.257, citing York Corporation House Books, B/XXXII, fol.85^{v}.

56. Anthony Fletcher, Reform In The Provinces, pp.68-69; Susan Amussen, An Ordered Society, makes much the same point in her discussion of the regulation of sexual and gender-appropriate behavior in seventeenth-century Norfolk. pp.130-31.

57. David Palliser, Tudor York, pp.77-8.

58. York Corporation House Books, B/XXXIII, fol.2^{r}, 17 February, 1606.

59. York Corporation House Books, B/XXXII, fol.2^{v}; B/XXXIII, fol.2^{r}.

60. York Corporation House Books, B/XXXIII, fol.2^{v}.

61. York Corporation House Books, B/XXXIII, fol.55^{v}, 13 February, 1607.

62. York Corporation House Books, B/XXXIII, fol.75^{v}, 15 June, 1607.

63. Kingston-upon-Hull Record Office, Hull Corporation Bench Books, 4, fol.366^{v}; see p.165, below.

64. York Corporation House Books, B/XXXIV, fols.58^{r}, 87^{r+v}.

65. York Corporation House Books, B/XXXII, fols.156^{v}, 385^{r}; B/XXXIII, fols.90^{v}, 173^{v}, 187^{v}.

66. York Corporation House Books, B/XXXII, fol.110^{r}.

67. York Corporation House Books, B/XXXII, fols.281^{v}, 287^{v}.

68. York Corporation House Books, B/XXXIII, fols.93^{v}-94^{r}.

69. York Corporation House Books, B/XXXIV, fols.64^{r+v}.

70. York Corporation House Books, B/XXXIII, fol.165^{r}.

71. York Corporation House Books, B/XXXIV, fols. 283^{v}, 312^{r}; see above, pp.73-5.

72. See Appendix, Table A, p.397.

73. York Corporation House Books, B/XXXIV, fols.77^{r+v}, 96^{r}, 114^{r}, 133^{r}, 141^{r}, 188^{r}, 189^{r}, 213^{v}, 241^{r}, 244^{r}; see above, pp.74-6.

74. For Aiscough, see Ronald Marchant, The Puritans and the Church Courts, pp.226-7; see below, pp.235-8.

75. York Corporation House Books, B/XXXIV, fols.190^{v}, 201^{v}, 241^{r}, 313^{v}.

76. York Corporation House Books, B/XXXV, fols.5^{r}, 24^{v}, 33^{r}.

77. York Corporation House Books, B/XXXV, fols.54^{v}, 68^{v}, 87^{v}.

78. York Corporation House Books, B/XXXV, fols.81^{r}, 129^{v}, 153^{v}.

79. Borthwick, York Archiepiscopal Visitation Court Act Books, V1633/CB-I, fols.16^{r}-17^{r}, 19^{v}, 23^{v}-26^{r}; Christopher Hill, Society and Puritanism, pp.150-154, has identified a similar rash of presentments for labouring on holy days in Archbishop Laud's visitations of the archdeaconry of Buckinghamshire, 1633-1635; see below, p.397.

80. Borthwick, York Archiepiscopal Visitation Court Act Books, V1633/CB; See below, pp.337-46.

81. York Corporation House Books, B/XXXV, fol.317^{r}.

82. J. Raine, (ed.), "The Life of John Shaw", Yorkshire Diaries and Autobiographies in the Seventeenth and Eighteenth Centuries, Surtees Society LXV, (1877), p.129.

83. York Corporation House Books, B/XXXV, fol.333^{r}.

84. Kenneth Parker, The English Sabbath, pp.191-198.

85. See below, pp.352-3.

86. Kenneth Parker, The English Sabbath, p.130.

87. York Corporation House Books, B/XXXV, fol.339^{v}.

88. York Corporation House Books, B/XXXVI, fol.64^{r}.

89. Claire Cross, Urban Magistrates and Ministers, p.14; see above, pp.84-5.

90. See below, pp.199-201; Kingston-upon-Hull Record Office, Hull Corporation Bench Books, 4, fols.65^{v}-70^{r}.

91. Hull Corporation Bench Books, 4, fols.60^{v}-71^{v}, Articles 1, 12, 13, 58.

92. Hull Corporation Bench Books, 4, fols.121^{r}, 140^{r}, 141^{v}, 144^{r}.

93. Hull Corporation Bench Books, 4, fol.366^{v}.

94. See above, pp.152-4.

95. Claire Cross, Urban Ministers and Magistrates, p.16, citing Hull Corporation Bench Books, 4, fol 226^{v}.

96. Hull Corporation Bench Books, 5, p.223.

97. Borthwick, York Archiepiscopal Visitation Court Act Books, V1590-1/CB, fols.123^{r}-124^{r}.

98. V1600/CB, fols.132^{r}-133^{v}.

99. V1604/CB, fols.80^{r}-82^{v}, V1619/CB, fols.201^{r+v}, 215^{r}-216^{r}; V1623/CB, fols.161^{v}, 170^{v}-171^{v}.

100. V1633/CB, fols.260^{r}-262^{v}, 488^{v}.

101. V1636/CB, fols.222^{r}-224^{v}.

102. See below, pp.207-24, where the evidence presented by the submission of Theophilus Smyth to the Court of Star Chamber in 1609 (PRO STAC 8/79/5) suggests a certain inequity in the corporation's application of the law.

103. East Yorkshire County Record Office, Beverley, Beverley Corporation Minute Books, 1597-1660, BC/II/7/4/1, fol.5^{r} refers to provision being made for regular meetings of the Justices of the Peace within the East Riding" in "the Hallgarth now adjoining the town"; Marchant, The Church under the Law, pp.116-17 locates the visitation courts for both Beverley and Hull as being regularly held at Beverley.

104. Beverley Corporation Minute Books, BC/II/7/4/1, fol.31^{r}, 14 October, 1613.

105. Beverley Corporation Minute Books, BC/II/7/4/1, fol.53^{v}, 18 January, 1630.

106. Beverley Corporation Minute Books, BC/II/7/4/1, fol.24^{v}, 21 February, 1613 records that on this date Rhodes was hired by the corporation to take the place of Thomas Bindes.

107. For Rhodes, see Marchant, The Puritans and the Church Courts, pp.271-2 and D.M. Meads, (ed.) The Diary of Lady Margaret Hoby, (1930).

108. For Whincopp, see Thomas Gent, Annales Regioduni Hullini: or, The History of the Royal and Beautiful Town of Kingston-upon-Hull, (1735), p.45; for Crashawe see Marchant, The Puritans and the Church Courts, pp.241-2, and John Morgan, Godly Learning, pp.105, 264-65; for Bindes see Beverley Corporation Minute Books, BC\II\7\4\1, fols.20^{v}, 24^{v}.

109. See above, p.24.

110. J.T. Cliffe, The Puritan Gentry: The Great Puritan Families of Early Stuart England, (1984), pp.36, 238; The Yorkshire Gentry, From the Reformation to the Civil War, p.269; W.K. Jordan, The Charities of Rural England, 1480-1660: The Aspirations and the Achievements of the Rural Society, (1961), pp.235-6, 377; Beverley Corporation Minute Books, BC/II/7/4/1, fol.15^{r}; Hull Corporation Bench Books, 4, fol.108^{v}; York Archiepiscopal Visitation Court Act Books, V1594/CB, fol.98^{r}; for Culverwell and Micklethwaite, see Marchant, The Puritans and the Church Courts, pp.263, 318.

111. This is the argument advanced by Heinz Schilling, "History of Crime or History of Sin", p.294, 303; and by J.A. Sharpe, Crime in Early Modern England 1550-1750, (1984), pp.52-3.

112. V1586/CB, fols.130^{v}-135^{v}; see also Appendix, Table B, p.398.

113. V1590-1/CB, fols.97^{r}-100^{r}; V1594/CB, fols.153^{r}-154^{v}.

114. V1594/CB, fol.154^{r+v}.

115. V1595-6/CB, fols.120^{v}-129^{r}

116. Beverley Corporation Minute Books, BC/II/7/4/1, fol.6^{r}.

117. William Crashawe, "A Sermon Preached at the Cross Feb.14, 1607", (1608), cited in Hill, Society and Puritanism, pp.151-2.

118. William Crashawe, "A Sermon Preached In London before the right honorable the Lord Lawarre, Lord Governour and Captaine Generall of Virginea, and others of his Maiesties Counsell for that Kingdome, and the rest of the Adventurers in that Plantation. At the said Lord Generall his leave taking of England his Native Countrey, and departure for Virginea, Febr; 21, 1609", (1610), Sig. L_1; Parker, The English Sabbath, p.115, notes that this exhortation produced strict laws governing sabbath observance in the colony, including the threat of capital punishment for third-time offenders.

119. William Crashawe, Milke for Babes, or A Northe-Countrie Catechisme, (1618), p.14.

120. V1600/CB, fols.89^{r} and 90^{r}.

121. V1600/CB, fols.91^{v}-94^{r}; there was also a marked increase in the number of persons presented as scolds, from 0 in 1596 to 4 in 1600, with a fifth person, Janet Bull, presented for cursing Thomas Wakefield.

122. V1604/CB, fols.80^{r}-82^{v}, 96^{v}-98^{v}.

123. See Marchant, The Puritans and the Church Courts, pp.241-2.

124. Beverley Corporation Minute Books, BC/II/7/4/1, fol.12^{r}, 29 August, 1599; V1595-6/CB, fols.122^{r}, 128^{v}; V1600/CB, fol.92^{v}.

125. V1607/CB, fols.136^{v}-138^{v}.

126. Marchant, The Puritans and the Church Courts, pp.244, 248; Beverley Corporation Minute Books, BC/II/7/4/1, fols.26^{r}, 32^{r}.

127. See below, pp.257-9.

128. Beverley Corporation Minute Books, BC/II/7/4/1, fol.33^{r}, 18 July, 1622; Marchant, The Puritans and the Church Courts, p.239; Marchant's entry under this name suggests that there may have been as many as three clergy in Yorkshire by this name. He has listed the man at Fraisthorpe as a "non graduate", and also notes that another of this name was licensed to preach in 1627, while still another occurs as curate of Rotherham, Yorks.

129. See above, pp.169-70.

130. V1615/CB, fols.196^{v}-204^{r}.

131. V1615/CB, fols.197^{r}, 202^{v}-203^{v}, 212^{v}, 212a-213a; V1619/CB, fols. 165^{v}-167^{v}.

132. V1619/CB, fols.166^{v}-169^{r}.

133. V1623/CB, fols.183^{r}, 184^{r}, 186^{r}.

134. V1623/CB, fols.182^{v}, 186^{v}.

135. V1623/CB, fols.182^{v}, 185^{v}-186^{r}.

136. Beverley Corporation Minute Books, BC/II/7/4/1, fol.55^{v}, records that "Mr. Bursey of Hull shall execute the office of the preacher... in place of Mr. Rhodes, deceased", 30 April, 1632; Rhodes was alive and appeared before the Chancery Court at York, 29 July, 1631, to answer allegations that he had been holding conventicles at Beverley, see Marchant, The Puritans and the Church Courts, p.271.

137. V1627/CB, fols.249^{v}-256^{r}; see below, pp.232-5.

138. See below, pp.241-3.

139. V1633/CB, fols.289^{r}-294^{r}; see below, p.397.

140. V1636/CB, fols.266^{r}-269^{r}; for the significance of presentment for mundane activities on holy days after 1628, see above, p.160-1.

141. Marchant, Puritans and the Church Courts, pp.44-5.

142. Marchant, The Puritans and the Church Courts, pp.245, 267.

143. See Appendix I, Table C, p.398; for Cooke and Harrison, see below, pp.297-311; for Todd see Marchant, pp.116-17, 284-5.

144. See above, p.91.

145. Joan R. Kent, The English Village Constable, pp.82-3, 140-41.

CHAPTER V

Publicans and Other Sinners: Alehouses, Drunkenness and Disorder among the "inferior sort of people".

> We may say, and that truly, that God now meets with us (by this sword, or arrow of pestilence) in our way of Sinfull companying one with another, whereby wee infect one another in soule by good fellowship, as wee call it, by potting, bezzelling, gossiping, excesse in feasting, excesse of wine, banquetings & c. So hee nowe meets us in the way of our Idle discourses, and unsavourie communication, and unprofitable-nesse in companie, of uncleane behaviour and adulteries, of unlawfull marriages, of needless entertaining of God's enemies... [1]

In his attempt to make sense of a plague which in 1636 had nearly halved the population of Newcastle in the space of less than six months, Robert Jenison did what any good Calvinist might have done in his place: he looked for the sins which had caused God to send so dire a warning of eternal judgement. Like Job's comforters, Jenison could not imagine any other explanation than that which might lead to the discovery of some grievous and unrepentant occasion of sin on the part of the people of his city. While other great sins, mainly the toleration of papists and (in Jenison's estimation) their running-dogs, the Arminians, figure largely in his theodicy, it is significant that the "potting, bezzelling, gossiping... idle discourses and unsavourie communications" of the alehouse and tavern were understood by him as contributing to the onset of God's judgement. The "sinful companying" and "good fellowship" of the ale-bench were associated with more than physical illness: it was the means by which "wee infect one

another in soule" to the risk of eternal damnation.

From the evidence presented in the previous chapter, it is plain that the rhetoric of civic corporations and puritan clergy frequently mentioned sabbath-breaking and disorder in the same breath as denouncing the haunting of alehouses. Conventional wisdom suggested that if the "worser sort" were not in church on the sabbath, they were to be found in one of the local drinking establishments. Indeed, most godly town governors seem to have concluded that in addition to drawing people away from church on the sabbath, the very existence of the alehouse was the root cause of blasphemy, scolding, riot, fornication and criminal poverty. The control of both the number of alehouses and of the behaviour their patrons engaged in was a major concern for both parliamentarians and town governors throughout the late Elizabethan and early Stuart period.[2]

The discussion that follows, on the treatment of drinking establishments in York, Beverley, and Hull, will refer to both the enforcement of sabbatarianism and to prevailing attitudes which local governors adopted when framing legislation intended chiefly for the reformation of the poor. Due to the lack of corporate records for Leeds and Newcastle, as was mentioned in the introduction of this thesis, these two towns will not figure in the development of this chapter. Material from the early Elizabethan period at Hull has been included because of its role as the foundation upon which the practice which typified the late Elizabethan and early Stuart period in that town stands.

Alehouse-keeping and small-scale brewing were largely the resort of the labouring poor. Paul Slack has identified the increased numbers of persons who applied for tipplers' licences in Salisbury from 1620-1635 with the depressed state of the textile trade in that town. Susan Amussen has

described how on occasion "local notables" might petition the authorities on behalf of alehouse-keepers from the understanding that such establishments provided a necessary service to poor people. In the alehouse the poor might, for instance, purchase food and drink on credit, borrow money against household goods, purchase foodstuffs and other commodities in quantities smaller than that which was available in the open market. In some communities it appears that the alehouse acted as a sort of labour-exchange and venue for all manner of minor commercial transactions. Peter Clark has even suggested that in its role as the locus of traditional festivities and rituals like wakes and rushbearings, the alehouse may in some cases have offered an alternative to the church, which during this period was increasingly reflecting the fact that its chief patrons were the "more substantial" and "better sort" of people.[3]

It is perhaps helpful at the outset to underline the fact that in all the rhetoric and regulation directed at alehouses and at those who drank, and from time to time gamed, fornicated, fought and lived therein, there is no hint of what more modern society has known as temperance rhetoric against "demon rum". Alcoholic beverages were accepted as a usual and necessary staple in the common diet. Only the well-to-do or the profligate poor might afford wine, and spirits appear to have been most commonly used for medicinal purposes, but ale and beer were almost universally consumed in quantities which to the modern observer might seem prodigious. The puritan clergyman William Harrison recorded that he brewed an average of 200 gallons of ale each month in order to meet the needs of his household.[4] Peter Clark has estimated that the average consumption of ale, beer and "small beer" during the period was somewhere between three and six quarts per person per week, though he notes that pensioners at St. Thomas's Hospital, London were allowed a daily ration of a quart of beer, and that the English garrison of Boulogne in 1545 was allowed twice as much.[5] Concern was raised, as we shall

see, by the brewing of "excessive strong ale" or "double beer", which seems to have had a bearing on the level of inebriation acheived by those who drank it, but this was as near as the rhetoric of the time was to approach a modern understanding of substance abuse.[6] Contemporary concern seems to have had more to do with the disorder, both real and imagined, which in the minds of town governors associated itself with the "haunting" of lower-class drinking establishments.

In the rhetoric of statutes for the suppression of disorder in alehouses we find, as we did in the issue of church attendance, the commingling of religious and secular concerns. In a manner which seems incongruous, even somewhat hysterical to the modern observer, urban magistrates decried both the physical consequences of drunkenness and the supposed threat of divine wrath upon the community which allowed drunkenness and disorder to go unpunished. As witnessed by the quotation from Robert Jenison at the beginning of this chapter, puritan preachers, by reason of the potential for sin and disorder which they associated with alehouses, might be expected to have made a significant contribution to both the formulation and enforcement of regulations intended to suppress drunkenness and other "abuses" commonly associated with alehouses. Our discussion of developments in Hull, York and Beverley will explore this possibility.

Hull, 1563 - 1590.

In terms of the towns under examination in this study, the earliest ordinances for the regulation of alehouses appeared in Hull. The ordinance of 1563 has been quoted at length in chapter III, and its probable origins discussed there in the general context of the partnership between magistrates and ministers. It is worthwhile noting at this point that in the

progression of sins and disorders, of which there are two lists in the text of the statute, "drunkenness" and "excessive drinking" head the first and second lists respectively. Whoever composed the document supposed that without drink "these great infections and enormities" of "whoredom, fornication... riot, idleness, wantonness, scolding or maliciously blaspheming the name of God" might not occur with such disturbing regularity. The ordinance gave as a rationale for due punishment of such offences the statement that such sins contributed "to the great provocation or kindling of God's wrath against this town".[7]

The sense of concern for a population almost beyond control is sustained in the ordinance which immediately followed. The corporation complained that

> Whereas there be many light and suspicious persons haunting this town, received, lodged, and named and made fellows in households with others inhabiting this town, for their own vantage and lucre, although that the same persons be of very evil life and... therefore it is agreed... that no householder, man or woman, within the said town shall henceforth lodge, take into their house or join with them any light, suspect persons or of evil life or vagabonds whatsoever they be, but shall present to Mr. Mayor for the time being all such persons as loiter and remain in this town not having [wherewithal] to live, that the same mayor may take such order with them as by the laws of this realm is provided...[8]

Those not reporting "light or suspicious persons" were liable to be fined 6s 8d and "further punished at the discretion of the mayor for the time being". While no specific mention of alehouses was made in either of the two ordinances of 1563, it is almost certain that the venue of both the disorderliness attendant upon drunkenness and the lodging of strangers was the local alehouse. Alehouses, being the industry most commonly turned to by members of the poorer trades as either a supplement to an otherwise inadequate income, or as a stay against periods of unemployment, tended to

be located in the suburbs, often beyond the city walls. As such they constituted ideal places for illicit trade, gaming, and the lodging of migrants in search of work or just passing through.[9] The size of the fine threatened to those not reporting "inmates" is an indication of the seriousness with which the corporation viewed the problem.

In 1566, during the mayoralty of John Thornebie, a comprehensive code of conduct was published at Hull. The sabbatarian articles in this set of ordinances have already been mentioned.[10] Notable here, in addition to the articles which required that alehouses and other drinking establishments be closed during service times and on the sabbath, are the large number of articles governing personal conduct, and by inference, the operation of alehouses. After the first article, which enjoined regular church attendance upon all of the inhabitants of Hull, there were no less than four separate articles against major breach of the peace, three of which specifically mentioned violence or the threat thereof. Article seven required that "no man so committ whoredom, fornication, adultery, neither use drunkenness, or live idly, riding about the streets vagrantly". Article nine prohibited scolding and slander, while the tenth article required "that none within this town to sing any filthy, vain, or ribald verse or songs". Articles were also issued against "cardes, dice, tables, bowls, or any other unlawfull games" and against "unlawfull plays to be used in ...houses or alleys". The requirement that "suspect persons" be presented to the mayor was reiterated, and broadened to include "all such idle persons as have no means to live".[11]

The impression conveyed by these ordinances is that of a town government which regarded the population of Hull as being constantly on the brink of disorder and violent crime. As in the twin ordinances of 1563, while no direct association with alehouses appears in the text of the prohibitions, their intent was undoubtedly to restrain the behaviour of

those who patronised places where drink was sold. In such places one might, in company with others, be tempted to drink to excess, to "commit whoredom" or to participate in the singing of "filthy, vain or ribald" songs. Worse still, one's sense of propriety might be so relaxed by drink as to allow participation in games of chance, or in the neighborly sport of hearing and passing on gossip or slander. True, all of these things might just as easily have happened in people's homes, but they were more likely to have happened with regularity when people gathered in the sociability of the local alehouse.

In fact there was often no appreciable distinction between a private home and an alehouse. This was especially true of the poorer and smaller tippling houses, which often appeared on an irregular basis, when a home-brewer sold surplus ale to his or her neighbors in the front-room or kitchen, or out of a window or door opening on the alley. During the period before the civil war unlicensed tippling appears to have been endemic in urban communities, and lists of licensed tipplers probably represent only a fraction of those who were regularly or occasionally involved in the trade.[12] The corporation of Hull probably had in mind the restriction of ale-selling to larger and possibly more reputable establishments. Articles sixteen and seventeen of the 1566 code attempted to restrict licensed tippling to those who could provide lodgings for travellers and who were able to maintain "above four gallons in their house, and that by sealed measure, as well within as without, according to the assize appointed by Mr. Mayor and the Justices".[13]

The preface to Article fifty-four, which begins a set of injunctions concerning alehouses, inns, and taverns, contains something of the concern of the "better sort" for the proper function of drinking establishments. It denounced the "excessive inordinate drinking of strong ale" and proceeded to

lament that alehouses no longer fulfilled their intended purpose "to the end that artificers, labouring men, poore people and the wayfairing man may... be better provided for and served". There followed a set of articles prohibiting games, requiring that adequate bedding be available for a minimum of two guests, and that drinking establishments should not harbour persons "on the sabaoth day or holy day during the time of divine service or preaching... except the traveller ready to take his journey". Drink was not to be sold except at meal-times, and licensed innholders and "victuallers" were required to brew "only beer for their guests and not ale" though they might send out for ale, presumably from licensed brewers, to serve guests who had a taste for it.[14]

In 1570 Symon Pynder, curate of Holy Trinity, Hull, brought a comprehensive array of charges against William Steade, the parish clerk of that church. In what will unfold as almost certainly part of a grand design to prepare the way for the hiring of a lecturer, Steade was accused of being "a common and daily drunkard" who had been presented to the archidiaconal court, "examined and commanded certain punnyshments, which he yet hath not done, neither doth amend nor reform his said faults, but therein continueth to the great offence of the godlie congregation". No mention is made of any presentment to the civic bench, though as we have seen above, statutes were in place by which Steade's misbehavior might have been punished through presentment to that jurisdiction. Indeed, the allegations of article three of Pynder's complaint suggest that the corporation's policing of drinking establishments at service times must at best have been a hit and miss operation. The curate complained that Steade had failed in his duty to provide wine for the celebration of holy communion, and that "the mynistar as the communicants are forced to stay 'till it be fetched at the tavern". The corporation appears to have been well aware of Steade's misbehavior, for in addition to being parishioners of Holy Trinity, the "Mayor and other

Justices" were called upon by Pynder to "take the peace" of Steade, for relations had deteriorated between clerk and curate, the former having "through his threatening and manassing" of the latter caused him to be "afrayd to minister with the wyne he provideth".[15]

Steade's answer to Pynder's articles suggests that more was at stake in this case than a simple clash of personalities or even the godly prosecution of drunkenness. He admitted to having been presented for drinking, but by only one of the churchwardens and sworn men of the parish, "of mere malice and without consent of the other churchwardens and sworne men". He admitted that he had not paid his assigned fine of 3s 4d to the "poor men's box", but as he proceeded to claim that he "neither hath been nor yet is a common and daily drunkard, neither is there any common report and fame that he is so", his non-payment may well have been integral to his protestation of innocence. Steade went on to offer explanations of his other alleged lapses which, even allowing for the self-interested nature of his testimony, strongly suggest that Pynder was using the letter of the law in a bid to have Steade expelled from his position so that his stipend might be put to another use.[16] This becomes clear when we consider that Pynder's articles had accused Steade of numerous conservative practices, such as bell-ringing at funerals and on All Souls' night, and of being less than enthusiastic for the sort of protestantism practiced by Pynder and others at Hull. Steade was alleged to have avoided sermons, and when present during preaching "he bestoweth the tyme in sleeping". He also was accused of "consuming the time with orgaines plainge and synging, and further in setting forwarde the clock, that there be no convenient time for the word to be preached". Finally, Pynder flatly accused Steade of being "of the papists not onlie well liked of, but also maintained" and petitioned the High Commission for his censure, "his lyvinge is worthe yearly £20 at the least, and some say £40. It would help well to the maintenance of a preacher of Goddes

worde...".[17]

Pynder's use of the charge of drunkenness against Steade, in that his promotion of the charges was probably done in collusion with or at the instigation of the mayor and aldermen of Hull, in order to remove Steade so that his stipend might be put to another use by the corporation, is likely to have constituted an abuse of the church courts. As has been noted in chapter II, Steade was dismissed by the corporation as a consequence of the case, and replaced by a man named Richard Nicholson, who was paid the much reduced stipend of £4 per annum.[18] The evidence of Steade's case implies that for all of the high rhetoric of the 1566 code, the corporation still relied upon the church courts to do the work of enforcing sobriety among the inhabitants of Hull.

It is therefore probably more than coincidental that in 1572 the mayor and aldermen of Hull found the funds necessary to hire the puritan Gryffith Bryskin as the city's lecturer at Holy Trinity. The Bench Books list sources from which the preacher's stipend of £40 per annum was derived. Among these are:

> Of the chamberlains of Kingston-upon-Hull for the assistant's fee, £12.6^{s} 8^{d}.
> Of the churchwardens of Trinitie Church, which they in time past did pay to the parish clerke, 53^{s} [19]

It would appear that, in addition to plundering the profits of the vicarage, as discussed in chapter II, the corporation of Hull had used Pynder's complaint of drunkenness and other offences against Steade in order to liberate funds for the creation of a civic lectureship.

In 1574, shortly after Bryskin's arrival, the puritan William Gee was elected mayor of Hull. During Gee's term of office the corporation requested

and was granted special permission from archbishop Grindal to conduct a local court for "the suppressing of vice and maintenance of virtue".[20] A year later the corporation, probably acting in cooperation with Bryskin and Pynder, initiated a campaign against drunkenness and disorder in alehouses. The preamble to the necessary ordinance leaves little room for doubt as to its inspiration:

> Forasmuch as the learned, zealous, and godly preachers of the most sacred and holy word of God, within Kingston-upon-Hull aforeasaid, from time to time in their common place of preaching most earnestly and vehemently exclaime and cry out against the blaspheming of the holy name of God, drunkenness, whoredom, and... other abominable offences which so abound in the said town by the great number of alehouses, the unreasonable and excessive strong ale by ale brewers there brewed, and the continual and disordinate repair of the people to these lewd houses, and so also thunder out in the same place the manifold, grievous and terrible plagues of God, hanging over this town if speedy reformation be not had in the premises, to the great terror of every Christian having the fear of God imprinted in his conscience.[21]

Notable here is the strong causal link between "the continual and disordinate repair of the people" to alehouses and the litany of sins, headed by blasphemy and drunkenness, for which "terrible plagues of God" imminently threatened the community. As in the casuistry of Robert Jenison, mentioned at the beginning of this chapter, there appears here in the reasoning of the magistracy of Hull a direct link between the toleration of blasphemy, drunkenness and disorder and the inevitable consequences of the wrath of God. Professor Collinson has identified a similar line of reasoning in the thinking of William Eddy, the puritan vicar of Cranbrook, Kent, who attributed the visitation of plague in 1597 to "that vice of drunkenness which did abownd heere".[22]

In their identification of God's wrath with drunkenness *and profane use of the divine name,* the corporation gave voice to what was in fact a common

puritan complaint. Laurence Chaderton was to lament the "huge masse of olde stinking workes, of conjuring, witchcraft, sorcerie, charming, of blaspheming the holie name of God, swearing and forswearing", when he preached a sermon at Paul's Cross lamenting the consequences of the lack of proper ecclesiastical discipline in the Church of England. Arthur Dent complained that swearing was "of all other sins most rife in this land".[23] William Crashawe decried "vain swearing by Gods name to be the common and crying sinne of England... a sinne under which the earth mournes".[24] Edmund Rudyerd, the puritan minister of Uttoxeter admonished the J.P.s of Staffordshire to adopt a "hatred and loathing of sin" in the performance of their duties, and listed "cursing and swearing" as being of the same order as sabbath-breaking and idolatry.[25] The profane use of God's name was clearly a matter which greatly distressed people of the godly persuasion.

From threat of divine judgement the writer of the 1575 ordinance "against strong ale" moved to address the practical benefits of strict regulation. It was suggested that

> by abolishing and taking away of the brewing of such unreasonable strong ale, not only the said crimes are more easier to be avoided, but also above a thousand quarters of malt, great quantities of wood and other fuel will be yearly saved in the said town which was most wastefully there consumed, spent, and wasted...[26]

With this, the writer of the ordinance concluded that alehouses might once again return to the function for which they were originally intended, the "relief" of "artificers, labourers, poore people and the wayfairing man". Despite the length and the vehemence of the ordinance, no substantial change in regulatory policy appears to have been introduced. Instead, the entry concluded with the reiteration of the articles concerning behaviour in alehouses, first introduced in 1566. Warning was issued, however, that from that time forward the articles would be "implacably for ever hereafter observed and kept, and that the mayor for the time being and every alderman

within his ward shall duly and effectively cause they and every of them to be observed".[27]

A fortnight after the publication of the ordinance mentioned above, the corporation took steps to augment the forces designated to police the city's alehouses by choosing two "honest and discrete persons" from each ward. These individuals were to assist the aldermen in making periodic "searches" of drinking establishments. An extensive list of presentments for infractions follows, suggesting that in the short term, at least, a program of strict enforcement was in fact attempted. In 1576 the corporation once again chose and caused to be "sworn" two searchers for each ward. The entry for this year made specific mention of their duty to discover and report the names of persons who haunted alehouses "upon the sabaoth day, or other holy days in the preaching time table".[28]

From the evidence cited above, it would seem that the early appearance of statutes for the regulation of alehouses and the punishment of drunkenness and disorderly behaviour was at least in part related to the early emergence of "hot protestant" or puritan piety among that portion of the community from which the civic bench was elected. With the arrival of puritan clerics like Smyth, Pynder and Bryskin, the rhetoric of control expressed by the corporation developed in such a way as to acknowledge the partnership of minister and magistrate in this area. Inebriation and disorder were described as sins, the consequences of which were seen to threaten the order and even the survival of the urban commonwealth. Enforcement evidence, as with that pertaining to sabbatarian offences in Hull, is fragmentary, and suggests that enforcement may have occurred for the most part at a local and unofficial level. The sudden appearance of a large number of cases in the Bench Books after the publication of the 1575 ordinance "against strong ale" and the choosing of searchers in 1576

suggests that there was a direct relationship between the zeal which caused the corporation of Hull to procure and maintain a puritan preacher like Bryskin and that which inspired their campaign against drunkenness and "excessive strong ale". Bryskin, Pynder and Smyth no doubt nurtured the growth of this zeal against drunkenness, as the text of the 1575 ordinance indicates. It is notable, however, that after an initial spate of prosecutions in 1576, the number of persons presented to the mayor's court for drink related offences dwindles off until the dearth years of the 1590s, when concern was once again focussed upon the drink trade, this time with a view to its potential as a contributing factor to local shortages of bread corn.[29] It is in the context of these dearth years of the 1590s that this discussion of puritanism and alehouses turns to consider developments beyond Hull, in York and Beverley.

York, Hull and Beverley, 1590 - 1636.

The greater part of this chapter will now consider both the official rhetoric and (as sources permit) the corresponding levels of enforcement in York, Hull and Beverley from 1590-1636. Where possible, the relationship between local and national policy (as expressed in bills passed or presented to parliament) will be explored, as will the role of puritanism in terms of its potential as an undergirding ideology for those who formulated and enforced policy intended to suppress drunkenness and disorder.

The disastrous harvest failures of the 1590s were partially responsible for a renewed attention to the regulation of alehouses and the behaviour of the poor. Joan Kent's survey of parliamentary activity for the period 1576-1628 demonstrates an extraordinary cluster of bills proposed for the reformation of alehouses and repression of drunkenness in the parliaments of

1601, 1604 and 1606.[30] These were in part engendered in reaction to problems local governors faced in managing drinking establishments, and the disorder associated with them, during the hard years of the previous decade. Paul Slack has identified the period beginning at 1524 and ending around 1650 with unusually rapid population growth, and that from 1590-1640 with extended periods of economic stagnation. These are conditions which Peter Clark suggests may have contributed to the coincidental rise in the number of householders who turned to the victualling trade as a means of avoiding destitution. Clark also attributes the increasing numbers of people who depended upon the services of the alehouse to the decline during the reign of Elizabeth of the number of households where servants "lived in" or were provided with food and drink as part of their pay.[31]

The evidence available for Hull, York and Beverley seems to support the analysis of Kent, Clark and Slack, in that the concerns about drunkenness and alehouses in all three towns include concern about the potentially deleterious effects of the drink trade in times of shortage. In Hull, an entry for the licensing of alehouses in 1593 was followed in 1596 by an order prohibiting the visiting of alehouses by the inhabitants of Hull until the period of shortage was over. The prohibition carried provision for a fine of 3s 4d and was publicly read in both churches during the time of Sunday services. In 1599, when John Groves was mayor, a commission was obtained from archbishop Hutton "for the punishment of adultery, fornication and drunkenness". In 1605 it was considered necessary, as noted in the previous chapter, that the gates of the city be closed and locked in order to prevent people from leaving or entering the city on the sabbath. As Peter Clark's research has shown, there was usually a tendency for unlicensed alehouses to be located in the suburbs, where the poorer inhabitants lived. An order to bar the city gates on the sabbath may well have been intended to prevent the haunting of alehouses on the sabbath, at least for that part of

the population which lived inside the walls.[32]

During the mayoralty of a puritan named John Lister, an ordinance issued by the corporation of Hull on 3 December, 1612, attempted to limit the patronage of local alehouses to meal-times, proscribing the "haunting" of all such drinking establishments at other times of the day. The terms used by the corporation leave little doubt that they regarded the alehouse as both a potential sink of corruption and resort of the poor. The ordinance lamented that "still the number of alehouses do abound and increase, by the continual resort thereunto by unthrifty persons, labourers, and others of the poor sort for the most part". This development was ascribed to "evil disposed persons" who "draw strangers to accompany them" to local alehouses, in order to fulfill the requirements of the 1604 statute which permitted travellers to entertain their friends when breaking their journey at an inn, tavern, or alehouse. This ordinance was reissued by the corporation in 1621, 1622 and 1627.[33]

At York, where public drinking on the sabbath had been partially proscribed since 1580, and searchers appointed to investigate alehouse-haunting on the sabbath since 1590, the corporate mind seems to have focussed upon the problem of alehouses and dearth only in the latter part of the 1590s.[34] The minute books of the corporation of Beverley record no ordinances against public drinking until those of 1615, as already mentioned in the previous chapter's discussion of sabbatarianism. As we shall see shortly, there is nevertheless reason to believe that puritanism inspired a consistent, if somewhat less rhetorically bombastic campaign against drunkenness and disorder in that town.

Thus the corporations of both York and Hull passed ordinances in the period 1596-1615 which were intended to regulate public drinking and to

repress disorder among the "inferior sort", whom informed opinion identified as the usual patrons of urban alehouses. In both communities three common concerns prevail: Sunday drinking, disorderly and criminal activity, and the inappropriate use of grain and fuel in times of shortage. Some aspects of concern about Sunday drinking have been dealt with in the previous chapter, and our discussion of drinking and sabbatarianism at this point will attempt to avoid undue repetition. The fact remains, however, that most of the evidence about enforcement shows that individuals were presented for sabbath-breaking in combination with drinking and/or disorderliness. Despite the fact that the rhetoric of statutes concerning alehouses decried drunkenness and disorder as offences to be addressed no matter on which day they happened, non-sabbatarian charges of this nature are extremely rare.

The language of the ordinances directed at alehouses leaves little doubt that the intent of its authors was that such legislation was primarily for the control of the poor, the "inferior" or "worser sort" of the urban population. In the commission obtained by Hull from archbishop Hutton for the repression of drunkenness and sexual immorality at Hull, for instance, specific reference was made to "the poorer and baser sort of people" who by their poverty and inability to travel, presumably to Beverley and York where the church courts usually sat, were escaping the court's censure and moral correction.[35] Christopher Concett's letter to the parish of St. Sampson's, York, which contained directions for the reformation of alehouses and sabbath observance throughout the city's parishes in 1598 made much the same point, referring to the "great negligence or careless lawlessness of divers of the inhabitants of this city, especially of the inferior sort".[36]

Evidence from the Quarter Sessions for York in the years 1595-6 tends to support this opinion, at least in terms of the "sort" of persons to whom victuallers' licences were issued. In the session held 12 October, 1595,

twenty-eight persons entered recognizances as licensed victuallers. Of these, ten were leather-workers (7 sadlers, two tanners and a glover), five were tailors, two were listed as labourers and one was the wife of a labourer. The remaining ten individuals licensed included a baker, three "innholders", two blacksmiths, two merchants and two persons who styled themselves "yeoman". Of twenty-eight recognizances, the major portion of those to whom licences to tipple were granted appear to have been involved in the poorer trades, such as leather-working and the clothing trade. Of the "higher" range of those to whom licences were granted, it is probable that those who styled themselves "innholders", merchants and yeomen may have been considered part of the "better sort" of the civic population, but their involvement as alehouse-keepers tends to undermine this possibility. Peter Clark's more extensive survey of tipplers' occupations in York in 1596 suggests much the same distribution, with less than 8% of those licensed being of yeoman standing or better and with 46.4% of tipplers being drawn from the leather-working, clothing and textile trades.[37] It is therefore not unreasonable for us to assume that the judgement of Concett and other civic governors, loaded though it is with moral prejudice, was nonetheless substantially correct. The majority of licensed victuallers appear to have been involved in trades vulnerable to periodic depression, and would most likely have occupied a place in the civic strata just above the level of the labouring and indigent poor people who made up the bulk of their customers.

At the same session in 1595, five persons were fined for "selling ale contrary to statute" (that is, at inflated prices or in short measure) and nine were presented for "brewing and tipling not allowed", or in other words, for brewing and selling ale without a licence. The lack of Quarter Sessions evidence for York from 1600-1639 has been mentioned in chapter IV. In the absence of evidence to the contrary, it seems plausible that the business of licensing and "ordinary" regulation which dealt with measures

and commercial standards remained within the purview of this jurisdiction throughout the pre-civil war period. With the exception of occasional orders that licensing be reviewed, such matters do not regularly appear in either the records of the civic bench or of the church courts.[38]

From the Quarter Session records which do survive for York in the late 1590s we find evidence of action taken to limit the use of cereals by the malting and brewing trades. In August 1598 the court issued an order for the suppression of malt kilns during the period of dearth which was anticipated due to that year's harvest failure. There follow several pages of entries detailing the visitation and closure of malt kilns within the city over the next two months.[39] Such action probably helped to forestall food riots and to some extent may have made the lot of the poor more bearable, but it is not clear how far this was so. Paul Slack has suggested that the motivation of town governors in this matter may have had more to do with the avoidance of disorder than with significantly ameliorating the effects of scarcity for the urban poor.[40]

The preservation of order was certainly foremost in the mind of Christopher Concett and the others who may have contributed to the composition of his letter to the clergy and churchwardens of St. Sampson's, York, in 1598. This letter, which has appeared earlier in the context of our discussion of sabbatarianism in York, singled out the alehouse as one of the principal causes of impiety and crime in the urban community. Instead of giving honour and praise to God through participation in church services on the sabbath, the "inferior sort" were prone to the sinful practice of

> resorting unto and sitting in the alehouses and taverns, drinking and disordering themselves till some of them be drunk, or grow so disordered and ragious as that divers affrays and other such inconveniences have thereupon ensued, or else by playing in the alehouses at unlawful games, so long as they either have money or

> credit, so it is to be feared that they, having so spent and consumed their time, wits, and wealth, will in the end either become beggars, and burdensome to this city, or else thieves and robbers, spoiling other good people.[41]

Clearly the sort of thinking Concett represents associated the sin of drunkenness, particularly drunkenness as it occurred in alehouses, with a progression of "inconveniences" which ranged from momentary irrationality and occasional violence to chronic and criminal poverty. As such, alehouses and those who drank in them were seen as potentially threatening the well-being of the community, and as has already been seen in the case of Hull, the toleration of such sinful disorder was liable to "bring God's hand and wrath upon us, if the same be not reformed". The corporation's response to the problem of alehouse-haunting in the late 1590s was not unlike that adopted earlier at Hull. Searchers were chosen to identify and present those who frequented drinking establishments on the sabbath and at service times. Significantly, those chosen for this task were "certain credible and honest citizens, such as we are persuaded of do both fear God and are grieved in their own consciences at these disorders". Those who policed the alehouses, at least according to the intention of the corporation, were to perform their tasks with a zeal arising out of both a sense of righteous indignation and of a divine mandate to repress the sinful. The scope of the searchers' mandate appears to have been somewhat more limited than it was for the searchers of Hull, in that the searchers of York were specifically ordered to investigate disorder in alehouses only as it was related to drinking in time of services or on the sabbath, whereas at Hull, as we have seen, the instruction given to the searchers did not identify any particular day upon which to inspect the city's alehouses.

Robert Askwith's renewal of the corporation's concern related to church attendance and alehouses in 1606 has been noted in chapter IV. For the

purposes of our discussion at this point it is significant that this apparent burst of reforming zeal may have been partially inspired by parliament's passage of a bill in 1604 "To restrain the inordinate haunting and tippling in inns, alehouses, and other victualling houses". As has already been noted, the parliament of 1604 saw no less than twelve separate bills proposed for the reform of drinking establishments, and it is likely that the corporation's action through Askwith was in response to instructions brought back by its M.Ps[42] Askwith's comprehensive ordinance against sabbath-breaking and Sunday drinking was followed by an entry noting that alehousekeepers had been summoned to appear before the mayor and hear "the statute made at the last parliament, that is to say, an act to restrain the inordinate haunting and tipling in inns, alehouses, and other victualling houses". It is, of course, as possible to see the concerns of local government reflected in the action of parliament as it is to see parliamentary concerns in local ordinances. Perhaps it might be closer to the truth to suggest that instances like this reflect the close communication of concerns between parliament and the governments of provincial towns and county jurisdictions, through the persons of M.P.s who were most often either members of civic corporations or significantly involved members of the local gentry: they might also have sat as J.P.s in the County Commission of the Peace, as, for instance, was the case when Sir Thomas Hoby of Hackness sat as one of the members for York in the parliament of 1601.[43]

In 1607 and 1615 ordinances were issued in York for the prohibition of travel through the city gates on the sabbath. As at Hull, the primary intent of such regulation was almost certainly to keep the population which lived within the walls from availing themselves of the alehouses in the suburbs.[44] The ordinance of 1615 leaves little room for doubt, as its authors specified that it was intended to reform

> the meaner sort of people, that do usually, when they should resort to their parish churches to divine service, because they cannot remain drinking in the alehouses in this city, they do therefore walk forth to towns adjoining near this city to alehouses, and so do profane the sabbath.[45]

As has been noted in chapter IV, this order was substantially relaxed in 1616 when it was found that "the worser sort" were not effectively hindered or deterred by the closing of the gates. The gates were ordered to be left open, so that those with good reason to travel on the sabbath might do so, but a watch was to be set on the gates in an attempt to restrict the exit of inhabitants bound for the flesh pots of the Ainsty.[46] The issue of gate closure on the sabbath was resurrected in 1642, when order was once again given that "six good sufficient watchmen [be] set at every bar to watch, and the posterns to be locked up, and that the like watch be set every sabbath day till further order be given to the contrary".[47]

Not all attempts to regulate alehouses during this period can be attributed to persons of "puritan" persuasion. The mayor and aldermen of York received a letter from Thomas Wentworth, then Lord President of the Council of the North, dated 30 October, 1632, in which he required, among other things, that care be taken to maintain order in the alehouses. Wentworth also required that they allow "none to tipple or brew which have good trades", a statement which suggests that the Lord President also associated brewing and tippling with the strata of population which, not having "good trades" turned to the ale-trade as a stay against utter destitution. Wentworth's statement might also indicate a reluctance to have those in "good trades" exposed to the allegedly easy profit and idle, potentially sinful, lifestyle of the alehouse.[48] A survey of tipplers undertaken by the corporation in 1637 suggests that the situation was in fact much as Wentworth intended, finding that as most substantial households

still did their own brewing, "the brewers that are here having but the meaner sort of people to serve do but use small vessels and brew small quantities and have much ado thereby to maintain themselves".[49]

As might be expected from the rhetoric of statutes concerning alehouses at York, most of the evidence of enforcement which exists involves the presentment of individuals to either the civic bench or the church courts for drinking on the sabbath. This evidence has been dealt with in the previous chapter and will not be repeated here. Evidence does exist, however, to indicate that not all presentations for offences involving drunkenness or disorderly conduct were related to the breach of proper sabbath observance or church attendance. A few cases are cited here as examples: they represent about one-half of the citations which might qualify for inclusion under this heading. Christopher Appleby, Edward Ackrode and Miles Thistlethwaite appeared before the mayor's court held 9 May, 1606, to answer charges of operating illegal alehouses. They were each fined 20s and jailed for three days. Isabell Waistell, one of the "naughty women" who lived in the "Jackson House" (a local alehouse) and who were reputed to "offer their bodies to the intent to entice men to filthiness", was carted through the streets, ducked three times in the river and expelled from the city on 29 April, 1607. On 15 May 1609, a laborer named George Thompson was ordered to be whipped from Micklegate bar to Walmergate Bar, and "from there to his house" for "his drunkenness and for slanderous words by him spoken against my Lord Maior". John Barton was imprisoned "until he should find sureties for his good behavior" at the order of the civic court held 4 December, 1618. His crime had been that he was found "playing his instrument" in the company of drunken revellers.[50]

As has already been noted in our discussion of the enforcement of church attendance, the rise to positions of power in York of certain "godly"

persons like John Vaux, Matthew Topham, Elias Micklethwaite and Thomas Hoyle seems to have had the effect of increasing the intensity with which the corporation applied its ordinances against disorder and drunkenness in alehouses. In 1627, the year that Elias Micklethwaite was mayor of York, an order was issued for the licensing of "innholders and cookes who do brew and utter strong ale and beer and sell the same". The intent of this order was twofold: the regulation of alehouses which evaded licensing, through incorporation with local inns as "taps" by which innkeepers sold off excess liquor to the poor; and the suppression of those who brewed and sold over-strength ale and beer. In that same year Robert Crosbie was fined 20s and jailed three days for selling ale without a license; Philip Waller was given the same penalty for "having brewed ale contrary to the order of the justices". Robert Fox, John Baxter and John Robynson were "committed to prison until they should pay 20s each" for being "disorderly and denying to gyve their voices with the searcher and denying to submit themselves to my Lord Maior in court". As Micklethwaite's term of office was drawing to a close, Marshall Mayson "for that he is now brought into this court, being very drunken, shall be committed to the stocks for six hours, or pay 5s". Mayson was further committed to prison "till he find sureties for his good behavior".[51]

In 1628 yet another order "for the reformation of divers offences in taverns and alehouses" was issued by the corporation of York. The ordinance, which focussed upon those who offended by selling and drinking liquor on the sabbath, was in essence a reissue of the statute of 1604. In this version, however, the bench attempted to tighten the net of enforcement by requiring that parish officers make presentment of offenders to monthly meetings of the court of Petty Sessions.[52] In 1630 the net was drawn even tighter. The corporation ordered that the usual feasting which was enjoyed by the mayor and aldermen on the eves of Christmas, Easter, and Whitsuntide should be

discontinued, "those days to become fast days, and the money saved to be given for the relief of the poor".[53] That same year Myles Spence, John Harrison and Francis Grayson, alehousekeepers, were fined and imprisoned for charges which included brewing without a licence, permitting others to "play unlawful games" and "keeping lewd company drinking... from ten o'clock at night until three in the morning". Christopher Harvey and Richard Westmerland were imprisoned for drunkenness, while Christopher Holgate was designated "a wandering rogue" and whipped out of town.[54]

Not all forms of disorder originated with the local alehouse; the threat posed by plague sometimes added to the severity with which the disorderly poor were treated. From the spring of 1631 until the summer of 1632, the city of York endured a visitation of plague. The civic records for this period, during the latter half of which another puritan, Thomas Hoyle, was mayor, reflect an attitude of desperate control, particularly of disorder among the poor. Ann Robynson was imprisoned three days "for scandalous words" and required to provide sureties for her good behavior. Isabell Hutchinson, the wife of a blacksmith, was whipped for saying that "if the sickness would come in fast enough, she would run amongst the thickest of them". Four women and a man, whose names were not recorded, were charged for having "digged and raised up the clothes and other things buried in the ground for danger of infeccion". They were "all set in the stocks, and taken out one by one and set by the neck and hands in the gyves there and whipped".[55]

In addition to vice, drunkenness and petty crime, one of the overriding concerns of the "better sort" of York was that those who frequented alehouses and other drinking establishments might indulge in blasphemy while under the influence of drink. A scattered collection of presentments to the church courts and civic bench indicates that this concern sometimes resulted

in prosecutions, though in most of these cases the offence was aggravated by impropriety, violence, or drunkenness. In 1590 the churchwardens of the parish of St. Laurence, York, presented Alice Messinger and her daughter Katherine, who together with Anne Calverd were accused of being "common cursers, blasphemers of God's name and great disquieters of their neighbors". Margaret Middleton of Holy Trinity parish was presented in 1594 as a "brawler, curser and disquieter of her neighbors".[56] Blasphemy was probably one of the charges laid against Winifred Richardson of St. Sampson's parish, who railed "against the sessional courts... against the officers and members thereof, terming it a bawdie court and them bawdie persons, with many reproachfull speeches, verie offensive".[57]

Sometimes offenders tempted fate by directing their profanity at persons of high public office, or by cursing in the presence of such persons as an act of defiance. An apprentice named Matthew Wilton was presented to the civic bench in 1612 by alderman Percival Brook, who testified that Wilton, in the course of playing "ten bones" with another lad, "did blaspheme the name of God with outrageous oaths, swearing God's life, God's wounds". Brook related how he had rebuked Wilton, both for his profanity and for his corruption of the other "young boy at such unlawful games". Matthew Wilton, throwing discretion to the wind, had continued to swear, and told his companion that he would "swear in spite of the devil" and "swear truly in spite of the old scurvey dog". The apprentice was given a whipping and imprisoned until he could provide "sureties for the keeping of the King's peace".[58] Nor was profanity limited to the excesses of youth. Robert Mosely and his wife, pensioners of St. Anthony's Hospital, were expelled in 1613 at the order of the civic bench for being "backward people, given to brawling and swearing".[59] In 1631 a tailor named Edward Thrylewood spent a night in jail and the next day in the stocks for being intoxicated and taunting the mayor by saying "now candlemas is near, when you will be out of your place,

and then I will make all smoke!" Henry Middleton, "Mr. Ramster's man" was accused by Henry Hoyle at the mayor's court held 9 December, 1639, of being "at his house sore distempered with drink, and did blaspheme and swear many great oaths." Middleton was also accused of having been "very disorderly in his carriage" and of having "made much ill rule in the streets".[60]

The evidence from official rhetoric and enforcement available for York does suggest that the matter of alehouse haunting, drunkenness and disorderly behavior was a matter of fairly constant concern throughout the first forty years of the seventeenth century. If the records of the Quarter Sessions court for York had survived beyond 1599, it might have been possible to develop a clearer picture of the regulatory activity of the civic corporation in its role as the body which licensed alehouses, in addition to its activity as the civic bench, which policed drinking establishments and punished instances of disorder. As it is, we may with some degree of certainty identify the development of vigorous alehouse regulation with the growth of committed protestantism at the turn of the sixteenth century and with the puritanism of Vaux and his "party" in the years following 1625.

As mentioned earlier, the mayor and governors of Beverley did not issue an ordinance against drinking in alehouses until 1615, and this ordinance did not, in fact, proscribe drinking other than that which profaned the sabbath.[61] It is nevertheless possible to discern a policy directed against drunkenness and disorderly behaviour which, like sabbatarianism, appears to ebb and flow with the comings and goings of the puritan clerics who served as preachers and curates at the Minster church and St. Mary's. As with Hull and York, much of the evidence which involved presentments for drinking on the sabbath has already been discussed in chapter IV.[62] In order to establish the pattern of enforcement and its correspondence to clerical

puritanism in Beverley, it will be necessary to reintroduce some of this evidence.

The court act books for the visitations of 1590, 1594 and 1596 demonstrate that presentments for drunkenness were at best a hit-and-miss proposition at Beverley before the arrival of William Crashawe in 1599. In 1590 there were five persons reported for drink-related offences. Four of them were drinking together in an alehouse during time of divine service, while the fifth, John Peece, was presented for being drunk and behaving in a manner which disturbed the conduct of divine service. There were no individuals presented for offences arising from drink at the visitation of 1594, and only four persons were presented in 1596. Of the latter, two were presented for drinking in "service time". The other two are of interest because the manner in which they are presented indicates something other than the punishment of absence from church: Richard Cyles was presented as "a common drunkard and swearer", and William Greenleaf was denounced as "an accustomed drunkard".[63]

William Crashawe was preacher at Beverley Minster from 1599-1605, during which time visitations were held in 1600 and 1604. In both we find that fourteen persons were presented for offences related to inappropriate drinking, drunkenness or disorderly behaviour. Roger Lawson was probably a local alehousekeeper: he was presented for "keeping men drinking" in his house "in service time". Others, like Joanna Mayson, Robert Taylor, Elizabeth Sumter, Thomas and Isabel Watson, presented simply as "scolds", had in all probability disrupted the peace of their neighborhoods for a variety of reasons, among which drink might have been a factor. William Greenleaf, who had been presented as a drunkard to the visitation court of 1596, appears again in 1600, together with Roger Jackson. In the same year we find John Westerall and Chester Scales presented as "common frequenters

of the alehouse".[64] In 1604 we find that three individuals, Christopher Pickering, Thomas Leadbeatter and Roger Utterman were presented as drunkards. Isabel Lumley was presented for "a swearer" and eight persons were named as "scolds and fighters". John Spenser was presented for "abusing the churchwardens in their office", while Bryan Blaiklock was presented for "sporting in the church".[65]

The visitation which occurred during the brief tenure of Thomas Bindes as lecturer at the Minster shows a significant reduction in the number of presentments for drink and disorder offences. Three individuals were presented, two as drunkards and one as a "drinker in time of divine service". The complete absence of offenders presented for scolding, swearing or fighting tends to suggest (as has already been suggested in the context of a similar lack of sabbatarian presentments in chapter IV) that Bindes was not nearly as zealous in the task of moral reform as was his predecessor.[66]

As has been noted above and in chapter IV,[67] the corporation of Beverley was moved to publish an ordinance against drinking in alehouses on the sabbath in 1615, following the arrival of the puritans Rhodes, Garthwaite and Ellis. The penalties provided in the statute indicate that the corporation felt that the greater responsibility in the matter of sabbath-day drinking lay with the proprietors of drinking establishments. Alehouse keepers were to be fined 10s per occasion of offence, while sabbath drinkers were only fined 3s 4d.[68] The visitation court held at Beverley that year saw seven men and a woman presented for this offence, two of whom, Thomas Rennyson and Elizabeth Struman, where alehouse-keepers.[69] In the visitation of 1619 two persons were presented for usually drinking in alehouses on the sabbath: four others were presented for irreverent and disruptive behaviour, typical of which was the case of Thomas Dirkson and Margaret Moore, presented "for deriding, depraving and scoffing at religion and the

professors thereof, as also for common rayling, backbiting, scolding, cursing and swearing".[70]

The visitation of 1623 saw the presentation of fifteen individuals for drunkenness, disorderly behavior, or drinking on the sabbath. The number of presentments drops to four individuals in the visitation of 1627, but rises to an all-time high of twenty-two in the visitation of 1633. Of those presented in 1633, five were named as drunkards and three were alleged to be swearers. Six persons were presented for having given abusive or "threatening speeches" to churchwardens or clergy in the performance of their duties. It is perhaps significant that while those named as drunkards had, in all likelihood, broken the sabbath through their drinking, this is the first presentment of the period apart from that of 1607 in which no persons were presented for sabbatarian drink offences.[71] In the visitation of 1636 there seems to have been a return to the usual program of enforcement, with ten presentments involving drink: six of these appear to have named alehousekeepers for allowing people to drink in their houses on the sabbath.[72]

Thus at Beverley we see a pattern of enforcement relating to alehouses, drinking and disorder not unlike that which was applied to church attendance and sabbatarianism during the same period. William Crashawe's time as lecturer roughly corresponds to a short period of increased vigour in enforcement on the part of local churchwardens. This was followed by a short period of what might be regarded as comparatively relaxed discipline under Thomas Bindes, which ended at about the same time that the puritans Rhodes, Ellis and Garthwaite arrived at the Minster and St. Mary's in 1613-14. Fairly constant pressure on those who would drink on the sabbath, or who would drink to excess or behave in a disorderly manner on other days, appears to have been maintained throughout the remainder of pre-civil war

period. The absence of presentments for sabbatarian drink offences in the visitation records for 1633 coincides with a similarly drastic alteration of other sabbatarian presentments, and (as will be discussed later) probably reflects the alteration of emphasis on the part of the episcopal visitor which was inherent in the shift to a policy of Arminian, anti-Calvinist reform under archbishop Neile.

Conclusion.

The regulation of alehouses, drunkenness and disorderly behaviour in York (1590-1636) and Hull (1563-1636) seems to have been a matter of consistent rhetoric and sporadic enforcement. Alehouse keepers who allowed their patrons to drink past reasonable closing times, or who tolerated unusually boisterous revelry, attracted the unwelcome attention of the civic bench. So did those who kept unlicensed tippling houses in times of official concern over "disorders in alehouses", as was the case during the late 1590s and into the first decade of the seventeenth century. But on the whole, the number of alehouse keepers presented and fined must be understood as a small fraction of the number of licensed and unlicensed tipplers present in York or Hull at any time before 1640. It appears, therefore, that the intention of the rhetoric employed in statutes was only partially accomplished, even in the years when "Vaux and the puritan party" dominated the corporation of York.

If the numbers of tipplers prosecuted was a small fraction, the actual number of drunkards officially recorded as being punished before the civic or the ecclesiastical bench in York and Hull was probably representative of an even tinier fraction of those likely to have offended. As with the alehouse keepers, most of those whose cases were recorded appear to have

compounded their excessive drinking with violent behaviour, swearing, or impropriety directed at persons thought to be deserving of greater than usual deference. As the evidence above demonstrates, apart from those who drank on the sabbath, it was rare for individuals to be punished for simple drunkenness on other days of the week.

Both the official rhetoric and the court evidence for York and Hull offer some justification for the commonplace assumption that it was primarily the poor and those who did not "have good trades" who operated and patronized the alehouse. This was probably the case in Beverley as well, but the absence of Quarter Sessions recognizances and the paucity of official rhetoric from its corporation leaves little basis for more than speculation. It would appear that the regulation of alehouses and drunkenness was at least in part a matter of the "better sort" attempting to reform, or at least to regulate, the behavior of the "inferior sort". There are instances when the official rhetoric approaches the necessity of addressing the issue of poverty which underscored the existence of the alehouse as an institution, but in general civic magistrates tended to regard tippling houses simply as a persistent element in their battle against crime and sinfulness among the "worser sort" of the urban population.

Although periodic campaigns for the reformation of alehouses were inspired by sabbatarian concern, it is not possible to conclude that puritanism played more than a subsidiary role in the development of ordinances against excessive drinking and disorder. Apparently urban government did in fact have a problem of control where the poor were concerned: puritanism lent an ideological edge to the manner in which programs of reform were conceived and accomplished. In York and Hull, the influence exercised by clergy of the "godly" persuasion appears to have been instrumental in the creation of an civic bench which reflected and

reinforced the principles of godliness. It is perhaps significant that much of the official rhetoric and periodic campaigns of enforcement in both cities seems to have happened when "godly" people like Lister, Groves, Gee, Askwith, Concett, Vaux, Micklethwaite or Topham wore the chain of office. In Beverley the ebb and flow of enforcement through the church courts appears to have followed the fortunes of puritan clergy, particularly those who held the lectureship at the Minster and the vicarage of St. Mary's. As both of these positions were in the gift of the corporation, this connection may to some extent be understood as an indication of "godly" sentiment on the part of the town's governors, particularly when we remember that they had direct control over the process by which the churchwardens of both parishes were elected.[73]

Notes for Chapter V

1. Robert Jenison, Newcastles Call, To her Neighbour and Sister Townes and Cities throughout the land, to take warning by her Sins and Sorrowes, (1637), pp.159-60.

2. J.A. Sharpe, Crime in Early Modern England 1550-1750, pp.104-5; Joan Kent, "Attitudes of Members of the House of Commons", pp.45-7, 64-68.

3. Paul Slack, "Poverty and Politics in Salisbury, 1597-1666", Peter Clark and Paul Slack, (eds.), Crisis and Order in English Towns 1500-1700: Essays in Urban History, (1972), p.173; Susan Amussen, An Ordered Society: Gender and Class in Early Modern England, (1988), pp.155-6; Peter Clark, The English Alehouse: a Social History 1200-1830, (1983), pp.137-8; "The Alehouse and the Alternative Society", Puritans and Revolutionaries: Essays presented to Christopher Hill, pp.53-65.

4. Georges Edelen (ed.), The Description of England by William Harrison, (1968), p.135, cited in Peter Clark, The English Alehouse, pp.97, 101.

5. Clark, The English Alehouse, p.109; "small beer" was a weak alcoholic beverage brewed from wort that had already been used to produce ale or beer.

6. Anthony Fletcher, Reform in the Provinces, pp.229-31; Clark, The English Alehouse, pp.159-60.

7. Kingston-Upon-Hull Record Office, Hull Corporation Bench Books, 4, fol.50^{r}; see above, pp.120-1.

8. Hull Corporation Bench Books, 4, fol.50^{v}.

9. Clark, The English Alehouse, pp.129-131.

10. See above, pp.163-4.

11. Hull Corporation Bench Books, 4, fols.65^{v}-66^{r}.

12. Clark, The English Alehouse, pp.65-70, 80-82.

13. Hull Corporation Bench Books, 4, fol.68^{v}.

14. Hull Corporation Bench Books, 4, fol.71^{r+v}; the recorder appears to have confused the terms "ale" and "beer" in this instance, as unhopped "ale" was usually less potent than "beer", which through the introduction of hops was brewed to a much greater alcoholic strength, see Clark, The English Alehouse, pp.96-7.

15. Borthwick, York High Commission Court Cause Papers 1570/3, Office c. William Steade, 10 November, 1570, A. "Articles declaring the mysordered usage and wyckedness of William Steade, Parish Clerke at the Trinitie Church in Hull"; see also above, pp.85-6.

16. Borthwick, High Commission Cause Papers 1570/3, B. "The answer of Wm. Steade to certaine articles of informacion exhibited against him...".

17. Borthwick, High Commission Cause Papers, 1570/3, A. "Articles declaring...", articles 4, 6, 8-10.

18. See above, p.86; Pyndar's claim that Steade's living was worth as much as £40 per annum was probably inflated, but Steade himself admitted that it was worth £16 per annum: see High Commission Court Cause Papers, 1570/3, B. "The answer of Wm. Steade", article 10.

19. Hull Corporation Bench Books, 4, fols.105^{v}, 107^{r}; see above, pp.86-8.

20. Hull Corporation Bench Books, 4, fol.112^{v}; for Gee, see above, pp.121-2.

21. Hull Corporation Bench Books, 4, fol.117^{v}.

22. Patrick Collinson, "Cranbrook and the Fletchers: Popular and Unpopular Religion in the Kentish Weald", Godly People, p.412.

23. Laurence Chaderton, A fruitfull sermon upon the 3.4.5.6.7. and 8. verses of the 12 Chapiter of the Epistle of S. Paul to the Romanes, (1584); Arthur Dent, The plaine man's path-way to Heaven, (1601), cited in Patrick Collinson, The Religion of Protestants, pp.151, 201.

24. William Crashawe, A Sermon Preached In London before the right honorable the Lord Lawarre, Sig. L$_{1}$.

25. Edmund Rudyerd, The Thunderbolt of God's Wrath, (1618), cited in J.T. Cliffe, The Puritan Gentry,p p.59-60.

26. Hull Corporation Bench Books, 4, fol.118^{r}.

27. Hull Corporation Bench Books, 4, fol.119^{r}.

28. Hull Corporation Bench Books, 4, fols.121^{r}, 121^{v}-134^{r}, 141^{v}.

29. Hull Corporation Bench Books, 4, fols.117^{v}-119^{r}, 121^{r}, 121^{v}-134^{r}, 304^{r}, 314^{v}.

30. Joan Kent, "Attitudes of Members of the House of Commons", pp.64-68. Parliaments prior to 1601 saw an average of one bill per session referring to alehouses or drunkenness: the three parliaments of 1601, 1604 and 1606 saw a total of twenty-three bills, six in 1601, twelve in 1604 and five in 1606; only the session of 1621 approaches this level again, with five bills proposed for the regulation of alehouses and inns or for the suppression of drunkenness.

31. Paul Slack, Poverty and Policy in Tudor and Stuart England, pp.43-48; Peter Clark, The English Alehouse, pp.110-11.

32. Hull Corporation Bench Books, 4, fols.283^{r}, 304^{r}, 326^{v}, 366^{v}; Groves, as will be demonstrated in chapter VII, was a leading member of the group named by the vicar, Theophilus Smyth, as the puritan faction within the Corporation of Hull, see below, pp.277-8; Clark, The English Alehouse, pp.69-72.

33. Hull Corporation Bench Books, 5, p.26-7, 97, 108-9, 177.

34. D.M. Palliser, Tudor York, p.255, citing York City Archives, York Corporation House Books, B/XXX, fols. 162^{r}, 163^{r}, 169^{r}.

35. Hull Corporation Bench Books, 4, fol.326^{v}.

36. York Corporation House Books, XXXII, fol.2^{v}; on Concett's letter, see above, pp.141-5.

37. York City Archives, Index to York Quarter Sessions Minute Book F/4 (1595-99), E136A, unfoliated; Clark, The English Alehouse, pp.75-6, citing evidence from T.P. Cooper, "Some old York inns", Associated Architectural Societies' Reports and Papers, XXXIX (1928-29), pp.292-301; Clark has demonstrated similar vocational distributions among tipplers in Norwich and Canterbury in the same period.

38. York City Archives, E136A, session held 12 October, 1595.

39. York Quarter Sessions Court Minute Book, F/4 (1595-99), fol.322^{v}.

40. Slack, Poverty and Policy, pp.145-7.

41. York Corporation House Books, XXXII, fol.2^{v}.

42. Joan Kent, "Attitudes of Members of the House of Commons", p.66, citing I Jac. I c.9.

43. York Corporation House Books, B/XXXIII, fol.4^{v}, 5 March, 1606; Kent, "Attitudes of Members of the House of Commons", p.42.

44. York Corporation House Books, B/XXXIII, fol.75^{v}; B/XXXIV, fol.58^{r}; for Hull see above, pp.155-6; and Hull Corporation Bench Books, 4, fol.366^{v}.

45. York Corporation House Books, B/XXXIV, fol.58^{r}.

46. York Corporation House Books, B/XXXIV, fol.87^{r+v}.

47. York Corporation House Books, B/XXXVI, fol.64^{r}.

48. York Corporation House Books, B/XXXV, fol.186^{r}.

49. Clark, The English Alehouse, p.106, citing York Corporation House Books, B/XXXV, fol.332^{r}.

50. York Corporation House Books, B/XXXIII, fols.16^{r}, 64^{v}-65^{r}, 161^{r}, B/XXXIV, fol.149^{v}.

51. York Corporation House Books, B/XXXV, fols.36^{r}, 38^{r}, 45^{r}, 57^{r}.

52. York Corporation House Books, B/XXXV, fol.68^{v}.

53. York Corporation House Books, B/XXXV, fol.80^{r}.

54. York Corporation House B/Books, XXXV, fols.83^{v}, 86^{v}.

55. York Corporation House Books, XXXV, fols.103^{v}, 121^{r}, 146^{r}.

56. Borthwick, York Archiepiscopal Visitation Court Act Books, V1590/CB, fol.85^{r}; V1594/CB, fol.21^{v}.

57. Borthwick, York Archiepiscopal Visitation Court Act Books, V1595-6/CB-1, fol.20^{v}.

58. York Corporation House Books, B/XXXIII, fol.310^{r}.

59. York Corporation House Books, B/XXXIV, fol.7^{r}.

60. York Corporation House Books, B/XXXV, fol.145^{v}; B/XXXVI, fol.34^{r}.

61. Beverley Corporation Minute Book, BC/II/7/4/1, fol.31^{r}.

62. See above, pp.169-76.

63. Borthwick, York Archiepiscopal Visitation Court Act Books, V1590/CB, fol.99^{r}; V1594/CB; V1596/CB, fols.120^{v}, 128^{v}.

64. Borthwick, York Archiepiscopal Visitation Court Act Books, V1600/CB, fols.89^{r}-94^{v}.

65. Borthwick, York Archiepiscopal Visitation Court Act Books, V1604/CB, fols.96^{v}-98^{v}.

66. Borthwick, York Archiepiscopal Visitation Court Act Books, V1607/CB, fols.136^{v}-138^{r}.

67. See above, p.170.

68. Beverley Corporation Minute Books, BC/II/7/4/1, fol.31^{r}; see pp.178-9.

69. Borthwick, York Archiepiscopal Visitation Court Act Books, V1615/CB, fols.200^{v}, 204^{r}.

70. Borthwick, York Archiepiscopal Visitation Court Act Books, V1619/CB, fols.165^{r}-166^{v}.

71. Borthwick, York Archiepiscopal Visitation Court Act Books, V1623/CB, fols.183^{r+v}; V1627/CB, fol.250^{v}; V1633/CB, fols.292^{r}-293^{v}.

72. Borthwick, York Archiepiscopal Visitation Court Act Books, V1636/CB, fols.266^{v}-269^{r}.

73. Borthwick, York High Commission Court Cause Papers, 1594/4, Hadsby, Caine, Manne and Wakefield c. Jackson, establishes that the mayor and governors of Beverley were patrons of both livings and the lectureship, and that the mayor had a right of veto in the election of churchwardens; see below, pp.91-2.

CHAPTER VI

Puritanism and Arminianism in the Northeast.

> `I will tell you the whole truth: I have,' said he, `nothing against you, but I have heard that you are a very rich man and that you are brought in by the Lord Mayor of York to head the Puritan party against me, but I tell you' said he, `I will break Vaux and the Puritan party.'

John Shaw recorded that archbishop Richard Neile used these words when he officially greeted him shortly after his appointment to be one of the civic lecturers for York in 1637.[1] Neile's welcome gave voice to the climate of distrust and hostility which had developed between himself and the "Puritan party" which in York (as we shall see in chapter VIII) was all but synonymous with the civic corporation.[2] This climate of distrust had developed with surprising rapidity in the years following his translation from the diocese of Winchester in 1632. Richard Neile, as the "eminence grise" if not the best known leader of the Arminian faction within the Church of England, personified the marked departure from episcopal Calvinism which had been known at York from the appointment of archbishop Edmund Grindal in 1570 until the death of archbishop Toby Matthew in 1627.[3] Neile's vigorous implementation of an anti-Calvinist program of reform effectively changed the relationship which had previously existed between the church and local authorities in the north-east; an opportunity seen but barely grasped by his immediate predecessors, George Montaigne and Samuel Harsnet, who although also Arminians, died soon after appointment.[4] Our treatment of the developments concerning Calvinism and puritanism in the context of local government therefore needs to take into account what seems to have been two distinct periods: that period which preceded the arrival of Arminianism in

the persons of George Montaigne, Samuel Harsnet and Richard Neile as archbishops of York as distinct from the time of their successive primacies. In terms of dates this means that we are looking at 1590-1628 as the first period and 1628-40 as the second. However, when we come, as we shall in this chapter and in chapter VIII, to consider developments in Newcastle, the pre- and post-Arminian periods are understandably different: Neile was translated to Durham in 1617, and his program of Arminian reform in that diocese proceeds from that date.[5]

It is arguable that the change in ecclesiastical policy ought to be dated from the diocesan visitation of 1627. Ronald Marchant suggests that as a consequence of this vistation the triumvirate of Henry Wickham (Archdeacon of York), Phineas Hodson (Chancellor of York Minster) and William Easdall (Diocesan Chancellor) orchestrated the arraignment of a number of puritan clerics before the Court of High Commission at York. Marchant offers the explanation that these three, who in Neile's time were to be the backbone of the implementation of Arminian reform, had begun to take the initiative in the time of archbishop Matthew's failing health. The most important of the investigations which were to occur as a result of this visitation, certainly in terms of the number of individuals holding political or ecclesiastical office who were identified as participants, was the inquiry of the court into a regular meeting of puritan clergy and laity at York which was led by Roger Brearley and Thomas Squire. Brearley, who had served as the curate at Grindleton (1615-23) and who was at the time of the investigation the curate of Kildwick, Yorkshire, had, since 1616, been suspected of preaching an antinomian heresy similar to that espoused by the sect known as the "Family of Love". Squire, on the other hand, was an eminently respectable and well-connected cleric. A regular preacher at York Minster, he was married to one of the Dean's daughters. Among those called upon by the court to give testimony (and by, inference, to admit their involvement in the conventicle)

were the York preachers Henry Aiscough, John Whittakers, Miles White and John Garthwaite; Richard Rhodes, the lecturer at Beverley Minster was also called, along with five other puritan clergy from smaller communities situated in rural Yorkshire. Among the laymen called as witnesses were John Vaux, Richard Paggett and John Penrose.[6]

While the investigation of the Squire-Brearley conventicle may have signalled a substantial change in ecclesiastical policy regarding the toleration of puritans to those immediately involved, it does not, from either the evidence of the visitation court books or of the various civic minute books, or other local sources, appear to have been part of a general anti-puritan or anti-Calvinist campaign. There is, for instance, no official civic record of reaction to the suppression of the Squire-Brearley conventicle, even though it involved a prominent and well-connected cleric and peripherally implicated three rather important citizens of the city of York. Yet it is actually not until the end of the two-year primacy of Samuel Harsnet, in 1632, that the York House Books provide evidence of deliberate steps being taken by the corporation to counter a perceived anti-puritan threat from the ecclesiastical authority. As will be shown at the end of this chapter, there is reason to suggest that the corporation of York viewed Neile's arrival with anxiety, to the extent that they made preparations to secure beneficed livings for their lecturers.[7]

Ronald Marchant's treatment of the 1627 Squire-Brearley investigation suggests that his use of the term "puritan" might well be questioned. Marchant has acknowledged that the presence of archbishops and court officers of an Arminian disposition constituted a significant change in terms of the court's attitude to puritans and non-conformity. But he appears to make no distinction between what was normally defined as "puritanism" prior to the Arminian ascendancy and the much broader use of the term by the

Arminians in such a way as to include what had previously been accepted as part of the "Calvinist consensus" of the Church of England. Marchant's rather indiscriminate use of the term "puritan" to include virtually all disciplinary proceedings for non-conformity which were not related to recusancy has definite liabilities. For instance, the substance of the "puritan" offences of which Thomas Squire, and the other clergy and laity required to testify in the case, were suspected was primarily a matter of "guilt by association" with Brearley. In 1615 Brearley had been presented to the visitation court for failing to use the sign of the cross in the administration of baptism, and for preaching without a licence. His examination by the court revealed that he taught an antinomian doctrine reminiscent of the "Family of Love", and this suspicion of "Familisme" brought him before the Court of High Commission in 1616. The evidence of the case, which was allowed to lapse and was renewed as a result of the 1627 visitation, suggests that Brearley was more deserving of the term "sectarian" than that of "puritan". The antinomianism which he was suspected of preaching was equally unacceptable to both puritans and Arminians. That many of the clergy and laity required to give evidence against Brearley and Squire may subsequently be identified as "puritans" is not disputed. But the fact that they were not themselves prosecuted at that time, coupled with the fact that the case which was brought against Squire was indeed largely a matter of his having attended meetings and participated in discussions with Brearley and others, strongly suggests that the real aim of the commissioners was the suppression of Brearley and his followers on suspicion of sectarianism or heresy and not of "puritanism" as vigorous Calvinism.[8]

What Marchant does not seem to have allowed for is the possibility that what passed for and was prosecuted as puritanism prior to the ascendancy of the Arminians was not always the same thing as that which was termed puritan and suppressed by the likes of Harsnet and Neile. Puritanism as a matter

deserving the censure of an ecclesiastical court in the northern province before 1629 seems almost always to have involved the comixture of indiscretion or intransigence with extreme non-conformity or, in cases like that of Brearley, with suspicion of heresy or sectarianism. Simple non-conformity, such as a dislike for the wearing of cap and surplice, or of the use of the ring at matrimony or of the sign of the cross in the administration of baptism appears to have often been treated as a matter satisfied by "occasional conformity". In such a case the individual (usually a cleric) would conform at the request of the Ordinary or Episcopal Visitor and no question would be asked as to the practice maintained between visitations. Willingness to conform upon request was taken as satisfying the requirement of legal conformity.[9] In such a context, much of what was to be the target of suppression under archbishops Harsnet and Neile was largely ignored or understood as part of the spectrum of protestant practice allowable within a church which claimed at least an unofficial link with European Calvinism. Marchant, writing prior to the introduction of this "revisionist" perspective, does not appear to have taken such a shift in perception into account, and as a result he has tended to miss the important distinctions between non-conformity of a sectarian or, as we shall see shortly, of even an Arminian inspiration, and that which arose from a commitment to the fuller practice of English Calvinism.

A telling example of how this lack of distinction in the definition of puritanism may lead to false conclusions is the strange case of James Conyers or Coniers. Conyers was employed by the corporation of York to preach "before the Lord Mayor in Allhallows Church on the Sabbath dayes in the forenoons" at some time prior to 26 January, 1621.[10] He was cited to appear before the York High Commission on 10 April, 1621, and again on 9 May, finally making an appearance before the court on 26 June. He was suspended by an order issued at his final appearance, 30 July, 1621, for

"the words which he confessed in his person, all spoken against the church".[11] In his treatment of this case Marchant has made special mention of the fact that the suspension "resulted in one of the rare divisions of opinion among the commissioners". Among those of the court who dissented from the judgement to suspend Conyers were the archbishop (Toby Matthew), the Mayor of York (William Walters), and the Attorney General of the Council of the North. The commissioners who voted for Conyers' suspension included three clerics whom Marchant classified as "moderate puritans": John Favour, Henry Thurscross and Phineas Hodson. On the basis of this information he offers the Conyers case as "another manifestation of puritanism which was seen in the work of the civic preacher at York".[12]

If this were all that was known of the career of James Conyers, and if we accepted, as Marchant appeared to, that to be arraigned before the Court of High Commission for "words... spoken against the church" was to be charged with puritan non-conformity, we might be forgiven for having concurred with Marchant's conclusion that Conyers was a puritan. Yet this same James Conyers, who went from York to become the perpetual curate of St. Mary, Stratford-le-Bow, London, preached an anti-Calvinist sermon at Paul's Cross, London in August of 1635. He decried what he termed the "self-beseeming pure generation" who believed that through election they might be "cleare of all tincture of sinne". He claimed that no one could be "sure of final perseverance" and asserted that the most appropriate posture to be taken towards God was that of the repentant publican, crying "Lord be mercifull to me a sinner". It is therefore not surprising that Nicholas Tyacke has identified Conyers, together with John Gore and Oliver Whitbie, as one among those Paul's Cross preachers who "betray Arminian sympathies."[13]

Which, of course, leaves us with something of an historical puzzle.

According to Ronald Marchant, in 1621 Conyers was a puritan who was severely disciplined for a sermon, the text of which is not presently available, but which a majority of the York High Commission at that time thought to be worthy of censure. Yet this same man, some fourteen years later, was preaching a sermon in one of the most prestigious pulpits of England, the content of which was the very antithesis of the Calvinist core of puritan doctrine. The answer, it would seem, is that we can never be absolutely sure that Marchant and Tyacke are not both correct. Conversion does happen, and it is entirely possible that this may apply in the case of James Conyers.

Possible, but not likely; a second look at the facts of the case in the light of Dr. Tyacke's evidence shows up some interesting details. First, Conyers' sermon caused a split decision, something which Marchant himself has admitted was a rare occurrence. Little is known about the religious persuasion of the Mayor of York, William Walters, but it is possible that he cast his vote in support of a man who was, after all, his preacher. Toby Matthew we know to have been extremely tolerant of puritans: a committed Calvinist, he shared many of their concerns for a more complete reformation of the church and for the increase of the preaching ministry throughout the church. He is the only individual voting against Conyers' suspension who might be understood to have done so out of sympathy for his alleged puritanism.[14]

But was Conyers a puritan? The concurrence of three known puritan clergy with the majority of the commissioners who voted against him leads us to wonder why they saw fit to do so. What sort of "words... spoken against the church" were likely to offend John Favour, Henry Thurscross and Phineas Hodson to the extent that they would vote in favour of a fellow preacher's suspension? Although the York House Conference was still almost five years in the future, Arminianism, present in a select circle of English clerics,

had been in circulation since before 1618 and the Synod of Dort. Some would say that it had been present "before Arminius" in the thinking of Cambridge divines like William Barrett and Peter Baro.[15] By 1621 Richard Neile, a known leader of the Arminian party, had been bishop of Durham for four years, and an Arminian theologian and controversialist, Thomas Jackson was less than two years away from preferment to the key northern parish of Newcastle-upon-Tyne.[16] It is therefore not impossible that the offensive "words" spoken in Conyers' sermon were words reflecting an Arminian interpretation of scripture, of sacrament or of soteriology. It is possible that in the Conyers case we have an example, not of puritanism being suppressed, but rather of the stifling of an upstart Arminian firebrand by a predominantly Calvinist High Commission.

Central to the differentiation of our understanding of what was meant by puritanism before the primacy of Samuel Harsnet, and particularly before that of Richard Neile, is the assumption of what Peter Lake and Nicholas Tyacke have chosen to term the "Calvinist consensus" of the Church of England. Tyacke and Lake offer compelling evidence to support their assumption of the existence of this "consensus" prior to the "Arminian ascendancy" of the late 1620s. This is not to say that puritanism did not exist prior to the rise of Neile and the Arminians, but rather that it existed in and was defined by a significantly different environment during the late Elizabethan and early Jacobean periods. Tyacke suggests that until the 1620s, the word puritan was "a technical term... usually employed to describe those members of the English Church who wanted further protestant reforms in liturgy and organization".[17] In the years which followed significant publications by Richard Montagu and Thomas Jackson the term "puritan" became more and more synonymous with anyone who held Calvinist opinions concerning predestination and related theological issues, regardless of whether or not instances of non-conformity were involved.

Bishop Davenant of Salisbury complained of this in a letter to Samuel Ward, his friend and fellow-delegate to the Synod of Dort, wondering why "that should now be esteemed puritane doctrine, which those held who have done our church the greatest service in beating down puritanisme... wiser men perhaps may but I cannot understand".[18]

Marchant is essentially correct when he describes the High Commission's prosecution of John Hansley, one of the civic preachers for York in 1627 for having preached an offensive and "schismatical" sermon in terms of the censure of puritanism. Hansley was alleged to have said that he might write the names of the redeemed from the parish of St. Martin's Coneystreet "within the compass of a ring", and to have preferred the churches of "Belfrey's and Allhallows" to the Minster "in regard of constant ministry". He was also charged with preaching without a licence and with uttering statements "to the derogation and vilifying" of the Book of Common Prayer. Upon appearance in court he was said to have behaved "insolently and irreverently". He was fined £100 plus costs and required to make a submission of his guilt, which he refused to do, and was consequently imprisoned for a total of seventeen months.[19]

The case brought against Hansley may (more legitimately than that concerning Squire) be said to have involved an official suppression of doctrinal puritanism. His rejection of the Book of Common Prayer and contention that only a few were destined for salvation do tend to identify him with that vigorous expression of English Calvinism which passed for puritanism in Elizabethan and Jacobean times. The matter of his preaching without a licence and his inappropriate behavior towards the officers of the High Commission indicate a contentious spirit which even the good and godly magistrates of York would have been hard put to tolerate. Similarly his use of the pulpit to make invidious comparisons between local churches and the

Minster, particularly at a time when the corporation was attempting to settle a dispute concerning jurisdictional matters with the Dean and Chapter without recourse to the courts, cannot have been seen as particularly helpful.[20] But what Marchant, in his discussion of the Hansley case, does not address is the question of why Hansley was prosecuted by the High Commission while other puritan preachers in York, Henry Aiscough at AllHallows', Pavement, Miles White of St. Michael's, Ousebridge, John Whittakers, of Holy Trinity, Micklegate, and John Garthwaite of St. Michael-le-Belfry, were not. Each of these men had been called as witnesses in the matter of the Squire-Brearley conventicle, and their presentation for non-conformity in the visitation of 1632 confirms that they were, by Marchant's definition, just as deserving of the name "puritan" as Hansley.[21] What seems much more likely, in the face of Hansley's singular treatment by the High Commission, is that Hansley's prosecution was the result his indiscreet use of the pulpit at a politically sensitive moment, and therefore not necessarily an action of the court which might be taken to indicate that the toleration of puritanism which had typified archbishop Matthew's primacy was at an end. What it more properly may be said to illustrate is the degree to which most puritan clergy enjoyed the toleration of the ecclesiastical authorities, with the exception of those who, like Hansley, drew the court's attention through inappropriate or divisive use of the pulpit.

It is helpful to be reminded of the sort of men who had been archbishop of York until Toby Matthew died in March, 1628. Beginning with Edmund Grindal, the occupants of the archiepiscopal seat at York were all, until George Montaigne was appointed to succeed Matthew, what Professor Collinson has termed "Calvinist episcopalians" or perhaps what Hugh Trevor-Roper calls "high Calvinists".[22] Which is to say that archbishops Grindal, Sandys, Hutton and Matthew all may be found to have endorsed a Calvinist interpretation of the Thirty-Nine Articles, and, after 1595, the Lambeth

Articles as well. They accepted the doctrines of predestination, perseverance of the saints and the ultimately irresistible nature of grace. For such men, the church of Rome was Babylon and the Pope was the Antichrist. Preaching, supplemented by the twin disciplines of sermon "repetition" and Bible reading constituted the principal means by which the elect might come to know of their redemption. The sacraments of baptism and the holy eucharist were signs of God's grace to the redeemed, but in no way might they be understood as vehicles of grace. These were men who may very well have agreed with bishop Rudd's comment on the enforcement of the articles drawn up by archbishop Bancroft in 1604. Rudd expressed the opinion that it was wrong to enforce strict conformity regarding ceremonies upon puritans, because they were agreed with the rest of the church "in substance of religion".[23]

With the ascendancy of Neile, Laud, Harsnett and other members of the Arminian party to high ecclesiastical office through the patronage of Buckingham and Charles I, the Calvinist common ground of the Elizabethan and Jacobean church was effectively set aside. Under the Calvinist "consensus" which prevailed until the late 1620s, clergy of the "godly" persuasion might reject the outward forms of what they felt was "popery": the surplice, kneeling to receive the sacrament or using the sign of the cross at the administration of baptism. The more extreme of their number might, like John Field, desire the implementation of a Presbyterian form of church government.[24] But despite the fact that such persons were from time to time disciplined by their ecclesiastical superiors for their "preciseness", the context in which that debate and disciplinary action took place was that of a common understanding of Christianity according to Calvin. The difference between puritans and the rest of the Church of England was, as Professor Collinson has put it, "not a distinct and coherent philosophy but a tendency".[25] The core doctrinal elements of predestination, perseverence,

and the absolute identification of the church of Rome with the Antichrist were never perceived as being in doubt.

The absence of a serious doctrinal division between puritan and conformist before the Arminian ascendancy seems to have allowed the church authorities a greater latitude for the toleration of non-conformity in the interest of seeing that the preaching requirements of the church were accommodated. The example of Melchior Smyth's combination of non-conformity and pugnacious pastoral manner in Elizabethan Hull has already been mentioned.[26] What is significant to our discussion here is that despite his contentious and sometimes violent attempts to effect a puritan reformation of Hull, Smyth was merely admonished by his superiors to "use himself soberlie and discretelie aswell in his sermons and exhortacions and ministracions... as also in the wearing of decent apparell". The latter part of the admonition no doubt referred to Smyth's comment that priests caps and surplices were "vile clouts" and "knaves capps".[27] Similarly when Alexander Cooke succeeded his brother as vicar of Leeds, archbishop Matthew was in all likelihood aware that Cooke had been suspended and deprived of his living in nearby Lincolnshire, for his obstinate refusal to wear the surplice or to use the sign of the cross at baptisms. Cooke had also refused to subscribe to the three articles of Canon XXXVI, which in 1604 was a requirement imposed upon the clergy of the southern province by archbishop Bancroft. Upon succeeding his brother to the vicarage, Cooke should have been required to subscribe to the three articles, which by 1615 were also a requirement for clergy in the northern province. Marchant notes that "the subscription book used by the archbishop shows only a significant space, equal in length to one subscription, in the place where Cooke should have subscribed".[28] Like Smyth, Cooke's vigorous enforcement of puritan reforms took the form of a literal "holy violence" on at least two occasions. Yet after his collation to the parish of Leeds he was never presented or otherwise required to

account for these irregularities before a church court. Instead, we find evidence that on at least two occasions Cooke was recognized by the church courts as a person of learning and distinction. In 1617 the Court of High Commission required the Leeds recusant Ursula Hodgson to enter a bond "for her conference with Mr. Cooke of Leeds or some other learned preacher".[29] In 1624, when the puritan vicar of Pontefract was presented for having neglected to use the sign of the cross in the administration of baptism, "Alex. Cooke, by his powerful mediation with the archbishop, got the prosecution to be withdrawn". [30]

During this same period numerous clergy who, for their Calvinist views and occasional conformity might have been termed puritans by a later Arminian administration were left virtually untroubled by the ecclesiastical courts. Their number included William Crashawe and Richard Rhodes (Beverley), Thomas Whincopp (Beverley and Hull), Robert Cooke (Leeds), John Favour (Halifax), Henry Ayscough, Marmaduke Gibbons, Miles White, John Whittakers, John Cudworth and John Garthwaite (York). Newcastle clergy of a similar persuasion who appear to have enjoyed the same toleration during the episcopates of Toby Matthew and Richard James in the diocese of Durham include Richard Holdsworth, William Morton, James Bamford, William Alder, Henry Power and Robert Jenison. It is impossible to be absolutely sure of the disposition of those clergy from this list who died prior to 1630 (or to 1617 for those in Durham), but those from this list who remained in active ministry after the arrival of Richard Neile were for the most part either charged with non-conformity and labelled puritans by the church courts or may be otherwise identified as being of the "godly persuasion". Together with the evidence already presented above, this tends to support the contention that a different operative definition of puritans and puritanism was used by Arminian church authorities than was used by the mainly Calvinist administration which preceded them.[31]

Even when faced with obdurate non-conformity, the course of action undertaken by the church courts prior to the Arminian period seldom (if ever) proceeded to the point of actually expelling a puritan cleric from his living. A good illustration of this policy is the case involving Thomas Toller, the vicar of Sheffield. Toller was presented by his churchwardens in 1607 because he was "said to be a precisian if not a Browniste, he is no observer of the Book of Common Prayer nor in any way conformable to order". He was presented at the 1615 visitation for not wearing the surplice and for not presiding at the eucharist, and was similarly presented a third time in 1619.[32] As a result of the 1615 presentation Toller was required to appear before the Court of High Commission early in 1616. A detailed investigation revealed several instances of non-conformist practice, in defence of which Toller offered that these irregularities notwithstanding he had "behaved himself very peaceably and moderately towards all men without giving offence or scandall to any person". The case dragged on until 5 October 1619. During the course of the proceedings Toller had been threatened with deprivation and had been suspended ab officio from the fruits of his living for almost a year. Yet when the record of the case shows that it was allowed to lapse in 1619, Toller had not conformed nor even promised to conform. It is not even clear that he was required to pay court costs. Archbishop Matthew does not appear to have thought that even Toller's obdurate non-conformity justified his deprivation or silencing. There were no presentations for clerical or lay non-conformity from Sheffield to the visitations of 1619, 1623, 1627 and 1633. In 1634, the results of a special visitation and subsequent enquiry by diocesan Chancellor William Easdall uncovered a veritable hotbed of puritan non-conformity. Charges were laid against the churchwardens of Sheffield for concealing a variety of liturgical and architectural improprieties, and Toller was allowed to resign his position in favour of his son-in-law, John Bright.[33]

It is all but inconceivable that Toller's superiors had been unaware of his non-conformity for the best part of fifteen years. Perhaps the best explanation of the Toller case is that after an initial attempt to enforce conformity the ecclesiastical authorities did not, until 1634, consider Toller's non-conformity to be of such a degree of seriousness as to warrant the time and trouble of official prosecution. That this period of grace should expire shortly after Richard Neile was translated to the diocese of York would seem to indicate that a significant change in the seriousness with which Toller's non-conformity was regarded was due in part to this change of bishop. An Arminian archbishop, one who did not recognize a "Calvinist common-ground" with puritan non-conformists was much more likely to bring the full force of the church courts to bear upon Toller and his colleagues.

Thus when Toby Matthew died in the spring of 1628 his passing marked the end of a period of toleration and cooperation between puritans and the larger community of the church in the northern province. Both George Montaigne (1628-9) and Samuel Harsnet (1629-31) were of the "Arminian" party. Indeed, Harsnet's dissent from the predestinarian core of Calvinism dated from the 1580s, and he has been called a "living link across the years with the Arminians before Arminius".[34] Monteigne was archbishop of York for less than a year, and during that time left next to nothing in terms of evidence indicating significant changes in episcopal policy. Harsnet, who was archbishop of York for a little over two years, made something of a more lasting impression. He is remembered, for instance, as having forbidden the sale of books by the puritan author William Perkins within the province of York in 1630. He also took steps to ensure that people attended their own parish churches instead of "gadding" to hear popular preachers in other locations on Sundays. It is probable that his initial (and only) visitation

of the diocese of York was similar to that which he conducted, as primate, of the diocese of Chester. The records from the latter visitation indicate that the discovery and suppression of puritan non-conformity was a priority for Harsnet. Unfortunately the visitation court records for Harsnet's visitation of the diocese of York have not survived, and we may only assume, with Ronald Marchant, that the policy applied in Chester was also applied in York.[35]

Whether or not Harsnet did in fact attempt to root out puritanism in the course of his visitation, this was without a doubt one of the chief items on the agenda of Richard Neile's first visitation of the diocese in 1632. The petty nature of most of the charges laid against puritan clergy, such as failure to read the litany on Wednesdays and Fridays, or failure to wear academic hoods, would seem to indicate that Harsnet's visitation had already addressed itself to the more obvious symptoms of puritan non-conformity, such as failure to wear the surplice, to use the sign of the cross at Baptism or to bow at the mention of the name of Jesus, and that Neile was in some senses finishing the job.[36] Nevertheless the statistics of this visitation speak of a dramatic shift in terms of diocesan policy. In 1619 three clergy from York city parishes had been presented for misdemeanors. Of these cases, one involved expounding the scriptures without a licence and another negligence in "not catechising" and failing to show letters of ordination at the visitation. The third concerned the improper churching of a woman "guilty of fornication before she had performed her penance".[37] The 1632/3 visitation shows fifteen clergy presented for misdemeanors, and of these twelve clearly are cases involving the correction of puritan non-conformity.[38] In Leeds the visitation of 1627 produced only one clerical presentation involving the curate of Farnesly (a dependent chapelry of Leeds' parish), for presiding at an "unlawful" (presumably clandestine) marriage. In 1632/3 a total of four clergy were presented,

including Henry Robinson, the vicar of Leeds: all of the presentations involved instances of non-conformity. The parishes of Beverley had seen two of their clergy presented for misdemeanors in the visitation of 1607, and then none until the visitation of 1633, when the wardens and clergy of St. John's were presented for "not walking the perambulations" at rogationtide.[39] It is not immediately apparent why the puritan clergy of Hull were untroubled by the initial visitation of Richard Neile in 1632. It may have been that because the city's main parish, Holy Trinity, had an Arminian rector in the person of Richard Perrott, the court could concievably have thought that irregularities were being dealt with locally. Some intervention did indeed take place, as when Neile ordered that the seating in St. Mary's church, Hull, be changed in order to permit worshippers to "conveniently kneel at time of divine prayers and perform such other comely gestures as at so holy an exercise are to be performed". As our discussion of Hull and its clergy in chapter VIII will show, Edward Mottershed's 1639 investigation of the corporation's complaint concerning services at Holy Trinity uncovered a moderate puritan in the lecturer, Andrew Marvell, and a rigid non-conforming puritan in the curate, John Gouge.[40]

The number and type of presentments for non-conformity which occurred from 1632/3 had no precedent within living memory in the northern province. Many of the instances cited, such as failure to read prayers on the eves of holy-days, or neglecting to wear full choir habit at the offices, had been matters of standard omission in the province since archbishop Grindal's time. However, it is also necessary to note that some of the presentments, such as for failing to require the churchwardens to seek out those not coming to services, were not particularly matters of a puritan or an Arminian nature. Neile's program of reform resulted in an increased efficiency of the church courts in supervising all aspects of ecclesiastical

life, not just those specifically concerned with puritanism.[41]

It is unfortunate that apart from John Shaw, who did not work as a preacher in York until 1637, none of the clergy charged with puritan non-conformity in the diocese of York left behind a diary or collection of personal correspondence. It is a providential occurrence therefore, that the correspondence between Robert Jenison, the lecturer at All Saints' Church, Newcastle, and his former Cambridge tutor, Samuel Ward, has survived.[42] The correspondence spans the years 1621 to 1632, and from it can be extracted something of Jenison's response to the growth of Arminianism in the diocese of Durham. While this cannot be a substitute for actually knowing the mind of Henry Ayscough, John Whittakers or Thomas Toller, we should bear in mind that Jenison was on friendly terms with the puritan John Penrose, and through him was probably connected to others in both the parish of St. Martin's Micklegate and the "godly" people of York. When Jenison was required to appear before the Court of High Commission at York in the spring of 1639 he was initially comitted "to the safe custody of Mr. Penrose, keeper of his majesty's gaol, commonly called St. Peter's Prison". The case dragged on until the summer of 1640, when it appears that Jenison fled the country. He did not, however, endure the privations of York Prison, for in the entry dated 24 October, 1639, he is noted as being lodged "at the dwelling-house of Mr. John Penrose".[43]

From his letters to Samuel Ward, it would appear that Jenison was not much bothered by Neile as bishop of Durham until after the death of Henry Power, the Calvinist (Marchant, noting that he preached at the Halifax Exercises, calls him a puritan) who had succeeded William Morton to the vicarage of Newcastle.[44] In a letter written before Power's death, Jenison asked Ward for his help in the matter of choosing a lecturer to replace Stephen Jerome, who had recently departed in disgrace, having been caught in

the act of adultery with a parishioner's wife. It is apparent from the wording of his request that even at this relatively early date, the operative definition of "puritan" was in transition. Jenison told Ward of how,

> We wrote to Mr. Holdsworth, but hee is for Lincoln's Inn London. My cousin Jenison, our Mayor, (whom I think you know to be popish, though nowe and then hee come to church) hath sent up (but without direction of the council of the towne) Mr. Wiggham to Cambridge and if needs be to Oxf: to promote a man. But hee must be no Puritane in any case. So wish I, if Puritane be rightly understood. But we must have one who must indeed oppose all sincerity and profession, if I mistake not his meaning. One wishing him to seek advice from you, said hee, "wee must have none of his chusing..."[45]

From the context of his comments to Ward, it would seem that Jenison understood that there was an important difference between what he understood the term "Puritane" to mean and the understanding of the Mayor, his "cousin Jenison". Robert Jenison appears to have considered the term in the same sense as Alexander Cooke did when he stated that he was not a "sectary or Puritan" and went on to point out that the term referred to "a sect of cursed and blasphemous heretics".[46] The comment made by Jenison suggesting that his cousin's preferences might bring in an Arminian ("one who must indeed oppose all sincerity and profession"), taken together with his cousin's rejection of Jenison's suggestion that the corporation seek Ward's advice "wee must have none of his chusing", similarly indicates that "Puritane" was a term which "cousin Jenison" associated with the likes of Robert Jenison and Samuel Ward. While we cannot be exact in our definition of who the "sect of cursed and blasphemous heretics" mentioned by Cooke might have been, it is obvious both from his comments and those of Robert Jenison that they both regarded themselves not to be Puritans. puritans, according to their understanding, were persons whose schismatic behavior had taken them beyond the communion of the Church of England.

In 1624 Jenison wrote to Ward on at least two occasions. In both letters, he asked Ward for advice on handling an increasingly difficult relationship with his bishop and with Thomas Jackson, who had succeeded Henry Power as vicar of Newcastle after Power's death in 1623. Concerning this transition, Jenison told Ward

> Our bishop of Durham of late, since my brother Powers' death (our vicar) picks quarrels with mee shrewdly: that day my brother sickened, the Bp- being in towne, gave mee his hand and used mee as friendly as ever before, and as ever I desired hee should. (For the truth is I desire nothing of him, neither good nor evil.) Immediately after my brother's death (hearing, it seems, my friends would have laboured for the vicarage for mee by money, a needless fear, if hee had known mee as well as I knowe my selfe, for so indeed hee gave mee advice not to take that course) hee sent for mee, and bitterly chode mee for two olde matters.[47]

The "two olde matters" for which Jenison was "bitterly chode" by Neile on that occasion reveal two important elements of both the bishop's character and of the Arminian policy towards puritanism and local government. Jenison had apparently called for a public fast to be held at Newcastle in May 1623, "when besides the dearth, so many of good note died in one week and were sick". Neile told Jenison that this "was to give his [Neile's] authority to our magistrates". As Professor Collinson has pointed out, claims to *jure divino* authority were not limited to the Arminian party. In his discussion of the issue in The Religion of Protestants, Collinson points out that Neile himself acknowledged that his episcopal office originated with the king. Nevertheless there seems to have been an element of *jure divino* theology operative in the attitude of Neile and other Arminian bishops to the authority of local government. While contemporary English Calvinism and puritanism looked to the office of the local magistrate as a necessary partner in the creation of a "godly commonwealth", the Arminians seem to have regarded the office of the magistrate as a subordinate jurisdiction which had a tendency to encroach upon areas of episcopal authority. Such

areas as the correction of immorality, drunkenness, impiety and the ordering of other "matters ecclesiastical" were seen by the Arminians in general and Neile in particular as correctly being the business of the church courts. Neile's upbraiding of Jenison regarding his action appears therefore to have arisen from the manner in which the fast was enjoined, although in his own defense Jenison stated that his "motive was that they [the corporation ("magistrates") of Newcastle] would procure it either of the Ordinary or of his Majesty".[48] We have no contemporary comment from the corporation of Newcastle concerning this matter, but it is unlikely that the town "magistrates" would have agreed that they needed to ask their bishop's permission to hold a public fast in the face of dearth and the threat of an epidemic. The Arminian attempt to reclaim what was perceived as being episcopal authority inappropriately exercised by local government was a constant source of friction between bishops and town councils throughout the 1620s and 1630s.[49]

As has been shown in chapters III-V, this high view of the magisterial role in the conduct of a proper commonwealth was reflected in the various programs of sabbatarian and moral reform undertaken in the towns of the northeast. Perhaps the best example of how such a view of shared responsibility was endorsed by the northern ecclesiastical authorities before the onset of Arminianism may be seen in establishment of a separate court of correction in Elizabethan Hull, where archbishops Grindal, Sandys and Hutton successively granted the corporation of Hull permission to try cases involving drunkenness, fornication and adultery, offences which were more usually deemed to fall within the purview of the church courts.[50]

The second "olde matter" for which Jenison was scolded is reminiscent of the treatment afforded Thomas Squires in the matter of the Brearley conventicle at York. In the course of visiting "my friend's house", Jenison

had come in contact with a "Mistress Fenwick" who was in custody of a "pursuivant" or officer of the Durham Court of High Commission, on her way to appear before the court on suspicion of sectarianism. Perhaps having broken the journey to Durham at Newcastle, she was staying in the home of "Mr. Farr" who appears to be the "friend" mentioned by Jenison. "Mistress Fenwick" may have been the wife of the Presbyterian sympathizer John Fenwick, who mentions the imprisonment of his wife in his tract, Christ Ruling in the Midst of his Enemies. But there are certain problems in identifying her as the "Mistress Fenwick" of Jenison's letter, for Fenwick's tract makes mention of an imprisonment only in a much later context, when he was in Edinburgh to subscribe to the Covenant in 1639. Jenison's meeting with "Mistress Fenwick" took place sometime in 1623.[51] By his own admission Jenison was culpable of associating with a person whom he himself suspected of being (by his own terminology) a "Puritane". When asked by his friend to "pray myself with his family to bedward" Jenison declined, probably for fear of being accused of participating in a conventicle. Mistress Fenwick, however, was not similarly inhibited, and led the family in evening prayers. Jenison admitted to Ward that he "yielded to stay at my friend's importunity, partly in curiosity (I must acknowledge my fault) because of a general report of an extraordinary manner shee had in praying". Sometime after this event Mistress Fenwick was imprisoned at Durham but escaped. It was apparently after her escape that Jenison's presence at her private prayer meeting was made known to Neile, for he appears, from Jenison's letter, to have suspected the preacher of associating with Mistress Fenwick after her escape. Jenison states that at the time of the bishop's initial mention of the incident he had written to the bishop to express his "dissent from her in private opinions".[52]

It appears that in the hiatus which followed Power's death, Neile felt it necessary to dredge up this incident as a means of warning Jenison that

he would face serious opposition should he attempt to succeed Power to the vicarage. Like Thomas Squire, Jenison discovered that merely associating with persons suspected of sectarianism or (as is likely in this case) Presbyterianism was sufficient to attract the unwelcome attention of the ecclesiastical authorities.

Despite what appears to have been rough treatment by Neile, Jenison seems to have desired to give him the benefit of the doubt. He attributed the bishop's suspicions regarding himself to "sycophants and enemies" who "make him believe falsehoods so credulous he is". When Jenison wrote to Ward in August of that same year (1624) he gave the impression of a situation of increasing tension. "I perceive occasions are sought against me, yet I think proof failing, I shall be free from questioning". At this juncture the issue seems to have involved an attempt "to force them of Allhallows to a conformitie in kneeling" at the time of receiving the holy communion. Jenison skirted the issue on the basis of his being "only a lecturer". The task of enforcing conformity, by his reasoning, belonged to the vicar, Thomas Jackson, and to his curate. Of "Doctor Jackson" Jenison wrote that he would find him "much more familiar and friendly, if hee were not so much (or so only) the bishop's creature". Gone were the days of pastoral cooperation and consultation which Jenison had enjoyed with "my brother Power". Jenison had attempted to befriend Jackson, but had been politely but firmly put off.[53]

By 1627 Jenison was feeling a great deal more isolated, a lone Calvinist in the midst of a host of Arminian newcomers. Within the diocese Jenison guessed that there remained only "Mr. Morecroft and Mr. Smart" who, other than himself, continued faithful to the Calvinist doctrines of the Church of England. The rest of the clergy, "especially those of note and of the greatest favour, Doctor Jackson and Mr. Alvey, are all of them

Arminians, or little better".[54] As Jackson's A Treatise of the Divine Essence and Attributes, published that year, contained a dedication to the Earl of Pembroke, Jenison feared that "the court is infected" with Arminianism. Once again Jenison requested advice of his old tutor as to how best to handle the situation, particularly with reference to what he, as a preacher, might do to counter the influence and apparent popularity of Jackson and Alvey. Up to this point he appears to have attempted to avoid controversy, but had found this to be an exercise in the impossible. He wrote of how

> The Doctor here preacheth on such points, [of Arminianism] and constantly each Sabbath catechizeth the youth, the church being full, and hath given them a form by way of question and answer, on which he dilates. Which as I hear not (preaching at another church) so, imagining of what stamp it is, neither do I read, as not much his books. The rather, (besides that three sermons a week will give me little leisure) because I am unwilling to acquaint myself with his phrases, which if I at any time stumble on in the pulpit (especially in the Thursday lecture, the lecture at the high church) I am presently taken to contradict him in his own pulpit[55]

Probably as a consequence of this perception of Jenison's preaching, he had been prevailed upon (he does not say by whom, but we may suspect Neile) to subscribe to an agreement not to contradict publicly "fellow-ministers' doctrine". By the time that he wrote to Ward about it in 1627, he was bitterly regretting having subscribed, "as these opinions nowe find favour". In part his distress concerning the matter was also due to the violence which such controversy effected upon his ideal of the preaching ministry. Jenison was unwilling to use the pulpit to debate "controversies". His role as lecturer, he felt, was "to edify the people". Yet like a seventeenth century Jeremiah the role of the prophet appears to have been thrust upon him by circumstance, for by the time that he wrote to Ward in 1629, he was in the midst of serious and public conflict with Jackson and Alvey over the core doctrines of predestination and perseverance. This had resulted in his

being threatened "of my silencing, especially of the archbishop's provincial visitation the next spring".[56]

Jenison was not silenced in 1629, and continued to debate matters of doctrine with Alvey after Jackson left Newcastle in 1630. Neile, of course, had been translated to Winchester in 1628, but Arminianism continued to be represented in the person of the new bishop of Durham, John Howson. Howson was succeeded by the Calvinist Thomas Morton in 1632, at which time Jenison observed that "wee have nowe, I hope, an orthodox bishop".[57] Whatever hopes Jenison may have harboured concerning the reestablishment of a Calvinist consensus in Newcastle under the new bishop must have been sadly disappointed. The Arminian infrastructure which Neile had created during his time as bishop of Durham proved too strong for Morton, who may very well have felt the same sense of frustrated isolation as Jenison. Morton, because of his Calvinism, was not trusted by Neile and Laud. Yelderd Alvey was employed to keep an eye on his bishop, and frequently bypassed Morton in order to send Neile and Laud information concerning Jenison and other puritans in the Newcastle area.[58] It is possible, however, that Morton's appointment to Durham helped Jenison to remain untroubled by the Court of High Commission until 1639, when in the context of official fear of cooperation between Newcastle puritans and Scottish Covenanters he was charged with a multiplicity of non-conformist practices and tried by the High Commission at York.[59]

Jenison's career, of which more will be said in chapter VIII, appears to have been in most respects quite similar to that of many puritan clergy who worked in the towns of Yorkshire. Perhaps the two most significant differences were the length of the period during which he worked under an Arminian bishop and diocesan administration, and the near proximity, in the person of Thomas Jackson, of one of the leading theologians of the Arminian

party. What is evident from his correspondence with Samuel Ward is that Jenison, particularly at the beginning of his career, regarded himself as an orthodox member of the Church of England. Even in the heat of his debates with Jackson and Alvey, Jenison felt that it was he who was defending orthodoxy against a new and erroneous doctrine. In the spring of 1632, he wrote to Ward of how outraged he was that Alvey should present the Arminian doctrine "that Christ died for all sinful men" and not only for the elect, "to be the doctrine of the church, as in the catechisme". [60] He appears to have done all within his power and within the compass of his conscience to avoid the charge of non-conformity. He was to find this easier than some, for he was never instituted to a benefice, and thus escaped most of the requirements of conformity which obtained to parochial incumbents.[61] The charges brought against him in 1639, excluding those directly obtaining to the immediacy of the Scottish threat, are, in the main, charges of simple non-conformity which in Toby Matthew's or Richard James' time would probably have been dismissed with an admonition to conform. It may therefore be said that the Arminian domination of the church courts, by redefining both the terminology and the levels of toleration used by these institutions, created puritan non-conformity where before there was merely a diversity of practice and belief within the overarching unity of English Calvinism.

Until this point in our discussion of Arminianism and its interaction with northern Calvinism and puritanism we have dealt with the reaction of the laity only in an oblique sense. It has been necessary to trace the outline of the debate as it influenced clerical careers. Indeed, it is substantially easier to trace the Arminian-Calvinist-puritan encounter in terms of its effects upon the clergy than it is to define its impact upon the "godly" laity. There is also a sense in which this is rightly the substance of the next two chapters, which deal mainly with issues related to status, reputation and public trust, demonstrating the changes in the way in

which these issues were dealt with by puritan town corporations before and after the rise of Arminianism in the northeast. This chapter cannot, however, be complete without some specific reference to the significant difference between the treatment and definition of lay puritanism under the Calvinist "consensus" and that which prevailed after the establishment of Arminianism in the diocesan administrations of Durham and York. Three cases will be examined. The first is the only developed proceeding against members of the "godly laity" during Tobie Matthew's primacy. The case involved the repetition of sermons at Beverley Minster in 1615. The second incident which we shall briefly discuss here, and which will be discussed in greater detail and broader context in chapter VIII, is the case involving John Birchall's alleged participation in conventicles with parishioners of St. Martin's, Micklegate, York. The third instance covers steps taken by the corporation of York to protect the city's lecturers, Henry Ayscough and John Whittakers, just prior to the beginning of Richard Neile's primacy.

Shortly after the puritan Richard Rhodes came to be the lecturer at Beverley Minster in 1615, the vicar of that parish, Thomas Brabbes, discovered that a number of individuals were gathering in the church after the Sunday service to pray, sing psalms, and engage in a "conference about the sermon that day". Had some of the individuals involved been more polite to the vicar, it is possible that the matter might never have reached the church courts. According to Brabbes' account of the incident, he discovered the gathering while about his business in the "revestry" (vestry) of the Minster after the service on Sunday, 23 July, 1615. He may have lingered in order to "discover" the meeting on purpose, for in his deposition he mentions that the group had met on the two Sundays previous to July 23. Hearing the group gathered, he called from the vestry to Alexander Spalding, a "sworn man" to ask what was going on. Spalding "told him peremptorily that he would make him no reckoning", and the group then proceeded to sing a

psalm. When they had finished singing Brabbes left the vestry and joined them in the chancel. He asked again what the purpose of the meeting was, and offered to join them if they were gathered for the repetition of that Sunday's sermon "so far as the law would permit". He was again rebuffed by the group, who "with joint consent did say they would not tell him; neither would they acknowledge him their minister". They also told him that "they did not desire his company". At this the vicar appears to have reminded them that private prayer meetings or conventicles were "against the canons, [and] that the King, archbishop and bishops of the land did patronize the said canons". His appeal to authority seems only to have made the group more determined, for "Alexander Spalding preemptorily replied and said in despite of all the devils that opposed themselves" the meeting would continue. At this point Brabbes decided to leave, but threatened that "they would answer him before my lord archbishop, his grace of York". As he was leaving, one of the group members named John Thornabie called out that there were "too many such dumme doggs as you are", referring to Brabbes' status as a non-preaching minister.[62]

It may have been the parting shot concerning his being a "dumme dogg" that was more than Brabbes could bear. It may also have been the incivility offered to him when he (at least by his own account) attempted to join in the sermon repetition. He in any case was so distressed that he presented the ringleaders of the group to the visitation Court, which met in Beverley Minster within a fortnight. In considering the case, it should be noted first that the minister, though a non-preacher, saw nothing illegal or irregular about meeting together for a "conference" about the sermon. He was willing to join in and had no qualms about saying so in the course of his deposition to the visitation court. What appears to have driven him to present the leaders of this group was the combination of their rudeness and the exclusive nature of the gathering. The issue was therefore not what they

were doing but the manner in which they were doing it.

The officers of the visitation court, after determining that the members of the conventicle had had "no speech or conference on any thing tending to the discipline or government of the church", dismissed the accused with an admonition. We are not told the substance of the admonition, but it may be safely presumed that the admonition was one which enjoined the accused to better and more deferential behaviour towards their minister. It is also worth noting that the leader of this group, John Garthwaite, was to proceed from his position as schoolmaster at Beverley to become the curate and preacher at St. Michael-le-Belfry church, York in 1618.[63] His presentment as the leader of the Beverley sermon repetition group does not appear to have in any way restricted or damaged his career prospects.

In contrast, the treatment given to those suspected of participating in conventicles with John Birchall, the rector of St. Martin's, Micklegate, York, was of a much more serious order. While the cause was officially presented against Birchall, the manner in which the case was conducted leaves little room for doubt that the matter was being prosecuted in an attempt to compromise Birchall's patrons, principally the puritan alderman Thomas Hoyle and his family. Birchall had lived with the Hoyles for some months after he came to St. Martin's in 1633, during and after which time he appears to have regularly conducted a morning and evening prayer service for the family within their home, complete with scriptural exposition and psalm-singing. He was also alleged to have once conducted a prayer service during a visit to a new house which Thomas Hoyle had purchased in the country, near Coulton, Yorks. This was one of a series of causes for which Birchall was presented to the Court of High Commission between 1633 and 1640.[64]

More will be said of the puritans of St. Martin's Micklegate in chapter

VIII. Here it is useful to take note that Thomas Hoyle, along with Matthew Topham, James Brooke, John Vaux and John Penrose, was a member of the group which Neile identified in his warning to John Shaw (cited at the beginning of this chapter) as the "Puritan party". The action against Birchall appears to have been undertaken at least partially in order to expose, embarrass and harass the powerful laymen who were the patrons of his living. Yet Birchall and his parishioners do not appear to have done anything more suspicious or illegal than the parishioners of Beverley Minster, whose case had been dealt with by a simple admonition. Indeed, the "Micklegate" group seems all-in-all to have been much better behaved than the group discovered at Beverley Minster in 1615. The difference, of course, lies with the fact that between 1615 and 1633 the diocesan administration had gone from being dominated by Calvinists to being predominantly comprised of Arminians, and what had passed for simple (even laudable) piety in 1615 was by 1633 regarded as suspicious and potentially sectarian behaviour.

Archbishop Neile, by the account of John Shaw, had come to identify the opposition to his program of Arminian reform within the city of York as "Vaux and the Puritan party". Because many of the aldermen who served during the 1630's, like Topham, Hoyle, Vaux, Brooke, Dickenson and Calvert may both by association and by their selection of civic preachers such as Ayscough, Whittakers, Hansley, Cudworth, Birchall and Shaw be identified as vigorous Calvinists, this, by Neile's definition, allows them to be termed "the Puritan party". As this chapter draws to a close, it is perhaps useful to point out that there is at least one set of actions which would seem to indicate that some "party" identity had begun to form among the "godly" of York just prior to Neile's arrival in 1632. This constitutes the third case to be presented in this chapter to illustrate the effect of changes in the ecclesiastical and theological context of the northeast on lay puritanism.

From 1581, when a "Mr. Cole" had been retained as the "preacher for this cittie for a yeare", the civic lecturers had never been instituted to a cure of souls within York. Some, like Richard Harwood had been pluralists and had been beneficed elsewhere.[65] In 1631, possibly in response to Harsnet's visitation (for which we have no records) and almost certainly in anticipation of Neile's arrival and consequent visitation, the corporation of York undertook the unprecedented step of negotiating with the Lord Keeper for the right to present Henry Ayscough to the vicarage of All Saints' Pavement and John Whittakers to the rectory of St. Saviours' church, York. By such action the governors of York undoubtedly intended to enable their preachers to conform to the 1629 regulation which required lecturers to be inducted to the cure of souls where they preached. That they should undertake this action prior to Neile's primacy, after experiencing that of the Arminian Samuel Harsnet, suggests that the "godly" citizens of York had developed at the very least a sense of the necessity of corporate action to protect their preachers from the new ecclesiastical administration.[66]

Conclusion

The impact of Arminianism in the dioceses of York and Durham appears to have altered drastically the manner in which ecclesiastical authorities viewed what until 1628 was conventional protestant piety and practice. Much that was accepted as "lawful" within the Church of England, or that was ignored or overlooked as being of little significance between fellow Calvinists was, after 1628, treated with suspicion and officially discouraged through the medium of the church courts. The sense of a common cause which had been witnessed in archbishop Sandys' willingness to supplement the need for preachers in York by preaching there himself, or in archbishop Hutton's willingness to grant the corporation of Hull special permission to conduct a local court of correction for drunkards and

fornicators was substantially eroded during the 1630s.[67] As will be shown in chapter VIII, town corporations found that their exercise of godly discipline, which prior to 1628 was welcomed as the essence of the reforming magistrate's proper response to the "painful" preaching of the gospel, was increasingly greeted with suspicion and jurisdictional jealousy. Puritan laity and clergy alike found themselves practicing their religion in an increasingly hostile context, a context not necessarily of their making, but one which nevertheless set them in opposition to the hierarchy of the church. The cases offered in the next two chapters will illustrate some of the effects of this change of context on the way in which the "godly" members of town corporations related to each other, to the clergy who served in their communities, and to superior levels of ecclesiastical and secular jurisdiction.

Notes for Chapter VI

1. J. Raine, (ed.), "The Life of John Shaw", Yorkshire Diaries and Autobiographies in the Seventeenth and Eighteenth Centuries, (1877), p.129; Richard Neile was Bishop of Durham (1617-27), Bishop of Winchester (1627-32), and Archbishop of York, (1632-1640), see Marchant, The Puritans and the Church Courts, pp.52-8; Nicholas Tyacke, Anti-Calvinists, pp.68-71, 77-8, 116-18; Hugh Trevor Roper, "Laudianism and Political Power", Catholics, Anglicans and Puritans, Seventeenth Century Essays, (1987), pp.61-2, 70-71.

2. See below, pp.350-2.

3. Marchant, The Puritans and the Church Courts, pp.16-29 provides a comprehensive review of the Calvinist attitudes of Archbishops Edmund Grindal (1570-76), Edwin Sandys (1576-89), John Piers (1589-94), Matthew Hutton (1595-1606), and Toby Matthew (1606-28).

4. Montaigne was Archbishop of York June-November, 1628; Harsnett was Archbishop from November, 1628-May, 1631, see Marchant, The Puritans and the Church Courts, p.50.

5. Hugh Trevor-Roper, "Laudianism and Political Power", p.70.

6. Marchant, The Puritans and the Church Courts, pp.44-8, 233-4 (Brearley), 280-81 (Squire); Vaux had been Sheriff of York and would be Mayor, Paggett was Squire's patron, having presented him to the living of Escrick, Yorks. in 1613, he would be Sheriff of York in 1648; Vaux and Penrose were feoffees of the puritan parish of St. Martin's Micklegate, York, and Penrose was "keeper of St. Peter's prison"; Borthwick Bishopthorpe Mss. BP/CAP/III/16, Papers of Archbishop Lancelot Blackburn, R. BP 8/205, relating to an indenture of the advowson of St. Martin's Micklegate, York, 17 September, 1714, lists Vaux and Penrose among the original purchasers and feofees of the advowson; for Penrose as gaoler, see Borthwick, York High Commission Act Books, XIX, (1638-1641), fol.55^{v}.

7. York City Archives, York Corporation House Books B/XXXV, fol. 153^{v}.

8. For Marchant's discussion of the case, see, The Puritans and the Church Courts, pp.44-48, 233-34, 280-81.

9. Tyacke, Anti-Calvinists, p.185, supports this synthesis in his more general discussion of the relationship of puritanism to the Church of England prior to the rise of Arminianism.

10. York City Archives, York Corporation House Books, B/XXXIV fol.213^{v}, 26 January, 1621; Conyers was a graduate of Sydney Sussex College, Cambridge, and was deaconed at York in 1613, see John Venn, Alumni Cantabrigiensis, A Biographical List of All Known Students, Graduates, and Holders of Office at the University of Cambridge, From the Earliest Times to 1900, I, (1922), p.382.

11. Borthwick, York High Commission Court Act Books, XVI, (1612-1626), fols.270^{r}, 271^{r}, 273^{r}, 274^{r}, 275^{r}.

12. Marchant, The Puritans and the Church Courts, pp.48, 240; Hodson is described as a "moderate puritan" by Marchant, who notes that he (Hodson) was apparently willing at a later date to accomodate himself to the Arminian policies of Harsnet and Neile, see Marchant, The Church Under the Law, p.49.

13. Tyacke, Anti-Calvinists, pp.185, 216, 218, citing James Conyers, Christ's Love and Saints' Sacrifice, (1635) pp.12-14.

14. For Matthew's Calvinism see the extensive quotation from his sermon preached before the Earl of Huntingdon in 1592, in Tyacke, Anti-Calvinists, pp.17-18, citing "Two Sermons, hitherto unpublished, of Dr. Tobie Matthew...", Christian Observer, 47, (1847); Ralph Thoresby, Vicaria Leodiensis; or,The History of the Church of Leedes, Yorkshire, (1724), pp.65, 162-3, mentions Archbishop Matthew as a great encourager of preachers and a friend to the "godly".

15. Peter Lake, Moderate puritans and the Elizabethan Church, pp.201-18, 220-21.

16. Trevor-Roper, "Laudianism and Political Power", p.61 and Tyacke, Anti-Calvinists, p.121.

17. Peter Lake, Moderate Puritans, p.280; Nicholas Tyacke, Anti-Calvinists, p.7.

18. Richard Montagu, A Gagg for the New Gospel? No. A New Gagg for an Old Goose (1624), and Appello Caesarum. A Just Appeal from Two Unjust Informers (1625); Thomas Jackson, A Treatise of the Divine Essence and Attributes, (1628): for Davenant's letter to Ward see Bodleian Library, Tanner Mss. 72, fol. 298, letter dated 1628, cited in Tyacke, Anti-Calvinists, p.138.

19. Marchant, The Puritans And The Church Courts, pp.48-9, 251-2; Borthwick, York High Commission Act Books XVII, (1625-31), fols.58^{r}, 124^{r+v}; "Belfrey,s and AlHallows" are St. Michael-le-Belfry and All Saints', Pavement, York, which by the 1620s had both become identified with puritan preaching and liturgical practice.

20. York City Archives, York City House Books, B/XXXV, fol.44^{r+v}; the corporation was negotiating with the Dean and Chapter regarding the latter's right to try citizens of York in the "sessions to be held on for the liberty of St. Peter's".

21. Marchant, The Puritans And The Church Courts, p.226-7, 291-2; Borthwick, York Archiepiscopal Visitation Court Act Books, V1632/CB, fols.8^{r}-28^{r}.

22. Patrick Collinson, The Religion of Protestants, pp.82-3; Trevor-Roper, Catholics, Anglicans and Puritans, pp.44-5.

23. Tyacke, Anti-Calvinists, pp.17-18, 30-31; Conrad Russell, The Crisis of Parliaments: English History 1509-1640, (1971), pp.212-13.

24. Patrick Collinson, The Elizabethan Puritan Movement, (1967), pp.294-5.

25. Patrick Collinson, "The Jacobean Religious Settlement: The Hampton Court Conference", Howard Tomlinson, (ed.), Before The English Civil War, (1985), p.29.

26. See above, p.85, and below, pp.271-2.

27. J.S. Purvis, Tudor Parish Documents of the Diocese of York, (1948), p.209; Borthwick, York High Commission Cause Papers G/1396, Office c. Melchior Smyth at the promotion of Edmund Roberts, 1567.

28. Marchant, The Church Under the Law, pp.132-33.

29. See the discussion of the evidence presented against Cooke in PRO, STAC 8/215/6, Metcalfe et. al. contra Cooke, below, pp.298-300; also Marchant, The Puritans and the Church Courts, pp.240-1; Borthwick, York High Commission Act Books, XVI (1612-26), fol.156^{v}, 18 March, 1617.

30. Ralph Thoresby, Vicaria Leodiensis, p.96.

31. For the clergy listed from the diocese of York, see Marchant's biographical catalogue, The Puritans and the Church Courts, pp.226-294; for the Newcastle clerics see Roger Howell, Newcastle-upon-Tyne and the Puritan Revolution, (1967), pp.88-9; also John Fenwick, Christ Ruling in the Midst of his Enemies, pp.1-2: Henry Power is identified by Robert Jenison as "my brother Power" in a letter to Samuel Ward, Bodleian Library, Tanner Mss. 73b, fol.437^{r+v}, 11 May, 1624.

32. Borthwick, Archiepiscopal Visitation Court Act Books, V1607/CB fol.56^{v}; V1615/CB fol.145^{r}; V1619/CB fol.135^{r}.

33. Borthwick, York High Commission Court Act Books, XVI (1612-26), fols.163^{v}-164^{r}, 204^{r}, 217^{r}, 228^{v}: High Commission Cause Papers H/2087/2 and H/2087/3, Interrogatories and Depositions for the Cause against the Churchwardens of Sheffield; see also Ronald Marchant's discussion of the case in The Puritans and the Church Courts, pp.286-7 and in The Church Under The Law, p.132; for Easdall, see Marchant, Puritans and the Church Courts, p.44.

34. Nicholas Tyacke, Anti-Calvinists, pp. 101, 164-6, 181.

35. J.T. Cliffe, The Puritan Gentry, p.157, citing the diary of Walter Yonge, British Library, Additional Mss. 35, 331, fol.36; Ronald Marchant, The Church Under the Law, p.140.

36. Borthwick, York Archiepiscopal Visitation Court Act Books, V1633/CB-I, fols.8^{r}, 19^{v}, 23^{v}: for example, Henry Ayscough was presented with his curate, Abraham Pearson, "they do not read prayers upon Wednesdays and Fridays not being holy days, nor upon the eves of Sundays and holydays"; John Whittakers was presented for "not catechizing, nor preaching catechisticall wise"; Timothey Jackson was presented "for not reading prayers upon the eves of Sundays and holydays... Also for not wearing his hood".

37. Borthwick York Archiepiscopal Visitation Court Act Books, V1619/CB, fols. 9^{r}, 11^{r}, 12^{r}.

38. Borthwick, York Archiepiscopal Visitation Court Act Books, V1633/CB-I, fols. 8^{r}-28^{r}, 502^{r}.

39. Borthwick, V1627/CB, fol.42^{v}; V1633/CB-I fols.83^{v}, 89^{v}, 90^{v} and 93^{r}; for Beverley see V1607/CB, fol.137^{v}; V1633/CB-I fol.290^{r}: the wardens of St. John's, Beverley, protested that their failure to walk the perambulations had been because of the "rising waters".

40. Claire Cross, Urban Magistrates and Ministers, pp.23-4; Andrew Foster, "Church Policies of the 1630s", R. Cust and A. Hughes, (ed.), Conflict in Early Stuart England, (1989), p.205, citing Borthwick, York Chancery Court Act Books, XXV, fols.130^{v}-131^{r}; Kingston-upon-Hull City Record Office, M.165, M.166, L.270, 275, 280.

41. Marchant, The Church Under the Law, pp.139-40

42. Bodleian Library, Tanner Mss. 71, 72, 73a, 73b; Samuel Ward was Jenison's tutor at Emmanuel College, Cambridge, and at the time of the correspondence was Master of Sydney Sussex College, Cambridge.

43. Borthwick, York High Commission Act Books, XIX (1638-1641), fols. 55^{v}, 86^{v} and 132^{v}; for John Penrose's involvement with Vaux as a feoffee of St. Martin's, Micklegate, and in the Squire-Brearley conventicle, see above, p.233; he was also keeper of the city's prison.

44. For Power see Marchant, The Puritans and the Church Courts, p.269; William Morton was vicar of Newcastle from 1594 until his death in 1620, Durham Cathedral Library, Randall Mss. 11, fol.29^{v}.

45. Bodleian Library, Tanner Mss. 73a, fol.136^{r}, no date, but from the mention of the fact that Jenison's cousin William was the Mayor, sometime in 1621; see John Brand, The History and Antiquities of... Newcastle-upon-Tyne, II, p.206; for a discussion of Samuel Ward and his connection with Jenison and other ex-students see John Morgan, Godly Learning: Puritan Attitudes towards Reason, Learning, and Education, 1560-1640, (1987), pp.290-91.

46. PRO, STAC 8/215/6, Metcalfe, Jackson and Harrison c. Alexander Cooke, 1622, II, The Demurrer of Alexander Cooke; see below, pp.298-300.

47. Bodleian Library, Tanner Mss. 73b, fol.437^{r+v}, 11 May, 1624.

48. Tanner Mss. 73b fols.437^{r+v}; for a discussion of Arminianism and *jure divino* episcopal authority see Patrick Collinson, Religion of Protestants, pp.16-21 and William Lamont, Godly Rule,pp.56-62.

49. See, for instance, Ann Hughes' account of the opposition of the corporation of Coventry to proposed changes in the seating of St. Michael's church in 1636, Politics, society and Civil War in Warwickshire, 1620-1660, (1987), pp.84-87; J.T. Evans, Seventeenth Century Norwich: Politics, Religion and Government, 1620-1690, (1979) pp.86-113, records friction between bishops Harsnet and Wren and the corporation of Norwich, the cause of which was this similar policy of episcopal intrusion into matters of civil jurisdiction; Neile encountered similar resistance from the corporation of York when he questioned that council's authority to appoint "sabbath searchers" in 1637, see York City Archives, York Corporation House Books B/XXXV, fol.333^{r}, 27 June 1637; See above, p.162.

50. Kingston-upon-Hull Record Office, Hull Corporation Bench Books, 4, fols.112^{v}, 326^{v}; see above, pp.121-2.

51. John Fenwick, Christ Ruling in the Midst of his Enemies, p.22.

52. Tanner Mss. 73b, fol.437^{r+v}.

53. Tanner Mss.73b, fol.475^{r}, 25 August, 1624; for a discussion of the cooperation of Jenison and Power in the matter of Stephen Jerome's philandering, see below pp.366-7; for Thomas Jackson, see Tyacke, Anti-Calvinists, pp.66-7 ; Roger Howell, Newcastle-upon-Tyne and the Puritan Revolution, pp.71, 87.

54. Tanner Mss. 72, fol.260^{r}, 20 March, 1627; "Mr. Morecroft and Mr. Smart" are Ferdinando Moorecroft, vicar of Stanhope, and Peter Smart, rector of Bolden and Master of the Hospital at Gateshead (both were made prebends of Durham Cathedral by the Calvinist bishop William James, see William Hutchinson, The History and Antiquities of the County Palatine of Durham, II, (1787) pp.183-4, 191); Yelderd Alvey was lecturer at St. Nicholas' Church, Newcastle from about 1624, and became the vicar of Newcastle when Jackson left to become the Master of Corpus Christi College, Oxford, in 1630, see John Brand, The History and Antiquities... Newcastle upon Tyne, I, (1789), pp.304-5.

55. Tanner Mss. 72, fol.260^{r}, 20 March, 1627; Thomas Jackson, A Treatise of the Divine Essence and Attributes, (1627).

56. Tanner Mss.71, fol.30^{r+v}, 29 January, 1629.

57. Tanner Mss. 71, fol.143^{r}, 12 July, 1632.

58. Calendar of State Papers Domestic, Charles I, CCCCXLII p.345, (28), Secretary of State Francis Windebank to Archbishop Neile, 17 January, 1640; Trevor-Roper, "Laudianism and Political Power", pp.73-4.

59. Calendar of State Papers Domestic, Charles I, CCCCXV, p.591, (7), 21 March, 1639; see below, pp.372-3.

60. Bodleian Library, Tanner Mss. 71 fol.136^{r+v}, 21 April, 1632.

61. Christopher Hill, Society and Puritanism, pp.109-10.

62. Borthwick, York Archiepiscopal Visitation Court Books, V1615/CB, fols.212^{v}, 212a,213a; see also the brief discussion of the case in Marchant, Puritans and the Church Courts, pp.37-8.

63. Borthwick Institute, V1615/CB, fol.212a; Marchant, Puritans And The Church Courts, p.248.

64. Borthwick, York High Commission Cause Papers H/2123, Office c. John Birchall; see also Cause Papers H/2010, Office c. John Birchall; for Marchant's discussion of the cases involving Birchall, see Puritans and the Church Courts, pp.80-89; and also see below, pp.347-50.

65. York City Archives, York Corporation House Books, B/XXVIII, fol.12^{r}, 19 May, 1581; B/XXXIII, fol.111^{r}, 3 February, 1608.

66. York City Archives, York Corporation House Books, B/XXXV, fol.153^{v}, 27 January, 1632; for a discussion of Laud's 1629 regulation concerning lecturers and the cure of souls see Christopher Hill, Society and Puritanism, pp.110-11.

67. See above, pp.208-9, for Sandys; for Hutton see Kingston-upon Hull Record Office, Hull Corporation Bench Books, 4, fol.326^{v}, 12 June, 1599.

CHAPTER VII

Reputation, Public Trust and Status in Hull and Leeds, 1590-1628.

The puritan vision of the godly minister and godly magistrate as complementary elements of the "sacrifice always acceptable to the Lord" has been introduced in chapter III, and the practical expression of this "sacrifice" in terms of policy which sought to regulate church attendance, sabbath observance and behavior in alehouses has been explored in chapters IV and V. The previous chapter outlined the rise of Arminianism in the province of York. It introduced the question of how the character of puritanism, as expressed in the partnership of magistrates and ministers, may have been changed by this development, particularly with regard to the relationship of puritan-dominated civic corporations to diocesan authority and central government. This question will be addressed in the course of this chapter and chapter VIII.

The puritan ideal of the minister and magistrate working hand in hand to create the godly protestant town, as described in chapter III, is very clean, very clear-cut. Such clarity notwithstanding, a number of questions related to the practical application of this vision remained substantially unanswered at the conclusion of chapter V. For instance, the discussion of the complementary roles of minister and magistrate has not yet dealt with the question of status. Were these persons always able to treat one another as equals, in a manner similar to the "imbracing and seconding" of ministers and magistrates which the Norwich preacher William Burton described as having been the case in seventeenth-century Norwich?[1] When magistrates and ministers had origins of unequal status, where they were distinguished from

one another by education, wealth, or lineage, might this have contributed to division, or exacerbated instances of dissent? If, as was undoubtedly the case from time to time, situations arose in which there was serious disgreement between minister and magistrate, how did this affect the integrity of the "acceptable sacrifice"? By what means were differences of opinion concerning matters of faith or policy resolved? What was the role of external authority in the resolution of disputes, and how was such intervention regarded by ministers and magistrates as representatives of local government?

It is probable that instances of disharmony between ministers and magistrates occurred at some time during the period in each of the five towns included in this study. In only two of the towns, however, does the quality of surviving evidence permit examination of cases with the depth of focus necessary to discuss such issues as reputation, public trust and status prior to 1628: Leeds and Hull. For the other towns, evidence is patchy. In 1597 the preachers Richard Holdsworth and James Bamford rallied the support of a number of the "free burgesses" of Newcastle for the "reformation of abuses" arising from the Hostmen's alleged mismanagement of the "great lease" of the Gateshead coal fields. Unfortunately the sources do not reveal much more than this about the role played by the preachers, or the manner in which their involvement was received by members of the corporation of Newcastle.[2] The York High Commission case of Wakefield et.al. against Jackson, concerning the validity of the latter's election as a churchwarden of St. Mary's parish, Beverley, in 1594 has been mentioned in chapter II. The papers of the case demonstrate the town corporation's direct involvement in the matter of the election, but beyond this, the sources do not support any depth of discussion on the opinions or expectations of the parties involved in the dispute.[3] In York, the corporation was evidently less than satisfied with the frequent absences of Henry Hooke, who was civic

preacher from 1615-1623, but the record of the corporation house books provides insufficient material for a detailed discussion of the corporation's dissatisfaction or of the reasons for Hooke's frequent absences from York.[4] For Hull and Leeds, in contrast, enough evidence has survived to allow discussion of "ministry and magistracie" in terms of personal and corporate reputation, public trust and status during the period prior to the rise of Arminianism in the northeast. At Hull minister and magistrate were divided over allegations of dishonesty and differences of opinion about the disposition of funds which the corporation controlled in its role as patron to the civic lectureship. The corporation minutes and the papers of the corporation's Star Chamber action against the vicar of Hull, Theophilus Smyth, in 1609, provide considerable material on this. Similarly, the survival of the appeal of the parishioners of Leeds to the court of Chancery about the ownership of the advowson of St. Peter's church, Leeds, in 1615, together with the records of the first "judgement" of the "Committee of Pious Uses in Leedes" and the papers of the Star Chamber action initiated in 1622 against the vicar of Leeds, Alexander Cooke, by the town bailiff, John Metcalfe, supply sufficient material for a discussion of contemporary expectations of the behaviour of ministers and leading community members in Leeds prior to its incorporation in 1626. The discussion which follows on Hull and Leeds will examine the way in which various parties felt that public trust had been betrayed, and will develop a picture of the role which puritanism (or allegations thereof) occupied in the power struggles which took place between ministers and magistrates.

This chapter will therefore deal with issues of reputation, public trust and status as they occurred in towns prior to the rise of Arminianism in the northeast. Chapter VIII will examine these same issues for York, Hull, Leeds and Newcastle after the establishment of Arminianism. By dealing with the evidence in this manner we shall discover something of the changes

in both the character of puritanism and of the role played by diocesan authority before and after the erosion of the pre- Arminian "Calvinist consensus".

Hull

To introduce the issues which brought Theophilus Smyth, vicar of Hull, to the attention of the court of Star Chamber in 1609, it is necessary to examine a sequence of events which, though having a direct bearing on the case, occurred before 1590. Briefly, these are: the case brought by the corporation against the first puritan vicar of Hull, Melchior Smyth, in 1564; that initiated by Symon Pynder, the curate of Holy Trinity church, Hull, against the parish clerke, William Steade, in 1570; and the investigation of Thomas Turner, Master of the Charterhouse Hospital, Hull, by the York Court of High Commission at the promotion of the corporation of Hull in 1571. In addition to providing useful examples of contemporary expectations regarding the behavior of ministers and other parish officers, these cases relate to the main body of the discussion: they will all be shown to have been part of the corporation's drive to consolidate the funds belonging to the vicarage and hospital, in order to be able to use these for the maintenance of a puritan lecturer. The corporation's choice of the puritan Thomas Whincopp to be lecturer in 1599, instead of the vicar of Hull at the time, Theophilus Smyth (Melchior's son), figures largely in the dispute which will occupy the greater part of our discussion.

Though personally sought out by committed protestants within the corporation of Hull, Melchior Smyth, as has been noted in chapter II, was soon to alienate a substantial number of the governors of Hull by his irascible, sometimes violent temper and his use of the pulpit as a platform from which to pillory and discredit those who opposed him. In the articles

entered against the vicar before the York Court of High Commission in 1564 it was alleged that he had "been a great occasion of contention and great strife amongst the inhabitants of Hull". In addition to instances of liturgical non-conformity, such as reviling surplices and caps, refusing to kneel when receiving the sacrament and physically assaulting a mariner whom he apprehended in the act of the traditional bell-ringing associated with All Souls' tide, Smyth was alleged to have held dangerous egalitarian opinions. He was said to have "inveighed against rulers and nobility and difference of blood" maintaining "all men to be equal and like". Confronted with the traditional procession of the mayor and aldermen, preceded into the church by sword, mace and civic insignia, Smyth, it was reported, had reviled the practice, referring to "the sword before the said mayor, and the maces having on them the Queen's majesty's arms" as "but bonds and staves". Finally he was accused of comparing those aldermen which opposed him to "Herod, for that they went about to put down Christ and his gospell as much as in them lay, and did go about to take away other men's livings".[5]

The vicar's actions earned him a stern admonition from the Court of High Commission, but nothing more. At this juncture, it would seem likely that the corporation, unable to rid themselves of Smyth, began to take steps by which to alienate him from the portion of the vicarage which lay in Hull, and to secure the funds necessary for the maintenance of a preacher who was more respectful of the dignity of aldermen and other civic dignitaries. This process has been discussed in chapter II, and is noted here because of the role played by the corporation's action regarding Melchior Smyth as the basis for later developments. Clearly the corporation of Hull was not willing to tolerate a preacher who subscribed to what they regarded as dangerous egalitarianism and who had the temerity to compare those aldermen who opposed him to Herod.[6]

In 1571 Symon Pynder, the curate of Holy Trinity, Hull, brought charges against the parish clerk, William Steade, in the Court of High Commission at York. The case against Steade, which has been discussed in the context of attitudes to drunkenness in chapter VI, is noteworthy in this context for two reasons. First, in his list of complaints the curate felt it necessary to add weight to the charges by adding phrases like "to the great offence of the godlie congregation". Pynder made much of the impudence and irreverence with which Steade committed his alleged offences; he particularly stressed the inappropriateness of Pynder's involvement in seasonal secular employment,

> especially in hay time and harvest, and that without license of the preacher or curate, for in that time he playeth the carter. And as for the preacher and curate, he regardeth them nothing at all.[7]

It would seem that in addition to drunkenness, irreligious or conservative religious inclination and practice, Steade was guilty of yet a more heinous sin. In a society which placed a high value on deference, he did not conduct himself in a manner deemed appropriate to his station, thus offending the clergy and the "godlie congregation" among whose number were, without doubt, the majority of the members of the corporation of Hull.

The second element of Pynder's accusation against Steade which has significance here is that Pynder made special note of how Steade's living was worth "£20 at the least, and some say £40" and that it would be better used "to the maintenance of a good preacher of Goddes worde, which were verie necessarie and is muche to bee wished for". Within less than a year of his presentment to the Court of High Commission Steade was dismissed by the corporation of Hull, and a man named Richard Nicholson employed in his place at the much reduced stipend of £4 per annum. The entry of 53s described as the residue of the sum "which they in time past did pay the parish clerke" in the list of sources for the stipend to be given to Griffith Bryskin as

the civic lecturer in 1572 suggests that Pynder's comment was more than a pious hope. Steade was dismissed, partly for behavior deemed inappropriate to his office, and partly so that his stipend, or at least part thereof, might be used to fund the living of the new civic lecturer.[8]

On 6 November, 1571, almost a year after Pynder brought charges against Steade, the Court of High Commission conducted an investigation of the Master of the Charterhouse hospital, a priest named Thomas Turner. This was done at the promotion of the corporation. The Charterhouse was a charitable foundation intended to feed and house twelve "poor, halt, lame or blind" people. Originally established by the De la Poles, it had reverted to the crown during the reformation and had subsequently been granted to the corporation of Hull. Turner, who had held the post of Master since 1558, was (from the interrogatories administered to him) suspected of having mismanaged the properties attached to the Charterhouse, and of misappropriating the revenues arising from rents and entry fines paid to him by tenants and inmates. Turner admitted to having "converted" almost all of the considerable amount of money which had been paid to him in this manner "to his own use". He also admitted to having let tenements to individuals of influence, such as Robert Dalton and John Chapman (both aldermen of Hull) for long leases at low yearly rates, and to have accepted substantial entry fines both in kind (from Dalton "a gowne of cloth and a small furre of lynxe the same") and in cash (£10 from John Chapman).[9]

Despite his admission of guilt, both in terms of misappropriation and mismanagement, Turner was not dismissed as a result of this investigation. The corporation Bench Books show that he was still Master of the Charterhouse on 22 September, 1574, and lacking further evidence it may be supposed that he remained the Master until the appointment of the town preacher, Griffith Briskin, to the post in 1592. His survival as Master may

in part be attributed to the involvement of well-connected persons like Dalton and Chapman as beneficiaries of his mismanagement of the Charterhouse properties. It is likely that the case against him was initiated with the intent of expelling him from the mastership so that his stipend, like that of Steade, might be directed toward the maintenance of the town preacher. The fact that the mastership was diverted to this purpose in 1592, and that it was consistently included as part of the preacher's living for the rest of the the period, suggests that this was indeed the intent of the case against Turner.[10] Briskin, for all his godliness, does not seem to have done a much better job of managing the Charterhouse than Turner. In 1596, (the same year that John Chapman, one of those to whom Turner had earlier given a cheap lease on payment of a large entry fine, was mayor of Hull), the corporation was required to order an audit of his accounts in response to a complaint made to them by the inmates that they had been "defrauded of divers commodities owed to them" by Briskin.[11] Briskin resigned from the lectureship at Hull in 1598 and retired to the rectory of Beeford, Yorkshire, which he had held in plurality with the lectureship since 1594. No record of the intended audit of his mastership has survived.[12]

Griffith Briskin left Hull in 1598, and was replaced by Thomas Whincopp, formerly the lecturer at St. John's Church, Beverley. As part of the contract by which he was made the lecturer at Hull's principal church, Holy Trinity, Whincopp was offered the Mastership of the Charterhouse. In effect, this relieved the corporation of the necessity of finding him a house, and provided a significant income for him in addition to the £40 p.a. which the corporation had paid Briskin. Perhaps as a result of the problems encountered by the corporation through the masterships of Turner and Briskin, the terms under which Whincopp became Master of the Charterhouse specifically limited his authority to lease, sell, or otherwise dispose of the property attached to the hospital. No property was to be let for a term

of more than twenty-one years, and all leases were to have the "consent and full agreement" of the mayor and the majority of the aldermen of Hull. Whincopp was required to pay each of the twelve pensioners a yearly stipend of 40s, and was forbidden to convert any of the property or rents obtaining to the hospital to his own use, with the exception of that which was agreed upon as being his stipend. Finally, Whincopp was required to make an annual written account of his mastership to the corporation on St. Peter's day.[13]

The corporation's difficulties with the Masters of the Charterhouse foreshadowed the much more serious disturbance which was to result from the long-standing dispute with Melchior and Theophilus Smyth concerning the disposition of the profits of the vicarage of Hull and other, less public dispositions of property deemed to be held in trust for the maintenance of the harbour and certain public buildings. In the course of the disturbance which was to proceed from this dispute, opinions and expectations regarding the reputation, status and general suitability for public office of ministers and magistrates in Hull were expressed with unprecedented clarity. Some of the background to this case has been touched upon in chapter II, where the manner in which the corporation struck a deal in 1572 with archbishop Grindal has been described. By this, Melchior Smyth (Theophilus' father and predecessor in the vicarage of Hessle and Hull) was effectively excluded from Hull and deprived of the Hull-based profits of the vicarage. The intent of this arrangement was that the profits of the vicarage should be used to pay the Lecturer's stipend. Clearly the same intent had informed the corporation's action (through Pynder) against Steade and (through the Court of High Commission) against Turner, as eventually the stipends of both the parish clerk and the Master of the Charterhouse were diverted to become part of the stipend and emoluments given to the civic lecturer.[14]

It is likely that the Smyths, Melchior and Theophilus, had never given

up hope of reclaiming what they understood to be the full profits of the vicarage. When Melchior resigned from the vicarage in favour of his son in 1591, Theophilus secured a yearly allowance of £6 6s 9d from the corporation in return for reading morning and evening prayer on a daily basis at Holy Trinity. The arrangement no doubt suited Briskin, whose non-conformist convictions had originally caused him to avoid ordination to the priesthood until he was compelled to it by order of the Court of High Commission in 1579. At some time before 1600, probably in 1592, when Briskin was installed as Master of the Charterhouse and consequently would have been housed in that establishment, Theophilus was able to reclaim the vicarage house and garden in Hull.[15]

It is apparent that Theophilus Smyth had something to do with Briskin's departure in 1598, though to what extent his differences with Briskin might have been the principal cause of the lecturer's departure is difficult to ascertain. No doubt the prospect of being rector of a rural living had certain attractions, and for someone like Briskin, who had enjoyed the life of a civic lecturer for nearly thirty years, Beeford probably amounted to the equivalent of paid retirement. Assuming that he was at least twenty-five when he was granted an M.A. from Trinity College, Cambridge in 1567, this would mean that Briskin was probably in his early to middle fifties in 1594, and may well have been looking for a less strenuous position.

But according to the testimony of John Graves and Christopher Chapman, both of whom were aldermen and had, prior to 1600, been mayors of Hull, Smyth and Briskin had had a serious and public disagreement. Graves testified that at some time in 1592,

> the said Mr. Briskin and Mr. Smyth fell out at a disputation made at a dinner where this examinate and divers others were present, and he verily thinketh the said Mr. Smyth did abuse the said Mr. Briskin, and also

at other times in his sermons.[16]

Christopher Chapman confirmed what Graves had said, and went on to tell how following the initial dispute, "the one inveighed the other in his sermons".[17] If, as will be shown later, Theophilus Smyth was in fact a priest given to a more conforming, possibly even an Arminian point of view, it is not difficult to imagine the sort of issue over which he and Briskin might have fallen out. Smyth may also have harboured enmity against Briskin for his enjoyment of a stipend which (from Smyth's perspective) rightly belonged to the vicarage. In a situation where Smyth had gained the right to read the offices in Holy Trinity on a daily basis, the potential for friction between the vicar and the lecturer must have been very great indeed. Given such a situation, it is conceivable that a presumably older man like Briskin might not want to remain in Hull, even with the corporation's backing, and that he may well have actively sought a quiet country living such as Beeford as a means of removing himself from what was an increasingly acrimonious situation.

With Briskin either gone or going, Smyth expected that the lecturer's position would be given to him as part of what had been the vicarage before the arrangement by which Briskin had been employed. The corporation had other plans. They had, by 1598, taken the measure of Theophilus Smyth, and had found him to be a man both like his father, "a very contentious and seditious person" and unlike his father (worse still), "one more addicted to follow worldly pleasures than to attend to his function and calling, and one that would deal very hardly and extremely with his parishioners". Thus the corporation looked elsewhere for a preacher to take Briskin's place. According to Richard Burgesse' account of things, it was Thomas Whincopp, the lecturer of Beverley Minster who "made suit unto the said Mayor and Aldermen" for the lectureship at Holy Trinity. The almost unseemly haste

with which his "suit" was accepted (Briskin was barely gone three months at the time) suggests that the corporation accepted Whincopp at least partially in order to keep Smyth from advancing his claim to the lectureship.[18]

From this point on, according to the corporation's rendering of things, Theophilus Smyth

> conceived a very deep hatred and malice against the Mayor, Aldermen, and Burgesses, and in pursuit and execution thereof hath ever since very wickedly and maliciously sought to impeach and slander the whole estate and government of the said town of Kingston-upon-Hull, and hath by all indirect means and devices he could, laboured and endeavoured to bring the said town and the said Mayor and Aldermen thereof into scandal, contempt and reproach.[19]

Much of the substance of Smyth's preaching, which (other than the his instigation of the riotous assembly which torched the posts which blocked the gate to the churchyard) constituted the basis of the corporation's complaint, will be examined in closer detail further on in this chapter. It is sufficient to state at this point that the sermons in question were understood by various members of the corporation to contain thinly-disguised references to alleged instances of immoral behaviour and dishonesty in which they were personally implicated. Smyth was alleged to have quoted at length from the history of a fictitious town "called regihull", which was in all aspects identical to Hull, and which, Smyth claimed, was

> governed by Burgomasters who were false persons, easily persuaded to anything, and such as were drinkers, swaggerers, and men altogether unfit for government, and that they by their misgovernment did overthrow the state and wealth of the said town.[20]

By such means, it was alleged, Smyth had attempted to incite "the inferior sort of inhabitants" to "resist and withstand the said Mayor and Aldermen, and to contemn and despise their authority, and to reject and think basely of their government and rule over them".

In this matter of alleged subversion Theophilus was in fact following closely in his father's footsteps. As has already been noted in this chapter, a similar accusation of egalitarianism had been directed at Melchior Smyth when the corporation attempted to have him censured by the Court of High Commission in 1564. While he attempted to blunt the revolutionary impact of his statement by assuring the commissioners that he had been referring to the ordering of the kingdom of God, Melchior's answer to this accusation is nevertheless suggestive of an egalitarian frame of mind which would not, in all likelihood, have been comfortably received by the "better sort" at Hull. His careful admission that even the body of Christ was ordered in such a fashion that "every member of the body is in order and office as God hath appointed it" was severely undermined as he went on to suggest, almost in the same breath, that "as all men are one flesh and one blood... so ought all men to become one mystical body... No man therefore because of his blood, but rather that he is accepted as good, for Christ's sake, is allowed before God".[21]

From 1598 onwards, relations between Theophilus Smyth and the corporation deteriorated rapidly. Sometime in 1599/1600 the corporation presented Smyth to the Council of the North for allegedly seditious utterances made against Henry VIII. The papers of the case do not survive, but nothing appears to have resulted from the presentment. As the result of an impasse between the vicar and the corporation over the former's request for the removal of two posts which effectively blocked the gate to the churchyard of Holy Trinity, some of the inhabitants of Hull were involved in a riotous assembly on the evening of August 5, 1607, in which the posts were pulled up and burned in a bonfire. The mayor, Thomas Swan, attempted to disperse the assembly but was not successful in doing so. Sometime later the posts were replaced, after which the vicar allegedly hung libellous signs on

them and eventually hired a carpenter to remove them and in their place put a gate. Smyth also brought charges against Thomas Swan in the Court of High Commission sometime in 1608. The papers of the case have not survived, but from the evidence submitted in the Star Chamber suit initiated by the corporation against Smyth in 1609, it appears that Smyth's case against Swan involved charges of putting church property to inappropriate and secular use, specifically that at his order the church basement had been used as the city's gunpowder magazine.[22]

The business of post-burning, suit and counter-suit, makes interesting reading, but substantially obscures the actual basis of Smyth's violent disagreement with and alienation from the corporation. More than the simple resentment over the plundering of the vicarage, Smyth was theologically and morally at odds with the corporation, and in the years between 1598 and 1607 had used the pulpit of Holy Trinity to expose what he viewed as their heterodox beliefs and financial improprieties to the churchgoing population of Hull.[23]

With regard to his theological variance from the corporation, Smyth had apparently rejected the puritanism which had been established in Hull, initially by his father and later by Pynder and Briskin. When writing his response to the initial Bill of Complaint to the Court of Star Chamber, Smyth offered, in explanation of the references to his sermons and alleged derogatory comments about the character of Henry VIII, the defence that he

> verily thinketh the same is revived out of the humor of some Brownists and other sectaries of strange opinions, against which he, according to the duty of his place, hath not been sparing to speak against, as occasion was offered, in his sermons.[24]

In response to this defence, the corporation, through Richard Burgesse, claimed that Smyth had publicly implied that they were heretics in order to

discredit them. It was alleged by the corporation that the Vicar had

> at divers times said that the said Mayor, Aldermen, and Burgesses of the said town were "Calvans", and the most of them Puritans, Brownists and Sectaries, whereas in truth they are and have been conformable to the discipline, government, and ceremonies of the Church of England, and do effect no such foolish, fantasticall opinions, but supress the same by all good means.[25]

Chapter VI of this study has examined at some length the liabilities implicit in uncritically absorbing labels such as "Puritan", "Brownist" or "Sectarie". It is apparent that during the period prior to the death of archbishop Matthew, much that passed for conformity in the northern province was in fact not strictly so. Therefore it is entirely possible that the corporation's protest quoted above was made in good faith, notwithstanding the evidence which will be marshalled below to support our classification of their liturgical piety and attitude to ecclesiastical polity as "Puritan". Stephen Brachlow's study of the interaction between what he terms "radical puritans" and "separatists" makes much of the fact that puritans were often greatly exercised in pointing out the distinction between themselves and the separatists. The former, while dissatisfied with the unreformed nature of the Church of England, had nonetheless chosen to remain within it, and could therefore represent themselves as being by their own definition "conformable", although they were not so regarded by high-church Calvinists like Whitgift and Bancroft or Arminians like Laud and Neile.[26] Certainly it must be understood as significant that Smyth consistently (as will be shown below) defined and identified a "puritan faction" within the corporation, and that by specific examples which were confirmed by independent testimony.

Smyth responded to the corporation's statement by unequivocally stating that the "Brownist faction" in Hull was "countenanced and maintained by persons of great authority and calling... who then rather inclined to maintain or countenance such novelties than sound and true doctrine". He

then proceeded to name names and cite examples. According to Smyth, Thomas Swan and James Watkinson, both of whom had been mayor and were members of the civic corporation

> did now of late most reproachfully and seditiously, in contempt of order and decency, say publicly in contempt of order that a cheese cake would become the Lord Archbishop's head as well as a square cap, the said Swan saying he cared neither for "cannons nor small shot", then speaking against church government.[27]

Smyth went on to accuse aldermen John Graves, James Lister and Christopher Chapman, each of whom he alleged to have offered him verbal abuse and threatened worse, and who, in company with Swan and Watkinson, "have showed themselves favourers of Brownists and Schismaticks, and go about (as this defendant hopeth to prove) to disgrace preachers which are not of their faction".[28]

Smyth's allegations were corroborated by a number of men, many of whom were of a younger generation than those who testified against him. As the depositions taken for the case recorded the age of the deponent, it is possible to calculate a mean age for witnesses on either side of the issue. Discounting obviously hostile witnesses called by Smyth's proctor to give testimony, (Watkinson, Chapman, Swan and Groves) the men called upon in Smyth's behalf had a mean age of 47 years, while those called on the corporation's side had a mean age of 57 years.[29] This suggests that Smyth may have been confronting the generation of civic oligarchs who had come to power in the years after the corporation had removed his father from Holy Trinity in the early 1570s. Such men might well have been relatively untouched by Melchior Smyth's egalitarian teachings, but would probably have been deeply influenced by the more conventional puritanism of Pynder and Briskin. It may also be significant that the support which Theophilus Smyth enjoyed appears to have been largely drawn from a younger group of men who

rallied to him partly out of a common sense of oppression. Smyth alleged that the corporation had recently "disfranchised some of the said Burgesses of the said town and openly thrust them out of the Common Hall, for taking the benefit of the law".[30] The men of the younger group were of an age at which they might have been members of the "commons" (ie. they may have been "burgesses), but were probably too young to have advanced to the aldermanic rank.

The testimony of witnesses on his behalf substantially confirms Smyth's allegation of religious disaffection on the part of those who opposed him. William Bower, a Notary Public, attested to the fact that Smyth's opponents were either "papists or brownists... and scoffers at cap and surplice and other rights established in church government". Bower specifically affirmed Smyth's account of alderman Swan's derogatory remarks about the archbishop's attire, and added that alderman Watkinson had said in his (Bower's) hearing that he wished "Mr. Lavity and Mr. Homfray, two of the curates in Hull, sitting that day in the pew, one against the other, had either of them a pair of ram's horns on their heads instead of their cornered caps".[31] One William Malyverer, who styled himself a "gentleman" not only confirmed Smyth's allegations with regard to the influence of "Puritans and Brownists" within the corporation, but also went on to testify concerning Thomas Swan's contempt for canon law in using church property as a location for the city's gunpowder magazine.[32]

It is perhaps indicative of the degree to which non-conformist practice was able to pass for conformity that the testimony of one of the witnesses called in the corporation's behalf should definitively identify the mayor and aldermen with puritanism. William Johnson, a beer brewer, aged 70 years, stated that in addition to offering "words of disgrace against the government of this town" in the sermon that he preached at Holy Trinity

church on Guy Fawkes' Day, 1608, Smyth had that same day refused to administer the sacrament to the mayor and aldermen because they stood rather than knelt in order to receive it. The members of the corporation did eventually kneel, but Smyth continued to refuse to communicate them, though "after a small space, one Mr. Whincopp the preacher came and administered to them".[33]

It was not, however, simply a difference between conformity and non-conformity, between puritanism and "high" Calvinism or early Arminianism which had driven a wedge between the magistrates of Hull and their vicar. Smyth, by their own admission, had accused them of something (from their point of view) far worse than non-conformity: he had accused them of hypocritical dishonesty. For instance, as we have seen in our examination of the corporation's official rhetoric concerning drunkenness, public inebriation was seen not simply as a breach of the peace, but as one of the "abominable and detestable sinnes, enormities and offences" for which the "plagues of God" might imminently be visited upon the community.[34] Provision was made by which drunkards might be severely punished by the city's magistrates, acting either in lieu of the church courts or else in their own capacity as justices of the city's courts of Quarter and Petty Sessions. Chapter V noted the perplexing lack of consistent enforcement evidence in this area at Hull: the evidence which emerged in the corporation's case against Smyth suggests at least one factor which, along with the problems naturally attendant upon the enforcement of policy, may have contributed to the absence of such evidence for Hull during this period. [35] Smyth, according to the testimony of Christopher Chapman, had preached a sermon "about seven years since" (in other words c. 1602) in which he had described the drunkenness of two unnamed aldermen. These individuals were so drunk

> as that one of them he compared to a ship, tossed so as the street could not hardly contain him for reeling;

> and the other not an ordinary drunken man, but swinish drunk, not fit to be lead home, but to be carried home...[36]

Smyth implied that the corporation, in allowing such drunkenness to go unpunished, was in effect making a distinction between classes of people before the law. It was one thing for the "inferior sort" to be publicly inebriated: they would be fined, whipped or imprisoned for their sinfulness. It was, at least as Smyth described it, quite another thing for someone of "quality", of the franchised class, to be "swinish drunk" in public. Joan Kent has identified a similar tendency to make distinctions between classes of people before the law in her study of the evolution of "laws governing personal conduct" in Parliament during this period. She offers, among other examples, the argument presented by George Moore, Edward Alford and Dudley Digges against the passage of a bill by the Parliament of 1621 which would have given J.P.s the power to convey "drunkards and disordered persons" to houses of correction. The concern of the abovenamed M.P.s was that the indiscriminate application of such authority might result in "the son of a good man" or "men of the best quality" being punished as common criminals. Such treatment of the "better sort" was believed to have dire consequences for the preservation of an orderly and "proper" society.[37]

Interestingly enough, this concept of "class immunity" runs contrary to the line taken by one of the foremost puritan lecturers of the region. In The Cities Safetie, Robert Jenison clearly stated that the toleration of sinfulness in persons of quality might contribute to the destruction of the city. Sins which might be of small consequence when found in ordinary persons

> may be considered with respect to their personall subjects, as they are the sinnes of such and such men, for qualitie and calling, as doe commit them, from which circumstance of the person, they receive much aggravation, and come to threaten the Cities of such men (which generally make themselves guiltie of the same

> sins, by approbation, not mourning for them, or by other like meanes) with heavy judgements and desolation.[38]

He illustrated his point with the sanguinary example of the failure of the Benjamite magistrates (Judges 20:29-48) to execute certain "notorious and villanous offenders" who had raped the wife of a Levite. The Lord (reasoned Jenison) "to put away evill from Israel... denied his protection and assistance to them; so that besides the firing of their Cities, and all therein, twentie and five thousand and one hundred men of warre were slain". He concluded that "connivance" and "indulgence used by Magistrates towards malefactors" could give God cause to allow an otherwise godly city to be destroyed.[39]

The foregoing would seem to indicate that there was nothing "puritan" about the tendency of persons from the governing classes of Elizabethan and early Stuart England to regard laws for the regulation of personal conduct as having full force only when applied to the "inferior sort". Rather it would seem that Jenison and Smyth, while probably on opposite sides of the question liturgically and theologically, were likely to have agreed that such laws should be applied without respect to the status or "quality" of the offender.[40]

Not only did Smyth question the corporation of Hull's application of the law, he also called into question their fitness to govern. Specifically, he lampooned what he perceived as being their posturing self-importance, using the pulpit of Holy Trinity as a stage from which to effect their public humiliation. Christopher Chapman appears to have followed the puritan custom of taking notes of the sermons which he heard. He was able to offer a remarkably detailed account of the sermon which Theophilus Smyth preached at Holy Trinity on Guy Fawkes' Day, 1607. Smyth had chosen as his text Judges 5:10-11, from which he developed an exposition in which he drew unfavourable

analogies between upstart Hebrew leaders like Jeroboam and the magistrates of Hull. Chapman recalled how Smyth had lamented that

> there was many Jeroboams, but as for Davids, Hezekiahs, Josephs and Solomons, they were as rare as one fish in the ocean; ...concerning those that walk by the way, that they were to be understood as merchants and traders by sea and land, and likewise travellers to the west country, as clothiers beginning with £18 or £20 stock, and come to wear a gold chain, and said that they trotted on foot and horseback getting their goods with swearing, cogging, and lying, and the devils go always with a good conscience, like unto miscreant, heathenish men and hypocrites, saying that they would boast of their goods, never giving God thanks for the same... with words or such like in effect he uttered, this examinate then being present, and mayor of the said town, and a Draper, and having on a gold chain usual for the mayor for the time being, did take and think to be spoken and meant by himself, because he hath begun with such a stock, and went forth to the west country for cloth.[41]

John Graves substantially confirmed Chapman's testimony, and added that in a sermon which Smyth had preached in 1602, the vicar

> did abuse the said mayor, aldermen and magistrates of the said town, or some of them, by uttering these words, "I was not elected by cobblers, tinkers, or tailors or such like, as it is said to you that you be Michaelmas gentlemen. But I was elected by gentlemen of worship and good gifts".[42]

Thomas Wilkinson elaborated on the same incident, claiming that Smyth had told the congregation that the mayor and aldermen "did use him ill both in words and actions, and said that he was preacher before they were aldermen, he was master of arts, chosen by gentlemen and learned, and not chosen by tinkers, cobblers and tailors.."..[43]

The reference to "Michaelmas gentlemen" appears to have been understood both by Smyth and his auditors as a comment aimed at undermining the status of members of the corporation, whose election to civic office occurred at Michaelmas. The intent of the saying was made clear in the testimony of

Thomas Swan, who recalled that Smyth had said

> in that sermon or some other, ...that any coming out of a shipper or cellar and casting a gown about him might serve well enough for an alderman....[and] that the said Mr. Smyth did utter and declare that he had read a history of a certain town called Regiull, resembling the same to Kingston-upon-Hull, and that the same town was governed by Bugger-masters, describing their complexions and qualities, and that they were easily drawn to good or bad, amongst whom there was one swaggering Bugger-master that sought to overrule all the rest.[44]

Finally we turn again to the testimony of Thomas Wilkinson, who like Chapman had taken notes from Smyth's sermons. Wilkinson recalled a sermon in which Smyth

> took occasion ...to speak of church robbers, and said they were everywhere. "Where is that Justice of Peace" said he, "but he hath stolen something from the church and can say I thank God. I was left scant worth £40 a year, and now I have made it divers hundreds." And in another sermon the defendant spoke out of Amos, verse the 6th, (they drink wyne out of bouls, etc.) In that sermon he said the aldermen of Hull would have the word of God as handmaid unto them, they like it very well that their inferiors should be kept in awe, but they themselves will not be subject to it, but say, as in the second psalm, "let us break their bonds in sunder and cast away their cords". And in another sermon he spoke out of the 110th psalm, verse the 2nd, ...in which sermon he said about 60 or 70 years ago magistrates were little better accompted than hangmen in the time of poperie. And in another sermon he spoke out of the 82nd psalm, verse the 1st, ...that many magistrates do worse things than meaner men do, "the lion's force and the fox's fraud is used by many of them, many in authority do abuse them that are under them and count them but dross, and do trample them under their feet, they are so puffed up with pride. But they must know that they are not rulers over swine or dogs, but over men. Many by their authority will do those things they cannot justify; the magistrates are but underlings of the king, and they may be fined for abusing themselves, it is right and law to do it, and no scruple of conscience for sueing a magistrate for doing him wrong, and it is pernicious to find any fault with him that opposeth himself against a magistrate".[45]

Even if we allow for the hostile nature of the testimony quoted above, it would seem that Theophilus Smyth had, on several occasions, used his

access to the pulpit of Holy Trinity church as a means by which to expose what he felt were cases of dishonesty, immorality and abuse of authority in the behavior of members of the civic corporation. The abundance of detail in the evidence offered by Chapman and Wilkinson, particularly Wilkinson's apparent ability to offer either direct quotes or paraphrases of Smyth's sermons, lends a definite air of authenticity to the accusation that Smyth had indeed subjected the members of the corporation to several homiletic tongue-lashings. Out of this evidence a question arises, almost of its own accord: what was the substance of Smyth's complaint against the corporation of Hull? The testimony offered against Smyth does not, understandably, supply us with the answer, indeed, the deponents are suspiciously careful to avoid the mention of specific incidents to which the sermons of their vicar might have been directed.

Part of the answer to the question is obvious, and has been referred to earlier: Smyth felt that his father had been wrongfully excluded from the portion of the vicarage situated in Hull, and further that his attempts to reclaim the lost portion had been wrongfully frustrated by the corporation's choice of Thomas Whincopp as Briskin's successor to the lectureship at Holy Trinity.[46] The corporation's choice of Whincopp, a "hot protestant" and probable puritan, underscores the likelihood that Smyth and the corporation were theologically and liturgically at odds, a probability further supported by the evidence which has been cited above. Yet even these two "causes" do not seem to encompass the full scope of Smyth's case against the corporation. In his sermons, which he himself admitted had been preached as a means of rebuking wickedness in high places, Smyth seems to have had a specific set of "abuses" in mind. He maintained that

> many of the aldermen there have often deserved, as he living amongst them thought, to be sharply reproved for their faults... And this said defendant, hearing and knowing of the said abuses, thought it most necessary

> and fitting to reprove the same, which he hath divers times done, in such sort as became a preacher and a man of his place...[47]

The "abuses" in question do not come to light until the final paragraphs of Smyth's rejoinder. Behind the smoke of the post-burning and the convoluted warp and woof of insult and innuendo, charge and counter-charge, lay a serious accusation of clandestine financial impropriety which was made by the vicar against the members of the corporation of Hull. There was indeed rottenness in the "whited sepulchers" of Hull, and it appears that the viciousness and the long-term nature of the dispute which culminated in the Star Chamber cause against Smyth had drawn its strength from the seriousness of the matter in question. Smyth offered the evidence almost as an afterthought, as a possible reason for his troubles, claiming as he did so that he knew of "no just cause wherefore he should be so unkindly used in the said place, where ever his special care and diligence hath been used by him to deserve love". He proceeded to tell the court how he had discovered that the members of the corporation had connived to defraud the crown and the inhabitants of Hull by secretly selling off properties which comprised the royal grant given to the city by Henry VIII for the maintenance of the harbor and seaward defences. According to the vicar,

> the aldermen of the said town, in the late Queen's time, without privity or consent of the Burgesses, using the town's common seal, sold and divided all the said lordship or manor among themselves, one to another, the same being well worth seven hundred pounds per annum, and which is all enjoyed by aldermen or aldermen's sons, and neither his Majesty nor the said town receive any benefit thereby, nor do repair the said fortresses, staiths, waterworks, or jetties to the common good, but to the general charge of the inhabitants of Hull, to the greater impoverishing and undoing of the meaner sort of the said town, and to the enriching of themselves.

Smyth did not indicate exactly when it was that he first became aware of the corporation's involvement in the embezzlement of the royal land grant. It was sometime after he had become vicar, for it was in this capacity that he

"signified to divers of them privately that he did not a little dislike some courses amongst them taken". In addition to the illegal sale of the lands comprising the royal grant, and the fraudulent collection of taxes from the inhabitants of Hull in order to cover the resulting shortage in civic revenues, Smyth indicated that there had been other crooked dealings, which, though of lesser magnitude, were clear indications of the corporation's dishonesty. "Divers houses and other profits given for the public good" had been converted to the benefit of private individuals. The town's garrison of "a captain and seven score men" had been disbanded, the funds hitherto used for the payroll being divided among the aldermen, "and they do make the said castle a cowhouse or worse, and they do keep the gunpowder in the church, to the great peril and danger of the whole town".[48]

Private admonition having failed to produce the desired result, Smyth took the matter into the pulpit. The vicar's use of the allegorical history of "Regihull" and his not-so-allegorical references to the absence of integrity in those who comprised the civic bench begins, in the light of this evidence, to enjoy a certain sense of justification. It is perhaps noteworthy that none of the thirty-three witnesses called by the court in the corporation's behalf saw fit to say more than that the upkeep of the harbor and fortifications of Hull was paid for "at the costs and charge of the said town". Although the thirty-seventh interrogatory administered by the court specifically asked the witnesses to disclose any knowledge which they might have had concerning the alleged selling of crown lands to private individuals, none of the persons who made depositions offered comment, save for Thomas Swan, who avoided the question, instead complaining that Smyth had brought in a Scottish lawyer named Anderson to help him investigate the matter.[49] The silence of the corporation's witnesses becomes even more suspicious when we consider that William Malyverer, who had been "divers times an auditor to take the chamberlain's accompts" for the city of Hull,

was willing to identify the manor in question and to name the parties who had either illegally purchased or inherited the properties belonging to the grant. Among those named by Malyverer were Christopher Chapman, John Lister, James Watkinson and William Barnard, all of whom appeared as principal witnesses against Smyth, and of whom, Lister, Chapman and Watkinson comprised with Swan and Graves the compact which Smyth named as his opponents.[50]

At this point the case looked as if it should have been decided in Smyth's favour, but an intervention by the archbishop of York, chiefly through the person of John Favour, terminated matters before the case could proceed to its conclusion. Both archbishop Matthew and Favour were known to hold strong sympathies for the puritan "cause", but the record of their intervention fails to support the notion that it was intended to bolster the case of the corporation of Hull. Favour, who in addition to being the Vicar of Halifax, was a Doctor of Canon Law and a member of the York High Commission, acted as a mediator between Smyth and the corporation in order to bring about a negotiated "out-of-court" settlement. The "friendly and final agreement" which was signed by all parties to the dispute on the 28th of February, 1610, did not in fact address the three main areas of contention between the vicar and the magistrates of Hull. Some resolution of these matters must almost certainly have been accomplished through Favour's mediation, but the text of the agreement appears to be very carefully composed so as to avoid any mention of thereof. The fourth paragraph of the agreement came closest to identifying specific issues as it reads:

> Also, whereas in these and like causes it often falleth out that inconvenient speeches pass on all hands, and offense may be both given and taken; therefore it is ordered that if any such rudeness have happened, to the scandal and offense of any, that forever hereafter every party shall behave himself friendly and temperate to another.[51]

It seems likely that the archbishop was concerned that the matter be resolved in a way which did not create further disorder, or, worse still, further weaken the credibility of the established civic government of Hull. In all probability the case was removed from the Star Chamber's jurisdiction on the basis that prior claim to the matter existed from the York Court of High Commission, in which Smyth had initiated proceedings against Thomas Swan and the corporation before the latter's resort to the Court of Star Chamber. While it is hard to determine what accommodations were made by the parties involved to achieve this accord, it would appear that the corporation was not required to give up its control of the Hull-derived profits of the vicarage: on the other hand, they were unable to rid themselves of Theophilus Smyth. If the issues attendant to the puritanism of the corporation or to Smyth's allegations of hypocrisy and embezzlement were resolved, we have no record of the resolution beyond the vague text of the 1610 accord.

Lest we be too critical of the archbishop and his legal advisor, let us remember that above all else, those who governed in this period feared the consequences of disorder. The fear of disorder is plain, for instance, in the High Commission's letter of 1598 which empowered John Graves (then mayor) together with three senior aldermen and Griffith Briskin to "place" the wives of the civic elite in Holy Trinity. The women had apparently been involved in a series of disputes over who had the right to occupy the better "places" in the church "at time of divine service and sermons". The commissioners left little doubt that they considered the proper "placing" of persons "according to their calling and dignity" vital to the peace and good order of the community of Hull.[52] In the case of the dispute between Smyth and the corporation of Hull, Matthew and Favour probably believed that a peaceful settlement in which all parties were preserved from indignity, and

in which the vital appearance of orderly government, and the solidarity of minister and magistrate as allies against sin and disorder, was much more important than the actual resolution of the differences between the vicar and the corporation.

In the dispute between Theophilus Smyth and the corporation of Hull, a number of opinions regarding the appropriateness of role-related behavior in minister and magistrate have emerged. Theophilus Smyth plainly felt that it was his duty to reprove sin. While both he and his father before him asserted that this was to be accomplished without deference to rank, the evidence seems to suggest that the Smyths would have agreed with Robert Jenison in assigning greater seriousness to the sins of those who occupied positions of status and authority. In his opposition to what he believed to be the corporation's embezzlement and fraudulent collection of rates for the repair of the harbour and seaward defences, Smyth emerges as the self-appointed champion of the "meaner sort": perhaps his awareness of how the corporation had robbed his father of the fruits of the vicarage, and his own experience of being thwarted in his bid to reclaim them when Briskin retired, had sensitized him to other instances in which the magistrates of Hull set aside honesty and fair play in pursuit of personal or corporate ends.

The preacher and the aldermen clearly differed over the standing in the community of minister and magistrate. Theophilus portrayed himself as being of greater status and integrity than those whom he scornfully described as "Michaelmas gentlemen", risen from low beginnings by "swearing, cogging and lying". Conversely, both in their comparisons of Whincopp to Theophilus Smyth, and in complaints made directly against their vicar, the corporation plainly judged that he fell far short of their ideal of godly ministry. Whincopp was more "peaceable", more "learned and zealous" than Smyth, whom

the corporation described as "very contentious and seditious... more addicted to follow worldly pleasures than to attend his function and calling". This "function and calling" did not, according to the aldermen, include thinly-veiled recitations of alleged aldermanic wrongdoings in sermons delivered to the inhabitants of Hull. Not only were the aldermen personally incensed by this behavior, but they claimed that such public ridicule might bring the government of the city "into contempt and disgrace" with all manner of disorder and rebellion following as its consequence. The integrity and reputation of the corporation was held to be as important, perhaps even of greater importance than that of the individual alderman. Theophilus was probably not far from the mark when he accused the aldermen of wanting to keep the word of God "as a handmaid unto them... that inferiors should be kept in awe, but they themselves will not be subject to it". Preachers, in the estimation of the aldermen of Hull, were to rebuke sin and proclaim true doctrine in such a manner as to contribute to "order and good government" through the control of the "meaner sort".

The issue of puritanism in this case was certainly matter of theological and liturgical difference between Smyth and the corporation. His specific use of the term "Calvans" and "Calvinians", his refusal to administer the sacrament to aldermen who would not kneel to receive it, and his specific citation of comments by Swan, Lister and Watkinson which derogated conformist liturgical practices leave little room for doubt. The "disputation made at dinner" between Theophilus Smyth and Griffith Briskin, after which "the one inveighed the other" in the town's pulpits, almost certainly may be attributed to Smyth's anti-puritan outlook. But this difference over religion, though important, was not central to the dispute between Smyth and the corporation: rather it was something which, if other, more serious differences had been absent, might not have caused as deep a division as it seems to have done. The "secular" disagreements between

minister and magistrate (embezzlement, hypocrisy, class-distinct application of regulatory legislation) aggravated the religious difference, perhaps causing it to be used, as in the matter of Smyth's refusal to communicate aldermen who did not kneel, as a convenient means of publicly humiliating an opponent.

Finally it is significant that despite the manifest evidence of puritan non-conformity, both in Smyth's testimony and that of the members of the corporation and their supporters, no action was taken against persons whose non-conformist actions and attitudes were identified in the case. As has already been indicated in chapter VI, this sort of wide-spectrum toleration of all but the most obdurate and extreme forms of puritanism was the hallmark of Tobie Matthew's time as archbishop of York.[53] While we cannot be certain of this from the sources available, the evidence cited above, and that which will be offered in due course concerning the case of Alexander Cooke's treatment of the parishioners of Leeds suggests that if anything, archbishop Matthew's sympathy rested with the mayor and aldermen of Hull, opinions about "square caps" and "cheese-cakes" notwithstanding.

Leeds

Our examination of the issues of reputation, public trust and status among the leading laymen of the town of Leeds focusses on a series of events between 1615 and 1626. As was the case in Hull, these relate directly to initiatives undertaken by local lay people to secure and maintain the services of a protestant preacher as their minister.[54] Also as in Hull, the personality and puritan practice of the minister is important: in this case Alexander Cooke, and his conflict with a number of the leading members of the parish, most significantly with the clothiers John Metcalfe and John Harrison. Leeds, as has been noted earlier in this study, did not achieve

corporate status until 1626. Before that date, (and for all the period under present discussion) Leeds was a royal manor, administered by a bailiff: John Metcalfe, one of the main opponents of Alexander Cooke, was the bailiff of Leeds.[55] As will be explained below, one of the principal causes of enmity between Metcalfe and Cooke was the latter's allegation against Metcalfe of sexual and fiscal dishonesty. These accusations (or at least the fiscal ones) were made in the context of a more general crisis of confidence about the management of funds held in trust for municipal and charitable uses within the town and parish of Leeds. Like other "cloth towns" in England during this period, Leeds experienced a dramatic increase in population. Between 1600 and 1622, its population grew from around 2,500 souls to an estimated "five or six thousand".[56] The presence of a large number of landless families, dependent upon a cloth trade which moved through boom and bust cycles largely determined by the vicissitudes of the continental wool market, cannot but have served to heighten the level of local concern for the proper administration of funds held in trust for poor relief. In such a climate of increased anxiety, accusations of fiscal misappropriation or mismanagement could and (as we shall see below) did prove to be inflammatory.[57] In 1620 a local commission called the "Committee of Pious Uses in Leedes" was created in response to this crisis of confidence. This "Committee", which investigated the administration of funds held for charitable or public uses in Leeds, was chaired by Sir John Savile of Methley, Yorkshire, an M.P. for the West Riding. As has been noted in chapter II, he was a person of distinction who had used his considerable influence in the cause of the parishioners' of Leeds petition to the Lord Keeper for the settlement of the advowson of Leeds in 1615. Those who served with him on the committee included the vicar of Leeds, Alexander Cooke, the vicar of Wakefield, John Lister, and a local gentleman named John Kaye. Several other parishioners of Leeds were named by this committee as feoffees for one or another of the foundations which the "committee" investigated. In

part, this discussion will trace the connections between the group of feoffees established by Lord Keeper Francis Bacon's ruling concerning the ownership of the advowson of Leeds in 1617, those named by the "Committee of Pious Uses", and the slate of "Burgesses" and "Assistants" named in Leeds charter of incorporation in 1626.[58]

The appointment of Alexander Cooke to the vicarage of Leeds in 1615, and the litigation which followed this event, which settled the ownership of the advowson of Leeds upon a group of parishioners named as feoffees in Lord Keeper Francis Bacon's judgement of the case has already been described.[59] According to the "Bill of Complaint" to the Court of Star Chamber which was made against Alexander Cooke by John Metcalfe, John Jackson and John Harrison in 1622, Cooke's abrasive temperament and vigorous puritanism had been the cause of great division and disturbance within the parish of Leeds from about 1618 onwards. From the evidence presented by Metcalfe, and from Cooke's care to remind the court that matters of liturgical non-conformity and theological opinion were beyond the court's jurisdiction, there can be little doubt that the vicar of Leeds deserved to be called a puritan. There can also be little doubt that Cooke's irascible nature and unbendingly zealous application of his beliefs were to a large extent responsible for the escalation of hostilities between himself and the group of parishioners which coalesced in opposition to him around John Metcalfe and John Harrison. But despite the prominent role played by apparent differences of liturgical practice and religious opinion on the part of the principal actors in this drama, care must be taken not to let the religious debate become more than it really was: a veneer under which a much more basic power struggle was being enacted. At the center of this power struggle were the issues of reputation, status and public trust. In other words, while accusations of puritanism appear to have lain thickly on the ground after Cooke's opponents had finished the presentation of their case, it is advisable to look beyond

these accusations to identify the underlying objections for which, in this instance, puritanism was simply a convenient stick with which to beat a factious cleric.[60]

While Metcalfe was in fact one of the original petitioners to the Court of Chancery on behalf of Cooke's appointment to the vicarage of Leeds in 1615, his name does not appear in the list of twenty-five feoffees appointed in the judgement handed down two years later by Lord Keeper Bacon. Nor does that of John Harrison, but in his case this is not surprising, as he was named with the Birkheads (the usurpers of the advowson of Leeds) as one of the persons who had sought to present Richard Midleton to the living instead of Cooke. Given the less than specific use of dates in Metcalfe's rambling condemnation of Cooke in his Bill of Complaint to the Court of Star Chamber, it may have been that Metcalfe's troubles with the vicar began shortly after 1615. According to the 19th-century antiquarian T.D. Whitaker, Metcalfe was one of the principal movers of a petition from "many hundreds of your Majesties tenants and inhabitants in the town and parish of Leeds" which was sent to the Queen in 1619. If indeed Metcalfe was involved, (and the evidence available tends to support Whittaker's assertion) then it is highly probable that John Harrison was also a signatory to the letter. The petitioners, who claimed to be "divers of the richest and greatest traders of the said town" claimed that they were ready to "forsake their habitations... and will leave the same rather than endure such a factious person to be their vicar, who was thrust upon them... and came not in by their consent". They asked that the Queen write to the Lord Keeper, requesting that the Court of Chancery reopen the case concerning the advowson, which case the petitioners claimed had been improperly influenced by the "means and greatness of Sir John Savile".[61] The case was not reopened, but the letter indicates something of the depth of dissatisfaction which Cooke's style of ministry aroused in a significant sector of the

community of Leeds.

By 1619 Cooke had indeed begun to assert himself in many areas of the life of Leeds. The records of the Archiepiscopal Visitation Court of 1619 show a marked increase in the number of persons presented for various misdemeanors: thirty-three individuals as compared to seventeen in 1615. Among those presented to the church courts in 1619 was John Metcalfe, who was presented for "absenting himself divers times from the church". In the same presentation John Bake, Henry Carleton, Richard Ruddocke and William Cottes were presented for not having received the sacrament. They variously protested that they were willing to receive, but that the vicar had, on some pretext or other, refused to communicate them.[62] From the evidence presented by Metcalfe in the Star Chamber Cause of 1622, we find that Cooke had refused these persons because they knelt to receive the sacrament, a posture for which he "most contemptuously railed and reviled them, terming them papists, and put them from the communion". Metcalfe also alleged that Cooke had begun to make invidious distinctions between parishioners by this time, refusing, for instance, to read the burial service for those "not of his sect and faction". On at least three separate occasions friends of Metcalfe's were alleged to have been contemptuously treated, their deceased loved ones buried at night, without service or ceremony. Metcalfe described how the corpse of Elizabeth Mauer was "inhumanly dragged and caused to be dragged by the leg to the grave, and then and there to be thrown into the grave, leaving the same uncovered".[63]

Cooke's strict opposition to the traditional practice of rushbearings resulted in riotous disturbances in 1618 and 1619. In both instances Cooke gathered a group of supporters together in an attempt to suppress the activities of the revellers, and on both occasions the interventions ended with violence. The timing of these disturbances, which followed closely

after the issue of King James' Book of Sports suggests that the bailiff may indeed have seized upon a golden opportunity to bait the vicar into rash action. He portrayed Cooke's intervention against the rushbearings in such a manner as to accuse the vicar of stirring up the people against the King. In 1619, hearing that there was likely to be a second rushbearing on St. Bartholemew's day, Cooke had preached a series of sermons against the Book of Sports, in which he

> did... most seditiously and contemptuously raile against your majestie and such your highness' toleration of decent recreation and bearing of rushes signified in the said Booke, railing against the same, calling it and all such like impious fooleries and villainies, and that he knew not what warrant men might have from your majestie to doe them, but he knew they had noe warrant from God, nor His Word, and whosoever did by collor of your majestie's toleration exercise these sports, might well save their necks from the halter but would never save their soules from hell fire.[64]

These and other instances of Cooke's non-conformity make for colourful reading, but in the main they tend to be symptoms rather than causes of the division in the community of Leeds which seems to have expressed itself through the persons of Cooke and Metcalfe. Put simply, the issue which set Cooke against Metcalfe was the alleged dishonesty of the latter in matters financial and sexual. Cooke was a zealot for "honesty" in both areas of life, and from shortly after his institution as vicar until at least 1622, he made life miserable for Metcalfe. The allegation against Metcalfe of sexual misconduct probably originated with the occasion when a woman called Anne Dixon publicly accused the Bailiff of being a "whoremaster, whoremonger and harlott".[65] Metcalfe took her to the church courts at York in an attempt to clear his name, but the accusation was nevertheless taken up and encouraged by Cooke. The vicar, by his own admission, had on several occasions preached against the sin of adultery, comparing adulterers to

> town Bulls... and that this defendant hath borrowed the said phrase from the said libell [for]... he this defendant had from sundry credible persons heard very foul and shameful reports of divers of the said parishioners, their loose and disordered course of life, and of their insolent and shameless boldness to attempt and draw women to that shameful and horrible sin.[66]

But Metcalfe maintained that the sermons in question had had a much more specific intent, and quoted Cooke as having said "We have not only fornicators and adulterers among us, but also a known town bull" referring to a libellous poem which was then being circulated by some of Cooke's supporters. The poem is worth quoting in full, if only as an expeditious vehicle by which to broaden the scope of discussion to include the matter of financial impropriety.

> This Calfe, of late occasion took,
> to quarrel with our learned Cooke,
> A man whose life and learning doth appear,
> in town and cittie to be the most pure.
> Chiefest of all our stapling crew,
> a sect I think the devil did spew,
> Amongst them all I do know none,
> but cunning, cheating knaves each one,
> who make a prey on clothiers poore;
> Gehenna gapes for them therefore.
> With brazen face they met our knight,
> when to this town he came to right
> What had been wrong and wee undone,
> By means of him and another John,
> All holy men doth know this beast
> of heaven and hell to make a jest.
> This town this cruell tyger seeks
> to overthrow by cursed tricks
> high waies and poore and all must bleed,
> on them by Tolldish he will feed.
> The backhouse he hath raised to hell
> his soul to the devil I think he will sell.
> The knave is brought from beggars state
> to equalize the best in the gate,
> yet doth oppress his neighbors poore
> by setting stalls before their doore,
> for amerciaments he spares not one,
> old Henry is next, when he is gone.[67]

This, and other "scurrilous, scandalous and infamous libells" had not only been "framed, contrived and written" by Cooke and his supporters, but for

the "six years last past" (that is, from 1616-22) such things had been "published, divulged, sung, repeated and said" in public places. Cooke and his supporters were alleged to have "made much jollity thereof, and expounded the same and the meaning thereof, and wherein they touched and concerned your said subject... John Harrison, and the rest of the said parishioners". Metcalfe concluded that the slanderous accusations of Cooke and his supporters were near to ruining him, claiming that the effect was so severe that "whereas your said subject might have upon his credit or note in writing, taken up and dealt for a thousand pounds and more at any time, he cannot now by reason of such their slandering... deal upon his credit as for the tenth part thereof".[68]

With the help of the doggerel quoted above, and the information contained in the "First Decree" of "The Committee of Pious Uses in Leedes" the nature of the rift between Cooke and Metcalfe may be explored. Prior to its incorporation in 1626, the town of Leeds and the cluster of villages which immediately surrounded it were organized as a royal manor. This meant that the chief administrative office was that of the bailiff, who in addition to the duties usually attendant upon the chief constable, was in the case of the parish of Leeds responsible for the collection and distribution of a weekly toll levied upon those who sold goods in the market place. In 1600, Robert Cooke, Alexander's brother and predecessor in the vicarage, had been instrumental in obtaining a ruling from the Court of Duchie Chamber which set out a three-way division of the market toll. One third was to be devoted to the relief of the poor within the parish, another third to the upkeep of the roads and "public waies" and the remaining third was to be retained by the bailiff as part of the profits of his office.[69]

According to the first "decree" of the "Committee of Pious Uses" (which, despite a much longer list of commisioners, was mainly the work of

Sir John Savile, John Kaye, Alexander Cooke and William Lister), for the three years ending in 1620 John Metcalfe had been guilty of withholding the entire amount of the market levy and of "converting it to his own use". Metcalfe was also found to have misappropriated the rents derived from the use of the new "Moot Hall" of Leeds. The Moot Hall, (the "backhouse" in the libel) which also served as the local court house and general meeting-place, as well as an indoor market, had been "built and made out of money and stock belonging to the poor of the said town of Leeds, under the agreement and true intent... that the whole yearly profits made... should be employed for the relief of the poor". Metcalfe, according to the committee, had pocketed the "profits of the upper room" of the Moot Hall for the years 1618 and 1619, amounting to a total of £10. In all, it was declared that Metcalfe had embezzled the sum of £47 18s 8d from various funds intended for poor relief and public works.[70]

As has been noted above, the mandate of the "Committee of Pious Uses" extended well beyond the tolldish controversy. In the statement which concluded this committee's 1620 "decree", steps were taken and structures put in place to avoid the occurrence of any similar misappropriation of funds in the future. In effect, the decree created a body not unlike a town council, though Leeds' incorporation as a borough was not to happen until 1626. A body of thirteen men was selected and empowered to maintain its numbers by the acceptance of

> such others as by such election hereafter is prescribed shall succeed and shall henceforth have full and sole power and authority to dispose and order unto the uses and intents mentioned in the said inquisition... And to the intent that good, honest, religious and fitting men may be committees of the said money, lands, tenements... it is further ordered... that the survivors of the said committees by us aforesaid elected and named, and the survivors of their successors who in times to come shall be chosen or appointed to succeed them, or the greater number of them; and in default by the space of forty days, the Vicar of the said parish for the time being

> shall himself alone, after the death of all or any of the said twelve persons committees aforsaid or of their said successors, shall have power and authority from time to time to elect others, like, honest fitting persons.

Named to the committee with the vicar were: Ralph Hopton, Seth Skelton, William Baynton, Samuel Casson, John Harrison, Ralphe Cooke, Richard Sykes, Benjamin Wade, William Marshall the Elder, John Shan, Matthew Cowper and John Watson. According to the procedure set up by the decree, this group was empowered to elect four of their number each year to collect and disburse all revenues accruing to the various foundations, trusts and endowments "to the severall uses and intents for which they were given and limited". The four commissioners so selected were required to render an account of their collections and disbursements to the rest of the commissioners

> yearly in Easter-week... which account shall be registered in a great book to be provided for that purpose, and kept in the Revestry of the parish church of Leeds... [with] the bonds, writings, counterparts, leases, and all other writings and evidences... to be carefully laid up in a strong chest in the Revestry of the parish church of Leeds... which chest shall be locked with three strong locks, one of the keys whereof to remain with the vicar of Leeds for the time being, and the other two with such of the committee as they or the greater number of them shall agree of.

Probably in order to avoid further litigation over a conflict of jurisdictions, the revenue from the market toll was treated separately by the committee. Two individuals, one appointed by the bailiff, and one elected by the committee, were to be annually selected to collect the toll and see to its proper disbursement.[71]

Similar arrangements may be found in the records of the "Church Burgesses" of Sheffield, where one of the twelve feoffees who administered the royal grant which paid the stipends of the parochial assistants, maintained the roads and relieved the poor was selected each year to be the

"collector". The "collector" for Sheffield made his report to the "Church Burgesses" each year on or about 5 November. Again, a similar pattern appears to have been adopted in Beverley, despite the fact that this community, unlike Sheffield and Leeds, had a town corporation. From the testimony given in the High Commission cause of Wakefield et. al. contra John Jackson, it is clear that the churchwardens of St. Mary's parish in Beverley were required to give an annual accounting "in Easter week" of their management of the royal grants by which the parish was supported. This accounting immediately preceded the election of the next year's churchwardens. After the election, the outgoing churchwardens were required to turn over their account book, the keys to the parish chest and the "residue" of the funds which they had collected to their newly-elected successors.[72]

Such an arrangement as was undertaken by the committee at Leeds was probably intended to bring an end to local friction and to ease what amounted to a growing crisis of confidence concerning the ability of local officials like Metcalfe to discharge their duties responsibly. But the friction between the vicar and the bailiff did not come to an end with the publication of the first Decree of the Committee of Pious Uses in 1620. This was largely because by that time matters were so much out of hand that no mere settlement of the matter of Metcalfe's dishonesty was likely to have defused the situation. For one thing, if Metcalfe is to be believed, Cooke and his supporters continued to make the bailiff's alleged sexual impropriety and financial dishonesty a matter of public scandal until at least 1622, at which time the bailiff sought redress in the Court of Star Chamber. Also, as the doggerel quoted above would seem to indicate, the conflict between Metcalfe and Cooke, while something of a personal vendetta, also reflected conflict within the community of Leeds concerning the economic future of the town. The poem refers to "him [Metcalfe] and another

John" (presumably John Harrison) who were perceived as "the chiefest of all our stapling crew" and "who make a prey on clothiers poore".

It is difficult, given the almost beatific presentations of Harrison by 18th-century antiquarians like Ralph Thoresby and by modern local historians like Margaret Hornsey and Christopher Forster, to associate Harrison with Metcalfe. Hornsey's discussion of Harrison's role as a member of the committee of Pious Uses, and as one of the great "benefactors" of Leeds is correct as far as it goes. Harrison was in no way implicated as a participant in Metcalfe's dishonesty. But Hornsey and Forster have overlooked the evidence in both Metcalfe's Bill of Complaint and in the parishioners' 1615 Petition to the Lord Keeper which clearly identifies Harrison with the Birkheads in opposing Cooke's succession to the vicarage, and with Metcalfe's opposition to Cooke during the disturbances of 1616-22.[73] The evidence speaks for itself: in the mind of the person or persons who composed the doggerel quoted in Metcalfe's bill of complaint, John Harrison and John Metcalfe were business colleagues whose activities were believed to have prejudiced the interests of "clothiers poore" at Leeds. This probably refers to the local initiative, led by Harrison and other wealthy merchants (of whom Metcalfe, according to his submission, was one) to have Leeds declared one of the "staple" towns of the English textile industry. This goal was achieved in 1619, and served as a major step in the direction of the town's incorporation. As the building of the Moot Hall happened at about the same time, and as both projects may well have combined to effect unwelcome change in the lives of the "clothiers" who produced woollen cloth as small-scale piece work for the larger clothiers, it is probable that the doggerel reflected a growing climate of distrust and anxiety in this sector of the town's inhabitants. Harrison did not need to have been guilty of wrongdoing; in the estimation of the labouring poor he and Metcalfe were prominent members of a group which had adversely affected

their prospects. Alexander Cooke was recognized as an advocate by the small-scale clothiers and other townspeople in their attempt to bring Metcalfe to book; both he and his brother before him would seem to have acted as catalysts in the generation of communal protest which precipitated the court action necessary for the formation of the "Committee of Pious Uses". The inquisition conducted by the committee required the wealthier members of the community to observe a degree of accountability regarding funds intended for charitable or public works.[74]

Margaret Hornsey has pointed out the significant continuity of personnel between the "Committee of Pious Uses" of 1620 and the town corporation called into being by royal charter in 1626. Her assertion that this "suggests that the two events were part of a continuous movement carried on by the same people" is perhaps something of an overstatement; of those who appeared as members of the committee in 1619, only nine appear as members of the thirty-member corporation in 1626. Members of the "Committee of Pious Uses" made up a substantial, but not a dominant group within the first corporation of Leeds. Perhaps more significant in terms of this present discussion is the fact that while a number of the members of the first corporation were representative of Cooke's "sect and faction" as enumerated by Metcalfe, such persons by no means overwhelmingly dominated this first group of town governors. An almost equal number of the individuals named as either "Burgesses" or "Assistants" would (from Metcalfe's evidence) seem to have been people who had good reason to be at odds with Alexander Cooke. Among the first (pro-Cooke) group we find Seth Skelton, Ralphe Cooke, John Hargrave and Richard Sykes. From the number of those who actively opposed or had good reason to oppose the vicar we find John Harrison, Samuel Casson, Robert Benson and Thomas Metcalfe. Sir John Savile was named as the town's first "Alderman", which post he eventually delegated to John Harrison, being unable to meet the requirements of the

position due to his commitments at Court and in Parliament.[75]

The mixed composition of the 1626 corporation suggests a more complex explanation of Cooke's troubles with his parishioners than has been offered by Hornsey, Forster or Newton.[76] Metcalfe's liberal use of the term "puritan" may not, in fact, have been either a true or even a useful criteria by which to divide the principals named in the dispute. Cooke, by his actions and statements, was indeed a puritan, as were some of his parishioners who reappeared before the church courts after 1630 on charges of lay non-conformity. But the appearance of persons like John Harrison among their number, as well as Harrison's patronage of puritan clergy like Richard Todd and Richard Garbutt, suggests that the division among the parishioners of Leeds which occurred between 1615 and 1622 may have represented a much more complex situation than that which may be simply ascribed to differences between puritans and traditionalists.[77]

What is more likely to have been the case is that the parishioners were divided into different groups at different times, and that individual loyalties may not have followed hard and fast lines of partisan division. The evidence from the "decree" of the Committee of Pious Uses would seem to indicate an almost unanimous agreement of the inhabitants of Leeds to condemn Metcalfe's embezzlement of the market-toll and Moot House revenue.[78] Cooke's abrasive character and rigid application of puritan liturgical and pastoral practice made a substantial number of parishioners unite with, or at least sympathetically incline towards Metcalfe's attempt to have the vicar censured by the Court of Star Chamber. Finally, what seems to have been a "class-distinct" conflict was developing in Leeds at the same time as the row generated by Cooke's practice of puritanism (1618-19), which had the effect of lifting the vicar up as the champion of the poorer clothiers against the "stapling crew" lead by Harrison and Metcalfe. The riots of 1618

and 1619 may therefore have represented the clash between persons motivated by a complex amalgam of religious, economic and political issues, all of which in some way or other involved the "godly" Mr. Cooke. Alexander Cooke, and not puritanism versus traditionalism, lay at the heart of the divisions in the parish of Leeds during this period.

Conclusion.

This chapter has looked at issues relating to reputation, public trust and status in Hull and Leeds, before the rise of Arminianism in the northeast. There has, however, been another major theme evident: the role of puritanism in the various conflicts and divisions which have illuminated the issues of reputation, public trust and status. Hull and Leeds are in a sense mirror images of each other: in Hull a conformist, possibly anti-puritan vicar confronted a puritan corporation, while in Leeds a nominally conformist (possibly traditionalist) element confronted a puritan vicar and his "faction". Common to both was concern on the part of the clergy and their supporters that those who held public trust be "good, honest, religious and fitting men".[79] The conflict which occurred was to a large extent because such qualities were not always found the magistrates of Hull or in the bailiff of Leeds. Inasmuch as this concern for honesty in magistrate and bailiff was common to persons as diverse as Theophilus Smyth and Alexander Cooke, it is difficult to conclude that such concern arose from peculiarly puritan expectations. While neither John Metcalfe nor the aldermen of Hull would have been likely to have classed themselves as "ungodly", the protestant zeal of the latter does not appear to have rendered them incapable of embezzlement and fraud. In the estimation of Theophilus Smyth, however, the outward zeal of the aldermen of Hull served to compound their betrayal of public trust with equally unacceptable public

hypocrisy. Both disputes saw the use of the term "puritan" as a derogatory epithet, intended by the party who used it to discredit the one to whom it was applied in the estimation of some higher authority.

Reputation was of vital importance to both minister and magistrate. It is interesting, however, that in both towns it was the clergyman who resorted to public ridicule, an assault upon the reputation of aldermen and bailiff, with the intent of changing the latter's practice or character. In the case of Theophilus Smyth and the aldermen of Hull, it is apparent that old enmities prevented the resolution of differences by reasonable discussion. Alexander Cooke, on the other hand, seems to have slandered John Metcalfe as a matter of personal spite. The judgement of the "Committee of Pious Uses" corrected the bailiff's behavior in terms of the management of funds held in trust through the terms of the judgement given in 1620, yet Cooke and his followers persisted in slandering Metcalfe until 1622. Concern for personal reputation is evident in the response of both the aldermen of Hull and of John Metcalfe to the attacks of their ministers. Reputation, or "credit" was a commodity to be preserved and protected. According to Metcalfe, Cooke's assault on his reputation had had adverse effects on his ability to conduct business: the aldermen of Hull complained that Smyth's bitterly allegorical sermons had brought the government of the town into "contempt" and had stirred up the "inferior sort of inhabitants" to resistance of due order and government. In this last case it would appear that the reputation of the town corporation was deemed worthy of protection: the action of the corporation of Hull in entering a suit against Smyth in the Court of Star Chamber proceeded from such a concern for corporate repute as an essential element of effective government.

Public trust, while naturally a matter concerned with financial honesty, was more broadly applied to standards of personal behavior in those

who held public office in both Hull and Leeds. Both Melchior and Theophilus Smyth felt the need to criticize what they understood to be abuses of magisterial authority. It was just as much a betrayal of public trust for drunken aldermen to go unpunished because of their rank as it was for such persons to embezzle funds or secretly alienate revenue-producing lands entrusted to them for the good of the town of Hull. Alexander Cooke's excessive personal attack on the character of John Metcalfe clearly proceeded from a similar sense of outrage at finding immorality as well as dishonesty in a person who held the rank of bailiff. Those who held public office were required to be "honest" in terms of personal morality as well as in the administration of public funds or the impartial dispensing of justice. Archbishop Matthew's intervention in the dispute at Hull effectively cut off the possibility of resolving the issues related to Theophilus Smyth's allegation of aldermanic dishonesty. The "free and friendly agreement" resulting from John Favour's mediation in 1610 terminated the case in such a manner that no guilt or blame was proven or assumed. In Leeds, however, the issue of Metcalfe's embezzlement of public funds would seem to have catalyzed the townspeople and local gentry, fired by the moral outrage expressed by their vicar, to create a body which would not only investigate the case but which would ensure that the future administration of funds held in trust for "pious uses" was accomplished by "honest, religious, and fitting men". As has been noted above, there would seem to be a direct connection between the concern which lead to the creation of the "Committee of Pious Uses" and that which contributed to the drive for the incorporation of Leeds in 1626.

The status of minister and magistrate or minister and bailiff (or leading townsman) was a matter concerning which there was little consensus in both towns. Plainly, both Metcalfe and the aldermen of Hull saw the minister as a sort of public servant. This no doubt proceeded in part from

the fact that both the corporation of Hull and the townspeople of Leeds had gone to some trouble in securing and maintaining protestant ministers in their towns. The manner in which Metcalfe complained of Cooke's refusal to communicate or to bury individuals "not of his sect and faction" was essentially a complaint concerning unfulfilled duties. The members of the corporation of Hull, in choosing a more "peaceable, learned and zealous" man such as Thomas Whincopp to be their preacher, were, in a backhanded manner, rejecting Theophilus Smyth on the basis that he did not know his proper place in the order of things. Smyth's contemptuous dismissal of the aldermen as "Michaelmas gentlemen" and his comment that he was a "preacher before they were aldermen... master of arts, chosen by gentlemen and learned, and not chosen by tinkers, cobblers and tailors" indicates that disagreement concerning the relative status of minister and magistrate was one of the many causes of friction between himself and the aldermen of Hull.

Finally, a comment concerning puritanism and the intervention of higher authority. In both towns, the term "puritan" was used as a term of abuse. It is nevertheless clearly the case that both Theophilus Smyth's assessment of the aldermen of Hull and Metcalfe's assessment of Alexander Cooke were accurate. Both Cooke and the members of the corporation of Hull, by recorded opinion and action, were puritans. Yet despite evidence of obdurate non-conformity, neither the corporation of Hull nor Alexander Cooke ever faced censure from the church courts. Such intervention as did proceed from external authority concerned itself with the resolution of conflict for the sake of preserving order and good government. There is a sense in which all of the participants in the disputes mentioned above connected the soundness of reputation, trustworthiness and status apropriate to office in both magistrates and ministers to good, godly and peaceable government. In such a context, allegations of puritanism might have been expected to have elicited a more thorough and searching response from superior levels of authority,

(as they did, for instance, under the Arminian regime which was established after 1628). In neither of the cases, however, did these representatives of the higher courts appear to have regarded allegations of puritanism or evidence of non-conformity as having great importance. As will be demonstrated in the next chapter, this attitude to non-conformity on the part of diocesan authorities differed sharply from that adopted after 1628, by which time the domination of the diocesan and provincial hierarchy by Arminians and their sympathizers was virtually complete.

Notes for Chapter VII

1. William Burton, Seven dialogues both pithie and profitable, (1606), Sig. A2, cited in Patrick Collinson, "Magistracy and Ministry, a Suffolk Miniature", P. Collinson (ed.), Godly People, p.445.

2. Richard Welford, The History of Newcastle and Gateshead, III, (London, 1857), pp.112-114, citing British Library, Lansdowne Mss. 81, fol.41.

3. See above, pp.91-2.

4. See above, pp.74-5.

5. Borthwick, York High Commission Court Cause Papers, G/1396; J.S. Purvis, Tudor Parish Documents, pp.209-10.

6. See above, pp.85-6.

7. Borthwick, York High Commission Court Cause Papers, 1570/3, Office c. William Steade, 10 November, 1570.

8. Hull Corporation Bench Books, 4, fols.87^{v}, 107^{r}.

9. Borthwick, High Commission Court Cause Papers, 1571/5, Office c. Thomas Turner, 6 November, 1571; Thomas Dalton, brother to Robert, was Mayor of Hull in 1562; John Chapman became Mayor of Hull in 1596; see Hull Corporation Bench Books, 4, fols.38^{r}, 301^{r}.

10. Hull Corporation Bench Books, 4, fols.113^{v}, 274^{r}.

11. Hull Corporation Bench Books, 4, fol.308^{v}.

12. Hull Corporation Bench Books, 4, fol.317^{r}; Marchant, The Puritans and the Church Courts, p.234, shows Briskin leaving Hull in 1594 but the aforementioned entry has him "shortly to depart here to his benefice" in 1598.

13. Kingston-upon-Hull Record Office, M.106, A draft copy of the terms of the appointment of Thomas Whincopp, of Beverley, Preacher of God's Word, as Master of the Charterhouse, Hull, 16 February, 1599.

14. See chapter II, above, p.86.

15. Hull Corporation Bench Books, 4, fol.268^{v}, 274^{v}; according to the evidence of the Star Chamber Cause STAC 8/79/5, Richard Burgesse et.al. c. Theophilus Smyth, 1609, Smyth had been established at the vicarage for a considerable length of time.

16. STAC 8/79/5, (Depositions of witnesses on the behalf of Richard Burgesse et.al.), Deposition of John Graves, Item 3.

17. STAC 8/79/5, (Depositions of witnesses on the behalf of Richard Burgesse et.al.), Deposition of Christopher Chapman, Item 3.

18. STAC 8/79/5, Richard Burgess' Initial Bill of Complaint; Richard Burgess was Mayor of Hull in 1609, and therefore listed as the principal plaintiff against Smyth in the Star Chamber Cause; Kingston-upon-Hull R/O, M.106, Contract of Indenture establishing Thomas Whincopp as Master of the Charterhouse, Hull, together with a letter from John Graves, Mayor of Hull, confirming the corporation's offer of the lectureship, both documents dated 16 February, 1599: the Bench Books record Wincopp's formal admission to both appointments as 30 June, 1599, BB/4, fol.324^{v}.

19. STAC 8/79/5, Richard Burgess' Initial Bill of Complaint.

20. STAC 8/79/5, Richard Burgess' Initial Bill of Complaint; the term "Burgomasters" seems to fit here, but frequently in the text the term "Buggermasters" appears in the same sort of context. Given the predilection to earthy speech which typified the period, the use of the latter by Smyth, even in a sermon, is not altogether unlikely.

21. Borthwick, High Commission Cause Papers G/1396, Edmund Roberts et. al. c. Melchior Smyth.

22. STAC 8/79/5, the initial Bill of Complaint describes Smyth's presentment for derogatory comments regarding the immorality and allegedly tyrannical rule of Henry VIII, and further describes in vivid detail the events leading up to and following the post-burning incident; Hull Corporation Bench Books, 4, fol.375^{v} make reference to how the corporation undertook to cover the costs of the suit initiated by Smyth against Swan, and of how alderman John Lister and the city clerk, "Mr. Smeaton" were sent to York to defend the case.

23. G.C.F. Forster, "Hull in the 16th and 17th Centuries", in K.J. Allison, (ed.), Victoria County History of York, East Riding, I, (1969), p.97 does not appear to have seen beyond the post-burning to the heart of the dispute. He also mistakenly describes Theophilus Smyth as a "moderate puritan".

24. STAC 8/79/5, The Answer of Theophilus Smyth, Clarke, to the Bill of Complaint of Richard Burgesse, Mayor of Kingston-upon-Hull, Complainant.

25. STAC 8/79/5, The Replication of Richard Burgesse... Repliant to the Answers of Theophilus Smyth, Clarke, Defendant.

26. Stephen Brachlow, The Communion of Saints, pp.120-4.

27. STAC 8/79/5, The Rejoinder of Theophilus Smyth... to the Replication of Richard Burgesse...

28. STAC 8/79/5, The Rejoinder of Theophilus Smyth....to the Replication of Richard Burgesse...; Groves was directly involved in bringing Whincopp to Hull to be civic lecturer, and according to Smyth, had publicly called the vicar "a liar and a scold" in the context of the "receiving of the churchwardens accompts" at Holy Trinity Church in Whitsuntide, 1608; for Lister and Chapman, both of whom gave substantial evidence against Smyth, see below, pp.287-9.

29. STAC 8/79/5, Depositions in the behalf of Theophilus Smyth (fifteen individuals) and in the behalf of Richard Burgesse (thirty-three individuals).

30. STAC 8/79/5, The Rejoinder of Theophilus Smyth....to the Replication of Richard Burgesse...

31. STAC 8/79/5, The Deposition of William Bowyer, Notary Public.

32. STAC 8/79/5, The Deposition of William Malyverer, Gentleman.

33. STAC 8/79/5, The Deposition of William Johnson, Beer Brewer.

34. Hull Corporation Bench Books, 4, fol.117^{v}; and see above, p.204.

35. See above, pp.206-7.

36. STAC 8/79/5, Deposition of Christopher Chapman, Draper, Mayor of Kingston-upon-Hull.

37. Joan Kent, "Attitudes of Members of the House of Commons to the Regulation of `Personal Conduct' in Late Elizabethan and Early Stuart England", Bulletin of the Institute of Historical Research, XXXVI, (1973), pp.49-50.

38. Robert Jenison, The Cities Safety: Or, A Fruitfull Treatise (and usefull for these dangerous times) On Psal. 127.1, (1630), pp.124-5.

39. Robert Jenison, The Cities Safety, pp.126-7.

40. Samuel Clarke, in his "life" of the Exeter magistrate Ignatius Jordan, specifically praises his subject as "an impartiall Administrator of Justice, and one that without respect of persons did punish evill doers, of what quality, or condition soever they were that did transgess the Law," Samuel Clarke, "The Life, and Death of Mr. Ignatius Jurdaine, Who dyed Anno Christi 1640 in A Collection of The Lives of Ten Eminent Divines, Famous in their Generations for Learning, Prudence, Piety and Painfulness in the Work of the Ministry, (1662), p.463.

41. STAC 8/79/5, The Deposition of Christopher Chapman, Draper and Mayor of Hull, Item 7.

42. STAC 8/79/5, The Deposition of John Graves, Merchant, Item 7.

43. STAC 8/79/5, The Deposition of Thomas Wilkinson, Haberdasher, Items 6 and 7.

44. STAC 8/79/5, The Deposition of Thomas Swan, Alderman and Merchant, Items 7 and 8.

45. STAC 8/79/5, The Deposition of Thomas Wilkinson, Haberdasher, Item 7.

46. See above, pp.87-8.

47. STAC 8/79/6, The Rejoinder of Theophilus Smyth...

48. STAC 8/79/6, The Rejoinder of Theophilus Smyth...

49. STAC 8/79/5, Depositions in the behalf of Richard Burgesse et.al.

50. STAC 8/79/5, The Deposition of William Malyverer, Gentleman, Item 12; Malyverer also named George Chapman, Thomas Thackery, James Casson, Nicholas Lynby, Robert Spencer, Edward Prestwood, Adam Birkell and Robert Dalton. Malyverer was a witness in Smyth's behalf.

51. Hull Corporation Bench Books, 5, p.9; for John Favour see Ronald Marchant, The Puritans and the Church Courts, p.246.

52. Hull Corporation Bench Books, 4, fol.325^{r}.

53. See above, pp.243-5.

54. See above, pp.77-9.

55. Margaret A. Hornsey, "John Harrison, the Leeds Benefactor, and His Times", (M.A. Thesis, University of Leeds), Thoresby Society Publications, XXXIII, (1935), pp.114-115.

56. Margaret Hornsey, "John Harrison" p.112; PRO STAC 8/215/6, The Bill of Complaint of John Metcalfe, Thomas Jackson and John Harrison, (1622) estimates the population as "five or six thousand".

57. This was also true for Jacobean Salisbury, see Paul Slack, "Poverty and Politics in Salisbury, 1597-1666", Peter Clark and Paul Slack, (eds.), Crisis and Order in English Towns, 1500-1700: Essays in Urban History, (1972), pp.169-71; Anthony Fletcher, Reform in the Provinces, p.306, presents similar evidence for the clothing centres of Essex in this period; for "inflammatory" consequences, see below, pp.302-5.

58. For Sir John Savile's involvement in the petition to the Lord Keeper through the Court of Chancery in 1615, see pp.81-2, above; "Old Leeds Charities: The First and Second Decree of the Committee of Pious Uses in Leedes", (printed transcript of "a manuscript in the collection of Mr. J. Alex Symington, Newlay, Leeds" (1926) lists a large number of notables, among whom are Archbishop Toby Matthew, Justice Richard Hutton, Sir Arthur Ingram and John, Lord Darnley, the record shows that it was Savile, Cooke, Lister and Kaye who met in Wakefield to conduct the investigation on 28 April, 1621, pp.3-5; Borthwick, Bishopthorpe Mss., Correspondence and Papers of Archbishop Thomas Herring, Box IV, Item 20; Hornsey, "John Harrison", p.121.

59. See above, pp.81-3.

60. PRO STAC 8/215/6 Metcalfe, Harrison and Jackson c. Alexander Cooke, 1622; Harrison is clearly named as one of the principal complainants in the Bill of Complaint, and has appeared earlier in the Bishopthorpe Mss. copy of the 1615 petition of the parishioners of Leeds to the Court of Chancery as one who, with the Birkheads, opposed Cooke's presentation to the vicarage at that time; G.C.Forster, "Parson and People: Troubles at Leeds Parish Church", University of Leeds Review, VI, (1961), pp.241-49, and Margaret A. Hornsey, "John Harrison", pp.103-147, do not appear to have acknowledged the involvement of Harrison as Metcalfe's ally against Cooke.

61. For the Birkheads and Middleton see above. pp.81-2; also T.D. Whitaker, Loidis and Elmete: or, An Attempt To Illistrate The Districts Described In Those Words By Bede, And Supposed To Embrace The Lower Portions Of Aredale And Wharfedale, Together With The Entire Vale Of Calder, In The County Of York, (1816), p.23; J.A. Newton, Puritanism in the Diocese of York, p.140, ascribes the petition to Metcalfe, but like Whitaker offers no proof beyond its obvious connection to the Star Chamber Cause of 1622; Whitaker's transcript of the petition does not include a list of signatories.

62. Borthwick, York Archiepiscopal Visitation Court Act Books, V1623/CB, fols.34^{r+v}.

63. STAC 8/215/6, Metcalfe et. al. c. Cooke, The Bill of Complaint of John Metcalfe...; Metcalfe named eleven other persons (who do not appear in the Visitation Court records) who had been refused the sacrament by Cooke because they knelt in order to communicate.

64. STAC 8/215/6, Metcalfe et. al. c. Cooke, The Bill of Complaint of John Metcalfe.

65. Borthwick, Archiepiscopal Consistory Court Cause Papers G/3233, Metcalfe c. Dixon, cited in J.A. Sharpe, Crime in Early Modern England, 1570-1750, (1984), p.88.

66. STAC 8/215/6, The Demurrer of Alexander Cooke.

67. STAC 8/215/6, The Bill of Complaint of John Metcalfe.

68. STAC 8/215/6, The Bill of Complaint of John Metcalfe.

69. Forster, "Parson and People", p.243.

70. Margaret A. Hornsey, "John Harrison",p.114; Old Leeds Charities, pp.3-5, 8, 11, 17. Sir John Savile is the "knight" alluded to in the libel; William Lister was the puritan vicar of Wakefield, Yorks., and was one of the six clergy named in the Chancery judgement of 1617 as an advisor to the new feoffees of the Leeds advowson, see Ralph Thoresby, Vicaria Leodiensis, p.65 and Borthwick, Bishopthorpe Mss., Correspondence and Papers of Archbishop Thomas Herring, Box IV, Item 20.

71. Old Leeds Charities, pp.13-17.

72. Sheffield Public Library, Archives, CB/160 (1554-1573) and CB/161 (1574-1727), The Accompt Books of the Church Burgesses of Sheffield; Borthwick, High Commission Court Cause Papers, 1594/4, Hadsby, Caine, Manne and Wakefield c. John Jackson of Beverley, Yorks., 1594.

73. Margaret A. Hornsey, "John Harrison", pp.114-116, seems to overlook the fact that the bulk of Harrison's benefactions were given after 1622; Forster, "Parson and People", misquotes Metcalfe's submission to the court of Star Chamber in that Harrison's name is omitted from the quote in which Cooke, brandishing a halberd in the wake of the St. Bartholemew's day riot, was reported as having said "I wish I had Harrison and Metcalfe here", [emphasis mine] after which Metcalfe specifically pointed out that it was John Harrison whom Cooke had named in his outburst.

74. Forster, "Parson and People", p.241 and Old Leeds Charities, pp.11, 16.

75. Hornsey, "John Harrison", pp.115-121; Seth Skelton, Ralphe Cooke, John Hargrave and Richard Sykes are named as co-defendants with Cooke by Metcalfe, STAC 8/215/6; John Harrison's likely opposition to Cooke has been discussed above, pp.308-9; Samuel Casson was one of the members of the group which opposed Cooke's admission to the vicarage in 1615: see Bishopthorpe Mss. and pp.309-10. According to Metcalfe, Cooke had refused to bury Robert Benson's son, and Benson had been compelled to do the burial himself, STAC 8/215/6. Sir John Savile, while apparently not directly involved in the disturbances at Leeds, nonetheless appears to have acted on Cooke's behalf in the litigation concerning the parishioners' ownership of the advowson in the court of Chancery, 1615-18.

76. Hornsey, "John Harrison", p.115; Forster, "Parson and People", pp.243-4; Newton Puritanism in the Diocese of York, pp.140-150, all describe the dispute solely in terms of a clash between puritans and non-puritans.

77. Borthwick, V1633/CB I (York), fols.82^{v}-88^{r}; those presented for the "puritan" offences of wearing hats in church, failing to stand at the recitation of the creed, and for not kneeling when receiving the sacrament of Holy Communion include John Harrison and Anthony Metcalfe. Richard Garbutt, who lectured at St. Peter's, Leeds from 1624-31, lived with Harrison while at Leeds, and Richard Todd, lecturer at St. Peters' 1631-34 and curate of St. John's church, Leeds, 1631-44, held the latter position as Harrison's nominee: see Hornsey, "John Harrison", p.126 and Thoresby, Vicaria Leodiensis, p.93f.

78. Old Leeds Charities, pp.3, 8, 17.

79. Old Leeds Charities, p.15.

CHAPTER VIII

Reputation, Public Trust and Status in Hull, York, Leeds and Newcastle, 1630-1640.

> I should desire to know of you... what place, whether by university statute or by hierarchy that by calling (more than search) you have heard, a Doctor of Divinitie hath not so much respect to mere degrees of learning in Law or Physick, as to the laity, as perhaps to a Justice of Peace (out of his proper place) and whether their wives (by calling at least) take not place answerably. I ask not this with any intent to make more use of it than as occasion serves to stop their mouths that are gone too far to debase our calling and degree... Pardon this frivolous question to be put to such a modest and grave man as yourself.[1]

Robert Jenison's oblique inquiry as to the status of a "Doctor of Divinitie" when compared to that of a J.P. was far from frivolous. By 1629, Jenison had developed an acute awareness of his isolation and vulnerability as a lone puritan in the midst of a diocese and a city which were, in his estimation, dominated by Arminian clergy and "backward" or crypto-Catholic laity. Issues relating to status, public trust and credibility, as this chapter will demonstrate, were felt keenly by those who faced each other across the puritan-Arminian divide. Jenison's query about status was a matter of survival. His experience as the lecturer at All Hallows, Newcastle, which he related to his friend and past tutor, Samuel Ward, gave voice to what were likely to have been the concerns of other lecturers of the puritan persuasion, such as John Birchall, Henry Ayscough, John Gouge and Robert Todd, who endured the harassment of the church courts under archbishop Neile in the 1630s. Their faithfulness to the Calvinist consensus of an earlier time was increasingly politicized as the rift between the

Arminians and the rest of the church deepened toward the end of the 1630s.[2]

The impact of the shift from English Calvinism to Arminianism among ecclesiastical officials of the northern province was not limited to the clergy. Local government by the mid 1620s was dominated by individuals who reflected the Calvinist teaching and preaching to which many of them had been exposed since childhood. Increasingly they found that many of the presumptions and customary practices which had typified the archiepiscopate of Toby Matthew were challenged and sometimes drastically altered by the administration which grew up around Richard Neile. Many of these customs and presumptions, as we shall see below, involved more than the preservation of personal status. The "pride of place" enjoyed by the civic administration itself was often perceived (by members of civic corporations) as being in danger of erosion due to the vigorous program of reform by which Neile sought to reclaim what he believed to be the proper status and dignity of the church in the north.

In many ways aspects of the cases examined here resemble those discussed in chapter VII. Certainly the overriding fear of disorder is demonstrably present in this period as it was prior to 1630, as is the general awareness that poverty and unemployment needed the attention of local government if serious disorder was to be successfully avoided. Where there are differences, these reflect the manner in which both the political and religious temper of the courts, of the church, and even of society itself had been changed by the application of Neile's program of Arminian reform, and (especially in the case of Newcastle) by the increasingly polarized nature of national politics in the four years immediately before the outbreak of hostilities between crown and parliament in 1642.

As in chapter VII, our focus will be directed to specific incidents and

cases rather than a chronological discussion of the issues in each town or city. Where necessary, as in the case of Jenison's career at Newcastle, and in that of the dispute over the reading of the divine office at Hull, brief chronological notes will be provided for the sake of clarity. Four of the five towns will be considered in this chapter. At Hull, the dispute between the corporation and the clergy over the saying of the daily office at Holy Trinity church will be considered. The corporation of York's struggle to preserve its status as expressed in seating arrangements at York Minster and St. Michael-le-Belfry's church will be discussed in relation to the later prosecution of John Birchall, the puritan incumbent of St. Martin's, Micklegate. John Harrison's lengthy correspondence with archbishop Neile concerning the settlement of the advowson to the church of St.John the Divine, Leeds, in 1634, will be examined. Finally, the troubled career of Richard Jenison, the lecturer at All Hallows, Newcastle, whose practical divinity has been featured a various points throughôt this thesis, will be examined as an example of how the polarized politics of the late 1630s could sharpen the definition of puritanism into a movement of religious and political dissent.

Hull

The single incident with which will be examined at Hull during the period 1630-40 involves the dispute in 1639 between the corporation, the vicar, and the curate of Hull over the performance of the daily office at Holy Trinity church. By the time of this dispute the Smyth family was no longer in any way involved with the vicarage of Hull. A priest named Richard Perrot succeeded Theophilus Smyth as vicar of Hessle and Hull in 1616. Theophilus' son, Melchior, followed his father and grandfather into the ordained ministry, but he did not succeed his father to the vicarage of Hull. He served as an assistant at Holy Trinity between 1620 and 1623. The

corporation granted him £5 toward the cost of "his placing in Ireland" in the spring of 1623, and from then on there is no mention of the Smyth family which had influenced the religious complexion of Hull since 1560.[3]

When Thomas Whincopp died in 1624, the corporation of Hull, as patrons and owners of the lectureship at Holy Trinity, "elected" Andrew Marvell senior to occupy the position and therefore to be the civic preacher. It is perhaps noteworthy that the mayor of Hull at this time was James Watkinson, a member of the group which Theophilus Smyth had opposed as "calvans" and "brownistes". The corporation's choice of a puritan like Andrew Marvell would seem to be a natural result of the continued strength of the puritan presence in the office-holding class of the city. Marvell, like Whincopp before him, was instituted as Master of the Charterhouse and combined the administration of this charitable undertaking with his role as the principal preacher of the city's main church.[4]

It appears that the corporation's action in this matter was initially opposed by Richard Perrot. This is not surprising, as the vicar was to demonstrate a distinct leaning in the direction of Arminianism in the later years of his incumbency. A delegation consisting of aldermen John Lister, James Watkinson and Thomas Ferries were

> entreated by Mr. Thomas Swan, then Mayor... friendly to entreat the said Mr. Perrot to join with the town in one unanimous consent that Mr. Marvell, being before chosen by the town their lecturer and preacher in Mr. Whincopp's place,in that deceased, (and not assistant) might likewise have his consent to preach in that church as the said Mr. Whincopp his late predecessor hath formerly done.[5]

Faced with a most determined delegation, comprised of the same men who had successfully frustrated his predecessor's attempts to counter the influence of puritanism, Perrot withdrew his objection and "did readily and lovingly

give his assent". This test of wills seems to have broken whatever resolve Perrot may have had to resist the corporation's activity as de facto patrons of the livings attendant to Holy Trinity. In 1627, without any reference to the consent of the vicar, the corporation "elected" another puritan, John Gouge, to be the curate of Holy Trinity. The stage was set for the dispute which would bring Hull to the attention of archbishop Neile and his Official Principal, Edward Mottershed, in 1639.[6]

Gouge and Marvell continued the pattern established in the time of Melchior Smyth's incumbency: the lecturer and the curate served the portion of the parish located in Hull, comprising the congregation of Holy Trinity church; while Perrot, by his own admission, did not usually concern himself with more than that portion of the living which was situated in Hessle.[7] In 1633, probably in response to archbishop Neile's primary visitation and his insistence that catechizing should take the place of preaching on Sunday after-noons, the corporation agreed to grant Gouge the sum of £3 for "his extraordinary pains taken in catechizing". As no mention was made of Andrew Marvell, it might well have been the case that this arrangement was a means of circumventing the intention of the requirement that preachers should catechize the youth of the parish on the sabbath, which was to limit their freedom to preach or otherwise expound upon subjects which the archbishop and the king regarded as potentially dangerous to the good of church and state. If Gouge, the curate, catechized, Marvell, the lecturer, could continue to put his energies toward preaching the word at a time other than Sunday afternoons.[8]

Prior to the onset of plague in 1637, morning and evening prayer were read daily in Holy Trinity church. It is not entirely clear that Gouge did not read the office during this period, but we do know that Richard Perrot officiated in this regard at Holy Trinity, as he put it in his letter to the

corporation regarding the dispute of 1639, "expressly to bring Common prayers into credit, which then were going into contempt among you". Perrot claimed that he was not, due to the division of the parish which dated from the time of archbishop Grindal, responsible for reading the divine office at Holy Trinity. He admitted that he and his predecessors had performed this office when they had occasion to preach in the principal church of Hull, but from "the pulpit, not in the reading place, to show that what he did... was not his duty". According to Perrot, the curate whose place Gouge had filled, a Mr. Storie, had read the divine office on a daily basis, but since Gouge's presentation to the curacy he (Perrot) had fulfilled the task "because he the then curate... would not read them according to Canon".[9] It is not clear whether this meant that Gouge had actually refused to read the divine office, or that Perrot did not approve of the manner in which Gouge, a puritan, would have been likely to amend or omit certain portions of the service, adding extemporaneous prayer and psalm-singing in place of items omitted. Such a reading of the divine office would certainly have not been "according to Canon". The likelihood that Gouge did indeed read the office, though perhaps in a form unacceptable to Perrot, is supported by the fact that the corporation's request that the daily reading of the offices should be resumed after the end of the epidemic of 1637/8 was directed to both Perrot and Gouge, and by the fact that both of them were named in the corporation's subsequent appeal to the archbishop when services were not forthcoming.[10]

It seems that the reading of the daily office had been suspended by order of the corporation for the duration of the epidemic, probably as a measure intended to reduce the risk of infection through close contact. When the plague was deemed to have run its course, the corporation requested that the clergy whose responsibility it was to read the service should resume the practice of offering morning and evening prayers. Prayers were, for reasons

which will be made clear below, not forthcoming: neither Perrot nor Gouge would perform the required function of office, and James Watkinson, who was once again the mayor of Hull, wrote to Edward Mottershed, presumably requesting that he intervene in his capacity as Episcopal Official of the Archdeaconry of the East Riding.[11]

The substance of the case from this point on is given a brief but essentially accurate discussion in Ronald Marchant's The Puritans and the Church Courts, and it is not necessary to duplicate that discussion here. Watkinson's appeal to Mottershed resulted in a drawn-out series of monitions and evasions, centering on Gouge's use of excuses, (ill-health, not his job) and finally outright refusal to perform the required services. Perrot, who stood on his exemption from duty through the division of the living, made it plain that he was willing to perform the services but dared not do so for fear of the "faction" which supported Gouge. He reported that he had even gone so far as to initiate steps for Gouge's removal, only to be dissuaded by Watkinson for fear that such a move might create an uproar in the town. After almost six months of negotiation, archbishop Neile, having compelled all parties to the dispute to appear before him at Bishopthorpe, issued his ruling that Gouge, by virtue of his salary and "such surplice fees as the now vicar alloweth him", was responsible for reading the daily office. Gouge was informed that he might call upon Andrew Marvell, the lecturer, to assist him in this endeavor, but was warned that further obstinacy would provide just cause for Perrot to remove him and seek a more obedient person to fill the curacy.[12]

What is peculiar about this case (Marchant alludes to it but does not offer substantial comment), is that the corporation voluntarily assumed the role of agent to the archbishop in attempting to bring Gouge to heel. Given the strength of the puritan presence in the membership of the corporation of

Hull (it appears that Swan, Lister, Watkinson, and Ferries had continued in the dominant role which they enjoyed at the beginning of the century), it is highly unlikely that this was their intention when the case was referred to Mottershed. It is more likely, given the loyalties of the persons involved, that the complaint to Mottershed was intended to compel Perrot to read the office, or perhaps to compel him to allow Gouge to read the office in a manner "not according to Canon". Had Watkinson been seriously concerned for the proper offering of daily prayers at Holy Trinity, it is probable that he could have brought effective pressure to bear on Gouge, and might have supported Perrot's bid to have him removed. His failure to do this, indeed his thwarting of the vicar's rightful role in the matter, suggests that his motivation was otherwise. This is further supported by the fact that despite Neile's unequivocal judgement that the reading of the office was Gouge's lawful duty, and his clear threat to the curate of summary deprivation if that duty was not regularly performed, Gouge was not expelled from his living. He was to remain as the curate of Holy Trinity until at least 1641, and probably longer, despite evidence from the case brought against him in the Courts of Chancery and High Commission that he had not complied with the archbishop's judgement.[13]

The question which emerges unanswered here is that of the motivation of the corporation in its insistence upon the regular reading of the divine office at Holy Trinity. Was it, as has been speculated, merely an attempt to embarrass the vicar, an attempt which, if this were the case, went badly astray? There are elements of the case which support such a proposal, particularly when we consider the extremely defensive posture adopted by Perrot in his letter to the corporation explaining his position. Perrot took great care to point out that it was not his "duty" to read the daily office, and that if he had done so in the past it had been a matter of "curtesy" and because he took "delight in that exercise as well to speak for you to God by

prayers as to speak for God to you by preaching". The vicar claimed that his occasional reading of the office was entirely gratuitous, and that it should not be construed as in any way constituting the basis of a claim that such was his "duty".[14]

While the evidence mentioned above tends to support the suggestion that the corporation may have had Perrot and not Gouge as its primary target, another interpretation seems equally possible. The degree to which all of the parties whose opinions have survived as a matter of record (Perrot, Gouge, Mottershed and Neile) make use of arguments concerning the "duty" of the office of curate or vicar, may suggest something of the line of reasoning taken by the corporation in this dispute. Neile's judgement, for instance, centred on the fact that Gouge was indeed paid a stipend and "surplice fees" by Perrot, in return for which he was required to read the divine office at Holy Trinity on a daily basis.[15] Perrot, as has been mentioned above, obviously felt that he needed to refute an argument that it was his "duty" as vicar to read the office.[16] Mottershed's correspondence with the corporation and his monition sent to Gouge has essentially the same focus: Gouge or Perrot or both had an obligation to perform a service for the parishioners of Hull who worshipped at Holy Trinity church, and it had been complained that this obligation was not being fulfilled. According to Mottershed's account of his initial examination of Gouge, the curate had argued that "he was not bound by his place to read prayers always himself, but the vicar is to execute the place himself, or at least case the curate in some cases".[17] What this suggests is that the corporation's complaint, of which, unfortunately, no record has survived, probably couched itself in terms which described the lack of services as a matter of unfulfilled duty, as a breach of contract. It is unlikely that James Watkinson, Thomas Swan, or John Lister, men who "cared neither for cannons nor small shot" and who compared square caps to "cheese cakes" would have had a "zeal for the Church

of England" which desired that the offices be read exactly in the manner set out in the Book of Common Prayer. It is more likely that they complained to Mottershed out of a sense of moral outrage and affront that the clergy of Hull, whom they clearly regarded (at least in the case of Gouge and Marvell, if not of Perrot) as men whom they had "elected", had not fulfilled their obligations to the citizens and parishioners of Hull.[18]

It is also noteworthy that in dealing with the case, neither Mottershed nor Neile appear took advantage of the opportunity which it presented for them to champion the cause of a conformist (probably Arminian) vicar against his puritan and non-conformist curate. The admonition of Mottershed to the clergy of Hull treats the matter as a dispute concerning parochial duties and responsibilities, as does the archbishop's judgement. Clearly Gouge's refusal to read the daily office constituted an incidence of obdurate non-conformity, but both the archbishop and his Official Principal appear to have decided to avoid treating the issue as such. It may well have been that they were hoping that the corporation's insistence upon the fulfillment of clerical obligations might accomplish their task with Gouge. Had they approached the matter in such a way as to highlight Gouge's puritanism, it is more than likely that the Watkinson-Swan-Lister group would have sided with the curate against both archbishop and vicar.

Whatever the motivation of the corporation may have been, and either of the interpretations described above, or perhaps even a combination of both, is quite likely to be near the truth, the corporation of Hull most definitely appears to have got more than it bargained for. Trapped by circumstance, all that the mayor and aldermen could do was to uphold the right of the city's parishioners to daily prayers, helplessly watching the diocesan administration use the opening which Watkinson's letter to Mottershed had provided to full advantage. As Neile's first visitation

(1632/3) failed to result in identifying either Gouge or Marvell as puritan non-conformists, it is perhaps arguable that, had Watkinson not valued the city's honour so highly as to complain to Mottershed, Marvell and Gouge might, due to the protective action of fellow-puritans in the corporation and in the minor officialdom of the parish, have avoided the unwelcome attentions of the church courts.[19]

York

Apart from Newcastle, which for reasons arising from its strategic and economic importance for the control of the northeast, was subjected to a severe anti-puritan campaign during the closing years of the 1630s, York was the centre which, of all of the communities in our study, most keenly felt the impact of Richard Neile's program of Arminian reform. This was in great measure due to the fact that the higher church courts and the Court of High Commission met in York, and consequently it was easier for the officers of these courts to compel offenders to appear to answer charges.

It is also true that, until the death of archbishop Toby Matthew in 1627, the corporation of York had enjoyed a warmly collegial relationship with the diocesan administration. There had been, since 1601, a dispute between the corporation and the Dean and Chapter concerning who had the right to try citizens who lived in the Minster liberties for moral lapses. This dispute also included the corporation's complaint regarding the failure of the authorities within the Minster liberties to collect the poor rate and fulfill their consequent obligation to relieve the poor who lived there.[20] In the main, however, the corporation seems, at least from the official rhetoric of the House Books, to have been well disposed to the archbishop. In 1609 the mayor and aldermen granted one of the archbishop's servants,

Thomas Rushton, the freedom of the city "in regard of the love which the said most Reverend Father beareth unto this city". In the same year the corporation voted to widen the postern of Skeldergate so as to make room for the passage of the archbishop's carriage. When the civic preacher, Henry Hooke, was named Archdeacon of York by the archbishop in 1618, the corporation sent Matthew a "butt of sack... in respect of his love to this city".[21] While it is difficult to define the exact extent to which the corporation's attitude to the archbishop was determined by a sense of common purpose and agreement in matters of faith and practical piety, there can be little doubt that this was a major factor in the perception of the mayor and aldermen that the archbishop had the city's best interests at heart.

After Matthew's death, it appears that relations between the corporation and the diocesan administration cooled rapidly. As has been discussed in chapter VI, there is evidence to suggest that the triumvirate of William Easdall, Edward Mottershed and Henry Wickham were beginning to take action against puritan conventiclers in the months just prior to Matthew's death, and that their anti-puritan program gathered force during the short archiepiscopal tenures of George Monteigne and Samuel Harsnet. By the time that Richard Neile was translated from Winchester to York, it was apparent that the diocesan administration was likely to intensify its policy of suppressing puritan practice and of challenging the prominent position of the corporation in matters which Neile and other Arminians regarded as belonging to the jurisdiction of the church courts.[22]

As has been mentioned above, the corporation and the Dean and Chapter had indulged in periodic skirmishing over contested jurisdictions within the city prior to Neile's arrival. In fact the long-standing dispute over the right of the Dean and Chapter to try persons who lived in the cathedral liberties substantially escalated in the the period just prior to the death

of archbishop Matthew. One suspects that, lacking other significant means of harassing what was by this time an almost completely puritan corporation, the Arminian faction within the diocesan administration was using the dispute as means of contesting the corporation's authority by proxy. Claire Cross has suggested that the Dean and Chapter had been largely neglected by archbishop Matthew, and that as a result, the Minster clergy were in fact an island of religious conservatism in the midst of a city which had been strongly influenced by puritan preaching and teaching. We should not, however, ignore the fact that alliances and loyalties were often less than distinct: Dean Scott's wife and daughters pointedly flouted the canon requiring parishioners to receive the eucharist in their own parish church in order to receive it from the hand of John Birchall, rector of the puritan parish of St. Martin's, Micklegate. One of Scott's daughters was married to the puritan preacher Thomas Squire, whose involvement in the conventicle centred on the radical Roger Brearley was exposed and brought to trial by Mottershed and Easdall in 1627.[23] Given these complex connections it is perhaps more likely that the prosecution of the dispute concerning jurisdiction within the Minster liberties represented the work of Mottershed, Easdall and Wickham, rather than that of the Dean and Chapter, despite the latter's supposed religious conservatism.

A House Book entry dated 25 July, 1627, noted that a number of persons described as "tenants to the Dean and Chapter of St. Peters', and citizens", had come to the mayor's court of petty sessions to complain that they had been "summoned to appear at the sessions to be held on for the liberty of St. Peter's, which they never heretofore had done". The petitioners asked for the aid of the "court" (ie. the corporation) and were instructed "that none of them shall appear, neither at that time nor any other, to do service at that court, and they if they be fined or molested for the same, they shall be defended and saved harmless by this court".[24] At the meeting of the

mayor and aldermen which took place on 31 July, 1627, John Vaux, Stuart Headlam and the city's recorder were instructed to consult with "Mr. Justice Hutton" about how the corporation might best proceed to resolve the matter of jurisdiction in the cathedral liberties.[25]

The matter appears to have been settled, or at least temporarily shelved, for no further instances of this nature occur in the records until the summer of 1630, by which time George Monteigne had expired within less than six months of his enthronement and Samuel Harsnet, a vigorous Arminian, had been translated to York. As had been the custom of the corporation, the archbishop was officially welcomed to York with the gift of "half a tun of claret wyne". It is perhaps noteworthy that this custom, exercised upon the arrival of Harsnet, does not appear to have been observed upon the arrival of his successor, Richard Neile.[26]

The matter of jurisdiction over citizens living in the Minster liberties may have been resurrected as a counter-thrust to action taken by the corporation against sabbath breaking within the minster precincts. In an order issued 23 August, 1630, the civic policy of strict sabbatarianism was extended to include the applesellers who traditionally conducted business in the Minster yard on the sabbath. These persons were instructed that they could no longer continue this custom, but were to sell apples "at the Thursday market".[27] No immediate response on the part of the Dean and Chapter is recorded, but by February of the year following we find that Vaux and Headlam were once again instructed to seek legal advice on the corporation's behalf, as citizens of York were being arrested and summoned to appear before the Minster's court for moral and ecclesiastical misdemeanors, "contrary to the privelege of the charter". In an entry dated 7 March, 1631, Vaux, Headlam, and the sheriff, John Pepper, were "required of this court to go to the doctors of St. Peters'" in order to lodge a

formal protest at the continuance of "abuses offered to divers freemen of this city by arresting them in the minster and minsteryard upon the sabbath days, and to desire reformation thereof".[28]

The dispute, which dragged on with ever increasing degrees of acrimony on both sides, eventually resulted in the Dean and Chapter being named as defendants by the corporation of York in a suit before the Court of Star Chamber in 1636. The case, which does not appear to have been resolved, indicates the seriousness with which both the corporation and the Dean and Chapter each understood the other's threat to their own authority and status within the community.[29] Without doubt this sense of threat from the diocesan hierarchy continued to grow in the corporation as steps were taken Harsnet and then by Neile to force liturgical conformity upon the clergy and parishioners of York.

By the autumn of 1633 it must have been abundantly clear to leading members of the "puritan party" of York, many of whom were either aldermen (Hoyle, Topham and Allanson), or soon to be raised from the common council to the aldermanic rank (Vaux and Brooke), that the diocesan administration had adopted a policy of deliberate repression against the practice of "godlinesse" in the puritan fashion. The sweeping impact of Neile's primary visitation court at York has been mentioned earlier. Nearly half of the clergy who served in the city's twenty-two parishes were presented on charges of non-conformity; an unprecedented eighty-one members of the laity had been similarly presented, most of these for doing business on holy days that were not Sundays, a charge which embodied a direct assault on the puritan claim to the uniqueness of the Sabbath as a day of solemn observance and abstinence from mundane activity.[30] While the clergy and their lay supporters were still reeling from this onslaught, it appears that the Lord President of the North (Thomas Wentworth, Lord Strafford) and the archbishop

sought to reduce further the strength of the puritan presence by means of a two-pronged attempt to humiliate the corporation publicly.

The first salvo of this encounter concerned the preeminence of the seat occupied by the mayor of York when he attended services in the church of St. Michael-le-Belfry. This church, which faces the Minster across Petergate, had from 1619 been a focus for puritan preaching and piety, along with St. Martin's, Micklegate and Allhallows' Pavement. It had been the custom since the early 1620s (when Henry Hooke's frequent absences from York required that the corporation resort to the hiring of replacement lecturers on a sermon-by-sermon basis), that in addition to the sermons offered by the civic lecturer, a second lecturer was paid to offer weekly sermons "in my lord mayor's church". Since 1624, the designated preacher had usually been the rector of St. Savior's, John Whittakers. In 1633, when William Allanson was mayor, the venue of the lecture was the church of St. Michael-le-Belfry.[31] On the evening of Saturday, 23 February, 1633, Allanson received a message from Sir Edward Osborne, vice-president of the Council of the North, demanding to know

> if the Lord President should come to Belfry church, whether my Lord Mayor would resign the stall wherein he now sitteth to his Lordship or not, or in his absence, if the Vice President should come thither, whether he would resign the same to him or not.

Allanson, who had only just been installed as mayor (he was elected at Michaelmas, 1632, and had served the customary six months as mayor-elect until St. Blaise's day, 1633), appears to have had the good sense not to offer comment without the advice of counsel. Commenting upon the lateness of the hour, and the day, he sent the messenger back to Sir Edward with the excuse that because the request "concerned the honor of the city, that upon Monday ... he would advise with his brethren about it, and by Tuesday at noon he would send an answer".[32] The corporation met on Monday as planned,

but rather than arriving at the promised decision, the aldermen resolved to delay, offering the excuse that "divers aldermen are out of town, and so could not be here present, and those that were present desired also the assurance of the rest".[33] There followed a hiatus of a little over two months, at the end of which, having received no answer from the corporation, Wentworth himself sent a message to the mayor and aldermen of York, demanding to know

> wherein he had deserved so ill, either at the city's hands or at my Lord Mayor's hands, as that my Lord Mayor would take up the stall in Belfry church, wherein formerly both the Presidents and vice-Presidents have sitten.[34]

At this juncture the corporation decided to stand firm, and sent a letter to Wentworth indicating that the mayor would continue sitting in the "said stall" at St. Michael-le-Belfry. On May 6, 1633, aldermen Thomas Hoyle and Edward Calvert were delegated to deliver the corporation's letter to this effect to the Lord President. The text of the letter has not survived, but from the tone of Wentworth's response, on 5 August, 1633, it would appear that the corporation had advanced considerable argument in support of their claim that the mayor should continue to occupy the place of honour at St. Michael's, at least until the present mayor's term of office was ended. Wentworth grudgingly acceded to this, asserting that nevertheless the "dignity" of the offices of President and Vice-President of the Council of the North was greater than that of the mayor of York.[35]

Just when everyone concerned might have felt that the matter of seating and status had run its course, the mayor of York was publicly "put out of his place" in the Minster when Henry Wickham exercised his privilege as Archdeacon of York to sit in the stall which by canon was designated to one holding his office. The privilege had not been exercised by the archdeacons of York for more than two decades, and the established custom was that the

aldermen occupied one side of the quire of the Minster, the "highest stall" of which was reserved for the mayor. There were, in fact, "two or three stalls above the Lord mayor", but these, while technically belonging to the Archdeacons of the diocese of York, appear to have usually gone unoccupied, save for the occasional use made of them by the Lord President of the North. The opposing side of the quire was customarily reserved for "the nobility and gentry of the country". This practice was based upon the fact that (at least according to the corporation's account of things) during Toby Matthew's archiepiscopal term, if not longer, the archdeacons of the diocese had not occupied their stalls in the Minster, though they had continued to be formally installed to the same at the time of their collation.[36] Such had been the degree to which the highly-placed laity had come to occupy these spaces in the Minster that Lord Sheffield, who had succeeded Thomas Burghley as Lord President of the North (1603-19) had obtained permission to build a "stall" for his wife in the place occupied by the seat of the archdeacon of York. When Charles I visited York earlier in 1633, he had ordered that the stall built by Lord Sheffield be pulled down, probably at the instigation of Neile and Laud, whose campaign of liturgical and architectural reform was to involve similar orders for the regularizing of seating in the churches of their respective jurisdictions. This being done, the old "equilibrium" of seating in the Minster was disturbed, thus providing the context in which the Archdeacon of York might, simply through exercising the right of his office, offer a serious and public slight to the mayor and corporation.[37]

On the Sunday following Wickham's alleged insult the corporation made a point of not attending services at the Minster, gathering instead across the street at St. Michael-le-Belfry. Instruction was given to the preacher for that day, who happened to be Miles White, (rector of St. Michael's, Ousebridge), to "defer the sermon somewhat longer" (that is, to shorten it), so that "after the sermon be done" the mayor, aldermen and "twenty-four"

might meet to consider the matter of the Minster seat and then adjourn "to the sheriff's [James Brooke's house] to dinner".[38] At this meeting a letter was written on behalf of the corporation to Sir Richard Hutton, Justice of Common Pleas, setting out the city's side of the matter and requesting the benefit of his advice as to how they should proceed. It is perhaps significant that the writers of the letter stressed the "dishonour and disgrace" caused to the city by Wickham's action. It was also pointed out that in taking the seat above the mayor, Wickham had departed from long established custom in such a way that "we cannot think he would have attempted [it] without the consent of some greater than himself". It was because of their suspicion that more highly-placed individuals were behind Wickham's action that the mayor and aldermen admitted

> we are at a stand, what course may best be taken, that this ancient and honourable [city] may not suffer any way by our neglect in such a point of disgrace as this, which we think may much tend to the contempt of governors and government thereof.[39]

The suspicion that Wickham was not acting independently was almost certainly reinforced in the minds of the members of the corporation by the message which was sent to the mayor from Sir Edward Osborne on the evening of 28 September, 1633. The Vice-President of the North had written to advise the mayor that

> he had lately direction by a letter from my Lord President that at some time before my Lord Mayor's going out of his office, he should go to the Belfry's and take his place in that stall wherein my Lord Mayor now sits, giving him notice beforehand.[40]

Allanson called the aldermen and the twenty-four together in a hurried meeting on 29 September, at which time it was decided that the corporation would stand by the agreement which had been struck with Wentworth earlier that year, and not allow Sir Edward to occupy the mayor's stall at St. Michael-le-Belfry until Allanson's term of office had expired. The sheriff,

James Brooke, was required to accompany the town clerk in delivering the corporation's response to Sir Edward's message.

Hard on the heels of Sir Edward Osborne's letter came Sir Richard Hutton's reply to the corporation's letter of 27 September. Sir Richard, apparently well aware of the delicate pass to which matters had progressed, advised extreme caution in the matter of Wickham and the alleged slight to the mayor's dignity. Terming the matter an "unfortunate and unprofitable accident" he went on to suggest that as "a matter concerning the church... [it] therefore must be tenderly and modestly carried, without any provocation or other cause of discontentment". Hutton suggested that as Wickham had taken his seat without prior consultation with the mayor and aldermen, the corporation might justifiably begin by politely requesting that he offer some explanation for his action taken upon the previous Sunday, and failing that, they should then take the matter directly to the archbishop, reminding him that "the access of the Lord Mayor and his brethren to the Cathedral is an honour and dignity to the church, and is likewise an estimation to the Lord Mayor and aldermen". After cautioning the members of the corporation against boycotting the Minster in reaction to Wickham's action, Hutton reminded them that it was not merely a matter of who sat above whom which was at stake, but rather that the corporation's very presence in the Minster was under threat.

> And in my judgement, your lordship and the rest of your brethren the aldermen may do well to petition the king, and whom else you think fit, that you may continue the use of your retiring place in the side of the body of the church, where you resorted unto and used to confer, for surely without that you have no conveniency of meeting.[41]

The mayor and aldermen sent the sheriff, James Brooke, with the town clerk, to obtain from Wickham an explanation of why he had taken the seat above the one normally reserved for the mayor. Wickham does not appear to

have offered a satisfactory response, for we find that at the meeting of the corporation held on 5 October, 1633, alderman William Wharton was delegated to accompany the town clerk to present Wickham with a letter which formally requested that he explain himself to the mayor and aldermen. At the same time a letter was also sent to Sir Edward Osborne, advising him that if he would advise the mayor of the date on which he intended to appear at services in St. Michael-le Belfry, the mayor would "then forbear to go thither" on that day. The corporation warned the Vice-President that if he appeared at St. Michael's without having given warning, and if the mayor were there, "that then my Lord Mayor [shall] keep his place at the upper end of the stall". The governors of York were willing to give ground in the face of determined pressure from the Council of the North, but they were not prepared to lose face publicly a second time.[42]

The corporation met again two days later, and probably because there had still been no response from the Archdeacon, it was decided that letters of complaint should be sent to the Lord Keeper and to archbishop Neile. A messenger was also sent to Hutton, bearing a copy of the letter sent to the archbishop and requesting that he "mediate the same with his Grace". Such was the frustration of the corporation, (and probably their fear that an unfavourable precedent might have been set, should they attend the Minster and provide Wickham with an opportunity to once again take a seat of greater distinction than that occupied by the mayor) that despite Hutton's advice to the contrary it was "by most voices voted to forbear going to the Minster".[43]

The letters to the Lord Keeper and the archbishop outline the history of the dispute thus far, but with considerably more detail regarding the role of the stall which had originally been built for the wife of Lord Sheffield in 1613. As a letter to the Lord Keeper explained, this stall, in

addition to taking up the place officially designated to the Archdeacon of York,

> did enclose three or four of the upper stalls there, where the Lord Mayor before that time did sit, whereby he was caused to sit somewhat lower than before that time he had done, and so continued ever since, till now at His Majesty's coming to the said church, he gave command to pull down that closet and all other the closets and seats in the quire except the Archbishop's throne, wherein the Lord President now sits... so by that means the stall where the Lord Mayor anciently sat was made open again, not enclosed, so as the Lord Mayor now expected to have sitten where he anciently sat... Yet so it is that Mr. Doctor Wickham... hath lately since the taking down of that closet, sitten in one of the said Cathedral stalls above the Lord Mayor, a thing which indeed neither he nor his predecessors have ever been seen to have done by any man living till now, and now also none but he only, and the truth is that if he and the rest should do so, there were neither any place for the Lord Mayor, Aldermen, or Sheriffs on that side, nor for any the nobility or gentry on the other side, unless it were in places inferior to them.[44]

Citing what they hoped was the compelling precedent of the manner in which important personages were seated in the quire of St. Paul's, London, "according to degrees", the corporation requested that the Lord Keeper intercede on the city's behalf with the king. They presented the incident as an infringement of the authority and honour of the city, which, as that authority and honour was derivative of the authority and honour of the King, by whose charter York was incorporated as a city, could be argued as directly affecting the esteem which the people of York might have for his Majesty.

Not surprisingly, a slightly different approach was adopted when the corporation wrote to archbishop Neile. Setting out their complaint in tones which informed the archbishop of a matter which had arisen without his prior knowledge (though in fact, they had intimated to Hutton that they believed Wickham to have acted on orders from "some greater than himself"), they stressed the potentially dangerous nature of Wickham's precipitous and ill-

advised embarrassment of the civic authority. Neile was reminded that when the mayor and aldermen, not to mention the nobility and gentry, were required to sit in seats below those occupied by "their inferiors" then authority was forced to appear to be without honour: "but your Grace well knows that authority without honour will easily grow into contempt". In other words, if Wickham were to sit above Allanson, the "ancient dignity, honour and government of this city" was put in jeopardy. The letter concluded with phrases which were probably selected for the manner in which they would delight the ear of Neile, as the complainants spoke of their hope for the continuation of

> that goodly assembly in that beautiful quire, according to its ancient, comely and decent order, without innovations... whereby your Grace shall not only acquire the worthy commendations of all good men, but shall forever bind us and this whole city...[45]

Soft words and conciliatory phrases notwithstanding, by the end of October, 1633, it was clear that Wickham was not prepared to give ground. It was equally clear that the Archdeacon was himself caught between the corporation and his ecclesiastical superiors. The town clerk reported that he had met Wickham and had presented the corporation's request for an explanation. Wickham had initially replied that he was merely exercising his right to the seat as Archdeacon, but when pressed, admitted that "the Lord of Canterbury, then bishop of London, and the archbishop of York" had ordered him to take the seat. Despite instructions from Laud and Neile, Wickham was wavering, and almost got away with offering the corporation a compromise solution. He told the town clerk "And yet for his part, he would be content if so it might be with convenience that my Lord Mayor should come and sit there and he should sit beside him". At this point the conversation between Wickham and the town clerk was interrupted by the arrival of Phineas Hodgson, the Chancellor of York Minster. Being apprised of the substance of

the conversation, Hodgson

> was then very sharp and seemed to take it ill that my Lord Mayor should send any such message, saying and asking if my Lord Mayor would take it well, if they should send to him to know why he dwelt in his house, and withall said that there would two other Archdeacons come and sit there shortly, or else they would be fined.[46]

Needless to say, Wickham's conciliatory suggestion was swiftly set aside and the impasse concerning the seating in the Minster continued to defy resolution.

Early in November the corporation received a reply to their letter to the Lord Keeper. This letter confirmed Laud's involvement as one of the prime motivators in the matter of Wickham's action, and informed the corporation that steps had been taken to avoid involving the king further in the matter. Moreover, the Lord Keeper informed the corporation that their appeal regarding the "room or closet in which the mayor and aldermen used to meet at the side of the church" was a dead letter. The partition was ordered to be pulled down "at his Majesty's express direction". The letter concluded by admonishing the mayor and aldermen not to "exasperate" the situation by refusing to attend the Minster or by any similar reaction.[47]

Having exhausted avenues of appeal in high places, the mayor and aldermen set about to resolve the matter through a local court of inquiry. Throughout November "divers ancient citizens and inhabitants within this city were called" to testify as to the antiquity of the mayor's possession of the seat next to that occupied by the Lord President's wife. Twenty-one depositions which attested to this arrangement as a long-established custom were produced, and these were presented to Wickham by the town clerk in a meeting held on 11 December, 1633. Wickham all but conceded the point, stating that "he was willing to give it up, but that before he did so, he

wished to speak with two or three of the witnesses... or alternatively he would be satisfied with a copy of the certificate". This last requirement being fulfilled, notification was given to the corporation that as of 16 December, 1633, the Archdeacon would relinquish his claim to the seat. Aldermen Hoyle and Vaux were sent with a "hogshead of sack" to convey the corporation's gratitude to Sir Richard Hutton for his advice and intercession on the city's behalf.[48]

The matter of the corporation's attendance at services in the Minster was brought up again in 1637, by which time the mayor and aldermen were once again boycotting the cathedral. The genesis of the boycott was centred upon the as yet unresolved dispute between the corporation and the Dean and Chapter regarding authority in the Cathedral liberties. It is also highly probable that puritan members like Hoyle, Topham, Vaux and Allanson were absent from the Minster because of the archbishop's continuing campaign directed against them through the prosecution of their friends and dependents. James Brooke, who as sheriff had in 1633 played an extremely visible role in the dispute with Archdeacon Wickham, was subjected to a long and apparently pointless prosecution before the Court of High Commission regarding his alleged misuse of a portion of the churchyard of St. Martin's, Coneystreet. The case was initiated by Mottershed in the Chancery Court early in February, 1635, and dragged on until at least the end of October, 1637.[49] The case then appears to have been allowed to lapse.

In 1633 the churchwardens of St. Martin's, Micklegate, were required to appear before the visitation correction court in order to answer charges based on instances of non-conformity at St. Martin's which they had neglected to present at the visitation. Charges would probably have been laid against the rector of the parish, Marmaduke Gibbons, had he not had the bad manners to expire shortly before the correction court could be convened.

The wardens were alleged to have witnessed members of the congregation of St. Martin's sitting in church with their hats on their heads, failing to kneel for prayers and to bow at the mention of the name of Jesus in the liturgy. They were also called to account for deficiencies in the parochial stock of liturgical vestments and eucharistic cloths and vessels. As a result of the court's investigation of these allegations, aldermen Hoyle, Topham and Brearey were implicated for personal instances of non-conformity and were required to appear as witnesses. While the evidence which emerged was enough to have substantiated charges of non-conformity against them, no action was taken beyond requiring the aldermen to give testimony. This course of action was remarkably like that undertaken by Easdall and Mottershed in their investigation and prosecution of the principal members of the Squire-Brearley conventicle in 1627. In that case, Vaux, Paggett and Penrose were required to testify, but although by their testimony and that of others they were implicated as members of the conventicle, no charges were presented against them. Instead the church courts concentrated on the clergy who were involved, apparently deeming it enough that the lay participants were identified and compelled to give evidence in court.[50]

In the series of cases involving John Birchall, who succeeded Marmaduke Gibbons as rector of St. Martin's Micklegate in 1633, the same principle seems to have been applied. Between 1634 and 1640, Birchall was presented for instances of non-conformity which ranged from refusing to read the king's "Book of Sports" in church on Sundays to holding private conventicles, and preaching on proscribed topics such as whether it was indeed possible for the elect to fall from grace. In the case which involved his presentation for conventicling, most of the members of the households of Matthew Topham and Thomas Hoyle were clearly implicated, but no action was taken against them beyond requiring them to give testimony of their involvement in Birchall's conventicles.[51]

The intent of the diocesan authorities seems to have been that they should use the church courts in order to harass and embarrass members of the corporation indirectly; a corporation which, by 1637, had become all but synonymous with what the archbishop referred to as the "puritan party". In the case which involved James Brooke, Easdall was clearly exacting his "pound of flesh" from a junior member of the corporation who had had the misfortune of playing a visible, if not major role in foiling the archbishop's attempt to put the mayor in his place through the actions of Archdeacon Wickham. The charges against Brooke were inconsequential, a matter of his having used a corner of the churchyard which adjoined his property as a builder's yard while renovating his house. Only as we are able to construct a link between this seemingly pointless prosecution and Brooke's role as an agent of the corporation in the Minster seating dispute does the motivation behind the case begin to emerge.

The cases against John Birchall, like that against James Brooke, were probably presented in an attempt to frustrate if not chastise puritan members of the corporation of York. Birchall, like Gibbons before him, had been presented to St. Martin's by a group of lay feoffees who owned the advowson and had impropriated the living of the parish. Among these feoffees we find John Vaux, John Penrose, Walter Price and Joseph Micklethwaite. Also listed as one of the feoffees of St. Martin's was the Rev. William Gouge, D.D., who played a leading role in the work of the London-based "Feoffees for Impropriations" as did Walter Price, whom Marchant has identified as the "principal agent" of the London group. While he was not listed as a feoffee, Thomas Hoyle probably owned or had purchased the advowson (right of presentation) at the time that Birchall was nominated: this nomination is credited to Hoyle, acting in conjunction with one Henry Barker. Evidence from the cases presented against Birchall shows that although he was

inducted as rector of St. Martin's, for much of the time that he was in York he lived with and functioned as a private chaplain to the Hoyle family.[52]

The drawn-out and often petty cases presented against Birchall do not, in and of themselves, make much sense. The surviving evidence suggests that while he had, in common with most puritan clergy, a disliking for certain portions of the Book of Common Prayer and the King's "Book of Sports", he was nonetheless willing to conform when required to do so by order of the church courts. He admitted to having presided at conventicles held, among other places, in the home of Dean Scott (while that good Arminian cleric was out playing cards with his friends) and to having once said extemporary prayers of blessing and thanksgiving when visiting a new house which Thomas Hoyle had purchased in the nearby village of Colton, Yorkshire. In these, and the other instances of presentment, most of which appear to have involved complaints that he had allowed others to practice non-conformity in not removing hats, not bowing at the mention of the holy name, or in not kneeling for prayers, Birchall does not appear to have been particularly obstinate or fractious. He sometimes seems to have been embarrassingly (for the court) willing to conform, or at least to practice what might better be termed "occasional conformity". He was certainly much more biddable than John Gouge was at Hull, or Robert Jenison at Newcastle. But while Birchall was under fire, Henry Ayscough and Miles White, both of whom were lecturers paid by the corporation of York, did not receive such extensive investigation and petty harassment from the diocesan authorities.[53]

It is likely, therefore, that the intent of the diocesan authorities was focussed, not on Birchall, but on Hoyle, Topham, Vaux, Brearey and Penrose. To understand why Neile and his chief administrators, Easdall and Mottershed, adopted this policy rather than one of direct confrontation, we must remember that even in this period the church courts were something of a

"rusty sword". Easdall and Mottershed probably shared with Theophilus Smyth the complaint that the moral authority of the church courts lacked effectiveness when confronting defendants of yeoman status or better.[54] The court could, in cases of obdurate refusal to conform, or in cases of contumacious non-appearance, issue a writ of excommunication against the defendant, but this appears to have had limited success in bringing highly-placed offenders to heel. In such cases, the court could easily find itself an object of contempt and public ridicule. It is most likely that the policy of the church courts when confronted with highly-placed and influential puritans such as Vaux and his associates was to avoid direct confrontation for fear that the defendants if pushed too far, would simply ignore the direction of the court, thus publicly derogating its authority.

But if Vaux and his friends may have possessed some limited immunity to direct action from the church courts, this immunity certainly did not extend to the clergy whom they supported through either personal or corporate patronage. Birchall, Ayscough, White, Whittakers and Cudworth all faced the distinct likelihood of losing their licences to preach, and even the profits of their livings, if they did not cooperate with the demands of the church courts. Hence it appears that Neile's use of the church courts in order to prosecute each of these clerics for minor breaches of conformity may well have been an attempt to strike at the "puritan faction" within the corporation of York. The corporation was unable to do much more than offer moral support to the clergy who bore the brunt of the church court's harassment. It is therefore likely that by 1637, despite the trouble taken in 1633 to assure the lord mayor a more prestigious seat in the Minster than that occupied by any other save for the Lord President of the Council of the North, the corporation was in fact once again boycotting services at the Minster. This could well have been the reason for the order given by the corporation, shortly after John Vaux became mayor in 1637, requesting that

aldermen Bett and Hemsworth "treat with the parishioners of Allhallows in the Pavement and take order to set forth stalls for the Aldermen's ladies there". Having been successfully upstaged by the Lord President of the North at St. Michael-le-Belfry, and probably unwilling, for the reasons set out above, to attend services at the Minster, the corporation appears to have made arrangements for the regular attendance of its membership and their families at All Saints', Pavement, where both the civic lecturer, Henry Ayscough, and "my Lord Mayor's preacher" John Shaw, were situated.[55]

In the corporation minutes for 3 August, 1637, it was recorded that the mayor had received a letter from the king, requiring that members of all civic corporations throughout the realm attend services in their cathedral churches on Sundays with "due reverence". It was further required that

> you the Lord Mayor, as also the Recorder and Aldermen at some solemn times every year shall receive the Holy Communion in the said cathedral church of York to manifest your conformity to the orders established in the church.[56]

The royal command, unwelcome in and of itself, given the degree of alienation which existed between the corporation and the Minster in 1637, was made even more unpalatable by the requirement that the mayor and aldermen might "not use the ensigns of their authority within the said cathedrals, that hereafter the liberties granted by our progenitors to those bodies be inviolably kept".[57]

As the king's letter effectively jeopardized both the status of the corporation and the potential outcome of the ongoing dispute between the city and the cathedral regarding jurisdiction in the cathedral liberties, Vaux decided to stall the matter rather than opt for direct confrontation. Myers, the town clerk, was sent with a letter to the archbishop which informed Neile that the corporation was willing to comply to the king's

order, but

> that because this week is a busy time, and they cannot be all gathered together so readily, he [Vaux] desireth that they be excused for the first Sunday, which is now so near at hand and because of the time they cannot well meet together.[58]

The corporation, despite the "busy time" alluded to by Vaux, managed to meet two days later, at which meeting it was decided that if the mayor and aldermen were to attend services at the Minster, it should be with due pomp and ceremony, "with the sword and mace and all". At the same meeting it was ordered that James Brooke carry a letter to the Lord Keeper, to ask his advice as to whether or not it would be fitting to petition the king for some relaxation of the requirements set out in his letter to the mayor and corporation of York. More than a year later, in a meeting on 29 August, 1638, the matter of the king's request was still being debated by the corporation, and was once again deferred "till further time, that the rest of the Aldermen be in town".[59]

The corporation minutes during the years following 1633 seem to show an increasing tendency on the part of the corporation, not to confront, but to sidestep or ignore unwelcome requests from the crown and the church hierarchy. In addition to the cases outlined above, we find that at a meeting held 13 February, 1637 (probably in response to the second printing of the "King's Book of Sports") the corporation gave order that "warrants be made out for observing the Sabbath days as have been formerly other years". Four months later, when archbishop Neile sent word to the corporation through Easdall and Wickham, demanding to know the "authority" by which the mayor appointed "Sabbath searchers", Vaux's reply, while terse and bristling with indignation, nonetheless avoided directly confronting the archbishop's Arminian attack on the corporation's sabbatarian policy. Vaux responded that "he conceives himself bound in duty" to take note of persons who frequented

the alehouses and failed to attend church on the sabbath and at other times when sermons and services were offered. He appealed to the customary nature of this duty, which was no "more than others, his predecessors, have done" and which (according to Vaux) was not "contrary to what is commanded by his Majesty's declaration in that behalf".[60] Vaux elected to ignore the central issue in Neile's query, which questioned his authority to enforce church attendance, a matter which Neile believed to belong exclusively to the church courts. Instead, by responding that he felt himself "bound in duty" to enforce church attendance, Vaux subtly turned the question around in such a manner as to call into question obliquely the archbishop's faithfulness to the "duty" of his own office and calling. Neile does not appear to have replied to Vaux's answer, and perhaps encouraged by this, the corporation published a stringently sabbatarian code of conduct early in September of the same year. The sweeping prohibitions of this code all but nullified any relaxation of sabbath observance which might have been brought about as a result of the reprinting of the royal injunction on lawful sabbath recreations.[61]

The final clash in this eight-year sparring-match between the archbishop and the corporation appears to have been that which is recorded in the minutes of the corporation's meeting of 1 April, 1640. Neile had sent word to the mayor to the effect that he wished to exercise authority as a magistrate of York, and that he wanted the same authority for his chancellor, William Easdall. While an attempt appears to have been made to put a good face on the situation, the instructions to the committee which was formed to consider the matter are somewhat less than subtle. The committee members were requested to "advise together what reasons may best be given why the bishop and his chancellor may not be Justices of Peace within this city".[62]

Throughout this rather long and at times tortuous sequence of events, it would seem that while the puritan-Arminian struggle was always present, always a part of the background, both the corporation and the diocesan authorities were careful not to make this the issue about which they were exercised. Instead, conflict was couched in the context of disputes involving spheres of influence and the relative prestige of those who held civic as opposed to ecclesiastical office. This is not to say that these conflicts were not real, that they did not possess validity in and of themselves. Rather it is to suggest that like the prosecution of puritan clergy and minor laity for petty nonconformity, the substance of the dispute drew its vigour, its bitterness, from the deep theological differences which opposed each other in the mayor and corporation of York and the archbishop and the Dean and Chapter of York Minster.

Leeds

In the previous chapter's discussion of the tribulation attendant upon Alexander Cooke's incumbency at Leeds, the name of John Harrison periodically appeared from the ranks of those parishioners who opposed the vicar's intemperate application of puritanism. Harrison, as was noted in this earlier discussion of Leeds, was a prominent clothier and civic personage, a key member of the Committee of Pious Uses, and of the town council which was created when Leeds was incorporated by royal charter in 1626. He was deputy alderman (in Leeds the term "alderman" is roughly equivalent to that of mayor in other corporate towns) in 1626, alderman in 1627 and 1634, and a member of the body of nine "principal burgesses" of Leeds for all of the period prior to 1642.[63]

In the course of his lifetime Harrison bestowed upon the town of Leeds gifts which amounted to something in excess of £6,000. These gifts were

mainly given in the form of public works and municipal improvements: a market cross; an almshouse and a row of houses, the rents from which were used for the relief of the poor; a grammar-school and endowments to provide stipends for its staff; and in 1631 a new church, eventually to be consecrated in the name of St. John the Divine, together with an endowment of £1,000 towards the provision of a stipend for the minister who served this church.[64] Upon the completion of the building, Harrison entered a formal petition to archbishop Neile for the consecration of the new church, and for its formal establishment as a dependent chapel of the parish of St. Peter's, Leeds. The extensive correspondence between Harrison and the archbishop concerning this chapel is the main subject of our present discussion.[65]

On first glance, Harrison's petition to the archbishop does not seem in any way remarkable. He was careful to state that the building of the new chapel was because "the ancient parish church of this town of Leeds is not of sufficient largeness or capacity to receive or contain a great part of the people who ought to repair thither". This care to establish that his motives were above suspicion arose at least in part from Harrison's experience of the tumultuous incumbency of Alexander Cooke, who at the time of Harrison's petition (probably 1632/3), had just died. Despite the fact that Harrison appears to have had no problems of a similar sort with his nephew, Henry Robinson, who succeeded Cooke as vicar of Leeds, he felt it necessary to avoid any suspicion that the new chapel would become the focus of a dissident faction within the parish. Apart from this, the petition is quite straightforward. Harrison renounced all claim to the building in favour of the parish and asked that the archbishop consecrate it to the worship of God. He promised to settle a bequest on the chapel which would pay the curate thereof an annual stipend of "an hundred marks" and also to see that the churchyard, (which he asked the archbishop to similarly

consecrate) was properly "inclosed with a stone wall and severed" for service as a cemetery.[66]

From Neile's point of view, however, the petition was remarkable not for what it said, but rather for what it failed to say. Neile listed a number of procedural and structural anomalies, such as the absence of an acknowledgement that the "tithes and duties" payable by those who attended the chapel were still owed to the vicar of the parish, and not to the curate. He was also concerned that, despite the status of the new building as a dependent chapel, all things canonically required of a parish church, including the "due keeping of a register booke" and "necessary ornaments and utensils" including "bookes, surplices, belles and such like" should be provided and used. The archbishop was especially concerned over the fact that while Harrison had described the curate who was to serve the chapel as being "from time to time licensed by your Grace and your successors" he had made no mention of the person or persons with whom the advowson, the right of presentation to the cure, should be entrusted. Neile complained that

> It were but an easie respect of Mr. Harrison's to the Archbishop of Yorke, to commit to him and his successors the nominating of the curate there; the licensing, placing and displacing doth and must belong to the Archbishop, whosoever were otherwise minded. There will be inconvenience in it to have the choice and nomination of the curate either in feoffees or in a Corporation. The curate in that case must make his dependency and be behoulden to move there two or three. But if Mr. Harrison be stiffe in it, to have his feoffees nominate the curate and present him to the Archbishop, I shall be as warmest for the vicar of Leeds for the time being to be ioyned to them under whom the curate that shall be must acknowledge himself to serve as curate...[67]

Harrison replied to Neile's conditions by virtually granting the archbishop everything that he had requested. In a remarkably magnanimous gesture, he offered to leave the matter of necessary "ornaments and utensills... unto your Grace's wisdom, or whomsoever your Grace should depute by the towne".

It was perhaps with a degree of condescension that Harrison informed Neile that in the matter of stole fees, tithes, and such, "the maintenance being competent, there will be no need of the minister's dependence upon others allowance... [therefore] there is not any expectation of any allowance either from the proprietaries or the vicar, more than to other chapels". In the matter of the right of presentation, however, Harrison appears to have completely misunderstood the archbishop's objection. Alternatively, he may have understood it only too well, and had thought to take advantage of the loophole provided in Neile's ambiguously worded statement. Rather than granting the archbishop the right of presentation to the chapel, Harrison suggested that the most appropriate body in whom this right should be invested was the town council. He presented this to Neile as a *fait accompli*, stating that he had rewritten his will so that things were ordered

> according to your Grace's appointment (passing over my own interest) [I have] joyned the vicar with the Alderman and assistants for the time in patronage, for the nomination of the minister in every vacancy, hoping that they will faithfully discharge the trust reposed in them, and present none but such as your Grace and your Grace's successors shall well allow of:[68]

Thus, where Neile had hoped to have the advowson vested in himself, or failing that, in the vicar of Leeds and a minimum number of feoffees, Harrison's misreading (or deliberate misinterpretation) of his request had invested the right of presentation in the ten senior members of the town corporation and the vicar.

The matter appears to have been put in abeyance by the archbishop until the summer of 1634, by which time Sir Richard Hutton had been sent to Leeds by Neile in order to investigate the matter. Hutton met with the vicar and parishioners of Leeds on the twenty-fifth of August, and as a result of that meeting sent a letter to Neile, recommending that a formal "indenture of feoffment" be drawn up, so as not to leave the legal embodiment of the right

of presentation solely in Harrison's will. Hutton does not appear to have objected to Harrison's proposal that the advowson be vested in the town corporation, but suggested that any presentment must be made subject to the vicar's consent. He also suggested that the feoffees be formally bound to make a presentment to the cure within three months of the occurrence of any vacancy. Sir Richard did not see the need for the archbishop to control the right of presentment, as "none can become a curate but such a one as the Lord archbishop of York and his successors shall allow of".[69]

Having considered the counsel offered by Sir Richard Hutton, Neile turned the matter over to his chancellor, William Easdall, and to John Cosin (who by this time, in addition to being a prebend at Durham Cathedral, was Archdeacon of the East Riding of York and a member of the York Court of High Commission). These two wrote to Harrison on Neile's behalf, informing him of the archbishop's refusal to proceed with the consecration unless the number of feoffees were reduced and their right of presentation made conditional to the vicar's consent. Harrison was outraged. In a letter dated 12 September, 1634, he wrote to Easdall and Cosin to express his dismay at what he perceived as being the unreasonableness of the terms that they had offered:

> I presume his Grace would not have mee be at the charge in building the fabricke and to endowe it with £80 per annum for ever, out of the best of my landes, and have my successors aliens and strangers to the future care thereto belonging: I know you writ they may be joyned with the vicar in the nominacion of the curate. Now if the vicar approve not, then his turne is past, and the Ordinary must, and so I must become rediculous to posterity in putting in my successors to stand as a cipher in the said nominacion.[70]

By this time Harrison had conferred with Sir Arthur Ingram, Secretary to the Council of the North, and on his advice had offered the compromise of investing the advowson in a group comprised of the alderman, two senior burgesses, and the vicar of Leeds, each having an equal vote. This, from the

context of Harrison's letter to Easdall and Cosin, also met with rejection. Neile was immovable on the point that the vicar should possess the deciding vote in the selection of any new curate.[71]

It is likely that Harrison's letter of 12 September crossed paths with a letter written to him that same day by Easdall and Cosin. The letter to Harrison mentioned the fact that the Chancellor and the Archdeacon had conferred with Neile on the substance of an earlier meeting with Harrison, and that apart from the matter of the advowson, all the matters pertaining to the consecration of the chapel were in order. Indeed, they told Harrison how the archbishop "much commendeth and approveth the good work which you have done, and is ready to lay aside his own occasions to attend the consecration". The correspondents suggested to Harrison that the archbishop had been more than reasonable,

> willing thus farr to depart from his owne right and the rights of his archiepiscopal see for your better sattisfaccion and incouragement, [that] yow would not presse him further to give way then to yourself during your lief and after to the Alderman and Vicar, or to the Vicar and your heirs (which you like both) for the reccomending of the curate unto him.

If either of these arrangements were acceptable to Harrison, he was instructed to send word back with the messenger who had brought the letter, upon receipt of which consent the archbishop was prepared to consecrate the chapel "Sunday come sevennight".[72]

Harrison did not consent to the archbishop's conditions concerning the advowson, and sent word of this back with the messenger. In a letter written to Harrison the following day, Neile attempted to explain that (from his perspective) Harrison was asking him to do something which was not legally possible. "I pray you to conceive" wrote Neile, "that it is not in you or mee to create a new patronage". The archbishop suggested to Harrison that if

the advowson were settled solely in lay feoffees, not only would he have violated the rights of the vicar of Leeds but he would have bound his successors to accept without question any nominee presented by the owners of the advowson. Neile may have been on thin ice at this point, for in fact such arrangements were well-established in other parishes and dependent chapels throughout the diocese. Probably sensing this, he called upon Harrison not to let "so small a matter hinder the performance of that which as you, so myselfe desire should be performed". He then proposed that perhaps the consecration might be undertaken without specific mention of the advowson, and be left "to the due and common course of law". Indicating his readiness to perform the consecration on the Sunday next coming, Neile concluded his letter by advising Harrison that as he was planning to travel to Southwell on the Monday, the Sunday in question was (by inference) the most convenient time for the consecration to be scheduled.[73]

Harrison, however, was not to be lured into standing back to allow "the due and common course of law" to take the advowson out of lay hands. He wrote to say that if the right of presentation could not be vested in lay feoffees, the chapel would remain unconsecrated. "I am sorry" he said, "that my eyes cannot see the fruit of my longing desires, that soe manie thousand soules should be frustrated of those hopes they conceived from this worke". He went on to point out that the "impediment" did not in fact lie with him, but rather in the archbishop's refusal to accept feoffees, which he had himself suggested in his original response to Harrison's petition in 1633. Harrison pointed out that his suggestion of the combination of the vicar and town corporation had been inspired by Neile's comments, but

> hearing that your Grace conceived that elleccion too popular, I was willing to subtract the one halfe, and for the further satisfying of your Grace, I am nowe willing to there shall only remaine four of the ten, to joine with the vicar in the said nominacion. Nowe seeing I have soe farr condiscended to your Grace, to

> passe away soe liberall an allowance in my life, and that to soe few feoffees, give me leave once more to bee an humble suitor that your Grace would bee pleased (as father Abraham to Lot) to yeeled to my weakness.[74]

At this point one might have expected that Harrison would have exhausted the patience, if not the good will of the archbishop. Yet Neile's lengthy response, while in places a bit sharp, nonetheless addressed the issue in a didactic manner, carefully attempting to win Harrison over by logical argument. Neile pointed out that if, as was the case, no person could serve a cure without the licence and approval of the Ordinary, then what did it matter who in fact had the last word in the presentation process, as in reality this always belonged to the Ordinary? Here Neile did in fact betray his real objection. Neile's insistence on this point no doubt stemmed from his fear that (as was true in the case of John Gouge at Holy Trinity, Hull, and in that of John Birchall at St. Martin's Micklegate, York) a group of lay feoffees might nominate and maintain a puritan cleric virtually without reference to episcopal approval, and could in fact see that the clergyman in question was financially remunerated for his services even in the face of episcopal censure, thus depriving the ecclesiastical court of its most potent weapon against non-conformity.[75]

The fact that such arrangements were already frustrating the archbishop in his program aimed at the suppression of puritanism probably contributed to Neile's reluctance to address the issue squarely. He therefore turned the discussion away from legal matters and instead addressed the problem from a pastoral perspective. Having been acquainted with the recent history of the parish of Leeds, and of the relative nearness of the new chapel to the mother church, Neile suggested that the real basis of his concern was that of clerical collegiality. If the vicar of Leeds were forced to accept a curate of whom he could not approve, then potentially there might be "pulpit against pulpit and chapel against church". Neile appealed to Harrison's

personal knowledge of such troubles as ample proof that his concern was not groundless.[76]

Turning to the accusation that he would not accept the implementation of his own suggestion (that the advowson be vested in feoffees), Neile pointed out that what he had in fact suggested was intended as a remote possibility, not nearly as acceptable as the proposal that the advowson rest with the archbishop, or if it must rest with some local person, with the vicar of Leeds. It did not really matter how many or how few feoffees were involved, for in principle "I hould it no lesse popular in foure than in 14 or 40". Neile disliked the notion of election as applied to ministers: to him it was redolent of Presbyterianism.

Finally Neile rounded on Harrison for the appeal he made based on Abraham's condescension to Lot's weakness. Such flexibility was possible in negotiations between private persons and concerning private matters. But

> It standeth not in this case betwixt you and mee as it did betwixt Abraham and Lott. The part I act herein is not the part of a private person but of a publique servant of the church, bound to do all thynges with due respect and preservation of the jurisdiccion that is for my time committed to me, and care of avoiding all inconveniences that upon any act of mine may ensue to the church.

Once again reminding Harrison of his intention to include the consecration of the chapel as a stop on his journey to Southwell (and thereby obliquely suggesting to him that time, and probably patience, was running out), Neile concluded by requesting that Harrison "be no hindrance of the perfecting of your owne good work".[77]

Despite the logic of the archbishop's arguments, his resorting to pastoral examples and finally his appeal to the "good of the institution", Harrison stood his ground. Convinced that his desire that the laity exercise

the right of presentation was ultimately lawful, he responded by advising Neile not to trouble himself further, that rather than hold up his Grace's journey south, he was prepared to wait until the archbishop would agree to his requirements. Harrison's stubbornness paid off. Neile consecrated the chapel on Sunday, 21 September, 1634, having finally agreed to the investment of the right of presentation in the vicar, the alderman and two senior burgesses, each exercising an equal vote.[78]

What is remarkable about this correspondence is the reasonable tone, the careful, polite and measured approach that was adopted by all correspondents. By the time that Harrison's correspondence with Neile was underway, the archbishop and his administration were well into the first phase of a deliberate attempt to stamp out nonconformist practices in the province of York. Harrison, having been presented for minor non-conformity in the visitation of 1632/3, and having been closely associated with the puritan lecturers Richard Garbutt and Robert Todd, the latter of whom was Harrison's nominee to the curacy of the new chapel, was unlikely to have been considered an ally to the archbishop. His promises that all would be done according to canonical requirement, and that all necessary ornaments, vessels and vestments should be provided for the chapel, in fact appear to have meant very little. A surplice may have been provided, but given Todd's presbyterian inclination, it was in all likelihood never used. Yet Harrison was no extremist. We find him writing to Todd during the time of the civil war to rebuke the curate for having set up a presbyterian system of elders to govern the chapel's congregation. This letter, combined with the fact that Harrison, like his nephew Henry Robinson (the vicar of Leeds) is known to have supported the royalist side of the conflict, suggests that Harrison, while sympathetic to the "godly persuasion" may in truth have been a "moderate puritan". His statement to Todd that "the time was when I suffered for you under the royal party, more than you will suffer for me under the

parliament" suggests that there may have been times when Harrison acted as a buffer between the Todd and the archbishop.[79] If this was in fact the case, then Neile's even-tempered if somewhat unbending treatment of the advowson issue may be explained as an attempt to win over an influential member of the elite of Leeds who was on the conservative fringes of puritanism. Certainly his treatment of Harrison was considerably more reasonable than the adversarial treatment which he afforded to the puritans of York, or than the policy which he allowed his chancellor to adopt less than a year later when dealing with the puritanism of Thomas Toller and the churchwardens of Sheffield.[80]

Yet another explanation for the archbishop's lenient treatment of Harrison is suggested by the manner in which Sir Richard Hutton reminded Neile of how the parishioners had been "put to such expense and trouble about their late vicar".[81] Neile may have understood Harrison's concern that the advowson should not be subject to the vicar's consent to have arisen from the troubles which he and other parishioners of Leeds had had with Alexander Cooke. If Neile perceived Harrison's stubbornness as arising, not from any attempt to set up an enclave of puritanism in the new chapel, but rather from a desire to avoid the creation of conditions in which a puritan vicar of Cooke's stripe might gain control of the chapel, this may also account for the trouble to which he put himself in explaining what he felt was the legal basis for his objection to Harrison's proposal.

It is also interesting that in the case of this correspondence, as in the consultations involving the corporation of Hull and Edward Mottershed with regard to John Gouge's refusal to read the divine office, no direct mention is made of the issue at hand as relating to either non-conformity or puritanism. Mottershed was no doubt aware of Gouge's non-conformity and of the general tendency of the corporation of Hull to favour other puritan

clerics such as Andrew Marvell Senior, who had succeeded Thomas Whincopp as civic lecturer at Hull.[82] Neile, Cosin and Easdall similarly must have been aware both of Harrison's non-conformity and of the strength of puritanism within the parish and chapelries of Leeds.[83] Such an awareness underwrites Neile's insistence that at the very least the advowson should be vested in a moderate, "occasionally conforming" puritan such as Henry Robinson. In both cases it is as if there was an unwritten agreement that the issue upon which the participants were most divided should never be mentioned, lest it dissolve the fragile relationship through which both sides might achieve at least some of their particular objectives.

Newcastle

From time to time in the course of this thesis reference has been made to the ministry and writings of Robert Jenison, who served as one of the lecturers at Newcastle from 1614 until 1640, when he fled to Danzig in order to escape royalist persecution. Jenison's career, especially between 1622 and 1640, is of particular interest: while it was in many ways similar to that of Gouge, Ayscough, Crashawe, Rhodes and Todd, it was distinctive in that from the time that Neile presented the Arminian Thomas Jackson to the vicarage of Newcastle, the issue of Arminianism versus Calvinism was clearly, overtly, a part of the power-struggle which ensued. From very early in his career, it seems that it was not possible for Jenison to rest in the knowledge that all was as it should be within the Church of England. Arminianism achieved episcopal authority in the diocese of Durham in 1617, when Richard Neile became bishop, terminating the succession of Calvinist bishops from James Pilkington to William James.[84] Neile lost no time in appointing men of his persuasion to influential positions within the diocese, and it is therefore not surprising that when Jenison wrote to his former tutor Samuel Ward in 1621, he was to describe the "times" as

"dangerous" for those who held Calvinist opinions.[85]

Much of the detail concerning the ascendancy of Arminianism in the diocese of Durham and in the city of Newcastle during the 1620s has been outlined in chapter III, and will not be repeated here. Two incidents from this period illustrate the manner in which the growing strength of the Arminian presence tended to alter significantly crucial relationships which had hitherto existed between the local clergy and the diocesan authorities. The first of these concerned the scandalous behaviour of Stephen Jerome, who was lecturer at St. Nicholas' church, Newcastle, from about 1619-1622.[86] In the summer of 1622 Jenison wrote to Ward in order to request his help in finding a replacement for Jerome, and in so doing, acquainted Ward with the facts concerning the lecturer's hasty departure. Sometime in the spring of 1621 a complaint concerning Jerome's behaviour with the wife of one of the "honest Christians" of Newcastle was made to the then vicar of Newcastle, Henry Power. Jerome, it was alleged, had for some time been involved in an illicit sexual liason with the lady in question,

> which grewe weary of him, [and] was by her revealing of it to her husband, and by her giving of way, deprehended by her husband and another with his pants uncuffed etc., and ready for the wycked act, in her house. Whereupon the complaint coming to us by the husband, we, requiring first their severall accusations, and all former passages, and having these in writing in their hands, had all parties together and had him denounced (though his impudence and perginerations made us wonder).[87]

Power and Jenison agreed that in order to preserve "the honour and credit of the gospell" they would accept an undertaking from Jerome that having admitted his fault he would not transgress further. Jerome, it appears, had quite a following and was "well thought of by many (who knew him least) and by them accounted zealous". The vicar and Jenison "promised secrecy as long as he carried himself as he should".

Jerome did not, however, honour his promise, and by Christmas, 1621, the aggrieved husband again complained to Power and Jenison that the lecturer had "attempted the chastity of the same woman 4 or 5 times" and also had indicated that he had "shrewd presumptions of fouler matters with his [ie. Jerome's] owne maid servant". Power and Jenison threatened to denounce Jerome to the church courts, though Jenison confided to Ward that "we wholly meant it not". It seems that they were still hoping to resolve the matter quietly, for the sake of the good name of "godly" religion if nothing else. But this was not to be. Within a week of the day on which they discovered the lapse and confronted Jerome, news of the matter had "spread itself of a sudden very generally". The vicar and Jenison, hearing that the Dean and Chancellor of Durham were coming to Durham in order to collect the royal subsidy, were fearful that they might be disciplined for what was likely to appear to have been their collusion in Jerome's adulterous activity. Fortunately for them, it seems, Jerome fled the city upon being given notice that he would be required to appear before the diocesan officials when they arrived at Newcastle, and as a result, the case proceeded no further.

It is significant that even at this relatively early date, Jenison and Power (who was the last Calvinist vicar of Newcastle in this period) felt the need to protect the reputation, not of the church itself, but of "true religion". From Jenison's presentation of the incident to Ward, it is clear that it was Jerome's identification with puritanism which made his adultery a matter deserving of extraordinary measures by which it was hoped to keep the matter from both the church courts and the public eye. At a time when puritans in the diocese of York appear to have enjoyed a solid alliance with the ecclesiastical courts in their campaign against sin and disorder, it would appear that the puritans of Newcastle had already begun to see

themselves as a minority under seige.

The second incident which is indicative of the change which Arminianism effected in Newcastle concerns the unhappy interview which Jenison had with Richard Neile in 1624. This interview, which has been discussed already in chapter VI, is notable here, not so much for its content as for Jenison's attitude to it. As he related the facts to Ward, he had been "bitterly chode" by the bishop over "two olde matters". In the case of both his attendance at family prayers with "mistress Fenwick" and in his pre-election sermon, Jenison did not feel that he had done anything wrong. Yet in both instances, Neile was so exercised that he took time, apparently well after the fact, to reprimand Jenison for connections with a person of suspect religious alliances, and for allegedly attempting to influence the outcome of the Parliamentary election of 1624. Jenison's protestation of innocence in the matter of the pre-election sermon is lent further credibility by the fact that the candidate whose cause he had supposedly advanced, Sir Peter Riddell, had a recusant wife and son, and was himself "popishly inclined". In 1632, Jenison complained to Samuel Ward that "Sir Peter Riddell is wholly for Mr. Alvey" in support of Arminianism over the traditional Calvinism of the Church of England.[88] As in the matter of Stephen Jerome's immorality, it seems that Jenison found himself on the wrong side of the diocesan authorities for simply having done what he felt to have been his duty.

By the end of the 1620s, Jenison was, as we have noted earlier, convinced that he was almost the sole surviving Calvinist amidst an ever-increasing multitude of Arminian clergy and "popish" or "malignant" laity. During the vicarage of Thomas Jackson, Jenison had attempted to avoid outright theological controversy, and had even been prevailed upon to sign what he called a "canon... against public contradicting of fellow-ministers' doctrine". But when Jackson was preferred to the Mastership of Corpus

Christi College, Oxford in 1630, and was succeeded by yet another Arminian, Yelderd Alvey, the conflict sharpened. Easter, 1632, saw pulpit-to-pulpit debate between Jenison and Alvey concerning the question of predestination and the efficacy of Christ's death on the cross. Jenison provoked the exchange (though he claimed that he had been provoked by Alvey) by preaching a Good Friday sermon which argued that Christ died only for the elect. Alvey countered this with what appears from Jenison's notes to have been an exhaustive sermon delivered on Easter Sunday, in which he claimed that Christ had in fact died for all men. Jenison responded with a sermon which again championed the cause of the Calvinist doctrine of election, delivered in the context of his Thursday afternoon lecture in Easter week.[89]

The outcome of this homiletic exchange is most revealing. One of the members of the Durham Court of High Commission was in attendance when Jenison preached the Thursday lecture which concluded the exchange, and apparently as a result of this the lecturer was "threatened with the High Commission". The threat does not appear to have materialized, probably because the corporation of Newcastle stepped in at this point and attempted to muzzle both preachers. Jenison related to Ward how the mayor, William Warmouth, and the aldermen approached both himself and Alvey, and "wished us to be quiet in pulpits". It was proposed that if the debate were to continue, it should continue in writing and (by inference) not from the city's pulpits where it had proved an unwanted disturbance.[90] Consistent with such an approach is what seems to have been the corporation's attitude to the selection of a lecturer to take the place of Alvey, who had recently been presented to the vicarage of Newcastle. An Arminian candidate named Snape had been put forward, as had Jenison's cousin, John Bewick. The former enjoyed the sponsorship of Robert Anderson, who had been mayor in 1631, and of the vicar, Yelderd Alvey. Bewick was Jenison's candidate, but, as we shall see below, he did not enjoy the sponsorship of the entire body of

Newcastle puritans. The mayor indicated that he wanted neither Snape nor Bewick, as "neither of them can come without a faction". Eventually the post was given to Thomas Stephenson, a man who seems to have represented the middle ground, being neither an Arminian nor, as would appear from his treatment by the "godly" in 1639, a member of the puritan faction.[91]

At the same time that Snape and Bewick were put forward for the lectureship at St. Nicholas' church, an independent group of puritan laymen, acting through the merchants John Blakiston, Henry Dawson and Lionel Maddison, unsuccessfully attempted to nominate a preacher named William Morton. At their invitation, Morton came to Newcastle and appears to have lead a sort of "house-church" or conventicle based upon the home of Henry Dawson, where he himself lodged while in Newcastle.[92] From evidence contained in the autobiographical tract of Lt. Col. John Fenwick, and from the results of a local investigation of the conventicle in 1638 and 1639, there is strong reason to suppose that members of the group had contact with the Covenanters in Scotland, and with disaffected puritans who had emigrated to the new world.[93] While the commissioners who investigated this conventicle shared in a virtually unanimous expectation that the connection with the Covenanters was considerably more than a matter of mutual piety, the investigation failed to establish any firm evidence of subversion, espionage, or other disloyalty on the part of the Newcastle puritans who attended the "Morton conventicle". Morton himself, when questioned by the commissioners in 1638, admitted to admiring the Covenant, describing it as a blessing for which the "godly" of England had "often and earnestly supplicated for... and have laboured to remove what was objected or what we could conceive to be any hindrance to the obtaining of our desire". Notwithstanding this, and nine further items extolling the virtues of Presbyterian ecclesiastical polity Morton maintained that the members of his conventicle "although our enemies have herein calumnated us, yet we have

always behaved ourselves as beseemeth his Majestie's most humble and loyal subjects, petitioning his Majestie for a legal redress of our first grievances".[94]

Despite this and other protestations of innocence, Morton fled Newcastle in early February 1639, after having been subjected to two bouts of questioning, the first concerning the conduct of John Fenwick and Giles Bittlestone, both of whom had been in Edinburgh at the time when the Covenant was signed, and both of whom were members of the "Morton Conventicle". The second bout of questioning concerned the activities of Morton's house-church, and the possibility that more of its members, perhaps even Morton himself, were involved in the gathering of military intelligence for the Scots. Morton's hasty departure, taken together with papers found in Bittlestone's house which described Arminian liturgical reforms as "this hellish plot of Anti-Christ", tends to suggest that the suspicions entertained by the mayor of Newcastle (Alexander Davison), Sir Jacob Astley, Sir William Belasys and John Marley, who acted as the King's Commissioners in the matter, might have been more than royalist paranioa.[95]

Throughout the investigation of the "Morton conventicle" Jenison does not seem to have been treated as being in any way involved with the conventiclers. We have evidence, for instance in the letters of John Blakiston, that the "godly" frequently attended Jenison's lectures, sometimes taking delight in the manner with which Jenison took exception to Alvey's Arminianism. Blakiston wrote to Morton in March, 1637, telling him of the lecturer's continuing conflict with the vicar. In this letter he related how Jenison was to "preach at the chapel this day on the surplice, which will madden the vicar exceedingly".[96] We also have Jenison's own account of his contact with "Mistress Fenwick" (probably the wife of John Fenwick, the Newcastle Covenanter) in 1624.[97] Finally, knowing that Jenison

regarded himself as more or less the only puritan cleric in Newcastle, (except for Morton) we must presume that when members of Morton's conventicle gathered in Henry Dawson's house to "repeat sermons", at least some of the sermons in question were probably Jenison's.[98] Nevertheless, until Morton fled the city, no mention was made of the lecturer's real or suspected connection to the "Morton conventicle".

With Morton gone, the commissioners appear to have found themselves with no prisoners of any consequence. With the possible exception of Henry Dawson and John Blakiston, for whom no damning evidence was discovered, the investigators were mainly dealing with people whom Sir Jacob Astley described as being "of poor estate, and but simple in judgement, their consciences serving to borrow, and not pay, being most bancroftes [bankrupts]". Sir Jacob put forward the suggestion that if it were possible for the investigation to net "a fat Puritan... it would be good to punish him, but for these lean ones, to punish any of them in an extreme way will but cause them to clamour against persecution, which is their common course to have popularity in their sect".[99] In a letter to Windebank dated 20 February 1639, the commissioners informed Windebank that they had examined Jenison "upon five particulers with which he was charged, to which he has answered under his own hand".[100] Despite the wording of the commissioners' report, there had been almost a month's delay between the time that they administered their "particulers" to Jenison and the date (21 March, 1639) upon which archbishop Neile sent a copy of Jenison's "answers" to Windebank. By this time the case involving Jenison had been taken out of the hands of the Newcastle Commissioners, and was tried by the Court of High Commission at York, where Jenison made his first appearance as a defendant in the session held 10 March, 1639.[101]

Much of what was "objected" against Jenison involved his alleged

refusal to conform to the use of rites and ceremonies as set forth in the Book of Common Prayer. Eventually, when questioned under oath, he admitted to most of the instances of non-conformity with which he was accused. He did not, however, admit to having preached sermons "seditiously condemning his Majesty's preparations for defence against the Scots", nor did he admit to "having conference with divers of the scotch covenanters". Archbishop Neile, who presided in person for much of Jenison's trial, was himself impressed by Jenison's readiness to be examined under oath, and seems to have been convinced of Jenison's innocence in the matter at a very early point in the trial.[102]

The problem, as Neile himself admitted to Windebank, was not limited to Jenison's guilt or innocence, but to the likely consequences of his return to Newcastle, should the court merely discipline him for his non-conformity. As the threat of a Scottish invasion loomed large in the summer of 1639, Sir John Marley wrote to the Dean of Durham (who was at the time in London) to state that

> the Puritan faction in our town, which has much troubled us, is like to multiply, for it is reported that Dr. Jenison is coming home, but that is no great matter, he may be looked to; but what is worse, there is an intention to make Robert Bewick mayor at Michaelmas next, who is the Doctor's half brother and strong for that faction...[103]

Word of this reached Secretary of State Windebank, and through him, the king. Windebank wrote to Neile, 4 September, 1639, to reiterate the king's instruction that if Jenison were to be allowed to return to Newcastle, it must be "with great caution as a probationer only, till you should see what performance he would make". Windebank wrote to the corporation of Newcastle on the same day, advising them to "by no means admit of any factious or seditiously affected person" to be mayor.[104] On 6 September, 1639, Neile advised Windebank that Jenison had refused to accept the limited conditions

under which he might return to Newcastle, and had requested permission instead to remove himself to Hull.[105]

Despite Windebank's "advice" Robert Bewick was chosen to be mayor of Newcastle at the Michaelmas election of 1639. In addition to this, Sir Lionel Maddison, one of the three unofficial patrons of the lecturer William Morton, was raised to the rank of alderman. While the majority of the members of the corporation remained the same, which is to say that the anti-puritan coalition of Marley, Davison, and other pro-Arminians such as Sir Peter Riddell dominated the aldermanic rank, significant changes occurred in the membership of the common council. Ralph Fewler, Peter and Thomas Maddison, Leonard Carr and William Lee, all of them either members of the "Morton conventicle" or otherwise declared puritans, appeared as councillors in 1639. The electoral process as practiced in towns during this period tended to allow for relatively few changes in "elected" members in any given year. Therefore the election of seven members of the "puritan faction" in 1639 was without doubt an event of profound significance.[106]

The outcome of the 1639 civic election at Newcastle made the prospect of Jenison's return to the city even less acceptable to Neile and Windebanke than it had formerly been. It seems, though, that archbishop Neile could sense that there was the possibility of the church court being used to perpetrate a grave injustice. He wrote to Windebank, 4 October, 1639, to ask what he should do with Jenison, who since March had remained in York, part of the time in St. Peter's prison, and latterly in the home of the keeper of the prison, John Penrose. Neile complained

> I am in a straight, not knowing what to do with him; to let him return to Newcastle I dare not; to restrain him from his own house, wife, and children he thinks a very hard case, and indeed, so it is... He still professes conformity, which I dare not trust him in. I have endeavoured to have information from Newcastle of any

> correspondence that he has held with the Scotch Covenanters, but can discover none. For other things, he has confessed and promises amendment...[107]

Windebank replied that the king held Jenison's non-conformity "dangerous to his government, especially considering the ill-symptom it carries with it, of his correspondence with the Scottish faction". He refused to believe that the testimony given by Jenison under oath was the truth, and in addition to instructing Neile to continue his suspension, he asked that the court "proceed further against him for such misdemeanors as by proof and evidence he shall be found guilty of". At the same time Windebank advised the archbishop that he was writing to the corporation of Newcastle to request that they appoint a Scottish Arminian named George Wishart to be lecturer at All Hallows in Jenison's place. This was done, though from the tone of the comment passed upon it in the minute book, it was done grudgingly, and "dureing only the suspention of the said Dr. Jennison and no longer".[108] There can be little doubt that the appointment of Jenison's cousin, John Bewick, to the lectureship at St. Nicholas' church vacated by a frustrated Thomas Stephenson, without the consent of Yelderd Alvey, constituted an act of political brinksmanship. The order to appoint Wishart was passed by the corporation at its meeting held 18 December, and on the next day we find Alvey complaining of Bewick's appointment to archbishop Laud.[109]

By the end of December, 1639, Jenison had returned to Newcastle. He was still under an order of suspension, and therefore unable to preach, but nonetheless it was generally feared by the commissioners and by Neile that he might become the focus of the "puritan faction" which had elected Robert Bewick and Lionel Maddison. Neile, who had largely bypassed the Calvinist bishop of Durham, Thomas Morton, in his treatment of Jenison, now requested that the bishop instruct Jenison to "avoid all occasions that might bring... suspicions on him, and to persuade him to move his living".[110] By 10

January, 1640, Alvey had written to Neile to inform him that Jenison was indeed the focus of "jealousy and suspicion", and was "doing no good office" in Newcastle. Delaying his removal from the city because of ill health, it seems from Alvey's report that Jenison had on several occasions been seen in the company of other puritans who, now deprived of "painful preaching" gadded to hear such sermons in the outlying towns, "where Mr. Lapthorne preaches, and other like places".[111] The visit of two leaders of the Scots' Covenanters, Sir John Buchanan and Sir Walter Riddell, added to the already high level of anxiety in the likes of Yelderd Alvey, who wrote to archbishop Neile, informing him of the visit.[112] By the end of January, word had reached Windebank from Alvey and Balcanquall, the Dean of Durham, that Robert Bewick had entertained Buchanan and Riddell, and that he had shown them around the city's fortifications.[113] The last evidence of Jenison's presence in Newcastle, prior to his departure for Danzig, involved his participation with Sir Lionel Maddison and other members of the "puritan faction" in "setting forth" the mayor on his journey to London, where he had been summoned to give an account of his contact with the Covenanters.[114]

Jenison fled to Danzig sometime shortly after the end of January, 1640, and did not return from his exile until the city was taken by the forces of Parliament in 1644. As Roger Howell has pointed out, he returned a much hardened and embittered individual, largely due to his treatment by the ecclesiastical courts prior to his departure.[115] Jenison's case is in some ways very like that of John Birchall in York. While extensive investigation produced evidence of little beyond simple non-conformity, the authorities treated him as a dangerous man because of the indirect influence which he exerted in Newcastle. As with Birchall, Jenison was vulnerable, his living could be sequestered, his access to the pulpit denied. He was the "fat puritan" which Marley thought it would be well to punish *pour encourager les autres.*

The Jenison case is distinctive in that until the last year or so of his pre-civil war career, Jenison did not enjoy the security of working in a community where the godly were entrenched as the local corporation. The mayor and aldermen of Newcastle appear to have wanted stability, a *via media* rather than disruptive zealotry. It is this "Laodicean" attitude which Jenison laments in his treatise The Cities Safety, and which he clearly blamed as the cause of God's wrath coming upon the city in his account of the 1636 plague, Newcastle's Call. As the fear of a Scottish invasion turned the corporation of Newcastle against puritanism, their inability to distinguish between loyal non-conformists such as Jenison and probable Covenanters like William Morton and John Fenwick served to alienate and politicize non-conformity in such a way that the "godly" became the "puritan faction".

Conclusion

Common to all four towns represented in this chapter was the experience, to a greater or lesser degree, of Neile's vigorous application of policies intended to suppress most forms of Calvinist piety and liturgical practice, labelled by the Arminians as "puritanism". Responses varied in direct proportion to the intensity with which the archbishop's policies were felt, which in turn may have had something to do with the proximity of either diocesan or royal authorities. Certainly the puritans of York and Newcastle endured a much stiffer regime of oppression than did their colleagues in Leeds or Hull. It is also worth noting that the response of diocesan and central authority to local disputes had undergone something of a transformation after 1628: after this date they appear to have actively sought a puritan cause in local conflict, as is most clearly shown in the

archbishop's handling of the controversy between Gouge and the corporation of Hull. The partnership between local authority, embodied in ministers and magistrates, and superior levels of regional and ecclesiastical authority, represented in the archbishop and the Lord President of the North, had been dissolved by the Arminian ascendancy. The "sacrifice acceptable to God" was under threat from the very offices which in past times had been its most faithful stewards.

Notes for Chapter VIII

1. Bodleian Library, Tanner Mss. 71, fol.30^{r+v}, Robert Jenison to Samuel Ward, from Newcastle, 29 January, 1629.

2. Birchall was rector of St. Martin's Micklegate, York, 1633-40; Ayscough was the civic lecturer for York, 1624-42; Gouge was the curate of Holy Trinity, Hull, 1627-41; Todd was lecturer at St. Peter's, Leeds, 1631-34, and curate of St. John's, Leeds, 1634-1662, see Marchant, Puritans and the Church Courts, pp.226, 227-8, 249-50, 284-5; Marchant's dates for Gouge appear to be in error, for the Bench Books of Hull date his appointment to Holy Trinity from 30 May, 1627, see Hull Corporation Bench Books, 5, p.156.

3. Claire Cross, Urban Magistrates and Ministers, p.23; Hull Corporation Bench Books, 5, pp.80a, 113.

4. Hull Corporation Bench Books, 5, p.127, 23 September and 2 October, 1624; for Andrew Marvell, see Marchant, The Puritans and the Church Courts, p.262; for Watkinson and Theophilus Smyth's opinion of the corporation of Hull, see above, pp.283-5.

5. Hull Corporation Bench Books, 5, p.141, 15 November, 1625; Swan, Lister, Watkinson and Ferries were principal witnesses in the city's Star Chamber cause against Theophilus Smyth, and were identified by Smyth and his supporters as puritans, see STAC 8/79/5, and above, pp.281-2.

6. Hull Corporation Bench Books, 5, p.156, 30 May, 1627; for John Gouge, see Marchant, The Puritans and the Church Courts, pp.249-50.

7. Kingston-upon-Hull Record Office, L.280, a letter from Richard Perrot, Vicar of Hessle and Hull, to the Mayor and Aldermen of Hull, 26 November, 1639.

8. Hull Corporation Bench Books, 5, p.329, 5 December, 1633.

9. Kingston-upon-Hull Record Office, L.280.

10. Hull Corporation Bench Books, 5, p.495, 22 November, 1638; Thomas Gent, Annales Regioduni Hullini: or, The History of the Royal and Beautiful Town of Kingston-upon-Hull, (1735), p.39, records that the plague was in Hull during 1637, and an entry in the Bench Books,5, p.451, dated 9 November of that same year, records that Andrew Marvell and his wife were as of that day released from fourteen days quarantine "for suspicion of the infeccion... that they may be entreated to come abroad, that he may bestow his prayers and preaching as he formerly did".

11. Marchant, Puritans and the Church Courts,, pp.118-19; Kingston-upon-Hull Record Office, L.270, Mottershed to the Corporation of Hull, 4 August, 1638; the letter from Watkinson to Mottershed is not extant.

12. Marchant, The Puritans and the Church Courts, pp.118-181; Kingston-upon-Hull Record Office, L.270, 275, 279, 280 and M.166.

13. Marchant, The Puritans and the Church Courts, p.249, citing York Chancery Court Act Book entry for 26 April, 1639 and York High Commission Court Act Book entries for 16 May, 1639.

14. Kingston-upon-Hull Record Office, L.280.

15. Kingston-upon-Hull Record Office, M.166, a copy of the "Order of Richard Neile, Archbishop of York, concerning the reading of divine service at Holy Trinity, Hull", 27 November, 1638.

16. Kingston-upon-Hull Record Office, L.280, letter from Richard Perrot, Vicar of Hessle and Hull, to the Mayor and Aldermen of Hull, 26 November, 1638.

17. Kingston-upon-Hull Record Office, L.270 and 275, letters from Mottershed to the mayor and aldermen of Hull, dated 4 August and 20 September, 1638; M.165, a copy of the "Order of Edward Mottershed to the Vicar of Hessle and to John Gouge, Curate of Holy Trinity, as to the reading of divine service at Holy Trinity", 4 August, 1638.

18. STAC 8/79/5; see also above, pp.405-7.

19. As Marchant points out in his discussion of this case, there is evidence to suggest that the churchwardens of Holy Trinity may have sought to frustrate the anti-puritan intent of Neile's visitation by failing to report instances of non-conformity: Puritans and the Church Courts, p.118, citing York Chancery Court Act Books, 15 March, 1632/3.

20. York Corporation House Books, B/XXXII, fol.165^{r}, 2 October, 1601; as this controversy followed closely upon the passage of the 1598 and 1601 poor relief statutes, it is most likely that the dispute arose as a result of disagreements between the city and the Dean and Chapter concerning the implementation of the new regulations; see Paul Slack, Poverty and Policy, pp.29, 84-5.

21. York City Archives, York Corporation House Books, B/XXXIII, fols.155^{r}, 175^{v}, 181^{r}; B/XXXIV, fol.141^{r}.

22. See above, pp.161-2.

23. This dispute is outlined by Claire Cross in "From the Reformation to the Restoration", G.E. Aylmer and R. Cant, (eds.) A History of York Minster, (1977) pp.211-13.

24. York Corporation House Books, B/XXXV, fol.44^{r}.

25. York Corporation House Books, B/XXXV, fol.44^{v}; "Mr. Justice Hutton" was Sir Richard Hutton of Goldsborough, Yorks., a Justice of Common Pleas and Steward of the Honor of Knaresborough: see J.T. Cliffe, The Yorkshire Gentry, pp.323, 341-2.

26. York Corporation House Books, B/XXXV, fol.72^{v}, 1 July, 1629.

27. York Corporation House Books, B/XXXV, fol.87^{v}.

28. York Corporation House Books, B/XXXV, fols.98^{r}, 102^{v}.

29. G.C. Forster, "York in the 17th Century", Victoria County History of Yorkshire, The City of York, (1961) p.203, citing PRO STAC 8/82/17.

30. Borthwick, V/1633 I-(York), fols.8-28, 502^{r}; for further discussion see above pp.162-3.

31. York Corporation House Books, B/XXXIV, fols.213^{v}, 283^{v}; B/XXXV, fol.191^{r}; for Whittakers see Marchant, The Puritans and the Church Courts, pp.291-2.

32. York Corporation House Books, B/XXXV,fol.193^{v}, Monday, 25 February, 1633.

33. York Corporation House Books, B/XXXV, fol.194^{r}.

34. York Corporation House Books, B/XXXV, fol.203^{r}, 2 May, 1633.

35. York Corporation House Books, B/XXXV, fols.203^{r+v}, 214^{v}.

36. It is not clear that the members of the corporation of York attended services at the Minster on a regular basis. Claire Cross, "From the Reformation to The Restoration", p.209, suggests that such attendance was probably a matter of corporate appearances on high holy days or other times of special observance, such as Guy Fawkes' Day. If this were the case, Wickham's slighting of the mayor by sitting "above" him probably constituted a deliberately aggravated attempt to publicly embarrass Allanson and the rest of the corporation. This incident, if so intended, is a much milder version of the humiliating treatment given to the puritan mayor and aldermen of Norwich when Bishop Matthew Wren compelled them to attend services at Norwich cathedral in 1640: see J.T. Evans, Seventeenth Century Norwich: Politics, Religion and Government, (1979), p.113.

37. York Corporation House Books, B/XXXV, fol.219^{r}, letter from the corporation of York to Sir Richard Hutton, 27 September, 1633; similar orders were given for the creation of uniform seating at Beverley Minster; St. Mary's, Beverley; Holy Trinity and St. Mary's, Hull; St. Peter's Sheffield; extra seating and entire galleries at All Saints' and St. John's Newcastle were also ordered destroyed during the period 1633-38: see Marchant, The Puritans and the Church Courts, pp.56-8; Brand, The History and Antiquities... Of Newcastle upon Tyne, pp.264-5; for Lord Sheffield see J.T. Cliffe, The Yorkshire Gentry, pp.174-5.

38. York Corporation House Books, B/XXXV, fol.218^{v}; White was the recipient of £8 p.a. from the corporation for his services as a preacher. The augmentation was paid out of the bequest of alderman James Cottrell, who left the corporation £100 "and a silver salt, weighing 17 ounces" for this purpose in 1599: see York Corporation House Books, B/XXXII, fols.38^{v}, 39^{v}; Marchant, The Puritans and the Church Courts, p.291.

39. York Corporation House Books, B/XXXV, fols.218^{r}-219^{r}, copy of a letter from the mayor and aldermen of York to Sir Richard Hutton, 27 September, 1633.

40. York Corporation House Books, B/XXXV, fol.219^{v},

41. York Corporation House Books, B/XXXV, fols. 219^{v}-220^{r}, Sir Richard appears to be referring to a partition or "roome" which had been erected within the body of the Minster as a meeting-place and robing room for the use of the corporation on high holy days and at other times of special or solemn attendance at the cathedral.

42. York Corporation House Books, B/XXXV, fol.220^{r+v}.

43. York Corporation House Books, B/XXXV, fol.221^{r}, 7 October, 1633.

44. York Corporation House Books, B/XXXV, fol.221^{r}, Letter from the mayor and aldermen of York to the Lord Keeper, 9 October, 1633.

45. York Corporation House Books, B/XXXV, fol.221^{v}.

46. York Corporation House Books, B/XXXV, fol.224^{v}, 31 October, 1633: Hodgson was also vice-chairman of the Court of High Commission and had been a member of the Council of the North since 1625; Marchant, The Church under the Law, pp.49-50 describes him as something of a weather-vane, having continued as a high diocesan functionary under Archbishops Hutton, Matthew, Monteigne, Harsnet and Neile.

47. York Corporation House Books, B/XXXV, fol.225^{r+v}, Letter dated 26 October, 1633.

48. York Corporation House Books, B/XXXV, fols.225^{v}, 229^{r} and 230^{r}: it is not clearly stated that the local inquiry was undertaken at Hutton's direction, but the gift presented to him at its conclusion strongly suggests that the members of the corporation attributed its outcome to his involvement.

49. Borthwick, York Chancery Court Cause Papers, H/2121, Office c. James Brooke. As this case and that involving John Birchall are extensively discussed in Marchant, The Puritans and the Church Courts, pp.74-96, only those portions of these cases which directly affect the corporation of York will be discussed in this chapter.

50. Borthwick, York Chancery Court Cause Papers, H/1975, Office c. Edward Gillot, Samuel Brearey, and William Fairweather, churchwardens of St. Martin's, Micklegate, York, 25 January, 1633, and Marchant, The Puritans and the Church Courts, pp.45-7; see above, pp.232-5, for the Squire-Brearley case.

51. Borthwick, York High Commission Cause Papers, H/2010, 2011 and 2123, Office c. John Birchall, Rector of St. Martin's, Micklegate, York; see also York Chancery Court Act Book entries 15 February, 1634 to 7 May, 1640, itemized and described in Marchant, The Puritans and the Church Courts, pp.227-9.

52. Borthwick, Bishopthorpe Mss., Correspondence and Papers of Archbishop Lancelot Blackburn, Bundle 8, Item 205, an indenture of the advowson of St. Martin's Micklegate, York, 17 September, 1714: this identifies the original feoffees as John Vaux, Joseph Micklethwaite, Stephen Watson, John Penrose, John Venn, John Langley, Walter Price and "William Gouge, Doctor of Divinitie"; see also Marchant, The Puritans and the Church Courts, pp.76-7 and I.M. Calder, Activities of the Puritan Faction of the Church of England, 1625-33, (1957), which exhaustively documents the activities of Gouge and the "Feoffees for Impropriations".

53. Marchant, The Puritans and the Church Courts, pp.81-83; Borthwick Institute, High Commission Cause Papers H/2010, 2011 and 2123; for John Gouge see above, pp.326-30; for Robert Jenison, see below, pp.368-76.

54. Smyth had complained that the mayor and aldermen of Hull had applied a double-standard in their enforcement of laws concerning personal conduct, see above, pp.285-6; for the description of the church courts as a "rusty sword", see Christopher Hill, Society and Puritanism, pp.343-4; both Marchant, The Church Under the Law, pp.220-2 and Ingram, Church Courts, Sex and Marriage, pp.340-365, conclude that the ultimate threat of the church courts, excommunication, had little effect on either those of high degree or on the very poor: its main effectiveness seems to have been achieved when it was applied to the clergy and to the "middling sort of people".

55. York Corporation House Books, B/XXXV, fol.321^{r}, 13 February, 1637; "The Life of John Shaw", J. Raine, (ed.) Yorkshire Diaries and Autobiographies in the Seventeenth and Eighteenth Centuries, Surtees Society LXV, (1877), pp.128-9; Marchant, The Puritans and the Church Courts, p.277.

56. York Corporation House Books, B/XXXV, fols. 335^{v}-336^{r}.

57. Calendar of State Papers Domestic, Charles I, CCCLXIII, (9), the King to the Lord Mayor, Recorder, and Aldermen of York, 1 July, 1637.

58. York Corporation House Books, B/XXXV, fol.336^{r}.

59. York Corporation House Books, B/XXXV, fol.336^{v}, 5 August, 1637; B/XXXVI, fol.14^{r}, 29 August, 1638.

60. York Corporation House Books, XXXVI, fols.321^{r}, 13 February, 1637, 333^{r}, 27 June, 1633.

61. York Corporation House Books, B/XXXVI, fol.339^{v}, 7 September, 1637.

62. York Corporation House Books, B/XXXVI, fol.41^{r}.

63. See above, pp.309-10; and Margaret Hornsey, "John Harrison", pp.121-3; according to Ralph Thoresby, Ducatus Leodiensis, published as an appendix of T.D. Whitaker, (ed.) Loidis and Elmete or, An Attempt to Illustrate The Districts Described in Those Words by Bede, and Supposed to Embrace the Lower Portions of Aredale and Wharfedale, Together With the Entire Vale of Calder, in the County of York,, (1816) p.94, Harrison also had written a tract titled The Government of the Town of Leeds before it was made a Corporation, which is no longer extant.

64. W.K. Jordan, The Charities of Rural England, 1480-1660: The Aspirations and the Achievements of the Rural Society, (1961), pp.277, 298, 314, 382, 401-2; see also Claire Cross, Urban Magistrates and Ministers, p.25.

65. Durham Cathedral Library, Hunter Mss., IX, Items 7-20.

66. Hunter Mss. IX, Item 7, the petition is undated, but as it was addressed to Archbishop Neile, who was elected Archbishop of York on 28 February, 1632, the petition cannot have been written any earlier than that date: as Neile's response, Item 8, is dated 14 November, 1633 it is probable that despite Marchant's assumption to the contrary, the petition to consecrate was not made in 1631, but rather late in 1633, see Marchant, The Puritans and the Church Courts, pp.116-17.

67. Hunter Mss., IX, Item 8, 14 November, 1633.

68. Hunter Mss. IX, Item 9, no date, but certainly following Neile's "conditions" of 14 November, 1633.

69. Hunter Mss., IX, Items 10 and 11, "Observacions for the new Chappel and Church at Leedes", and covering letter from Sir Richard Hutton to Archbishop Neile, 25 August, 1634.

70. Hunter Mss., IX, Item 12, John Harrison to William Easdall and John Cosin, 12 September, 1634: for Cosin's career see Marchant, The Puritans and the Church Courts, pp.53-4, 58; Nicholas Tyacke, Anti-Calvinists, pp.118-19.

71. For Ingram see J.T. Cliffe, The Yorkshire Gentry, pp.269, 278-9.

72. Hunter Mss., IX, Item 14, Easdall and Cosin to John Harrison, 12 September, 1634.

73. Hunter Mss., IX, Item 15, Neile to Harrison, 13 September, 1634: lay feoffees controlled the advowsons to St. Martin's Micklegate, York, see Bishopthorpe Mss., Correspondence and Papers of Archbishop Lancelot Blackburn, Bundle 8, Item 205; of St. John's and St. Mary's Beverley, York High Commission Cause Papers 1594/4, Wakefield et. al. c. John Jackson; and of Holy Trinity, Hull, Hull Corporation Bench Books 4, fols.106^{r+v}.

74. Hunter Mss., IX, Item 16, Harrison to Neile, 14 September, 1634.

75. Hunter Mss., IX, Item 17, Neile to Harrison, 15 September, 1634.

76. Neile, no doubt, had personal knowledge of the rancorous "pulpit against pulpit" situation which had existed in Newcastle between Robert Jenison and Yelderd Alvey since at least 1628; see the next section of this chapter for a full discussion of this, pp.368-70.

77. Hunter Mss., IX, Item 17, Neile to Harrison, 15 September, 1634.

78. Hunter Mss., IX, Item 18, Harrison to Neile, 15 September, 1634, and Item 19, "Schedule for the consecration of the hapel at Leedes"; see also Marchant, The Puritans and the Church Courts, p.117; J.E. Stocks, The Consecration Service of St. John's Church, Leeds, Thoresby Society Publications, XXIV, (1918).

79. Borthwick, Archiepiscopal Visitation Court Act Books, V1633/CB, fol. 85^{r} cites John Harrison as a member of a group of men who were presented "for having their hats on their heads in time of Divine Service, in the church". Hornsey, "John Harrison", p.108 notes Harrison's relationship to Henry Robinson, and suggests that "in his views on politics, religion, or any other controversial subject, he was never an extremist": she also, pp.126-30 notes Harrison's housing of Richard Garbutt, and the unconventional design of the new chapel with seats for the "communicants" on "all four sides of the chancel". See also J.A. Newton, Puritanism in the Diocese of York, pp.25-6, 97: Harrison's letter to Todd (undated, but Whitaker places it as being written during the time of the civil war) is printed in Whitaker's Loidis and Elmete, Appendix, p.12.

80. See above, pp.244-5, and below, pp.348-50.

81. Hunter Mss., IX, Item 13, Sir Richard Hutton to Archbishop Neile, 4 September, 1634.

82. Marchant The Puritans and the Church Courts, pp.118-19 argues that Easdall was aware of lay non-conformity at Holy Trinity Hull from the time of the visitation of 1632.

83. We have already cited Harrison's presentment for non-conformity, see pp.363-4; in the same visitation, no less than thirty-one individuals, including the vicar, Henry Robinson, were cited for some sort of non-conformist practice or omission, see Borthwick, Archiepiscopal Visitation Court Books, V1633/CB, fols.82^{v}-95^{v}.

84. William Hutchinson, The History and Antiquities of the County Palatine of Durham, II, (1787), pp.16-23; Roger Howell, Newcastle-upon-Tyne and the Puritan Revolution, pp.65-6.

85. See Hugh Trevor-Roper, Catholics, Anglicans and Puritans, pp.70-74 for a discussion of Neile's creation of a "model diocese" through the elevation of Arminian clergy to powerful positions in Durham after 1617; Jenison's letter to Samuel Ward is in the Bodleian Library, Tanner Mss. 73a, fol.29^{r}, 26 May, 1621.

86. W.H.D. Longstaffe, (ed.), The Memoirs of Ambrose Barnes, Surtees Society Publications, 50, (Durham, 1866) p.307 notes Jerome's name appearing in the parish register of St. Nicholas' church, Newcastle, in 1619. Jenison's account of the events as related below has him leaving the city in disgrace early in 1622.

87. Tanner Mss., 73a, fol.136^{r+v}, Robert Jenison to Samuel Ward, from Newcastle, no date, but from the context Roger Howell has suggested the summer of 1622, see his "The Career of Dr. Robert Jenison, A Seventeenth Century Puritan in Newcastle", Puritans and Radicals in North England: Essays on the English Revolution, (1984), p.115; Jenison, presumably writing in the summer of 1622, refers to the initial complaint about Jerome as being made "about Easter last year" (1621).

88. Tanner Mss. 73b, fols.437^{r+v}, Jenison to Ward, 11 May, 1624; see above, pp.359-60; and Tanner Mss. 71, fol.136^{r+v}, Jenison to Ward, 21 April, 1632.

89. Tanner Mss. 71, fol.30^{r+v}, 29 January, 1627, 136^{r+v}, 21 April, 1632; see also Howell, Newcastle-upon-Tyne and the Puritan Revolution, pp.71-2

90. Tanner Mss. 71, fol.136^{r+v}.

91. Howell, Newcastle-upon-Tyne and the Puritan Revolution, pp.90-92; for Stephenson see Calendar of State Papers Domestic, Charles I, CCCCXXXVI, Item 10, Yelderd Alvey to Archbishop William Laud, 19 December, 1639: Alvey reported Stephenson's departure "upon a discontent which he took at some of our fiery zealots' harsh carriage towards him".

92. See Roger Howell, Newcastle-upon-Tyne and the Puritan Revolution, pp.89-93; "Morton Family Papers", SP 16/540 (446), Items 1-39.

93. Lieutenant Colonel John Fenwick, Christ Ruling in the Midst of his Enemies; CSPD Charles I, CCCX, 24 January, 1639, Items 5:1-6; CCCXII, 2 February, 1639, Items 10:1-4.

94. SP 16/540, (446), Item 39, "Answers to Particulers Propounded by His Majesties Commissioners", 18 August, 1638, unsigned but presumed to be the deposition of William Morton.

95. CSPD Charles I, CCCCXII, 2 February, 1639, Items 10, 10:1, 10:2; Davison, Astley, Belasys and Marley wrote to Secretary of State Francis Windebank from Newcastle, 6 February, 1639, to describe how a large crowd of Morton's "constant followers and associates have, for his farewell, set him out of town", Item 49.

96. SP 16/540 (446) Item 29, John Blakiston to William Morton, from Newcastle, __ March, 1637.

97. Tanner Mss. 73b, fol.437^{r+v}, Robert Jenison to Samuel Ward, from Newcastle, 11 May, 1624; see above, pp.251-2.

98. CSPD Charles I, CCCCX, 24 January, 1639, Item 5:5, the deposition of William Morton to the Royal Commisioners.

99. CSPD Charles I, CCCCXII, 7 February, 1639, Sir Jacob Astley to Secretary of State Windebank. Blakiston was already by this time embroiled in a High Commission Cause at the presentation of Yelderd Alvey: as has been already noted in our discussion of similar prosecutions undertaken in York during the 1630s this case also demonstrates the court's virtual lack of any sanction which would prove effective against offendors above the "mean" level of social and economic standing; W.H.D. Longstaffe, The Acts of the Durham High Commission, Surtees Society XXXIV, (1857), p.155-6; see also Roger Howell's discussion of the case against Blakiston in his essay "Puritanism in Newcastle Before the Summoning of the Long Parliament", Archaeologia Aeliana, 4th Series, XLI, pp.135-57.

100. CSPD Charles I, CCCCXIIII, Item 42, 20 February, 1639.

101. CSPD Charles I, CCCCXV, Items 7 and 8, "Articles objected by the Commissioners for Causes Ecclesiastical within the Province of York, against Robert Jenison, D.D...", and a copy of Jenison's "answers", 21 March, 1639; for the record of Jenison's trial see Borthwick, York High Commission Court Act Book 19 (1638-41), entries begin 10 March, 1639, fol.54^{v} and end 26 June, 1640, fol.132^{v}.

102. CSPD Charles I, CCCCXV, Item 7 and Item 9, Neile to Windebank, 22 March, 1639.

103. CSPD Charles I, CCCCXXVII, Item 64, Sir John Marley to Dr. Walter Balcanquall, Dean of Durham, at the Savoy, London, 18 August, 1639.

104. CSPD Charles I, CCCCXXVIII, Items 27 and 28, 4 September, 1639.

105. Borthwick, High Commission Court Act Book 19, fol.77^{r}, 26 July, 1639, outlined the "conditions" under which Jenison, having admitted his non-conformity, might be permitted to return to Newcastle: he was to serve as "curate" ie. under Alvey's authority, and to practice full conformity in all matters liturgical; Neile wrote to Windebank, to advise him of Jenison's rejection of the conditions, CSPD Charles I, CCCCXXVIII, Item 35, 6 September, 1639.

106. M.M. Dodds, (ed.), Extracts From the Newcastle upon Tyne Council Minute Book, 1639-1656, Newcastle upon Tyne Records Committee, I, (1920), pp.1-4; for an overview of the electoral process in corporate towns and cities in this period see chapter I, pp.38-43; see also Mark A. Kishlansky, Parliamentary Selection: Social and Political Choice in Early Modern England, (1986), pp.12-21.

107. CSPD Charles I, CCCCXXX, Item 24, Neile to Windebank, from Cawood, Yorks., 4 October, 1639; Penrose, himself a puritan, was one of the feoffees of the puritan parish of St. Martin, Micklegate, York; see Borthwick Institute, Bishopthorpe Mss. Correspondence and Papers of archbishop Lancelot Blackburn, Bundle 8, Item 205.

108. M.M. Dodds, (ed.), Extracts from the Newcastle upon Tyne Council Minute Book, pp.2-3.

109. CSPD Charles I, CCCCXXXVI, Item 10, Alvey to Laud, 19 December, 1639.

110. CSPD Charles I, CCCCXXXVI, Item 40, Neile to Windebank, 27 December, 1639.

111. CSPD Charles I, CCCCXLI, Item 93, Neile to Windebank, 10 January, 1640.

112. CSPD Charles I, CCCCXLI, Item 97, Neile to Windebank, 97:1, Alvey to Neile, 11 January, 1640.

113. CSPD Charles I, CCCCXLIII, Item 32, Balcanquall to Laud, 30 January, 1640.

114. CSPD Charles I, CCCCXLIII, Item 33, Marley to Balcanquall, 30 January, 1640.

115. Roger Howell, "The Career of Dr. Robert Jenison", p.121.

CONCLUSION

Based upon chapter I's general discussion of puritanism and outline of the structures of local, diocesan and regional government in the northeast, chapter II charted the creation of connections between town corporations and ministers through the development of corporate patronage. It emerged that in all five towns, the procurement and maintenance of puritan preachers was a significant part of the corporate agenda. Ministers were sought out by town corporations on the basis of learning, zeal, preaching ability and personal piety. In some cases it was possible to show direct connections between individual ministers and magistrates, as between Henry Hoyle and John Birchall at York, or between Robert Jenison and his cousins, Henry Maddison and John Bewick at Newcastle. For the most part, however, it has proved necessary to be content with the establishment of firm ties between civic corporations (in the case of Leeds, lay feoffees) and puritan preachers in a more general sense.

Following a broad discussion of the puritan concept of "ministry and magistracie" in chapter III, the practical application of this ideal in the towns for which suitable evidence is available formed the core of chapters IV and V. In chapter IV, the development of policy related to church attendance and sabbath observance was examined in York, Hull, Beverley and Leeds. In these towns, where puritan preachers were supported through corporate patronage, a definite connection can be made between corporate support of preachers and the formulation and enforcement of policy intended to encourage church attendance and suppress traditional, irreligious or secular activities on the sabbath. In York, for which the sources in this

case were most complete, it has been possible to trace an evolutionary process in the rhetoric of statutes enacted by the corporation as well as in the pattern of enforcement which progressed from the requirement of simple church attendance at the beginning of the period to the enforcement of strict sabbatarian observance from the middle of the period onward. This progression is also discernible in Beverley and Leeds, where significant connections can be demonstrated, as in York, between the presence of puritan ministers, the conversion of magistrates and parish officials to vigorous protestantism, and the transition of official concern from the enforcement of regular church attendance to positive zeal for the proper observance of the sabbath. Because puritanism was well established in Hull prior to the beginning of the period of study covered by this discussion, no such evolution is detectable in that town during this period. By 1590 the corporation of Hull had already formulated and was enforcing a strict sabbatarian code upon the town's inhabitants. In each of the towns it has been shown that from 1590-1628, both diocesan and regional authorities worked hand-in-hand with puritan preachers and magistrates, particularly where issues relating to church attendance might be interpreted in terms of isolating and compelling recusants to conform to the new religious settlement. Chapter V traced the development of local policy regarding the suppression of drunkenness, disorderly behavior and the regulation of alehouses. As was the case with policy relating to church attendance, it has been shown that in York, Hull, Beverley and Leeds there was a connection between corporate sponsorship of puritan preachers and the development and application of policy which punished drunkenness and sought to restrict, or at least to regulate the access of the "meaner sort" to the local alehouse. Furthermore, as in the matter of church attendance and Sabbath observance, the Calvinist church authorities of the northern province prior to 1628 supported the town corporations and preachers in their endeavor to stamp out drinking in alehouses on Sundays, during service time on other days, and

drunkenness and disorderly behavior as it occurred on any day of the week. Unlike sabbatarianism, which, because it was so closely identified with puritanism was discouraged by the Arminians, the regulation of alehouses and suppression of drunkenness enjoyed the support of Arminian as well as puritan officials, ministers and magistrates, though it may be argued that the puritans applied alehouse regulation with a more consistent zeal.

The evidence of enforcement, both in terms of church attendance and sabbath observance, and in terms of policy regulating alehouses and repressing drunkenness, gives rise to two subsidiary observations. First, both issues involved the attempt of the "better" or "middling sort" to impose their vision of the godly town on the poor or "worser sort" of people. Second, that the official number of prosecutions involving either of these two sorts of "crime" probably bears little relationship to the actual number of persons who stayed away from church, danced, played, drank or were (in the estimation of the "better sort") "disordered". Policy may have been enforced by parish officers in such a manner that cases did not come to court and were therefore not a matter of record. Alternatively, policy which lacked the moral assent of the majority of the population may have proved unenforceable, which would suggest that action taken against individuals by ecclesiastical and secular courts during this period was by way of creating a public example, *pour encourager les autres*.

The evidence presented in chapters IV and V, therefore, demonstrates that there was indeed a partnership of sorts between puritanism and the authorities, secular and ecclesiastical, of the five towns. Discrepancies between the rhetoric of the statutes and enforcement evidence notwithstanding, puritanism provided an ideological edge, a religious rationale which strengthened the will of those whose duty it was to formulate and apply policy regarding church attendance and the regulation of

alehouses.

Chapter VI outlined the changes which accompanied the Arminian ascendancy in the province of York, demonstrating some of the consequences of this dramatic change in the church hierarchy for puritan clergy who had exercised their ministry in the towns, many for extended periods of time before the coming of the Arminians. Criteria upon which previous writers such as Hill, Newton, Howell and Forster have based their identification of persons as "puritans" is called into question: evidence is adduced to support the thesis that the definition of the term was substantially altered by the Arminian church hierarchy. Prior to 1628, the term was used of persons whose obdurate non-conformity, extreme dissatisfaction with episcopal church polity or rigid "preciseness" in matters of liturgy, piety or morality tended to distinguish them from their fellow Calvinists. After 1628, the term "puritan" increasingly became synonymous with a wide range of Calvinist belief and practice, much of which either had passed for conformity or had been accommodated by "occasional conformity" prior to the erosion of the Calvinist consensus. The discussion in this chapter concluded by suggesting that vigorous anti-Calvinist Arminianism helped to create the "puritan party" which Archbishop Neile clearly identified with town corporations like that in York, which were dominated by those whose adherence to Calvinist theology and non-conforming liturgical practice labelled them "puritans" in his judgement.

In chapters VII and VIII, the character of puritanism as illuminated in relationships between ministers and magistrates has been discussed with reference to issues of reputation, status and public trust. Consideration of these three issues has served to highlight the sort of role-related expectations which characterized puritanism as it existed in ministers and officers of local government. In the course of this examination it has also

been possible to demonstrate the shift which occurred after 1628 in terms of the role played by puritanism in the relationship between local government and superior jurisdictions, secular and ecclesiastical, within the northern province. In order to do this, the evidence was considered in two distinct periods, before and after the Arminian ascendancy. Chapter VII, in its consideration of these issues in the tensions which occurred between ministers and magistrates in Jacobean Hull and Leeds, presented evidence which suggests that while puritanism contributed to serious division in these two towns, the response of the diocesan and regional administration of the time was primarily concerned with the preservation of order and the integrity of local government, and not with the prosecution of persons alleged to be "puritanes, brownistes and sectaries". In the discussion it became apparent that in both towns issues related to personal and corporate reputation, status, and concern for the honest behavior of persons in positions of trust were of greater importance than religious difference. Particularly in Leeds, the use of the term "puritan" to describe political opponents was used within the context of a common practice of English Calvinism which saw parties from both sides of the dispute charged with "puritan" offences in the first diocesan visitation of Archbishop Richard Neile. Chapter VIII presented evidence to illustrate the changes which occurred due to the influence of the Arminian administration of Archbishop Neile, and to the sometimes heavy-handed intervention of regional and central government which was typical of the 1630s. What had passed as good and "godly" policy before 1628 -- the appointment of special officers to enforce sabbatarian ordinances, the strict repression of traditional pastimes and games -- was labelled "puritanism" or "preciseness" by the new administration. The patronage of godly "painful" preachers, so much encouraged in town corporations by Calvinist Archbishops and Lord Presidents of the North, was regarded with suspicion by their Arminian successors. Voluntary forms of godliness, such as sermon repetition, family prayers and

sermon gadding, once officially encouraged or at least tolerated by the diocesan authorities were, after 1628, severely repressed; in their place was put a new emphasis on sacrament and ceremony, complete with orders for the extensive refurbishing of churches in a style which reflected this shift of liturgical focus. Magistrates in York and Newcastle found that the exercise of what they had come to understand as godly policy, for instance in the calling of public days of humiliation, was regarded as an infringement of episcopal authority. The diocesan administration, having identified town corporations with puritanism, sought to break, or at least reduce the prestige and power of these groups. Particularly in the case of York, it has been shown that issues of religious difference became intermingled with the protection of the corporation's status and integrity in the face of attempts by the Archbishop and the Lord President to humiliate the mayor and aldermen. While this treatment of town corporations was applied harshly in York and Newcastle, the smaller, less important towns of Beverley and Leeds do not seem to have borne the full brunt of the anti-puritan drive. Archbishop Neile's patient and considerate treatment of John Harrison's importunate request for the settlement of the advowson to St. John's church, Leeds, in a group of local feoffees is a good example of such tolerance. Such tolerance, however, was not extended to Robert Jenison and the puritans of Newcastle. Jenison was driven into exile and his followers into the arms of the Scots' Covenanters as a result of persecution arising from fear on the part of central government that the Calvinists of Newcastle might betray their city to the Covenanters. In Newcastle and in York, at least, government pressure and diocesan harassment of puritan clergy and magistrates drove essentially loyal and moderate people to the creation of the very "puritan party" which they had intended to suppress.

At the outset of this thesis it was stated that evidence for puritanism in the northeast, 1590-1640, would be examined in the light of recent

scholarship which has suggested the existence of a "Calvinist consensus" which placed puritanism as an integral element of English church and society prior to the Arminian ascendency. Because of the nature of the sources available, the study has concerned itself with puritanism as it developed in the five towns of York, Hull, Beverley, Leeds and Newcastle. The discussion developed with a two-pronged intent: first, to explore the possibility that puritanism existed as an intrinsic element of a larger Calvinist consensus in the notheast; second, to see whether there were any significant shifts in the role of puritanism in the relationships of town corporations to the ministers whom they sponsored, and in the relationships of both ministers and town governors to superior levels of diocesan, regional and central government after the Arminians achieved power in diocesan and provincial administration. On the first issue, evidence has been presented to show that in areas of social and religious policy related to church attendance and the regulation of alehouses, puritanism did indeed inform the intentions and actions of those who formulated and applied statutes in the towns and (before 1628) in superior levels of secular and ecclesiastical jurisdiction within the region. The formulation and enforcement of such statutes constituted one of the "outward and visible signs" of the Calvinist consensus in the North-East. The second intent of the discussion has been pursued by examination of the role of puritanism in the relationship between minister and magistrate in certain towns (where the necessary sources have been available), in matters of status, reputation and public trust. It has been shown that puritanism called for the observance of a high standard of conduct for local officials; where that standard was not met, or was not perceived to have been met, ministers could and did use their positions to call for reform. The main effect of Arminianism, it has been argued, was the erosion of the unity of purpose which had existed prior to 1628 between ministers and magistrates in the towns, and superior levels of regional authority. Although the degree to which this unity was eroded varied from

town to town, the evidence presented suggests that where town corporations were under the control of persons of the "godly" persuasion, ministers and magistrates were driven to common opposition to the encroachments of the Arminian policies of Richard Neile's administration. Arminianism, in effect, created its own opposition by seeking to destroy the Calvinist consensus which, as we have seen, informed the government of the towns from the 1590s until 1628.

APPENDIX

Archiepiscopal Visitation Court Presentments for York, Beverley and Leeds, 1586-1640

Sources for Newcastle and Hull, as noted in the introduction, do not supply sufficient continuous evidence for presentation in the form demonstrated below.

Sources for the tables below are the York Archiepiscopal Visitation Court Act Books, V1586/CB - V1640/CB, Borthwick Institute, York.

LEGEND

CL - CLERICAL PRESENTMENTS, ORDINARY

CP - CLERICAL PRESENTMENTS, PURITAN

DR - DRUNKENNESS

LC - NO LICENCE FROM THE ORDINARY

LT - LAY PRESENTMENTS, LITURGICAL

MT - MATRIMONIAL BREAKDOWN

NP - NON-PAYMENT OF FEES

R/A - RECUSANCY OR ABSENCE FROM CHURCH

SB - SABBATH BREAKING

SX - SEXUAL IMPROPRIETY

UM - UNLAWFUL MARRIAGE

W/M - CHURCHWARDEN'S DEFICIENCIES OR OTHER MISDEMEANORS

TABLE A - PRESENTMENTS FOR YORK, 1590-1640.

	1590	1615	1619	1633	1636	1640
CL/CP	01	00	03	00	18	01
LT	00	00	00	81	00	00
DR	06	10	01	02	03	07
NP	00	38	22	00	01	01
R/A	03	37	09	05	18	07
SX	04	07	07	00	00	01
SB	01	02	01	05	04	02
W/M	00	06	09	14	02	01
	15	100	52	107	46	20

TABLE B - PRESENTMENTS FOR BEVERLEY, 1586-1636

	1586	1590	1594	1596	1600	1604	1607	1615	1619	1623	1627	1633	1636
CL	0	1	2	0	3	0	2	0	0	0	0	1	0
CP	0	1	3	0	1	0	0	0	3	0	2	2	0
DR	15	5	0	5	14	14	4	11	6	15	4	22	8
LC	0	0	0	0	4	0	1	3	0	0	0	0	0
LT	3	1	1	3	7	4	1	17*	2	1	4	19**	6
MT	3	0	0	2	0	0	0	2	0	0	0	0	1
NP	3	4	2	0	6	3	2	12	2	4	1	3	1
R/A	13	3	6	5	3	4	0	18	15	48	21	28	15
SB	6	0	1	0	0	1	0	6	8	7	0	0	14
SX	10	4	6	6	26	4	5	7	12	10	10	2	10
T	53	19	21	21	64	30	15	76	48	85	42	77	55

*, and ** indicate that these offences involved puritan non-conformity.

TABLE C - PRESENTMENTS FOR LEEDS, 1607-1640

	1607	1615	1619	1623	1627	1633	1636	1640
CL/CP	00	00	00	02	01	05	00	00
LT	01	02	05	04	05	26	17	01
MT	01	00	00	01	02	02	01	00
NP	04	00	01	02	00	01	12	05
R/A	02	01	03	11	15	07	11	08
SB	12	05	01	18	17	26	49	55
SX	05	09	19	15	16	09	19	09
UM	00	00	04	02	08	04	02	00
T	25	17	33	55	64	80	11[illegible]	78

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