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Religious Deviance in the Elizabethan Diocese of Durham

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MA by research

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Declaration

I confirm that no part of the material offered has previously been submitted by me for a degree in this or in any other university. Material from the work of others has been acknowledged and quotations and paraphrases suitability indicated.

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Introduction

This research focuses on the occurrences of religious deviance in its different forms in the Elizabethan diocese of Durham and its aim is to find the causes behind the diversity of deviance. What is treated as religious deviance here is every form of religious mindset or act that in its nature differed from the official orthodox religion, i.e. Protestantism, and challenged it. Deviants in this context are those people whose religious practices or beliefs were in contradiction to or in tension with the official religion, sometimes leading to legal actions being taken against them. Using the terms ‘deviants’ and ‘religious wrongdoers’ applies in this context to the way the church and the government classified these people, not necessarily meaning that this was the general popular understanding.

The questions I hope to answer are: What were the different forms of religious deviance? Why did they occur? What were the reasons why some people did not conform to official orthodoxies? Was religious diversity caused by the conflict between the ‘old’ and the ‘new’? Was it caused by the lack of Protestant preachers in distant and rural parish churches? Was deviance a result of a failure of government policy or did people’s own personal needs give a good ground for the development of different religious beliefs? Also, how did the understanding of ‘deviance’ change during the period in focus?

I have chosen to study the Elizabethan era that extended from 1558 to 1603. This period is of special interest because it follows a period of important changes to religious life, which radically changed the understanding of orthodox and unorthodox religion, and which had taken place both in Europe and in England. England was a Catholic country until the 1530s when the break from the Roman Catholic Church was initiated by Henry VIII. The Acts of Supremacy and Uniformity under Elizabeth I in 1559 decreed England officially to be a Protestant country and people were expected to adapt to Protestantism. Conflict between

the 'old' and the 'new' religion was inevitable and had a direct impact on popular religious life. Previous research has shown that the north of England was slower to welcome Reformation than the southern parts of the country and Roman Catholicism offered serious competition for Protestantism.¹ But as the acts of the Northern High Commission court, Durham quarter sessions rolls and various depositions and ecclesiastical proceedings of the sixteenth and seventeenth centuries show, the diversity of popular religious beliefs and practices was much more colourful than that solely of Catholicism and Protestantism. Even within the two broad schools of thought there was considerable variety. Christian dissidents such as separatists, Presbyterians and Anabaptists were brought to ecclesiastical courts and convicted in a similar if not identical manner to Roman Catholics. In addition to previously mentioned forms of Christianity, there were beliefs represented in northern England that reflected the convictions in customary interaction between the worldly and the supernatural. Relying on the authentic material from contemporary bodies of justice it can be said that the 'religious wrongdoers' of this period, as they were understood by the authorities and religious establishment, differ widely. A study of religious deviance is needed to provide an explanation as to why and in what forms these diverse beliefs occurred in the Elizabethan diocese of Durham. It must be clarified that this study does not concentrate on the entire subject of popular religion but on the manifestations of religious deviance within the popular religion.

Previous studies of religious deviance in England have dealt with the phenomenon throughout the country. Sarah Covington delivered a paper titled *Inside and Outside the One True Church: Defining Religious Deviance in Sixteenth-Century England* at the Northeast America Conference on British Studies in Canada in 2004, although as yet it has not been published. Dr K. Nasu at Royal Holloway, University of London, is undertaking research on the topic *Changing Concepts of Religious Deviance in Seventeenth-Century England*. Additionally, there are several studies relating to Reformation, Catholicism, Christian heretics as well as witch-trials in the northern areas. Some examples of those

¹ Margaret Harvey, *Lay Religious Life in Late Medieval Durham* (Woodbridge: The Boydell Press, 2006), 183; Diana Newton, *North-East England, 1569-1625. Governance, Culture and Identity* (Woodbridge: The Boydell Press, 2006), 94, 117

have been listed in the bibliography. However, I have been unable to find any studies relating to the diversity of deviance in the north of England, let alone in early modern Durham diocese. A study that concentrates specifically on religious deviance in Durham diocese and especially in the Elizabethan diocese of Durham has not been done at this level so far.

The primary sources for this study consist of the Durham Consistory Court deposition books dating from 1565 until the end of Elizabeth's reign in 1603. Since there are no depositions which have survived from the earlier years, it is not possible to cover the whole Elizabethan era in this research. One of the reasons why deposition books have been chosen to be the base for this study is the nature of these documents. Depositions or in other words, the statements of witnesses, are the written answers of persons questioned in court, taken down in private by the deputy registrar.² These statements are considerably more descriptive than any other type of court papers, providing us with much more information and giving a deeper insight into the cases in question. Besides, the deposition papers are relatively complete, especially when compared to other court documents, such as act and cause papers, which tend to be either missing, damaged or incomplete.³

However, despite the advantages that deposition papers have, there are difficulties to be aware of whilst studying this material. It is known that the deponents' answers were written down in a summary form, leaving a possibility that some information, which would have contributed to this study or which would have changed its course, might have been left out. Due to the nature of that kind of court procedure, all the responses given in the depositions are handled with care in this dissertation. Personal answers are treated as guidelines and not as conclusive evidence.

Another important problem relating to the primary sources is dating. As Alexis Matheson has previously pointed out, the date of the cases is given infrequently throughout

² Anne Tarver, *Church Court Records. An Introduction for Family and Local Historians* (Chichester: Phillimore, 1995), 18

³ Alexis Matheson, 'The Durham Consistory Court Deposition Papers 1570-1590: A Study of Post Reformation Society in the Diocese of Durham' (MA thesis, Durham University, 2003), 4, 8

depositions.⁴ It would be possible to find the dates of some specific cases in Consistory Court act books but this would be time consuming and would extend beyond the limits that are set for this MA dissertation. Besides, it is not essential for this research to know the precise dates and times of the cases in focus. Orientation in time is possible by relying on those few cases that include a note of the date and following the chronological order in which the volumes of deposition books have been ranked.

Among the records this study is based on, there are cases relating to moral offences, defamation, matrimonial and probate disputes; disputed faculty applications, including new allocations, and payment of church rates and tithes, with a few cases concerning ritual and doctrine or clergy discipline.⁵ I have studied all the cases between 1565 and 1603 but only those including references to any form of religious wrongdoing are included in this research. For example, cases about unpaid tithes and church rates are not included since I did not find any of those containing any information about refusal of payment due to personal religious convictions that were in conflict with the established orthodox church.

Geographically, this study covers the whole area within the historical boundaries of the Durham diocese (principally Northumberland and County Durham). I have decided to focus my research on this region for several reasons.

Firstly, previous research has highlighted the unique situation of northern England. I believe that this particular geographical area provides us with considerably more interesting material about religious diversity than some other parts of the country would do. First of all, as Durham diocese was the centre of the Northern Rebellion of 1569, it is a valuable area for studying the clash between Catholicism and the reformed religion. In addition, the North of England was often described as being full of superstition and in constant deficiency of the Protestant clergy. James Raine noted that ‘The inhabitants of the wilder parts of the North especially cherished that strange belief in possession and evil

⁴ Matheson, ‘The Durham Consistory Court Deposition Papers’, 9

⁵ A Guide to the Archives and Special Collections at Durham University Library
<http://flambard.dur.ac.uk/dynaweb/guides/ascguide/> (4 June 2009)

influences.’⁶ It has also been said about the north of England that it was uncivilised, primitive and retarded compared to other parts of the kingdom.⁷ David Marcombe has argued that the national shortage of reliable clergy in the sixteenth century was probably more acute in the north than elsewhere,⁸ resulting in some districts being left without strong Christian leadership and resulting in the circumstances where diverse beliefs, thus diverse forms of religious deviance, could flourish. Moreover, the geographical diversity of the region can not be ignored whilst describing the spread of religious ideas in the diocese. Due to the physical circumstances the lowlands and harbour towns were easily accessible compared to some distant parishes in the uplands and the Borders, therefore it is reasonable to expect that popular religious beliefs and practices varied in the parishes within the diocese as a result of geographical differences.

Secondly, given the specific circumstances outlined above, by concentrating on the diocese of Durham I will avoid the widespread and vague conclusions that could be a result of research that would include any larger geographical territory or the whole country.

Thirdly, most of the materials are available in local archives and libraries minimizing the risk of being unable to access the sources which would become a serious hindrance to a researcher.

My methodology is based primarily on a comparative analysis of recorded cases, drawn from court records, which imply the occurrence of any form of religious deviance. I study single cases separately and outline the distinctive features of each, after which the outcome of this analysis will be categorised according to the nature of the acts of deviance. Finally, in order to establish the reasons for the occurrence and diversity of religious deviance, these results will be compared with the outcomes of previous studies on social and religious life in the sixteenth and seventeenth centuries.

⁶ *Depositions from the Castle of York, Relating to Offences Committed in the Northern Counties in the 17th Century*, ed. James Raine, Surtees Society XL (Durham: Frances Andrews, 1861), XXVIII

⁷ Newton, *North-East England*, 117

⁸ David Marcombe, ‘A Rude and Heady People: The local community and the Rebellion of the Northern Earls’, in David Marcombe (ed.), *The Last Principality: Politics, Religion and Society in the Bishopric of Durham, 1494-1660* (Nottingham: University of Nottingham, Department of Adult Education, 1987), 131

Chapter I: Context

In order to look at religious deviance in the Elizabethan diocese of Durham, it is useful to start by outlining the general religious atmosphere in the region during the period in focus, by taking into account the number of benefices and the geographical division of those, the value of the benefices, the supply of the clergy and also the beliefs and practices that dominated amongst the locals. Additionally, the practice of the consistory court, which dealt with the acts of religious deviance, is described.

The state of parishes and clergy in the Elizabethan diocese of Durham

Arthur Tindal Hart described the religious life in English parishes at the beginning of Elizabeth's reign as being at a low ebb, with ruinous churches and a largely ignorant, poverty-stricken, and often absentee clergy, who either clung obstinately to the old traditions or had been carried away on the full flood of Calvinist iconoclasm.¹ How far this description applied to the diocese of Durham is discussed below.

According to Diana Newton, during Elizabeth's reign, church governance retained much of its medieval form of hierarchical rule by the bishop centred on the cathedral city.² In the Elizabethan diocese of Durham there were around 110 parishes whereof some fifty were in Durham and sixty in Northumberland. There were deaneries of Newcastle, Corbridge, Morpeth, and Bamburgh in Northumberland and of Easington, Auckland, Chester, and

¹ Arthur Tindal Hart, *The Country Clergy in Elizabethan & Stuart Times, 1558-1660* (London: Phoenix House, 1958), 11

² Diana Newton, 'The Impact of Reformation on North-East England: A Preliminary Survey', *Northern History* XLV, no. 1, March 2008, 43

Darlington or Stockton in Durham, all of which were made up of the ‘groups of anything from six to seventeen parishes’.³ Along the eastern side of the diocese were a considerable number of compact parishes, the majority of which were not of any remarkable size. On the Yorkshire border in the lower Tees valley were the smallest ones: Dinsdale, Sockburn, Elton, Redmarshall, and Winston. However, few small urban parishes existed. Durham was the only town in the diocese to have more than one parish church. Although most of the town lay within the parish of St Oswald and St Margaret, there were also the vicarages or curacies of St Nicholas and St Giles, and two tiny rectories in close proximity to the cathedral – St Mary le Bow in North and St Mary the Less in South Bailey. Other diocesan towns lay at the centre of single parishes. In Newcastle the chapelries of St John, St Andrew, All Saints, Crumlington, and Gosforth were dependant on the mother church of St Nicholas,⁴ meaning that St Nicholas covered the whole of the town of Newcastle and also some of the surrounding areas. By 1563 they were said to contain 1838 households between them.⁵

In the western part of the diocese, parishes were generally much larger than in the eastern part. Middleton in Teesdale, Stanhope, St John’s Chapel, Haltwhistle, Simonburn, Elsdon, and Alwinton each extended over large and underpopulated rural areas. For simplifying peoples’ participation in divine services, these scattered communities were served by chapels dependent upon the mother church. Also ‘most parishes in the far north of the diocese had at least one chapelry, although they usually covered a smaller area’ than the western parishes did.⁶ In Northumberland the number of dependant chapelries before and during the first decades of Elizabeth’s reign was 59 in total. Susan Keeling listed other parishes with large numbers of chapelries besides Newcastle, such as Bamburgh, Hartburn, Holy Island, Eglington, Woodhorn, and finally Simonburn parish, the latter one stretching from the Border to the Roman Wall.⁷

³ Jane Freeman, ‘The Parish Ministry in the Diocese of Durham, c. 1570-1640’ (PhD. thesis, Durham University, 1979), 5-6

⁴ Freeman, ‘The Parish Ministry in the Diocese of Durham’, 6-7

⁵ Susan M. Keeling, ‘The Church and Religion in the Anglo-Scottish Border Counties, 1534 to 1572’ (PhD. thesis, Durham University, 1975), 54-55

⁶ Freeman, ‘The Parish Ministry in the Diocese of Durham’, 6-7

⁷ Keeling, ‘The Church and Religion in the Anglo-Scottish Border Counties’, 54-55

The variations in the geographical layout of Durham diocese manifested in inevitable differences at socio-economical and cultural level. The geographical contrasts between the crop farming and coal mining lowlands in the southern and eastern parts of the region and the forested, lead mining, and sheep farming uplands in the Pennines and Borders testify to the unequal accessibility of these regions, also indicating that religious ideas could not spread in the diocese in an equal manner. Port towns such as Sunderland and Newcastle, being in closer contact with continental Europe, differed significantly from the rest of the region.⁸

One of the indicators that could describe the status of the orthodox religion in the Elizabethan diocese of Durham is the representation of Protestant clergy. The temporal and administrative overlord of the city, county and palatinate of Durham and the spiritual leader of both County Durham and Northumberland was the bishop of Durham.⁹ The bishop was entrusted with a position of instituting clergy and overseeing religious obedience. Conservative bishop Cuthbert Tunstall, first appointed as bishop of Durham in 1530, was deprived of his diocese in 1559 when he refused to take the Oath of Supremacy. During the reign of Elizabeth I the diocese was administered by the Puritan James Pilkington (1561-1576), and Richard Barnes (1577-1587), Matthew Hutton (1589-1595) and Tobias Matthew (1595-1606), all three of whom shared strong Protestant leanings but were conformists. Durham deans of the time included the radical reformers Robert Horne (1559-60) and Ralph Skinner (1560-1563), the zealous Puritan William Whittingham (1563-1579), the layman Thomas Wilson (1580-1581), and later bishops Tobias Matthew (1583-1595) and Puritan William James (1596-1606).¹⁰

But the question is: could every single parish in the area be provided with an ordained minister? Were there enough authorised persons to guide the parishioners in the teachings of the Protestant religion and to deal with people's religious enquiries? On this point views

⁸ Mervyn James, *Family, Lineage, and Civil Society. A Study of Society, Politics, and Mentality in the Durham Region, 1500-1640* (Oxford: Clarendon Press, 1974), 4-7; Adrian Green, and A. J. Pollard (eds.), *Regional Identities in North-East England, 1300-2000* (Woodbridge: The Boydell Press, 2007)

⁹ Diana Newton, 'Borders and Bishopric: Regional Identities in the Pre-Modern North East, 1559-1620', in Green, and Pollard (eds.), *Regional Identities in North-East England*, 61

¹⁰ C. J. Stranks, *This Sumptuous Church. The Story of Durham Cathedral* (London: SPCK, 1993), 40-42, 46, 124; James, *Family, Lineage, and Civil Society*, 116-117

differ slightly. Margaret Harvey, speaking about lay religious life in late medieval city of Durham on the eve of the Reformation, found that the supply of resident lower clergy was good and possibly satisfied the needs of the laity.¹¹ On the contrary, James Hitchcock noted that at the beginning of Elizabeth's reign in several places in the North people had never heard a sermon and that there were undoubtedly other places where they heard sermons only very rarely.¹² In 1599 there were known to be about 2000 vacant benefices all over the country.¹³ David Marcombe identified an acute shortage of reliable clergy in the North in the 1560s.¹⁴ Susan Keeling has also drawn attention to the lack of instruction and preaching.¹⁵ Welford presented a report from 1565 according to which in the diocese of Durham, 'in many parishes, especially in Northumberland, the vicars have to serve from two to five chapels each, far from the parish churches, which have no priests unless it be vagabond Scots.'¹⁶ Jane Freeman showed a dramatic fall in the number of clergy as a result of the Reformation. If in 1515 there had been approximately 400 secular clergy serving in the diocese, meaning the religious ministers who did not belong to any religious order and lived out in the world, then by the end of the century there were less than half that number: 198 in 1578 and 192 between 1603 and 1605. Although Northumberland always had slightly more clergy than Durham, there were still not enough given the greater size of Northumberland and the larger number of its parishes.¹⁷ Horton Davies has seen the insufficient amount of clergy and preaching as being a problem only in the first two decades of the queen's reign. He says that as Elizabeth's reign went into its third decade the number of preachers increased considerably, until by the end of the reign there were 'many good preachers,'¹⁸ assuming the number of them being enough to satisfy the demand. Summarising these contradictory views it can be concluded that the shortage of

¹¹ Harvey, *Lay Religious Life in Late Medieval Durham*, 198

¹² James Hitchcock, 'Popular Religion in Elizabethan England' (PhD. thesis, Princeton University, 1965), 85

¹³ Philip Hughes, *The Reformation in England*, vol. II, *The True Religion Now Established* (London: Hollis & Carter, 1954), 133

¹⁴ Marcombe, 'A Rude and Heady People', 131

¹⁵ Susan Keeling, 'Dissolution of the Monasteries in the Border Country', in Marcombe (ed.), *The Last Principality*, 34

¹⁶ Richard Welford (ed.), *History of Newcastle and Gateshead*, vol. II (London: Walter Scott, 1885), 402
Unfortunately Welford omitted any references to the source he used.

¹⁷ Freeman, 'The Parish Ministry in the Diocese of Durham', 18-19

¹⁸ Horton Davies, *Worship and Theology in England. From Cranmer to Hooker, 1534-1603* (Princeton: Princeton University Press, 1970), 218

clergy responsible for religious guidance and teaching was probably more of a problem for small and distant parish churches than for the diocesan centre itself and that the lack of qualified clergy decreased as Elizabeth's reign progressed.

As noted by Patrick Collinson, the absolute shortage of clergy that the Elizabethan Church suffered from across the country resulted in the bishops utilising large numbers of poorly qualified candidates.¹⁹ Although Collingwood's description agrees with the previously presented views, claiming that 'in those days the clerical order had sunk very low; a considerable proportion of parishes were served by priests utterly ignorant and unlettered,'²⁰ we should be extremely careful in applying this idea to the early modern Durham diocese. Keeling has brought forth differences in the clergy's qualifications in Northumberland and in Durham. According to the records of the 1578 visitation, when the clergy were examined on the task they had been set of studying and giving an account of St Matthew's Gospel either in Latin or in English, just over 30% of Northumberland's clergy were able to prove themselves suitably well-learned, whilst the percentage for Durham was almost sixty.²¹ Durham had better communications, better educational facilities and wealthier benefices than Northumberland,²² where there were also more parishes. Therefore it is not surprising that it was markedly easier to fill the benefices with well-qualified incumbents closer to Durham. The educational levels of the diocesan clergy were not homogeneous and the geographical location of benefices where the clergy were appointed to was often an indicator of their erudition.

According to the *Valor Ecclesiasticus* of 1535 the value of livings in the diocese of Durham varied greatly, as is shown in the Table 1 below.

¹⁹ Patrick Collinson, 'The Elizabethan Church and the New Religion' in Christopher Haigh (ed.), *The Reign of Elizabeth I* (London: Macmillan, 1984), 185

²⁰ C. S. Collingwood, *Memoirs of Bernard Gilpin, Parson of Houghton-le-Spring and Apostle of the North* (London: Simpkin, Marshall & Co, 1884), 79

²¹ Keeling, 'The Church and Religion in the Anglo-Scottish Border Counties', 154

²² Freeman, 'The Parish Ministry in the Diocese of Durham', 23

Table 1. Value of livings in 1535 in the diocese of Durham²³

	Durham	Northumberland	Total
Under £5	8	11	19
£5-£10	9	18	27
£10-£15	6	10	16
£15-£20	8	5	13
£20-£30	5	6	11
£30-£40	4	3	7
Over £40	8	2	10

A considerably greater proportion of poorer livings were those in Northumberland: 70% of Northumberland livings were valued under £15 whilst only 47% of Durham livings remained under £15. The average value of Northumberland livings was only £12 a year whilst the livings in Durham were quite wealthy, an average of £24 a year, although the county had also some large inappropriate parishes, i.e. those patronised by laymen, such as Chester-le-Street and Lanchester, served only by poorly paid curates.²⁴

There are different opinions about the origin of the diocesan clergy. Jane Freeman has identified that clergy of northern origin remained the rule in this most northerly of English dioceses throughout the period in question. There were always a number of clergy from west of the Pennines, especially from Cumberland and Westmorland. She continues, listing that according to the visitation of 1578, amongst the 45 incumbents for whom information is available, 21 were from Durham diocese, of whom nine were from Northumberland. Additionally, there were nine from Scotland, one from the Midlands and one from East Anglia, but none from London or from other areas in the south.²⁵ Diana Newton, on the contrary, notes that the ecclesiastical personnel of Durham diocese were often appointed from all over the country and not only from the northern parts. Also prebendaries were recruited from a much wider area than the monks they replaced.²⁶ Although Newton speaks about the 'ecclesiastical organization' of Durham diocese she is most likely to be referring

²³*ibid.*, 134

²⁴ Marcombe, 'A Rude and Heady People', 131

²⁵ Freeman, 'The Parish Ministry in the Diocese of Durham', 22-23

²⁶ Newton, 'Borders and Bishopric', 61

to the personnel of Durham cathedral, which would also explain the conflicting views as Freeman's study concentrates on the parish ministry. As L. M. Stevens Benham noted, the situation looked different when it came to the origin of unbeneficed clergy, chantry priests and chaplains. Benham says that 'their existence within the county was by any account more at one with the laity than of most beneficed clergymen or diocesan administrators.'²⁷ The unbeneficed clergymen or the representatives of the clergy, who had not been instituted and inducted into any benefice, were usually well-established fixtures in the parish. Frequently they were the people who had grown up in the same parish where they served and lay people knew them. These men had often been an integral part of their communities before they were ordained.²⁸ Also, Arthur Tindal Hart has described how at the beginning of Elizabeth's reign laymen were sometimes presented to benefices or even made prebendaries. This meant that in response to the alarming shortage of clergy, a special class of 'Readers', often drawn from amongst local laymen, were appointed as a temporary measure in order to fill the vacant parishes.²⁹

The Scots were an ever-present element among the Durham clergy throughout the period. The Scottish presence was most noticeable in the decades immediately following the religious settlement.³⁰ Rosamund Oates notes that during the initial years of Elizabeth's reign Protestant authorities were constantly worried about the continuing influence of Marian priests in the parishes of the diocese. In Northumberland for example, the lack of Protestant ministers was exacerbated by the arrival of Scottish Catholics who were fleeing the Scottish Reformation. In County Durham, the Catholic Neville family used their patronage to staff local churches with Marian priests.³¹ Catholic sympathies were also noticed at Durham cathedral during the royal visitation of the northern province in 1559. It was reported that Dr Robert Dalton, a canon of Durham and vicar of Billingham and Norton, had said that he 'believeth that he who sitteth in the seat of Rome hath and ought to

²⁷ L. M. Stevens Benham, 'The Durham Clergy, 1494-1540: A Study of Continuity and Mediocrity Among the Unbeneficed', in Marcombe (ed.), *The Last Principality*, 8.

²⁸ Benham, 'The Durham Clergy, 1494-1540', 11.

²⁹ Hart, *The Country Clergy in Elizabethan & Stuart Times*, 27

³⁰ Freeman, 'The Parish Ministry in the Diocese of Durham', 24

³¹ Rosamund Oates, 'Catholicism, Conformity and the Community in the Elizabethan Diocese of Durham', *Northern History* XLIII, no. 1, 1 March 2006, 61

have the jurisdiction ecclesiastical over all Christian realms.’³² Many protested in almost the same terms ‘that the Bishop of Rome ought to have the jurisdiction within this realm’ and seven were bound over to appear again.³³ Henry Gee argued that the Durham chapter were perhaps the sturdiest of all the cathedral chapters in resistance to the visitors.³⁴ W. H. Frere noted that although the parochial clergy were believed to have been more conformable, in the 1560s it was said that many of the clergy had still ‘retained the outward habits and the inward feeling of popery.’³⁵ Having seen the conservative-mindedness of the personnel of Durham cathedral, which was the influential centre of the religious life of the diocese, Frere’s argument is convincing.

As has become clear from the above, the circumstances in the parishes across the diocese varied greatly, whether it concerned the size and economy of the parish or supply of the clergy and their education. Taking into account these differences within the region, disparity in the spread of religious ideas could be expected. In the following section the focus is laid on contemporary popular beliefs.

Popular beliefs in the early modern diocese of Durham

Having seen how reluctantly the new orthodox religion was welcomed by some representatives of the clergy in the Durham diocese, it can be expected that also the laity was slow to conform to Protestantism. As John Coffey said, ‘England became a Protestant state in 1559, but it would take decades before its population became a Protestant people.’³⁶

³² Henry Gee, *The Elizabethan Clergy and the Settlement of Religion, 1558-1564* (Oxford: Clarendon Press, 1898), 79

³³ W. H. Frere, *The English Church In the Reigns of Elizabeth and James I (1558-1625)* (London: MacMillan, 1904), 42

³⁴ Gee, *The Elizabethan Clergy and the Settlement of Religion*, 79

³⁵ Frere, *The English Church In the Reigns of Elizabeth and James I*, 42, 58. Regrettably any references to the source of the quotation were absent.

³⁶ John Coffey, *Persecution and Toleration in Protestant England, 1558-1689* (Harlow: Longman, 2000), 84

Caroline Litzenberger says speaking about the entire country, that some people and parishes may indeed have been practicing some form of Protestantism by mid-1553, but most either held on to the old religion or were practicing a faith which combined elements of both the new and the old.³⁷ Collingwood noted about the North that the Reformation there was ‘anything but welcome’ by the majority of the people and least of all by the gentry. Besides, the clergy showed no signs of loyalty to the new order as a rule.³⁸ Doran and Durston claimed that the vast majority of the English lower clergy remained fundamentally conservative in the religious outlook until well into Elizabeth’s reign and Protestantism won over only a small number of parish priests during the period of the early Reformation.³⁹ Furthermore, the same applied to the laity, as they continue: ‘Considerable evidence suggests that Catholic devotional practices remained extremely popular until the time they were banned, and there can be little doubt that, following their suppression, many lay people initially felt an acute sense of loss and found the new Protestant liturgy an uncongenial and inadequate substitute for their traditional customs and beliefs.’⁴⁰ For example, the mystery plays on Corpus Christi days continued long after being banned. There is evidence of these being held in Newcastle as late as 1581.⁴¹ Despite the Lutheran influences that had reached the port town of Newcastle decades earlier, the town was sometimes described as being considerably more Catholic than some of its surrounding areas. William Fletwoode, contemporary Puritan and bishop James Pilkington’s principal legal adviser, said that ‘the town of Newcastle are all papists’ whilst about the inhabitants of Gateshead he noted that the people were ‘religious, godly and good Protestants.’⁴² Tomlinson noted that at the end of the sixteenth century ‘most of the Northumbrians were at heart adherents of the old faith.’⁴³ Durham city was religiously conservative in the very

³⁷ Caroline Litzenberger, ‘Defining the Church of England: Religious Change in the 1570s’, in Susan Wabuda, and Caroline Litzenberger (eds.), *Belief and Practice in Reformation England. A Tribute to Patrick Collinson from His Students* (Aldershot: Ashgate, 1998), 139

³⁸ Collingwood, *Memoirs of Bernard Gilpin*, 149

³⁹ Susan Doran, and Christopher Durston, *Princes, Pastors and People: The Church and Religion in England, 1529-1689* (London: Routledge, 1991), 145-146

⁴⁰ *ibid.*, 79

⁴¹ Newton, ‘The Impact of Reformation on North-East England’, 41

⁴² Welford, *History of Newcastle and Gateshead*, vol. II, 481; James, *Family, Lineage, and Civil Society*, 150

⁴³ William Weaver Tomlinson, *Life in Northumberland During the Sixteenth Century* (London: Walter Scott, 1897), 148-149

beginning of Elizabeth's reign, under its conservative bishop Tunstall.⁴⁴ His successor Pilkington, whom David Marcombe the most radically Protestant of all the bishops appointed by Elizabeth, was not liked by the people of the North and he together with his puritanical supporters found it difficult to remove the relics of Catholicism.⁴⁵ The outbreak of the Northern Rebellion of 1569, although being a political as well as a religious rising, testified to the strong loyalty the Earls of Westmorland and Northumberland and some of their followers showed to the old religion. The rebellion also revealed that there were still more than a few Catholic sympathisers among the parish clergy, who took the opportunity to revive the old practices.⁴⁶ Despite the successful suppression of the uprising, the Catholic influences continued to re-emerge as missionary priests started to arrive in 1572, and from the 1580s onwards started to make a significant impact on the northern diocese. Catholic gentry used their houses to protect missionary priests and sustain the local Catholic community, turning their households into the centres of Catholic liturgical devotion and making it accessible to the wider community.⁴⁷ It would be wrong to assume though that majority of the gentry had remained faithful to the old religion. Many of the gentry were zealous Protestants, such as George Bowes and his family, whose activities in the aftermath of the Northern Rising were conspicuous.⁴⁸ Clerical dynasties such as the Huttons, Jameses, Bunnys and Whittinghams adhered to the Puritan and Erastian tradition.⁴⁹

Doreen Rosman has claimed that 'by the end of the sixteenth century England had ceased to be a Catholic country. Its inhabitants may not whole-heartedly have embraced – or even understood – the main thrust of Protestant teaching but they increasingly regarded themselves as Protestants, not Catholics.'⁵⁰ Christopher Haigh argues that 'the churchgoers

⁴⁴ Harvey, *Lay Religious Life in Late Medieval Durham*, 192

⁴⁵ Marcombe, 'A Rude and Heady People' 117-118

⁴⁶ Freeman, 'The Parish Ministry in the Diocese of Durham', 409

⁴⁷ Oates, 'Catholicism, Conformity and the Community', 62-63

⁴⁸ Cuthbert Sharp (ed.), *Memorials of the Rebellion of 1569* (1840), reprinted as *The Rising in the North, The 1569 Rebellion* (Durham: Shotton, 1975)

⁴⁹ James, *Family, Lineage, and Civil Society*, 116

⁵⁰ Doreen Rosman, *The Evolution of the English Churches 1500-2000* (Cambridge: Cambridge University Press, 2003), 54

in the late sixteenth century were de-Catholicised but unProtestantised.’⁵¹ The Protestant church seemed still to struggle with winning the hearts of the vast majority of the population in the beginning of the seventeenth century as the situation had not improved much towards the end of Elizabeth’s reign. As late as 1604, ministers at the Hampton Court Conference discerned three types of people in England. Firstly, those who were ‘effectually called by the preaching of the Gospel to the more sincere profession of religion’; secondly those who held on to the old ways, wishing ‘that they might have again the old service’ and alleging that the new faith had destroyed the old social virtues and charity; and finally those who were ‘either indifferent or plain neuter’ and who did ‘greatly regard not of what religion they be.’ This last category was considered to have been particularly numerous.⁵²

Robert Whiting, who has studied south-western England after the Reformation, has noted that the region has often been described as remote, conservative and change-resistant, which is very similar to the way the northern parts of the country were described. However, Whiting noted that much of the evidence indicates that the decline of popular support for the traditional activities and instructions was in reality both more sudden and more drastic than has usually been assumed. The decline of Catholic commitment seemed to have proceeded more swiftly in towns than in rural areas and amongst younger than older generations.⁵³ Similar trends could be expected to have been intrinsic also to the most northern of the dioceses. Still, as Whiting says: ‘An external conformity was by no means invariably – or even usually – the consequence of an internal religious conversion,’ meaning that lack of active resistance did not mean that the inhabitants were all convinced and committed adherents of the Protestant faith.⁵⁴ This also explains why there is so much evidence of Catholic-mindedness having survived in Durham diocese after the failed rising of 1569 – outwardly conforming to orthodoxy could often work as a disguise and save the individual from much feared harassment, but as conforming itself did not necessarily

⁵¹ Christopher Haigh, *English Reformations. Religion, Politics and Society under the Tudors* (Oxford: Clarendon Press, 1993), 290

⁵² Patrick Collinson, *The Religion of Protestants. The Church in English Society, 1559-1625* (Oxford: Clarendon Press, 1982), 200

⁵³ Robert Whiting, *The Blind Devotion of the People. Popular Religion and the English Reformation* (Cambridge: Cambridge University Press, 1989), 145-146

⁵⁴ *ibid.*, 170

reflect inherent beliefs, the number of conformists was not a reliable indicator of the actual numbers of Protestants and Catholics. As Jeremy Gregory has put it: ‘How should an individual’s commitment to Protestantism be measured? Attendance at church can be counted, but it is impossible to penetrate the personal commitment of believers, or their sincerity.’⁵⁵

Beside the ever-present threat of Catholicism, orthodox Protestantism had to defend itself against the efforts of non-conformist Protestants, such as Puritans. Still, the ‘dichotomy between Puritans and conformist Protestants’ was less polarized in the diocese of Durham than it was in many other parts of the country.⁵⁶ Diana Newton has remarked that the Puritans were even regarded as allies in the fight against Roman Catholic conservatism in the North and that the erosion of the differences between Puritans and conformist Protestants in the diocese of Durham made the area atypical compared to other parts of the country.⁵⁷

Susan Doran and Christopher Durston describe a feature of early modern popular belief which was consistent throughout the period under discussion, namely the wide variation in levels of personal piety and individual preoccupation with religion. They explain that ‘English Protestantism was obliged to coexist alongside a wide range of magical beliefs and practices which retained a strong hold over the popular mind. For most of this period too, between these two apparently opposed ideological systems there existed a substantial penumbra, within which habits of thought from both overlapped.’⁵⁸ Also Robert Ashton has described the Catholicism that many laymen faithfully held on to having often been ‘a compound of gross superstition and neo-magical beliefs.’⁵⁹ Bernard Gilpin reported about the northern region in 1552: ‘I pass over much infidelity, idolatry, sorcery, charming, witchcrafts, conjuring, trusting in figures, with other such trumpery, which lurk in

⁵⁵ Jeremy Gregory, ‘The Making of a Protestant Nation: "Success" and "Failure" in England’s Long Reformation’, in Nicholas Tyacke (ed.), *England’s Long Reformation 1500-1800* (London: UCL Press, 1998), 310

⁵⁶ Newton, ‘The Impact of Reformation on North-East England’, 44

⁵⁷ Newton, *North-East England*, 126-127

⁵⁸ Doran, and Durston, *Princes, Pastors and People*, 76, 82

⁵⁹ Robert Ashton, *Reformation and Revolution 1558-1660* (London: Paladin, 1985), 148

corners.’⁶⁰ Mervyn James thought that a sub-Catholic religious culture had long persisted in the region; its presence had been noted in Northumberland at the end of the sixteenth century when it was also reported that most of the people could not say the Lords Prayer at their death bed. As late as in 1628 politician and poet Benjamin Rudyerd noted that in the utmost skirts of the North ‘the prayers of the common people were more like spells and charms than devotions.’⁶¹ The contemporary authorities were aware of the popularity of superstitious and magical beliefs in the region. Susan Keeling has noted that as much as the Elizabethan government worried about those who were confirmed Catholics and refused to conform to Protestantism, they were ‘equally hampered about those whose education in any form of faith left so much to be desired, and who in place of any reasoned belief, clung to an amalgam of tradition and superstition which had little more to do with Catholicism than it had with Protestantism.’⁶²

Belief in ecclesiastical magic, which had previously rested upon Catholic practices, interwoven with general beliefs in sorcery and witchcraft was a rational world-view for early modern people regardless of the social rank which they belonged to. People did not look upon magic as something completely diabolical but saw a clear distinction between harmful or black magic and benevolent white magic. They believed that the cunning folk possessed some divinity, that they were taught by God or that they were helped by the angels.⁶³ Moreover, similar attitudes were noticeable amongst the lower clergy. Philip Tyler noted that the conservative parochial clergy knew and accepted white witchcraft as it was understood at the time, as part of their daily lives and experience.⁶⁴ ‘Belief in magic and witchcraft remained sufficiently strong’ for decades so that John Cosin, ‘in a fashion typical of the attitude of many Protestant clergy’ at the time, preached against superstitious beliefs in Brancepeth in the seventeenth century.⁶⁵ The symbiosis of Christianity and various magical beliefs remained vital throughout the Elizabethan era and it was not before

⁶⁰ J. L. Low, *Diocesan Histories. Durham* (London: Society for Promoting Christian Knowledge, 1881), 223

⁶¹ James, *Family, Lineage, and Civil Society*, 125

⁶² Keeling, *The Church and Religion in the Anglo-Scottish Border Counties*, 310-311

⁶³ Keith Thomas, *Religion and the Decline of Magic* (London: Penguin Books, 1991), 316-317

⁶⁴ Philip Tyler, ‘The Church Courts at York and Witchcraft Prosecutions 1567-1640’, *Northern History* IV (1969), 90-91

⁶⁵ Freeman, ‘The Parish Ministry in the Diocese of Durham’, 423-424

the very end of the seventeenth century that religion and magic began significantly to diverge from each other.⁶⁶ The subject of witchcraft and superstitious beliefs will be discussed in Chapter IV.

Whether the popular beliefs in the Elizabethan diocese of Durham were mainstream Catholicism or a mixture of Catholic, superstitious or Protestant beliefs, as long as those differed from the orthodoxy and challenged it, those were regarded by the authorities as deviant and could sometimes lead to prosecution. Cases of religious deviants were dealt with in the ecclesiastical courts. The following section explains how the early modern consistory court worked and how the depositions, which are a useful source for this study for gaining knowledge about contemporary religious views, were produced.

Practice of the Consistory Court

Many of the people, whose religious beliefs and practices were in conflict with the orthodox religion, were reported to the authorities. Ecclesiastical courts of that time which dealt with religious wrongdoers differed in their purpose and business and have been described in detail by Carson I. A. Ritchie in *The Ecclesiastical Courts of York*.⁶⁷ Since this research is primarily based upon the material from Durham Consistory Court, only the practice of this particular court is explained in the present section.

The ecclesiastical courts which made the most immediate impact on Elizabethan contemporaries were the bishop's or consistory court and the one or more subordinate archdeacons' courts in each diocese.⁶⁸ The consistory court was led by the chancellor of the diocese, who was considered to act in the place of the bishop himself and whose

⁶⁶ Doran, and Durston, *Princes, Pastors and People*, 82

⁶⁷ Carson I. A. Ritchie, *The Ecclesiastical Courts of York* (Arbroath: The Herald Press, 1956)

⁶⁸ Jack Howard-Drake, 'Church Court Records and the Local Historian', *The Local Historian*, vol. 25, no. 1, February 1995, 7

judgements in the court were final, meaning that no further appeal to the bishop was permitted.⁶⁹ The consistory court was the court which heard suits between parties and thus had the greatest amount of business amongst the ecclesiastical courts.⁷⁰ Cases before the courts can be divided into two main groups: the first was the ecclesiastical equivalent of criminal cases and the second was the equivalent of civil cases. The first group, known as office cases, were instigated by 'the mere office' of the judge and were usually brought to the attention of the ecclesiastical authorities by the presentment of alleged offenders during the visitation of the bishop or of the archdeacon. The ecclesiastical equivalents of civil cases, i.e. action brought by one party against another, were known as instance cases.⁷¹

The consistory courts were concerned with the discipline of the clergy and with many administrative matters such as proving wills, awarding grants of administration, issuing licences and faculties, and so on. They also had wide jurisdiction over the laity in, for example, the adjudication of disputes about tithes, wills, marriage contracts and other matrimonial affairs, and in punishing immorality, scandalous behaviour, failure to perform religious duties, and other secular and ecclesiastical offences.⁷² Anne Tarver has drawn a complete and illustrative list of the wide variety of offences in office business in the church courts, ranging from clerical and lay immorality to religious neglect and recusancy. A very common offence before the church courts, brought by one party against the other, was that of defamation. A considerable part of the work of ecclesiastical judges involved acts of validation, admission and authorisation, but also approving wills, issuing licences and dispensations and admitting clergy to benefices.⁷³

When the defendants and witnesses appeared at the court, they had to swear to answer faithfully to the positions of the libel, which was the sheet or sheets of writing which contained the statement of the action. The defendant laid his or her hand on the Gospels,

⁶⁹ Tarver, *Church Court Records*, 3

⁷⁰ Ronald A. Marchant, *The Church under the Law. Justice, Administration and Discipline in the Diocese of York 1560-1640* (London: Cambridge University Press, 1969), 60

⁷¹ Howard-Drake, 'Church Court Records and the Local Historian', 8

⁷² *ibid.*, 7

⁷³ Tarver, *Church Court Records*, 32; Paul Hair (ed.), *Before the Bawdy Court. Selections from Church Court and other Records Relating to the Correction of Moral Offences in England, Scotland and New England, 1300-1800* (London: Elek, 1972), 252; Ralph Houlbrooke, *Church Courts and the People During the English Reformation, 1520-1570* (Oxford: Oxford University Press, 1979), 8

and swore to answer faithfully and truly the positions of the libel, ‘touching your knowledge in such things as concern your own proper fact, and touching your credulity in such things as concern your own proper fact and touching your credulity in such things as concern the fact of someone else’. When the oath had been taken the plaintiff might have asked the judge to decree that the defendant be examined upon the positions of the libel on the next court day.⁷⁴ The depositions, which form the primary source for this study, are the statements of witnesses which were taken down verbatim and in private by the deputy registrar.⁷⁵ The registrar or sometimes the judge himself examined the witnesses on a number of questions based on the positions of the libel.⁷⁶ Witnesses could also be questioned by the opposing party and these questions were known as interrogatories. When these were administered, the replies sometimes follow on from the depositions, on the same sheet of paper.⁷⁷ All this examination was conducted privately in order to avoid possible intimidation of the witnesses by the adverse party or, on the other hand, their collusion. One witness at a time was questioned and thereafter brought before the judge. The deposition he or she had made was then read over to the deponent and at the end of the reading the judge asked the witness whether he or she wished to add or subtract anything in the deposition. The witnesses were frequently admonished about perjury and had the contents of the libel explained to them.⁷⁸ Depositions do not contain solely witnesses’ personal testimonies concerning the disputes in question but also information about the witnesses themselves. Persons’ names and occupations are almost always given, additionally, the marital status of women, people’s ages and the town or village where they lived is often included. Sometimes witnesses were asked to state how long they had known the parties in the dispute. Before the depositions were read out in court, they had to be signed by the witnesses and by the registrar.⁷⁹

⁷⁴ Ritchie, *The Ecclesiastical Courts of York*, 120, 127-128

⁷⁵ Tarver, *Church Court Records*, 18

⁷⁶ Ritchie, *The Ecclesiastical Courts of York*, 138

⁷⁷ Tarver, *Church Court Records*, 18

⁷⁸ Ritchie, *The Ecclesiastical Courts of York*, 138

⁷⁹ Tarver, *Church Court Records*, 18

All courts used act books, in which their daily business was recorded.⁸⁰ For the first entry of a new case it was usual that it was particularised by a descriptive label, for example: ‘office of the judge against X in a cause of Y’, or ‘A against B in a cause of tithe’. Sometimes additions like that have been omitted and it is difficult to tell what the case was about.⁸¹ In the deposition books at hand this descriptive label is often absent and at the beginning of the testimony it has been stated for example ‘examination of X,’ but the case has not been specified. In those circumstances the primary entry of the case could either be traced in the consistory court act books or sometimes it is the content of the deposition that can reveal the essence of the case. Much of the preparatory work that is currently done before the case will be heard in the court was in early modern period done while the case was proceeding through the court, extending the length of time cases took to pass through the courts and resulting in criticism towards the efficiency of the church courts.⁸²

Having established the religious and socio-geographical context of the Elizabethan diocese of Durham, and the business of consistory court, an attempt to detect religious deviance in the region can be made. In the following the cases from the practice of Durham Consistory Court are discussed in three categories, divided according to the different nature of religious deviance. Chapter II focuses on Catholic sympathies in the Northern Rebellion, Chapter III is a study of religious neglect and misbehaviour in the parishes and Chapter IV examines indications of beliefs in magic and witchcraft.

⁸⁰ *ibid.*, 5

⁸¹ Ritchie, *The Ecclesiastical Courts of York*, 16

⁸² Marchant, *The Church under the Law*, 65

Chapter II: The Northern Rebellion of 1569

The course of the events

During Elizabeth's reign when Protestantism was the only accepted norm, any deflection from it was keenly traced. Since the biggest threat and competitor of the time was Catholicism, the main focus was laid on detecting Catholics as the most dangerous religious wrongdoers. The outbreak of the Northern Rebellion in 1569, being both a political and religious uprising as its aims were to crown Mary I of Scotland as Queen of England and restore the Catholic religion, awakened the hopes of many conservative Catholics and resulted in attempts to revive the old form of worship in Durham cathedral and in numerous parishes across the diocese.

On the eve of the rising, Charles Neville, the sixth Earl of Westmorland, had gathered together his tenants and retainers at Raby, ordered all his other tenants to join them at short notice and headed to his castle at Brancepeth outside Durham recruiting volunteers on the way. There, on 6 November, he was joined by Thomas Percy, the seventh Earl of Northumberland. Four days later, on 10 November, Neville's two uncles, Christopher and Cuthbert Neville, affiliated with the rebel forces as did Sir John Neville, Richard Norton of Norton Conyers (the High Sheriff of York) together with his sons, Robert Tempest, John Swinburne of Chopwell, Thomas Gennye or Jennings, Egremont Radcliffe, half-brother of the Earl of Sussex, and Thomas Markenfield.¹

¹ Krista J. Kesselring, *The Northern Rebellion of 1569: Faith, Politics and Protest in Elizabethan England*, (Basingstoke: Palgrave Macmillan, 2007), 1; Charles Edwin Whiting, *The Rising of the North in 1569* *Durham University Journal*, vol. 28 (1934), 466

On 14 November the rebel leaders, with around five hundred horsemen, entered Durham. The riders were greeted by favourable demonstrations on the streets and market square, although there is some indication that the welcome ceremony may not have been entirely spontaneous.² Entering the cathedral the insurgents tore up the prayer books and Bibles, and destroyed the communion table. They made a proclamation in the Queen's name that no man should use any form of service there 'till their pleasure was further known.'³ The rebels stated in their first proclamation that they opposed the setting up and maintenance of a 'new found religion and heresie, contrarie to Gods word' and called upon men between the ages of sixteen and sixty to join them 'as your dutie toward God doth bynde you for the setting forth of his trew and Catholique religion.'⁴ Thereafter they appointed twenty-four citizens to watch the city in their absence, whilst they rode to Staindrop where they made another proclamation.⁵ In their second proclamation the earls made a comparable appeal to their peers, whom they described as the 'principal fauorers of Gods word.'⁶ The rebel forces, gathered by the earls, occupied Durham for a month and the city remained outside the control of the government until Christmas.⁷ People were set to work in the cathedral to restore Catholic worship. Two, or according to other accounts five altars were set up. On 30 November 'mass was sung, a sermon preached, and the congregation absolved from the past heresy and schism', during which the cathedral was crowded.⁸ The first mass at the cathedral was conducted by Robert Pearson or Peirson, Westmorland's curate at Brancepeth.⁹

What happened in Durham, occurred in several other churches in the northern counties during the next fortnight. There is evidence of masses being celebrated in the churches of St Nicholas, St Giles, St Oswald and St Margaret in Durham, as well as in Brancepeth, Barnard Castle, St Helen Auckland, Long Newton, Darlington, Chester-le-Street,

² Robert Rinehart, 'Lord President Sussex and the Rising of the Northern Earls, 1569-1570' (PhD. thesis, Georgetown University, 1975), 87

³ Charles Edwin Whiting, *The Rising of the North in 1569* (Durham: Durham University Journal, 1934), 467

⁴ James K. Lowers, *Mirrors for Rebels: A Study of Polemical Literature Relating to the Northern Rebellion, 1569* (Berkeley: University of California Press, 1953), 31

⁵ Whiting, *The Rising of the North in 1569*, 467-468

⁶ Lowers, *Mirrors for Rebels*, 31

⁷ Rinehart, 'Lord President Sussex', 87

⁸ Whiting, *The Rising of the North in 1569*, 472-473

⁹ Rinehart, 'Lord President Sussex', 88

Monkwearmouth, Heighington, Whitworth, Lanchester, Staindrop and Sedgefield. The altar stones of the cathedral church together with holy water vats were recovered from their hiding places. Altars and holy water stones were also restored to churches at Pitlington, Auckland St Andrew, Sedgefield, Long Newton and Stockton. Simultaneously, communion tables were destroyed in many places and Protestant books publicly burned.¹⁰ Within days the earls had gathered around 6000 armed followers. One group besieged Barnard Castle, another took the port of Hartlepool. Queen Elizabeth prepared to send about 14 000 men up to the north to quell the rebellion. Meanwhile, Bishop Pilkington and Dean Whittingham from Durham together with some other representatives of Protestant clergy had fled to south to safety. However, the rebellion was short-lived and the earls of Northumberland and Westmoreland, the countess of Northumberland, together with approximately one hundred horsemen, fled to Scotland on 20 December.¹¹

Although the Northern Rebellion has often been described as both a political and religious uprising, this study focuses only on the religious elements as the political causes are of minor importance for the purposes of this research. Firstly, in order to detect religious deviance in the acts during the rebellion, a comprehensive overview of the events is needed. Durham Consistory Court deposition book volume II contains numerous references to the events that took place in the diocesan parishes in 1569. In this chapter, the actions are described, divided into three categories which perhaps most appropriately summarise the nature of the acts in the Northern Rising. These characteristic categories are: i) burning of the Protestant books and destroying communion tables, ii) raising altar stones and holy water vats, and iii) participating in a Catholic mass and following old Catholic rites. After reviewing the course of events questions can be asked to enlighten the popular support this allegedly religious revolt might have had: How popular was the Northern Rebellion amongst the people of Durham diocese, i.e. how many followers did the earls have? What was the number of rebels that were known to be punished and what does this number say to

¹⁰ Durham University Library, Durham Consistory Court Deposition Books, DDR/EJ/CCD 1/2, fols. 168v-173v, 176-183r, 184v-196r, 197a v, 200v-202r, 203r-207r; Newton, 'The Impact of Reformation on North-East England', 40; Sharp, *Memorials of the Rebellion of 1569*, 45; Whiting, *The Rising of the North in 1569*, 468

¹¹ Kesselring, *The Northern Rebellion of 1569*, 1-2, 89

us? What punishment did the rebels receive and whether or not their punishment depended on the level of their involvement in the rising? What does all this information tell us about rebels' religious views? All of these questions are discussed in the section that describes the authorities' response to the rising. Finally, to gain an insight into the popular religious support provided to the uprising and to reveal participants' possible religious sympathies, the deponents' willingness, own reasons and motivations for involvement are evaluated.

The burning of Protestant books and the destroying of communion tables

After the outburst of the rebellion the rebel forces broke into churches and started to eradicate Protestant symbols of any form. Several churchwardens and curates were given commandments to do the same in their home parishes. The deposition book volume II testifies to Protestant book burnings having taken place by the churches of St Giles, St Nicholas and St Oswald in Durham, as well as in Auckland St Andrew and St Helen parishes and in the parish churches of Pitlington, Long Newton, Billingham and Sedgefield.¹² The actual number of incidents of book burning is most likely to have been higher. Krista Kesselring suggests that rebels and their sympathisers destroyed books in at least twelve churches in County Durham, but in Yorkshire churches the number was even higher, namely seventy-three.¹³ Unfortunately she does not specify which churches were targeted.

In Durham at St Giles parish a labourer and churchwarden William Merley confessed his participation in book burning, saying that the commandment for doing so was given from above, 'a strait commaundement commed for burninge the bookes,' and that he would never have done it had he not been threatened: 'he wolde nott have burnt them but for feir

¹² DDR/EJ/CCD 1/2, fols. 172-173r, 178v, 181-183r, 190v, 193, 195-196r

¹³ Kesselring, *The Northern Rebellion of 1569*, 70.

of his this lyffe.’¹⁴ A Bible, two Psalters, Jewel’s Apology, a Book of Common Prayer and one volume of the Homilies were destroyed in the fire, but Robert Gibson, Merley’s fellow churchwarden, succeeded in saving one of the Homilies. About forty persons witnessed the happening, but none of them expressed either approval or disapproval, ‘none of the said xl aither *praised their doinges therin*, or found fault therwith.’¹⁵ As the confessing churchwardens understood it, this particular book burning had been influenced by the actions of the clerks of St Nicholas and St Oswald. Namely, Robert Cornfurthe, clerk of St Giles, had heard what was done in other churches and gave a commandment to churchwardens to destroy their own books in a similar manner.¹⁶ According to Cornfurthe himself the responsibility for organising the eradication of the books laid on ‘Sir Cuthbert Nevill,’ the uncle of the earl of Westmorland, and William Holmes, a priest, who ‘gave him commandement that he shuld chardge the church wardons to borne *their bookes*.’¹⁷ Both of the churchwardens as well as the clerk regretted their actions as it was stated in Dr Swift’s papers: ‘we declare our selves before you to be most hertely sorry for our devilishe doinges,’ because, as they said, they had ‘most wickedly torne and destroyed diverse churche bokes.’¹⁸

Churchwardens William Wright, Robert Tedcastell and Thomas Wilkinson from St Oswald in Durham admitted that they had carried a Bible, a Book of Common Prayer, Jewel’s Apologies and the Homilies to Elvet bridge and burned those books there.¹⁹ In Auckland St Andrew parish John Lilborn, who also confessed to destroying the communion table, ‘Rent the byble in peices,’ which he was ‘hartly sorry therfor,’ so that he ‘haith bought anew bible again at his own chardg.’²⁰ Whether this was a sincere regret or just an attempt to compensate the losses in a hope of lighter punishment, was known only to him, although the latter option looks very plausible. William Cooke described how he together with other

¹⁴ DDR/EJ/CCD 1/2, f. 172v; *Depositions and other Ecclesiastical Proceedings from the Courts of Durham, Extending From 1311 to the reign of Elizabeth*, ed. James Raine, Surtees Society XXI (London: J. B. Nichols and Son, 1847), 167

¹⁵ DDR/EJ/CCD 1/2, f. 172r; *Depositions and other...*, 167

¹⁶ DDR/EJ/CCD 1/2, f. 172; *Depositions and other...*, 166-167

¹⁷ DDR/EJ/CCD 1/2, f. 183r; *Depositions and other...*, 168

¹⁸ *Depositions and other...*, 168-169

¹⁹ DDR/EJ/CCD 1/2, f. 173; *Depositions and other...*, 169-170

²⁰ DDR/EJ/CCD 1/2, f. 193v; *Depositions and other...*, 180

‘soldiers’ tore books into pieces at Auckland St Helen’s church, illustrating the violent nature of the act by saying that he ‘tere part of them with his handes and teithe.’²¹ The curate of St Nicholas church in Durham, William Headlam, stated that the book which he had previously used to do service and holy communion by, he had first torn into pieces and then burned, ‘teir yt in peices and burnte ytt.’²² In Pitlington three men, John Wall, Anthony Hall and ‘one Laborne’, were said to have been responsible for destroying the Protestant books.²³ In Long Newton the local clerk was believed to have assisted the book burners by opening the church doors for them, whereupon ‘Welton and his compeny rent them and maid them away.’²⁴

There are detailed descriptions about the course of the events in Sedgfield, where churchwarden Roland Hixon’s enthusiastic participation in book burning was recorded through numerous depositions. Parish clerk John Newton delivered the books to Hixon as ordered, but he managed to save the Bible by replacing it with one of his own old books: ‘borne one olde boke of his owne to save the bible, which therby is yett, the said bible, savyd.’²⁵ What the book was that Newton had sacrificed, and what his reasons for doing so were was neither asked from him nor did he explain it himself. The fact alone that Newton saved a bible could indicate that his participation in the book burning was not driven by fervent conservative views, but as Newton was responsible for hiding altar and holy water stones after those had been taken down again (more on which is contained in the next section), his religious preferences certainly allude to Catholicism. Churchwarden Roland Hixon, on the other hand, clearly expressed no sympathies towards Protestantism. His zealous commitment to the eradication of the protestant texts was witnessed by parishioners who had heard him saying whilst burning the books: ‘se wher the homilies fleith to the devell.’²⁶ Isabel Gublinge testified having seen the churchwarden ‘stirr among the books with his staff’ and the same description was given by Margaret Snawdon.²⁷

²¹ DDR/EJ/CCD 1/2, f. 193v; *Depositions and other...*, 181

²² DDR/EJ/CCD 1/2, f. 169v; *Depositions and other...*, 162-163

²³ DDR/EJ/CCD 1/2, f. 178v; *Depositions and other...*, 176

²⁴ DDR/EJ/CCD 1/2, f. 183r; *Depositions and other...*, 196

²⁵ DDR/EJ/CCD 1/2, f. 181v; *Depositions and other...*, 185-186

²⁶ DDR/EJ/CCD 1/2, f. 182r; *Depositions and other...*, 188

²⁷ DDR/EJ/CCD 1/2, f. 195r; *Depositions and other...*, 191-192

Hixon himself said that he only followed the orders given to him by husbandman Richard Fleitham, who had commanded ‘in the queene’s [i.e. Mary I of Scotland] name and the earles to delyver the Church bookes to hym and Bulman for they wolde not furth of the towne to they had them to borne.’²⁸ Fleitham in his turn laid the responsibility for the initiative on Brian Headlam’s shoulders: ‘the said brian wylled hym to bydd Hixon send up the Church bookes and he might born the bookes byfore he went to Darlington.’²⁹ Hixon also described how the parishioners themselves helped him to tear the books into pieces, altogether five books, ‘other fett fyer and whynes and straw,’³⁰ which creates a realistic picture of peoples’ voluntary participation. Cuthbert Gibson, a labourer, admitted helping with the cutting of the books, but did not say anything about having being forced to do that,³¹ which adds credibility to churchwarden Hixon’s testimony. Despite having one witness confirming Hixon’s claims of the parishioners’ voluntary participation, it would be unfair to draw conclusions on short depositions like these. Isabel Gublinge testified that ‘ther was agreat multitude and specially of youngh’³² at the book burning, but did not say anything about how those people were involved in the event. The multitude of people that Gublinge described could well have meant a curious crowd witnessing the event and not necessarily actively participating in it. Yet another testifying parishioner puts Roland Hixon into a bad light by saying that ‘the said Roland rent and burnt all the bokes that belonged to Sedgefeild Churche in manner and forme as the said precontestes haith deposed and yett wold cover his doing by setting his faulte of Brian Headlham and others.’³³ It was also said that there were some people who had wanted to save the books, but ‘the said Roland wold not lett them have any.’³⁴ Margaret Snawdon said that ‘some off the leves of the said bookes the said wyffes toke away with them to play *their* children withall’,³⁵ but according to yeoman John Johnson there were several women as well as

²⁸ DDR/EJ/CCD 1/2, f. 182r; *Depositions and other...*, 188

²⁹ DDR/EJ/CCD 1/2, f. 181v; *Depositions and other...*, 187

³⁰ DDR/EJ/CCD 1/2, f. 182r; *Depositions and other...*, 187-188

³¹ DDR/EJ/CCD 1/2, f. 193r; *Depositions and other...*, 191

³² DDR/EJ/CCD 1/2, f. 195v; *Depositions and other...*, 192

³³ DDR/EJ/CCD 1/2, f. 196r; *Depositions and other...*, 193

³⁴ DDR/EJ/CCD 1/2, f. 195v; *Depositions and other...*, 192

³⁵ DDR/EJ/CCD 1/2, f. 195v; *Depositions and other...*, 192

‘others’ who wanted to save some books.³⁶ Who those people were and their motivation for wanting to save the books was not explained, although it indicates that some parishioners did not share the views and purposes of the rebels.

It is difficult to judge who was actually responsible for the acts committed since the majority of those involved tried to shift the responsibility to others. Even those who confessed their wrongdoings saw somebody else as bearing greater guilt. It is interesting that not one of the deponents was actually standing up to defend the actions undertaken during the rebellion. There was nobody who admitted to having done it in the name of God. The picture that emerges relying on the depositions is that people had either received the orders to burn the books and to destroy the communion tables or they had just followed the enthusiastic Catholic minded clergy and nobility. There is not enough evidence in the court records to claim that those were the laity’s own religious beliefs which were the driving force behind the rebellious book burnings. On the other hand, it would be unfair to claim that the laity’s part in these events was just as manipulated and threatened villagers. Some people were brave enough to try to save books from burning. Then again, the fact that some women in Sedgefield saved leaves of the burning books not on religious motives but to take those home and give to children to play with,³⁷ can support the argument that despite not sharing the conservative Catholic views of the rebels, Protestantism had not taken deep roots. Still, it is too premature to draw conclusions about parishioners’ role in the rebellion without having studied the other major events in the uprising. In the following section, the rebels’ participation in the restoration of altar stones and holy water vats and in the celebration of Catholic mass is discussed.

³⁶ DDR/EJ/CCD 1/2, f. 196r; *Depositions and other...*, 193

³⁷ DDR/EJ/CCD 1/2 f. 195v; *Depositions and other...*, 192.

Restoring of altar stones and holy water vats

In a sign of protest against the new religion established in England, the rebels desired to restore everything resembling Catholic practice then forbidden. As soon became clear, in the Reformation's course not everything relating to the popish mass had been disposed of. In many places altar stones, which had been hidden, were in 1569 taken out of hiding and erected again. In Durham cathedral, St Giles, St Nicholas, St Margaret and St Oswald churches in Durham the altar stones were restored, as well as in churches in Pittington, Stockton, Sedgfield, Long Newton, Billingham and Auckland St Andrew's.³⁸

Once again, the power of Cuthbert Neville was recognisable in activities at Durham cathedral. Robert Hutcheson had taken part in the raising of two altar stones at the commandment of Neville who had sent him and Henry Younger 'to the castell and kept them ther in one dongeon bycause they refused to deale or meddle with setting up of any aulters and for that he threatened them still to continew ther', so that both of them consented at last to Neville's commandment. Additionally, ten persons were named who had helped to carry the altar stones to the cathedral and set them up, the stones having previously been found 'one on *master* Swyfft backsyd and the other was hedd in the century garth under moch mettell', meaning under rubble of earth or stones. One of the named stones was set 'in the queir', becoming the high altar and the other one placed beside the clock. Similarly, the holy water vats were recovered and put next to the cathedral doors. Interestingly, not one of the deponents seemed to know where the holy water stones were found or what happened to those afterwards, which is hardly believable. The 'priest of Branspeith' had assisted with breaking the doors to allow entrance into the cathedral.³⁹ Depositions of John Oliver, Henry Younger and John Waill supported Hutcheson's version of events, emphasising that all they did was against their own will.⁴⁰ John Oliver confessed that Cuthbert Neville ordered him and his fellow workers 'upon pain

³⁸ DDR/EJ/CCD 1/2, fols. 167a v, 170v-173, 178v-184, 189v-190v, 192v-194v, 196r

³⁹ DDR/EJ/CCD 1/2, fols. 170v-171r; *Depositions and other...*, 139-141

⁴⁰ DDR/EJ/CCD 1/2, fols. 171v-172v; *Depositions and other...*, 141-143

of hanging to labor'.⁴¹ Henry Younger said that the orders were not given only by Neville but also by William Holmes and one 'master Gray' and 'the preist of Branspeth'.⁴²

Three persons from St Nicholas parish in Durham, Henry Hutchenson, James Nicoll and George Foster, confessed to their participation in erecting the altar.⁴³ There is no evidence suggesting that they were forced to do that, either because there really was not any duress or because due to the short nature of these written testimonies not all of the facts have been recorded. Churchwardens William Merley and Robert Gibson set up a high altar upon four pillars at St Giles church, together with a holy water stone, 'and ther was water put in the stone wherwith the folkes sprinkelde them selves therwith.' Both the altar and the water vats were taken down again and broken 'in many peices'.⁴⁴ Similar events took place at St Oswald's church where churchwardens William Wright and Robert Tedcastell, after receiving commandments from Neville and Holmes, ordered Anthony Coots and Robert Sklaitor to set up the altar stone together with the holy water stone that had been hidden under ground in the corner of the church.⁴⁵ The third churchwarden, Simon Ayer, said that he 'was not at the buildyng or setting up of the aulter', but at the same time he said that he 'gave them a lyfte' when the laborers were erecting the water stone.⁴⁶ Again, the same stones were taken down.⁴⁷ The altar in the church of Long Newton did not last long either, churchwarden Thomas Colling had given an order to build up the altar and this command extended to everybody in the parish. Colling's daughter ordered women to help out with the building by carrying sand from the sandpit. A widow Margery or Marjory Craue said that she was commanded 'upon payn of xijd' by Thomas Colling's daughter. Colling himself argues that 'one Capitain Welton' and Richard Harborne gave him a commandment in the Queen's and earl's name to build an altar. The altar was soon taken down by Colling, John Nicolson and 'the women of Longnewton', carried out of church

⁴¹ DDR/EJ/CCD 1/2, f. 171v; *Depositions and other...*, 141

⁴² DDR/EJ/CCD 1/2, f.172v; *Depositions and other...*, 142

⁴³ DDR/EJ/CCD 1/2, f. 194; *Depositions and other...*, 163-164

⁴⁴ DDR/EJ/CCD 1/2, f. 172; *Depositions and other...*, 166-167

⁴⁵ DDR/EJ/CCD 1/2, f. 173; *Depositions and other...*, 169-171

⁴⁶ DDR/EJ/CCD 1/2, f. 197a v; *Depositions and other...*, 171

⁴⁷ DDR/EJ/CCD 1/2, f. 173; *Depositions and other...*, 169-171

and thrown over the wall into a sandpit. The holy water stone had been broken into pieces and destroyed.⁴⁸

In St Margaret's church the altar stone was unearthed from the church floor and set up together with holy water vat by Thomas Wayinman, Thomas Richmond and John Skortfeild. However, again these were soon taken down. Wayinman also confessed having been paid 8d for laying 'one fother of stones to buyld one alter'.⁴⁹ In Billingham the stone had been hidden under the place of choir.⁵⁰ Pittington church recovered its altar and holy water stones, hidden respectively in the church floor and in the bell house. It is interesting to note that after those had been taken down again, both were returned to the places they had originally been found, showing that rebels in Pittington were keen to hold on to Catholic symbols. Parishioners who had been involved in erecting the stones, all agreed that it was done upon the commandments of Cuthbert Neville, 'upon payn of hanginge,' except Edward Gillery and Gilbert Dixon who were 'hyered by the Chruchwardens to make up one alter' and if not both of them then at least Gillery had received 4d for the labour.⁵¹ In Stockton three women helped with the raising of an altar.⁵² James Lockye, Simon Croft and Robert Dowghat from St Andrew's parish in Auckland, after being instructed by churchwarden William Sklaitor and Robert Cornefurth, took responsibility for erecting the altar, which according to James Lockye was done 'for feir of troble'.⁵³ Lockye's explanation clearly reflects the fear of serious consequences that disobeying the earls would have led to.

Krista Kesselring shows in her study about the Northern Rebellion of 1569 how a reluctance to embrace the established religion was recognisable in Sedgfield even before the outbreak of the rebellion. After the new communion table for Protestant worship had been erected in 1567 in the place of the old altar, a group of churchwardens had removed the table within two months and reerected the altar. Not all of the inhabitants of the village

⁴⁸ DDR/EJ/CCD 1/2, fols. 179v-182v, 184, *Depositions and other...*, 194-197

⁴⁹ DDR/EJ/CCD 1/2 f. 179, 194v; *Depositions and other...*, 172-174

⁵⁰ DDR/EJ/CCD 1/2 f. 193r; *Depositions* 197-198

⁵¹ DDR/EJ/CCD 1/2 f. 178v-179r, 194r; *Depositions* 175-177

⁵² DDR/EJ/CCD 1/2 f. 179v; *Depositions and other...*, 198

⁵³ DDR/EJ/CCD 1/2 f. 190v; *Depositions and other...*, 179

approved it and the act was reported to bishop's officials.⁵⁴ This shows that the parish was not thoroughly Catholic after all. In light of the incident with the communion table, it is harder to establish what the religious atmosphere and focus of devotion were during the course of the events in the rebellion. Kesselring argues that although religious changes had previously divided the community of Sedgefield, people seemed to have come together during the revolt.⁵⁵ Relying on the depositions, the parish stood out once again for its parishioners' active commitment.⁵⁶ Churchwarden Roland Hixon and parish clerk John Newton, being aware where the altar stones and holy water vat were hidden, instructed parishioners to uncover those and set them up in the church. Hixon later tried to put the blame on others by arguing that he was 'compelled' by Lancelott Bulman, Brian Headlam and Richard Fleitham.⁵⁷ There were different figures given regarding the number of people who actually got involved in the erection of the altar and holy water stone. Newton said there had been about eighty persons drawing the stone with ropes whilst according to Hixon the number remained only around thirty. Robert Fleatham in his testimony does not specify the number, saying just that there were 'many' of the parishioners at work.⁵⁸ That there was consensus amongst parishioners when it came to putting the Catholic practices in use again, was reflected in Roland Hixon's testimony, when he said that 'the parish mett to gyther and consultancy to fett in the aulter stone and hallywaiter ston.'⁵⁹ When the altar and water vat were taken down again, those were hidden under the orders of Hixon and Newton.⁶⁰ It is very likely that Hixon exaggerated whilst talking about the inhabitants' common will. Kesselring's study showed that the people of Sedgefield's religious preferences had been earlier divided and there is reason to believe that Hixon was referring to the conservative group of the villagers only. No deponents from Sedgefield are said to have been threatened with violence to make them take part in erecting the altars, unlike many parishioners from other parishes. This again affirms that many of them, who had chosen to participate in the rebellion in Sedgefield, were people with Catholic sympathies.

⁵⁴ Kesselring, *The Northern Rebellion of 1569*, 71, 143

⁵⁵ Kesselring, *The Northern Rebellion of 1569*, 71

⁵⁶ DDR/EJ/CCD 1/2 fols. 180v-182v, 189v-190r, 192v-193r, 195-196r; *Depositions and other...*, 183-193

⁵⁷ DDR/EJ/CCD 1/2, f. 182r, *Depositions and other...*, 187

⁵⁸ DDR/EJ/CCD 1/2 fols. 181-182v, 192v; *Depositions and other...*, 185-188, 190

⁵⁹ DDR/EJ/CCD 1/2, f. 182r; *Depositions and other...*, 187

⁶⁰ DDR/EJ/CCD 1/2, fols. 181r, 196r; *Depositions and other...*, 185, 193

In addition, some of them were contract workers recruited by conservative minded protesters. Namely, several deponents confessed that they had been employed for this particular task, like Christopher Hartborn who stated that he ‘was hierd, *commandyd* and sett awork by *Roland Hixon*.’ Also John Johnson highlighted the importance of financial gain for some participants involved in the rebellious acts saying that Hixon had ‘*promised waidges*’ to many workmen, ‘*which ys yett unpaid*’.⁶¹

In a similar manner to the book burnings, many deponents insisted that the erection of the altars and water stones was done under compulsion. Sedgefield was the only parish where references to threat and coercion were absent. Besides, there occurred indications to unanimity amongst the inhabitants. From several testimonies from different parishes it emerges that the promise to get paid was a strong reason for some of the participants. According to the depositions, fear, compulsion and money seem to have been the activating motives for involvement in the destruction of Protestant symbols and restoration of Catholic fittings in the churches. Whether partaking in mass was described and justified in a similar manner, will emerge after the celebrations of mass are reconstructed according to deponents’ testimonies.

Celebrating Catholic mass

In connection with restoring of the altars and holy water vats the traditional Catholic mass was sung in many churches across the diocese. Events at Durham cathedral, the religious stronghold of the diocese and the former priory of the monastic community, were revealed in the course of the attendants’ interrogations. Prebendaries, minor canons, chaplains, choir masters and lay clerks as well as members of the public were questioned after the

⁶¹ DDR/EJ/CCD 1/2, fols. 180v, 181r, 196r; *Depositions and other...*, 184-185, 193

rebellious outburst in Durham.⁶² Depositions from 1570 give evidence of masses being celebrated in the cathedral, conducted by William Holmes, Robert Peirson, John Pierson and John Robson. The way of worshiping that Protestants hoped had been forsaken, was practiced again: celebrating the sacrament of holy communion according to the old Catholic custom, procession after the cross, absolution or reconciliation, the mass being said or sung in Latin. Some participants admitted taking holy bread and holy water: many denied it. Three women, Elizabeth Watson, Agnes Nixon and Alice Wilkinson, confessed having used beads to pray upon, ‘as many thowsand dyd’ according to Wilkinson.⁶³ William Holmes had praised the pope of Rome and expressed extreme criticism towards the established church of England, calling the new religion schism. According to the witnesses Holmes was heard to ‘preach in the pulpit commendinge the old estayt and fyndinge fault with the newe’, ‘speake expressedly against the stait of Religion established here in England’, ‘termed this estayt of England to be erroneous and sismaticall’, ‘preache against religion nowe established calling it a schisme’.⁶⁴ Holmes tried to convince people to abandon the Protestant religion and become reconciled with the pope, offering them absolution in the name of pope Pius V.⁶⁵ Similarly to the matter of the holy bread and holy water, some admitted receiving absolution but many denied it. Where the books and ornaments that were used at the Catholic mass had come from, or where they had been taken again, remained unanswered, anybody who was questioned denied any knowledge of them. The whole of the cathedral’s ecclesiastical personnel testified similarly to prebendary George Cliffe that they knew not ‘where they had them nor what worde of them,’⁶⁶ although their nescience is difficult to believe.

Inhabitants of Darlington had to take part in Catholic worship under compulsion, as Sir George Bowes, member of the Council of the North and provost marshal in the aftermath of the rebellion,⁶⁷ wrote to the earl of Sussex on 17 November: ‘Masse was yesterday at

⁶² DDR/EJ/CCD 1/2, fols. 168v-170v, 172v, 176r-178r, 184v-189r, 191v-192r, 194v, 200v-201v; *Depositions and other...*, 136-162

⁶³ DDR/EJ/CCD 1/2, f. 200v, *Depositions and other...*, 160-161, 164

⁶⁴ DDR/EJ/CCD 1/2, fols. 170v, 176r, 186r, 188b r; *Depositions and other...*, 138, 144, 152, 158

⁶⁵ DDR/EJ/CCD 1/2, f. 188v; *Depositions and other...*, 157

⁶⁶ DDR/EJ/CCD 1/2, f. 169r; *Depositions and other...*, 137

⁶⁷ Kesselring, *The Northern Rebellion of 1569*, 6, 124

Darnton; and John Swinburn, with a staffe, drove before him the poor folks, to hasten them to hear the same.’⁶⁸ People from Pittington, St Oswald, St Giles, St Nicholas and St Margaret parishes admitted taking part in the mass in the cathedral church.⁶⁹ Masses of a similar manner to those held at the cathedral were said and sung in several other churches in Durham city and in the diocese. William Holmes not only preached at the cathedral but also at St Nicholas and St Giles churches in Durham.⁷⁰ William Headlam, curate of St Nicholas, admitted being at a mass at the same church, the mass being said by Robert Peirson.⁷¹ The same Peirson, being a curate of Brancepeth, had christened a child of Elizabeth and Henry Rutter during the rebellion according to the old customs.⁷² The curate of the church of Witton Gilbert, John Browne, turned to his parishioners during the morning prayer apologising for having for the last eleven years taught them a religion which was against his ‘own soule’, ready to face the consequences.⁷³ At the parish church of Auckland St Andrew priest ‘Sir Edward’ had said openly in the pulpit that ‘he hadd taught them *with wronge*’.⁷⁴ George White or Whit celebrated the mass in the church of Auckland St Helen, preaching against the established religion and asking people to convert to Catholicism. He had also said mass at Barnard Castle.⁷⁵ The emotional events in Sedgefield culminated likewise with a mass, lead by Richard Hartborn, who expressed his distaste towards the Protestant religion and offered reconciliation.⁷⁶ The same priest sang mass also in Long Newton.⁷⁷ Deponents in all of the cases presented above preferred to underplay their activity in these events, proclaiming themselves either not to have heard nor to have seen the mass, not received communion nor to have kneeled at any point during the service. Despite their modest participation at the mass, as they alleged it to have been, most of them claimed to regret that they had been there altogether.

⁶⁸ Sharp, *Memorials of the Rebellion of 1569*, 45

⁶⁹ DDR/EJ/CCD 1/2, fols. 173r, 178v-179, 183r, 194v 197a v; *Depositions and other...*, 168, 171-175

⁷⁰ DDR/EJ/CCD 1/2, fols. 172, 200v, 201v-202r; *Depositions and other...*, 164-168

⁷¹ DDR/EJ/CCD 1/2, f. 169; *Depositions and other...*, 162

⁷² DDR/EJ/CCD 1/2, fols. 190v-191; *Depositions and other...*, 177-178

⁷³ DDR/EJ/CCD 1/2, f. 189v; *Depositions and other...*, 174-175

⁷⁴ DDR/EJ/CCD 1/2, f. 193v; *Depositions and other...*, 180

⁷⁵ DDR/EJ/CCD 1/2, fols. 203-205v; *Depositions and other...*, 181-183

⁷⁶ DDR/EJ/CCD 1/2, fols. 181-182; *Depositions and other...*, 185-188

⁷⁷ DDR/EJ/CCD 1/2, fols. 179v-180, 182v; *Depositions and other...*, 194-196

Regarding participation in Catholic mass, the compulsory element was not stressed in a manner as it was in the cases concerning book burnings and erecting of altars. John Brimley, master of the choristers, said that he had done it ‘by compulsion’⁷⁸ and Roland Blenkinsop, a priest and a minor canon, ‘was forced’.⁷⁹ Similarly, several of the ecclesiastical personnel of Durham cathedral claimed that they were commanded to participate. Although provost marshal George Bowes argued that people were forced to attend mass in Darlington, deponents at the consistory court seldom justified their attendance with duress. All of the above indicates that whilst participation in the destruction of Protestant symbols and the erection of Catholic ones was involuntary, or at least allegedly involuntary, then many people made their way to mass of their own free will. It might have been curiosity that led them there, but it might also have been their personal religious sympathies. Because the depositions sometimes give conflicting evidence with regard to the willingness of the deponents’ to be involved and do not always reflect the seriousness of the consequences the rebellion had to the diocese, other sources should be explored for further details. In the following section the studies on the aftermath of the uprising are examined in an attempt to clarify and assess how much, and what popular support the rebellion received.

Aftermath of the Northern Rebellion

For gaining more detailed evidence on the popularity of the rising amongst the inhabitants of Durham diocese, the authorities’ response to the revolt must be reviewed. The numbers of participants, listed by the officials, and their social status and rank cast light upon how widely the rebellious and thus possibly unorthodox ideas had spread in the region. The sundry punishments the rebels received, varying from penance to execution, might reveal

⁷⁸ DDR/EJ/CCD 1/2, fols. 184v-185r; *Depositions and other...*, 149

⁷⁹ DDR/EJ/CCD 1/2, f. 177v; *Depositions and other...*, 146

the level of their individual involvement and thus say something about their deviant religious convictions. Therefore, in order to identify manifestations of religious deviance and its intensity in the rising, the current section focuses on the ways the rebellion was responded to by the Queen's officials, with the Council of the North as the executer of the governmental control at the head.

It is impossible to know exactly the total number of people involved in the Northern Rising. According to figures compiled by Sir Thomas Gargraves, Richard Norton's successor as High Sheriff of Yorkshire, a total of twenty thousand men had revolted, whereof a force of more than sixteen thousand were foot troops and nearly four thousand horsemen.⁸⁰ These numbers are likely to have been largely overestimated since Mervyn James has offered a considerably smaller number by suggesting that at the height of their strength there were about four thousand foot and some seventeen hundred light horse.⁸¹ These lower numbers are also supported by Krista Kesselring, who said that by mid-November 1569 the earls had roughly six thousand men in arms. According to Kesselring's study the amount of earls' Northumbrian tenants and retainers amongst the rebels remained relatively modest.⁸² Since only about eighty to a hundred horsemen were known to have come from the Langley lordship in Northumberland, then the considerably higher number, roughly 500, rebels were comprised of the infamous border reivers.⁸³ Although it has often been assumed that rebels came from the lower and poorer levels of the society, the records have revealed that amongst the rebels both in Durham diocese as well as Yorkshire, at least 2191 were yeomen, 142 husbandmen, sixty-six labourers and sixty-three gentlemen. In addition, there were various tradesmen, for example barbers, glovers and wheelwrights. At least seventy-one were village constables and there were also some bailiffs.⁸⁴ Bishop Pilkington claimed that the number of offenders was so great that there were few innocent left to try the guilty. Dr Swift, the bishop of Durham's Vicar-General, together with another commissary, held a court of enquiry into the conduct of the men arrested, most of

⁸⁰ Lowers, *Mirrors for Rebels*, 26

⁸¹ Mervyn James, *Society, Politics and Culture* (Cambridge: Cambridge University Press, 1986), 293

⁸² Kesselring, *The Northern Rebellion of 1569*, 61-62

⁸³ James, *Society, Politics and Culture*, 294; Kesselring, *The Northern Rebellion of 1569*, 62; Sharp, *Memorials of the Rebellion of 1569*, 185

⁸⁴ Kesselring, *The Northern Rebellion of 1569*, 64-65

whom seemed suddenly to have betrayed their interest in the old ecclesiastical ways and denied being favourers of Catholicism. Over a hundred and twenty persons were examined, and most of them were struggling to find explanations acceptable for the court.⁸⁵ As it was shown in the reconstruction of the course of the events, both laity and clergy were suspected of favouring Catholic teachings. Six minor canons and nine lay clerks from Durham cathedral were in trouble. Some of them pleaded to having been already punished by the dean, but this plea was not taken into account by the court. Brimley, the organist, pleaded compulsion, as did Blenkinsopp, another of the minor canons, and many more.⁸⁶ Similarly, some members of the Northumberland clergy appeared to have taken part in the rebellion. For example Roger Venys, vicar of Mitford, who joined the rebels whilst being in exile in Scotland, and William Watson, vicar of Bedlington was reported to have participated in the rising. The curate of Whittonstall also showed Catholic sympathies at this time, and a number of other clergy who were required to make a submission to the bishop in 1569 and 1570, might have been connected with the rebellion.⁸⁷ Twenty-eight citizens of Durham city, sixty-six clergy and laity from the rest of the county Durham, including twenty-two from Sedgefield, were questioned before the court.⁸⁸

The amount of followers the earls had, assuming that it remained around six thousand men as James and Kesselring suggested, would have been approximately one fifth of the population of Durham Palatinate in 1569.⁸⁹ Taking into account that included among these six thousand men were also the followers from Yorkshire where the rebellion moved after its outbreak in the Durham diocese, the ratio of rebel army to population of the region formed less than one fifth. The figure of six thousand describes the number of people who became actively involved and do not reveal how many passive supporters the rebellion had. Regarding the social status of the rebels it becomes clear that there were supporters from all ranks and both laity and clergy were equally suspected in later, selectively conducted interrogations. As the numbers of possible participants alone are not sufficient enough to

⁸⁵ Whiting, *The Rising of the North in 1569*, 478

⁸⁶ *ibid.*, 479

⁸⁷ Keeling, 'The Church and Religion in the Anglo-Scottish Border Counties', 145-146, 393

⁸⁸ Whiting, *The Rising of the North in 1569*, 478- 479

⁸⁹ James, *Society, Politics and Culture*, 7

claim either a great or a modest popularity of the uprising, the punishments applied to the rebels might indicate how serious the impacts of their rioting were thought to have had.

By ancient custom and law, individuals guilty of treason had to cede their lands and goods to their ruler. Since there were several rebels without estates of value who had little or nothing to lose, the Queen decided to proclaim her pardon to them for a certain fee. They also had to attend a sermon that recounted the heinousness of their sins and were obliged to swear an oath of loyalty to the Queen before receiving her mercy. Catholics did not receive pardon until they repented not only of their actions in the rebellion but also of their faith. All had to sign a renunciation of Roman doctrines. Many came forward to receive her Majesty's pardon, even those who had not directly participated in the rising itself but who had supported the rebellion financially or by other means. As George Bowes later reported, there were about eleven to twelve thousand men who presented themselves.⁹⁰

Some of the rebels were required to do penance in a white sheet.⁹¹ The penances which the courts of early modern England awarded to those found guilty normally involved a demonstration of public confession and humiliation. In medieval times, this usually had taken the form of walking barefooted in a procession round or within the parish church, carrying a candle, or occasionally, the public penance took place in a market or on a village green. This form of penance had often survived and was continually practiced in early modern times. After the Reformation, the public appearance was instructed to be carried out generally during a service within the church, the penitent standing at the church door or being seated in some visible place. In England, the culprits were normally barefooted and ordered to wear a white sheet, which shows that the penance some of the rebels were sent to do was typical of its time. Usually the public appearance was repeated on several occasions. It is not known how many times the participants of the uprising were sentenced to appear, but it is known that in Scotland, for example, for serious offences the sinners were commanded to do the penance for up to twenty Sundays.⁹² Despite the humiliation

⁹⁰ Kesselring, *The Northern Rebellion of 1569*, 119, 127-128; Whiting, *The Rising of the North in 1569*, 479

⁹¹ Whiting, *The Rising of the North in 1569*, 479

⁹² Hair, *Before the Bawdy Court*, 256

that public penance brought with itself, it was considered as very light punishment for the rebels.⁹³

No reliable estimation of the number of executed is available. Charles Whiting suggested that about eight hundred in all were executed by martial law.⁹⁴ Thomas Radcliffe, the earl of Sussex and lord president of the Council of the North, had determined that seven hundred executions would serve to set the example the government required. According to George Bowes, then appointed as provost marshal, many of these seven hundred were never executed, since they had fled or were hidden, or in a very rare case had been reprieved. Thus the given figure represented the number of those intended to be killed rather than those who actually were killed.⁹⁵

Rinehart on the other hand argued that the number of seven or eight hundred represented those who were executed without a hearing under martial law in January 1570. Still, there is nothing that can either prove or disprove the estimated number. He continues: ‘Many died and many more than appeared on the lists compiled by Sussex and Bowes may have been slaughtered on surrender, without ceremony or hesitation, or by the roadside, or in camp, or even in their homes, innocent and guilty alike. On the basis of the figures which can be verified, however, the most radical estimate that can be made is 539 executed under martial law, and a portion of those included in that number may very likely never have gone to the gallows.’⁹⁶ C. S. Collingwood’s estimation, relying on Cuthbert Sharp’s figures, is near to that of Rinehart’s, suggesting that about six hundred persons were executed under martial law whereof mostly of the ‘poore sorte.’⁹⁷ Richard Welford has noted that three hundred were ordered for execution in county Durham.⁹⁸ Krista Kesselring’s recent study about the Northern Rising presents more precise numbers, saying that of those 794 men from Durham who were identified, 308 were sent to their death.⁹⁹ George Bowes listed eighteen men from Sedgfield on the list of culprits, of which five

⁹³ Whiting, *The Rising of the North in 1569*, 479

⁹⁴ *ibid.*, 478

⁹⁵ Rinehart, ‘Lord President Sussex’, 283

⁹⁶ *ibid.*, 296

⁹⁷ Collingwood, *Memoirs of Bernard Gilpin*, 209

⁹⁸ Welford, *History of Newcastle and Gateshead*, vol. II, 428

⁹⁹ Kesselring, *The Northern Rebellion of 1569*, 124

were marked to have been executed. Kesselring assumes that Brian Headlam was most possibly one of the men who suffered the death penalty. Zealous book burner Roland Hixon, on the other hand, obtained mercy.¹⁰⁰

Whatever the actual number of the executed was, it is certain that the death penalty was not the punishment reserved for the most fervent and violent rebels. Such small matters as speaking to a rebel or carrying a message could result in hanging, which testifies to the exemplary purpose that these punishments had. Of the number of executed that is known, eighty were hanged in Durham, at the top of Framwellgate near St Cuthbert's Anglican Church. Among them was Thomas Plumptre or Plumtree, a priest who had said mass at Durham and Darlington and who had reportedly been arrested at the cathedral altar. According to the records that survive, he is the only priest known to have been executed for his part in the rebellion. Forty-two men were hanged at Darlington, twenty at Barnard Castle, a hundred and seventy-two in the villages of the diocese and additionally two hundred and thirty-one in Richmondshire.¹⁰¹ The aim was that there should be at least one terrible example in every village where the residents had taken part in the rebellion. No matter how large or small their part in the rising was, no village was allowed to remain spared of the example of at least one man hanging, even if it was the only man who had gone out with the earls. Thomas Radcliffe, the earl of Sussex, claimed that there was not a single village between Newcastle and Wetherby in Yorkshire where someone had not been hanged.¹⁰² Radcliffe had arranged that prisoners were to be executed in their home districts in front of their families and neighbours. If the number of prisoners under arrest from a town or village was not sufficient to meet its quota, Radcliffe planned to have prisoners from other areas brought in for execution.¹⁰³ Execution of rebels from other districts had namely taken place in the villages of Ripon and Tadcaster in Yorkshire. Its purpose was to increase further the terror of the parishioners who still might have cherished unorthodox sympathies.¹⁰⁴ George Bowes declared a couple of years later that he had 'executed none

¹⁰⁰ Kesselring, *The Northern Rebellion of 1569*, 143

¹⁰¹ Kesselring, *The Northern Rebellion of 1569*, 125, 133; Whiting, *The Rising of the North in 1569*, 478

¹⁰² Rinehart, 'Lord President Sussex', 284; Whiting, *The Rising of the North in 1569*, 478

¹⁰³ Rinehart, 'Lord President Sussex', 284

¹⁰⁴ Whiting, *The Rising of the North in 1569*, 478

but such as confessed that they had been in actual rebellion two days at least after the expiration of the first pardon.’¹⁰⁵ Still, not all of the guilty were punished in an equal manner, as Kesselring has expressed it: ‘decisions on the fate of the guilty had all the appearance of a lottery,’¹⁰⁶ meaning that the correlation between the individual’s involvement and the authorities’ response was often of a random character and that executions were carried out as exemplary warning.

The fact that people were selected and punishments applied relatively indiscriminately shows that the number of those who were punished and executed did not reflect the actual number of fervent Catholic rebels. Thus the numbers of rebels participating and punished can not be used as reliable proof for estimating the actual popular support the rebellion might have received. On the contrary, relatively meagre endorsement has been noted in previous studies. W. H. Frere has argued that the Northern Rising, being a spontaneous revolt on the part of the English people against the reformed religion, failed because of the lack of support.¹⁰⁷ That the support remained weak has also been noted by Susan Keeling. She stated that there was not ‘any massive support for a restoration of the old religion.’ The rebellion of the earls showed that the strength of the northern Catholics was not as great a danger as it had been thought to be. The quiet conservatism of the northern region caused no concern because the old popular Catholicism was, if not faded away yet, then at least too weak to be considered a danger. The events of 1569 showed, as Keeling argued, that the popular Catholicism or rather conservatism, which had inspired the Pilgrimage of Grace in 1536, was no longer a threat or a force to be reckoned with.¹⁰⁸

Since the numbers of the rebels and the types of punishments they received do not provide enough evidence of popular support (or the lack of it) to the Northern Rising and do not say anything convincing about rebels’ religious beliefs, another dimension has to be introduced. In the following section, the participants’ own motives, as they impart those, are discussed.

¹⁰⁵ Collingwood, *Memoirs of Bernard Gilpin*, 210

¹⁰⁶ Kesselring, *The Northern Rebellion of 1569*, 124

¹⁰⁷ Frere, *The English Church In the Reigns of Elizabeth and James I*, 148

¹⁰⁸ Keeling, ‘The Church and Religion in the Anglo-Scottish Border Counties’, 315, 393, 396

Motives for participation in the Rebellion

What the actual atmosphere in the diocese was during the events in focus, how intense individuals' participation in the rebellious actions was and what the reasons were for people making their way to mass, is not easily explainable. In the previous section Frere's and Keeling's claims of a lack of support to the rebellion were presented. Rosamund Oates, on the contrary, speaks about 'widespread popular support' to the rising.¹⁰⁹ Also Krista Kesselring argues for the rebels' involvement being conscious and willing. She sees the importance of faith in moving men to participate, whether this 'faith consisted of deep, doctrinal commitment to papal supremacy or a more straightforward preference for the old ways.'¹¹⁰ For gaining deeper understanding about people's possible sympathies and motives, deponents' own testimonies should be consulted in further detail.

At Durham cathedral, all the workmen who confessed to their involvement in restoring the altars and all the lower clergy who admitted to having been present at the Catholic mass and partaking in the ceremony, claimed to have been unwilling to do so. John Oliver said that he 'work against his will,' so did Robert Hutcheson and Henry Younger, all of whom had been involved in the building of an altar.¹¹¹ Richard Banckus, priest and one of the minor canons who had helped to conduct the mass at Durham cathedral, said that 'it was against his will all he dyd and for feir of his lyffe.'¹¹² Clerk Thomas Knighton confessed that participation at the mass 'was moch against his will', so did another clerk Richard Bell.¹¹³ William Watson from St Nicholas parish explained that it was 'for Feir' he had assisted Holmes at the mass.¹¹⁴ Most of the depositions follow the same pattern when it concerns the participants' willingness to take part in the rebellious acts. Responsibility for the lower clergy's involvement in masses was, once again, laid upon the leaders of the rebellion. As minor canon and priest Roland Blenkinsop testified, he 'was forced by the

¹⁰⁹ Oates, 'Catholicism, Conformity and the Community', 55

¹¹⁰ Kesselring, *The Northern Rebellion of 1569*, 182

¹¹¹ DDR/EJ/CCD 1/2, fols. 171, 172v-173r; *Depositions and other...*, 140, 142

¹¹² DDR/EJ/CCD 1/2, fols. 176v-177r; *Depositions and other...*, 145

¹¹³ DDR/EJ/CCD 1/2, fols. 187r, 188r; *Depositions and other...*, 155-156

¹¹⁴ DDR/EJ/CCD 1/2, fols. 201v-202r; *Depositions and other...*, 165-166

commandement of my lord of Northumberland to come to the church and doo all that he dyd’, or as chaplain John Baxter said, ‘that was by the commandement of *master* Cuthbert Nevill’ that he took the holy water as many others did.¹¹⁵ Commandments given to attend the mass were also the reason why some members of the laity participated, although in this instance this explanation or excuse was not used as frequently as in other matters. Gilbert Nixon, who regretted his participation, said that he was commanded by ‘Robert Brandshaw or Henry Farreles’ to go to the service at the cathedral.¹¹⁶ Agnes Nixson ‘was onc at masse in the *cathedral* of Durham’ and ‘that was by the commandyd of the officers’.¹¹⁷ It has already been shown that John Swinburn drove people with a staff to mass in Darlington. Also the earl of Sussex testified that exhortation had been used when he wrote to the Queen saying that the earls ‘have perswaded the peopel to take ther parts’.¹¹⁸ How much coercion did occur and how much was the result of persons’ own will and curiosity is difficult to estimate. The fact that the laity excused their involvement with duress mainly in connection with book burnings and altar restorations and not so much when it concerned participation in a mass, can be explained via the different nature of these events. Whilst destroying Protestant symbols and restoring Catholic elements required more active and conscious involvement than presence at a mass, the latter one might have been regarded as a minor error and less justification was thought to be needed. Even if the attendance at mass was mainly voluntary and driven rather by human curiosity than by Catholic-mindedness, some parishioners’ undoubtedly had conservative sympathies.

At the same time as the deponents confessed about the threat they had been under, they were sorry for having done anything that was against the established Church of England. As one of the minor canons, William Smith said, he was ‘hartly sory’ and explained that he was ‘a simple man and easye to be seduced’.¹¹⁹ John Waill, one of the workmen working on the high altar, was ‘sory for his faltes’, and Sedgefield parish clerk John Newton was ‘sory for his faulte’.¹²⁰ Parishioners expressed regret in a similar way to the clergy, all

¹¹⁵ DDR/EJ/CCD 1/2, fols. 177v-178r; *Depositions and other...*, 146, 148

¹¹⁶ DDR/EJ/CCD 1/2, f. 201r; *Depositions and other...*, 161

¹¹⁷ DDR/EJ/CCD 1/2, f. 200v; *Depositions and other...*, 160

¹¹⁸ Sharp, *Memorials of the Rebellion of 1569*, 35-36, 45

¹¹⁹ DDR/EJ/CCD 1/2, f. 170v; *Depositions and other...*, 139

¹²⁰ DDR/EJ/CCD 1/2, fols. 172v, 181v; *Depositions and other...*, 143, 186

being sorry for their actions. Some of the deponents seemed hopeful of finding relief for their conscience and/or lighter punishment by adding to their, at least outwardly, humble confession that their participation in these masses had been extremely modest: ‘dyd not singe at ytt nor loke at the elevacion’, ‘saw masse but neither said or song at one or other of them’, ‘did se nothing’, ‘hard no mattens evensong or masse’.¹²¹ As it was shown before, many denied receiving absolution, holy bread and holy water. Whether they proclaimed it because of the fear of punishment or because they were sincerely regretting the acts done in contradiction to their own religious beliefs is not very clear when relying on the depositions alone. But it is extremely unlikely that the whole crowd that had gathered at the cathedral, sat with their eyes turned away and neither saw nor heard anything of the service.

Despite deponents’ desperate attempts to underplay their own participation in the events during the uprising and endeavour to explain it with threats from the earls and clergy, the multitude of people involved seems to have been noteworthy. Many deponents said that they had neither seen nor heard the service conducted because the great number of people present at the masses made it impossible to follow the service. George Cliffe said that ‘the preise of people was very great’, or as Richard Banckus argued: ‘ther was such a multitude of peoples at the same that this *examine* could not her one worde he [William Holmes] said.’¹²² Thomas Knightson described ‘the great thronge of peoples’ and George Cuthbert talked about ‘the great *prease* of the peoples’. Several others mentioned ‘throng’, ‘*prease*’ and ‘concorse’ of people.¹²³ Alice Wilkinson described that ‘she occupied her goodes as many thowsand dyd’.¹²⁴ The number of parishioners working at the building of the altar and destroying Protestant books at Sedgefield varied in the different testimonies given, being anything between thirty and eighty.¹²⁵ It should be emphasised though that the multitude describes here people being present and not necessarily active participants.

¹²¹ DDR/EJ/CCD 1/2, fols. 169r, 177v, 180r, 201v; *Depositions and other...*, 136, 147, 165, 195

¹²² DDR/EJ/CCD 1/2, fols. 169r, 177r; *Depositions and other...*, 136, 145

¹²³ DDR/EJ/CCD 1/2, fols. 187r, 188 a v, 194v, 200v, 201; *Depositions and other...*, 154, 157, 160-161, 165, 174

¹²⁴ DDR/EJ/CCD 1/2, f. 200v; *Depositions and other...*, 164

¹²⁵ DDR/EJ/CCD 1/2, fols. 181-182; *Depositions and other...*, 186-187

As several depositions revealed, it was by the means of threat that people were put to work on restoring altars and holy water vats. But fear was not the only motivator. Whilst Robert Hutcheson and John Oliver confessed that the men working at the restoration of the high altar at Durham cathedral were threatened and none of them was paid ‘any waidges’, and the churchwarden of St Oswald affirmed that he ‘hierd no laborer or paid any waidge to any person that wrought ther at’,¹²⁶ then the situation looked different for many others involved in similar activities in some other parishes in the diocese. Thomas Waynman was paid for his work at St Margaret church. Two workmen, Edward Gillery and Gilbert Dixon, admitted being paid for their efforts at Pittington, where Gillery’s salary was 4d. Cuthbert Gubion and Christopher Hartborne were ‘hired’ by Roland Hixon at Sedgefield. Margery or Marjory Craue was rewarded 12d for her involvement at Long Newton, where she had ‘borre one skepfull off sande’ for the altar.¹²⁷ Also Mervyn James has identified that the offers of pay were essential to hold the majority of the recruits at the rebellion, which did not consist purely of tenants of the earls as it often has been thought to have been. James suggests that this also explains the poor number of rebels from Northumberland, where neither the earl nor his associates ever made any personal visit to mobilise the forces and to negotiate the wages.¹²⁸

Persuasion, threat and bribery worked as effective measures. George Bowes complained that ‘with fear, or fair speech, or offers of money they draw away the hearts of people’.¹²⁹ The suggestion that both fear and promise to get paid were efficient driving forces for many of the lay people is also supported by the fact that, in the depositions at hand, there was a complete lack of any attempts to explain individual participation with personal religious beliefs or values. Not one of the witnesses stood up to defend neither their actions nor Catholic religious practices. Whether because they were not actual favourers of Catholicism or just because by defending it they would have faced more serious punishment, there was a complete lack of support shown to conservative religious ideas and the responsibility was shrugged off. As much as possible, blame was put on the leaders

¹²⁶ DDR/EJ/CCD 1/2, fols. 171, 197a v; *Depositions and other...*, 141-142, 171

¹²⁷ DDR/EJ/CCD 1/2, fols. 179r, 180-181r, 194r; *Depositions and other...*, 172, 176-177, 184-185, 195

¹²⁸ James, *Society, Politics and Culture*, 294

¹²⁹ Kesselring, *The Northern Rebellion of 1569*, 64

of the rising. People confessed their participation, but in the vast majority of the cases it has been described as having been involuntary. Besides, humble regret was always expressed. None of those presented to consistory court, except a couple of examples from the clergy, showed steadfast sympathies towards Catholicism. John Brown, curate of Witton Gilbert, was in favour of the old religion, which he bravely confessed even if it would have meant becoming a martyr.¹³⁰ ‘Sir Edward’ from Auckland St Andrew repudiated Protestant teachings.¹³¹ Priest Thomas Plumtre or Plumtree remained faithful to his religious views for which he was convicted and executed in Durham.¹³² He had been offered mercy ‘in case he would go to church, which he refused to do.’¹³³ Although everybody regretted becoming involved in the rebellion, they claimed that they ‘spoke nothing in dispraise off this religion receyved’, ‘haith more love and affections to the quenes majesties procedinges then to the popes religion and to the masse’, ‘being no favorer of the pops religion nor hynderer of godes word or the quenes procedinges’.¹³⁴ Just as there were no references to parishioners justifying the rebellion or speaking in favour of Catholic religion, there were no entries of parishioners resisting the rebels. There was probably no active fight back and the body of quiet resistance fighters consisted of those who chose not to become involved in the Northern Rising. This indicates that for people, who decided to follow the call of the earls, fear and money mattered sometimes more than any school of religious teachings. Thus it testifies that people remained often indifferent towards both Catholicism and Protestantism, adjusting their ways as the situation required.

For Charles Whiting it was clear that it was Catholic sympathies that drove both clergy as well as laity to the uprising, although that majority of them later denied any voluntary participation in the events. He said: ‘It is true that afterwards many of the prisoners recanted to save their lives, and sometimes said they had acted unwillingly; but there seems little doubt in which direction the sympathies of a great part of the diocese lay. It came out in the later enquiries that several of the clergy at any rate hankered after the old ways, and

¹³⁰ DDR/EJ/CCD 1/2, f. 189v; *Depositions and other...*, 174

¹³¹ DDR/EJ/CCD 1/2, f. 193v; *Depositions and other...*, 180

¹³² Whiting, *The Rising of the North in 1569*, 478

¹³³ Kesselring, *The Northern Rebellion of 1569*, 125; Sharp, *Memorials of the Rebellion of 1569*, 188

¹³⁴ DDR/EJ/CCD 1/2, fols. 183r, 200v-201r; *Depositions and other...*, 161, 164, 196

sometimes, in part, practiced them.’¹³⁵ Also Christopher Haigh, despite seeing little religious motivation behind the earls’ decision to revolt, said that at least 80% of the rebels joined the rising for reasons of their own, whereof religious loyalty was one of their strongest motivators.¹³⁶ Similarly, Collingwood was convinced that the conservative sympathies were behind the laity’s participation, arguing that ‘the ignorant people, still hankering after the old faith, were easily misled by these professions [rebellion leaders’ proclamations], and if they did not flock in very large numbers to the standard, at all events sympathised and helped in other ways. The rising was purely Romanist, and only as such was popular.’¹³⁷ Patrick McGrath opposes and rejects the idea of Catholicism being the driving force of the rising, saying that ‘this was not initially a religious rebellion’. This could be affirmed by the fact that the revolt had not been supported by Catholics in other parts of the country who had no desire to become involved in the rebellion of the earls.¹³⁸

Rinehart has a more complicated view of the nature of the Northern Rebellion and he avoids offering any straight forward explanations by saying that ‘the rising was convoluted affair, its causes confused, its aims contradictory.’¹³⁹ That the reasons behind the rebellion were a complicated combination of religious as well as political motives were reflected in the testimony of Thomas Percy, the earl of Northumberland, when he was questioned in 1572. After being asked: ‘What was the intent and meanyng of the sayd rebellyon, and for what cause or intent was it chiefly taken in hande?’, he replied: ‘The intent and meaning of us uppon our first conferences and assambles, was only and specially for the reformation of religion, and the preservation of the second person, the Queen of Scots, whom we accompted by Gods lawe and mans lawe to be right heire, if want should be of issue of the Queens Majestys body.’ It is difficult to believe that religion was the main cause behind the Northern Rising, taking into account the information that Percy reveals in the course of interrogation. To the question ‘In what sort shuld the matter of religion have been reformed, considering the lawes did prohibit the same?’, he answered that ‘They never

¹³⁵ Whiting, *The Rising of the North in 1569*, 468

¹³⁶ Haigh, *English Reformations*, 257

¹³⁷ Collingwood, *Memoirs of Bernard Gilpin*, 206-207

¹³⁸ Patrick McGrath, *Papists and Puritans Under Elizabeth I* (London: Blandford Press, 1967), 65, 67

¹³⁹ Rinehart, ‘Lord President Sussex’, 330

entered so considerably of the matter; but hoped in tyme the same wold have followed.’¹⁴⁰ Even if it intentionally had been thought to be a religious revolt, then due to the lack of preparation and coordination from the leaders’ side it soon lost its religious core and if some of the rebels understood it to be a religious war, then it was that because of their own personal convictions only.

Krista Kesselring’s comprehensive study that examines the detailed circumstances behind the Northern Rebellion concludes that it was the multiplicity of the motives that shaped the events around the rising. She says that some individuals no doubt participated driven by fear, some because of promise of pay, or ‘the same spirit of conformity they had always shown to whoever might be in power at the time’, but others clearly joined the rebel forces ‘willingly and with enthusiasm’.¹⁴¹ Already the nature and focus of the acts of violence could, in Kesselring’s opinion, suggest that motives had their roots in tensions that built up around the Elizabethan religious reforms. She names two main targets of physical and verbal violence, namely Protestant church fittings together with books, and married ministers, which both represented recent and radical changes in the way of worship.¹⁴² Although Kesselring agrees that rebels’ motives varied widely, she emphasises repeatedly the role of personal religious beliefs saying that ‘some of the people who participated in the rebellion did so willingly and some for reasons of religious conviction.’¹⁴³ She is determined that the evidence ‘support the characterization of the rebels’ involvement as conscious and willing, rather than instinctive responses to the call of their feudal lords’. She continues, that already the context around the rising as well as the rhetoric that the leaders of the rebellion chose to persuade and cajole the laity to join them, not to mention the actions and symbols used in the revolt, ‘all argue for the importance of faith in moving men to participate, whether that faith consisted of a deep, doctrinal commitment to papal supremacy or a more straightforward preference for the old ways.’ The fact that not all traditionalists or Catholics joined the rebellion did not mean for Kesselring that the rising did not have religious characteristics. Why so many had despite their alleged conservative

¹⁴⁰ Sharp, *Memorials of the Rebellion of 1569*, 202, 212

¹⁴¹ Kesselring, *The Northern Rebellion of 1569*, 2, 5

¹⁴² *ibid.*, 68, 70

¹⁴³ *ibid.*, 74

preferences chosen to stay out of the revolt, she explains with loyalty in a wider sense: 'Loyalty to the old faith remained a strong force, but so too did a sense of loyalty to the crown, a habit of obedience, a preference for peace, and a fear of punishment.'¹⁴⁴

Although Kesselring argues that Catholic sympathies were the primary motive for some of the rebels, the proportions of those who joined because of their religious beliefs and of those who joined for other reasons are unclear. The evidence of the Durham Consistory Court depositions challenge Kesselring's view as they do not support the idea of Catholic-mindedness having been the strongest reason for the uprising, the only exception may have been the ecclesiastical personnel of Durham cathedral and some of the other ministers of the diocesan churches. A proof of clerical conservative preferences has already been shown by the fact that the clergy seemed to know the whereabouts of Latin books and liturgical symbols as well as altar and holy water stones, the latter ones usually hidden in the churches or on church grounds, showing that the initiative for hiding Catholic symbols most probably came from themselves. Regarding the personnel of Durham cathedral, it is noteworthy how obvious the preferences towards the old customs were but how the deponents retreated from any individual responsibility. The same applied to Sedgefield churchwarden Roland Hixon, who despite the fierceness of his actions was offered an opportunity to regret and obtained mercy. Coming back to the laity, their alleged preferences towards the forbidden religion do not have enough proof in the consistory court material. Assuming that many of the confessors lied in the fear of punishment, the information given could be interpreted differently, but there is little that could prove that the deponents had been profoundly dishonest. Another factor that could have been considered as evidence of Catholic sympathies is the number of rebels executed. But having seen that the level of involvement was often not in correlation with the punishment given and that the death penalty was applied randomly, the idea of understanding executed rebels as martyrs dying for their beliefs is confuted.

Participation without passion for Catholicism raises questions about the laity's religious convictions. Were people just easily manipulated and followed the orders given from

¹⁴⁴ *ibid.*, 182

above, without placing those orders in doubt? Or was it the fear of punishment that forced them to give up of their own beliefs, and if yes, then what does it actually say about the devotion of the laity? Were those easily frightened Protestants who neglected their belief and obeyed the orders of the earls, or Catholics who were not willing to suffer in the name of God when defeated and brought in front of the court? Or, were peoples' religious beliefs neither purely Protestant nor purely Catholic but a symbiosis, which would automatically undermine the religious core of the rebellion? Durham Consistory Court's depositions as well as previous works on the Northern Rebellion of 1569 have shown that the number of people involved in one way or another, was numerous. Culprits excused themselves with stories of being forced to take part and of been promised payment. As many as possible tried to deny active participation in a Catholic mass. Everybody except three priests about whom information is available claimed to have been favourers of the established religion. Summarising all the evidence at hand, it can be said that there were only a few rebels who acted in the name of religion. Whether the rest of the rebels, whose testimonies have survived, acted against their will or they just changed their stories as the circumstances changed, was known only to themselves, but in either case there is little that could be used to argue for their religious dedication. It would be incorrect to classify the people of the Elizabethan diocese of Durham to have been duplicitous Catholics or disavowing Protestants. More likely is that it was, at least to some extent, a general indifference towards the Catholicism as well as Protestantism that reigned in the region. An illustration of this point of view is Robert Gibson's testimony regarding book burning at St Giles in Durham, where about forty people were gathered around but 'none of the said xl aither praised their doinges therein, or found fault therwith.'¹⁴⁵ One of the possible explanations is that due to the frequent and radical changes that English Christianity had gone through during the previous decades, people had lost orientation in what was right and what was wrong. Besides, due to the complexity of both of these teachings the essence and theological differences between both schools of thought remained unclear for the laity, resulting in confusion and making them an easy target for anyone with good persuasive skills. Without asking any further questions or setting anything in doubt, they followed the

¹⁴⁵ DDR/EJ/CCD 1/2, f. 172; *Depositions and other...*, 167

path the authorities and the church guided them on. As obedient commonalities they followed the orders given, whether it concerned getting involved in a revolt, as previous examples showed, or whether it concerned the religious practices they were told to honour.

That the population of the Elizabethan Durham diocese was not coherently orthodox and that religious deviance, as contemporary authorities understood it, was an ever-present phenomenon, was shown above. But in order to outline the variations of deviance and possible reasons for it, it has to be studied at multiple levels. In the following, a deeper examination of the subject will be undertaken and the occurrence of deviance in its different forms in the daily life of early modern parishioners will be discussed.

Chapter III: The clergy and the parish in the Elizabethan diocese of Durham

The clergy, their sense of duty and dutifulness

In relation to the duties of clergy and their professional performance, Margaret Harvey argues that there is very little evidence showing the Durham clergy to have been conspicuously negligent or immoral on the eve of the Reformation,¹ which suggests that the single exceptions that occurred did not have much impact on the congregation and its morality in a wider perspective. Also Jane Freeman claimed that in post-Reformation Durham diocese clergy's offences against the moral code were rare and charges of immorality, drunkenness, or dishonesty were remarkably few.² Even if it happened rarely that direct charges against the clergy were raised, information about incumbents' own understanding of their duties and knowledge about their lifestyle can be obtained through other court cases. Durham Consistory Court deposition books present examples of clergy being absent and neglecting their duties. Testimonies given by the parishioners illuminate the way people felt about the situation they found themselves in whilst their clergy were either absent or immoral, and how it affected their religious life. Even if the number of these cases might be small in comparison to general religious obedience and sense of duty, these can yet reveal the aberrancies from the norm and the popular reaction to it.

In June 1570, Mitford vicar Roger Venis was accused of being continually absent from his vicarage. According to different testimonies he was said to have served the community for five to nine years, whereof he had been absent for the last twelve months and was believed

¹ Harvey, *Lay Religious Life in Late Medieval Durham*, 198

² Freeman, 'The Parish Ministry in the Diocese of Durham', 449-450

to have hidden himself amongst rebels during the Northern Rising. A Scottish priest who had taken over Venis's duties for a period had been discharged by the archdeacon. The result was that the vicarage had been left completely without divine service on Sundays for two weeks, children born meanwhile went unchristened and several dead were not given a Christian burial. By the time the case reached the court, the cure was being served by one Thomas Goodhusband, but the temporary lack of clergy had caused hard feelings amongst parishioners whereupon several complaints were made.³ Similarly, Egidius Robinson, vicar of Newburn was said to have shown little interest in his parish. After serving the vicarage for about ten or twelve years, he was reported to have spent half of the year away from the area and during the other half boarding in Newcastle and not in Newburn.⁴ In 1574 the parish of Newburn was once again left under the care of a vicar who did not show any commitment to his duties in the parish. The vicar had arrived at the vicarage on 10 November 1574 but had already departed on 22 December of the same year and had not come back by the time the investigation took place, which was somewhere after Michaelmas in 1575.⁵ Meanwhile, the duties of vicar were temporarily fulfilled, 'one Rashell haith been *minister* ther', but since Michaelmas there had been 'no *servic* att all in the said church of newburn.' Despite inconveniences, the parishioners found ways to carry out immediate religious necessities, such as baptisms, by turning to the next nearest church or chapel: '*master* garnett or his curat saing that the children off newburn sinc the going away of the said Rachell ar caried over the water to Riton to be christened.'⁶

Henry Nawton, the vicar of Gainford,⁷ testified in November 1576 how he left the parish almost immediately after he had been installed there. He admitted that he was instituted to the vicarage on 4 November 1575 and that on the 14th of the same month 'he went from the said vicarage of gainfurthe out of the *diocese* of Duresme and remayned at Cambridge continually.' Further his testimony reveals the lack of commitment to the vicarage in question: 'he intendethe not to make any *personall* or continuall Residence upon the said

³ DDR/EJ/CCD 1/2, fols. 205r-207r; *Depositions and other...*, 200-201

⁴ DDR/EJ/CCD 1/2, fols. 207 bis v-208 bis r

⁵ DDR/EJ/CCD 1/4, f. 126

⁶ DDR/EJ/CCD 1/4, f. 126r

⁷ Spelt Gainfurth in the document

vicarage.⁸ Jane Freeman brings out that his justification, which was sufficient for Durham authorities, was based upon his university studies at Cambridge.⁹ Unfortunately there is no information in the material revealing the parishioners point of view in Henry Nawton's case. Was his absence due to his studies justified in lay people's eyes or was the lay reaction to clerical absenteeism always disapproving, no matter the reason behind it? What is clear though is that the main concern for the laity was to have somebody in the parish chapel or church who would conduct the services. Whether it was their own legitimate minister or curate or a substitute does not seem to have been of great importance.

Compared to the cases where incumbents were absent for longer periods, one week's absence could have been regarded as relatively insignificant. Still, Thomas Clarke from Barnard Castle, who was 'aweik away bifore magdalen day', caused chagrin because meanwhile there were 'ij coorpses to be buried'.¹⁰ This example illustrates clearly that it was not the length of the time the clergy was absent but the accessibility of clerical services that the laity was most concerned about. If the minister was away for a short period without having any substitute to replace him, the needs of the congregation were left unmet and caused difficulties as soon as there arose urgencies such as burials and baptisms. Although the clerical absenteeism was brought up in several cases in the records, the real problem seemed to have occurred only in the cases like those of Clarke and Venis when due to the lack of a replacement baptisms and burials could not be carried out. Since the parishioners of Newburn found an alternative way of christening their children by carrying them 'over the water to Riton to be christened',¹¹ they did not complain fiercely over the absence of the minister. It is interesting that there were no records on what people did regarding the lack of Sunday services as a result of clerical absenteeism, for example, whether or not they travelled long distances to attend services at other chapels or churches like they did when their children needed to be baptised. Taking into account the facts given in these court records, and also the lacking information, it can be inferred that the holy day services remained of secondary importance for many parishioners, especially when

⁸ DDR/EJ/CCD 1/4, f. 136r

⁹ Freeman, 'The Parish Ministry in the Diocese of Durham', 94

¹⁰ DDR/EJ/CCD 1/2, f. 96r

¹¹ DDR/EJ/CCD 1/4, f. 126r

compared to the importance of clerical services that were understood to have had a direct impact on an individual's life and afterlife, such as christenings and burials.

The clergy's reoccurring absenteeism is explicable through the pluralism in which many benefices were held. 'In 1578 24% of the benefices' in the diocese of Durham 'were held in plurality' and 'by the early seventeenth century the proportion had dropped to 18%, 19 benefices being affected.'¹² Although it would be a mistake to conclude that every instance of pluralism and non-residence resulted in the neglect of cures,¹³ the impact on the laity that pluralism often had was 'some degree of non-residence on the part of their minister' and it also 'prevented a minister giving his full time and attention to a single cure of souls.' Whether the pastor was away to serve another cure, away at university or absent for some less justifiable reason, the results for the congregation were always the same. The effects the parishes were experiencing associated with clerical absenteeism and pluralism were the lack of preaching, sick-visiting, and the decay of clerical property.¹⁴ Collingwood described non-residency and pluralism as 'enormous hindrances to the religious work of the Church.'¹⁵ Mervin James argued that 'large absenteeism did tend to undermine the ideal of a preaching clergy.'¹⁶ The non-residency of clergy seems to have been a wide spread phenomenon with its roots in the previous decades. Andrew Barrell stated that non-residence had been the norm among canons of cathedrals and collegiate churches in the late Middle Ages.¹⁷ In the early 1560s, between 15 and 25% of the clergy across the country were reported to have been non-resident.¹⁸ In 1559 the incumbents of Corbridge, Morpeth and Sheepwash in the diocese of Durham were marked not just absent but non-resident.¹⁹ Although in the late sixteenth century it was stated, and in 1604 reiterated, that the incumbent should reside for a 'reasonable time' at each cure he stands responsible for,²⁰ in

¹² Freeman, 'The Parish Ministry in the Diocese of Durham', 86-87

¹³ Doran, and Durston, *Princes, Pastors and People*, 151

¹⁴ Freeman, 'The Parish Ministry in the Diocese of Durham', 85, 91, 94

¹⁵ Collingwood, *Memoirs of Bernard Gilpin*, 82

¹⁶ James, *Family, Lineage, and Civil Society*, 127

¹⁷ Andrew D. M. Barrell, 'Abuse or Expediency? Pluralism and Non-Residence in Northern England in the Late Middle Ages', in John C Appelby, and Paul Dalton (eds.), *Government, Religion and Society in Northern England, 1000-1700* (Stroud: Stutton Publishing, 1998), 122

¹⁸ Freere, *The English Church In the Reigns of Elizabeth and James I*, 106

¹⁹ Keeling, 'The Church and Religion in the Anglo-Scottish Border Counties', 145

²⁰ Freeman, 'The Parish Ministry in the Diocese of Durham', 92

practice it was not always followed as the previous examples showed. Barrell has brought out that there were also some clergy who were not pluralists but were still non-resident and therefore inattentive to the concerns of their flock.²¹

Not only the lack of commitment from the clergy's side upset the laity but also the financial benefit they gained, part of which was at laymen's expense. The same previously mentioned vicar Robinson of Newburn, despite not fulfilling his duties, continued to receive commodities, which was also the crime of prebendary Richard Longworth from Durham cathedral, who had been continually absent over a three-year period.²² Barrell has noted that 'pluralism has often been seen as the means whereby avaricious churchmen accumulated great personal wealth at the expense of their less fortunate or well-connected brethren and without regard to the spiritual needs of parishioners to whom they had duty to minister.' He continues, speaking about absenteeism and pluralism in the late Middle Ages, that when some dignities were deemed to involve the cure of souls and required residence, then simple prebends were usually sinecures and were often held by men with interests elsewhere. Many such clerks saw such benefices merely as a source of income, and their success in accumulating the extent of their wealth.²³ A lay person who was responsible for paying tithes and could not access the services the clergy were meant to provide, clearly disapproved of such a situation.

The fact that a lack of clerical services were recorded only in a couple of instances described above, could mean either that the supply of substitutes was usually good and that total absenteeism was uncommon, or that the laity often just did not care about clergy neglecting their duties and cures. Christopher Haigh has considered these two options to be plausible explanations as to why such a relatively small number of complaints were raised against parish priests at the time of Reformation.²⁴ That the deponents in the cases in question have complained only about periods where the ministers have been absent and no substitutes have been named, or when both ministers as well as replacements have been away, it can be concluded that a complete lack of incumbents and clerical services in the

²¹ Barrell, 'Abuse or Expediency?', 117

²² DDR/EJ/CCD 1/2, fols. 206 bis r-207 bis r

²³ Barrell, 'Abuse or Expediency?', 117, 122

²⁴ Christopher Haigh, 'Anticlericalism and the English Reformation', *History* 68 (1983), 391-407

diocese was actually rare. Jane Freeman has noted that supply always exceeded the demand for beneficed clergy in the diocese of Durham,²⁵ leaving little support for the argument of laity being seriously affected by the clergy's absence. Or, even if the absenteeism occurred on a more regular basis, then the parishioners did not always find the distances to other chapels and churches being too excessive, as the case from Newburn showed in 1575.

There is no doubt that even if total absenteeism and the clergy's neglect of cures was rare to happen, the examples given by the above mentioned representatives of the Church of England did not convince people of the trustworthiness of orthodox Protestant religion. The emphasis on the role of preaching in Protestant worship and the importance of an individual's participation in divine service did not serve its purpose when there were no incumbents to conduct these essential sermons. Unfortunately, the short nature of the depositions does not always indicate how members of the congregation acted in response to the neglect they faced. Undoubtedly there were people who concerned by the lack of guidance and teaching, undertook long journeys to neighbouring churches in accordance to care for their souls. But there were also people who more or less patiently waited until the arrival of a new minister and who did not regard it to be urgent to use any alternative solutions to regular worship and religious practice at the local chapel or church. Regretfully, the material at hand alone does not allow an estimation of the proportions of either of those groups. Whether or not the incumbents' legal authorisation to act as ministers was of importance to the parishioners is discussed in the following section.

²⁵ Freeman, 'The Parish Ministry in the Diocese of Durham', 64

The legitimacy of the clergy and the concerns around it

If a parish was left unserved by a minister over a certain period of time, difficulties arose: as an obedient Christian soul one should always follow the laws of the state and church and continue to live according to the Christian practice, but how to do that without a teaching and guiding minister? In a situation like this the congregations were vulnerable, attracting preachers who were not authorised by the state and whose religious views might have been unorthodox. Rosamund Oates has shown that the impact of Scottish Catholic priests was noticeable in the north of the Durham diocese.²⁶ Amongst the clergy who were present during the Royal visitation of 1578, Susan Keeling has listed 28 unlicensed incumbents in Northumberland alone.²⁷ If ‘in the 1560s any clergyman who felt himself able’ to deliver sermons was allowed to do so ‘in his own parish’, only needing a licence for preaching elsewhere, then from 1571, ‘whatever the place and occasion of the sermon, every preacher was required to have a licence from the relevant authority.’²⁸ The information relating to cases concerning unlicensed clergy is not complete and only a fraction of illegal preaching might be known of. This argument is supported by the fact that people did not always report ministers with unknown origin. Some examples drawn from the deposition books illustrate this point of view.

On some occasions, parishioners acknowledged that they have been unaware if their clergy was legitimate or not, but they have not always worried about the legitimacy as long as the minister was present. Parishioners of Billingham in the 1570s²⁹ were said to have had two ‘stranger’ curates, one of whom was from Yorkshire and based in Middlesbrough.³⁰ But no complaints were made about the curates themselves since they had baptised all the children in the parish who had been born during the period in question and ‘they have ther *servic*

²⁶ Oates, ‘Catholicism, Conformity and the Community’, 61

²⁷ Keeling, ‘The Church and Religion in the Anglo-Scottish Border Counties’, 452-491

²⁸ Freeman, ‘The Parish Ministry in the Diocese of Durham’, 256-257

²⁹ The material in DDR/EJ/CCD 1/1 consists of undated fragments which are believed to date to years 1572-1574 but it is not possible to state the exact dates of the cases.

³⁰ DDR/EJ/CCD 1/1, fols. 2r-3r

ther very well and perfectlye sayd and doon.’³¹ The ‘stranger’ origin of the curates and whether or not they were licensed, did not concern the deponents.

Another example of the unknown legitimacy of a minister comes from Barnard Castle, where an investigation concerning church doors being locked on a Sunday morning unfolded into a peculiar incident.³² Churchwarden Thomas Wilson together with two other wardens admitted locking the church doors and keeping the key in his house over night. Unfortunately, he had been occupied at a fair the morning after and unable to unlock the doors in time for the divine service, leaving the congregation as well as the minister standing outside the church. For some reason, which does not become clear in the depositions, the case led on to questioning the authority of minister Thomas Clarke. Witnesses’ testimonies reveal that the congregation was unaware if their minister had any legal rights to act as one or not. As they said, they did not know if Clarke was a lawful minister, curate, priest or not.³³ Moreover, Clarke’s baptising practices found severe criticism, together with his custom of solemnising marriages,³⁴ which will be discussed in another section in this chapter. It is noteworthy that the curate’s possible illegitimate status and his unlawful religious practices were not brought out before but those were revealed only in the course of another incident relating to the churchwarden. The fact that the laity did not report Clarke to the authorities shows that people were not concerned about slight aberrancies in orthodox practice unless those distinctively differed from the norm. It is likely that some parishioners’ main interest was to have a minister to serve them, and how this minister performed the service was not their most acute concern. From an individual person’s point of view the clergy were needed to say Sunday service, to baptise children, to solemnise marriages and to bury the dead. Where this representative of the clergy came from or what his own personal religious beliefs were, were of minor importance for some of the members of the congregation. As Cuthbert Warde from Meadomsley witnessed about their curate there, Thomas Swalwell, that ‘he is an honest man but what religion he is

³¹ DDR/EJ/CCD 1/1, f. 2r

³² DDR/EJ/CCD 1/2, fols. 94v-96r

³³ DDR/EJ/CCD 1/2, fols. 94v-96r

³⁴ DDR/EJ/CCD 1/2, fols. 95- 96r

off' he could not answer.³⁵ That the majority of the laity seldom raised concerns about the clergy's legitimacy might have two possible explanations. Either it was extreme trust towards the representatives of the church and state so that it was shameful even to doubt the clergy's rightfulness, or on the other hand, whether it was a lawful or unlawful minister just did not make any difference at a personal level. The reality was most likely a combination of both, meaning that there were dedicated parishioners who were worried about their salvation and desired to follow the word of God under the guidance of a legitimate minister, as well as those who blindly followed the path they were led upon without reflecting on the meaning of it. Regarding the latter ones, whether it was because the whole concept of Protestant religion remained unclear for them and they silently accepted the practice of the religion that was mandatory, will be discussed further on in this paper. In the following section, the clergy's status in the parish is described.

The reputation of the clergy among the laity

Lay peoples' attitudes towards the representatives of the Church of England could also describe the seriousness (or on the contrary, the lack of it) with which the orthodox religion was taken. Rosemary O'Day argues that 'the cleric's way of life, as determined by his calling, set him apart from his parishioners.' It 'did not necessarily lead to unpopularity', but 'the cleric's position of authority sometimes did.' Also, 'the clergyman might be loved and respected but he was certainly a man separated from the community which he served.'³⁶ But if needed, the congregations were not averse to criticising their ministers if those were regarded as unsatisfactory, although the prosecution of clergy was usually left

³⁵ DDR/EJ/CCD 1/2, fols. 228v-229r; *Depositions and other...*, 204-205

³⁶ Rosemary O'Day, *The English Clergy. The Emergence and Consolidation of a Profession, 1555-1642* (Leicester: Leicester University Press, 1979), 202

to the ecclesiastical authorities.³⁷ The following examples demonstrate the relationships between the laity and the clergy in the Elizabethan diocese of Durham.

Previously mentioned Thomas Swalwell from Meadomsley seemed to have been a popular person amongst his parishioners, attending together with another young curate a social venue of drinking with churchwarden Cuthbert Warde and his neighbours.³⁸ It is noteworthy that in the depositions this act was not criticised by any member of the congregation, being regarded as totally acceptable and not in conflict with the way of humble Christian life. Richard Milner³⁹ from Lanchester also had his reputation questioned in 1575. The dispute started after he had refused to permit the presence of James Wanton at evening prayer. Wanton, together with his brother, had been fighting with the same vicar and on an occasion also with the vicar's son, so that the investigation led seamlessly on to Milner's own behaviour. Several witnesses said 'Sir Richard' not to be 'a brawler or a fyghter', and the most important of all was that 'he doith his *servic* well in the kirk at all tymes.'⁴⁰ But George Herison, an owner of an ale house, had seen the other side of the same vicar. According to his deposition Richard Milner often visited his ale house, and 'wilbe often tymes much with drink and not so wise then as at other tymes', also 'the said *sir Richard* wilbe very unquiet and redye to brawle and quarrel.'⁴¹ The Elizabethan Injunctions of 1559 regulated that all incumbents were expected to avoid alehouses, stating that 'ecclesiastical persons shall in no wise at any lawful time, nor for any other cause, than for their honest necessities, haunt or resort to any taverns or alehouses. And after their meats, they shall not give themselves to drinking or riot.'⁴² Despite Milner's satisfactory clerical practices, his frequent presence at the tavern alone, not to mention his drinking habit, was in contradiction with the requirements set to the clergy. Still, laity did not seem to condemn Milner's habit of being present at drinking venues. Dislike was expressed towards his misbehaviour whilst being drunk but no parishioner seemed to have raised

³⁷ Freeman, 'The Parish Ministry in the Diocese of Durham', 430

³⁸ DDR/EJ/CCD 1/2, f. 228v

³⁹ Spelt both Milner and Mylner. He was said to have been both a curate and a vicar. DDR/EJ/CCD 1/4, fols. 55v-57r, 64-68v

⁴⁰ DDR/EJ/CCD 1/4, fols. 66-67r

⁴¹ DDR/EJ/CCD 1/4, f. 68r

⁴² Hart, *The Country Clergy in Elizabethan & Stuart Times*, 19; Henry Gee, and William John Hardy, *Documents Illustrative of English Church History* (London: Macmillan, 1896), 421

concerns that the vicar was ignoring the injunctions by resorting to ale houses for other causes than his ‘honest necessities’.

In addition to drunkenness, a different type of clerical misbehaviour can be traced in the court records. Namely, there are examples of accusations of vicars living adulterous lives. William Mellerbye, vicar of Merrington, was accused by a parishioner Charles Tompson of fathering his wife’s child.⁴³ The case reached the court as defamation, brought by vicar Mellerbye against Tompson. There is reason to believe that the allegations that Tompson had raised against Mellerbye were false, taking into consideration that Tompson, who himself was most likely the father of the child, was described to have been ‘something disquiet with hymself’ and ‘distract’ at the time of assault, meaning that his utterance could not be considered truthful. Besides, a witness called John Todd testified that he had never heard of William Mellerbye being previously charged with any dishonesty, making the accusations of the vicar’s adulterous life looking even less plausible. The bare fact that an accusation such as that was raised by Tompson, a layman, shows both a lack of respect and fear towards his minister. A similar indictment took place at Eaglescliffe church. During a Sunday service, when a curate was ‘moving all men to send ther children and *servantes* to lerne the Caticisme’, a parishioner Christopher Story announced that there was a minister set up in York who had made eleven women with child whilst teaching them the Catechism.⁴⁴ Such references, especially when made at church during the divine service, give evidence of little veneration towards the curate as well as towards the practice of Christian worship. Since it was hearsay that Story had heard and not a proven fact he had any evidence of, it refers most likely to gossip and nothing else. Already the number of women involved in the incident is unbelievably high. Assuming that this rumour had already been circulating amongst the congregation, it shows how easily people could adapt to an image of an adulterous cleric, revealing that an image like that was not impossible for them to imagine. Hitchcock noted that popular rumours of clerical immorality, which very

⁴³ DDR/EJ/CCD 1/1, fols. 6v-8r, *Depositions and other...*, 61-62

⁴⁴ DDR/EJ/CCD 1/2, fols. 259r-260r; *Depositions and other...*, 245-246

often were completely unfounded, like in these two cases, were not rare in those days,⁴⁵ referring to the lack of respect the laity showed.

A more dramatic description of clerical misbehaviour has been noted from Gainford in 1586. Local minister Raph Smithson was said to be known for his depraved lifestyle.⁴⁶ Several witnesses stood forward to list Smithson's sins, amongst which were living 'verie ungodlie and naughtilie' with somebody else's wife and making somebody pregnant. Whether this meant one and the same woman remains unclear. The references to the frequency of Raph Smithson's 'naughty' behaviour let it assume that in this case those were not only rumours but serious accusations from the parishioners' side. Moreover, the list of the minister's faults continued. He was said to play 'at dice, cardes and tables', and 'use to sweare great and greavous othes'. Since Elizabeth's Injunction no. 7 of 1559 had forbidden 'ecclesiastical persons ... spending their time idly by day and by night at dice, cards, or tables playing, or any other unlawful game',⁴⁷ Smithson breaches the law already by gambling, not to mention his other and more serious sins. Additionally, Smithson's bad behaviour did not remain outside of the church walls. He had repeatedly neglected wearing his surplice, christening, solemnising marriages and serving holy communion in his private clothes.⁴⁸ According to Injunction no. 30, in the matter of dress the clergy were expected, to 'use such seemly habits, garments, and such square caps, as were most commonly and orderly received in the latter year of the reign of King Edward VI.'⁴⁹ These would have included cassocks, gowns, and tippetts, which were strongly opposed by Puritans as they considered those to be hopelessly polluted by Roman Catholic use and association.⁵⁰ Taking into consideration the other accusations raised against Smithson, it is very unlikely that his reason for neglecting the surplice would have been his Puritan views. More plausible is that he was not wholeheartedly committed to his duties and wearing the surplice was of minor importance for him. Just as archbishop Grindal had been lukewarm

⁴⁵ Hitchcock, 'Popular Religion in Elizabethan England', 49-50

⁴⁶ DDR/EJ/CCD 1/3, fols. 37-38r

⁴⁷ Gee, and Hardy, *Documents Illustrative*, 420-421

⁴⁸ DDR/EJ/CCD 1/3, fols. 37-38r

⁴⁹ Gee, and Hardy, *Documents Illustrative*, 432

⁵⁰ Hart, *The Country Clergy in Elizabethan & Stuart Times*, 19; Davies, *Worship and Theology in England*,

about enforcing the regulations concerning clerical dress,⁵¹ so was bishop Pilkington known to allow his clergy to choose their own way of dressing whilst performing the service, whether they chose to wear surplice or not.⁵² By the time Raph Smithson's case reached the court in 1586, it was ten years since Pilkington's death and it would be surprising if Smithson was still influenced by the bishop's liberal attitude towards the vestments. Although, Pilkington's liberalism might be the reason why Smithson's neglect of surplice had been left overlooked for a long time. Smithson's choice of conducting the ceremonies in private clothes does not seem to have had any rebellious nature, but instead it clearly showed his indifferent attitude towards the surplice, thus towards the orthodox religious practices.

James Hitchcock has noted in his PhD dissertation that brawling, drunkenness, fornication, and wife-beating, as well as most other common moral offences, were attributed to clerics as well as laymen in Elizabethan England.⁵³ In addition, Philip Tyler has pointed out how undetectable the line between clergy and laymen could be, saying that 'All the surviving evidence reveals how closely the parochial clergy were integrated into country society so that a large proportion of the early Elizabethan beneficed clergy were virtually indistinguishable socially and culturally from their neighbouring husbandmen and smaller yeomen.'⁵⁴ These arguments could imply that being so similar to each other in so many aspects, laymen treated their ministers as equal to themselves and did not differentiate between their earthly lives and clerical duties, but it would be jumping to conclusions. Hitchcock's and Tyler's opinions are in contrast with Rosemary O'Day's view of clerics being set apart from the community they served already by their calling.⁵⁵ The above discussed examples drawn from the Durham Consistory Court depositions illustrate a picture of Elizabethan parochial life where both views coexist in a symbiosis. Clergy's fornication was not beyond imagining for the laity and that kind of behaviour was attributed to some of the incumbents, but it does neither mean that it was a common

⁵¹ McGrath, *Papists and Puritans Under Elizabeth I*, 44

⁵² Welford, *History of Newcastle and Gateshead*, vol. II, 392

⁵³ Hitchcock, 'Popular Religion in Elizabethan England', 85-86

⁵⁴ Tyler, 'The Church Courts at York', 91

⁵⁵ O'Day, *The English Clergy*, 202

phenomenon nor that laity regarded it as anything ordinary. As the cases of Thomas Swalwell from Meadomsley and Richard Milner from Lanchester showed, a vicars' presence in the local ale houses was common and acceptable, but it did not automatically mean that their misbehaviour was tolerated. Laity may have welcomed seeing the plain, human side of those elected God's representatives on earth, but it does not mean that they did not have any expectations of the clergy. O'Day has noted that drunkenness amongst the clergy seemed to have been a real problem at this time.⁵⁶ So were fornication and other moral offences. But as the records showed, for a considerable part of the lay people these acts of deviation were unacceptable.

Susan Keeling has noted how common the lack of respect towards the Church amongst the Elizabethan contemporaries was throughout the period. She proclaims that 'examples of an unorthodox, and usually disrespectful attitude to the church could be multiplied many times.'⁵⁷ Christopher Haigh questions the status of the clergy in southern England after revealing the cases concerning incidents of mockery and abuse of the clergy in churches.⁵⁸ Much of it could be considered applicable also to the northern diocese since Robert Whiting has described the south-western areas of the country in a similar manner as the north has often been described: 'remote, conservative and change-resistant',⁵⁹ which supports the presumption that the northerners' attitudes towards the clergy may have been very similar to those of the southerners'. Hitchcock noted that the attacks on clergy throughout the kingdom increased as the reign of Elizabeth progressed, most of them occurring after about 1575. Attacks, both verbal and physical, had also occurred in Catholic times, but their frequency seemed to have increased under Elizabeth, especially after the middle of her reign. Hitchcock connects it with clergy's loss of credibility and respect.⁶⁰ The surviving deposition books do not demonstrate a similar trend in the diocese of Durham because there are no depositions that predate 1565 and the number of depositions before 1570 is small compared to the number of later ones. That the church courts became

⁵⁶ O'Day, *The English Clergy*, 204

⁵⁷ Keeling, 'The Church and Religion in the Anglo-Scottish Border Counties', 291

⁵⁸ Christopher Haigh, *The Plain Man's Pathways to Heaven. Kinds of Christianity in Post-Reformation England, 1570-1640* (Oxford: Oxford University Press, 2007), 48

⁵⁹ Whiting, *The Blind Devotion of the People*, 145-146

⁶⁰ Hitchcock, 'Popular Religion in Elizabethan England', 54-55

more active and that there were more ecclesiastical suits brought to the courts in the 1570s and the following years was noted by Doran and Durston.⁶¹ In the northern region this is explicable due to the authorities' reaction to the Northern Rebellion and their desire to gain firmer control over the people in response to the uprising. Although the above described cases concerning moral attacks on clergy date from mid-1570s and later, there is no evidence of attacks of a similar nature becoming more frequent in the Durham diocese as Elizabeth's reign progressed. The reputation of the clergy was not always the best, but the church court records at hand give no evidence of it worsening over time as the laity's attitude towards the established church and clergy did not change radically during the period in question.

Understandably, a few examples of accusing the clergy of living in contradiction with the good example of Christian life that the clergy is meant to present, is not enough to draw any conclusions regarding the laity's general attitude towards the Protestant church and its ministers, but it clearly shows the expectations that the laity held towards the clergy. The doctrine that the impurity of ministers did not have any impact on the salvation of parishioners' souls was commonly taught both by orthodox Protestants and Catholics, as bishop Pilkington summarised it: 'the unworthiness of the priest hurts not the goodness of the sacrament. God forbid that the evilness of man should hurt or defile God's holy ordinance, or that the wickedness of the priests should be imputed to them that receive the sacrament at their hand.'⁶² Nevertheless, the laity seemed to expect the clergy not only to be the mediators of God's word and sacraments but also provide positive examples of true Christians. Parallels could be drawn with the expectations that parishioners in southern England expressed: according to Christopher Haigh's study people expected dignified behaviour from their minister and objected to drunkenness and sexual laxity. They also wanted the minister to set a good moral example and to be diligent in performing services.⁶³ To gain a deeper understanding of the relationship between the ecclesiastical incumbents and the parishioners, it is useful to study the examples of misbehaviour

⁶¹ Doran, and Durston, *Princes, Pastors and People*, 178

⁶² *The Works of James Pilkington, B.D., Lord Bishop of Durham*, ed. James Scholefield, Parker Society, vol. 41 (Cambridge: Cambridge University Press, 1842), 636

⁶³ Haigh, *The Plain Man's Pathways to Heaven*, 38, 40

amongst the congregation and disturbance that the parishioners caused during the divine service.

Disturbance and misbehaviour in the churches of Durham diocese

The Injunctions of Elizabeth I in 1559 regulated the behaviour that was expected from church attending parishioners. The 18th injunction stated: ‘And in the time of Litany, of the common prayer, of the sermon, and when the priest readeth the Scripture to the parishioners, no manner of persons, without a just and urgent cause, shall use any walking in the church, nor shall depart out of the church.’ The 34th and 38th injunctions stated that ‘no man shall willingly let or disturb the preacher in time of his sermon, or let or discourage any curate or minister to sing or say the divine service now set forth; nor mock or jest at the ministers of such service’, and that ‘no man, woman, or child shall be otherwise occupied in the time of the service, than in quiet attendance to hear, mark, and understand that is read, preached, and ministered.’⁶⁴ However, Christopher Haigh has remarked that it would be wrong to suppose that Elizabethan church-goers sat in attentive rows, listening patiently to their preachers. On the contrary: ‘they chattered, scoffed, squabbled and fought, and if the tedium grew unbearable, they walked out.’⁶⁵ Durham Consistory Court material presents various examples of misbehaving parishioners and interrupted services.

George Lawson and George Walbye from Mitford in Northumberland were blamed for misbehaving and causing disturbance in the church during evening prayer, the noise being so loud that the minister had to quieten the congregation twice.⁶⁶ As it has been quoted from Dr Swift’s documents: ‘the same Gawen Lawson and one George Walby, with divers

⁶⁴ Gee, and Hardy, *Documents Illustrative*, 426, 433

⁶⁵ Christopher Haigh, ‘The Church of England, the Catholics and the People’ in Haigh (ed.), *The Reign of Elizabeth I*, 208

⁶⁶ DDR/EJ/CCD 1/1, fols. 11v-12r; *Depositions and other...*, 93-94

others, at eveninge praier on Ester day last, in the foresaid church of Mitfourth, and at the redinge of the firste leason, did sckofe, laughe, and gest at such as did coughe then and ther, that the minister could not say fourth God's service, but was compelled to leave of for that time of praier, to the dishonoring of God and the defasinge of the Quenes lawes.⁶⁷ John Elison's testimony uncovers an interesting incident about the whole story: 'the laughing begun about cakes that was custen in the said church in the time of servic.'⁶⁸ Although it was not explained what the cakes in question were and how they were brought to church, it most likely refers to holy bread, because also William Farreless from St Oswald in Durham referred to holy bread as 'hallybread caike'.⁶⁹ Moreover, the incident took place around Easter when the majority of people were receiving communion. The picture that emerges based on the described events is chaotic. Throwing things in general and amusing fellow parishioners by other means during the time of prayer is a definite sign of a lack of devotion. Moreover, throwing holy bread around the church shows deficient respect towards the Christian worship. The whole assembly seemed to have been easily distracted. There were no comments made about anybody else trying to maintain the order in the church except the curate, which raises questions about peoples' willingness to be there in the first place. The whole story leads easily to an assumption that many of the parishioners attended the service since it was mandatory, but what it was good for or how they personally benefitted from it remained unclear to them. What makes thing even more interesting is the fact that the above named George or Gawen Lawson was at the time a churchwarden at Mitford church. Participation in the incident involving cakes was not his only misdemeanour. In Dr Swift's documents it has been recorded that Lawson 'did at the dew tyme of the Visitacion after Easter last forbid the churchwardens of Mitfourth to present any falte within that parishe' and 'being required of the curate to put fourth of the church one John Doffenby, as person excommunicated, in tyme of service, he openly refused so to do.' He had also commanded the preaching curat to 'come downe, and leave thy pratlinge.'⁷⁰ Lawson's behaviour at casting of the cakes might have been both amusing as well as encouraging for some of the parishioners as there were others who joined in the

⁶⁷ *Depositions and other...*, 93

⁶⁸ DDR/EJ/CCD 1/1, fols. 11v-12r

⁶⁹ *Depositions and other...*, 280-281

⁷⁰ *Depositions and other...*, 93

general disturbance. It is understandable that many members of the congregation felt themselves bolder to become involved in the misdemeanour since it was their churchwarden who carried the leading role in the disturbance. But it is astonishing that despite the seriousness of the act of throwing holy bread around the church, not one of the parishioners was said to have tried to break up the disruption and call the rest of the congregation to order.

A peculiar incident occurred in Wolsingham, where John Laborn confessed in 1570 to having taken a crow with him to church, which offered entertainment for others.⁷¹ The testimony stated: ‘and one William Marley toke the said Crow of this *examine* and threw the same into a porch ther; and he saith upon his oath that he knoweth not whoe putt the straw throught the said crowes nose, and dyd nott with the said crow *perturb* the *servic*, then being unbegun.’⁷² Laborn does not explain why he took the crow into the church in the first place. Neither was it explained what was meant by putting a straw through the crow’s ‘nose’. Since the incident with the crow took place before the beginning of the service, it is most likely that bringing the bird into church was just a silly act for amusing fellow parishioners and that Laborn did not act on malicious purposes. If the crow would have been released during the service itself then it would have been a clear sign of causing deliberate distraction. There is no reason to believe that Laborne and Marley were unaware of the correct attitude that was expected from them at church. Therefore it can be concluded that they just disregarded the expectations on them as members of the congregation.

There is nothing to indicate that the cases from Mitford and Wolsingham were of a common nature and it would be wrong to assume that these two examples are representative on a wider scale. The features drawn from these two examples that could also be applied to several other cases regarding misbehaviour at church are that the attendants’ concentration on the service was easily interrupted which puts several parishioners’ religious dedication under question. Yet, these two incidents seem to have been based on boredom and ignorance since there is little in this material that could refer to

⁷¹ DDR/EJ/CCD 1/2, fols. 213v, 204 bis r; *Depositions and other...*, 231-232

⁷² DDR/EJ/CCD 1/2, f. 213v; *Depositions and other...*, 231-232

any possible rebellious religious views of the offenders. The following example, on the other hand, is of a different nature.

At Sedgefield parish church Brian Headlam⁷³ had been caught twice wearing his cap, once in the time of morning and once in the time of evening prayer.⁷⁴ He had tried to excuse himself saying that he had an ‘evill head’⁷⁵ but was still charged to pay 12d which he refused to do. By ‘evill head’ Brian was probably referring to his poor health, but his alleged illness was not taken seriously. People who were ill were often allowed to keep their heads covered during the service, but Brian was asked to remove his cap and even fined for wearing it. How unacceptable Brian’s behaviour was becomes clear from the statement recorded in Dr Swift’s papers: ‘at the Morning Praier, at the saing of the generall confession and repeting of the Lorde’s praier, beleffe, and ten commandments, letane, and other suffragies; at which time, by the Quene’s lawes, every Christen man and woman ought orderly and reverently to put of his cap and knele upon his knees, and use other reverent behaviour, you Brian Headlam, not having God before your eies, but stirred up with devilish contempt and irreverence, did, the day and time aforesaid [17 November 1568], sit with his cap on his head, and being thereof lawfully admonished.’⁷⁶ Headlam had also interrupted the divine service by speaking to the curate whilst the latter was examining a penitent. That alone was considered inappropriate under any circumstances. Taking into account that these incidents involving Brian Headlam predated the Northern Rebellion of 1569 and Headlam’s eager involvement in Sedgefield book-burning as was previously described, it becomes clear that he was a man with a rebellious character and a sympathiser of the Catholic religion, whose misbehaviour at church indicates his deliberate intention to cause misdemeanour and a lack of respect towards the Protestant church and its service.

Disturbance could also take a more physical way of expression. Fighting and arguing on church grounds was not rare as there are notes about such cases throughout all of the deposition books. George Grondye claimed that neither John Catchesid nor Robert

⁷³ Also spelt Headlham and Hedlam

⁷⁴ DDR/EJ/CCD 1/2, fols. 126v-127v

⁷⁵ DDR/EJ/CCD 1/2, f. 126v

⁷⁶ *Depositions and other...*, 111-112

Blenkensop caused any ‘missorder’ in Chester-le-Street church.⁷⁷ So did the defendants in a case from the cathedral in 1565: they ‘neither dyd walk, talk or otherwaies misbehave.’⁷⁸ Umphrey Hopper from Northumberland faced charges for expressing ‘ungodly wordes’ in Muggleswick church, following an argument with fellow parishioners.⁷⁹ An additional example can be drawn from the Durham Quarter Sessions, where in 1598 Arthur Emerson and Cuthbert Fetherston assaulted each other at the time of divine service at St John’s Chapel in Weardale in the parish of Stanhope.⁸⁰ Once again there is a dispute from Eaglescliffe where John Wilkinson had been fighting in the churchyard with another parishioner so that he ‘drew blod’ of him. As a sign of intolerance towards that kind of behaviour, the curate asked Wilkinson not to come into the church, which he disobeyed. The curate refused to have any service said unless the sinner left, whereupon the churchwarden was asked to guide Wilkinson out of the church.⁸¹ Also Lanchester minister Richard Milner expressed his distaste towards fighters taking part in the divine service.⁸² In 1575, ‘*Sir Richard* being at the eaving prayer upon a Sunday or hollyday at night at such tyme as the said James came into the church of Lancher the said *sir Richard* said that ther was no *servic* for any such as he was.’⁸³ Namely, James Wanton had previously fought with the same minister Milner so that the latter’s head ‘bledd’.⁸⁴ The minister’s refusal to have a fighter in the church being based upon James’s unchristian behaviour appears doubtful. As was previously shown, Milner had dubious reputation himself as a common drinker and brawler and the conflict could have had a more personal character than purely moral. Richard Milner’s example was not anything extraordinary as Arthur Tindal Hart points out that the Elizabethan clergy were frequently involved in brawls.⁸⁵ Another example can be drawn from Ryton where rector Richard Robinson was attacked by an

⁷⁷ DDR/EJ/CCD 1/2, f. 56r; *Depositions and other...*, 102

⁷⁸ DDR/EJ/CCD 1/2, f. 1r

⁷⁹ DDR/EJ/CCD 1/2, f. 163v

⁸⁰ Durham County Record Office (CRO), Durham Quarter Session Indictments, Q/S/I, m.29d.; *Durham Quarter Sessions Rolls, 1471-1625*, ed. C.M. Fraser, Surtees Society CXCIX (Newcastle Upon Tyne: Roger Booth Associates, 1991), 107

⁸¹ DDR/EJ/CCD 1/1, fols. 10-11r, 13-14r, 17v-18r

⁸² DDR/EJ/CCD 1/4, fols. 55v-57r, 64-68v

⁸³ DDR/EJ/CCD 1/4, f. 64r

⁸⁴ DDR/EJ/CCD 1/4, f. 65v

⁸⁵ Hart, *The Country Clergy in Elizabethan & Stuart Times*, 35

angered parishioner in the street.⁸⁶ John Martin, a curate of Sedgefield was attacked by his parishioners in the churchyard in 1575.⁸⁷ Hart explains: ‘many Elizabethan parsons were not popular with their flocks; and there are stories of clergymen being dragged from the pulpit, having their gowns torn off, and receiving a sound beating, because what they had to say did not please the more fanatical members of their congregations.’⁸⁸ In the light of the minister’s much criticised lifestyle, the conflict between Wanton and Milner was unlikely to be of a religious character. Neither were those of Richard Robinson and John Martin, which completely lacked any characteristics of disagreements on religious bases. The arguments behind these three cases that have resulted in attacks on the clergy have had purely secular reasons. Having eliminated the religious causes, once again, the attacks upon clergy could be explained through the loss of credibility and respect that they often suffered, as Hitchcock and Keeling illustrated.⁸⁹

There occurred also disturbance which differed in its nature from the previously presented examples. Namely, the church attendants’ own moral or religious views could cause disapproval if they dared to express those. In 1570 at Wolsingham a blacksmith named Arthur Chapman believed himself to be unfairly accused of disturbing the morning prayer. At the time of the prayer he ‘was reding off an ynghlish boke or prymer whilom as the prest was saynge off his *servic* no myndynge what the *preist* redd but tendynge his own booke and *primer*.’ This at first sight innocent looking act was not welcomed because the priest found Chapman’s behaviour discommoding. The confessor said that he ‘redd nott allowde to the hyndranc of the *prest* to his knowledg’, but after the first lesson the priest had asked him to ‘reid mor sofftly’.⁹⁰ The deponent said that ‘he had a *primer* in english which he haith had atwelemonth and more’ and ‘which he the said arthur haith used to *prai* on.’ His further testimony suggests that he was not quite aware if his actions were illegal or not: ‘and yf yt be against quenes lawes he submitteth hym self to the correction of this court.’⁹¹

⁸⁶ DDR/EJ/CCD 1/2, f. 348; *Depositions and other...*, 263-265

⁸⁷ DDR/EJ/CCD 1/4, fols. 85v-86v; *Depositions and other...*, 297-300

⁸⁸ Hart, *The Country Clergy in Elizabethan & Stuart Times*, 35

⁸⁹ Hitchcock, ‘Popular Religion in Elizabethan England’, 54-55; Keeling, ‘The Church and Religion in the Anglo-Scottish Border Counties’, 291

⁹⁰ DDR/EJ/CCD 1/2, fols. 213v, 204 bis r; *Depositions and other...*, 231-232

⁹¹ DDR/EJ/CCD 1/2, f. 204 bis r

The book Chapman was reading, raises several questions and offers different ways of interpretation.

The description of the book as a ‘primer’ could easily lead to the assumption that it was a Catholic devotional book for the laity, which was usually known as a ‘primer’. Consisting of brief handbooks of prayer and basic religious instruction, primers had been the most popular medieval manuals of devotion. But since the publication of the Book of Common Prayer in 1549, there was no longer any need for a person to carry a primer to church and pray upon it there.⁹² Moreover, the old custom of saying private prayers from a primer or other such book was entirely discouraged.⁹³ Although Chapman was reading his book at the church in accordance to the old custom, it does not necessarily mean that it was a Catholic book he had. In Elizabethan time primers differed in their essence from traditional Catholic primers, being set forth as little books of private prayers for children and servants. However, in 1560 a primer was published as a private book of prayers, not carrying any suggestion that it was authorized for the instruction of youth.⁹⁴ Since the term ‘primer’ was easily adapted to Protestant devotional manuals, Chapman’s primer could have been one of those. It has been noted that the most popular books of devotion of that time were completely uncontroversial.⁹⁵ Horton Davies describes Protestant devotional manual books saying that those ‘combined examples of prayer with directions of the methods, motives, and ends of prayer. They were thus both directories of prayers and collections of prayers. New as they seemed, they were, in a sense, merely the Protestant continuation of the functions of the catholic and Royal primers.’ Davies’s description of the use of the devotional manuals would perfectly explain the reason why Arthur was found reading – in the need of guidance during praying he utilised the book. Also, many people at that time possessed copies of the prayer books, that they could take with them to church and follow the services and anticipate each lesson, prayer, and ceremony with the help of prayer

⁹² Davies, *Worship and Theology in England*, 410-411

⁹³ Frere, *The English Church In the Reigns of Elizabeth and James I*, 37

⁹⁴ William P. Haugaard, *Elizabeth and the English Reformation. The Struggle for a Stable Settlement of Religion* (Cambridge: Cambridge University Press, 1968), 144-145

⁹⁵ Davies, *Worship and Theology in England*, 408

books.⁹⁶ But as the participants in Chapman's case constantly refer to the book as a 'primer', it would be wrong to assume that it was a book of common prayer.

Considering the different possibilities of the essence of Chapman's book, the most plausible is that he possessed a copy of an orthodox Protestant devotional manual. Patrick McGrath has identified that Catholics sometimes desired to show what they thought about Protestant service by ostentatiously ignoring what was going on by reading Catholic books of devotion during the service.⁹⁷ That Arthur Chapman's book could be neither a Catholic primer nor any other Catholic manual is supported by the fact that the deponent was not ordered to stop his reading but asked to read more quietly, which shows that the priest regarded his behaviour as inappropriate in that context but not completely illegal.

Having cast doubt upon the possibility of Chapman's favour of Catholic customs as his real misdemeanour remains his vociferous reading. Why did he read so loudly? It could be interpreted that Arthur's loud reading, although reading of a Protestant book, was a conscious and deliberate act of interruption driven by his antipathy towards the Protestant worship. But since there is nothing in the depositions that could support the claim of Chapman having been an unorthodox protester, the most veritable explanation in that context is that although unusually loud, it was his way to express private devotion. Why he dedicated himself to private prayers during the time of divine service, when he was expected to pay attention to the minister, he did not explain. However, the incident testifies to Chapman's lack of concentration on the service and reveals his insufficient understanding of Protestant worship.

Another example of parishioners' controversial behaviour at church is known from Northumberland. Gentlewoman Beatrix Crawhall's manners at a divine service in Beltingham chapel in 1575 raised several questions and complaints.⁹⁸ Mrs Crawhall had committed an offence of spitting out communion bread, which she excused with the medical condition she was suffering under. She 'requiered the said vicar for the lowe of god to gyve hir but alittle peic and somme wyne then after to receyve therwith alledging

⁹⁶ *ibid.*, 35, 418

⁹⁷ McGrath, *Papists and Puritans Under Elizabeth I*, 29

⁹⁸ DDR/EJ/CCD 1/4, f. 88; *Depositions and other...*, 300-302

then that dry bread wolde nott goo downe with hir, and that she ferred that hir decease wold arise off hir yf she had not drinke shortly after.’ The vicar Thomas Marshall had ignored the deponent’s request and ‘served moo then LX persons byfore he the said vicar brought this *examine* any wyne.’ Beatrix explained that ‘in the mean tyme by reason off hir disease that rose upon this deponent she this *examine* frothed at the mouth and therby was enfursed to spit, which she saith upon hir oath was of no evill intent.’ She emphasised that she was ‘trobled and suited upon mallis and evill will’⁹⁹ but it purely had an explanation in relation to her illness. In addition to the disturbance during the holy communion, Crawhall had breached the peace of the service whilst ‘at such tyme as the said vicar was furth of the kirk this deponent said to hym, that yt had bein well doon yff he the said vicar had moved the peoples to pray to god for the fructes off the eathe this last harvest and when the corn was grown and muckle lost upon the earth and muckle therof driven away with the wayter.’¹⁰⁰ Beatrix Crawhall’s suggestions to the vicar about how to conduct the service were inappropriate. Furthermore, the deponent had brought her Rosary beads with her to the church. The Eleven Articles of 1559 had described praying upon beads as contrary to the Scriptures and devised by man’s fantasies.¹⁰¹ Also the Injunction no. 3 had forbidden the practice of praying upon beads, classifying it as idolatrous and superstitious.¹⁰² Although Beatrix claimed not to have used those but ‘had hir beads therfor that she cannot se upon hir boke but dyd not at all smyt with hir hand,’¹⁰³ bringing the relic of now forbidden Roman Catholic religion into a Protestant church alone was unacceptable. Robert Whiting has argued that the use of Rosaries, particularly in private, was slow to disappear and there is evidence of those being used decades after the Reformation.¹⁰⁴ Horton Davies also noted that a persistent use of Rosary, having been one of the most common forms of devotion in Catholic worship, must have continued among the country people in remote places for years. As late as 1571 the clergy and churchwardens of the northern counties were requested to see that none of their

⁹⁹ DDR/EJ/CCD 1/4, f. 88r; *Depositions and other...*, 301

¹⁰⁰ DDR/EJ/CCD 1/4, f. 88v; *Depositions and other...*, 301-302

¹⁰¹ Gerald Bray (ed.), *Documents of the English Reformation* (Cambridge: James Clarke & Co, 1994), 351

¹⁰² Gee, and Hardy, *Documents Illustrative*, 419-420

¹⁰³ DDR/EJ/CCD 1/4, f. 88v

¹⁰⁴ Whiting, *The Blind Devotion of the People*, 70

parishioners used or had beads.¹⁰⁵ In 1572 William Carr, an emissary from lady Northumberland, was reported to have had beads together with Agnus Deis, friars' girdles and a number of hypocritical and abominable idolatrous pictures.¹⁰⁶ Doran and Durston claim that many of the 'church-papists', conformed ostensibly but still remained attached to Catholic objects of piety, such as Rosaries.¹⁰⁷ As Beatrix explained, she had beads because she could not 'se upon hir boke', meaning that she was either illiterate or could not see well enough and required something to say her prayers upon. The preference to pray upon a book or beads shows that Beatrix had not forsaken the practices that had been in use in the Catholic Church. Crawhall was sixty years old, revealing that she belonged to the generation that was born and had grown up in the Catholic times. Holding on to the former religious practices could well be regarded as a generational issue, as Robert Whiting noted that the elderly people were more reluctant to abandon old customs than the young.¹⁰⁸ Although Davies and Whiting claim the use of beads survived for years, especially in the northern parts of the country, the case of Beatrix Crawhall is the only one from Elizabethan Durham Consistory Court practice that involves the use of a Rosary at a Protestant worship. The previously described cases of Elizabeth Watson, Agnes Nixon and Alice Wilkinson who confessed to using their beads at Durham Cathedral during the Rebellion of 1569¹⁰⁹ differ from this example as their praying upon Rosary was an actual part of Catholic worship.

Beatrix Crawhall's controversial behaviour is not unambiguously explained. Although there is evidence of her worshiping according to Catholic practice, it does not necessarily mean that she was a convinced Catholic. If owning the beads was as common as Davies and Whiting suggest, then Crawhall might have had those, as many others did, according to the custom and tradition but without having any deeper theological cogitation over the meaning of the Rosary. Also, it can not be overruled that Beatrix's medical condition might have had an impact on her. It is very plausible that spitting out the communion bread had

¹⁰⁵ Davies, *Worship and Theology in England*, 154-155

¹⁰⁶ Welford, *History of Newcastle and Gateshead*, vol. II, 452

¹⁰⁷ Doran, and Durston, *Princes, Pastors and People*, 106

¹⁰⁸ Whiting, *The Blind Devotion of the People*, 146

¹⁰⁹ DDR/EJ/CCD 1/2, fols. 200v-201r; *Depositions and other...*, 160-161, 164

an association with the disease she suffered under and was not a deliberate act of protest. If she was a Catholic expressing her dislike towards the Protestant worship, then would she have had to explain and justify her act via the disease? Would she not have used her Rosary beads instead of just having those with her? Of course there is also a possibility that Beatrix was a brave woman who was not afraid to express her religious values via disrespectful acts at a Protestant church, but in that case her true Catholic conviction would be under serious doubt. Being a Catholic and taking part in a Protestant Eucharist would have been hypocritical. As Pilkington wrote, ‘all dissembling papists, receiving the communion against their consciences, are worthy condemned.’¹¹⁰ Robert Ashton has noted that many English Catholics attended church as this was most convenient but left before the administration of the communion.¹¹¹ Beatrix did not leave and moreover, she asked for the communion wine which according to Catholic practice the laity was not meant to receive at all. McGrath argues that many Catholics were ‘prepared to conform to the extent of attending the official services on Sundays and holy days, even though they did not accept the authority of the Church of England or recognise it as a true church. Many of them believed that they could attend the parish church with a good conscience, provided they did not give internal consent but merely appeared as a formality to avoid the penalties which the law could impose on absentees.’¹¹² Beatrix could have been a disingenuous Catholic who was renouncing her beliefs when the situation required so, but there is not enough evidence in the material to aver her being a hypocrite. Taking into consideration how strongly she defended herself and denied having done anything wrong, the most plausible explanation is that Crawhall’s personal beliefs were a combination of elements from Catholic as well as from Protestant religion. Spitting out the communion bread, which is not known to be an act of frequent occurrence, was the incident that prompted an inquiry and led to further investigation. That Beatrix was discovered to have had a Rosary with her did not mean that she was the only person in the congregation who had the beads, there could have been some more, especially bearing in mind how common the use of Rosary beads was described to have been at that time. Having summed up all of the evidence at

¹¹⁰ *The Works of James Pilkington*, 638

¹¹¹ Ashton, *Reformation and Revolution*, 142

¹¹² McGrath, *Papists and Puritans Under Elizabeth I*, 29

hand it can be concluded that Beatrix's religious views were not orthodox by contemporary means, but to classify her as a papist would be an inadequate interpretation of the facts.

Wolsingham presents yet another example of an interrupted service in the late 1560s.¹¹³ For some reason minister Richard Rawling was not favoured to conduct a baptism. He had been allowed to lead the morning prayer without being hindered, but between the prayer and communion, when he was about to christen a child, he was stopped. Several witnesses pointed out Lionel Nevill,¹¹⁴ a descendant of a well known Catholic family from Raby, as being the one who demanded Rawling to take off his surplice so that another priest, John Peirt, could baptise the child. Nevill himself testified that he had required Rawling to take off his surplice 'according to the will of XXVIII of the parish',¹¹⁵ and give it to John Peirt. Churchwarden William Trotter who happened to witness the incident said on the other hand that the child's father John Bierlay was the one who wished Rawling not to proceed with the ceremony, where after people gathered around and Nevill insisted Richard Rawling to take off his surplice, which the latter immediately did. Whoever it was who took the initiative to ask Rawling to step down, it looks as if the majority of congregation agreed with the demand. Unfortunately the entry in the deposition book does not explain the exact causes behind the demands made by the parishioners, but for some reason Rawling was believed to be unsuitable and unworthy of fulfilling an important duty like christening. A plausible explanation for the congregation's interference could be that Rawling was not a legitimate clerk which displeased parishioners. William Ranoldson testified that Rawling was asked to give the surplice to Sir John Peirt 'to do the *servic*, as he had doon byfore unless he hadd my lordes suffraganes letter, or admitt to *serve* the *parish* as the other *preist* was.'¹¹⁶ But the clerk's illegitimate status could not have been the only cause, especially bearing in mind how little attention parishioners generally paid to the legitimacy of the clergy as has been shown above. What is more believable in this case is that it was the Catholic-mindedness of the members of the congregation that Richard

¹¹³ DDR/EJ/CCD 1/2, fols. 75v-76r, 218r-219r; *Depositions and other...*, 228-231

¹¹⁴ Although in modern version the name is Neville, I have chosen to use here the way the name is spelt in this document.

¹¹⁵ DDR/EJ/CCD 1/2, f. 75v; *Depositions and other...*, 228

¹¹⁶ DDR/EJ/CCD 1/2, f. 218v

Rawling was facing. From one of the witnesses it was asked if Lionel Nevill had demanded the service to be said in the choir instead of in the body of the church, which also refers to the Catholic sympathies of Nevill. Although 'the will of XXIII of the parish' could have been more of a result of the respect and fear that people showed towards the Nevill family than the sincere wish of themselves, it clearly indicates who the authorities were and where peoples' sympathies laid.

Relying on the evidence gained from the papers of Durham Consistory Court, it can be said that disturbance and misbehaviour in the churches of Durham diocese occurred in several different forms and had reasons which widely differed. Diverse explanations to the phenomenon have been offered. The Puritan view was that disorder in the Protestant church was often the result of its own way of worshipping. *A View of Popish Abuses yet Remaining in the English Church*, published in 1572, stated: 'In all their order of service there is no edification, according to the rule of the apostle, but confusion, they toss the psalms in most places like tennis balls. The people, some standing, some walking, some talking, some reading, some praying by themselves, attend not to the minister. ...When Jesus is named, then off goeth the cap, and down goeth the knees, with such a scraping on the ground, that they cannot hear a good while after, so that the word is hindered.'¹¹⁷ This opinion of contemporary rivals' remains too rigid and narrow sided though and independent approaches and more recent studies should be consulted whilst explaining the misbehaviour and disturbance in the early modern churches.

Horton Davies describes the general atmosphere in Elizabethan churches during the time of the service, saying that after the novelty of a vernacular rite had worn off, combined with the lack of ceremony and symbolism of the Anglican service, and the repetitious reading of printed homilies rather than the preaching of sermons was the usual order on Sundays for the first twenty years of Elizabeth's reign, the church attendance must have been 'excessively dull' for the parishioners.¹¹⁸ Bernard Gilpin stated in 1552 that people in the diocese of Durham found going to church boring 'because they see not the shining pomp

¹¹⁷ David Cressy, and Lori Anne Ferrell (eds.), *Religion and Society in Early Modern England. A Sourcebook* (London: Routledge, 1996), 87

¹¹⁸ Davies, *Worship and Theology in England*, 418

and pleasing variety (as they thought it) of painted cloths, candlesticks, images, altars, lamps, and tapers' and compared church attendance 'as good go into a barn.'¹¹⁹ Davies points out that a great number of people were in church not by choice but by compulsion; that the services were long and routine and churches were crowded. He continues: 'In such circumstances it is not surprising that many should find the worship boring, or that misbehaviour and shouting, not to mention scuffling, were frequent interruptions of the service. Men talked, laughed, cleared their throats, slept and snored, and refused to stand up for the Creed or the Gospel, to turn to the East or to bow at the name of Jesus,' and females were interrupting services equally to men.¹²⁰ Seventeenth century theologian and church leader Richard Baxter acknowledged that sermons often failed and did not receive the level of attention and commitment from the parishioners' what those were intended to receive. But it was not because people clung to the old religion but because their minds were 'not ripe for utterance' and 'through ill education and disuse' they were 'strangers to the expression of those things which they have some Conceptions of.'¹²¹ As Keith Wrightson has emphasised, it was not a matter of common people's inattention or stupidity but a matter of their educational levels.¹²² Often people just did not understand the concept of a Protestant worship, thus it lead to the lack of concentration and occupation with other things during the time of the service.

Doran and Durston disagree with Horton Davies above, saying that it is questionable whether Protestant sermons reduced the congregation's sense of reverence and awe and increased peoples' boredom and restlessness.¹²³ This means that the misbehaviour and disturbance in church were not always the results of boredom amongst the congregation but sometimes they had other and more personal reasons. As the cases of Richard Rawling, Beatrix Crawhall, Brian Headlam and maybe also of Arthur Chapman demonstrated, it was the religious practice and beliefs that were the core of the problems. On other occasions the misbehaviour, like throwing cakes at Mitford or taking a crow into the church at

¹¹⁹ Low, *Diocesan Histories*, 223

¹²⁰ Davies, *Worship and Theology in England*, 418

¹²¹ Richard Baxter, *Gildas Salvianus; The Reformed Pastor* (Thomason/199:E.1574[1], London: Robert White, 1656), 431

¹²² Keith Wrightson, *English Society 1580-1680* (London: Routledge, 1993), 216

¹²³ Doran, and Durston, *Princes, Pastors and People*, 76

Wolsingham, had convincingly its roots in the boredom and distraction of undedicated and restless members of the parish. How frequent the assaults on the clergy and misbehaviour in the churches of Durham diocese were is difficult to estimate. Bearing in mind how common the phenomenon has been described to have been, it is surprising that there are only a few incidents that the deposition books provide testimonies on. Another fact worth mentioning is that in the material at hand there is no record of orders given to parents regarding their restless children at church. Namely, Christopher Haigh has brought out that much of the racket in churches in the southern parts of the country came from children and that there was little tolerance towards it.¹²⁴ It is plausible that general disturbance in the form of talking, laughing, walking or inappropriate behaviour like sleeping, which seemed to have been an extremely widely spread phenomenon based upon the information from the visitation and court records of South England,¹²⁵ was so common that in most instances cases like these were not reported and there is information only about the incidents where the disturbance was above the ordinary. Still, even these few cases reveal a relatively colourful picture of Elizabethan church-goers and cast some light on their religious beliefs and practices.

Misbehaviour and disturbance at church had multiple reasons, some were more and some less serious in their nature. A category of cases that could be regarded more severe than previous examples is the breach of the ecclesiastical law, which is examined in the following.

¹²⁴ Haigh, *The Plain Man's Pathways to Heaven*, 88

¹²⁵ *ibid.*, 90

Acts against the laws of the Queen, God and the Church of England

As demonstrated by the case involving Thomas Clarke, the minister of Barnard Castle,¹²⁶ religious practices which were not in accordance with the law of the state and Church of England could often lead to a deeper investigation and could in some cases even result in discharging the clergy. Clarke was said to have baptised wealthy men's children during week days whilst he refused to baptise a common man's child upon a work day unless the child's father swore that the child was dying. Baptism was usually meant to be administered on Sundays and on holy days, following the last lesson at morning or evening prayer, but in special cases private baptism could be arranged.¹²⁷ A parishioner confessed that 'the said curat haith not doone his dewtie'¹²⁸ by refusing to christen the child. Clarke's baptising practices also found criticism because he had neglected the order of signing the christened children with a sign of the cross on their foreheads. Custom prescribed that the child was to be dipped in the font or water was to be poured on the child and the forehead was to be signed with the sign of the cross.¹²⁹ According to Arthur Tindal Hart, the refusal to baptise with the sign of the cross was one of the principal offences of the Protestant non-conforming clergy. This was a relatively common offence, other offences included not wearing the surplice or preaching without a licence, for which a large number of clergy were suspended or deprived in the other parts of the country in the 1580s.¹³⁰ Clarke's neglect of the sign of the cross refers to the practice of Puritans, who were known for finding a number of the liturgical features of the established church, such as the sign of the cross in baptism and bowing at the name of Jesus, highly offensive.¹³¹ Using the sign of the cross was according to Puritans superstitious and wicked, as they expressed in a tract called

¹²⁶ DDR/EJ/CCD 1/2, fols. 94v-96r

¹²⁷ Davies, *Worship and Theology in England*, 217

¹²⁸ DDR/EJ/CCD 1/2, f. 95r

¹²⁹ DDR/EJ/CCD 1/2, f. 95r

¹³⁰ Hart, *The Country Clergy in Elizabethan & Stuart Times*, 37

¹³¹ Doran, and Durston, *Princes, Pastors and People*, 85

A View of Popish Abuses yet Remaining in the English Church in 1572.¹³² Clarke's own explanations to his christening practices are unfortunately absent from the depositions, leaving his alleged Puritan sympathies subject to speculation.

Clarke was also accused of refusing to minister communion to a parishioner who was lying sick.¹³³ The reasons for that refusal were unfortunately not given, neither from witnesses' nor the minister's side, although his Puritan views could well have been the cause for it. However, the refusal is mentioned only once and it does not mean that Clarke abstained from ministering communion on other occasions.

Even if the evidence of neglecting the sign of the cross and refusal of ministering communion to the sick indicate towards Thomas Clarke as being a Puritan, classifying him as one would be unjust. Puritans deplored private communions, as Clarke had done on one occasion, but they also condemned private baptisms. Puritan churchman Thomas Cartwright argued that the sacraments were essentially congregational activities and regarding the emergency baptism he said that there was never a necessity for it since infants without the sacrament were not condemned and baptism was only the seal of the grace of God and that baptism alone could not make anyone Christian anyway.¹³⁴ Clarke was not constantly abstaining from private baptisms. The reason why he agreed to conduct baptisms of wealthy parishioners' children upon week days might have been related to his respect towards the parochial gentry whose influence over the church might have been considerable at that time. Still, some doubt in Clarke's Puritan conviction remains. Puritans denied the necessity of emergency baptism but Clarke agreed to baptise a child whose life was in danger. All this leads to conclusion that even if Clarke was not a sincere Puritan, he was definitely a sympathiser of Puritan ideas.

In addition, minister Thomas Clarke was said to have married people from other parishes in Barnard Castle church. Marrying people outside of their own parish, without having a certificate of bans from the parishes involved, was an illegal act in itself, but one of these

¹³² Cressy, and Ferrell, *Religion and Society in Early Modern England*, 85

¹³³ DDR/EJ/CCD 1/2, f. 96r

¹³⁴ John F. H. New, *Anglican and Puritan. The Basis of Their Opposition, 1558-1640* (London: Adam & Charles Black, 1964), 64-66

marriages Clarke had solemnised at three o'clock in the morning instead of during a holy day service, and an other marriage had taken place between a couple where the bride had been only 12 years old.¹³⁵ There are several reasons that made those acts of an illegal nature. Firstly, it is the bridal couple's origin, secondly an unusual time of service, and thirdly the fact that both were already 'handfest with others'.¹³⁶ The young age of the bride might not have been a concern though. For comparison, there was a marriage dispute regarding unfaithfulness in Durham Consistory Court in 1602. The couple involved in that case were strikingly young at the time they got married: Richard Hogg was only 10 or 11 years old and his bride Anna was 14.¹³⁷ At their wedding ceremony it was asked 'if they knew of any impediment why they should or could not be married lawfully according to the Canones of god and the Lawes of this realme to make knowen the same wherunto they answered they know of noe impediment but that the said curat might Lawfully marrie them'.¹³⁸ In early modern England people married late and marriage at early ages was rare.¹³⁹ The average age of women marrying for the first time was 25 or 26 and for men the average age was a couple of years older¹⁴⁰ or according to other figures 24 for women and 31 for men.¹⁴¹ Even if these marriages between very young people were arranged by their parents for financial reasons, arranged marriages and the uncommonly young age were not reasons enough to make a marriage unlawful. Clarke's crime was that he wedded non-parishioners without marriage bans at an unusual time, all of which suggests he was completely aware of the illegitimacy of his proceedings.

Another case of solemnising unlawful marriages is known from Darlington, where Helena Colling and Raiff Turner were married without being members of the named parish.¹⁴² In 1570 a couple from Newcastle were married in a church at Ovingham, early in the morning

¹³⁵ DDR/EJ/CCD 1/2, fols. 94v-96r

¹³⁶ DDR/EJ/CCD 1/2, f. 95v

¹³⁷ DDR/EJ/CCD 1/7, fols. 180v-181v

¹³⁸ DDR/EJ/CCD 1/7, f. 181v

¹³⁹ Wrightson, *English Society*, 68

¹⁴⁰ Mary Abbot, *Family Ties. English Families 1540-1920* (London, 1993), 7

¹⁴¹ N. J. G. Pounds, *The Culture of the English People. Iron Age to the Industrial Revolution* (Cambridge: Cambridge University Press, 1994), 308, Peter Laslett, *The World We Have Lost: Further Explored* (London: Methuen, 1939), 81

¹⁴² DDR/EJ/CCD 1/2, fols. 253v-254r

before the morning prayer and in the presence of the congregation.¹⁴³ According to the Book of Common Prayer marriage between persons from diverse parishes could be solemnised, but in that case ‘the banns must be asked in both parishes, and the curate of the parish shall not solemnize matrimony betwixt them without certificate of the banns being thrice asked from the curate of the other parish.’¹⁴⁴ William Brigham, the vicar of Ovingham, who had solemnised the marriage, testified that he had done it ‘without any licens, nor asked aither in ther owne parish churches or ther att ovingham at all.’¹⁴⁵ Similarly, in Helena Colling’s and Raiff Turner’s case ‘the bandes off matrimony was not asked.’¹⁴⁶ Brigham also proclaimed that ‘by the lawe no parson vicar or curat ought to minister any sacramentes Rites or ceremonies to any person but to thoise of his owne parishe.’¹⁴⁷ It is surprising that Brigham, being aware of the unlawfulness of the act, still agreed to conduct the marriage. Unfortunately his explanation is absent. A more serious incident is known of from Whitburn where the local parson Leonard Pilkington refused to marry Robert Aire to Jayne Nicholson on a suspicion that Robert had previously had carnal knowledge with Jayne’s sister Margaret. Aire had asked for permission to get married thrice, but every time this had been rejected. Thereupon Henry Fisher, curate of Whitburn, organised Robert’s and Jayne’s marriage at Tynemouth by a curate called Sir Anthonie. That favour cost 5s for Aire.¹⁴⁸ Whether the fee was charged for covering the expenses at Tynemouth or was a bribe for Fisher’s help was not explained. What is striking, is not the curate’s knowledge of an illegitimate marriage but moreover, his initiative in arranging it.

What the parishioners’ general attitude towards the clergy’s illegal actions was does not emerge from the records, but two options can be considered. On one hand, it could have been welcomed that ministers were willing to meet peoples’ personal wishes and ignore the prohibiting legal restrictions when it concerned such a private matter as a marriage. On the other hand, the knowledge of the fact that the clergy was willing to take actions against the law could not have increased their credibility among laity but contrariwise set the

¹⁴³ DDR/EJ/CCD 1/2, f. 168v

¹⁴⁴ Cressy, and Ferrell, *Religion and Society in Early Modern England*, 52

¹⁴⁵ DDR/EJ/CCD 1/2, 168v

¹⁴⁶ DDR/EJ/CCD 1/2, f. 254r

¹⁴⁷ DDR/EJ/CCD 1/2, f. 168v

¹⁴⁸ DDR/EJ/CCD 1/4, f. 111; *Depositions and other...*, 308-309

ecclesiastical authority and its righteousness under suspicion. This is especially so in the case of Robert Aire when there was a serious suspicion of him having had an affair with his bride's sister and despite having been thrice refused to permit him marry Jayne, the curate offered him an illegal solution. Unfortunately, in this material the situation is not explained from the participants' point of view.

How seriously compliance with the rules of the state and church were taken by society can be seen in the cases of Sabbath breach. Charges were raised against Thomas Betson and John Towler who had committed the sin of working upon a Sunday.¹⁴⁹ It is interesting that neither of the accused failed to take part in the divine service at Gainford church the very same morning: 'thei begin their work in daybreik and had doon long byfor *servic* tyme and was at *servic*.'¹⁵⁰ What makes it a severe crime is that it was 'against the *commandements* of god and the lawes of holly churche.'¹⁵¹ As yeoman Thomas Stoddert testifies: 'yt was not godly doon of them.' Disobedience had to be punished, even if orthodox religious practices, such as participation in the service, had not been neglected. Hart has noted that the reformers' understanding of the holy day differed radically from the pre-Reformation understanding of Sunday. Before, if the villager had attended Mass, he or she was free to spend the rest of the day either at the fair, in the tavern, on the village green or however he or she chose to spend it. According to the reformers the day ought to be devoted entirely to such religious activities as church attendance, visitation of the sick, or giving and receiving of religious instructions at home. Only necessary work, like harvesting, was permitted on the Sabbath.¹⁵² As the 20th Injunction of 1559 declared, 'they may with a safe and quiet conscience, after their common prayer in the time of harvest, labour upon the holy and festival days, and save that thing which God hath sent.'¹⁵³ Betson's and Towler's working on Sunday was not accepted since any urgency for carrying out the work on that particular day was not given. Husbandman Cuthbert Potter said that they 'might well enugh have taried unto the Monday and Tewsdays next after.'¹⁵⁴ Both Betson and Towler admitted that

¹⁴⁹ DDR/EJ/CCD 1/1, f. 16r; 1/2 fols. 83v-84r; *Depositions and other...*, 104-106

¹⁵⁰ DDR/EJ/CCD 1/1, f. 16r

¹⁵¹ DDR/EJ/CCD 1/2, f. 83v

¹⁵² Hart, *The Country Clergy in Elizabethan & Stuart Times*, 44

¹⁵³ Gee, and Hardy, *Documents Illustrative*, 427

¹⁵⁴ DDR/EJ/CCD 1/2, f. 83; *Depositions and other...*, 104

it was unnecessary to have worked on Sunday and apologised for their error, as it is recorded in Dr Swift's book: 'we, Thomas B. and J. T., forgettinge our obediente dewties to the lawe of God aforesaid, and to the Quene's Majestie's ecclesiasticall lawes of this realme, have of laite prophaned, unhalowed, and, as mucche as in us lyeth, dishonored Godd's holly saboth daie gyvinge our selves to worke unlawfull, servile, and bodyly labors of sawinge, harowinge, without any urgent necessitye, in which doings as we have offended the lawes of God and the Quene, to our reprooche and your evill example.'¹⁵⁵

In the light of the example of Betson and Towler, the case involving minister Thomas Clarke and churchwarden Thomas Wilson from Barnard Castle raises questions.¹⁵⁶ As it was previously presented, the story begins with the churchwarden having locked the church doors and the following morning being unable to unlock the doors in time for the divine service, leaving the congregation as well as minister waiting outside the church. The explanation was that unfortunately had he been 'occupied' at a fair the same morning. It is interesting that there were no comments made about his absence from the divine service, whether it was excusable or not. Instead, the practices of minister Clarke are focused on. Being occupied at a fair cannot be counted as a work of urgent necessity, thus there should not have been any legal justification to Wilson's non-attendance. According to sabbatarian publications from the 1560s and 1570s, in addition to regular labour, the selling of food and drink during service time were proscribed and most of these writers rejected the use of trading on Sunday. Although, some made exceptions for markets and fairs if those did not begin until after the service time.¹⁵⁷ It is not known whether the fair Wilson attended began at the time of the service or began later and he was just making preparations for trading when he failed to fulfil his duties as a churchwarden. Although churchwardens were sometimes required to leave the church and search the parish during service time in accordance to find and report the absentees,¹⁵⁸ there were no references in the material to Wilson having being asked to inspect the fair and therefore this option can be ruled out,

¹⁵⁵ *Depositions and other...*, 105

¹⁵⁶ DDR/EJ/CCD 1/2, fols. 94v-96r

¹⁵⁷ Kenneth L. Parker, *The English Sabbath. A Study of Doctrine and Discipline from the Reformation to the Civil War* (Cambridge: Cambridge University Press, 1988), 55

¹⁵⁸ Parker, *The English Sabbath*, 61; Hair, *Before the Bawdy Court*, 249

leaving Wilson's participation at a fair to be understood as trading only. The whole incident had an even more serious character since Wilson's absence had a direct impact on the whole congregation eliminating their access to the church for the whole day - 'the church doores was kept shoott at that day unto about iiii or v of the clok at after noone and no morning nor eavening praier said that day.'¹⁵⁹ Taking into consideration that Thomas Betson's and John Towler's Sunday's working despite them being at the service had consequences, it remains unclear why Wilson's case did not lead to further investigation. It was said that 'thre churchwardens', standing responsible for locking the church doors, 'wer nott punished.'¹⁶⁰ As it emerged from the previous, Barnard Castle's minister Thomas Clarke seemed to have been a sympathiser of Puritan views. It would be interesting to know what his reaction to the churchwarden's Sabbath breach was. Sabbatarianism, or insistence on strict observance of the Sabbath was known to have been a distinguishing mark of late Elizabethan Puritanism.¹⁶¹ That none of the three churchwardens responsible for locking the church door, especially the Sabbath breaker Wilson who held the key and failed to unlock the doors, was punished for the incident might not have been the outcome that would have pleased a Puritan minister. Of course there is a possibility that Thomas Wilson's absence from the worship and forsaking his duties was dealt with at another time or location, but there is no record of that in the deposition book.

Following frequent Sabbath breaking, more serious consequences are known of from Gateshead in 1600. Millers James Harrison and Thomas Andrewe were both excommunicated as well as charged to pay 12d each 'for that they profane the Lord's Sabbath, and give evil example by grinding and carrying corn to and from the mill on the Sabbath days usually.'¹⁶² Relying on the reference of their usual habit of working on Sundays, the urgent necessity of their work is eliminated, hence the harsh punishment. Another Gateshead miller who was facing the same charges, Ralph Waister, was dismissed because he promised to discontinue the practice of working upon Sabbath days.¹⁶³ Anne

¹⁵⁹ DDR/EJ/CCD 1/2, f. 94v

¹⁶⁰ DDR/EJ/CCD 1/2, f. 96r

¹⁶¹ Cressy, and Ferrell, *Religion and Society in Early Modern England*, 105

¹⁶² Welford, *History of Newcastle and Gateshead*, vol. III, 147

¹⁶³ *ibid.*

Ridell, who had also profaned the Sabbath, was presented to quarter sessions in 1573.¹⁶⁴ Although there is no information about either the nature of Ridell's profane acts or her punishment, taking the case to the quarter sessions shows how severely the authorities sometimes looked upon sins of this kind.

Kenneth L. Parker suggests that if Puritans and conformists disagreed over the use of the rest of the holy days, then there was consensus between them regarding the strict observance of Sunday as the Lord's day. That meant that Sunday was to be observed according to the fourth precept of the Decalogue and Christians' obligation to perform spiritual exercises and rest from the worldly occupations was emphasized. All sabbatarian authors of the 1560s and 1570s condemned unnecessary travelling, plays, dancing, excessive drinking and blood sports on a Sabbath day. The author of *Of the Place and Time of Prayer* divided Sabbath breakers into two broad groups: those, who treat the Lord's day as any other day and carry on their work, and those, who 'rest in ungodlyness and filthiness.'¹⁶⁵ Paul Hair has noted that Sabbath breaching was a staple charge before the church courts in any century and it did not become more frequent as time progressed.¹⁶⁶ The material from Durham Consistory Court does not indicate that accusations of the offence of breaking Sabbath increased over the period in focus.

James Hitchcock has identified that breaching the Sabbath together with neglecting church services and other religious duties was noted with great frequency throughout Elizabeth's reign by many authorities. The clergy often complained of much drunkenness and indulgence in profane sports on Sunday mornings when services were in progress.¹⁶⁷ Christopher Haigh noticed similarly that southerners often neglected church attendance because they chose to engage themselves in work instead or to drink or to play games.¹⁶⁸ Having left out any possible religious causes for non-attendance, which were proven not to have been the reasons for the Sabbath breakers described above, the long distance of churches, poor travelling conditions, and Sunday as the only day of rest would have

¹⁶⁴ *ibid.*, 458

¹⁶⁵ Parker, *The English Sabbath*, 55-56

¹⁶⁶ Hair, *Before the Bawdy Court*, 247

¹⁶⁷ Hitchcock 'Popular Religion in Elizabethan England', 30-33

¹⁶⁸ Haigh, *The Plain Man's Pathways to Heaven*, 80-87

discouraged many people from frequent attendance.¹⁶⁹ Unfortunately there is not much information about non-attendants and Sabbath breakers amongst the records of Durham Consistory Court. Durham Quarter Sessions' indictment rolls contain material about non-attendance at church as one of the quarter sessions' tasks was to enforce the laws against Roman Catholics and Protestants who refused to conform to the Church of England.¹⁷⁰ Namely, non-attendance was often regarded as recusancy and also the bill that was passed by parliament in 1581 and implied strong measures for Sabbath breakers, was directed especially at Catholic recusants.¹⁷¹

Besides the physical acts described above, there were also verbal manifestations that could be interpreted as being in contradiction with the law of God and Church of England. The three following cases cast some light into the Elizabethan understanding of the name of God and the ways of honouring or dishonouring it.

Minister Raph Smithson from Gainford, who had several sins upon himself, was known for his frequent swearing.¹⁷² He was said to 'swear by guttes armes eies and woundes of our God.'¹⁷³ Although direct references to understanding of Smithson's words as blasphemy are absent in the depositions, this discourteous and ungodly choice of words was definitely regarded as inappropriate, especially for the clergy. As Paul Hair has said, 'Cursing and swearing was objected to because it often led up to defamation and brawling and because it was sometimes blasphemous.'¹⁷⁴ Another example of indecent choice of words is known from Muggleswick, where Umphrey Hopper was accused of expressing 'ungodly wordes' at church following an argument with a fellow parishioner.¹⁷⁵ On the other hand, Thomas Wright, vicar of Seaham, had to defend himself against the articles against him based upon his use of God's name disrespectfully, swearing by God once and another time by St John. Wright acknowledged the swearing, but was recorded as 'denying that he is any common

¹⁶⁹ Hitchcock, 'Popular Religion in Elizabethan England', 34

¹⁷⁰ Durham County Record Office web site

<http://www.durham.gov.uk/recordoffice/register.nsf/7da41db46fbaf08880256ff80053d88c/598289b8722c709b8025690a002e11c3?OpenDocument> (23 February 2009)

¹⁷¹ Parker, *The English Sabbath*, 78

¹⁷² DDR/EJ/CCD 1/3, fols. 37-38r

¹⁷³ DDR/EJ/CCD 1/3, f. 37v

¹⁷⁴ Hair, *Before the Bawdy Court*, 252

¹⁷⁵ DDR/EJ/CCD 1/2, f. 163v

swerer or blasphemer,' saying that 'he trustith gywith good example to all his parishioners.'¹⁷⁶

Amongst the three cases in hand, different examples of the improper use of words can be distinguished. Little is known about Umphrey Hopper and his 'ungodly wordes', which can only mean that he was not regarded as a blasphemer but as someone who expressed his indecent vocabulary at an inappropriate place, possibly in an emotional turmoil following a quarrel. Also Thomas Wright seemed to have been a little careless in his choice of words in certain circumstances. But Raph Smithson, known for his depraved life style, was likely to have had regular improper vocabulary. As was previously shown, Smithson was described to have been a frequent player 'at dice, cardes and tables'. The links between blasphemy and gambling are scarcely hard to find. David Nash, who has studied blasphemy in Christianity, has noted that blasphemy amongst gamblers was a consistent worry and concern to early modern authorities throughout Europe. Nash described the gambling room as having been a male gendered back parlour of the tavern.¹⁷⁷ It is possible that the gambling in Gainford was a bit more public and did not remain behind the closed doors, which would also explain parishioners' widespread awareness of their curate's involvement in gaming and swearing. Or on the other hand, it is possible that Smithson's fellow gamblers lacked loyalty towards the divine incumbent and shared the gaming-room experiences, much of which vilified Smithson's reputation, with the wider public. Raph Smithson could also have provoked his gambling companions to betrayal, as Nash writes: 'Gambling also sometimes brought together individuals from disparate parts of the community who had to demonstrate or boast about their status.'¹⁷⁸ As alcohol was usually associated with gambling, it is not unlikely that in the heat of the moment unpremeditated verbal statements were made. Smithson's habit to 'swear by guttes armes eies and woundes of our God' fits nicely into the frame of explanation that Nash offers saying: 'Within gambling circles the desperate individual sometimes craved fortune by appealing to the better nature, or the omnipotent power, of the almighty ... Blasphemy would occur either where the individual called upon the divine as an invocation for providential good fortune,

¹⁷⁶ DDR/EJ/CCD 1/2, f. 139r; *Depositions and other...*, 113-114

¹⁷⁷ David Nash, *Blasphemy in the Christian World. A History* (Oxford: Oxford University Press, 2007), 56-57

¹⁷⁸ *ibid.*, 57

or cursed the almighty for failing to grant it.’¹⁷⁹ It is not known whether Smithson was lucky or unlucky at tables, cards and dices and what were the exact reasons for his blasphemous outbursts. Both attempts to invoke God’s help in gaming as well as exasperated outbursts against bad luck and failure were seen as clear instances of blasphemy by many contemporary theologians. This was considered equal to ‘tempting’ God and a clear trivialization of his divine purpose.¹⁸⁰ Although Raph Smithson’s swearing bore evidential elements of blasphemy as it was understood by the contemporary theologians, there were no references in the depositions to him as a blasphemer nor were his actions described as blasphemous. The explanation is that for the witnesses questioned in this case swearing was equal to blasphemy as it already in itself was dishonouring God. Thus the offender should suffer the consequences, as William Emerson did from Brancepeth in 1579, who was sentenced to do penance in his church and to certify because ‘He sware a terrible othe in the churche.’¹⁸¹

The Forty-two articles of 1553, abandoned in the articles of 1571, had declared about the blasphemers that ‘because such be guilty of God’s curse, they entangle themselves with a most grievous and heinous crime, whereupon this kind of sin is called and affirmed of the Lord, unpardonable.’¹⁸² Even though this article had been deleted by the time the cases in focus reached the court, the name of God was still holy and that should not be carelessly used. As was written in the Bible (Exodus 20:7; Deuteronomy 5:11) and declared in the Ten Commandments, ‘you shall not make wrongful use of the name of the Lord your God, for the Lord will not acquit anyone who misuses his name.’ Christopher Haigh suggested that most of the blasphemy at that time was just ill-tempered and loose talk,¹⁸³ without carrying any deliberate sacrilegious references. This description undoubtedly applies to the cases of Umphrey Hopper and Thomas Wright, and with some restrictions also to that of Raph Smithson.

¹⁷⁹ *ibid.*, 57, 112

¹⁸⁰ *ibid.*, 57

¹⁸¹ *The Injunctions and Other Ecclesiastical Proceedings of Richard Barnes, Bishop of Durham from 1575-1587*, ed. James Raine, Surtees Society XXII (Durham: George Andrews, 1850), 128

¹⁸² Bray, *Documents of the English Reformation*, 294

¹⁸³ Haigh, *The Plain Man’s Pathways to Heaven*, 168

The acts against the laws of the Queen, God, and the Church of England could be anything from breaching the Sabbath and expressing unpremeditated words in the heat of passion to more conscious illegal acts such as solemnising unlawful marriages and practicing any form of unorthodox religion. The variety of examples drawn from the Durham Consistory Court deposition books creates a slightly heterogeneous picture. As it was shown, working upon a Sabbath day occurred in different parts of the diocese, but the consequences of doing so varied from case to case. Disrespectful use of the name of God was disapproved of, but not considered as extremely serious misconduct. Unlawful marriages seemed to have been a relatively common phenomenon however, the clergy's willingness to solemnise those, and in one case the unlawful marriage being arranged on the curate's initiative, is surprising. Yet we do not know how representative cases like these for the diocese as a whole were. For example, the Catholic-mindedness that has been described as having survived in many places for decades into Elizabeth's reign could have led to numerous unorthodox aberrances in a Protestant service but it was rarely that the members of the congregation complained about those. This kind of liaison between the people and the clergy is explained by Christopher Haigh who said that 'sympathetic parishioners concealed breaches of Protestant rules, and deviant priests went unreported for years.'¹⁸⁴ Noteworthy is also the fact that in the material at hand both the clergy and the parishioners were frequently equally represented in these cases, showing that falling into error by either remaining firm to one's unorthodox practices or by just ignoring the given orders was equally applicable to the clergy and to the laity. However, relying on the examples drawn from Durham Consistory Court's material, it can be concluded that disobeying the laws of the Queen, God and the Church of England was not a serious problem for the Elizabethan diocese of Durham.

The previous cases showed unorthodox behaviour being to some degree intrinsic to both the Elizabethan laity as well as the clergy. Similarly, differences between the religious sympathies of these two groups were small. Whether the same applied to beliefs in magic and other 'superstitious' beliefs, is discussed in the following chapter.

¹⁸⁴ Haigh, *English Reformations*, 248

Chapter IV: Belief in magic and witchcraft

The context of English witchcraft beliefs

There is evidence of belief in magic and witchcraft being very vigorous in Elizabethan England and the diocese Durham was no exception. The neighbouring York diocese church court records for the years between 1560 and 1640 testify to over a hundred cases of popular magic.¹ Susan Keeling argues that due to a lack of instruction and preaching the people in Anglo-Scottish Border counties turned to the outward forms of faith which mattered to them considerably more than the official religion. Keeling has noted that in the Border ballads magical rites figured far more frequently than any recognisable Christian motif.² William Weaver Tomlinson described the belief in witchcraft having been ‘very strong’ in sixteenth century Northumberland.³ Mervyn James explained that in the ‘primitive upland communities the approach to the “power” and rites of the Church had a mechanical quasi-magical character, which made the efficacy of sacraments depend merely on their ritual performance’,⁴ making it look plausible that the adoption of Christian rites was not always driven by a sincere wish to worship God as it was understood by orthodox Christianity. According to different visitation records from all over the country, it was usual for any single visitation by a bishop or an archdeacon in the late sixteenth century to uncover at least one white witch (i.e. practitioner of magic for benevolent purposes), commonly even more.⁵ Regarding the number of cunning-folk, Owen Davies noted that

¹ Thomas, *Religion and the Decline of Magic*, 294

² Keeling, ‘Dissolution of the Monasteries in the Border Country’, 34

³ Tomlinson, *Life in Northumberland*, 172

⁴ James, *Family, Lineage, and Society*, 54-55

⁵ Thomas, *Religion and the Decline of Magic*, 294

‘there were as many as a couple of hundred thousand cunning-folk operating in Elizabethan and Stuart England’, although there is some suspicion that this number does not present cunning-folk alone but includes various magical practitioners.⁶ As cunning-folk Davies describes practitioners of magic who healed the sick and the bewitched, who told fortunes, identified thieves, induced love, and much else besides, but he draws a clear line between cunning-folk on one side and charmers and harmful witches on the other side. In the ecclesiastical proceedings, however, the terminology is used in an indiscriminating manner and the terms of witchcraft, sorcery, exorcism and charming are used interchangeably without any clear separation between them, revealing the lack of a consistent policy towards witchcraft.⁷ Therefore, this study makes no attempt to distinguish or define the different terms that refer to magical practitioners of any form but these will be used interchangeably just as the contemporaries understood and used them. It must be remembered that the number of practising wizards, healers, magicians etc. known through the records could be only the tip of an iceberg. Due to the widespread popular tolerance of white magic and respect towards the charmers who succeeded in their practice, villagers usually took no legal actions against them unless they fell out with them.⁸ People did not prosecute magical healers or cunning-folk because their services were needed, unless the clients felt that they had been cheated or bewitched. Cunning-folk were useful but witches, on the other hand, assuming that their existence was real and not imaginary, could be regarded as evil. That there were also clergymen and physicians who practiced as cunning-folk in order to, as Owen Davies has expressed, ‘boost their incomes’, shows how accepted the profession of magical practitioners was.⁹ Peter Rushton has noted that it is not unusual to find records of English clergymen who were prosecuted for some kind of magic in the fifteenth and sixteenth centuries. For example, John Vaux, curate of Auckland St Helen, was prosecuted in 1633 for the casting of figures to find lost or stolen property and Thomas Lyons, curate of Earsdon parish near Tynemouth, had allegedly taught witchcraft or

⁶ Owen Davies, *Cunning-folk. Popular Magic in English History* (London: Hambledon & London, 2003), 67

⁷ Peter Rushton, ‘Women, Witchcraft, and Slander in Early Modern England: Cases from the Church Courts of Durham, 1560-1675’, *Northern History* XVIII (1982), 123

⁸ Thomas, *Religion and the Decline of Magic*, 293

⁹ Davies, *Cunning-folk*, 13, 80

sorcery to his parishioners in the beginning of the seventeenth century.¹⁰ Philip Tyler agrees with Davies and Rushton saying that white witchcraft was a known and accepted part of the lives and experience of parochial clergy.¹¹ Bengt Ankarloo's research casts further light upon the relatively mixed concepts of popular and learned beliefs as he discovered that due to the constant interaction the distinction between the concepts of those is not very clear, but that a fairly uniform body of witch lore is noticeable in both.¹²

Geoffrey Parrinder has noted that the witch trials 'were much more numerous under Elizabeth than at any other time, even taking into account the activities of witch finder general Matthew Hopkins in East Anglia during the Civil War.'¹³ Peter Elmer agreed with Parrinder saying that 'the peak of prosecutions for witchcraft in England coincided with the early years of the reign of Elizabeth I.' His explanation was that 'the need to create a new political and religious consensus in the wake of the mid-Tudor crisis created a natural environment for the promotion of witch-hunting.'¹⁴ Also Christina Larner noted that the peak of English trials seemed to have occurred in the mid-to-late sixteenth century, coinciding with the beginning of the second and most severe period of prosecutions in Continental Europe.¹⁵ The outbreak of witch fear in East Anglia that culminated about 1645¹⁶ did not have any notable impact on the northern areas. Still, the conviction rates in the trials remained always surprisingly low, for example, at the Home Circuit assizes it was 44% at the peak and declined further after 1600.¹⁷ The church courts of Durham were described as having been mild in their sentences towards convicted witches, only a few of them are known to have suffered harsher punishment than public penance.¹⁸ Although, church courts did not usually deal with serious cases such as harming or causing the death

¹⁰ Rushton, 'Women, Witchcraft, and Slander', 121

¹¹ Tyler, 'The Church Courts at York', 91

¹² Bengt Ankarloo, Stuart Clark, and William Monter, *The Period of the Witch Trials*, The Athlone History of Witchcraft and Magic in Europe, vol. 4 (London: Athlone, 2002), 63

¹³ Geoffrey Parrinder, *Witchcraft: European and African* (London: Faber and Faber, 1963), 90

¹⁴ Peter Elmer, 'Towards a politics of Witchcraft in Early Modern England', in Stuart Clark (ed.), *Languages of Witchcraft. Narrative, Ideology and Meaning in Early Modern Culture* (London: Macmillan, 2001), 106

¹⁵ Christina Larner, *Witchcraft and Religion. The Politics of Popular Belief* (Oxford: Basil Blackwell, 1984), 71

¹⁶ Ronald Holmes, *Witchcraft in British History* (London: Fredrick Muller Ltd., 1974), 179

¹⁷ Malcolm Gaskill, 'Witches and Witnesses in Old and New England', in Clark (ed.), *Languages of Witchcraft*, 70

¹⁸ Rushton, 'Women, Witchcraft, and Slander', 122

of people or their livestock as those remained in the jurisdiction of secular courts. Peter Rushton, who has used a number of sources for collecting information about witchcraft persecutions in the Durham diocese, has found references to twenty-four cases involving twenty-nine people having taken place in the counties of Durham and Northumberland between the 1560s and the 1630s.¹⁹ However, due to the poor survival rate of the records, this number could only be a fraction of those that actually occurred and does not reflect by any means the comprehension of beliefs in witchcraft and magic in the diocese.

Christina Larner in her detailed study of witchcraft has stated that in England the whole phenomenon of witchcraft was taken less seriously by the authorities than in some other European countries, for example, it was not taken as severely as in Scotland.²⁰ In England witchcraft was, according to Geoffrey Robert Quaife, 'neither a religion nor an organisation'. He noted that 'witches in England showed no signs of co-operation with each other, no continuity or common aspect in ritual'.²¹ There was hardly a single case of devil worshipping recorded in England.²² In fact, full-scale panics with the devil's pact and witches' Sabbath were so rare that when the narratives of similar perceptions occurred, they were widely publicised, as were those in Lancashire. According to Stuart Clark, what witchcraft meant to most ordinary people was that it caused misfortune but the connection with devil-worshipping remained foreign for the majority of the contemporary popular understanding. Bengt Ankarloo noticed that magic and witchcraft never became fully demonised in England.²³ The idea of demonical possession, according to which an evil spirit enters into a person causing strange physical and moral effects, was not always linked with sorcery, which was understood as the deliberate employment of maleficent or harmful magic.²⁴ The individual cases of maleficent sorcery that were brought to court seldom developed into systematic eradications. Much of it was because of the English judicial system with its accusatory rather than inquisitorial procedure, combined with the

¹⁹ *ibid.*, 119

²⁰ Larner, *Witchcraft and Religion*, 70-71

²¹ Geoffrey Robert Quaife, *Godly Zeal and Furious Rage. The Witch in Early Modern Europe* (London: Croom Helm, 1987), 59

²² Quaife, *Godly Zeal and Furious Rage*, 56

²³ Ankarloo, Clark, Monter, *The Period of the Witch Trials*, 79, 114

²⁴ Thomas, *Religion and the Decline of Magic*, 551, 569

restrictions on legal torture and the critical supervision of the higher courts.²⁵ Similarly, Owen Davies has argued that ‘in England the persecution of witches was largely conducted from below, in other words by people who felt threatened by witches in their daily lives: it was they who brought charges. The legal authorities, by and large, did not seek out witches themselves – that was not how English common law worked.’²⁶ Tyler and Rushton noted that the ecclesiastical authorities did not place much emphasis on witchcraft prosecutions,²⁷ being more concerned over social order. Despite the fragmentary state of contemporary records, there is no evidence of any wide spread witch-hunt having occurred in the diocese of Durham. Rushton’s count of twenty-four cases between the 1560s and 1630s²⁸ supports this claim.

The harm which the witches could do to human beings, livelihoods, families and communities, was the most relevant concern for contemporary people. Witches were assumed to disrupt the weather, to waste crops, to ruin the production of beer and butter and to bring sickness and death to people and their livestock.²⁹ White witches or cunning-folk, on the other hand, were widely popular because of the help they were believed to be able to provide to their neighbours. How beliefs in witchcraft and magic manifested themselves in the Elizabethan diocese of Durham and how deep-rooted these ideas were, are explored through the following examples from Durham Consistory Court deposition books. As this study focuses on the forms of religious deviance and the reasons behind the deviance, other often described aspects of the studies of witchcraft, such as punishments to alleged witches, relationships between accusers and accused, the question of gender, are concentrated on to a smaller extent and are discussed only if they contribute to revealing the pattern of magical beliefs in the region.

²⁵ Ankarloo, Clark, Monter, *The Period of the Witch Trials*, 79

²⁶ Davies, *Cunning-folk*, 13

²⁷ Tyler, ‘The Church Courts at York’, 98; Rushton, ‘Women, Witchcraft, and Slander’, 124

²⁸ Rushton, ‘Women, Witchcraft, and Slander’, 119

²⁹ Ankarloo, Clark, Monter, *The Period of the Witch Trials*, 114

The case of Jenkyn and Jennet Pereson

There was a case in the consistory court in the late 1560s which according to James Raine's notes was from a 'series of Exceptions against the Witnesses in a Tithe Suit related to the Living of Benton'.³⁰ In this case the focus was on the activities of the Pereson family from Wallsend on Tyneside. Jenkyn Pereson and his son William, or according to some testimonies William only, were suspected of stealing a horse. To assess their trustworthiness and reliability, the reputation of their whole family was discussed in the course of investigation. Witnesses came forth with testimonies about how Jenkyn's wife Jennet was known for using witchcraft. Allegedly she 'used wytchecraft in measuring of beltes to *preserve* folkes frome the Farrye',³¹ referring to a common method of magical diagnosis where the presence of a fairy, understood as a disease, was believed to reflect in the inconstancy of the measured length.³² Jennet had acted as a healer or witch on several occasions. Katherina Fenwike, who believed that 'Jenkyn Pereson and his wyfe they ar not honest', testified how Jennet tried to heal a sick child of Fenwike's cousin Edward Wyddrington. Jennet Pereson had been convinced that the child had been taken with fairy. The essence of the child's sickness was not described, but according to previous research 'being taken with fairy' could be applied as a diagnosis of various conditions which in contemporary medicine lacked any other explanation.³³ Jennet had given a very specific description of how to relieve the suffering boy Benjamin from this peculiar disease. Namely, two persons had to fetch 'southrowninge' or south-running water, carry it to child's mother and not speak to each other a single word whilst carrying the water. The child would have been washed in this water as would his shirt. The shirt was thereafter hung upon a hedge over night. The morning after the shirt should have disappeared and the child would have recovered his health. Further it was said that the shirt was not gone the following day, but there were no references to the state the child found himself in. It would not be surprising if the boy had been proclaimed to have been healed. Malcolm Gaskill has

³⁰ DDR/EJ/CCD/ 1/2, fols. 36v-38r; *Depositions and other...*, 99-100

³¹ DDR/EJ/CCD/ 1/2, f. 36v

³² Thomas, *Religion and the Decline of Magic*, 217

³³ *ibid.*, 219, 725

noted that tales of miraculous recoveries were common in contemporary witchcraft narratives.³⁴ Jennet Pereson had been paid three pence for her effort. Strikingly, despite Fenwike's knowledge about Pereson's detailed healing procedures and practices, the witness said that 'otherwais she knoweth not whether she is a wytche or not'.³⁵ Although Katherina Fenwike was reluctant to accuse Pereson of being a witch she did not give the evidence disinterestedly. Namely, her mother Constance was the party to the tithe dispute and brought the evidence.³⁶ That Katherina avoided calling Jennet a witch could possibly mean that for the deponent the word 'witch' had a different, more malicious meaning and did not apply for a cunning-person or a healer. Alternatively, if Pereson's curing procedures were unsuccessful, Fenwike may have sought to discredit Pereson's reputation as a healer by saying that Pereson might not have been a witch at all.

Robert Thompson, vicar of Benton, testified against Jenkyn and William Pereson who were believed to have stolen a mare from him. Thompson's testimony adds more detail to Jennet's reputation as a cunning-woman. He knew about how Jennet had healed a widow, mother of Elizabeth Gibson, from the fairy for the reward of six pence. Elizabeth Gibson had confessed paying this amount of money 'for hir paynes' so that her mother could be healed. Similarly, one Edmond Thompson had been charged three pence 'for a like matter'.³⁷ It was not explained if these patients had been actually cured or how they were cured, but based on previous research it can be assumed that some form of magic was practiced. As Keith Thomas declared, the term 'fairy' involves itself an idea of a malignant disease of spiritual origin, which could be cured by either charming or by exorcism. There were several other options used against fairies, such as reading Catholic formulae, popular formulae, the Gospel of St John or sprinkling with holy water.³⁸ Christina Lerner has noted that charms were 'made out of the debris of different systems of thought, though undoubtedly the largest ingredient was the prayers of the pre-Reformation church'. Formulae such as Paternosters, aves and creeds, either in their original form or modified,

³⁴ Gaskill, 'Witches and Witnesses in Old and New England', 63

³⁵ DDR/EJ/CCD 1/2, f. 37r, *Depositions and other...*, 100

³⁶ Rushton, 'Women, Witchcraft, and Slander', 124-125

³⁷ DDR/EJ/CCD 1/2, f. 37v, *Depositions and other...*, 100

³⁸ Thomas, *Religion and the Decline of Magic*, 725.

were widely employed. In addition, there were charms which were remote from and more mysterious than any recognisable Christian formula.³⁹ Unfortunately, there is nothing in the depositions to indicate how Jennet Pereson's healing procedures took place and how people were unbound from the fairy, but based on other studies it can be assumed that she also used charms. Owen Davies has noted that cunning-folk 'employed a multi-pronged approach to curing witchcraft, using a combination of written charms, magic rituals, prayers and herbal medicines'.⁴⁰

Although it is not the aim of this study to find the right titles to give to the magical practitioners that the material at hand gives references to, Owen Davies's study about cunning-folk throughout English history provides the correct terminology for this specific case. He has drawn a clear distinction between cunning-folk and charmers. Although both of them were mostly from the same social group and they both proffered supernatural healing, there were significant differences. Davies describes that 'charming was a distinct tradition, based on either the possession of an innate healing touch, ownership of a healing object, or most commonly the possession of one or more simple verse charms usually based on extracts from the New Testament or apocryphal biblical stories.' He continues, that they 'rarely practised any other forms of magic, though some complemented their "gift" with herbal medicine. In general the tradition of charming did not extend to healing the bewitched or the possessed.' The healing of the bewitched, or as this case calls it, unbinding folk from the fairy, was the speciality of cunning-folk and also the most lucrative aspect of their business.⁴¹ According to Davies's classification Jennet Pereson belonged to the group of cunning-folk.

Jennet Pereson's method of 'measuringe beltes' refers to examining an item of a patient's clothing, for example belt or girdle, and was a common method of magical diagnosis. Measuring of this kind was an ancient procedure which was known throughout Europe. It was believed that the presence of an evil spirit or fairy would reflect in the inconstancy of

³⁹ Larner, *Witchcraft and Religion*, 146

⁴⁰ Davies, *Cunning-folk*, 109

⁴¹ *ibid.*, 83, 96, 103

the measured length.⁴² But Jennet used witchcraft ‘in measuringe of beltes to *preserve* folkes frome the Farrye’. Although measuring was usually a method of setting a diagnosis rather than a preventive measure, it appears that Jennet’s magical practices had a wide range – she not only diagnosed the illness and cured but also extended her services to providing protection against the fairy to people who were concerned about their wellbeing.

Pereson gave precise directions regarding the water that should be used for curing the little boy. Using ‘southrowninge’ water for healing emerges in several English witchcraft cases as it was believed to have magical qualities and it was often recommended to dip a sick person into a south-running river in order to recover his or her health.⁴³ Whether or not Jennet prescribed the use of this specific water only on this single occasion or more frequently, was not revealed in the court documents. It is unclear whether sacrificing a patient’s shirt was a common method in Pereson’s practices. The expected disappearance of Benjamin’s shirt refers to a belief in fairies as subjects of bribery, as in accordance to guarantee personal fortune and wellbeing it was believed that fairies required gifts.⁴⁴

Coming back to the terminology concerning Jennet Pereson’s profession, another argument that supports the claim of her having been a cunning-woman and not a charmer or a harmful witch becomes obvious in the matter of money. Owen Davies has remarked about charmers that ‘they did not demand money and would not even accept any words of appreciation, though gifts in kind were accepted if freely given.’⁴⁵ Pereson, on the other hand, charged her clients for the services. The witnesses in the Pereson’s case emphasised the amount of money they had paid to the healer, varying from three to six pence. That they revealed the cost of the healing services, or that they were questioned about the service fees in the course of investigation, could be the impact of the witchcraft act of 1542. The statute 33 Hen. VIII, c. 8 declared it to be felony to practice conjuration, witchcraft, enchantment or sorcery ‘to get money’.⁴⁶ Although the following act in 1563 did not formulate that the

⁴² Thomas, *Religion and the Decline of Magic*, 217

⁴³ *ibid.*, 218, 747

⁴⁴ *ibid.*, 728

⁴⁵ Davies, *Cunning-folk*, 83

⁴⁶ *Anno tricesimo tertio Henrici octavi* (STC/57:19, London: Ex officina Thomae Bertheleti typis impress, 1542), B5v-B6r

use of magic for financial profit was illegal, in the Pereson's case the cost of the services seems to have been important either for the healer's clients or for court officials. On the other hand, as any information about the patients' further physical condition is absent, it is also possible that the healing procedures were unsuccessful and the witnesses revealed the amount of money they had paid to Jennet Pereson as evidence of the financial loss they had suffered through fraudulence.

According to Keith Thomas magical practitioners could be found at various levels of society and be of either sex, although most commonly they were female.⁴⁷ Peter Rushton has observed that twenty out of twenty-nine people presented to the courts in Durham and Northumberland in connection with witchcraft were women.⁴⁸ Alan Macfarlane's study of Essex witch trials shows that although it was not inconceivable for a man to be a witch, the majority of witches were women. They were also more likely to be women between the age of fifty and seventy, who were almost always wives and widows rather than unmarried women.⁴⁹ Similarly, Christina Larner noted that women were always the most common suspects of witchcraft. She writes that 'a witch was a neighbour. She was most likely a mature female, though not necessarily elderly or solitary. She was likely to be at the more impoverished end of the village socio-economic scale, certainly poorer than those who accused her.'⁵⁰ Jennet Pereson's profile fits into this pattern – if she was not elderly then at least middle-aged, she was married and the fact that her husband and son were accused of being thieves might also allude to the Pereson family being from the poorer levels of society.

Peter Rushton has noticed that the majority of witchcraft cases in the ecclesiastical courts of Durham concerned practicing or believing in various types of charming or divination and not harming people.⁵¹ This is explained with the division of labour between ecclesiastical and secular courts, as the church courts operated under the ecclesiastical law

⁴⁷ Thomas, *Religion and the Decline of Magic*, 296, 519

⁴⁸ Rushton, 'Women, Witchcraft, and Slander', 124

⁴⁹ Alan Macfarlane, *Witchcraft in Tudor and Stuart England. A Regional and Comparative Study* (London: Routledge, 1999), 161, 164, 230

⁵⁰ Larner, *Witchcraft and Religion*, 72

⁵¹ Rushton, 'Women, Witchcraft, and Slander', 119

and the criminal law remained the business of the secular courts. Still, it is noteworthy that the unorthodox nature of the acts of witchcraft was not raised in Pereson's case. Deponents brought the facts forward just to describe the circumstances around the persons in question. It is possible that since the magical practices described here were not malicious, parishioners saw no reason to prosecute Jennet Pereson as no one was after revenge. According to the witchcraft act of 1563 the maleficent practice of sorcery was forbidden, together with finding lost or stolen goods and provoking unlawful love.⁵² Jennet had not committed any of these offences and was not initially presented to the court accused of practicing witchcraft. This indicates again how normal and accepted the belief in certain persons' ability to co-operate with supernatural powers was.

The deposition books do not contain any additional information about whether the Pereson's case was taken further or whether it ended there, although there is nothing to indicate whether Jennet would have been a subject of interest for the secular courts under criminal law. The way this single case was handled indicates that witchcraft practitioners were not regarded as being a priority for eradication, at least not at the end of the 1560s. Analysis of the following cases will create a clearer picture of the most common witch-beliefs in the region and also illuminate the seriousness or mildness with which the Elizabethan regime treated religious deviants in the form of 'witches'.

⁵² *Anno Quinto Reginae Elizabethae* (STC/501:02, London: Powles Churchyarde, 1563), fols. 53r-54r

Witches or not – cases of defamation

Accusations of being a witch occurred frequently in the practice of Durham Consistory Court, but these cases were most often treated as defamation. Usually the person, who was originally blamed for using witchcraft, prosecuted the other party for calumny. As the existence of whores, which was another very common feature in defamation cases, was a reality, so was believed to be that of witches'. Agneta or Anne Burden did not like being called 'a crawket handyd wytch' by Elizabeth Anderson in Stockton in 1572. She tried to clear her name of these scandalous accusations by replying 'I am no wytch',⁵³ indicating that being assumed to be one would damage her reputation. In several witchcraft accusations other colourful adjectives have been attributed to the word 'witch', but not all the deponents either regarded it as necessary or were given a chance to defend their non-witch status. Another example is known from Throckley near Newcastle in 1574, when Janet Wilkinson called Katherine Anderson 'hanged lipped witche' and 'clarted witche'.⁵⁴ A similar case is in The Book of Proceedings of a Commissary for the County of Northumberland in 1566-1567. Margaret Reed prosecuted Margaret Howhett for saying that 'she was a horse goodmother water wych'.⁵⁵ Unfortunately, due to the short nature of these depositions no complementary information about these alleged witches was added. These three accusations reflect different understandings of the nature of a witch. The adjectives attributed to Burden and Anderson refer to the witch as an unpleasant and filthy creature whilst in Reed's case the description of a witch had a more magical character. To interpret the different adjectives accompanying the word 'witch' as possible regional differences in witch beliefs requires a more detailed study about the image of the witch. Moreover, as these specific cases were cases of defamation, the colourful additions to 'witch' can not be regarded as a genuine indicator of local witch beliefs but rather as illustrations of the gravity of insult, the insult sometimes being based on the persons' physical appearance.

⁵³ DDR/EJ/CCD 1/2, fols. 280v-281v

⁵⁴ DDR/EJ/CCD 1/3, f. 22r; *Depositions and other...*, 313

⁵⁵ *Depositions and other...*, 91

Additional proof that the word ‘witch’ often carried a slanderous meaning is found in the cases where it has been used in parallel with such terms as ‘whore’ and ‘thief’. In 1592 in Stanhope John Philipson called Alison Emerson ‘whore, Common whore and witch’, whereupon Alison responded with the same calling John ‘false arrand thefe and witch’.⁵⁶ Their alleged actions as witches were not even considered by the court officials, but witnesses were eager to bring out facts that could prove one or the other party living either an honest or dishonest life. The case was treated as defamation and Philipson was ordered to pay seven pence to Emerson.⁵⁷ Despite the case being classified as defamation, Emerson’s accusations reveal that the idea of a man being a witch was not implausible. Another incident of name calling took place the same year in Windlestone in county Durham where Allison Vasey or Vaseye and Isabell Harrison were noted to quarrel with each other.⁵⁸ Vasey had called Harrison ‘arrand whore theefe and witch’, whereupon Harrison named the counterpart to be an ‘arrant whore’. Here again, the possibility of the women in the dispute having been witches was not of interest and was not dealt with. James Sharpe has noted that the accusations of witchcraft reveal conflicts between women and that in cases of slander the enmity between two parties often existed prior to one of them taking legal action.⁵⁹ Keith Thomas and Alan Macfarlane have associated the phenomenon of witch accusations with social changes in early modern society and with the move from a neighbourly village community towards a more individualistic one.⁶⁰ Tension between neighbours is the most plausible explanation of the case of Vasey and Harrison.

Another case of defamation where more serious and specific accusations of witchcraft were made occurred at Raby in Staindrop parish in 1594.⁶¹ In an argument between Margaret Harrison and Janet Raice or Raicer, amongst ‘slanderous speaches’ Harrison ‘call the said Janet Raicer witch further saieing that the said Janet Raicer did witch hir owne goodes and

⁵⁶ DDR/EJ/CCD 1/6, fols. 21v-22r, 24, 26v-28r

⁵⁷ DDR/EJ/CCD 1/6, f. 28r

⁵⁸ DDR/EJ/CCD 1/6, fols. 25-26r, 27-28r

⁵⁹ James A. Sharpe, ‘Defamation and Sexual Slander in Early Modern England: The Church Courts at York’, *Borthwick Papers* no. 58 (1980), 22; ‘Women, Witchcraft and the Legal Process’, in Jenny Kermode and Garthine Walker (eds.), *Women, Crime and the Courts in Early Modern England* (London: UCL Press, 1994), 118

⁶⁰ Thomas, *Religion and the Decline of Magic*, 679; Macfarlane, *Witchcraft in Tudor and Stuart England*, 197

⁶¹ DDR/EJ/CCD 1/6, fols. 117v-118v, 141v

others'.⁶² Harrison did not specify what the goods in question were. As some of the previous examples showed, often the accused responded with accusation, calling the other party either witch or whore or thief. Here similar references were absent, although some of the witnesses said that they had not heard Janet calling Margaret a whore, indicating that name calling was assumed to have taken place. However, Janet responded with an accusation of witchcraft without directly referring to Margaret with the term 'witch'. As Margareta Creame testified, she 'did se and heare the said Janet Raice saie to the saide Margaret Harison that if her the said Janet her Cowe toke any hurt or died she the saide Janet wolde make the saide Margaret Harrison curse the daie that ever she was calved'.⁶³ Bewitching animals was a common charge in witch accusations, where according to Parrinder's study the normal punishment, if convicted, was usually one year imprisonment.⁶⁴ Because in the depositions there were no explanations as to the means by which Harrison would have hurt Raicer's cattle, it looks most plausible that since Janet Raicer had been accused of bewitching others' goods she decided to put the same suspicion on Margaret Harrison as a revenge. Even though the case was understood and dealt with as defamation, the accusations these two parties were making about each other reveal that belief in bewitching and cursing of cattle was strong. An incident reported from Wearmouth in 1601 was in its nature very similar to the previous case. Alice Walshe called Allice Colier 'an arrand witch theefe' and blamed Colier in the misfortune that had occurred to her, namely she had 'had a Cowe that haith cast her calf'.⁶⁵ These two cases represent the common belief in witches' capability of killing or injuring livestock or interfering with nature by preventing cows from giving milk.⁶⁶ As has often been concluded, the belief in witchcraft provided a comfortable explanation to many problems of life and death.⁶⁷ As a means of finding consolation to the difficulties one faced, misfortune could be attributed either to God, to the devil, to a fellow parishioner or to oneself. Geoffrey Robert Quaipe explained: 'Christianity accommodated all four:

⁶² DDR/EJ/CCD 1/6, fols. 117v-118v

⁶³ DDR/EJ/CCD 1/6, f. 141v

⁶⁴ Parrinder, *Witchcraft*, 90

⁶⁵ DDR/EJ/CCD 1/7, fols. 136v-137v

⁶⁶ Thomas, *Religion and the Decline of Magic*, 519

⁶⁷ Parrinder, *Witchcraft*, 198

Reformation and Counter-Reformation theologians emphasised God and self, popular religion preferred Devil and neighbour.’ The Reformers believed that God initiated misfortune as a means of testing his servants or for warning or punishing sinners. As Quaife said, ‘this was not a comfortable explanation in the social matrix of the early modern village.’⁶⁸ Having seen that popular superstitious beliefs existed alongside orthodox Christianity throughout the time, there seems to have been a constant need for another explanation to human suffering than that which the official religion could offer. To interpret the happenings in everyday life as tests or signs from God or as human errors was not a satisfactory explanation for sixteenth century people. They needed and/or wanted to see something more behind the events, thus creating a situation where they believed that they could themselves influence their destiny by interacting with the supernatural. The cases of 1594 and 1601 strongly indicate that the pattern of finding human suspects for personal misfortune was habitual.

Geoffrey Robert Quaife has identified that defamation involving witchcraft took many forms and direct slander was often accompanied by a colourful range of adjectives. He claimed, that although a phrase as ‘common whore and witch’ was popular in much of England, in some parts of northern England there was a tendency to link the alleged witchcraft accusation more often with theft than with whoredom, which he thought might be a clue to significant regional differences.⁶⁹ In the material from Durham Consistory Court deposition books the references to associations between witches and thieves occurred on four occasions, involving John Philipson, Isabell Harrison, Alice Colier and the unnamed mother of Isabell Chamber (more of whom in the following section), or on five occasions if Jennet Pereson and the accusations of stealing addressed to her family are included. Connections between witchcraft and whoredom were made in the cases of Alison Emerson, Isabell Harrison, Allison Vasey and Margaret Harrison.⁷⁰ The evidence at hand shows that linkages between witches and thieves and witches and whores in the Elizabethan diocese of Durham were made almost in an equal proportion, although

⁶⁸ Quaife, *Godly Zeal and Furious Rage*, 180

⁶⁹ *ibid.*, 151-152

⁷⁰ DDR/EJ/CCD/ 1/2, fols. 36v-38r; 1/3, fols. 47-48r; 1/6, fols. 21v-22r, 24-26v-28r, 117v-118v, 141v; 1/7, fols. 136v-137v

including additional sources and studying a wider time scale could possibly lead to a different result.

However, since the examples above were cases of slander and neither any credible evidence was presented nor was there a substantial body of witnesses testifying against the alleged witch, these should be treated as cases of defamation where popular beliefs in witchcraft were exploited but where the accused were unlikely to have been actual practitioners of witchcraft or sorcery. Therefore, another set of cases should be consulted, where the defamatory element is either missing or suspicious and where the actual references to magical practices are recognisable.

Witches, sorcerers, exorcists and charmers

There was a case regarding alleged exorcism in The Book of Proceedings of a Commissary for the County of Northumberland in 1566-1567. Elizabeth Lawson together with her husband John informed the court that Margareta Lambert was an exorcist, 'that for certaine things lackinge she turned a seve upon a pair of Sheres', wherupon Margareta blamed John Lawson of making groundless accusations for calling her a 'chermer'.⁷¹ As the charges were relatively specific in this instance, it can indicate that Lambert practiced some form of magic. The reason why she in response turned against Lawson could be that she did not like to be called either an exorcist or a charmer as those words could be associated with negative meaning and refer to maleficent witchcraft. Noteworthy is also the fact that words such as 'exorcist' and 'charmer' were used when the allegations were made about something as casual as divination. Yet again this shows that people did not differentiate between the various terms and the line between white and black witchcraft was blurred. What raises questions is why the Lawsons reported Lambert when all she did was use sieve

⁷¹ *Depositions and other...*, 84

and shears, which in its nature had nothing to do with exorcism or any maleficent sorcery? Although the case has not been marked as defamation, there remains the possibility that the Lawsons had fallen out with Lambert and reported her for forecasting, drawing parallels with exorcism and charming. Or, that the Lawsons used the common belief in the widely spread practice and made unfounded accusations about Lambert, the latter being not associated with any form of magic at all.

The formula of sieve and shears itself was a common method used for finding out who had stolen goods or what had happened to them. According to tradition, a pair of shears was placed upon a sieve and held up from the ground. Thereafter it was asked, in the name of St Peter and St Paul, whether this or that person was the thief and at the nomination of guilty person's name the sieve would have turned round.⁷² 'The ancient art of divination by riddle and shears', as Richard Welford called it, was not only used for finding out the destiny of lost or stolen goods but also to discover a lover.⁷³ The practice of sieve and shears or turning the riddle, as it also has been known, was popular and frequently used in the sixteenth century. In 1596 the wife of Thomas Grace from Stannington was presented to the court for turning the riddle for finding lost or stolen goods.⁷⁴ In 1570 Alice Swan from St Nicholas parish in Newcastle was found guilty of turning the riddle and had to perform a public confession.⁷⁵ In her testimony she was recorded to have said that 'not having the fear of God before mine eyes, but following the persuasion of the devil, who moveth me and all mankind to a defection from God our Creator, have of a filthy lucre, and under colour of a singular and secret knowledge of lost things, used by the space of certain years to cast or turn the riddle and shears.' She named the practice to have been 'expressly forbidden by God's laws and the queen's majesty' and ascribed it a devilish nature by adding that the custom 'cannot be done without a defection and mistrust to God and some confidence to the devil'. However, it is unlikely that those were Swan's own genuine words but rather a text prepared by the authorities for her to say. Alan Macfarlane noted in connection with his study of witch accusations in Essex that those who raised the charges

⁷² Thomas, *Religion and the Decline of Magic*, 252-254

⁷³ Welford, *History of Newcastle and Gateshead*, vol. II, 442

⁷⁴ Tomlinson, *Life in Northumberland*, 171-172

⁷⁵ Welford, *History of Newcastle and Gateshead*, vol. II, 442; *Depositions and other...*, 117-118

were uninterested in the supposed compact with the devil and the loss of the accused person's soul or any presumed attack on Christianity was not amongst the concerns they had.⁷⁶ From this perspective it can be assumed that neither were the alleged witches reflecting over possible associations between themselves and the devil and its impact on the salvation of their souls. Macfarlane presented that witchcraft was treated by the authorities as a breach of Christianity; the person found guilty of witchcraft was exhorted to confess his or her sins and ask the forgiveness of God.⁷⁷ Similarly, Christina Larner stated that the 'witches represented the most extreme form of deviance. They had renounced their baptism and dedicated themselves body and soul to the Devil in a personal pact'.⁷⁸ William Monter also noted that for the authorities witchcraft, as an extremely dangerous form of Christian apostasy, became a much-feared form of religious deviance, in addition to the social dangers which maleficent magic had always posed.⁷⁹ These views explain the content of the testimony of Alice Swan.

There was a case from 1573 where the belief in the practice of sieve and shears was taken advantage of. A shoemaker from Morpeth, Thomas Somer, had lost his shirt whereupon his fellow craftsman John Bell offered his help for the cost of four pence, promising that with the help of his cousin in Newcastle, who could turn the riddle, Somer would find out where his shirt was.⁸⁰ Miraculously Somer got his shirt back after three days, but he refused to pay the agreed fee unless Bell said who had stolen his shirt. Bell was unable to give the name of the thief and he also failed to bring a certificate from the mysterious woman in Newcastle proving that she could actually turn the riddle. The circumstances around the story put the suspicion of stealing the shirt upon John Bell himself and suggest that he was hoping to gain personal financial profit by exploiting the widespread superstitious belief.

To hesitate about a practitioner's magical powers or skills, which to some extent could be seen in the previous example, was not common in the material at hand. Generally the deponents did not reflect over the origin of the powers the witches were believed to have,

⁷⁶ Macfarlane, *Witchcraft in Tudor and Stuart England*, 189

⁷⁷ *ibid.*, 188

⁷⁸ Larner, *Witchcraft and Religion*, 89

⁷⁹ Ankarloo, Clark, Monter, *The Period of the Witch Trials*, 11

⁸⁰ Welford, *History of Newcastle and Gateshead*, vol. II, 460

but on one occasion the belief in hereditary nature of witchcraft was expressed. At Blaydon in Ryton parish, in an argument between Arthure Bell and John Robson the latter announced: ‘thou haist a witch to thy eldmother and why cannot the young thief Learne at the old’. From the following it became clear that these words were spoken against Bell’s wife Isabell Chamber, as Robson proclaimed: ‘I will prove hir a witche’.⁸¹ Further information about Chamber and her mother and their possible reputation as witches is absent. Alan Macfarlane has noted that ‘there was a strong contemporary belief that witchcraft was also hereditary’ and up to 10% of witchcraft accusations in Essex, for example, might have been against daughters of known witches.⁸² Owen Davies has remarked in connection with his study about cunning-folk that magical ability was often held to be ‘a natural or inherited gift’. Although he noted that it was most evident when it came to healing,⁸³ in this context the hereditary nature of magical powers has been extended to witchcraft in a wider sense. Robson’s comments referred to Isabell and her mother not as healers but rather as witches in a negative meaning. The fact that he had drawn a correlation between the words ‘witch’ and ‘thief’ minimises the possibility of Robson’s understanding of the Chambers as cunning-women or white witches. It looks plausible that Isabell’s mother had a reputation as a practitioner of magic and John Robson slandered against Isabell by taking advantage of the widely spread belief in the hereditary nature of unnatural powers.

Besides the cases where direct examples of exploiting supernatural powers were absent and accusations were based only on a personal grudge against the other party or on rumours, there were cases where people were actually known for practicing some form of magic. Jennet Pereson and Alice Swan have already been introduced. In addition, in the register of Hart parish on Tees was recorded an entry on 28 July 1582, according to which the office of Master Chancellor against Allison Lawe of Hart stated that ‘she is a notorious sorcerer and enchanter’. She was sentenced to do penance once in the market-place at Durham, once in Hart church, and once in Norton church, ‘with a papir on her head’. Janet Bainbridge and Janet Allinson of Stockton were accused of ‘asking counsell of witches, and resorting

⁸¹ DDR/EJ/CCD 1/3, fols. 47-48r; *Depositions and other...*, 318

⁸² Macfarlane, *Witchcraft in Tudor and Stuart England*, 213

⁸³ Davies, *Cunning-folk*, 70

to Allison Lawe for cure the sicke.⁸⁴ Anthropologists have tried to distinguish sorcerers and witches saying that sorcerers deliberately employed maleficent magic by utilising spells or technical aids and that witches exercised malevolent powers by occult means without needing special words, rites, spells or potions. Still, this type of distinction does not apply to English witchcraft cases.⁸⁵ As was shown in the previous, words such as ‘witchcraft’, ‘sorcery’, ‘exorcism’ and ‘charming’ were used interchangeably.⁸⁶ Since Bainbridge and Allinson were charged for asking advice from ‘witches’ and assuming that it was really a plural form of the word ‘witch’ and not ‘witch’s’, means that Lawe was not the only cunning-person whose services they used. Noteworthy is that it was not only the alleged witch or sorcerer who had been charged but also her clients. Peter Rushton has noted that once discovered, it was not uncommon to find a witch and her clients prosecuted together in the same court.⁸⁷

Although the emphasis of the witchcraft act of 1563 was on the prohibition of the maleficent practice of witchcraft, i.e. causing death or injury to people or their livestock, Lawe was sentenced for healing the sick. This falls into the pattern that Rushton laid out regarding the witchcraft cases from Durham ecclesiastical courts: the majority of which concerned practicing or belief in various types of charming or divination and not causing harm.⁸⁸ Philip Tyler argued that ‘there seems to have been an increasing tendency on the part of experts in witchcraft during Elizabeth’s reign to draw no distinction between black and white magic and to consider that all types of witchcraft were evidence of a pact with the Devil. Any practitioner of such arts was therefore a heretic, guilty of dualistic beliefs.’⁸⁹ This view of fervent witch experts, even though often being incompatible with the attitudes of parochial clergy, casts light upon the actions that were taken against magicians. By demonologising white witchcraft an attempt was made to include into the group of deviants

⁸⁴ John Sykes, *Local Records; Or, Historical Register of Remarkable Events: Which Have Occurred in Northumberland and Durham, Newcastle Upon Tyne, and Berwick Upon Tweed, from the Earliest Period of Authentic Record, to the Present Time; with Biographical Notices of Deceased Persons of Talent, Eccentricity and Longevity*, vol. I (Newcastle: 1833), 79

⁸⁵ Thomas, *Religion and the Decline of Magic*, 551-553

⁸⁶ Rushton, ‘Women, Witchcraft, and Slander’, 123

⁸⁷ *ibid.*, 120

⁸⁸ *ibid.*, 117

⁸⁹ Tyler, ‘The Church Courts at York’, 86

those who were, as Stuart Clark said, ‘deemed to stand in the way of the complete pastoral hegemony of clergymen.’⁹⁰ From this point of view Allison Lawe’s healing practices can be seen as a result of demonic interaction. Taking into account Tyler’s claim about the authorities not drawing a line between black and white magic, it is worth bringing attention to the fact that despite the seriousness of witchcraft, the ecclesiastical lawyers in York, for example, ‘treated the alleged problem of witchcraft’, as Tyler stated, ‘very casually’. During the period 1567 to 1640, twenty-four instances out of 117 were dismissed from the courts.⁹¹ William Weaver Tomlinson presented a more serious accusation of witchcraft from sixteenth century Northumberland where the target of *maleficium* was not an ordinary civilian but a state official. In 1586 two men and a woman, ‘all lewd persons’, were sent to prison on suspicion of having caused the death of sheriff Nicholas Ridley from Willimoteswick by ‘witchcraft and other devilish practices’. The understanding of witchcraft as something demonic reflects here again the authorities’ view. Tomlinson presents yet another case from Northumberland in 1590, where demonic references are discernible. Richard Swynborne’s wife confessed having had dealings with three other women in order to bewitch one man from Berwick garrison. The women found their own spells ineffective and turned to a wizard for help.⁹² Unfortunately Tomlinson did not give references to the sources used for his information and any further details regarding the spells and bewitching were absent. The identity of the wizard remains unknown, but as Owen Davies described ‘wizard’ having been a masculine title,⁹³ it can be concluded that it was one of the male magical practitioners.

Robert Todd from Morpeth, prosecuted in 1601, was another man known for his special powers, being a ‘mediciner of Cattle or a charmer of hunges hurt’, referring to hung or prolapsed cattle.⁹⁴ Once again the interchangeable use of terms is noticeable, as ‘charmer’ could in other context have a completely different meaning. Todd was not a harmful witch but a medicine man and nevertheless he was reported to church court, just as Allison Lawe.

⁹⁰ Stuart Clark, *Thinking With Demons. The Idea of Witchcraft in Early Modern Europe* (Oxford: Oxford University Press, 1997), 459

⁹¹ Tyler, ‘The Church Courts at York’, 98

⁹² Tomlinson, *Life in Northumberland*, 172

⁹³ Davies, *Cunning-folk*, VII-VIII

⁹⁴ Rushton, ‘Women, Witchcraft, and Slander’, 120

The charges brought against Katherine Thompson and Anne Nevelson in 1604 were similar. They were accused of being charmers ‘of sick folkes and their goods, and they use to bring white ducks or drakes and to sett the bill thereof to the mouths of the sicke person and mumble uppe their charmes in such a strange manner as is damnable and horrible’.⁹⁵ In the cases of Robert Todd, Allison Lawe, Katherine Thompson and Anne Nevelson, people who were not accused of causing any harm but on the contrary, were healers, the previously described accusatory procedure of the English judicial system and persecution from below did not apply because as was shown, people did generally not prosecute white witches unless they had a personal reason for doing so.⁹⁶ Again, Tyler’s explanation about the witch experts not drawing any distinction between black and white magic and considering all forms of witchcraft malicious⁹⁷ seems plausible as it would explain why the legal actions were taken against the cunning-persons in question.

Understanding of magic, sorcery, witchcraft, exorcism, charming or however the exploitation of magical and superstitious beliefs was named, led to various manifestations. People believed in supernatural powers and certain persons’ abilities to cooperate with those so that the help of the healers was frequently used, but it was also shown that these beliefs were sometimes exploited in the pursuit of individual gain or grudge. Similarly, the authorities’ responses to these convictions and practices were not homogeneous. The following section summarises the phenomena of magical beliefs in the early modern diocese of Durham.

⁹⁵ *ibid.* The information regarding Todd, Thompson and Nevelson came from the visitation records.

⁹⁶ Thomas, *Religion and the Decline of Magic*, 293

⁹⁷ Tyler, ‘The Church Courts at York’, 86

The pattern of magical and ‘superstitious’ beliefs as religious deviance in the Elizabethan diocese of Durham

It was shown above that beliefs in the presence of supernatural powers in everyday life and the human capability to exploit those powers were popular and widely spread in early modern English society. These were so common that even a great part of the clergy also believed in magic and sometimes practiced it.⁹⁸ The pattern of magical and superstitious beliefs (i.e. superstitious according to the Elizabethan orthodoxy) characteristic for the Elizabethan diocese of Durham, as it occurs in the ecclesiastical proceedings at hand, is outlined in the present section.

Mervyn James has referred to the ‘primitive upland communities’ in the Durham region when talking about the ‘mechanical quasi-magical character’ the rites of the Church had there,⁹⁹ differentiating between the religious life of uplands from that of the lowlands. However, the evidence at hand argues against James’s claims of remote communities being remarkably more primitive than their counterparts. Wallsend on Tyneside, Stockton on Tees, Throckley near Newcastle, Ryton parish on Tyneside, Hart on Tees, Wearmouth and Newcastle are some examples of places where the beliefs in witchcraft have been detected and these places can not be described as remote upland areas. The fact that the references to beliefs in witchcraft and magic have been noted there means that the popular religion in the diocese was more uniform than it has been previously believed to have been and that regional dissimilarities were not so severe. Although it could be argued that there is little known about the manifestations of magical beliefs in the uplands since the cases of magic were less likely to be reported there than in the more urbanised areas of the diocese, the evidence reveals that similar motives for witch beliefs occurred in different parts of the diocese.

⁹⁸ Davies, *Cunning-folk*, 80; Rushton, ‘Women, Witchcraft, and Slander’, 121; Tyler, ‘The Church Courts at York’, 91

⁹⁹ James, *Family, Lineage, and Society*, 54-55

One of the common characteristics in witch beliefs, that was demonstrated in the cases of defamation, was the association between witchcraft, whoredom and theft. The associations between witches, thieves and whores were not localised but spread across the diocese extending from Blaydon in Ryton parish on Tyne and Wearmouth to Staindrop near Barnard Castle. Belief in the manifestation of malicious witchcraft in the form of harming the livestock was represented in the cases previously outlined from Wearmouth and Staindrop. Claims of bewitching a man occurred in Berwick upon Tweed and an accusation of causing the death of a sheriff came from Willimoteswick near Hexham. Potential male witches were noted in Stanhope, Berwick and Willimoteswick. The distances between the above named places are considerable and there is reason to believe that popular beliefs were not in immediate interaction with each other but existed rather independently, yet these reveal similar characteristics. References to healers or cunning-folk extended from Hart on Tees to Morpeth, concentrating mainly on the eastern part of the diocese. A set of beliefs or customs, that in the material at hand seemed to be distinctive to Newcastle and the region around it, with one exception from somewhere in Northumberland, was that of turning the riddle or the formula of sieve and shears. Why the practice of healing and forecasting was not noted in other parts of the diocese might allude to some regional differences, but as only a fraction of cases concerning popular superstitious beliefs reached the consistory court, there is reason to believe that this result is purely coincidental.

Peter Rushton has noted that in the north-eastern parts of England a handful of the early cases of witchcraft 'set the character of local beliefs' and that some of the earlier themes were repeated in many other cases later on. The reoccurring themes in the material at hand were those of beliefs in bewitching the livestock, frequent use of the formula of sieve and shears and consulting cunning-folk in the case of illness. One frequent element that Rushton could distinguish was the vision of the witch appearing to the victim and other witnesses, most commonly at night.¹⁰⁰ This pattern was absent in the cases described above, as were any references to the appearance of the devil.

¹⁰⁰ Peter Rushton, 'Texts of Authority: Witchcraft Accusations and the Demonstration of truth in Early Modern England', in Clark (ed.), *Languages of Witchcraft*, 26

The whole idea of the devil remained unfamiliar to the popular witch narratives and there was hardly a single case of devil worshipping recorded in England.¹⁰¹ Although the depositions at hand are short and often incomplete, similar tendencies are detectable in this material. Deponents did not express an anxiety about the damnation of their souls and references to devil were absent. An exception was Alice Swan from Newcastle who, guilty of turning the riddle, said that she had followed the ‘persuasion of the devell’ and what she had done ‘cannot be done without a defection and mistrust to God and some confidence to the devell’.¹⁰² In Willimoteswick in 1586 there was a reference to ‘witchcraft and other devilish practices’.¹⁰³ In these cases the choice of the words is that of the authorities and the association with the devil reflects not the popular view but that of the fervent demonologists. According to the clergyman Henry Holland there were three types of satanic covenant: ‘some have an open, expresse, and evident league and confederacie with Sathan: some a more hid and secret: some a mixt and meane betweene both’.¹⁰⁴ All magical practitioners fell into one of these categories, depending on the nature of their acts, but they all were guilty of diabolic alliance. Although magic and witchcraft never became fully demonized in England,¹⁰⁵ the philosophy of some of the zealous witch hunters had left its marks in the contemporary legal language. The impact of the witchcraft ‘experts’ and their tendency not to distinguish between black and white magic and to consider all types of witchcraft as evidence of a pact with the devil,¹⁰⁶ was revealed in the cases where cunning-folk or healers were prosecuted and punished.¹⁰⁷ Still, despite the alleged seriousness of witchcraft, the ecclesiastical lawyers in York dismissed many offenders from the courts.¹⁰⁸ Also the ecclesiastical courts of Durham were mild in their sentences towards the convicted witches.¹⁰⁹

¹⁰¹ Quaife, *Godly Zeal and Furious Rage*, 56

¹⁰² Welford, *History of Newcastle and Gateshead*, vol. II, 442; *Depositions and other...*, 117-118

¹⁰³ Tomlinson, *Life in Northumberland*, 172

¹⁰⁴ Davies, *Cunning-folk*, 30-31

¹⁰⁵ Ankarloo, Clark, Monter, *The Period of the Witch Trials*, 79

¹⁰⁶ Tyler, ‘The Church Courts at York’, 86

¹⁰⁷ Sykes, *Local Records*, 79; Rushton, ‘Women, Witchcraft, and Slander’, 120

¹⁰⁸ Tyler, ‘The Church Courts at York’, 98

¹⁰⁹ Rushton, ‘Women, Witchcraft, and Slander’, 122

Christina Larner argued that in European witch belief a distinction between popular and educated beliefs could be made. Namely, that the educated beliefs included the demonic pact and were concerned with the condition of being a witch whilst popular beliefs focused on the particular act of *maleficium*. The phenomenon of English witchcraft was essentially about local malice.¹¹⁰ The evidence shows that the belief in demonic alliance did not become intrinsic to the learned views in the diocese of Durham either. It has also been noted that clergymen practiced as cunning-folk and white witchcraft was a known and accepted part of the lives and experience of parochial clergy.¹¹¹ Although Rushton gives references to a couple of cases in the seventeenth century,¹¹² in the consistory court material at hand there were not any examples of clergy practicing witchcraft or magic. Still, relying on the testimony of Robert Thompson, the vicar of Benton, the belief in those was not unfamiliar to him.¹¹³ Giving evidence in the case of Jennet Pereson he told about Pereson's healing practices without setting those in doubt or without referring to those as diabolic or deviant. This implies that the human co-operation with supernatural powers was an acceptable part of everyday life for the vicar. Bengt Ankarloo noted that due to the constant interaction between the popular and learned beliefs the distinction between the concepts is not very clear and they tended to be relatively mixed. He regarded it as particularly obvious in the witch beliefs as fairly uniform features were noticeable in both.¹¹⁴ Ankarloo's observations apply also to the Elizabethan diocese of Durham. Evidence of interwoven popular and learned views was revealed in the previous chapters as the charges of religious deviance in the form of religious negligence and misbehaviour were raised as often against the parishioners as their ministers, and that the Catholic sympathies that were manifested in the Rebellion of 1569 were attributed to the participating laity as well as the clergy. The similarities between popular and learned views testify to those having been largely, and possibly more than previously supposed, interlinked with each other.

¹¹⁰ Larner, *Witchcraft and Religion*, 74-75

¹¹¹ Davies, *Cunning-folk*, 80; Tyler, 'The Church Courts at York', 91

¹¹² Rushton, 'Women, Witchcraft, and Slander', 121

¹¹³ DDR/EJ/CCD/ 1/2, fols. 36v-38r; *Depositions and other...*, 99-100

¹¹⁴ Ankarloo, Clark, Monter, *The Period of the Witch Trials*, 63

There is reason to believe that the superstitious beliefs existed undisturbed along with orthodoxies for a long time until those were gradually redefined as devilish and became the subject of elimination. Owen Davies noted that the attitudes towards the cunning-folk before and after the Reformation did not differ as both Catholic and Anglican clergy considered them equally 'pernicious'. The only difference was that the Protestant emphasis on the diabolic nature of the popular magical practices was clearer.¹¹⁵ Christina Lerner brought out an aspect being more characteristic to Catholicism as she ascribed the obsession of accusations of witches' meetings having been of greater importance for the authorities in Catholic countries.¹¹⁶ Keith Thomas showed that the church court's methods and attitudes towards popular sorcery remained substantially unchanged from the end of the Middle Ages until the seventeenth century,¹¹⁷ showing once again that both Catholics and Protestants treated alleged witches in a relatively similar manner. Change in the attitudes towards witchcraft was not noticeable in the material at hand either, as the cases extended from mid-1560s to 1604 without any peaks or fluctuation. The diabolic element was absent in most of the cases from the diocese and no references to the witches' Sabbath have been discovered. Besides, no other remarkable differences between the attitudes of Catholicism, orthodox Anglicanism nor any other stream of Protestantism have been detected. Therefore it can be concluded that the official religions throughout the time did not seem to have had any significant impact on popular magical and superstitious beliefs, hence, in their co-existence they often intermixed.

Alan Macfarlane has shown that in Essex the beliefs in witchcraft were one method of dealing with problems of human suffering.¹¹⁸ Keith Thomas and others have suggested that the pre-Reformation Catholic Church in England provided a more satisfactory answer to the problem of explaining suffering than its descendant. Catholic ritual with the dramatisation of the 'expulsion of evil and communal propitiation of God' could have offered an acceptable solution to the misfortunes of peoples' daily lives without centering the blame on either the individual or his or her neighbours. In times of distress the prayers

¹¹⁵ Davies, *Cunning-folk*, 15

¹¹⁶ Lerner, *Witchcraft and Religion*, 77

¹¹⁷ Thomas, *Religion and the Decline of Magic*, 325

¹¹⁸ Macfarlane, *Witchcraft in Tudor and Stuart England*, 195

and other religious activities offered people satisfactory counter-action. Besides, they could hope that the environment might be controlled through their actions of devotion. Following the Reformation the usual misfortunes and worries persisted but the ritual framework, which had been designed to deal with them, had been destroyed.¹¹⁹ Similarly, Keith Thomas noted that as the Anglican Church rejected holy water, the sign of the cross and all the ‘paraphernalia’ of the Roman Catholic exorcists, it put nothing in their place other than general injunction to prayer and repentance.¹²⁰ Those however were obviously insufficient for an early modern parishioner. What the church had done was to maintain the same traditional view of the potency of witchcraft but via abandoning the ecclesiastical counter-magic, it had disempowered the individual in front of the supernatural.¹²¹

The claims of insufficient preaching and the lack of religious guidance, raised in the previous chapters, that were described to have been predominant in the early modern diocese of Durham, seem not to have been the main reason for the prevalence of witchcraft beliefs. Although it could be argued that due to the poor educational levels and the lack of understanding of Christian values people turned to the outward forms of faith, it looks convincing that it was the individuals’ endeavour to co-operate with the supernatural that caused the flourishing of magical beliefs. Deficient religious education was not the root cause as the practice of witchcraft and magic was proved to have been equally popular throughout the period, regardless of social rank or levels of education as the learned and popular views were shown to have been interwoven with each other. The explanation could be that as the official Christianity often failed to be sufficient to answer the needs of an Elizabethan parishioner, the popular religion that was in practice to meet the individuals’ requirements on a wider scale, was inevitably a compound of various elements from different teachings.

¹¹⁹ Macfarlane, *Witchcraft in Tudor and Stuart England*, 195; Thomas, *Religion and the Decline of Magic*, 594-595

¹²⁰ Thomas, *Religion and the Decline of Magic*, 315

¹²¹ *ibid.*

Conclusions

As the evidence from the material at hand has shown, religious deviance in the Elizabethan diocese of Durham was not a univocal phenomenon. Although there were very few references in the records to separatists or Puritans and as the main competitor to the orthodox Protestantism remained Catholicism, the polarization between these two schools of thoughts was not very distinct, resulting in the line between deviance and orthodoxy being blurred.

The Northern Rebellion of 1569 provides proof of this blurring. Despite its partly religious purpose it lacked any well-substantiated religious core which ultimately contributed to its collapse and defeat. Even if the clergy of Durham cathedral together with some other diocesan incumbents and some gentry clearly favoured Catholicism, as it emerged from the court papers, the laity's preferences could not be so easily defined. Sympathy towards the old customs and conservative way of worship, which Kesselring brought out as one of the reasons for laity's participation in the uprising,¹ was certainly a significant motivator for the rebels, but it testifies rather to reluctance to abandon learned habits than to Catholic-mindedness as such. According to the depositions most of the rebels had or feigned a change of heart whilst interrogated, testifying to a lack of serious commitment to Catholic teachings. Similarly, despite the frequency of Catholic memorabilia, such as Rosary beads, being detected in the Elizabethan churches their presence refers to old customs being cherished but does not necessarily mean that the parishioners using the beads were obstinately refusing to conform to Protestantism. It is more a sign of overlapping religious practices than of outwardly conformed church papists. Another argument to support the claim of the line between orthodox and unorthodox practices being indistinct is the fact that superstitious and magical beliefs were proven to have been evenly popular throughout the

¹ Kesselring, *The Northern Rebellion of 1569*, 182

time and coexisted alongside the official orthodoxies, not so much competing as complementing each other.

Besides the indistinct boundary lines between different religious practices that aggravated the detection of religious deviance, another factor to take into consideration was the overlap of popular and learned views. The records showed that the segregation between the beliefs of the parochial clergy and those of the laity were more interwoven than it sometimes has been thought,² thus enabling any deviation from the orthodoxy to remain undiscovered for a longer period. Christopher Haigh noted that ‘sympathetic parishioners’ often concealed breaches of Protestant rules, leaving deviant priests unreported.³ It was not always necessarily a unity between the laity and clergy that allowed that to happen; it could as well have been laity’s indifference towards the official religion that covered up the deviance. But it can not be denied that to a great extent the diocesan clergy and their parishioners shared the same views and beliefs. Besides the elements of Catholicism that were especially valued by the ecclesiastical personnel of Durham cathedral, by some of the other representatives of parochial clergy and by some laity in the late 1560s, beliefs in witchcraft and magic were held in esteem equally in the learned as well as the popular circles. Previous studies have brought forth that various forms of magic were practiced both by lay folk and clergy⁴ and in the material at hand there were references to the clergy believing in witchcraft and charming.⁵ Just as Haigh claimed that the laity were being sympathetic for not reporting the clergy’s breach of Protestant rules, it can be assumed that the clergy did not always report deviant parishioners to the authorities, and that not only because they showed sympathy with the people but because they shared similar beliefs.

Although it could be argued that variations in the geographical layout of the diocese had an impact on the spread of unorthodox and deviant ideas, the evidence has shown that different parishes across the diocese faced similar problems, regardless if those were upland or lowland parishes or coastal towns. For example, Sabbath breaching was noted in

² O’Day, *The English Clergy*, 202

³ Haigh, *English Reformations*, 248

⁴ Davies, *Cunning-folk*, 80; Tyler, ‘The Church Courts at York’, 91; Rushton, ‘Women, Witchcraft, and Slander’, 121

⁵ DDR/EJ/CCD/ 1/2, fols. 36v-38r; *Depositions and other...*, 99-100

Gainford on the River Tees as well as in Gateshead. Clerical absenteeism occurred in Mitford and Newburn in Northumberland as well as in Gainford and Barnard Castle in the south-west of the diocese. Incumbents were attacked by parishioners in Ryton, Lanchester, Sedgefield and Eaglescliffe. General disturbance at church extended from Beltingham and Mitford in Northumberland to the southern areas of the diocese, such as Eaglescliffe, and was characteristic to numerous other places in the region. Similar trends were noticeable in connection with beliefs in witchcraft and magic as similar patterns occurred in various parishes that geographically differed from each other significantly. The study of the popular support the Northern Rebellion received in 1569 may give different information about the spread of religious ideas in the diocese, but this should be treated with caution as the explanation lies in the rebel leaders' preparatory work. As Mervyn James suggested, because neither the earl nor his associates ever made any personal visit to the parishioners of Northumberland to mobilise the forces and to negotiate the wages,⁶ the number of rebels from those parts of the diocese remained low. Thus there is no reason to believe that the preferences for the old ways of worship, if not to say Catholic-mindedness, were stronger in the villages where the book-burnings and altar raisings had taken place or where people had joined the rebel forces. It is more convincing that the traditional sympathies had more or less survived in the parishes across the diocese, but it was not everywhere that those ideas had a chance to emerge in such a violent way as in the rebellion and hence the existence of these ideas and sympathies went unnoticed as those were quietly interwoven with the orthodox teaching. Further examples include Beatrix Crawhall from Beltingham in Northumberland⁷ and Arthur Chapman from Wolsingham,⁸ whose practices of worship were a combination of elements from different religious schools.

In the material this study has drawn on, there are no notable changes having occurred over the period in focus. Although there are no cases dating from the earlier years of Elizabeth's reign, the authorities' attitude towards the religious wrongdoers has not changed dramatically from the 1560s to the early 1600s. Nevertheless, the authorities sometimes responded differently to separate cases of similar misconduct, but the variations in different

⁶ James, *Society, Politics and Culture*, 294

⁷ See p. 84-87; DDR/EJ/CCD 1/4, f. 88; *Depositions and other...*, 300-302

⁸ See p. 82-84; DDR/EJ/CCD 1/2, fols. 213v, 204 bis r; *Depositions and other...*, 231-232

punishments that were applied did not seem to depend on the time of the case but rather depended on differences in the magistrates' attitude. The only exception where change over time could be notable is in the aftermath of the Rebellion of 1569 which was responded to more harshly than any other misconduct during the time in focus as several rebels had to pay with their lives even if their part in the uprising had been insignificant. The 1570s, when the consistory court dealt with the rebels, was the time when church courts all over the country became more active, as was noticed by Doran and Durston,⁹ and in the diocese of Durham it was explained by the authorities' desire to gain firmer control over the people in response to the uprising. References to Catholic customs being practiced by parishioners as well as clergy extended over the decades after the Reformation. In the material at hand one example predates the Northern Rebellion, namely the case of Brian Headlam,¹⁰ and references to mystery plays on Corpus Christi days were found as late as in the 1580s. Catholic influences persisted after the 1580s and onwards as missionary priests started to make a significant impact in the diocese.¹¹ Both clerical misbehaviour as well as laity's incorrect behaviour at church remained equally problematical during the years under question, even if it was only a minority of the cases that were reported to the consistory court. The same applied to the practices of witchcraft and magic which were believed in and practiced before the Reformation and continued to be popular well into the late seventeenth century. Neither could any changes in the laity's attitudes towards the clergy be perceived, in spite of Hitchcock's work indicating that it had worsened over the time as the clergy gradually lost credibility and respect.¹² All of the problems identified above were intrinsic to Durham diocese throughout the Elizabethan era without any notable fluctuations. All of that refers to persistent continuity as no significant changes in beliefs and attitudes were detectable during the four decades covered.

That the complex nature of the Elizabethan religious deviance, which was often hidden in the overlap of learned and popular views as well as in the combination of various religious practices, was presented above. It was also shown how extensively this phenomenon was

⁹ Doran, and Durston, *Princes, Pastors and People*, 178

¹⁰ See p. 80; DDR/EJ/CCD 1/2, fols. 126v-127v

¹¹ Oates, 'Catholicism, Conformity and the Community', 62

¹² Hitchcock, 'Popular Religion in Elizabethan England', 54-55

spread across the diocese and that any remarkable changes in attitudes over the time were not distinguishable. All of this leads to further questions: What were the reasons for the religious deviance? Why did the phenomenon of religious deviance occur to such an extent in the early modern Durham diocese?

Although previous studies have repeatedly emphasised the poor condition of the early modern Church, especially in the northern regions, describing it as suffering under a shortage of clergy or on the other hand, often being in the hands of ignorant and unlettered, poverty-stricken and absentee clergy,¹³ there is reason to believe that the supply of a well-educated clergy in Durham diocese and the access to clerical services were relatively good. Thus it was not only the lack of Protestant preachers, nor a failure of government policy that created a situation where unorthodox ideas could flourish, even though the importance of those can not be undermined as those played a very important part in the religious education. The reasons for deviant sympathies and practices had a much more personal core than that – it was peoples’ own personal religious and spiritual needs that enabled the deflection from the orthodoxy to occur. Deviation, as it was understood by the authorities, was definitely not a deliberate action by the people but rather an inevitable outcome of the state of early modern religious affairs. References to hostile attitudes towards Protestantism were absent in the records at hand, the only exception being the outbursts of Catholic minded clergy and gentry in the Northern Rebellion. Neither did people reflect over the essence and righteousness of either orthodox or unorthodox teachings. All of which indicates that it was not doubt or acknowledged disappointment in the official religion that lead to deviant religious practices. It is true that many people held onto elements of traditional Catholic worship, but in these cases it was rarely that those people could be classified as Catholics – they were traditionalists who were settled in their habits and rejected the changes not because of their religious convictions but because of convenience as it was difficult to break the learned habits. More often it happened that people remained faithful only to some of the Catholic practices, such as praying upon Rosary beads or

¹³ Collinson, *The Religion of Protestants*, 185, Collingwood, *Memoirs of Bernard Gilpin*, 79; Hart, *The Country Clergy in Elizabethan & Stuart Times*, 11; Hitchcock, ‘Popular Religion in Elizabethan England’, 85; Keeling, ‘Dissolution of the Monasteries in the Border Country’, 34; Marcombe, ‘A Rude and Heady People’, 131

primers, and incorporated these actions into Protestant worship without expressing any dislike towards Protestantism itself. Also, the practice of magic was not in contradiction with the new religion for the Elizabethan contemporaries as it emerged from the records. Exorcism in the form of freeing folk from the fairy was continually practised and healing and other magical practices, such as forecasting, were popular even in the seventeenth century. All of which suggests that the actual essence of Protestant as well as Catholic doctrine remained relatively foreign for the people. They learned the ways which were acceptable and the ways which were prohibited, but whether or not they understood the core of the teachings is doubtful. Seventeenth century theologian Richard Baxter acknowledged that it was not that people held on to the old religion, but that they were clearly ‘strangers to the expression of those things which they have some Conceptions of’ because their minds were ‘not ripe for utterance’ and they suffered under ill education.¹⁴ Similarly, Keith Wrightson has highlighted the poor educational levels of common people¹⁵ which unquestionably had an impact on their understanding of religious teachings.

But coming back to the fact that popular and learned beliefs were proven to have been more blended than sometimes has been expected, the lack in education alone can not be the reason for the spread of unorthodox ideas. Nor was it the clash between the ‘old’ and the ‘new’ that was the direct cause for deviant sympathies to bloom because the records showed that the old and the new had found a way to coexist in a symbiosis without causing any acute tensions. As was noted above, it was personal religious needs that allowed the multitude of religious beliefs to flourish. It was the insufficiency of the individual schools of thought that caused the laity as well as the clergy to turn to various religious practices. Whether or not they understood the essence of each doctrine was probably not the most important factor, but what clearly mattered, was the individual’s involvement in religious practices. The desire to participate in the construction of the individual’s destiny and his or her community’s destiny was a force that led people to experiment with various rituals. If the general framework of Protestant worship was suitable enough to adapt to, then it was felt that it definitely needed to be livened up with extra features. Therefore, Rosaries and

¹⁴ Baxter, *Gildas Salvianus*, 431

¹⁵ Wrightson, *English Society*, 216

pictures that Protestantism regarded as idolatrous were held onto and ecclesiastical magic lived on in popular magical practices as fairies and evil spirits were fought against with the help of charming and reading of Catholic formulae. Endeavours to shape one's own destiny, to collaborate with the supernatural and also to some extent the ability to integrate with learned habits, were the reasons why the variation and multitude of religious practices occurred. That those were regarded as deviant was inevitable in a society where only one official religion could reign.

Protestantism, although it was prevalently not fiercely fought against, did not meet parishioners' spiritual needs at all levels. The doctrine of predestination did not fit into a worldview according to which an individual had a chance to influence the course of events. In a reality where bewitching was a real threat and charms and spells were powerful aids against the evil spirits, the idea of an individual's salvation via faith alone remained foreign. The biggest threats that people faced remained related to their earthly lives and less attention was devoted to the post mortal destiny. As the records showed, the concern of one's salvation or damnation was rarely raised. On a couple of occasions the necessity of baptism was proven to have been of vital importance,¹⁶ but neither the alleged sorcerers and papists nor their neighbours brought up the negative impact the acts of deviance might have had on one's soul. References to the devil occurred only in the cases where the text of confessions was prepared by court officials and in those instances it was the legal language of the more radical authorities that ascribed devilish nature to the acts of deviance.¹⁷ The insufficiency of Protestantism, in the way that it disabled an individual's impact on his or her own fortune and offered little to protect the individual against the earthly dangers and misfortunes, left people in the vacuum where they were left to search for the solutions to their needs and where they ineluctably encountered alternative ideas and practices. Hence, the personal religious and spiritual needs that were proved to have been the causes behind the multitude of religious deviance were not met by the doctrine of orthodox Protestantism. Although this study did not expand upon deviance in Catholicism or in any other school of thoughts, there is not enough evidence in the material to prove or disprove that the spiritual

¹⁶ DDR/EJ/CCD 1/2, fols. 94v-96r; 1/4, f. 126r

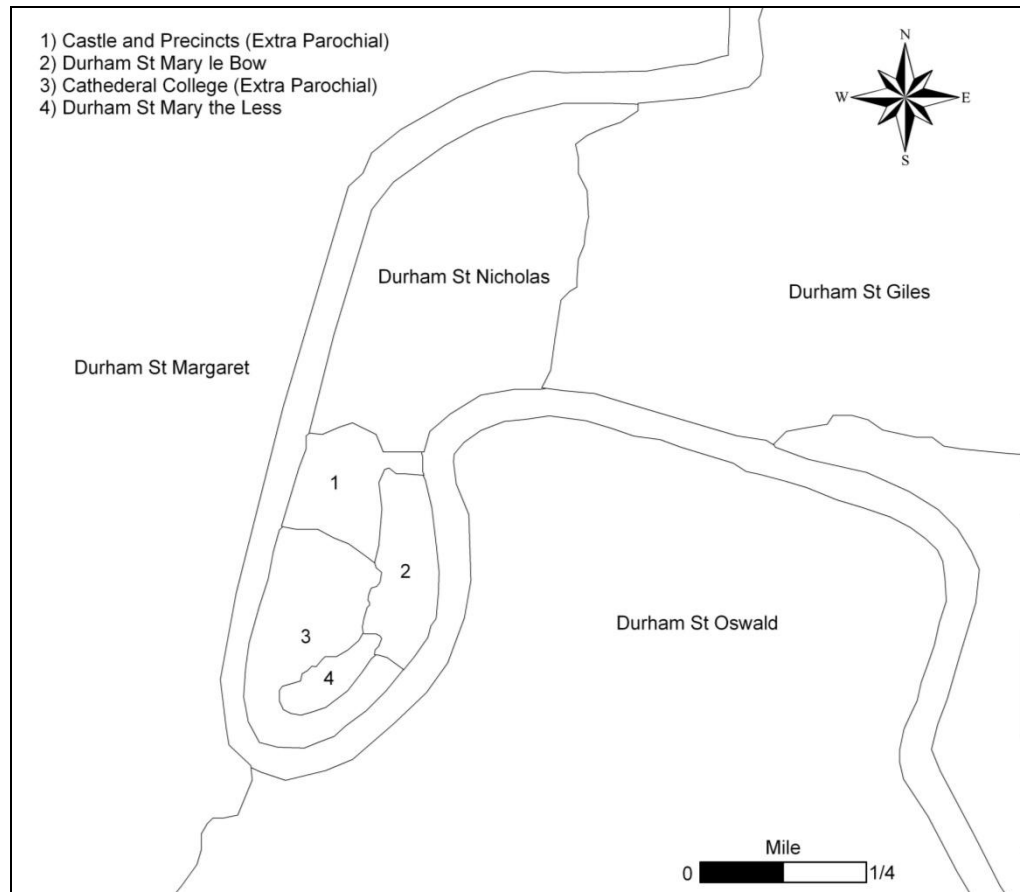
¹⁷ *Depositions and other...*, 111-112, 117-118, 168-169; Tomlinson, *Life in Northumberland*, 172

needs of an individual were met by these other doctrines. Still, the long lasting practice of witchcraft and folk magic that coexisted alongside the orthodoxies throughout the time refers to deficiencies in both. If Protestantism was less successful in meeting peoples' religious needs than Catholicism had been and if the occurrence of deviance was more distinct in the Reformed Church than in its predecessor can not be answered at this stage as studies of religious deviance in the pre-Reformation church would be needed. However, the aim of this research has not been to identify the specific flaws in Protestant teaching as the main reasons for deflections from the orthodoxy in the Elizabethan Church but to provide an explanation of the phenomenon of religious deviance on a wider scale.

This study of religious deviance in the Elizabethan diocese of Durham, based on Durham Consistory Court deposition books, provides evidence of deviance having been a phenomenon of compound nature where the detection of deviance is somewhat aggravated due to the lack of clear distinctions between orthodox and unorthodox behaviour. Although there occurred references to Catholicism, non-conformist Protestantism as well as to beliefs in witchcraft and magic, all of which were regarded as more or less deviant by the contemporary authorities, the records testified to largely overlapping religious sympathies and practices where segregation between popular and learned views was often hardly recognisable. Undoubtedly, the fragmentary nature of the primary sources as well as the limits that are set for this study do not allow one to draw any incontrovertible conclusions on the subject and by studying additional sources the outcome could differ. However, this study, which has been the first attempt to describe religious deviance in its multiple forms in the Elizabethan diocese of Durham, has established that there was a continuity of the acts of religious deviance throughout the period in focus, also that deviance was widely spread across the diocese and caused by personal religious and spiritual needs whereas the tendency to deviate from orthodoxy was intrinsic to contemporaries from different social and educational levels.

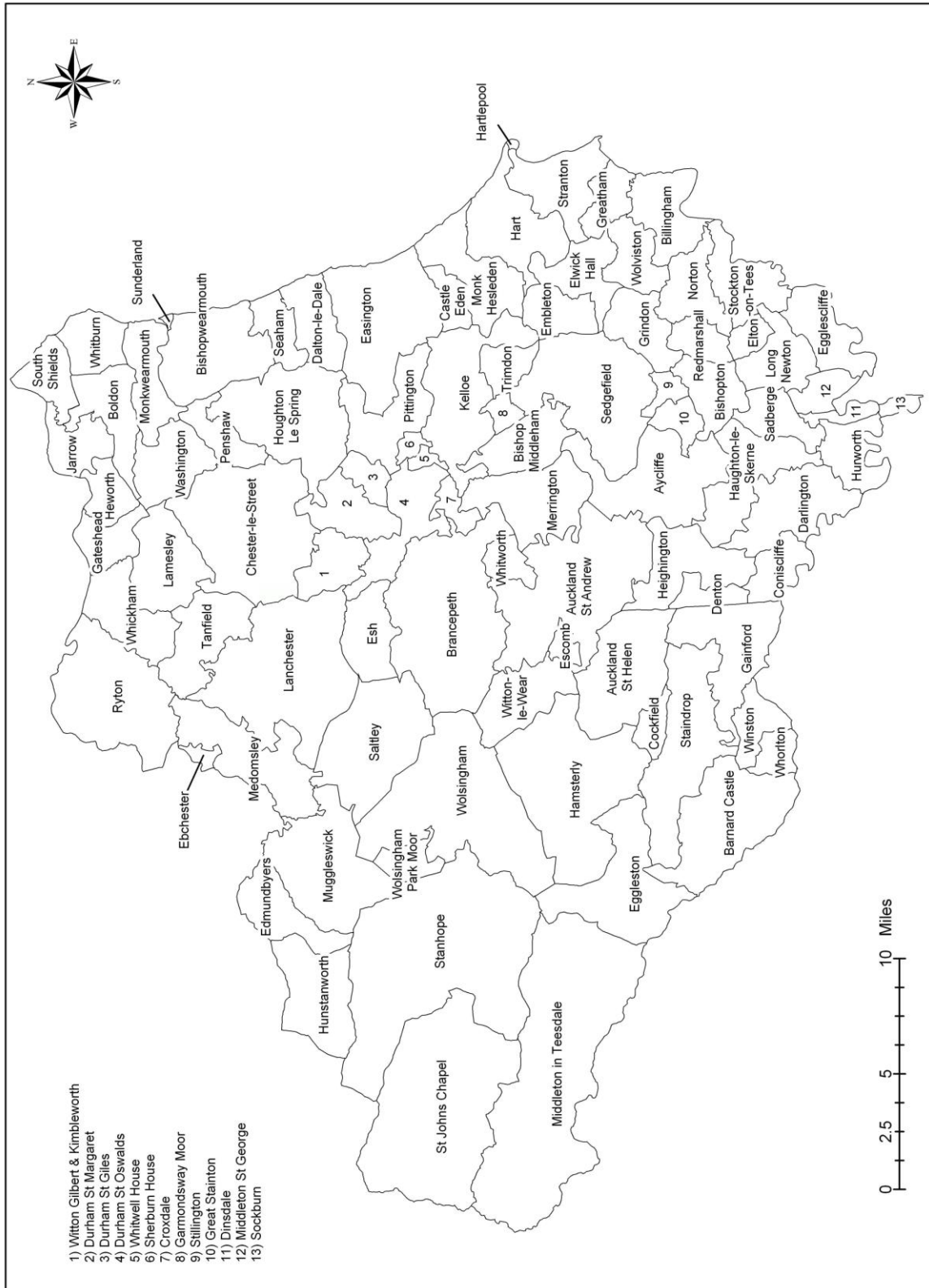
Appendix

Map 1. Parishes of Elizabethan Durham City¹



¹ Adrian Green, Elizabeth Parkinson, and Margaret Spufford, *County Durham Hearth Tax Assessment Lady Day 1666* (London: British Record Society, 2006), cii

Map 2. Parishes of Elizabethan County Durham²



² Green, Parkinson, and Spufford, *County Durham Hearth Tax*, xcvi

Map 3. Parishes of Elizabethan Northumberland³



³ Keeling, 'The Church and Religion in the Anglo-Scottish Border Counties', 596

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