Journal of British Studies 52 (April 2013): 290–316. doi:10.1017/jbr.2013.1
© The North American Conference on British Studies, 2013

Sermons, Separatists, and Succession Politics in Late Elizabethan England

Michael Questier

Abstract In late 1599 the population of York was able to witness a fairly extraordinary sight. In York Castle, the Catholic prisoners of conscience, as they saw themselves (though others regarded them as dangerous political dissidents), were being compelled to listen, once a week, to a Protestant sermon. These sermons were preached at them by a slate of godly ministers. This exercise was something the prisoners actively contested by murmuring, blocking their ears, shouting, and attempting to rush out of the hall. The prisoners' antics provoked the authorities into increasingly coercive measures to make them hear the Word of God. This outwardly rather ridiculous and unseemly charade went on, week after week, for nearly a year, at which point the whole business was abandoned by the lord president, Lord Burghley, as a waste of time. However, by decoding the extant manuscript narrative that we have of the sermon series and by looking at who was involved in this business and why, and what political messages were being sent during the course of it, we can say something about the popular politics of late Elizabethan England. In particular, we can comment on the strategies adopted by those who were anticipating the moment, surely not far off, when Tudor power would be extinguished and Elizabeth's crown would pass to her successor.

One of the central contentions advanced by the architects of the Elizabethan religious settlement was that the statutory conformity that it required was relatively minimal. What was arguably a series of low-level acts of compliance required by the legislation of 1559 concerning the government of the church could be pointed to, by those who defended the settlement, as proof that Elizabeth Tudor did not make windows into men's souls—in other words, she did not force their consciences.

There was a good deal of truth in this. The 1559 settlement may well have been a recognizably Protestant one, pushed through by queen and council in the face of parliamentary (especially aristocratic and episcopal) opposition.[1] Recent research has

Michael Questier is professor of history at Queen Mary University of London. He would like to express thanks to Claire Cross, Paul Hammer, Simon Healy, Ralph Houlbrooke, Peter Lake, and Rivkah Zim for their comments on an earlier draft of this article; to Lori Anne Ferrell and all the participants in the Henry E. Huntington Library's early modern history seminar in May 2011; and also to several anonymous reviewers for *Journal of British Studies*.

[1] For the Elizabethan settlement of religion, see, for example, N. Jones, *Faith by Statute: Parliament and the Settlement of Religion, 1559* (London, 1982). For the paradoxes of the settlement, and the difficulty in saying what conformity to it meant, see Peter Lake and Michael Questier, introduction to *Conformity and Orthodoxy in the English Church, c. 1560–1660*, ed. Peter Lake and Michael Questier (Woodbridge, 2000), ix–xx.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

demonstrated, however, that the extent to which people, including those of a Catholic disposition, found their consciences directly troubled by the settlement may have been quite limited. For example, relatively few were prevailed upon to swear the oath of the royal supremacy, that is, the declaration that the queen was the "only supreme governor of this realm . . . as well in all spiritual or ecclesiastical things or causes as temporal."[2] The provisions of the Act of Uniformity that dictated attendance at church on Sundays and holy days were always a problem for some Catholics. Still, it seems that for years after the settlement it was only a minority of those who were unsympathetic to the, in some sense dominant, Protestant culture of the upper echelons of church and state that refused outright to conform to the minimum scope stipulated by the law.[3]

In the late 1570s and 1580s, Catholic separatism started, for a variety of reasons, to increase. But when the regime began to crank up the statutory pressure on nonconformist Catholics, this was almost always articulated by government spokesmen in terms of a division between politics and religion. Time and time again, it was declared that Catholics were not being punished for their conscience-based scruples but for sedition or, at the very least, for refusal to comply with the statute-based obedience that had been ushered in when the realm had broken, once again, its jurisdictional links with Rome. If, regrettably, some of these Catholics had to be brought to book for their separatism (or worse), this was because they had deliberately disobeyed the civil law of the state as it related to the government of the church.[4]

The Elizabethan state, like most others, had every incentive to avoid the creation and overt expression of visibly different and ideologically driven versions of how the national church should be governed. This, after all, was the principal purpose of the conformity legislation. It was supposed to lock down and choke off religion-fueled expressions of opposition to monarchical authority. The alternative to a conformist peace was, potentially at least, the kind of violence that contemporaries witnessed in Valois France during the wars of religion. A conformist settlement was on some level mere common sense and also in accord with the queen's own wishes, which, as is well known, were so often at odds with the more aggressively Protestant counsel and vision of those around her.[5]

This is not to say that, from time to time, the Elizabethan regime did not veer away from the queen's preferred *via-media* inclinations. It certainly did this in the early 1580s when it had to enlist moderate Puritan opinion in the battle against the

[2] Geoffrey Elton, *The Tudor Constitution: Documents and Commentary* (Cambridge, 1972), 366. I am grateful for advice on this point to Jonathan Gray. See also Jonathan Gray, "So Help Me God: Oaths and the English Reformation" (PhD diss., Stanford University, 2008).

[3] This was even more the case in Ireland where, despite the coercion used to obtain it, the Reformation settlement of 1560 was, in practice, less ideologically invasive than the English one of 1559. Gerard Hayes-McCoy, "Conciliation, Coercion, and the Protestant Reformation, 1547–71," in *A New History of Ireland III: Early Modern Ireland, 1534–1691*, ed. Theodore Moody, Francis Martin, and Francis Byrne, 9 vols. (Oxford, 1976), 3:83; Henry Jefferies, "The Irish Parliament of 1560: The Anglican Reforms Authorised," *Irish Historical Studies* 26 (1988): 128–41.

[4] See, for example, William Cecil, *The Execution of Justice in England* (London, 1583).

[5] For the issue of Elizabeth's religion, see Patrick Collinson, "Windows in a Woman's Soul: Questions about the Religion of Queen Elizabeth I," in *Elizabethan Essays*, ed. Patrick Collinson (London, 2003), 87–118.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

public challenge posed by the Jesuit Edmund Campion.[6] But all through the period, Protestants who wanted a harder line against Catholics had to work within the narrow parameters set by the law. They could often do no more than protest that legal penalties for recusancy should not be allowed to become a form of de facto or licensed toleration.[7]

One superficially rather obvious way in which they could make their case was by demanding that force be used to compel recalcitrant Catholics to listen to good Protestant sermons. In September 1590, for example, faced with what appeared to be a lurch into recusancy in the Pale area around Dublin, Archbishop Loftus urged Sir William Cecil, Lord Burghley that "the sword alone without the Word is not sufficient, but unless they be forced they will not once come to hear the Word preached."[8] We occasionally find the Protestant authorities using compulsion to evangelize and convert Catholics by enforcing attendance at Protestant sermons, although not all Protestants believed that this was a licit approach. There was also a strand of Catholic opinion that, faced with the harsh legal implications and consequences of disobedience, was prepared to compromise over the state's demands for compliance.[9] For example, in the 1590s, a former Jesuit named Thomas Wright declared that it was allowable for a Catholic to attend the sermons of Protestant preachers, since this was different in kind from being willingly present at the rest of the liturgy and could not in itself be taken to signify assent to Protestant doctrine.[10]

Attempts to evangelize by force were, it has to be said, not all that common. Nor were they likely to be successful in their stated purpose of procuring conversions. But the rare occasions that something like this did take place and the assumptions of the participants that were brought out into the open offer us a potentially significant way

[6] Peter Lake and Michael Questier, "Puritans, Papists and the 'Public Sphere' in Early Modern England: The Edmund Campion Affair in Context," *Journal of Modern History* 72, no. 3 (2000): 587–627, esp. 623–25.

[7] See, for example, Francis Bunny, *An Answere to a Popish Libell intituled A Petition to the Bishops, Preachers, and Gospellers, lately spread abroad in the North Partes* (Oxford, 1607), 14, 22.

[8] H.C. Hamilton, E.G. Atkinson, and R.P. Mahaffy, eds., *Calendar of the State Papers, relating to Ireland. . .*, 24 vols. (London, 1885), *1588–92*: 366, 517 (hereafter *CSPI*).

[9] For forced attendance at sermons, see, for example, Sir Edmund Trafford and Robert Worsley to the Privy Council, 28 February 1582, SP 12/152/38, The National Archives (TNA); Sir Edmund Trafford and Robert Worsley to the Privy Council, 13 April 1582, SP 12/153/6, TNA; paper of advice concerning prisoners in Wisbech Castle, 1 February 1584, SP 12/168/1, TNA; Henry Foley, ed., *Records of the English Province of the Society of Jesus*, 7 vols. (London, 1875–83), 3:240–41; for the appointment of preachers (including the young Lancelot Andrewes) for the Catholic prisoners in Wisbech Castle, see Patrick Collinson, *The Elizabethan Puritan Movement* (Oxford, 1967), 325. For Catholic conformist theory and practice, see Alexandra Walsham, *Church Papists: Catholicism, Conformity and Confessional Polemic in Early Modern England* (London, 1993), chaps. 2, 3, 4; Ginevra Crosignani, Thomas McCoog, and Michael Questier, ed., *Recusancy and Conformity in Early Modern England: Manuscript and Printed Sources in Translation* (Toronto, 2010); Peter Lake and Michael Questier, *The Trials of Margaret Clitherow: Persecution, Martyrdom and the Politics of Sanctity in Elizabethan England* (London, 2011), chaps. 7, 8.

[10] For Wright, see Theodore Stroud, "Father Thomas Wright: A Test Case for Toleration," *Biographical Studies* 1 (1951): 189–219; Ginevra Crosignani, *"De Adeundis Eclesiis Protestantium": Thomas Wright, Robert Parsons, S.J., e il dibattito sul conformismo occasionale nell'Inghilterra dell'età moderna* (Rome, 2004); see also below. For Scottish Jesuits' opinions concerning the hearing of Protestant sermons, see Hubert Chadwick, "Crypto-Catholicism, English and Scottish," *Month* 178 (1942): 388–401.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

of describing what was at stake in the political and religious standoffs between the authorities and the queen's Catholic subjects.[11]

Perhaps the best-recorded incident of this kind happened in York in 1599–1600. In December of 1600, a document describing some of the recent goings-on in York Castle was compiled and apparently began to circulate in manuscript. It recounted the events that were referred to in its title: "A Trewe Storie of the Catholicke Prisoners in Yorke Castle, theire Behavioure and Defence of the Catholicke Religion when they were hailed by force to the Protestants Sermons, Anno Domini 1600. With a Confutation of Cooke the Ministers Sermon by C.J. Priest."[12] There had been, the text said, a weekly procession of godly ministers to York Castle in order to preach to the forcibly assembled Catholic prisoners there (fifty-four in all, of whom twenty were women) and to lecture them on the nature of their errors in religion.[13] The writer was the seminary priest William Richmond, who was receiving his information directly from inside the prison. For him, perhaps predictably, the courage of the prisoners, and indeed, the whole business, served as a demonstration of the invincibility of Catholic truth and the "weakness of heresie."[14]

In this period, the holding of what were in effect political prisoners frequently generated news. Accounts of what went on in the government's supposedly high- (but in fact often rather low-) security prisons were pumped out, *inter alia*, via the

[11] As David Cressy so rightly argues, "the margins illuminate the centre" and "the cultural history" and, indeed, other sorts of history of this period remain "incomplete without hearing from people on the edge." Cressy, *Travesties and Transgressions in Tudor and Stuart England* (Oxford, 2000), 7.

[12] William Richmond, "A Trewe Storie of the Catholicke Prisoners in Yorke Castle, theire Behavioure and Defence of the Catholicke Religion when they were hailed by force to the Protestants Sermons, Anno Domini 1600. With a Confutation of Cooke the Ministers Sermon by C.J. Priest" (hereafter cited as TS), Stonyhurst MS Anglia A II, Archivum Britannicum Societatis Jesu (hereafter cited as ABSJ). For another copy of this document, see British Library (BL), Add. MS 34,250; Stonyhurst MS Anglia VI, no. 98, ABSJ, lists one copy (presumably Stonyhurst MS Anglia A II, ABSJ) among the manuscripts of the rector of the Jesuit college at Liège in 1637. See also the Maxwell-Constable collection, Hull University Library, for John Knaresborough's manuscripts (DDEV/67/1-4), which reproduce some of Richmond's text. This in turn was printed by Richard Challoner in his *Memoirs of Missionary Priests*, 2 vols. (Philadelphia, 1839), 1:251–61; see also Peter Holmes, *Resistance and Compromise: The Political Thought of the Elizabethan Catholics* (Cambridge, 1982), 183–84; John Morris, ed., *The Troubles of our Catholic Forefathers*, 3 vols. (London, 1872–77), 1:241–42; (Grace Babthorpe's account of the sermons, for which see Archives of the Archdiocese of Westminster (AAW) A VI (no. 100): 367–68); III:461–62; John Aveling, *Catholic Recusancy in the City of York* (London, 1970), 159–60.

[13] York Castle was a dilapidated former fortress. As Aveling describes it, "[W]ithin the walls [there] was a complex of patched-up medieval buildings forming the gaol, gaolers' houses and Moot Hall. The prisoners were housed in a higgledy-piggledy fashion through a maze of rooms and lean-to erections." Aveling, *Catholic Recusancy*, 63–64; for a more detailed description of the prison accommodation in the castle, see also Katharine Longley, *Saint Margaret Clitherow* (Wheathampstead, 1986), 60–61.

[14] Godfrey Anstruther, *The Seminary Priests*, 4 vols. (Ware and Great Wakering, 1968–77), 1:289; TS, f. 2r. The author listed the prisoners who subscribed the truth of his labors. Among them were Katherine Radcliffe of Ugthorpe and also Anne Tesh (the friend of the martyr Margaret Clitherow), Eleanor Hunt (who had been jailed for harboring the priest Christopher Wharton), and Bridget Maskew. TS, ff. 4v–5v; Anstruther, *Seminary Priests*, 1:377. Tesh and Maskew stood "condemned of highe treason . . . for perswadinge a minister to be a Catholicke" (ibid., f. 4v); for the circumstances of Tesh's and Maskew's conviction, see Anthony Petti, ed., *The Letters and Despatches of Richard Verstegan (c. 1550–1640)* (London, 1959), 250; AAW, A VI (no. 100): 368. The majority of these Catholic separatists were of relatively low social status. The gentry who stand out are William Middleton of Stockeld and William Stillington of Kelfield.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

circulation of manuscripts.[15] In the previous few years, Wisbech Castle in East Anglia, where high-profile Catholic clerics were jailed, had been an endless source of news and rumor about their factions and quarrels.[16] It was not unknown for Protestant ministers on their own account to challenge imprisoned Catholics to disputation.[17] But what happened in York Castle in 1599–1600 was a formal week-by-week confrontation between a slate of godly ministers and a group of imprisoned and coerced recusants. It seems to have been staged by the authorities in York in an attempt to win a polemical battle with some of the leading representatives of northern Catholic separatism. The council in the North evidently felt that it was worth risking the possibility that those who were forced to listen to these sermons would try to respond and make a case for their nonconformity in a way that was generally denied to them, even though, or so William Richmond claimed, "the ministers were learned men" and the majority of the Catholics there were "utterlie unfitted for such a combatt."[18]

These prison sermons, taken together, were perhaps the single most significant public confrontation over religion between Catholics and Protestants anywhere in late Elizabethan England. Relying on a blow-by-blow account of events in the castle and using a species of microhistorical methodology, I argue that a close reading of Richmond's unique narrative imparts a real sense of the different interest groups confronting each other as they posed before a variety of different publics in order to win, if they could, a series of arguments about topics such as toleration and conformity, coercion and freedom. These were topics that were integral to several other hot political issues of the day, notably the question of what would happen when, upon the death of the queen, the Tudor dynasty gave way, as almost everyone believed that it would, to the Stuart one, and James VI of Scotland took Elizabeth's crown. In particular, would the new king permit a latitude to dissenters, both Catholics and Puritans, which they had not previously enjoyed?

Although nowhere in the proceedings in York Castle in 1599–1600 was this explicitly stated, the act of bringing preachers to the castle jail does appear to have been a response by the northern authorities to the kinds of argument that were now being aired, publicly, by Catholics during the so-called Archpriest, or Appellant, Controversy. During this rancorous Elizabethan *fin-de-siècle* dispute between leading Catholic priests about a range of linked jurisdictional issues, a number of those clergy, by rejecting Rome's newly erected and arguably novel archpresbyteral device for

[15] Richmond narrates that "in a search," the authorities "tooke two coppies of this Storie, fare written over, whereof one was given to Mr Robert Cooke, whome it most conserned." TS, f. 3r–v.

[16] Penelope Renold, *The Wisbech Stirs (1595–1598)* (London, 1958).

[17] For the prison culture of the period, as it touched on Catholics and the political issues generated by Catholicism, see Peter Lake with Michael Questier, *The Antichrist's Lewd Hat: Protestants, Papists and Players in Post-Reformation England* (London, 2002), chaps. 6, 8; Peter Lake and Michael Questier, "Prisons, Priests and People in Early Modern England," in *England's Long Reformation*, ed. Nicholas Tyacke (London, 1997), 195–233.

[18] TS, f. 2r. For the reception in this period of sermons as they were preached, see Arnold Hunt, *The Art of Hearing: English Preachers and their Audiences, 1590–1640* (Cambridge, 2010).

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

exercising control over them, tried to position themselves publicly so as to take advantage of the coming, indeed perhaps imminent, change of regime and dynasty.[19]

The Archpriest Controversy would indeed have been an unwelcome reminder in the late 1590s that the problem of separatist Catholicism simply refused to go away. There had been a sense for several years among some of the administrators whose task it was to govern the North of England that an unwarranted leniency was being shown to Catholics. To the more hawkish of the northern authorities, the determination that had been displayed by the godly earl of Huntingdon (d. December 1595) to deal with obstinate papists had slackened off. Catholics who practiced only a modicum of conformity, and who at one time would likely have suffered the full penalties of the law, seemed now to be escaping the consequences of their actions.[20] Archbishop Matthew Hutton, who had replaced Huntingdon as head of the council in the North (he was not given the title of lord president), was considered inadequate by some for the task of disciplining Catholic dissenters.[21] The queen's letter of 24 August 1599, which unambiguously discharged Hutton of his leadership of the council, also accused the ecclesiastical commission of failing to deal with Catholic separatists. These Catholics, the letter claimed, had received "over much tolleracion." This was something for which Hutton could hardly escape some share of the blame, though he undoubtedly thought this to be grossly unjust.[22] His successor was Thomas Cecil, second Lord Burghley. It was assumed that Burghley would bring the smack of firm government back to the North and teach its Catholic population that they would not be allowed to exploit uncertainty about the succession.[23]

[19] See Peter Lake and Michael Questier, "Taking It to the Street? The Archpriest Controversy and the Issue of the Succession" (forthcoming); Arnold Pritchard, *Catholic Loyalism in Elizabethan England* (London, 1979), esp. chaps. 7–11; John Bossy, *The English Catholic Community, 1570–1850* (London, 1975), 42–48.

[20] See, for example, Michael Questier, "The Politics of Religious Conformity and the Accession of James I," *Historical Research* 71, no. 174 (1998): 19–23.

[21] Ibid., 21; Rachel Reid, *The King's Council in the North* (London, 1975), 230; for Hutton's unwilling acceptance in December 1594 of the headship of the council, see M. S. Giuseppi *et al*., ed., *Calendar of the Manuscripts of the Most Honourable the Marquess of Salisbury,* 24 vols. (Historical Manuscripts Commission, 1888–1976, hereafter cited as HMCS), 5:35–36.

[22] James Raine, ed., *The Correspondence of Dr. Matthew Hutton* (Durham, 1843), 145–46; *HMCS*, 9:317; see also John Aveling, *Northern Catholics: The Catholic Recusants of the North Riding of Yorkshire, 1558–1790* (London, 1966), 114. For Hutton's moderate approach in demanding conformity from prominent Catholic separatists, see, for example, *HMCS*, 5:176, 283, 339, 430–32; 9:31; Raine, *Correspondence*, 101, 303; Peter Lake, "Matthew Hutton—A Puritan Bishop?" *History* 64 (1979): 188. A letter from Archbishop John Whitgift on 27 August 1599 said, sadly, that Hutton was believed in London to have been "too milde" with recusants and that even "some of your ministers doe also affirme the same to be trewe." Raine, *Correspondence*, 147. For an undated petition from the council in the North, before Burghley's appointment, which lamented a falling off in the execution of the law against Catholic separatists, see *HMCS*, 14:312; see also the issuing on 24 November 1599 of a commission ("commissio specialis de schismate supprimendo") to a long list of northerners, starting with Hutton, to deal with offences against the act of uniformity and other statutes. Thomas Rymer, ed., *Foedera, Conventiones, Literae . . . Editio Tertia . . . Tomi Septimi Pars I et II* (The Hague, 1742), I: 224–31 (for which reference I am very grateful to Claire Cross).

[23] The instructions issued to Burghley from the queen on 3 August 1599 directed that, as the new lord president, he "must reform and correct that abundant falling away from religion." Robert Lemon and

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

In addition, Hutton, who remained archbishop of York and thus was still responsible for securing Catholics' obedience, was known to think that it was counterproductive to use compulsion to try to spread the Gospel.[24] To many it must have appeared that, even in his archiepiscopal role, he was still not fit for purpose. It is almost certainly significant that four of the prison sermons were delivered by William Goodwin, prebendary of York and future chancellor of the York archdiocese and dean of Christ Church, Oxford. Goodwin was known to be a bitter critic of what he took to be Hutton's slackness in teaching Catholics obedience.[25] Another hardliner was Dr. John Bennett, who was subsequently rumored, even if erroneously, by Hutton's enemies to have fallen out with the archbishop.[26]

Despite Hutton's wariness of using force against Catholics, he was also sympathetic to moderate forms of Puritanism. But those who set up the sermon series evidently wanted to make the exercise free from the taint of Puritanism. Virtually all the castle preachers of 1599–1600, despite their zealous antipopery, were visibly conformist in the sense that they were not associated with the kind of challenges to liturgical norms that we associate with late Elizabethan Puritans. The only exception was John Favour, the well-known vicar of Halifax.[27] William Palmer, the godly chancellor of York minster since 1571, who preached five of the sermons, was a stalwart member of the high commission, one of the principal functions of which was to enforce obedience to the 1559 settlement.[28]

Mary Green, ed., *Calendar of State Papers, Domestic Series*, 12 vols. ([for 1547–1625], 1856–72), *1598–1601* (hereafter cited as CSPD), 276; see also Reid, *King's Council*, 230, 232. His note of 1 September to his brother Sir Robert Cecil mentioned the problem of Catholic separatism. On 12 September he declared that "I hope soon to bring most to go to church but, for their continuance, must refer to the archbishop and preachers." *HMCS*, 9:343–44; *CSPD, 1598–1601*, 322. Burghley refers here to his campaign to indict large numbers of recusants (Reid, *King's Council*, 232) and, perhaps, also to the sermon series which would commence in December 1599. The four Catholics (Fenton, Danby, Jackson, and Gelstrop) noted in the queen's instructions as stubborn but recently let out on license by the high commission were back in the castle jail by the time the sermons began. *CSPD, 1598–1601*, 276; TS, ff. 4v–5r. For existing tensions between Hutton and Sir Robert Cecil, see William Richardson, "The Religious Policy of the Cecils, 1588–1598" (DPhil diss., Oxford University, 1993), 206, 232–34, 237–38, 270.

[24] Hutton's anxiety about using compulsion in the service of the Gospel was perhaps surprising because he had been a stalwart friend of the former lord president Huntingdon ("so precious a jewel" and "so true a professor" of the Gospel, and "so worthy a governor," as Hutton described him after his death) and had been a supporter also of Archbishop Edmund Grindal. Lake, "Matthew Hutton," 183, 185, 188, 189, 190, 191; Claire Cross, "Hutton, Matthew," in *Oxford Dictionary of National Biography*, ed. Henry Matthew and Brian Harrison (Oxford, 2004) (hereafter cited as *ODNB*).

[25] W. F. Wentworth-Shields, "William Goodwin," *ODNB*. According to Lord North, William Goodwin had preached on 25 November 1596 "before the buisshop and others at the goale [*sic*] deliverie . . . that sithence the death of the late earle of Huntingdon and Archbuisshop [John] Peerce, papistes have increased, manie indifferent Protestantes being added to them, and some then justiciaries are nowe growen key could [i.e., cold]." Lansdowne MS 84, no. 104, f. 236r, BL. Hutton was similarly criticized in 1604 by Lord Sheffield, Burghley's successor as lord president. *HMCS*, 16:45. Hutton did not, of course, believe that Catholics deserved toleration (and this was clear enough from his unease over the license to return to the North procured by the earl of Essex for the former Jesuit Thomas Wright, though Hutton was, of course, one of Essex's supporters). Claire Cross, "Matthew Hutton," *ODNB*; Lake, "Matthew Hutton," 192; *HMCS*, 11:208–9; Stroud, "Father Thomas Wright," 197–98.

[26] *HMCS*, 11:208.

[27] For John Favour's Puritan tendencies, see William Sheils, "John Favour," *ODNB*; *HMCS*, 6:73.

[28] In 1605, clergymen who had refused to subscribe to the 1604 canons were referred to Palmer in order to see if he could satisfy their consciences, presumably because his evangelical leanings would make him

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

By contrast, it appears that the authorities may have wanted to exploit the known disagreements among contemporary Catholics over the issue of conformity. One sermon was preached by Thomas Bell, a "revolted prieste." In the early 1590s, he had been forced out of the Catholic community by other Catholics' attacks on his teaching that it was licit under certain circumstances to obey the Act of Uniformity.[29] Bell had claimed that he represented the larger and better part of Catholic opinion. His appearance at York Castle in 1600 in order to preach the thirty-first sermon of the series was probably intended to remind the Catholics who were present of the fissures among them on this crucial issue.[30]

It may be that the entire sermon series was designed to cause uncertainty and dissension within the wider Catholic community on the question of their separation from the national church. The imprisoned recusants appear to have believed that it was not acceptable under any circumstances to obey the Act of Uniformity. If they had not thought so, then they would not have been incarcerated in York Castle in the first place. Some of them (notably the gentleman William Stillington) feared, with some reason, that public reports of Catholic "attendance" at the sermons in the castle would be read as a sign that they had offered a measure of obedience to the authorities' demands; in that case, their compliance would deprive them of the moral status that they had acquired through their separation and the hardship that they had to endure as a result of their refusal to obey the queen's officers.[31] But the preachers wanted to challenge the prisoners' certainty over this matter. Among the preachers was, for example, Edmund Bunny, a former client of the godly archbishop of Canterbury, Edmund Grindal.[32] He had established a track record as an opponent of Catholic separatism. Bunny's expurgated and Protestantized version of the famous, indeed notorious, Jesuit Robert Persons's devotional and pietistic work called the *Christian Directory* served also as a reply to Persons's arguments in favor of recusant separation.[33] Bunny had disputed with the leading

---

acceptable in this respect to Puritan nonconformists. Claire Cross, "William Palmer," *ODNB*. He was also named in September 1601 by Lord Burghley as one of his chaplains. *HMCS*, 11:400.

[29] Lake and Questier, *Trials*, chaps. 2, 7, 8; TS, f. 6r; Alexandra Walsham, "'Yielding to the Extremity of the Time': Conformity, Orthodoxy and the Post-Reformation Catholic Community," in Lake and Questier, *Conformity and Orthodoxy in the English Church, c. 1560–1660*, 211–36; "Copie of an information given to Henry, earle of Darbie … by … Bell, a fallen seminarie priest living then in Lancashire," 1662, AAW A IV (no. 38).

[30] Foley, *Records*, 3:767–68; Lake and Questier, *Trials*, chap. 7. One of the female prisoners was Anne Hardesty, apparently the sister of the renegade priest William Hardesty, who was a friend of Bell and had decided to recant at about the same time. William Hardesty came to York Castle on 23 December 1593, shortly after he had renounced his Catholicism, in order to harangue the prisoners there about their errors, though he was happy to see those who refused to listen to him be allowed to absent themselves, and only then did he "read his sermon." Foley, *Records*, 3:762, 767–68.

[31] On 24 April 1600 Stillington complained to Dr. Bennett that "att the sermons" Catholics "were esteamed as communicantes and partakers with the preachers of an other religion." TS, f. 30r.

[32] Grindal had appointed Bunny to the subdeanship of the minster in 1570. Aveling, *Catholic Recusancy*, 39.

[33] Persons's *First Booke of the Christian Exercise* was in effect a companion volume to his *Brief Discours* of 1580, which had urged Catholics to go into separation; Bunny's work (particularly when it appeared with an appended *Treatise tending to Pacification*) was a reply to both. See Robert Persons, *The First Booke of the Christian Exercise, appertaining to Resolution* (Rouen, 1582); Edmund Bunny, *A Booke of Christian Exercise, appertayning to Resolution . . . and accompanied now with a Treatise tending to Pacification* (London, 1584);

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

separatist Margaret Clitherow, herself a prisoner in the castle before she was executed in March 1586, about whether the queen's Catholic subjects had the right to reject the national church in this way. Bunny's edition of Persons's book, first published in 1584, claimed that Catholics should not cut themselves off from the Church of England since it possessed all the forms and means of devotion and piety that they could possibly require to live a life of faith. Preaching was one of those forms. This in effect was the case made by all the preachers at York Castle in 1599–1600.

The sermon series kicked off on Sunday, 9 December 1599. On this day, "the preachers came," as the "Trewe Storie" related, "in all honour and glorious showe to the place of meetinge." Anyone in York who was anyone, and many who were not, were there to watch. According to William Richmond, there was intense public interest in the outcome of the confrontation between the forces of authority and the stubbornly separatist representatives of northern Catholicism. When these sermons took place, the usual format was for the preachers to be accompanied by "the lord lieuetennant, the councell, and almost all the nobilitie, knightes and gentrie of the countrie, the lord maior and aldermen of the cittie and of theire friends and favorittes a verie great assemblye about them, all count[e]nancing, commendinge and approving theire doinge." The preachers were assured of "popular applause," commented Richmond, while the Catholics, who were "disgracefullie hailed to the sermon place, one by one," were confronted by the "people laughinge" at them.[34]

For the first sermon, the keeper of the jail, an odious individual named Robert Redhead, "called all the Catholicke prisoners downe from theire chambers and tolde them they must goe to the hall before my lord and the counsell." When the prisoners got there, they were "placed within the railes" in front of the council, though Lord Burghley was not present at this point.[35] They were "sett right before the preacher as principall audience of that assemblie; they were by the majestrates commaunded silence with great authoritie and charged upon theire allegiance and most greevous punnyshmentes not to trouble or interrupt the preacher" who, fumed William Richmond, "was brought thither to disgrace theire profession of religion and with bitter speeches and blaspheamynge to provoke and goare their consciences."[36]

Once they were all assembled, William Palmer opened the batting. According to the "Trewe Storie," however, the Catholic prisoners in the castle had not anticipated that they would be preached at. They "were astonished att the straingenes of this matter."[37] The council wanted to make the whole thing look like a voluntary acquiescence and submission on the part of the assembled Catholics. So, to give this impression, "after a while, all beinge quiet, the doores were sett open." The Catholics did not immediately grasp the significance of this. When William Stillington and

---

Brad Gregory, "The 'True and Zealouse Seruice of God': Robert Parsons, Edmund Bunny, and *The First Booke of the Christian Exercise*," *Journal of Ecclesiastical History* 45, no. 2 (1994): 238–68; Lake and Questier, *Trials*, chap. 4.

[34] TS, ff. 2v–3r.

[35] Ibid., f. 8r.

[36] Ibid., f. 3r.

[37] Ibid., f. 8r.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

Robert Halleley tried to depart, the "doores" were "shutt . . . againe." By the time that the sermon was over, it was clear that the authorities had pulled a fast one. Stillington took the lead. He "went to the counsell and said the keper had deceyved them, for he tolde them of no sermon but that they must all appeare there." Stillington "said further that he was verie lothe to offend them, but yet in discharge of his conscience he must lett them knowe that he woulde nott heare theire sermons."[38]

As he described in a long letter that was set down three days afterward and was conveyed out of the castle, Stillington admitted that there had been rumors that a sermon would be preached in the hall. He had, however, counseled the others that it was better to comply at first, for "oure absolute refusal to goe before the authoritie could not but be accoumpted obstinacye, which with all care wee oughte to avoyde." It was, therefore, "better . . . for us to doe oure duties simplie and lett the deceipt fall upon theire part that ment it, than refuse before wee had cause." Clearly, it was being said that he had in effect advised a measure of conformity and compliance ("if I did wronge, it was of ignorance," Stillington wrote, out of fear that others would interpret his advice as counseling conformity; "God forgeve me").[39]

After the sermon, Stillington was summoned to the King's Manor, the seat of royal government in the North, to explain himself to the lord president and the council. There he tried to ingratiate himself with Burghley. He even promised that he would voluntarily go to church if Palmer bested him in an argument about patristic doctrine. Stillington claimed that Burghley "laughed" and even "the counsell seamed to like my profer verie well." According to Stillington, though the council endorsed Palmer's reading of the controverted text and "therefore saide merilie that nowe I must go to churche as I had promissed, . . . they slenderlie urged the matter and my lord himselfe smyled at it." The council nevertheless decided that Stillington should be "kept close prisoner" for his temerity.[40]

Here, as elsewhere, Stillington was determined to argue that he and other separatists could demonstrate an appropriate respect for temporal authority, represented by the queen's officials in York, and yet, at the same time, refuse to make concessions over conformity. It was, for him, essential to claim, however implausibly, that there was a certain open-mindedness on the part of the lord president on this matter.

The prisoners were not taken by surprise when, on 16 December, the time came for the second sermon. The keeper came to fetch them, but "they all refused to goe with him." Redhead then "caused his servantes and other fellowes to take them one by one and drawe them to the hall." Led by a Marian priest, George Rayner, they protested that it was "against their consciences to heare their

[38] Ibid. There was something of an irony in the recusants' response here. It had been axiomatic among those Catholics who tried to justify or excuse a measure of limited or occasional conformity that a Catholic who attended church could make a verbal protestation that he went there only out of temporal obedience to the queen's authority and not for any liking that he had of the service used there. This was precisely the case that the priest Thomas Bell had made (i.e., while he remained a Catholic) and that had been condemned by Bell's opponents (notably John Mush and Henry Garnet). Lake and Questier, *Trials*, esp. chaps. 7 and 8. Yet, now, the imprisoned Catholics were trying to prevent their forced attendance being construed as compliance precisely through the deployment of a protestation. In fact, the author of the "Trewe Storie" notes that immediately "one of the counsel asked" Stillington "if he would there make a protestacion, and whether he spake for himselfe or for all his companye." TS, f. 8r–v.

[39] Ibid., ff. 8v–9r.

[40] Ibid., ff. 9r, 9v, 10r–11r.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

sermons." Burghley was less than pleased and told them "in manner of an oration that the state had longe borne with them" and now "he would . . . compell them to heare the Woord."[41] Upon hearing this, the Catholic prisoners tried to flee the room but were hauled back "with greater rigour than before." In retaliation, they "fell . . . of murmoringe and makinge a noyse some in one manner and some in an other, to interrupt the preacher," the unfortunate William Palmer, again. Burghley "commaunded silence." Stillington and another gentleman, William Middleton, waited until the end of the sermon before making a formal protest that what the council did was against the law—in other words, to treat the prisoners thus who were already "punnyshed otherwayes" for their "refusal of goinge to churche."[42] Stillington brought out a Bible to confute Palmer, something which, Stillington claimed, Burghley regarded with "a good friendlie count[e]nance."[43]

Perhaps Burghley felt that this could be construed as at least partial compliance on the part of the incarcerated Catholics and therefore was compatible with his remit to procure some measure of obedience from them. When Mr. Fenton "stood upp and desired they might have some learned man from Wisbitch [Castle] to defend the cause," Burghley "yielded verie willinglie." He said that "if they would name unto him any priest or Jesuite att Wisbitch or att London, he would send for them for that purpose. Or if there were any learned priest in the countrie within his commission that would come in and dispute the matter," he would "have saife conduct to come and goe" as he pleased. Then, in the "weeke followinge, the prisoners made a petition" for their chosen clerical representatives. They named, principally, Thomas Wright and Christopher Bagshaw.[44]

Exactly what the Catholic prisoners were thinking in choosing their representatives is not clear. Wright, after all, was the one who had argued that it was licit for Catholics to attend what they themselves regarded as heretical sermons. However, he was also known to be a client of Robert Devereux, earl of Essex. Wright had arrived in England from Spain in June 1595 and had made contact with Essex by surrendering himself to Anthony Bacon.[45] Off Wright had gone in the second half of 1595, on Essex's warrant, to York. There he provoked uproar with his aggressive though self-consciously loyalist proselytizing. Essex and his circle continued to regard him as saying what he meant and meaning what he said about the dangers from Spain.[46] In response, as Wright claimed, to the demands of unnamed English

[41] Ibid., f. 11r–v; see K. J. Alban, "George Rayner—An Elizabethan Carmelite," *Carmelus* 46 (1999).

[42] TS, ff. 11v–12r.

[43] Ibid., f. 12r.

[44] Ibid., f. 12r–v. Wright was moved to Wisbech Castle in February 1600. Stroud, "Father Thomas Wright," 202.

[45] Stroud, "Father Thomas Wright," 196, 204; Paul Hammer, *The Polarisation of Elizabethan Politics: The Political Career of Robert Devereux, 2nd earl of Essex, 1585–1597* (Cambridge, 1999), 177.

[46] In 1597 Thomas Wright had, back in London, attempted to engage in debate with a string of Protestant clergymen, including William Alabaster, who was on the verge of converting to Rome, and in such a manner that some believed that Wright had converted this young clergyman and poet. After this, Wright was sent to the Gatehouse prison and subsequently to Bridewell. In September 1595 Matthew Hutton had complained about Wright's behavior in York and even claimed that he was defending tyrannicide: "God . . . knoweth whether he hathe not a dispensation to bewraie some thinges against the Spanyard that some other way he may doe the pope some better service, either against this state or against religion." Lansdowne MS 79, no. 44, f. 120r, BL; Hammer, *Polarisation*, 177; Francis Bremer, "Thomas Wright," *ODNB*; see also Thomas Birch, ed., *Memoirs of the Reign of Queen Elizabeth*, 2 vols. (London, 1754),

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

Catholics, he then wrote a piece that urged Catholics to take the queen's part against Philip II.[47] Wright's Essexian loyalties meant that he was not likely to be welcome to Lord Burghley, brother of Sir Robert Cecil, whose enmity toward Essex was already defining the factious twilight of the Elizabethan period. Perhaps the prisoners at York anticipated that Wright would, despite his loyalist opinions, be forced in public to distinguish between his own teaching on conformity and the purposes of the council in the North. But they must have calculated that he could not easily be regarded as merely seditious.

The group's second chosen representative, Christopher Bagshaw, was himself at this time perhaps the leading (and certainly the angriest) opponent of the interest group within the English Catholic community that had become identified with the Jesuits, or rather with those whose opinions and ideology tended to be publicly expounded by and associated with Robert Persons and his friends. Bagshaw was already notorious for his opposition at Wisbech Castle to those clergy who followed the lead of the Jesuit William Weston when Weston called for a more rigorous and austere mode of life among the priests imprisoned there. The Catholics interned in York Castle were, it seems, trying to pose as loyalists by enlisting the services of clergy who were known for their Hispanophobe opinions and for their hostility to the Jesuits. But nothing came of this. Stillington had to record that "his honours purpose was altered by the preachers or by the counsell att theire perswations."[48]

The following week, the Catholics were compelled to listen to John Palmer, the new rector of Escrick, attacking the Catholic understanding of prayer to saints. His words were punctuated by interruptions from Stillington, who "desired inke and paper to write." Palmer offered him the sheets of paper that contained the text of the sermon. The sermon came to an end, and Stillington stormed off to the council to demand a right of reply. The reaction of those who were watching and listening showed how much was at stake here. According to Richmond, "divers . . . other prisoners went after him, and the people in great haste brake over the barres about them with desire to heare them speake."[49] Stillington recited in a letter of 1 January 1600 how he had got into an argument with members of the council about what constituted heresy and schism. In particular, he had clashed with the bishop of Limerick, John Thornborough, who accused Stillington and all recusants of being schismatics. Thornborough, who was dean of York as well as a bishop of an Irish see, had come to York in mid-March 1599 to serve as a member of the council in

1:307; see also *CSPD, 1598–1601*, 217; cf. Anthony Kenny, ed., *The Responsa Scholarum of the English College, Rome*, 2 vols. (London, 1962–63), 1:3; Stroud, "Father Thomas Wright," 196–202; *HMCS*, 7:394, 395, 474; 8:394–95. For Wright's anti-Spanish opinions, see *CSPD, 1595–97*, 156–57. In ca. April 1600, he published on a clandestine press, perhaps in Northamptonshire, his inflammatory *Certaine Articles, or Forcible Reasons*, which led to his rearrest (he had recently absconded from Wisbech). Stroud, "Father Thomas Wright," 202; *HMCS*, 10:125, 135–36, 256.

[47] John Strype, ed., *Annals of the Reformation*, 4 vols. (Oxford, 1824), 3:ii, 583–97; Hammer, *Polarisation*, 177 (suggesting that the piece was written after Wright was recalled to London and that it was given to Essex by January 1596); Pritchard, *Catholic Loyalism*, 61–67; see also Crosignani, *"De Adeundis Ecclesiis Protestantium,"* 183–89.

[48] TS, f. 12v.

[49] Ibid., ff. 13r–14r.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

the North.[50] When Burghley's own chaplain, Mr. Fuller, preached on 30 December, the same performance began again: in fact, the "prisoners made more resistance for beinge drawne to the haule than before they had done." But this time there was violence as the keeper's officials "crushed" the Catholics "against the walls, and by forcible strivinge gave them many many shrewd knockes."[51] An attempted mass exodus of the prisoners to "the lower ende of the haull" resulted in the "keepers and the counsels men" dragging "them backe in angrie moode" and throwing "some of them downe upon" the floor. Faced with this, and with the council's demand for silence when they drowned out the preacher's words with "noyse," the prisoners "stopped theire eares with theire fingers till the sermon was ended."[52]

The Catholic internees were desperate for a clerical mouthpiece who would argue with the preachers and make the exercise look like a series of disputations rather than sermons. Another newsletter from Stillington to Richmond followed on 11 January. It claimed that although the preachers had "drawne" Burghley "wholie to theire side, that before was verie upright and indifferent," temporarily the Catholics now took heart again because "God had sent us a good priest," "one Mr [James] Bollan[d], newelie taken att Rippon and brought to the castle." Stillington thought that the new priest would "defend oure cause against the ministers." For the time being, however, the authorities refused to allow them to see Bolland, or he them.[53]

At the fifth sermon, given by William Palmer on 6 January 1600, five days before the date of Stillington's letter, Stillington, Richard Danby of South Cave (Stillington's cousin), and Thomas Clitherow (the martyr Margaret Clitherow's stepson) all loudly declared their refusal to listen.[54] A week later, on 13 January, Archbishop Hutton himself was the preacher. There was "a verie great audience this daye att the hall." Stillington, along with the priests George Rayner and Christopher Wharton, objected strenuously to the proceedings. The Catholics knew quite well that Hutton was unhappy about his task. They suspected that the archbishop "being troubled . . . might sooner than others that were att command have taken occasion to have left thatt exercise, as verilie it is like he would, for the speach went that he disliked of that course." Stillington was so vocal that allegedly Burghley "stroke at him with his staffe" and threatened to "hang him the next weeke at the gaole delivery." Stillington's Bible, snatched from him on this occasion, was rumored to contain seditious annotations so subversive that they would definitely

[50] Sir Robert Cecil to the archbishop of York and the council in the North, 16 March 1599, SP 15/34/3, TNA; Brett Usher, "John Thornborough," *ODNB*. In Ireland, Thornborough had been associated with a hard line against the rebels, arguing in October 1595 against any kind of truce with the earl of Tyrone. John Thornborough to Sir Robert Cecil, 28 October 1595, SP 63/183/106, TNA.

[51] TS, f. 17r.

[52] Ibid., f. 17v.

[53] Ibid., f. 18r–v. Similarly incarcerated was George Sweeting in whose house Bolland had been arrested; see Clare Talbot, *Miscellanea: Recusant Records* (London, 1960), 95; a lord treasurer's remembrancer's memoranda roll, Hilary term, 1610, E 368/536, mem. 121, TNA.

[54] TS, ff. 18r–v, 19v, 20r. For Thomas Clitherow, see Aveling, *Catholic Recusancy*, 87, 225–26; Morris, *Troubles*, 3:353. Thomas Clitherow had been indicted in front of the high commission on 5 December 1599 along with his brother William, that is, just before the sermon series began. Aveling, *Catholic Recusancy*, 225–26. Thomas refused outright to "go to any church but the Catholick church and being offered some time to confer with Mr [William] Palmer or some other preachers he denied to confer at all" and was "committed to close prison" in the castle. York, Borthwick Institute, High Commission Act Books, 14, f. 305v.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

lead to his arraignment.[55] When Hutton had finished preaching, he spoke briefly about the purpose of the sermon series. In his speech, he said, "he plainelie delivered that he thought it not lawfull to haile them to churche, nor to force them to receive any sacrament." The archbishop averred rather lamely that "therefore that place was chosen, beinge a peece of theire prison, for them to heare the woord of God."[56] Perhaps because of the drift of the archbishop's words, and the fact that Hutton was not, as it were, on message, Hutton's critic William Goodwin delivered the seventh sermon on 20 January. He claimed to preach only "Christ crucified." More chaos ensued, with ear-stopping and shouting (the prisoners had "purposed to speake and make a noyse without ceasinge till the counsell should leave them or send them away"), as it did when Goodwin was succeeded by Matthew Hutton's client, Archdeacon Christopher Gregory, a week later, on 27 January.[57]

One might have expected the general public to lose interest in this frankly unedifying spectacle of mutual weekly recrimination and apparent stalemate. However, at this stage, the sermon day actually had to be changed from Sunday to Friday because "these sportinge preachinges drewe moste of the audience from the cathedrall churche to the castle and so made the congregation there verie small, to the disgrace of theire ghospell."[58] There was more ear-stopping at the sermon preached by the vicar of Leeds, Robert Cooke (the ninth of the series), on 1 February 1600. But some of the participants seem to have tried to up the ante. The ministers in particular labored even harder to get the separatist Catholics to engage with them. Thus Cooke demanded a private debate with Stillington and Danby. He even brought along "the first tome of Fa. [Robert] Bellermyne his workes" and demanded a debate about the existence of purgatory. "Gloryinge in the strength of his witte and learnynge," Cooke "desired us to take a coppie of his sermon and to gett it answered," and so Stillington sent the manuscript out of the prison to William Richmond in order to secure a learned retort. Richmond passed it to his friend and fellow seminarist Cuthbert Johnson, who like him was a chaplain to the leading Yorkshire Catholic Margaret (Dormer), wife of the crypto-Catholic Sir Henry Constable.[59]

Richmond then continued his narrative by describing how the duplicity of the jail keeper, Robert Redhead, had destroyed the credit of the seminarist James Bolland.[60] It is possible that, throughout this episode, Redhead was the willing agent of Lord Burghley. He was certainly a bitter enemy of the uncooperative Archbishop

[55] TS, f. 21r.

[56] Ibid., f. 21v.

[57] Ibid., ff. 21v–23r; *HMCS*, 8:414. Archdeacon Gregory died four days after delivering the nineteenth of these sermons, which the author of the "Trewe Storie" considered a providential occurrence. TS, f. 29v.

[58] Ibid., f. 23r–v. Subsequently, the preferred day became a Thursday; see, for example, ibid., f. 29v (Goodwin's sermon of 3 April 1600).

[59] Foley, *Records*, 3:6; Anstruther, *Seminary Priests*, 1:190; Peter Hasler, ed., *The House of Commons, 1558–1603*, 3 vols. (London, 1981), 1:640–41. It may be significant that, a few years before, Margaret Constable had been a patron to the priest Thomas Clarke, who had formally recanted in 1593. *HMCS*, 5:77; Thomas Clarke, *The Recantation of Thomas Clarke* (London, 1594); her current chaplains perhaps had more reason than most to demonstrate that they were determined opponents of the least concession to, or compliance with, the regime's demands for conformity.

[60] Two years before, Sir Robert Cecil had, it seems, used Redhead to try to entrap William Richmond's patrons, the Constable family. *HMCS*, 7:230. Joseph Constable had taken his revenge on Redhead in November 1597 by denouncing his corrupt administration of York Castle jail, soon after Constable had offered his conformity to Archbishop Hutton. *HMCS*, 7:105, 203, 493.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

Hutton.[61] Richmond now claimed that Redhead's wife, "the belldame of Hell," had, "not longe before, plaied the bawde" to various people and had fallen (so said Richmond) with her husband into disrepute with the lord president. To repair their credits, they suborned a prisoner called William Dickinson, imprisoned for debt, to offer the priest Bolland a means of absconding from the castle. A sizable fee was put up by, among others, the prominent separatist prisoner Katherine Radcliffe. In return, Bolland would be sprung from the prison, seemingly by force; this would deflect blame from Redhead. Bolland was persuaded that he should "gett some friendes abrode to come to receive him forth and to shewe some force to couller his escape for Readheades discharge." To accomplish this, Bolland was "suffered to perswade . . . with Mistres [Alice] Readshawe, by her meanes, to get her brothers Mr John Wright and Mr Christopher Wright into the action, as well to catche them in the trappe as to commend Readheads vigillancie in resistinge so hardie men as the Wrightes were accompted. Bollan[d] wrote his letters to Mrs Radcliffe of all this matter," though "shee suspected the plotte."[62] In the meantime, Redhead reinforced the castle guard and ordered a search for the money on the pretext that Mrs. Radcliffe and William Stillington had "made keyes for the castle and had prepared files for cuttinge irons and the like." While the search was going on, a "lighte" was "sett" "to be seene abrode to confirme theire forgerie that the prisoners sett it upp for a signe to the armed men they had redie without to assault the castle upon such a signe." Although the search was a failure, Redhead took the credit for discovering what he declared was a genuine popish conspiracy. He evidently anticipated that this would allow Burghley to challenge the prisoners' claims to the theological high ground by producing evidence of a violent Catholic plot and by making sure that news of it was widely publicized: "[I]n the morninge it was geven forth in the cittie that the papists had gotten armour and weapons and made keyes and thought to have killed the keper and his wife and all to have gone theire waye; and that for this purpose there was [*sic*] fortie men in armour on the outside of the castle redie upon a watch woord to have come to helpe them." John Wright and his brother were "taken in theire hoste[s] house in the cittie and the matter brought unto" the lord president and the council "that knewe it well enough

[61] *HMCS*, 7:492–93, 506, 514–16; see also *HMCS*, 12: 238–39.

[62] TS, ff. 26v–27r. Redhead, who was described by the Privy Council in September 1596 as "one of her Majesty's servauntes in ordynarie," had been responsible for a virtually identical artifice in the case of Scots prisoners in the castle in March 1599. Here the council was kept informed of the project as it developed (Edward Stanhope described Redhead as "careful, politic and secret in this service"). John Dasent *et al.*, ed., *Acts of the Privy Council of England (1542–1628)*, 32 vols. (London, 1890–1907), 140; *HMCS*, 9: 104–7; see also *HMCS*, 11:379; Joseph Bain, ed., *Calendar of Letters and Papers relating to the Affairs of the Borders of England and Scotland*, 2 vols. (London, 1894–96), 2:500, 541, 542, 562, 582, 591, 593–99. For Alice Wright of Plowland, Welwick (who had in 1593 married William Readshaw of Oulston), see Aveling, *Northern Catholics*, 186. When she was accused of adultery by the high commission in 1599, John Wright and Thomas Percy of Alnwick had stood as sureties for her. Ibid.; York, Borthwick Institute, High Commission Act Books, 14, f. 55v; see also *HMCS*, 18:51. The Jesuit John Gerard noted that John Wright "became Catholic about the time" of the earl of Essex's rebellion "in which he was." John Morris, ed., *The Condition of Catholics under James I* (London, 1871), 59. On 18 February 1601, after Essex's revolt had failed, the Wright brothers were interrogated about Bolland and whether they had been part of a conspiracy to release him from York Castle. *CSPD, 1598–1601*, 576. As is well known, the Wright brothers were subsequently among those detected for the Gunpowder Conspiracy of 1605.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

before."[63] An impromptu hearing followed at which Radcliffe and Stillington, though not Bolland and Readshaw, were cleared.[64]

Whatever the dynamics of the failed conspiracy were, the authorities could exploit it to prevent the young priest Bolland being employed by the prisoners as a mouthpiece to articulate their protests about the freedom of their consciences. In the meantime, it was Edmund Bunny's turn to preach; he claimed his sermon was merely a "speech." In spite of the usual ear-stopping, he delivered it on 8 February 1600, and Burghley's chaplain Fuller followed after him.[65]

By the time that Goodwin appeared again on 22 February for the fifteenth sermon, the prisoners had adopted a fully formed loyalist argument. They claimed that not only did they suffer the loss of two thirds of their estates "by statute for their conscience" but "they still paide all sesmentes, taxes and subsid[i]es as depelie as other of theire neighbours, and with loyall myndes were still redie to [perform] all imployementes for theire countrie and her Majesties service."[66] Here, the prisoners were appealing to and exploiting the regime's own habitual distinction between sedition/disobedience and loyalty. Burghley was now able to play his trump card in order to undercut these loyalist protestations: namely, the priest James Bolland's abject, snivelling, and pathetic conformity. Bolland had been, wrote Richmond, put in irons "and gott no ease of irons and manicles till he gave a taste of his recantation and yeildinge unto them."[67] At Goodwin's sermon, as soon as the prisoners had made their loyalist statement, Burghley "called to Mr Bollan[d] the priest and said unto him, Bollan[d], you knowe thatt either the first or second tyme you were before me, I advised you to consider that, dyinge in your case, you should of all men be reputed a traitour and that not many daies after you made sute againe to come before me, and then said you had seriouslie considered of my speaches, and as one unwillinge to be taken for such a one, and most dreadfull of such a kinde of death, you had resolved otherwayes." Bolland then "kneeled downe in the middest of the place and, with a sorrowfull count[e]nance and a quiveringe voice, redd a recantation of his religion and priesthood which he brought redie penned in his handes. After that, the oathe of supremacye was redd unto him and he repeated the same, woord by woord, after the reader, and . . . laide his hand upon the booke and tooke that oathe." Burghley then formally requested the judges that Bolland's "triall might be deferred."[68] The very next week, on 1 March, Burghley, probably sensing that he had scored a propaganda triumph, wrote to his brother Sir Robert Cecil in London that he thought the North was in good order and that soon eighteen out of every twenty recusants would conform. Five hundred had done so in the previous three weeks, he said, and a "notable papyste"

[63] TS, f. 27r–v.

[64] Ibid., ff. 27v–28r; Aveling, *Catholic Recusancy*, 64–65.

[65] TS, f. 28r. In 1591 the earl of Huntingdon had sent Bunny to evangelize the recusant wife and children of the Lancashire JP Sir Richard Sherborne. Sherborne's wife and daughters "did stoppe their eares with woll leaste they should heare." SP 12/240/140, f. 226r, TNA.

[66] TS, f. 28v.

[67] Ibid., f. 28r.

[68] Ibid., f. 29r. See also interrogatories for the examination of Sir William Constable, John Wright, Christopher Wright, and William Alabaster, 18 February 1601, SP 12/278/82, TNA. For Bolland's conformity and pardon see C 66/1552, mem. 190, TNA; *CSPD, 1598–1601*, 542. The Privy Council ordered that he should be rewarded with a "spirytuall living" in part so as to serve as a "meanes to bring others to lyke conformity." *Acts of the Privy Council of England (1542–1628), 1599–1600*, 601.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

was known to have complained "unto his frend how myghtelye the common people doo decline from them."[69]

This was still not enough for Burghley. Things now turned rather nasty. Though the "Trewe Storie" omits to mention it (deliberately, one assumes, so as to preserve the appearance of Burghley's relative impartiality) at this point, during the Lent assizes in 1600, the aged priest Christopher Wharton was indicted under the 1585 statute against seminary priests and Jesuits. He was sentenced at the same assizes at which Bolland would have been tried, had he not recanted. John Savile, himself an assize judge as well as a member of the northern council, who was present at some of the castle sermons, was on the bench. On 28 March 1600, Wharton was hanged, drawn, and quartered, presumably as a way of distinguishing very visibly his noncompliance from the example of the now conformed and recanted Bolland.[70]

The Catholic tactic of trying to draw a line between political loyalty, on the one hand, and freedom of conscience, on the other, had clearly goaded the authorities into focusing more explicitly on what they took to be the real meaning of political obedience. On 17 April 1600, Mr. Higgins delivered the twentieth sermon of the series. Although it was interrupted in exactly the same way as the others, it was prefaced by a harangue from John Thornborough. He "charged" the Catholics with having "rebellious hartes and gave examples of rebellions that papists had made." He said that "as they nowe resisted the majestraites in that action," it would not be long before "they woulde lift theire hand against theire soveraigne."[71]

Robert Cooke preached next. He abandoned the formal structure of a sermon altogether. Furthermore, he, like Thornborough, tried to drag the proceedings

[69] Cecil Papers (CP), 68/66 Hatfield House (*HMCS*, 10:48).

[70] At trial, Wharton claimed that he had been ordained before 1559 (he was indeed a considerable age) and was therefore not subject to the penalties of the 1585 statute that applied to those clergy ordained abroad since Elizabeth's accession. He was in fact ordained at Reims in March 1584. He was condemned "upon the onlie testimonie of M. [John] Savil . . . affirming that he knew him in Oxford." Richard Challoner, *Memoirs of Missionary Priests*, ed. J. H. Pollen (London, 1924), 237–38; Thomas Worthington, *A Relation of Sixtene Martyrs* (Douai, 1601), sig. C8r; Anstruther, *Seminary Priests*, I:377. For Savile, see Hasler, *House of Commons*, 3:350–51.

[71] TS, ff. 29v–30r; for the activity of the rebels in Limerick, see, for example, *HMCS*, 9:418. At this sermon, Lord Burghley's relative by marriage, Sir Thomas Posthumous Hoby, who was involved with Thornborough in the late Elizabethan and early Jacobean period in attempting to tighten up the financial penalties against recusants, was present. *HMCS*, 9:390. See also Michael Questier, "Sir Henry Spiller, Recusancy and the Efficiency of the Jacobean Exchequer," *Historical Research* 66, no. 161 (1993): 260, 264–65. It is possible that the famous confrontation at Hoby's house at Hackness on 26 August 1600, during which the household's Protestant prayers were mocked by Sir William Eure and other visitors, was, in part, the result of Hoby's presence at the sermons, as well as the visitors' grievances against him; they also poured scorn on Thomas Bell, who, on 3 July, had preached at the castle (see below); Simon Healy, "Religion and Ridicule: The Politics of the Hackness Incident" (forthcoming); *HMCS*, 11:546, 14:189; Bain, *Calendar of Letters and Papers relating to the Affairs of the Borders of England and Scotland*, 2:699. Mr. Higgins may be the George Higgins who had been deputed (along with Archbishop Edwin Sandys's son, Miles) to dispute with and, if possible, persuade the Jesuit Henry Walpole in York, before his trial in 1595, into concessions on political and theological matters. Augustus Jessopp, *One Generation of a Norfolk House* (London, 1879), 280, 285. Alternatively, he may be the preacher Anthony Higgins named in the commission of 24 November 1599 addressed to Archbishop Hutton and others; see note 22 above; Rymer, *Foedera*, I:225.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

back into a discussion of secular politics.[72] He lectured the assembled Catholics on the justice of the regime's proceedings against them. He then began to read passages "out of a Catholike booke," Richard Verstegan's *Theatrum Crudelitatum*, "where it was written that the earle of Huntington was a tirant and that he had cruellie executed Mrs [Margaret] Clitheroe and bannyshed her husband and children, which latter part he said was false."[73] Here, Cooke recalled the killing in March 1586 of Mrs. Clitherow, who was pressed to death after refusing to plead to a charge of harboring a priest.[74] Among the Catholics assembled in the castle at this time were, as we have seen, not only members of the Clitherow family, notably Thomas Clitherow (Margaret's stepson), but also some of those who had been with Mrs. Clitherow at the time she was condemned, in particular Anne Tesh.[75] Stillington, determined to shift things back from politics to religion, reproached him: "for shame, handle some other matter."[76] Cooke returned to talking about the book of Machabees, "att which speaches Mr Stillington, havinge his handes lowse, clapped them upon his eares and said, 'Fie blasphemye.'" Normal service was, as it were, resumed.[77]

So it continued, week after week. Despite the appearance of stalemate, some of the preachers thought there was still much to play for, notably Edmund Bunny, who delivered the twenty-third sermon on 8 May 1600. The prisoners had somewhat refined their technique of obliterating the preacher's words with "white noise." Now they mocked Bunny's own faux-irenicism and his claims in his expurgated version of Robert Persons's *Christian Directory* that they all shared a common religious heritage and therefore that recusant separatism was unjustified. When the assembled prisoners "began to speake and made a noyse," they said "Pater noster, and others Haile Marye, full of grace; and others said the Creede, and others other

[72] TS, ff. 32v–34r. Richmond "had nowe gotten the answere of Mr Cookes sermon written forth and readie" (which had been penned by the priest Cuthbert Johnson) and, "hearinge that he came to preach that daie, they tooke it to the hall with them, hopinge to have gott it redd openlie in the hall," though Thornborough would not permit it. Ibid., f. 31r. For Johnson, see also Michael Questier, ed., *Newsletters from the Archpresbyterate of George Birkhead* (London, 1998), 35, 66–67, 77, 79, 82, 85, 87; for the oath of allegiance formulated by Cuthbert Johnson, see AAW B 24. Ralph Thoresby's manuscripts collection once contained a paper titled "A learned disputation between Robert Cooke B.D. and Cuthbert Johnson, alias William Darell, before his Majesty's council and other learned men at York, an. 1610," that is, after Johnson was arrested in 1609 at the house of Richard Cholmeley. Stephen Wright, "Robert Cooke," *ODNB*. This is presumably the same text as BL, Add. MS 12,515, no. 5 ("The summe of that which past in conference between a priest called Cuthbert Johnson . . . & Mr Robert Cooke . . ." [9 July 1610]), for which, see Anstruther, *Seminary Priests*, 1:190; Questier, *Newsletters*, 66–67.

[73] TS, f. 34r.

[74] Richard Verstegan, *Theatrum Crudelitatum Haereticorum Nostri Temporis* (Antwerp, 1587), sig. Kr; Anne Dillon, *The Construction of Martyrdom in the English Catholic Community, 1535–1603* (London, 2002), 268–69. Clitherow's chaplain and biographer, John Mush was, apparently, at this point in York. Aveling, *Catholic Recusancy*, 76. In 1601, during the Archpriest Controversy, several of the prisoners in the castle (including Anne Tesh and Bridget Maskew) witnessed an affidavit in Mush's favor. Fairhurst MS 2006, f. 276r, Lambeth Palace Library (LPL).

[75] TS, ff. 4v–5r.

[76] Ibid., f. 34r.

[77] Ibid. The author of the "Trewe Storie" set down Cooke's sermon in outline, with Johnson's answer, which the council asked to see. The prisoners also procured an answer to Cooke (i.e., to the first and sixth points in his sermon) from the Jesuit William Weston at Wisbech, the archenemy of Bagshaw and the leading appellant clergy there. Perhaps there was not complete unanimity among the Catholics in York Castle over which clergy they should appeal to for guidance in such matters. Ibid., ff. 34v, 35r–49v.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

prayers as came to theire mynde." Here, one assumes, they were trying to ridicule the outwardly irenic (but in fact rather aggressive) rhetoric that Bunny had incorporated by way of commentary in his version of Persons's famous book. Interrupted by the recusant prisoners' jeers, Bunny wanted to break off from his sermon. When the council ordered him to go on, he tried to shout the prisoners down, but "he grewe hoarse and made an ende with speede."[78]

After John Palmer's sermon on 22 May (the twenty-fifth of the series), Burghley left York and, wrote Stillington, "made a speach unto us for a farewell." The lord president said that they resisted more than they needed to, and "willed us that if wee would pray or speake to hinder oure owne hearinge, yett so [to] doe it as it should not hinder them that" were "willing to heare the preacher," though it was not clear who exactly Burghley meant by this.[79]

Five more sermons came and went (from late May to late June). According to the "Trewe Storie," the authorities now made little effort to force the prisoners to listen.[80] As remarked above, the former Catholic priest Thomas Bell was called, on 3 July 1600, to preach the thirty-first sermon. The "Trewe Storie" refers to him merely as the "appostata seminarie priest" and says that he was "reasonable sober and seamed doubtfull of his creeditt with the prisoners." If he reminded the Catholics there of the disagreements within their community over recusancy, the "Trewe Storie" does not explicitly mention it.[81]

Bell was followed by Goodwin on 10 July and then, as the scheduling of the sermons started to become rather erratic, by Mr. Culverwell (presumably Samuel Culverwell, who became rector of Cherry Burton in Yorkshire) and Richard Crakanthorpe, the vice president Lord Eure's chaplain (sermons thirty-three and thirty-four); then Mr. Cartwright of Beverley on 31 July (sermon thirty-five); and then by Mr. Smith of Hull, Mr. Casweke, William Palmer, Mr. Harwood (a preacher based in York), Mr. Morton, Mr. Higgins, John Palmer, and John Favour (sermons thirty-six to forty-three).[82] On 2 October, "the preachers (as was said) agreed amonge themselves to write supplicatorie letters" to Burghley in London in order "to be eased of this exercise for the counsell would not ease them, and they were nowe as wearie of the match as they were haistie thereof in the beginninge," a conclusion reinforced by Edmund Bunny's effort on 16 October and by Arthur Kay, vicar of Doncaster's, on 23 October, and indeed the four sermons that followed

[78] Ibid., f. 54r. At this point in Richmond's narrative, after the sermon on 15 May by Christopher Lindall, vicar of Hampsthwaite, a letter from Stillington was incorporated that described how "William Clitheroe, an universitie man and a Catholike," had offered to dispute with Robert Cooke but was forbidden. Ibid., ff. 55v–56r.

[79] Ibid., ff. 59v–60v; for Burghley's departure, see *HMCS*, 10:48.

[80] TS, f. 63v.

[81] Ibid.

[82] TS, ff. 63v–66r: Brett Usher, "Culverwell family," *ODNB*. Morton may well have been Thomas Morton, the future bishop, who at this time was chaplain to Lord Eure. In 1603, in very different circumstances from the 1599–1600 sermon series, Morton was asked by Lord Sheffield to "conferr and dispute, in points of religion, with one Mr Young, a popish priest (then prisoner in York Castle) and one Mr [William] Stillington, a gentleman of that persuasion." The "conference" was staged in the King's Manor in front of Sheffield, "the learned counsell," and "many of the knights and gentry in the county"; the "main point which was controverted . . . was the popes infallibility of judging." Richard Baddeley and J. Naylor, *The Life of Dr. Thomas Morton* . . . (London, 1669), 18–19.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

(preached by the ministers Daynam, Whitaker, Pollard, and Street). [83] The last of these sermons, the fiftieth, was delivered by Cooke, after which "one of the counsell stoode upp and tolde the prisoners that it was my lords pleasure the sermons should cease till the springe, and so they all departed."[84] The author of the "Trewe Storie" concluded his account on 8 December 1600 with a paean to those who had so manfully and virtuously resisted the preachers.[85]

What, then, do we make of all this? It seems likely, as has already been suggested, that the participants, willing and unwilling, had their eyes on a range of current political issues. At some level, the Catholic separatists, and in fact most of the preachers, tried to talk about religion rather than politics. By and large it was those on the council who made explicit references to controversial political questions. But of course, the entire sermon series was shaped by the argument over how far Catholic dissenters might or might not be compelled to conform in matters relating to the government of the church and what that conformity might be taken to mean. The sermons also raised in a very acute form the issue of how far the theoretically rather absolute demands of the conformity legislation might be moderated when, as all were now anticipating, the Elizabethan regime died along with its queen and the one that succeeded it looked again, as it inevitably would, at the twin issues of conformity and toleration.

The extent to which the question of imminent regime change was an essential context for the York sermons can be gleaned from the link between, on the one hand, the arguments over what the regime should do about Catholics in the North and, on the other, the divisions on the Privy Council and at court between the earl of Essex and his opponents. Essex attempted to represent himself to King James as a reliable political agent and ally, just as James was becoming increasingly suspicious of the Cecils.[86] As is well known, Essex had developed early on a reputation for sympathy toward Puritans. In 1590 he interceded on behalf of the imprisoned John Udall. Eight years later he could be found defending Stephen Egerton of Blackfriars when he came under scrutiny for his nonconformity. After the earl's failed rebellion, the Puritan Sir Francis Hastings refused to distance himself from Essex completely. But the earl looked favorably on those who were otherwise inclined, notably John Buckeridge.[87] Essex had also been the recipient of at least one formal Catholic toleration petition.[88] Though not sympathetic toward Catholicism as

[83] Ibid., f. 66r.

[84] Ibid., f. 67r–v.

[85] Ibid., f. 69v.

[86] Reid, *King's Council*, 230; Helen Stafford, *James VI of Scotland and the Crown of England* (London, 1940), 26, 73; for Essex and James, see Hammer, *Polarisation*, 91–92, 167f.; see also Diana Newton, *The Making of the Jacobean Regime: James VI and I and the Government of England, 1603–1605* (Woodbridge, 2005), 12.

[87] Collinson, *Elizabethan Puritan Movement*, 444–46; Richardson, "Religious Policy," 196–97; *HMCS*, 11:211–12; for the Puritan John Burgess's letter of appeal and advice to Essex written on 16 June 1600, see *HMCS*, 10:185.

[88] Albert Loomie, "A Catholic Petition to the Earl of Essex," *Recusant History* 7 (1963–64): 33–42. William Richardson argues that Essex had, as early as 1593, endorsed tolerance (in principle) towards Catholics, and points out that Essex was believed to have intervened, while the 1593 Parliament was

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

such, he certainly seems to have been looked to by loyalist Catholics, such as Henry Constable and Thomas Wright, who rejected the notions of Robert Persons's notorious *Conference about the Next Succession to the Crowne of Ingland*, a tract (dedicated, ironically and mischievously, to Essex himself) to which James himself took extreme exception.[89] We can safely assume that these issues were prominent in the minds of those York Catholics who were conducting their brinkmanship exercise with Lord Burghley over the sermons.

There is at least some evidence that Essex had actually recruited supporters in the North among those who were known to be Catholics.[90] John Wright, who took part with his brother Christopher in the ill-starred attempt to spring James Bolland from York Castle, was involved in Essex's rising in 1601.[91] Essex had been, as we saw, behind the decision to send the former Jesuit Thomas Wright to York, though Wright had rapidly abused the degree of freedom that he had been given to express himself on questions of religion.

Essex had every reason to cast about at this point for broader political support. Despite his headline-grabbing raid on Cadiz in 1596, and the brief threat of further armadas, it was now the earl's agitation for continued hostilities that was starting to look out of step, principally because of the increasing certainty that the war would sooner or later have to end.[92] The Vervins peace treaty between France and Spain, though not including England and the Dutch republic, was signed on

---

sitting, in favor of the self-professed Catholic loyalist Sir Thomas Tresham (whose son was a client of Essex). Richardson, "Religious Policy," 185, 188; *CSPD, 1591–94*, 342; Hammer, *Polarisation*, 175.

[89] R. Doleman (pseud.) [attrib. in whole or part to Robert Persons], *A Conference about the Next Succession to the Crowne of Ingland (*Antwerp, 1594); Peter Lake, "The King (the Queen) and the Jesuit: James Stuart's *True Lawe of Free Monarchies* in Context/s," *Transactions of the Royal Historical Society* 14 (2004): 243–60. On 28 February/10 March 1597 Henry Constable, who had been with Essex in France in 1591 and converted to Rome at the end of that year, urged Essex to distinguish between "Catholics which mearly seek the peacable" enjoyment of their "consciences and such as practise or desire the subvertion of this present state"; this would "give us occasion to disclaime mor justly in the opinion of the world against all practises against the state and facilitate the peace of Christendom." CP 175/3, Hatfield House (*HMCS*, 7:86). For Constable's previous appeals to Essex in late 1595, see *HMCS*, 5:403, 487. See also Stafford, *James VI*, 233–34; George Wickes, "Henry Constable, Poet and Courtier," *Biographical Studies* 2 (1953–54): 272–300; Lisa Parmelee, *Good Newes from Fraunce: French Anti-League Propaganda in Late Elizabethan England* (Rochester, NY, 1996), 113–14; Henry Constable, *A Discoverye of a Counterfecte Conference* (Cologne [imprint false; printed at Paris], 1600). For William Jenison's petition to Essex in October 1598 to prevent the proceedings against him by the high commission in Durham, see *HMCS*, 8: 384, 386.

[90] Rachel Reid argued that Essex, "seeking to win the Catholics, used his influence over such members of the council in the North as looked to him as their patron to keep the penal laws from being too strictly enforced." Reid, *King's Council*, 227, 230. The northern Catholic Francis Dacre had arranged channels of communication between Essex, on the one hand, and English and Scottish Catholics, on the other. Ibid., 225–26. The leading appellant priest William Watson claimed that his own Jesuit enemies "had given oute every where to take hede of me that I was nowe set on by my lord of Essex, and met withe" Francis Dacre "in the Northe in Cumberlande, which my lord of Essex [was] privie unto." Thomas Law, ed., *The Archpriest Controversy* (London, 1896, 1898), 1:218. For Essex's efforts to attract popular political backing in the later 1590s, see Paul Hammer, "The Smiling Crocodile: The Earl of Essex and Late Elizabethan 'Popularity,'" in *The Politics of the Public Sphere in Early Modern England*, ed. Peter Lake and Steven Pincus (Manchester, 2007), 95–115.

[91] *HMCS*, 11:39–40, 44; ibid.,14:171; cf. Aveling, *Northern Catholics*, 121.

[92] Simon Adams, "The Protestant Cause: Religious Alliance with the West European Calvinist Communities as a Political Issue in England, 1585–1630" (DPhil diss., Oxford University, 1973), 139–40, 146.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

22 April/2 May 1598.[93] Neither Elizabeth nor her Dutch allies were yet ready to come to terms. It was clear, however, that neither Spain nor the archducal regime in Flanders could carry on the war indefinitely. In any case, after Vervins, Flanders had been granted a measure of autonomy from Spain. The Archduchess Isabella had no interest in Elizabeth's crown. There was a powerful peace movement in England among the mercantile community.[94] Sir William Cecil, first Lord Burghley was, as Peter Lake stresses, a somewhat late-in-the-day convert to a peace policy toward Spain.[95] His death had temporarily tipped the balance on the council back toward those who wanted to continue the war, but Essex was becoming dangerously isolated.

This, of course, might have made Essex seem like an unpromising focus for Catholic political aspirations, or indeed anyone else's, particularly when his interventions in Ireland started to go disastrously wrong. Yet Essex's strategy in Ireland to deal with the on-off rebel earl of Tyrone was far from irrational. He was, in fact, following the line taken by other soldier-servants of the queen in Ireland, notably Sir John Norreys. Back in July 1596, for example, Norreys had argued that whether one regarded Tyrone as a traitor or not, the fact was that the queen should "call to remembrance the examples of the late kings of France," who, "as often as they were resolved to have a pacification with their subjects in arms against them," including, of course, the Holy Catholic League, were well advised to proclaim "an oblivion of all faults past."[96] Essex's course would undoubtedly have been observed very carefully by English Catholics. Essex's deal with Tyrone via the truce of early September 1599, although it tried to guarantee Ireland against Spanish attack, might have looked like the basis for some sort of future toleration there and perhaps elsewhere in the British Isles. The subject was a prominent one at the hearing, held at York House on 5 June 1600, into Essex's alleged offenses in Ireland.[97]

No one could foresee that Essex would in effect destroy himself. But after his rebellion of February 1601 failed, the regime retaliated by spreading the rumor that his revolt had been a popish conspiracy.[98] Evidence poured in about the earl's self-seeking populism. Robert Redhead himself testified in February 1601 that among the recusants in York Castle, that is, those Catholics who had been forced to attend the sermons, "whenever any advertisment came that the earle of Essex was like to have libertie, they would all exceedinglie rejoice, and pray to God to prosper and blesse him, and make as much triumphe at it as they could expresse; and contrariewise when any newes came that the earle . . . was like to fall into further troble, they would then exceedinglie mourne and be soarie thereat." All

[93] Ibid., 140–43, 144–45; *CSPD, 1592–1603*, 259, 260, 309–13.

[94] Ibid., 326.

[95] Peter Lake, *Bad Queen Bess? Secret Histories and Libellous Politics in an Age of Confessional Division* (forthcoming); see also Richardson, "Religious Policy," 190–91.

[96] *CSPI, 1596–97* (London, 1893), 51.

[97] Geraint Owen, ed., *The Manuscripts of the Marquis of Bath Preserved at Longleat: Volume V: Talbot, Dudley and Devereux Papers, 1533–1659* (Historical Manuscripts Commission, London, 1980), 271. About a week later, Thomas Wright, recently retaken after absconding from Wisbech, was interrogated about his dealings with Essex. Stroud, "Father Thomas Wright," 203.

[98] See, for example, *CSPD, 1598–1601*, 566.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

this, Redhead "did divers tymes relate" to Lord Burghley "who mervailed thereat" and ordered Redhead to "looke well unto them."[99]

None of this was explicitly referred to by either side during the York sermon series itself, at least not in the version of these events described and circulated by William Richmond. Essex had already fallen from grace after his precipitate return across the Irish Sea in late September 1599, although his final disaster of February 1601 was still some time away. There was, however, clearly a sense in which the agenda of Essex and his friends was compatible with the rhetoric of self-professed Catholic loyalists, a rhetoric that had already started to emerge into the public domain with the Archpriest Controversy. There was now a vocal minority of the Catholic community, both at home and in exile, that was openly Hispanophobe. These Catholics had appropriated the kind of language that the enemies of the Catholic League in France had used to characterize the Spaniards' interference in French politics as an expression purely of Habsburg dynastic ambition, and really not connected with true religion. This section of English Catholic opinion was also unequivocal about its support for James VI's right to succeed Elizabeth, regardless of his religion.[100] It is also worth pointing out that shortly before the York sermon series began, Tyrone adopted a more explicit hard-line endorsement of Catholicism as the grounds for his quarrel with English government in Ireland, all in the context of London's reneging on the deal brokered with him by Essex.[101]

All of this helps to explain what Lord Burghley was trying to do when he set up and presided over the sermon series of 1599–1600. As previously stated, we have only Richmond's side of the story. If anyone in authority wrote an account of the proceedings, it has not been found.[102] However, the "Trewe Storie" does strongly suggest how keen the authorities were to disabuse those Catholics who were articulating how a new (Stuart) regime might grant them some form of tolerance. This would also undercut the attempts of busybodies such as Thomas Wright to construct a model of Catholic loyalism that was connected with and potentially supportive of the political interests of the earl of Essex.

The specter against which the council in the North had been fighting became even more visible after the end of the sermon series and after Essex's trial and execution.

[99] Thomas Cecil, Lord Burghley to Sir Robert Cecil, 29 June 1602, SP 12/284/52, f. 133r, TNA. See also, for example, the memorandum of 4 March 1601 from John Bird to Sir Robert Cecil about Essex's Catholic contacts, in particular in Herefordshire. *HMCS*, 11:106–8. In July 1601, however, it was noted by Lord Burghley that Catholics in Yorkshire, as well they might at this stage, were disclaiming any connection with Essex's rebellion and were citing this fact as a reason for allowing them the degree of tolerance which they sought. Aveling, *Northern Catholics*, 121. It was Burghley who on 8 February 1601 in London publicly proclaimed Essex as a traitor. Reid, *King's Council*, 234.

[100] Back in October 1598 it had been claimed by Thomas Bluet at Wisbech Castle that some of the clergy there allowed "of all such enterprises as the right honourable the earle of Essex hath undertaken in his employments for the warres against the Spaniards." AAW, A VI (no. 89): 331; Robert Persons, *A Briefe Apologie, or Defence of the Catholike Ecclesiasticall Hierarchie* (n.p. [Antwerp], n.d. [1601]), f. 152v; Anstruther, *Seminary Priests*, 1:15.

[101] *CSPI, 1599–1600*, 241, 246, 252, 253, 256, 258. I am grateful to an anonymous reader at the *Journal of British Studies* for this point.

[102] Baddeley's and Naylor's biography of Thomas Morton says, however, that Morton's "conference" with Young and Stillington in 1603 [see note 82] "was never hitherto published, but is in their hands who may let it see the light." Baddeley and Naylor, *Life*, 19. Equally, a record was kept of the dispute between Robert Cooke and Cuthbert Johnson in 1610; see note 72.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

Some appellant clergy had already solicited patronage from members of the regime, notably Bishop Richard Bancroft. On 29 June 1602, Lord Burghley pointed out to his brother Sir Robert in London that the council in the North had had to send a formal communiqué down to the Privy Council that the northern council was "muche . . . troubled" with two seminary priests, one of whom, Edmund Calverley, had come to York recently, flaunting a safe conduct from the appellant priests' unofficial patron, Bishop Bancroft. The other was Cuthbert Trollop, "an obstinate and peryllous fellowe," who had been "taken of late here." He had been licensed by the Privy Council to go up to London, "therby to save his lyffe, at the sute of my Lord Lumley." Trollop's brother was a servant of Lumley and had himself brought the council's warrant. Trollop had been trading off his reputation for loyalism. He was known to have challenged the public reading in the English seminary at Rome of Robert Persons's *Conference about the Next Succession*. On 14 June, two weeks previously, Bancroft had advised Sir Robert Cecil that it "would be very inconvenient in many respectes" that Trollop "shuld be proceeded with" in York "according to lawe." Indeed, it was essential that he should be sent up to the capital. Burghley, in York, insisted nevertheless that this was "a great dystaste unto our mannour of stryckt gouverment here." It was being said that there was "great encouragement given to the papistes to thynk that w[e] proceede more strycktly with those sorte of men than is allowyd" in other places. In other words, the attempt in the North by Burghley to crack down on Catholic separatism was being undermined by the favor apparently being dispensed from London to certain Catholic clergy. Burghley accepted that "such traytours" might be released so as to "make more use of them for the state," though he would ideally have liked some advance notice in this case. But he also needed such information so that he could reassure "a number of the best sorte here that is mutch troubled with this extraordinary course of procedyng."[103]

A month later, Burghley and other members of the northern council conceded with a bad grace that London would not have ordered the transfer of the priests without wisely considering the consequences. They warned nevertheless that "experience hath informed us that the people heare (with whose affeccions we are acquainted, being for the greater parte inclined to poperye) will apprehend any occasion, though never so false, to confyrme themselves in that religion and to weaken and withdrawe others." This is what had happened when Thomas Wright had been sent down to York "by the earl of Essex his meanes in the last lord presidents tyme." Wright's presence in the county had been "the cause of many secrett conventicles." Many people "took hope of tolleracion, and fell back from religion." Now the

[103] CP 93/137, Hatfield House (*HMCS*, 11:194); SP 12/284/52, TNA; Anstruther, *Seminary Priests*, 1:363–64. Calverley, who in Wisbech Castle made damaging allegations against William Weston and "his Jezveticall faction," had on 8 February 1602 petitioned Bancroft for maintenance. Petyt MS 538, vol. 38, no. 150, f. 399r, Inner Temple Library; Fairhurst MS 2014, f. 127r, LPL. For the perception of the recent hard line in the North against Catholics, see, for example, *HMCS*, 10:185. For the close working relationship between Sir Robert Cecil and Bancroft (Cecil had worked with Archbishop Whitgift in order to secure Bancroft's appointment as bishop of London), see Richardson, "Religious Policy," 267. For Richardson's account of Sir Robert's moving away from the first Lord Burghley's policy over separatist Catholicism, see ibid., 288, 290.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

same thing was happening again because of the favor granted to Calverley and Trollop.[104]

Burghley's prescience was plain to see when, not much more than six months later, the toleration agitation, against which he and others had warned, started in earnest. As King James came south in April 1603, he was petitioned in and around York, as indeed elsewhere, by prominent Catholics. Francis Foster related that "Doctore [Thomas] Hill" was among those who "delivered him a petitione, and talked with him before he came to Yorke, and was dismissed." But "in Yorke, being espied" by a renegade seminarist called William Atkinson, "the kinge was solicited" by the dean of York, John Thornborough, "to cause" Hill "to be apprehended, and so he was by the kinges warrant."[105]

On 1 November 1603, Lord Sheffield, the new lord president in York, complained directly to the king about the insolence of the recusants now that, "by what menes I know not, the penaltie of those laws" has "not so absolutely as before ben inflicted" upon them "as allso many grases and favores showed them." Indeed, "of late in all thes northe partes," he wrote, "many . . . men have ben imployed" to go up and down "to gett oute a petission for tolleration of religgion" and to secure "all the hands of not only requsantes" but also of all such "as be favoreres of there religgion." They were openly resentful that "in the late sertifficate made . . . by the bisshopes, so few of them were therin sett downe and sertefied, as it were gloriinge in ther numberes." He believed that he had "made stay of this their firste atemte by comittinge som of the ringlederes."[106]

But this was only the beginning. From Durham, Bishop Tobias Matthew wrote to Cecil in late November 1603. He lamented that the popish agitators were sending out "theire solicitours to persuade men and women yea and children in a greate longe schedule of parchement to subscribe their names to a supplicacion to be presented unto his Majestie on behalf of the Catholickes (fallsly so called) and withal, by mustering as it were the numbers of them, to deface the certificat that my selfe and other busshops have retorned and sent up by vertue of lettres to us directed for that purpose."[107] The strategy of the northern council, one assumes, to make it appear that stubborn separatism was confined to the relatively few out-and-outers who were locked up in places such as York Castle, was falling apart. A popular agitation was gathering pace as manuscript copies of Catholic petitions started to circulate widely. Matthew did not doubt that Cecil had "at manie handes . . . seen copies of their saide supplicacion yet I make bolde to send hereinclosed such a one as I coulde come by with mutche adoe . . . least haply there should be some difference betwene the copies here and elswhere exhibited to the vulgare

[104] CP 94/45, Hatfield House (*HMCS*, 12:232); see also *HMCS*, 12:243.

[105] MS 2006, ff. 177r–78r, LPL; *HMCS*, 15:232, 348–49; Albert Loomie, *Toleration and Diplomacy: The Religious Issue in Anglo-Spanish Relations, 1603–1605* (Philadelphia, 1963), 14; *HMCS*, 10:30.

[106] CP 118/36, Hatfield House (*HMCS*, 15:278).

[107] Bishop Tobias Matthew to Sir Robert Cecil, 24 November 1603, TNA, SP 14/4/92, f. 204r. Matthew was politically close to Sir Robert Cecil. Richardson, "Religious Policy," 241. For the "vewe taken within the bishopricke of Duresme and countie of Northumberlande," dated 31 August 1603, by Matthew, citing 526 recusants of whom allegedly only fifty were "of any accompt," but of whom 196 had "very lately and specially since the decease of Quene Elizabeth . . . been seduced or after their conformitie revolted to papistrie," see TNA, SP 14/3/42, f. 80r; TNA; for the certificate listing 126 Durham recusants that Matthew had compiled back in May 1597, see TNA, SP 12/263/81, ff. 117r 18r.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

sorte to be subscribed." Matthew had been trying hard to knock a bit of sense into some of them. He claimed that "I tell them besydes," quite accurately in fact, "that by the proclamacion" of 24 October 1603 ("A proclamation concerning such as seditiously seeke reformation in church matters"), "they are termed adversaries; and that his Majesties purpose and resolucion ever was and nowe is to preserve the state as well ecclesiasticall as politick in suche forme as he founde it, reforming only th'abuses apparantly proved." But apparently his Catholic interlocutors would not accept this: "No persuasions will prevaile with them because forsooth they be not named . . . but all must be construed only against the precisions," that is, puritans, "and not a worde against the papistes." The Catholics were declaring that "there is no lawe in force to touche them after her Majesties decease, and that his Majestie hath as yet made none, neither will [he] as they hope, against them." They said "that suche as be in commission were best [to] take hede howe we procede, least his Highnes take it not well." They cited James's partial suspension of the recusancy fines in mid-1603, and they claimed that he had "annulled all leases of the recusantes landes taken formerly by commission and letten by thexchequer." In a postscript, Matthew mentioned that he had been informed of yet another petition that the papists had drawn up, to be exhibited to the Privy Council "and others in the parlament, not only for toleracion in religion and libertie of conscience, but for magistracie also." He believed that they were trying to influence the forthcoming elections, which was proof, if anyone needed it, of how far they were interfering in matters from which they ought to be excluded.[108]

The early Jacobean Catholic toleration campaign was relatively short-lived, interrupted as it was by the king's about-face in February 1604. In another royal proclamation, the king withdrew the limited tolerance offered to Catholics in summer 1603. The legislation against Catholics in the 1604 Parliament followed soon after. The Gunpowder Conspiracy served to impose closure, for a time, on an agitation that had begun to get seriously out of hand. In fact, it could be argued that the stage management of the accession had been remarkably adept. The popular political potential of James's arrival in England had been drawn out and suppressed, as much at the Hampton Court conference and via the 1604 canons as it was in the crackdown on popish recusants. James appeared to have been persuaded that he had simply made too many concessions to those who had approached him, before and after his accession, with pleas for tolerance.

We have in the York Castle sermons, however, evidence of an acute public awareness of how certain Catholic concerns were likely to become part and parcel of events after the accession in England of the Scottish king. In some sense, the Catholics' performances in the castle were an acting out of some of the issues raised in the Archpriest Controversy. These issues were, of course, not new. In fact, they were the product of forty years of debate about the Elizabethan religious settlement. But the to-and-fro arguments about how far Catholics could be compelled to conform were not going to go away. James's politique and potentially absolutist understanding of kingship (one that virtually required a public discourse of tolerance in order to

[108] 14/4/92, ff. 204r, 205r, TNA: SP; James Larkin and Paul Hughes, *Stuart Royal Proclamations: Royal Proclamations of King James I, 1603–1625* (Oxford, 1973), no. 30. For Matthew's enclosure of a copy of the first petition that he mentioned, see SP 14/4/92. i, f. 206r, TNA.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press

fend off the tendency of some of the king's subjects, Catholic and Protestant, to speak truth to power about what was and was not acceptable in church and state) made sure of that. For the whole of the Jacobean period, across James's three kingdoms, Protestants claimed to find it hard to understand, and Catholics said it was quite easy to understand, why the king's personal Calvinism and periodic denunciations of papal authority never seemed to translate into a program for a recognizably Protestant uniformity.

https://doi.org/10.1017/jbr.2013.1 Published online by Cambridge University Press