

## ‘AND HOW THE STATE WILL BEARE WITH IT, I KNOWE NOT’

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The religious drama that flourished in northern England from the late fourteenth century came to an end in the eight years between 1568 and 1576. In 1946, Father Harold Gardiner published his monograph, *Mysteries End*, in which he argued that the civic religious drama had been systematically suppressed by the Protestant authorities.<sup>1</sup> There is no doubt that his conclusion was correct and it has become a commonplace in the history of English drama. But what was the driving motivation behind this suppression? Why did it not happen until after 1568 when as early as 1542 Edmund Bonner, bishop of London, had issued the first injunction against playmaking, specifically focussing on the custom in the archdiocese of Canterbury of using churches for performances:

That no parsons, vicars, no curates permit or suffer any manner of common plays, games or interludes, to be played, set forth, or declared, within their churches or chapels, where the blessed Sacrament of the altar is, or any other sacrament administered, or Divine service said or sung.<sup>2</sup>

What was the combination of political and religious circumstances in the North that made the suppression of the plays inevitable in the period 1568 to 1576? This paper attempts to answer those questions by bringing together the external evidence of the suppression with the deliberate policy of Elizabeth and her Council, led by William Cecil, to appoint men who were ‘favourers of religion’ to key civil and ecclesiastical positions in the North in response to the unrest that culminated in the Rising of the Northern Earls in 1569. Even though the rising was defeated and the crisis averted, this unrest was there just below the surface as long as Mary Queen of Scots remained in northern England as a potential rallying point for those who challenged Elizabeth’s right to the throne, especially the remaining Catholics with their close connections with continental powers. For Cecil and other members of Elizabeth’s Council, especially in the years before the defeat of the Armada, Protestantism and the Royal Supremacy were mutually interdependent. Any threat to the newly established Church of England was a threat to the stability of the Crown. For the

state to flourish, the lingering pockets of Catholicism, particularly in the North, had to be eradicated. There was far more at stake than theology and church polity in the eyes of Elizabeth's councillors and their appointees. They considered the establishment of a strong Protestant Church of England under the headship of the Crown essential to the survival of the nation.

On 24 March 1568, the newly arrived Dean of York Minster, Matthew Hutton, wrote his famous letter to the York City Council discouraging them from producing the Creed Play. In it he expressed what was to become the official view of the religious drama still performed in the Northern Province. The Dean had clearly read the play. He begins gracefully acknowledging its antiquity but lamenting how it disagrees with the 'senceritie of the gospel'. His advice is that the play should not be played,

ffor thoughe it was plausible 40 yeares agoe, & wold now also of the ignorant sort be well liked: yet now in this happie time of the gospel, I know the learned will mislike it and how the state will beare with it I knowe not.<sup>3</sup>

Although Hutton had been chaplain to Edmund Grindal, Bishop of London, under Edward VI, he had not gone in to exile with him, but lived through the reign of Mary in England. His experiences during those years shaped his later career. Peter Lake has written, 'It was the fragility of the protestant hold on the mass of the English people and the ever present threat of Rome that were to form the dominant concerns of Hutton's career'.<sup>4</sup> His appointment as Dean of York in the last year of the life of Archbishop Thomas Young was one of the first to begin the process of bringing the North firmly into the Reformed Church. The opinion he expressed in his letter was in all probability not just a personal one but carried the weight of the opinion of the Ecclesiastical Commission of the North, to which he was appointed some time before 26 June 1568.<sup>5</sup> The Commission was the sister authority to the Elizabethan Council of the North, charged with religious affairs. It was these two bodies that the Privy Council used to force reform and, as a by-product of the larger reform, to end the long-standing tradition of civic religious drama in the North.

The move against the York Creed Play was the first action of the Commission against the plays. Eight years later, Hutton accompanied by Sir John Gibson, a civil lawyer, and William Palmer, Chancellor of York,

two other members of the Commission, wrote openly in the name of the Commission to the Bailiff Burgesses of the town of Wakefield where a play was proposed for Corpus Christi Day,

that in the said playe no Pageant be vsed or set furthe wherein the Maiesty of god the father god the sonne or god the holie ghoste or the administration of either the Sacramentes of Baptisme or of the lordes Supper be counterfeyted or represented/ or any thing plaied which tends to maintenaunce of superstition and idolatrie or which be contrarie to the lawes of god or of the Realme ...<sup>6</sup>

Between the suppression of the York Creed Play and the play proposed on Corpus Christi Day in Wakefield, the two great civic cycles in York and Chester and the York Pater Noster Play were also suspended by the Commission. I have examined the end of religious drama in York in detail elsewhere,<sup>7</sup> but that story must be alluded to here as a background to a consideration of the final performances of the Chester Plays within the context of the political and ecclesiastical cross currents in the North.

The government in London had long recognized the problems inherent in governing the northern counties of the kingdom. Separated by significant distance, close to the troubled border with Scotland and largely controlled by the three great northern families — the Percies, the Nevilles, and the Stanleys — the North was a distinct civil and ecclesiastical entity with York as its administrative centre. Edward IV recognized this when he sent his brother Richard to York to establish a royal presence there. When Richard himself became king, he took steps to create a Council of the North. The North was to be governed by a King’s Council with a King’s Lieutenant at its head. This council ‘laid down the main lines on which the future Council of the North was destined to develop’.<sup>8</sup> York was to be the site of the quarterly meetings of this Council.

Just as Richard’s reign was short-lived, so also was the good governing of his Council for the North and, in the period between 1485 and 1537, the northern counties were governed uncertainly at best. Henry VII distrusted the North and ignored it; nor did his son pay much more attention to it in the early years of his reign. When serious trouble broke out again on the Scottish borders in 1522, the military men sent to help against the Scots found the whole of the North in turmoil.<sup>9</sup> For Henry VIII and his chancellors Cardinal Wolsey and Thomas Cromwell, ‘the real obstacle to good governance was the private liberties of the North’ — both lay and ecclesiastical.<sup>10</sup> They therefore pursued a specific policy to bring

these liberties into the hands of the Crown. By 1536, the year of the suppression of the monasteries, Henry had all the Percy lands in his hands as well as the lands of lesser magnates.<sup>11</sup>

The Pilgrimage of Grace in 1537 simply underscored how inadequate the governing of the North had been. After token resistance, the sitting Council of the North 'went over to the rebels' and acted on their behalf before the king. In putting down the rebellion Henry acted ruthlessly, cynically exploiting newly opened wounds between social classes, among the clergy and among different branches of powerful families.<sup>12</sup> However, out of the turmoil, competent Northerners came to prominence who owed their safety to the king. These were the men who became the foundation of the new and effective Council of the North established in 1537.

The jurisdiction of this new Council was all of England north of the Humber except the Palatinate of Lancashire and possibly the Palatinate of Chester. Unlike its predecessors, this Council was not concerned with the defence of the Scottish borders. The membership of the Council was a President and a varying number of Councillors over its life. Appointments were made from London and usually included a few peers and some knights, often royal officials of one kind or another — with a strong contingent of lawyers well versed in canon as well as common and civil law. After 1561, the Archbishop of York and the Bishop and Dean of Durham were *ex officio* members.<sup>13</sup> The Council was to meet four times a year for about a month for each session. The original plan was to hold one session a year at York, Hull, Newcastle, and Durham but by mid-century the meeting place was almost invariably York. Part of the reason for this was the increasing bureaucracy that came with the continuing life of the Council. The Council and its staff came to be housed in the surviving buildings of St Mary's Abbey outside Bootham Bar. What is now known as The King's Manor was part of the Tudor and Stuart quarters of the Council. The first President of the new Council was Robert Holgate, Archbishop of York, who served from 1538 to 1549, when Francis Talbot, eighth Earl of Shrewsbury, was appointed. Shrewsbury remained in office until 1560. Shrewsbury relied heavily on Thomas Gargrave, a Yorkshire civil lawyer and Member of Parliament who 'became a formative influence in the institutional development of the council'<sup>14</sup> who became Vice President of the Council in 1557, and as F.W. Brooks has suggested, 'perhaps the most powerful man in the North'.<sup>15</sup>

Six months after the passage of the Act of Supremacy and Uniformity (25 January 1559) the Privy Council named a new Ecclesiastical

Commission in London with Matthew Parker, Archbishop of Canterbury; Edmund Grindal, Bishop of London; and Sir Francis Knollys, the Queen’s Vice Chamberlain as its chief officers to enforce what has been called the ‘Elizabethan Settlement’ within the Church of England.<sup>16</sup> When Henry Manners, fourth Earl of Rutland, an old friend of Sir William Cecil’s and a staunch Protestant, replaced the Catholic Earl of Shrewsbury as President of the Council of the North early in 1561, he wrote to Cecil ‘I do not finde the country so forward in religion as I wish it to be’.<sup>17</sup> On 5 May, a seventeen-man Commission similar to the Ecclesiastical Commission created in London in 1559 was named for the North including Thomas Young, the new Archbishop of York, as President; Rutland himself; James Pilkington, the newly elected Bishop of Durham; Thomas Gargrave; Thomas Enns, the long serving Secretary of the Council of the North; and five other members of the Council, two of whom (Sir Henry Gates and John Vaughan) served, along with Gargrave, as Members of Parliament through much of this period.<sup>18</sup> On 10 June, Rutland wrote again to Cecil,

I doo truste by my Lord Archbishops painfull and discrete forwardnes in settinge forth the true religion wherof he seemeth to be very carefull that this contry in a very shorte tyme shalbe brought to as much quietnes as any other quarter within her maiesties Realme.<sup>19</sup>

But by the time Rutland died on 17 September 1563, there was little to show for the Archbishop’s activities. After a brief hiatus when Ambrose, Earl of Warwick, was President of the Council, Young himself became President in May 1564. Young had been a strong supporter of reform in his youth and chose to go in to exile under Mary. However, scholarly opinion is divided about his effectiveness in achieving reform in his notoriously conservative province. Little progress was made during his tenure towards the eradication of what David Palliser calls ‘Catholic survivalism’.<sup>20</sup> It was only with the arrival of Matthew Hutton as Dean of York Minster in May of 1567 and the appointment of Richard Barnes, Chancellor of York, that same year as suffragan to assist the aging Young that reform began in earnest in the Northern Province.

Some time between Hutton’s election as Dean (15 May 1567) and Young’s death (26 June 1568), a new Ecclesiastical Commission for the North was named. The undated commission<sup>21</sup> repeats almost verbatim the wording of the 1559 commission over which Archbishop Parker presided in the South including the granting of sweeping powers to the Commission,

... to visit reforme redresse order correct and amend in all places within the saide prouince of yorke as well within the liberties as without all such errors heresies crimes abuses offenses contemptes and enormities *spirituall* or ecclesiasticall whatsoever which by any *spirituall* or ecclesiasticall power auctoritie or iurisdiction or by the statutes or lawes of the realme can or may lafully be reformed ordred redressed corrected restreyned or amended to the pleasure of almighty god and the *preseruacion* of the peace and vnitye of this our Realme ...

This clause also contains the one significant addition to the Northern Commission's mandate that is not in the 1559 formulation — the right to intervene 'as well within the liberties as without'. This addition clearly gives the Commission the right to over-ride the decisions of such 'liberties' as the city governments of York and Chester. It was entirely within the powers of all ecclesiastical courts, such as the Commission, to legislate in religious matters. The formula of Bishop Bonner's 1542 injunction repeated by bishops for most of the century (including Grindal after his arrival in York)<sup>22</sup> was used to suppress drama based in the parishes and the complex array of folk customs sponsored by parishes as fundraising activities associated with church ales.<sup>23</sup> The inclusion of the phrase about the liberties in the 1568 Commission for the North recognizes that the plays in the North were of a different order. They had either from their inception been under the control of civic authorities (the cities of York and Chester) or, in the case of York's two other religious plays, the Creed Play and the Pater Noster Play, had come under the control of the City Council at the time of the suppression of the religious guilds that sponsored them.<sup>24</sup> To forbid the performance of these plays, the Commission must have the power to intervene in the affairs of two northern cities fiercely proud of their independence. These plays telling the story of the faith and interpreting two of the most important foundational Christian documents (the Creed and the Lord's Prayer) were rooted in the Catholic past and, although York had made some concessions during the Edwardian period in the removal of the Marian plays, in the early years of Elizabeth's reign they had become public displays of the religion of the past. The right of the Commission to over-ride the decisions of the city councils to perform their ancient plays was not readily accepted. One of the key moments in the story of Chester's suppression is the refusal of the Chester Council to accept the authority of Archbishop Grindal in 1572.

The 1568 Commission was twice as large as the one named in 1561. The thirty-six men were named included Archbishop Young as President, and James Pilkington, Bishop of Durham; John Best, Bishop of Carlisle and William Downham, Bishop of Chester; Matthew Hutton, Dean of York; William Whittingham, Dean of Durham; John Piers, Dean of Chester; many of the same civil and ecclesiastical lawyers named in the 1561 commission; and four York aldermen and two aldermen from Hull.<sup>25</sup> This Commission was in place until the next Commission was named in 1573 when the membership again doubled with seventy-two men named to serve. As the Commission matured and its work gained effect, the policy seems to have been to include as many of the local magnates and burgesses as was possible. David Palliser, writing from the perspective of the York City Council, points out that ‘The commonest church office held by city councillors after the Reformation was membership on the Northern Ecclesiastical Commission’.<sup>26</sup> A quorum of the Commission for any formal proceedings was three but each group of three had to include at least one of an inner group of aristocrats, high ranking clergy, and lawyers. In the Commissions named in 1568 and 1573 that oversaw the suppression of the drama associated with the old religion, twenty-two men were named to this inner group. Twelve of them served on both commissions: George Talbot, ninth Earl of Shrewsbury; Sir Henry Percy, later twelfth Earl of Northumberland; James Pilkington, Bishop of Durham; Richard Barnes, suffragan Bishop of Nottingham and later Bishop of Carlisle; Matthew Hutton, Dean of York; John Lowth, Archdeacon of Nottingham; Thomas Lakyn, prebend of York Minster; and the lawyers Sir Thomas Gargrave, John Rokeby, Lawrence Meres, and Walter Jones.<sup>27</sup> Two members of the Commission named in 1568 died very soon — Young himself on June 26 1568 and one of the lawyers, Henry Savile, early in 1569. Sir Henry Gates was among the inner circle only for the 1568 Commission although he continued to be a member of the later Commission.<sup>28</sup> When Edmund Grindal became Archbishop of York in 1570, and Henry Hastings, Earl of Huntingdon, became the Lord President of the Council in the North in 1572, they both became *ex officio* members of the Commission with Grindal becoming President. William Downham, Bishop of Chester (rather surprisingly from the part he played in the suppression of the Chester plays); Leonard Pilkington, prebend of Durham and brother of James, Bishop of Durham; William Palmer, Chancellor of York; and Sir John Gibson, a prominent civil lawyer, served only on the 1573 Commission.<sup>29</sup> Sixteen of the twenty-two men named to the inner

circle — the three earls, the two archbishops, two of the bishops (Pilkington and Barnes), the two deans, and seven of the eight lawyers — were also members of the Council of the North. Although the two bodies were separate and had different jurisdictions, the core of men at the centre of power of both bodies was identical. Claire Cross has said of the appointment of Henry Hastings as the president of the Council in 1572,

With jurisdiction in civil matters over Yorkshire, co. Durham, Northumberland, Westmorland, and Cumberland, and in ecclesiastical affairs throughout the Northern Province which extended additionally to Lancashire, Cheshire, and Nottinghamshire, the promotion at a stroke transformed Huntingdon into the most powerful royal official in the whole of northern England.<sup>30</sup>

That power was shared by the handful of men who formed the inner circles of both Commission and Council.

With the possible exceptions of the Earl of Shrewsbury, Sir Henry Percy, and William Downham, Bishop of Chester, all the men who formed the inner circles between 1568 and 1577 were 'favourers of religion'. Shrewsbury conformed but seems to have been indifferent, while Percy's position is even less clear, convincing some of his Protestantism in the 1560s and others of his Catholicism in the 1570s when he became involved in the Ridolfi plot. Downham owed his position to his long-standing relationship with the Queen that stemmed from her childhood. We will see as the Chester story unfolds that he was far from zealous in enforcing the new religious realities in his diocese. Five had been Marian exiles — the two archbishops (Young and Grindal), James and Leonard Pilkington, William Whittingham, and Thomas Lakyn. Lawrence Meres was the brother of the exile Anthony Meres and a close connection of the Protestant Duchess of Suffolk. James Pilkington and William Whittingham, later joined by Leonard Pilkington, were perhaps the most theologically radical, prompting Archbishop Edwin Sandys to take corrective action when he succeeded Grindal in 1577. Grindal had been sent to York explicitly to bring the province into conformity with the Elizabethan Settlement. This he did through actively pursuing 'Catholic survivalism' through the Ecclesiastical Commission, and actively recruiting Protestant clergy from the South. Two others of the inner circle of the Commission — Hutton and William Palmer — had been his chaplains when he was Bishop of London. Matthew Hutton's concerns about the

danger of the threat from Rome were echoed by the leading lay member of the Commission, Thomas Gargrave, who also saw both the religious and political consequences of the continuing Catholic threat in the North. He was well acquainted with William Cecil, the Queen’s First Minister, from their military service together at the battle of Pinkie in 1547 and his long parliamentary service. Writing to Cecil in 1570, he said that Parliament should enact a:

... stricter law for Religyon & agaynst papysts ... yf any refuce the service or communyon, I wold wyshe them convyncyd by opyn disputation in every shyre before Commyssyoners and yf they will not relent to the treuth, I wold wyshe them attayntyd in premunire for one yer, and yf they stycke at the yeres end then to be deth for herysey or treson ...<sup>31</sup>

The final major member of the inner circle of the Commission was Richard Barnes who was made Chancellor of York Minster in 1561. He was named suffragan Bishop of Nottingham to help the aging Archbishop Young in 1567, becoming Bishop of Carlisle in 1570 on the recommendation of Gargrave and Hutton (although he held his chancellorship until 1571), and finally Bishop of Durham after Pilkington’s death on 19 May 1577. In his later career he was a controversial figure, quarrelling with Grindal and challenging the legitimacy of William Whittingham’s ordination on the Continent. However, at the time of the suppression of the plays he was a key figure in the life of the Commission and the Council. As suffragan he took over the responsibilities of the office of the Archbishop between Young’s death in June 1568 and Grindal’s appointment in 1570.

1568, the year Hutton took the first decisive move against Catholic community drama in the North with the suppression of the Creed Play, was the beginning of a time of turmoil and transition in the North. Many of the powerful northern earls remained sympathetic to the Catholic cause. The arrival in England of Mary Queen of Scots, the Catholic contender for the English throne, gave a notional if not real rallying point for conspirators. Her continuing presence under close house-arrest in the countryside south of York was a constant factor in this period. Archbishop Young was replaced as President of the North by September 1568 by Thomas Radcliffe, Earl of Sussex. That month the nobles of Scotland and England met in York in a council which David Palliser has called ‘the first trial of Mary Queen of Scots’ to discuss the situation created by the flight of the Scottish Queen to the South.<sup>32</sup> In early 1569,

just as the York City Council began preparations for what would be the last known performance of the Corpus Christi Play, rumours swirled about a possible uprising led by the most powerful noblemen in the North and the city was being ordered to prepare to defend itself. The timing of the performance of the Play became enmeshed in the need for musters to be called. On 12 May, the City Council received a request from the Council in the North asking that the men of York, in the name of the Queen, be provided with horse, armour, and weapons 'in readynes for safeguard of her realme and subjects'.<sup>33</sup> In response to this request, the ceremonial muster accompanying the Play was cancelled on 18 May and the next week, on 26 May, five days before the performance of the Play, the City Council ordered that a real military muster should take place on 13 June (for the city) and 14 June (for the wapentake of the Ainsty).

The Play was performed as planned, but by 6 July, a week before the musters, the Council in the North sent out detailed requirements for armour and weapons which the City agreed to provide. A similar request came at the end of July.<sup>34</sup> For a few months, all mention of military preparedness disappears from the House Books but 10 October a request came from the Council asking all innkeepers, taverners, and tiplers to report any talk of sedition.<sup>35</sup> By 9 November, news of the actual rising reached York and the city was urged to secure the gates and walls. Five days later a 'letter of commission' from the Council arrived stating that the Earls of Northumberland and Westmorland had rebelled and asking the City and the Ainsty for armed horsemen and one hundred footmen to fight the rebels. This letter was confirmed by another the next day and over the next few days, as the City Council seemed to be sitting in constant session, orders came for the troops to go to Darlington, citizens were warned against dangerous talk, boats were forbidden on the river to discourage infiltration of the city by the rebels from the water, and citizens were urged to be prepared to defend their homes. The next day (19 November), all ladders were ordered collected and all those living in the suburbs were brought inside the walls. Two days later (21 November), soldiers loyal to the Crown were in the city and preparations were being made to face a siege.<sup>36</sup>

And then the emergency passed. The rising that had seemed so threatening fell apart and the Council in the North and the military men sent from London began to round up the ring-leaders. For the next few months the House Books continue to record the billeting of soldiers but the panicked preparations for disaster of November are over. But a

casualty of the year’s crisis was the Corpus Christi Play. Although it was played, nothing more is heard of it for ten years when the council voted to perform the Play but first agreed that the play book should be carried ‘to my Lord Archebisshop [Sandys] and Mr Deane [Hutton] to correcte’.<sup>37</sup> Nothing more is heard of that play, although the manuscript surfaced a century later in the possession of the Fairfax family. Sir William Fairfax of Walton was a member of both the Council and the Commission at that time and another Fairfax, Thomas, was a member of the Commission.<sup>38</sup>

Young’s death in 1568 had left the presidency of both the Council and the Ecclesiastical Commission vacant. The presidency of the Council fell to Robert Radcliffe, third Earl of Sussex, who was rarely in York but left the day-to-day affairs to Thomas Gargrave while the presidency of the Commission fell to Richard Barnes as suffragan. Both men were ably supported by Matthew Hutton. Radcliffe’s position as President of the Council from 1568 to 1572 is muddled by his association with the Duke of Norfolk and the latter’s plan to marry Mary Queen of Scots, and what some (including the Queen’s cousin, Lord Hunsdon, then governor of Berwick) considered a lack of vigour on his part in countering the rebellion of 1569. He spent most of the period from 1570 to 1572 on the Scottish borders. He did not, however, lose favour with the Queen, and was appointed to the Privy Council in 1572 in a complex ‘cabinet shuffle’ that saw Henry Hastings, the Protestant Earl of Huntingdon, named President of the Council. By that time, the reforming Edmund Grindal had taken up his position as the new Archbishop of York. Gargrave, Hutton, and Barnes now had a president and an archbishop whose strong support of the Protestant cause in the Northern Province matched their own.

The spring of 1572 saw the suppression of the Pater Noster Play in York and also the first battle in the suppression of the biblical cycle in Chester. The suppression of the plays in Chester took an entirely different form from that in York, in large part because the jurisdiction of the Council and the Commission, a long way away across the Pennines, seemed unclear. Until the discovery of the letter book of Christopher Goodman by David Mills in the course of his research for his *Cheshire* collection of *Records of Early English Drama*,<sup>39</sup> all we knew about the final days of the Chester Whitsun Plays was the curious Star Chamber indictment of Sir John Savage. Savage, Mayor in 1575, the last year of the performance of the plays, and John Hanky, the mayor at the time of the performance in 1572, were accused of acting alone in mounting the Plays in those years. The Chester City Council, when challenged by the Privy Council, would not

declare that Sir John had acted alone in ordering the Plays. Although twelve councillors voted that to perform the Plays in 1575 was not 'meet', the full council acknowledged that the decision had been properly made.<sup>40</sup> The story as it unfolds through Goodman's correspondence, to some extent, explains that indictment but it also gives us another perspective on how the traditional scriptural plays performed in the North were, indeed, viewed with alarm and suspicion by the Evangelical clergy.

On 10 May 1572, Christopher Goodman, along with two other Chester clerics, Robert Rogerson and John Lane,<sup>41</sup> wrote to the newly appointed President of the North, the Earl of Huntingdon. Goodman was a Cestrian — and, he says in his 1575 letter to Grindal, he had 'a naturall loue to this Citie where I & my parentes were borne & broght vp for the most part ...'<sup>42</sup> He was a fervent Protestant who had spent time as a Marian exile among the Reformers on the Continent, including John Knox and possibly his fellow Cestrian William Wittingham, by this time Dean of Durham and a member of the inner circle of the Ecclesiastical Commission. He spent some time in parishes in Scotland and Ireland before returning to his native Chester in 1568.<sup>43</sup> He was alarmed by the preparations for the Whitsun Plays in 1572 and determined to bring its enormities to the attention of those whom he considered the authorities. His letter of 10 May to Huntingdon is full of anti-papal rhetoric. He begins by explaining that the 'plays were devised by a monk about 200 years past & in the depth of ignorance & by the Pope then authorized to be set forth'. The present City Council in Chester were acting, he claims 'in assured ignorance & superstition according to Papist policy'. Goodman clearly sets up an opposition between the City Council and 'all preachers & godly men' who oppose the plays and 'since the blessed light of the gospell have inveyed & impugned as well in Sermons as otherwise, when occasion has served'. Despite their efforts, the Council is preparing to perform the Plays even though 'the same have neither been perused nor allowed according as by her Majesty in those cases it is provided'. Referring to a letter to the Mayor sent 'by our Preachers' that fell on deaf ears, he appeals to Huntingdon to forbid the production 'in respect of your Zeal to godliness'.<sup>44</sup> For Goodman, the production is clearly associated with sedition, and he claims that the Plays give 'great comfort to the rebellious papists, & some greater occasions of assembling & conference than their intentions well considered is at this present meet to be allowed'.<sup>45</sup> He concludes urging Huntingdon to 'leave nothing undone which shall be found convenient for the repressing of Papacy, & advancing

of godliness, & avoiding of all occasions whereby either perill or danger to her *Majesty* or to the common weal might begin or grow’.<sup>46</sup>

At this time, Huntingdon had not yet come north to take up his new post. He must have been in London and was in communication with Archbishop Grindal since it was Grindal who, five days after Goodman sent his letter (15 May) to Huntingdon, responded to Goodman’s plea. He wrote from Westminster, as President of the Ecclesiastical Commission, to the Mayor and Council forbidding the production. We learn from the opening lines of Goodman’s next letter (11 June) that a copy of Grindal’s letter had been sent to him along with the copy of a letter from Huntingdon, now lost. Grindal required the Mayor

in the Queen’s Majesty’s name by vertue of her Highnesses Commission for causes Ecclesiasticall within the diocese of York ... to surcease from further preparation for setting forth the said plays, & utterly to forbear the playing thereof for this Summer & for all times hereafter till your said plays shall be perused corrected & reformed by such learned men as by us shall be thereunto appointed & the same so reformed by us allowed ...<sup>47</sup>

On 11 June, Goodman, Rogerson, and Lane wrote to Grindal reporting on what was to them a disturbing turn of events. Not only had letters been sent by Grindal and Huntingdon through Goodman to John Hanky, the mayor, but letters had also been sent to the Bishop of Chester, William Downham. By this time Downham was close to the end of his career, discouraged and ineffective against the obstinate Catholicism of his diocese and considered by many to be a friend to Papists. He had apparently tried to reason with Hanky but had reported to Goodman that ‘he perceived Master Mayor so bent as he would not be stayed from his determination in setting forth the plays by any persuasions or letters’. The Bishop promised to try again but Goodman remarks darkly to Grindal ‘but it is thought otherways by the common voice of many’. Goodman goes on to report that Hanky and some of the Council had sent a letter to the Earl of Derby seeking his support. In June 1572, this was Edward Stanley, the Third Earl, now in the last few months of his life. His lengthy career, in and out of favour, has long been considered equivocal in matters of religion. Louis A. Knafla remarks in his *DNB* biography that he ‘accepted the obligations of public office, but acted slowly and reluctantly against Catholics’.<sup>48</sup> He had been a prominent local magnate all his life and undoubtedly considered Cheshire to be his to command. As Goodman remarks he was

'chief of her Majesties commission for Cheshire & Lancashire, wherof also his Worship is one, & by vertue of the same freed from your *Grace's* Commission, so as without contempt he is persuaded by his counsel that he may lawfully disobey the same'. The Mayor and Council had appealed to their ancient overlord, choosing his ruling over that of the Ecclesiastical Commission. We have seen that the Palatinate of Lancashire was never part of the Council of the North. The Palatinate of Cheshire's legal status at this time is less clear. However, it is clear that since the establishment of the diocese of Chester on 1537 it was part of the archdiocese of York. This may be the reason Huntingdon turned the matter over to Grindal who wrote to the Mayor and Council with the authority of the 'Commission for causes Ecclesiasticall within the diocese of York'.

Goodman, clearly upset and thwarted by this response to what appeared a month earlier to be a simple matter of appealing to the royal authorities, laments to Grindal that the city is in turmoil over this 'unhappy broil'. Hoping that Huntingdon and Grindal will assert their authority he wrote with increasing shrillness of tone,

Nevertheless I trust your wisdoms know how to meet with such fine devices for the defense of an evill cause. Surely my Lord as the president is greate & worthy a due consideration, so maketh it a great stirr in this City which before was quiet, wounding the hearts of all that unfeignedly favour the gospell, sharply assaulting the publick peace amongst us by making parties as it hath done always when the said plays have been attempted ... my humble request with my brethren and fellow ministers of this City, who now are present to joyn with me in the same, is unto your *Grace* & your council that in the name of the Lord Jesus your wisdoms may take such order with the said plays, as by your authority they may either be corrected alloed & authorised ... or els by the same your authority utterly & abolished for ever as pastimes unfitt for this time & Christian commonwealths.<sup>49</sup>

Goodman ends the letter expressing his doubts about the revision of the play concluding,

Thus committing the cause (which is god's) to your godly wisdoms hoping for such order herein to be taken by the same as god may have his glory, the gospell & preachers more obedience and credit & this poor city more peace & your authority better obeyed.<sup>50</sup>

But the plays went ahead as planned containing all the ‘absurdities’ that so distressed Goodman and his colleagues. The last letter in the Letter Book for 1572, once again written to Grindal, is undated, but Mills writes ‘given its relative position and the careful chronology of the letterbook — it is undoubtedly for the year 1572’.<sup>51</sup> The long list of ‘absurdities’ from which we learn that the 1572 production contained several blatantly Catholic elements that have not survived in the extant manuscripts of the plays is attached to this letter.<sup>52</sup> Goodman’s concern here in the aftermath of the play is for ‘divers honest men (who haue misliked of the said plays)’ who have refused to contribute ‘according to their conscience & your *Graces* commandment’ and ‘have been to their grief and discredit imprisoned’.<sup>53</sup> There is no evidence from Chester for 1572 that men were imprisoned for their conscience (as two aldermen had been that same year in York) but the 1575 records include the imprisonment of on Andrew Tailor, a dyer, who had refused to pay his fine to his craft and been committed by the then mayor Sir John Savage to prison. He was later released by the next mayor, Henry Hardwick, when supporters paid his fine.<sup>54</sup>

In 1575, the City Council of Chester under the mayoralty of Sir John Savage (whom Mills identifies as one of the ‘Savages of Clifton’ who were ‘influential local gentry who were thought to have recusant leanings’)<sup>55</sup> once again prepared to mount a production of the Whitsun Plays at Midsummer. Goodman drafted a letter to Savage that he did not send, noting at the end of the draft in the Letterbook: ‘This letter was not deliuered because I had privatly talked with the mayre before & after prached against the plays’.<sup>56</sup> The tone of the draft is unlike the strident anti-papal rhetoric of the letters to Huntingdon and Grindal in 1572. The men of substance of Chester (including two of Goodman’s cousins) had suffered a major economic disaster in 1575 when a ship heading home from Spain was seized by pirates off the coast of Brittany.<sup>57</sup> Although Goodman remains convinced that the plays ‘nether standeth with godes word nor with religion which you [Savage] professe, nor the laws of the realme’,<sup>58</sup> his appeal to Savage is in the light of this ‘late losse’. He urges him, rather than performing the play, to engage in ‘publique lamentacion or fastinge & prayinge than of solacinge our selves with feastiuite, interteninge of frendes & vaine plays’. He continues to consider them ‘your vnlawfull, but lawfully forbidden plays’ but the tone is more of a pastor trying to cajole than a preacher trying to persuade.

However, someone, and we don't know who, was determined to bring legal action against the producers of the Chester plays. The Chester Mayor's List for 1575 records

this year the said Sir Iohn Savage caused ye popish plaies of Chester to bee playd ye Sunday Munday Tuesday and Wensday after Midsummer in contempt of and Inhibition and ye primates letters from yorke and from ye Earle of Huntington, for which cause hee was serued by a pursueant from yorke, ye same day yat ye new Maior was elected, as they came out of ye common hall, notwithstanding the said Sir Iohn Sauage tooke his way towards London, but how his matter sped is not knowne Also Mr Hanky was serued by the same Pursuant for the like contempt when he was Maior ...<sup>59</sup>

The summonses came from York, but Savage apparently chose to have his case tried before the Privy Council itself in Star Chamber. On 10 November 1575 he wrote to Henry Hardwick, his successor as mayor, and the Council, from London. The accusation against him was that he had caused 'the plays laste at Chester to be sett forwarde onely of myself'. He urged them since he knows that they 'do knowe the contrary ... that they were by comon assemblie apointed as remayneth in the Recorde' to 'sende me a Certificate vnder your haundes and Seale of your Citie' testifying to the fact that, since both he and John Hanky were being accused, both the production in 1575 and the one in 1572 had been authorized by a strong majority of the Council.<sup>60</sup> The Council under Hardwick responded on November clearly testifying that both Savage and Hanky acted 'with the assent of thaldermen Sheriffes and the comon counsell of the saide Citie to set furthe the saide plays'.<sup>61</sup>

The Chester Council did not break ranks over the performance of the plays. This was quite unlike the situation at York where the performance of the plays became the centre of a power struggle between 'Catholic survivalists' and the new men on the York City Council who approved of the actions of the reforming Council in the North and Northern Ecclesiastical Commission. Rather the opposition in Chester came, in 1572, from the outside — from Goodman and his fellow clerics who, unable to persuade their fellow Cestrians of the truth of their godly cause, appealed to the higher authority of the leaders of the Council in the North and the Ecclesiastical Commission. Unfortunately for them, that higher authority was a long way away either in London or York. The Mayor and

Council fell back on the local known authority of the Earl of Derby who disputed the jurisdiction of the Council and Commission and encouraged Hanky to produce the play. We do not have evidence for what happened in Chester in 1575 except Goodman’s draft letter to Savage. We do not know if he and his friends were behind the second appeal to the authorities in York. We do know that Savage hurried to London and appealed to the Privy Council, refusing to accept the jurisdiction of Grindal and Huntingdon as valid. If Goodman and his friends were behind it, they mistook the suit they brought against Hanky and Savage. The two mayors were accused of acting alone; they could easily prove that they had not — and the case fell. Nevertheless, Goodman’s party won the war, since 1575 is the last known performance of the Whitsun Plays in Chester.

The only evidence concerning plays in the surviving Act Books of the Ecclesiastical Commission is the suppression of the play at Wakefield in 1576. One further act of suppression, dated 13 November 1572, this time suppressing the Riding of Yule and Yule’s Wife, came from Grindal and Hutton. It was signed by them and by John Rokeby, Thomas Enns, and two other Commissioners: William Strickland, the Member of Parliament for Scarborough, and Christopher Ashburn, a local priest.<sup>62</sup> In the city council minutes the letter is said to be from ‘my Lord Archebesshop of York and certayne others the Quenes Maiesties Commisioners’.<sup>63</sup> Grindal writes to the mayor of Chester in 1572 ‘in the Queen’s Majesty’s name by vertue of her Highnesses Commission for causes Ecclesiasticall within the diocese of York’.<sup>64</sup> There can be no doubt that the actions taken against the plays were taken in the name of the Commission.

The surviving Act Books do not contain any ‘minutes’ of the Ecclesiastical Commission that might indicate that there had been at some point a decision made about how to deal with the civic religious plays, although one recurring phrase may indicate that there was a consistent policy. It is the content of the plays rather than the fact that they were plays that seems to have been the issue. As early as Hutton’s first letter about the Creed Play presented to the York City Council on 30 March 1568 there is a hint that amendment might make the play palatable to the Commission. He wrote

... as I find manie thinges, that I can not allowe, because they be Disagreinge from the senceritie of the gospell, the which thinges, yf they shuld either be altogether cancelled, or altered into other matter, the wholle drift of the play shuld be altered, and therefore I

dare not put my pen vnto it, because I want bothe skill, and leasure,  
to amende it ...<sup>65</sup>

The possibility of amendment was picked up by the York City Council. At a meeting 27 April 1568 a performance of the Corpus Christi Play was proposed but not agreed to 'but that the booke thereof shuld be perused / and otherwise amendyd / before it were playd'.<sup>66</sup> In 1572, William Allen, described by Palliser as 'the most firmly Catholic alderman',<sup>67</sup> was elected mayor and, in an act of seeming bravado, persuaded the council to authorize the production of the Pater Noster Play. The minute of 14 April seems to imply that Allen himself would get the playbook from the 'Maister of St Anthonyes' who had custody of the text 'that the same may be perused amended and corrected' and 'that my said Lord Mayour shall Certefie to theis presens at their next assemblee here of this pleasure to be taken therin'.<sup>68</sup> There is no mention of sending the play book to the Ecclesiastical Commission for approval.<sup>69</sup> The performance, the last performance of any of the plays of the old religion in York, caused a major dispute in the York City Council that led to the imprisonment and disenfranchisement of two aldermen. That same year, as we have seen, Grindal in his letter to the mayor of Chester ordered him

to surcease from further preparation for setting forth the said plays,  
& utterly to forbear the playing thereof for this Summer & for all  
times hereafter till your said plays shall be perused corrected &  
reformed by such learned men as by us shall be thereunto appointed  
& the same so reformed by us allowed ...

It seems that up to 1572 performing the plays if they were amended according to the desires of the Commissioners was a possibility. However, in York, after 1572, it seems to have ceased to be even a possibility. It is clear from the House Books that by the playing season in 1575 three play books 'as perteyne this cittie' were in the custodie of Archbishop Grindal.<sup>70</sup> The City Council asks 'yat his grace will apoynt twoe or thre sufficiently learned to correcte the same wherein by the lawe of this Realme they ar to be reformed'.<sup>71</sup> His Grace does not seem to have paid any attention to their request. However, at some point, the Register of the Play must have been returned to the city because in 1579 when the Council determined to produce the Play they said 'And that first the booke shalbe caried to my Lord Archebishop and Mr Deane to correcte if that my Lord Archebissop doo well like theron'.<sup>72</sup> Perhaps the Council hoped that the new Archbishop, Edwin Sandys, would take a more flexible position than

Grindal. He did not. This is the last time that York City Council approached the ecclesiastical authorities seeking someone to amend the play.

The suppression of the civic religious drama of the North was a deliberate campaign. The drama still being performed in the mid 1560s was seen as evidence of a population who did not sufficiently ‘favour’ the new Protestant reality. The central government, taking seriously the role of the Queen as Head of both Church and State, used the established mechanism of the Council in the North and the Ecclesiastical Commission as its instruments to bring the North into line. By consistently appointing known and strong Protestant sympathizers to the key ecclesiastical positions in the North as they came vacant, particularly Matthew Hutton as Dean of York Minster, then Edmund Grindal as Archbishop of York, and capping this change in the Commission with the appointment of Henry Hastings as President of the Council, the Privy Council built on the foundations already in place and nurtured by Sir Thomas Gargrave. Both Commission and Council were dominated by godly men who ‘favoured religion’. For them the Catholic threat was both a threat to their deepest personal convictions and to the stability of the state. The story of the suppression of the plays reflects the deep divide in Northern society. The drama that had flourished for over two hundred years and fed the souls of countless Northerners was in, ‘this happie time of the gospell’, suppressed. The state could not bear with it.

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## NOTES

1. H.C. Gardiner *Mysteries End* (New Haven: Yale University Press, 1946).
2. Cited from *Visitation Articles and Injunctions of the Period of the Reformation* edited W.H. Frere and W.M. Kennedy, 3 vols (Alcuin Club Collections 14–16; London: Longmans, Green, 1910) 2 88.
3. *REED: York* edited Alexandra F. Johnston and Margaret Rogerson, 2 vols. (University of Toronto Press, 1979) 353.
4. *REED: York* 353.
5. See page 8 below.
6. *The Wakefield Pageants in the Towneley Cycle* edited A.C. Cawley (Manchester UP, 1958) 125.

7. Alexandra F. Johnston 'The City as Patron' in *Theatrical Patronage in Early Modern England* edited Paul Whitfield White and Suzanne Westfall (Cambridge UP, 2002) 150–75.
8. F.W. Brooks *The Council of the North* (Historical Association General Series 25; London: Historical Association, 1966, revised edition of 1953) 11.
9. Brooks *Council of the North* 13.
10. Brooks *Council of the North* 15.
11. Brooks *Council of the North* 16.
12. Brooks *Council of the North* 16.
13. Rachel Reid *The King's Council of the North* (London: Longmans, 1921) 187.
14. *Oxford Dictionary of National Biography* (hereafter ODNB). Citations to the ODNB are given only when a direct quotation is used. Except where otherwise noted, all biographical details about individuals are taken from their biographies in the new online *Oxford Dictionary of National Biography*: <<http://www.oxforddnb.com>>.
15. Brooks *Council of the North* 19.
16. *The Tudor Constitution: Documents and Commentary* edited G.R. Elton (Cambridge UP, 1962) 221–5.
17. ODNB s.v. 'Henry Manners', by M.M. Norris:  
<<http://www.oxforddnb.com/view/article/17955>>.
18. T. Rymer *Foedera* 20 vols (London: Churchill, 1704–1735) 15 611.
19. Kew: The National Archives, SP 59/4, fols 190<sup>r</sup>–v.
20. David Palliser *Tudor York* (Oxford: Oxford UP, 1979) 242–8.
21. Kew: The National Archives, C66/1042. C66/1042 is the Patent Roll for 10 Elizabeth (17 November, 1568 to 16 November 1569) but since Young is named as President and he died 26 June 1568 the document had clearly been mis-filed.
22. REED: *York* 358–9.
23. See the Provincial and Diocesan sections of each volume of Records of Early English Drama e.g. REED: *Ecclesiastical London* edited Mary Erler (University of Toronto Press, 2008) 3–13; REED: *Cheshire including Chester* edited Elizabeth Baldwin, L.M. Clopper and David Mills, 2 vols. (University of Toronto Press, 2007) 3–7.
24. Alexandra F. Johnston 'The Plays of the Religious Guilds of York — the Creed Play and the Pater Noster Play' *Speculum* 50 (1975) 55–90.
25. Kew: The National Archives, C66/1042 mbs 1–3 dorse. I am grateful to Professor Meg Twycross for making me aware of this document and providing me with photographs of it.

26. Palliser *Tudor York* 108.
27. Information about John Lakyn, Walter Jones, and John Rokeby comes from Ronald A. Marchant *The Church under the Law 1560-1640* (Cambridge UP, 1969) 41-2, 94-5, 147-56. There is also a short biography of Rokeby in ODNB by David M. Smith: <<http://www.oxforddnb.com/view/article/24009>>. Information about Thomas Lakyn comes from Christina H. Garrett *The Marian Exiles: a Study in the Origins of English Puritanism* (Cambridge UP, 1966; reprint of 1938 edition) #260, 214. Lawrence Meres served as MP for Orford in the parliament of 1563. His biography is in *The History of Parliament: The House of Commons 1558-1603* edited P.W. Hasler, 3 vols (London: HMSO for the History of Parliament Trust, 1981) 3 43-4.
28. Sir Henry Gates served in the parliaments of 1545, 1547, 1559, 1563, 1571, 1572 and 1586. He was closely associated with Thomas Gargrave and was a relative of Sir Francis Walsingham. His biography is in the *History of Parliament 1558-1603*, 2 173-5.
29. Sir John Gibson is mentioned in John Stow *A Survey of the Cities of London and Westminster* revised by John Strype (London: Churchill, 1720) book 1, chapter 24, 153. Further information about him is found in Rachel R. Reid *The King's Council of the North* (London: Longmans, 1921) 251-2.
30. ODNB sv 'Henry Hastings' by Claire Cross:  
<<http://www.oxforddnb.com/view/article/12574?docPos=2>>.
31. Cited by Ian Archer in ODNB sv 'Thomas Gargrave' from J.J. Cartwright *Chapters in the History of Yorkshire* (Wakefield: Allen, 1872) 46:  
<<http://www.oxforddnb.com/view/article/10383>>.
32. Palliser *Tudor York* 54.
33. *York Civic Records* 6 edited Angelo Raine (Yorkshire Archaeological Society Record Series 112; York and London: Yorkshire Archaeological Society, 1948 for 1946) 147-8.
34. Raine YCR 6 156-7.
35. Raine YCR 6 160.
36. Raine YCR 6 161-168.
37. REED: *York* 390
38. *Calendar of Patent Rolls: Elizabeth I volume VI 1572-1575* (London: Her Majesty's Stationery Office, 1982) 382.
39. David Mills *Recycling the Cycle* (University of Toronto Press, 1998) 146.
40. REED: *Cheshire including Cheshire 1* 159-60. This story has been well told from the perspective of the full context of Chester and its plays by David Mills in *Recycling the Cycle* 145-52.

41. Mills was unable to identify Rogerson but John Lane was a prebendary of Chester Cathedral whom Mills describes as 'a man of strong Protestant views' (REED: Cheshire including Chester 1016).
42. REED: Cheshire including Chester 169.
43. REED: Cheshire including Chester cxxxvi.
44. REED: Cheshire including Chester 143.
45. REED: Cheshire including Chester 143–4.
46. REED: Cheshire including Chester 144. Goodman and Grindal in these letters are probably referring to Elizabeth's Proclamation promulgated 16 May 1559 concerning the control of plays to be performed: see W.C. Hazlitt *The English Drama and Stage under the Tudor and Stuart Princes 1543–1664* (New York: Franklin, 1964; facsimile reprint of London: Roxburghe Library, 1869) 19–20.
47. REED: Cheshire including Chester 144.
48. ODNB sv 'Edward Stanley' by Louis A. Knafla:  
< <http://www.oxforddnb.com/view/article/26262?docPos=2> > .
49. REED: Cheshire including Chester 145.
50. REED: Cheshire including Chester 146.
51. REED: Cheshire including Chester 1016.
52. Mills *Recycling the Cycle* 181–3.
53. REED: Cheshire including Chester 146.
54. REED: Cheshire including Chester 171–2.
55. REED: Cheshire including Chester 1017.
56. REED: Cheshire including Chester 170.
57. REED: Cheshire including Chester 1018.
58. REED: Cheshire including Chester 168.
59. REED: Cheshire including Chester 161.
60. REED: Cheshire including Chester 172.
61. REED: Cheshire including Chester 170.
62. Strickland's biography appears in *The History of Parliament 1558–1603* 3 457–8. Francis Drake names Ashburn as the rector of the church of St Mary the Elder: *Eboracum* (London: William Bowyer for F. Drake, 1736) 267.
63. REED: York 369.
64. REED: Cheshire including Chester 144.
65. REED: York 353.
66. REED: York 354.
67. Palliser *Tudor York* 246.

68. *REED: York* 365.
69. It seems probable that Allen appointed himself the censor on this occasion, or sent them to someone else (possibly a priest) of a suitably conservative cast of mind. It seems apparent from the resulting row that they were not sanctioned by anyone associated with the Commission. I have treated that incident at greater length in ‘The City as Patron’ (see note 7).
70. See Eileen White ‘The Disappearance of the York Play Texts: The Creed Play’ *METH* 5:2 (1983) 103–109.
71. *REED: York* 378.
72. *REED: York* 390.