

UNIVERSITY OF SOUTHAMPTON

FACULTY OF ARTS

School of Humanities

The 'Book of Sports' and the Politics of Sabbatarianism in Tudor and Stuart England

by

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Thesis for the degree of Doctor of Philosophy

January 2007

UNIVERSITY OF SOUTHAMPTON

ABSTRACTFACULTY OF ARTS
SCHOOL OF HUMANITIESDoctor of Philosophy**THE 'BOOK OF SPORTS' AND THE POLITICS OF SABBATARIANISM IN
TUDOR AND STUART ENGLAND**

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This thesis examines the controversy surrounding the *Book of Sports* and the role and nature of sabbatarianism in early Stuart England. In particular, it asks whether the view that Sunday should be completely set aside for worship and prayer was a mainstream principle of the English Church or whether it was, instead, the hallmark of radical protestants who sought to impose their beliefs on society as a whole and, contrary to the Church's traditional position, sought to suppress all recreations held after church on Sundays. It examines the role of traditional festivity in early modern England, the motivations of the people who attempted to suppress such festivity, the polarising nature of their actions and the fatal consequences for the cohesion of early Stuart society.

This thesis casts a fresh light on the nature and importance of puritan sabbatarianism in the late sixteenth and early seventeenth century. It challenges two key arguments put forward by K. L. Parker: that the puritan view of Sunday observance was not an innovation, and that it was Archbishop Laud and his supporters who changed the teaching of the English Church by adopting anti-sabbatarian policies. The thesis argues that puritan sabbatarianism did indeed diverge from the traditional teaching of the Church and represented a serious challenge to the authority of both the Church and the crown. The thesis conducts a detailed re-examination of the events surrounding the republication of the *Book of Sports* in 1633 and reassesses the role of Charles I. It challenges the views of numerous historians who have argued, or simply assumed, that the policy of reissuing and then enforcing the *Book of Sports* was that of Archbishop Laud. Instead, this thesis argues that it was very much the king's own work. The thesis also assesses the impact of the *Book of Sports* and argues that it contributed to the deep divisions within Caroline society. It argues, indeed, that the book's reissue was a factor in the country's descent into civil war.

The introduction outlines the main points at issue and my reasons for deciding to undertake such a study. Chapter one discusses the historiography of the *Book of Sports* and early modern sabbatarianism. Chapter two puts later puritan sabbatarianism into context by examining attitudes to Sunday observance in late medieval England. Chapter three considers the impact of the Reformation on such attitudes and the enduring popularity of Sunday revels. Chapter four explores the attitudes of the Elizabethan church to Sunday observance and examines in detail the emergence of a new form of sabbatarianism espoused by radical protestants. Chapter five explores further the importance of puritan sabbatarianism as well as the cultural divisions that existed in Jacobean society. It also analyses the impact of the Jacobean *Book of Sports*. Chapter six examines the importance of attitudes to Sunday revelry in the early part of Charles I's reign and reassesses Charles' role in the decision to reissue the *Book of Sports* in 1633. Chapter seven considers the nature and impact of the enforcement of the *Book of Sports* and the extent to which reaction to it both increased opposition to the Caroline regime and later helped to determine allegiance in the Civil War. The conclusion discusses briefly the impact of the Interregnum and the Restoration on traditional festivity. It then brings my findings together and argues that the question of popular culture and Sunday observance played a crucial role in the politics of early Stuart society. Finally, it underlines the point that puritan sabbatarianism represented both a divergence from traditional attitudes towards playing sports on Sundays and a threat to the authority of the crown.

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ACKNOWLEDGEMENTS

I am very conscious that I owe a huge debt of thanks to many people for encouraging me, supporting me and advising me over an extended period of time as I undertook my research and then completed this thesis.

First, I should like to thank the Arts and Humanities Research Board for funding my initial research. Second, I should like to thank the staff of the Bodleian Library, the British Library, the Devon Record Office, the Public Record Office, the Somerset Record Office, and Southampton University Library for all their help. In particular, I should like to thank Susan Laithwaite of the Devon Record Office and Philip Hocking of the Somerset Record Office, who gave me invaluable assistance in researching sixteenth- and seventeenth-century court orders against wakes and ales. I am very grateful to them.

I should also like to thank colleagues and friends for their advice, interest and support. In particular, my heartfelt thanks go to: Daniel Bedingfield, Professor George Bernard, Dr Alastair Duke, Dr Brian Golding, Dr Marjorie Huntley, Rosemary Kelly, Dr John Oldfield, Professor Kevin Sharpe and Mary Stubbington. My greatest debt of gratitude is owed to my supervisor and friend, Professor Mark Stoye. Mark has been an enormous inspiration to me ever since I was fortunate to be an undergraduate student of his many years ago. He has been a wonderful mentor ever since and has given me so much encouragement, support and invaluable advice over the years. Both Mark and his wife, Lynn, have shown considerable kindness to me and we have become great friends. I will forever be in their debt.

During the course of researching and writing this thesis, I experienced various setbacks. These included my house being flooded within weeks of starting my research and, on another occasion, my house being struck by lightning, ironically while I was working one Sunday afternoon. At some points I did wonder if someone was trying to tell me something! While undertaking my research, I came across a passage in Edward Brerewood's treatise on the Sabbath, in which he wrote: 'I grow weary, & have already both dulled my penne and my selfe'. I confess that this struck a chord at the time, and I am therefore grateful to the colleagues and friends who gave me the encouragement and moral support to carry on. I therefore owe sincere thanks to my colleagues at the University and at the Godolphin School, Salisbury, and to Neil, Jane, Bill, Sarah, Laura, Tim, Alan, Mary, Sadie and Mike. Above all, I want to thank my parents for giving me so much in life and for their unwavering love and support.

ABBREVIATIONS

<i>CSPD</i>	<i>Calendar State Papers Domestic.</i>
<i>CSPV</i>	<i>Calendar State Papers Venetian.</i>
DRO	Devon Record Office, Exeter.
<i>EHR</i>	<i>English Historical Review.</i>
<i>JEH</i>	<i>Journal of Ecclesiastical History.</i>
<i>P&P</i>	<i>Past and Present.</i>
PRO	Public Record Office, Kew.
SP	State Papers.
SRO	Somerset Record Office, Taunton.
<i>TRHS</i>	<i>Transactions of the Royal Historical Society.</i>

Introduction

On his return from a visit to Scotland in 1617, James I was presented with a petition by people in Lancashire who resented attempts by magistrates there to stop them playing sports on Sundays. The king responded by issuing a declaration licensing the playing of certain sports on Sundays and published this declaration nationally the following year. It met with opposition, particularly from puritans or zealous protestants who were actively engaged in a campaign to reform both the church and society and who, as part of that campaign, wanted the Lord's day to be strictly observed and to be wholly devoted to the worship of God. In 1633, following an order by magistrates in Somerset banning traditional Sunday revels, James' son and successor, Charles I, ordered the Somerset bench to revoke its order and then decided to reissue his father's so-called *Book of Sports*. Unlike his father, who, in the face of opposition, had prudently decided not to enforce his declaration, Charles was determined that his *Book of Sports* should be enforced and required that it should be read in parish churches throughout the country. This decision was hugely divisive and created enormous upset and opposition far beyond the ranks of the English puritans.

Writing in 1930 about the controversy surrounding the issue of Sunday observance in early seventeenth-century England, J. R. Tanner declared that: 'the Sabbatarian Controversy is vastly more important than it appears to be at first sight.'¹ Most histories of the period make at least some reference to contemporary divisions over Sunday observance and, in particular, to the controversial publication of James' *Book of Sports* in 1618 and to Charles I's even more controversial decision to reissue it in 1633 and to then enforce its publication. Some make only a passing reference, while others have explored the matter in more detail, writing articles about various aspects of the debate or devoting several pages to the issue as part of a wider study of the period.² In the process, a number of historians have acknowledged, as Tanner did, that the issue of how Sunday was observed and whether or not sports or any form of recreation should be allowed on the Lord's day, was one that created bitter divisions within English society and even contributed to the outbreak of the English Civil War and helped to determine allegiance during that terrible conflict. Yet, although the *Book of Sports* and the debate surrounding it is seen as important, historians have nonetheless frequently failed to

¹ J. R. Tanner (ed.), *Constitutional Documents of the Reign of James I, 1603-1625* (Cambridge, 1930), p. 49.

² For example, see: T. G. Barnes, 'County Politics and a Puritan Cause Célèbre: Somerset Churchales, 1633,' in *TRHS*, Fifth Series, 9 (1959), pp. 103-122; D. Underdown, *Revel, Riot and Rebellion. Popular Politics and Culture in England 1603-1660* (Oxford, 1985), pp. 65-68; L. S. Marcus, *The Politics of Mirth. Jonson, Herrick, Milton, Marvell and the Defence of Old Holiday Pastimes* (Chicago, 1986), esp. pp. 106-107, 129-130 and 169-171; J. Davies, *The Caroline Captivity of the Church: Charles I and the Remoulding of Anglicanism* (Oxford, 1992), pp. 172-204; K. Sharpe, *The Personal Rule of Charles I* (New Haven and London, 1992), pp. 351-360; R. Hutton, *The Rise and Fall of Merry England. The Ritual Year 1400-1700* (Oxford, 1994), pp. 196-198, 200-201 and 203-205.

give it the prominence that it deserves, and no large-scale work has been devoted to the subject of the *Book of Sports* since L. A. Govett's rather simplistic study of 1890.³

In 1988 Kenneth Parker published an important and influential book on early modern English sabbatarianism. Although this work does not focus on the *Book of Sports* itself, it does discuss the issues surrounding it in the context of Parker's examination of the wider question of Sunday observance in the English Church. One of the main thrusts of Parker's arguments is that the sabbatarianism espoused by early modern puritans was a mainstream tenet of the Elizabethan and early Stuart church. Parker challenges the idea that puritan sabbatarianism was stricter than or different from orthodox, traditional English sabbatarianism and accuses Archbishop Laud and his supporters of falsely portraying puritan sabbatarianism as a break from the Church's traditional view of Sunday observance. Indeed, Parker claims that, far from the puritans breaking with the past, it was the Laudians who were being innovative in asserting that the fourth commandment was not morally binding, and he accuses the Laudians of using the *Book of Sports* as part of a campaign against the puritans in an attempt to portray their views as both new and dangerous.⁴

I became interested in the events and issues surrounding the *Book of Sports* when I was an undergraduate historian studying the reign of Charles I under the tutelage of Mark Stoye. Professor Stoye's seminars covered all the main events and aspects of Charles' reign and engendered in me a fascination for the period. I became particularly interested in the *Book of Sports* and the impact that it had on the king's relationship with his subjects. Although it was clear that the *Book of Sports* was of considerable significance, I was frustrated by the fact that most historians dealt with it in comparatively little detail and I decided to undertake post-graduate research in order to examine the whole issue in much greater depth. In particular, I wanted to establish whether the *Book of Sports* and its declaration that certain sports were permissible after church on Sundays represented a change in English authority's view of Sunday observance, and the extent to which it was or was not merely a tool with which to identify and isolate the puritan faction within the English Church. I was intrigued by Parker's claim that Puritanism did not represent a diversion from traditional English sabbatarianism. Although Parker made several important and valid points and argued his case well, I was not wholly convinced by his thesis that puritan sabbatarianism was not an innovation or by his assertion that Laud and his supporters were wrong in portraying the many puritan polemics about Sunday observance as unorthodox. It was clear that the arguments of some of the

³ L. A. Govett, *The King's Book of Sports* (London, 1890).

⁴ K. L. Parker, *The English Sabbath. A Study of doctrine and discipline from the Reformation to the Civil War* (Cambridge, 1988), *passim*.

Laudians exaggerated puritan beliefs in order to make them seem even more extreme than they were. Yet, I suspected that Parker himself had gone too far in his assertions and had seriously underestimated the distinctive nature and importance of puritan sabbatarianism. Parker's attempts to portray the puritans as orthodox and to convince us that Laudians such as Peter Heylyn were guilty of falsely accusing puritan calls for a much stricter form of Sunday observance as innovative were not entirely persuasive. Parker's conclusions appeared too one-sided. I felt that the issue of early modern sabbatarianism and, in particular, the whole question of the publication and impact of the *Book of Sports* needed a thorough re-examination in order to reach a more balanced view. This thesis seeks to redress the balance. Using a vast range of contemporary works including books, tracts, catechisms and sermons, it builds on the research of Parker and others in order to examine the question of sabbatarianism and, in particular, the events and issues surrounding the *Book of Sports*, in order to reach a better understanding of the motivations, views and reactions of the people of the time concerning the important issues of Sunday observance and traditional festivity and popular culture.

The thesis begins with an examination of the historiography of the *Book of Sports* and seventeenth-century sabbatarianism. Chapter one looks at how historians have dealt with these matters and outlines the main areas of debate. In order to understand the historiography of the subject as fully as possible, it is important to put the debate into context and chapter two examines attitudes to Sunday observance and to recreations in late medieval England in order to establish whether either the Church or state demanded the strict Sabbath observance of later puritans. This chapter establishes that, although in pre-Reformation England, as in later times, there was a puritan ascetic streak, this was not typical. Even though moralist attitudes towards Sunday observance can be found in the later Middle Ages, they were not dominant and both Church and state were far more accommodating towards traditional Sunday festivity than the godly were later to be. Chapter three considers the impact of the Reformation and the enduring popularity of Sunday revels. Chapter four examines the attitudes of the Elizabethan church to Sunday observance and the emergence of a new form of sabbatarianism championed by the likes of Nicholas Bownde, and challenges Parker's assertion that the sabbatarianism of Bownde and his fellow puritans was nothing new. Chapter five continues the discussion of puritan sabbatarianism and, in particular, examines the genesis and impact of the Jacobean *Book of Sports* and how attitudes towards Sunday observance polarised during the course of James I's reign. The final two chapters are the most contentious and consider in detail the circumstances behind the reissuing of the *Book of Sports in 1633*. These chapters challenge the assumption of Barnes, Parker and others that the 1633 *Book of Sports* was the work of Archbishop Laud and argue instead that it was most

probably the idea of the king himself, who was very much engaged in the sabbatarian debate and who was anxious to replicate the work of his father. They argue that, contrary to Parker's argument, even allowing for exaggeration on the part of anti-sabbatarians such as Peter Heylyn and Francis White, puritan sabbatarianism called for a radically different and far stricter Sunday observance, which was not only at odds with the mainstream principles of the early modern church but was also a challenge to its authority and to the authority of the crown. The final chapter highlights the enormous impact that the Caroline *Book of Sports* had in the context of the clash between the puritans' determination to reform society and their enemies' determination to uphold the traditional festive culture: a culture which many contemporaries increasingly felt was under threat. Indeed, as the chapter discusses, the diverging attitudes to popular culture helped to determine people's allegiance in the English Civil War.

This thesis underscores the crucial importance of the *Book of Sports* and, indeed, the whole sabbatarian controversy to our understanding of Early Stuart England. As Tanner observed, these matters are far more important than some historians appear to have appreciated and it is hard to underestimate their significance when considering the religious and cultural divisions in English society during the reign of Charles I. It is important to acknowledge the challenge that puritan sabbatarianism presented to both the traditional way of life and to the established church and state. It is also important to appreciate why puritan sabbatarianism was resisted and how the resulting tensions helped to contribute to a bloody civil war.

Chapter One

The historiography of the *Book of Sports* controversy

Writing in the 1650s, Thomas Fuller claimed that many people believed that the Civil War that had torn England apart in the previous decade had been a punishment by God for Charles I's Declaration of Sports and its sanctioning of Sunday recreations.¹ Of course, the Declaration was not of itself a chief cause of the Civil War. Yet, insofar as divisions over matters of religion were at the heart of that conflict, the *Book of Sports* played an important part in causing those divisions to widen. Indeed, in the words of Kevin Sharpe, 'perhaps more than any other of [Charles's] injunctions', the *Book of Sports* 'raised opponents who were not natural enemies to the church and forced them to a radical choice that presaged the choice that many were to have to make in 1642: that between conscience and obedience.'² Most historians agree that the publication of the *Book of Sports* exacerbated pre-existing religious divisions within the kingdom of England. However, the degree to which it heightened those splits and the motivations of those responsible for its publication have been the subject of much debate from the seventeenth century through to the present day. In particular, historians continue to differ on the role that the *Book of Sports* played in the so-called sabbatarian controversy. For much of the sixteenth and seventeenth centuries the question of what constituted the Sabbath and how it should be observed was a very live issue. There was an ongoing debate as to whether Sunday was on the same footing as the Jewish Sabbath and should be observed with all the rigour of Mosaic Law, or whether, as the 'Lord's day' appointed by the Church, less stringent observance was acceptable. This chapter outlines how historians have dealt with this debate and the conclusions that they have reached about the issues surrounding the *Book of Sports*.³

* * *

Most of the eighteenth and nineteenth century histories that dealt with the *Book of Sports* were extremely partisan. Some condemned Archbishop William Laud and King Charles I for having encouraged abuse of the Sabbath and claimed that the Declaration had been a deliberate attack on Puritanism. Others sought to justify the Book's publication by suggesting that the Crown was merely attempting to maintain the *status quo* and to uphold the legitimate jurisdiction of the Church. Although these historians were very subjective, their works are

¹ T. Fuller, *The Church History of Britain* (J. Nichols (ed.), three volumes, London, 1837), p. 378.

² K. Sharpe, *The Personal Rule of Charles I* (New Haven and London, 1992), p. 359.

³ Given that contemporary writers such as Peter Heylyn, Francis White, William Prynne and Henry Burton were themselves

nonetheless useful in highlighting many of the issues around which debate still continues. Writing in the early eighteenth century, the Tory historian, Laurence Echard, tried to absolve James I from accusations of deliberately attacking puritanism by suggesting that it was James' love of sport that had prompted him to publish his Declaration. Echard nonetheless disapproved of the Declaration and claimed that it had encouraged profanity and the spread of Catholicism.⁴ Echard believed that it had jaundiced peoples' attitudes towards the Crown and suggested that it had been 'one cause of the many mischiefs' in Charles I's reign.⁵ He also claimed that Laud's attempts to uphold ecclesiastical jurisdiction in the Somerset church ales controversy of 1632-33 and the revocation of Lord Chief Justice Richardson's order suppressing ales had led people to believe that the government was deliberately fostering the profanation of the Lord's Day. Echard argued that, contrary to what had been intended, the enforcement of the *Book of Sports* had resulted in many people becoming more firmly sabbatarian and had 'caus'd more specious Grounds of Complaint against the King and the Archbishop, as having such outward Appearances of Irreligion and Profaneness'.⁶

The Whig historian, John Oldmixon, agreed with Echard that James's own love of sports had been a factor behind James' Declaration, but insisted that it had also been designed to force ministers to reveal their puritan allegiances through their refusal to read it. It had therefore been a deliberate 'trap to catch conscientious men'. Oldmixon also claimed that James's Declaration had been counter-productive in that it had given great offence 'to the people in general' and actually 'strengthen'd the Puritan party'.⁷ Indeed, he maintained that James' decision not to enforce the 1618 Declaration had been because the opposition to it was so great.⁸ In considering the Somerset ales controversy, Oldmixon observed that Somerset had been notorious throughout the late sixteenth and early seventeenth century for being 'debauch'd and disturb'd by Revels and Clerk Ales', and that these festivities had frequently led to disorder.⁹ Oldmixon accepted that Laud had been furious at the requirement that the justices' order suppressing ales should be read out in churches and had wanted to protect the Church's jurisdiction, yet he also insisted that Laud had been deliberately promoting the profanation of the Lord's day. He maintained that Bishop Piers' claim that the Somerset gentry wanted the revels to continue was untrue and that in fact they had wanted them to be suppressed.¹⁰ He pointed out that nearly all of the magistrates who had petitioned the king to

also protagonists within the debate itself, their works are considered in context later in the thesis.

⁴ L. Echard, *The History of England* (London, 1707-18), Vol. I, p. 944 and Vol. II, p. 7.

⁵ *Ibid.*; and Vol. II, p. 7.

⁶ *Ibid.*, Vol. II, pp. 108-109.

⁷ J. Oldmixon, *History of England During the Reigns of the Royal House of Stuart* (London, 1730), p. 46.

⁸ *Ibid.*, p. 120.

⁹ *Ibid.*; and J. Oldmixon, *The Critical History of England* (London, 1724-30), Vol. II, p. 87.

¹⁰ Oldmixon, *History of England*, pp. 121-122; Oldmixon, *Critical History*, pp. 87-88.

reinstate Richardson's order suppressing church ales had later joined the Royalist camp and become 'Fighters and Sufferers for King Charles I' in the Civil War.¹¹ Although Oldmixon does not put things in these terms, this comment implies that the issue of popular pastimes may not yet have become politicised in the way that it certainly was to be by the 1640s when support for traditional customs was a mark of royalism. Oldmixon blamed Laud entirely for the 1633 *Book of Sports*. He asserted that Laud and Piers had deliberately misled the king and that Laud had ensured that the Declaration was published before Charles received the justices' petition. Oldmixon further claimed that Laud had subsequently got Charles to sign a warrant instructing him to print the Declaration in order to cover his own tracks.¹²

Writing anonymously in 1706, White Kennett, Bishop of Peterborough, challenged Oldmixon's view and claimed that James's Declaration had been very popular. It is, of course, impossible to gauge how popular or otherwise this measure had been among the common people, but if it had indeed enjoyed widespread popularity among the gentry, then we must ask why James did not try to enforce it. In any event, Kennett claimed that by 1633 the political and religious climate had changed and that Charles and Laud had failed to appreciate 'the Pulse and Temper of the People'. This failure had cost them dear. Kennett elaborated on the reasons for Laud's interference in the Somerset ales dispute and claimed that Laud had been anxious to prevent Church matters from becoming the business of lay magistrates and had wanted to prevent Richardson's order from becoming a precedent for further infringements of ecclesiastical authority. Kennett agreed with Echarde that the Caroline *Book of Sports* had backfired and that it had been widely regarded as profoundly irreligious. He too maintained that it had recruited people to the puritan and sabbatarian cause, as: 'many devout People were so much offended at it, that from being Serious they grew Precise, and condemned all the customary Sports and Diversions upon Sundays ... as now absolutely unlawful'. Moreover, he asserted, as Sharpe was to do much later, that the reissuing of the *Book of Sports* 'drew on more prejudice against the King and the Archbishop, than any other part of the publick Administration'.¹³

The Huguenot writer, Paul de Rapin Thoyras, writing in 1786, argued that Charles I had decided to reissue the Declaration in order to both undermine Puritanism and uphold royal authority. Rapin claimed that the Puritans' 'dislike of a thing was a sufficient reason with the court strenuously to support it' and that Charles had sanctioned wakes and ales simply because he knew that the puritans were against them. Rapin maintained that Charles had also

¹¹ Oldmixon, *Critical History*, pp. 87-88.

¹² Oldmixon, *History of England*, p. 121.

¹³ Anon, *A Complete History of England* (London, 1706), Vol. III, p. 66-67.

been concerned to ensure that a principle did not become established whereby an inherently innocent custom would be abolished just because it sometimes led to abuses. According to Rapin, Charles had feared that if that happened then ‘it might be applied to things of great consequence’; something he would oppose ‘to the utmost of [his] power’.¹⁴

Few early nineteenth-century histories of the Stuart period offered any novel perspectives, although some added a slight gloss to earlier histories. For example, in his *Constitutional History*, George Brodie wrote that the *Book of Sports* had been used by ‘Laud and his party’ to ‘lessen the reverence of the Lord’s day, [and] to inure the people to sports’ in order to achieve ‘the grand object’ of luring people away from Sermons and Puritan influence.¹⁵ Like Oldmixon, he claimed that forcing ministers to publish the Declaration had been intended to be a test of loyalty designed to weed out non-conformist ministers. Writing in 1827, the Whig historian, Henry Hallam, identified sabbatarianism as a divisive, puritan innovation. He claimed that Sunday observance and the playing of sports on Sundays had continued largely unchanged until ‘industrious people . . . and the more scrupulous party’ had called for stricter Sabbath observance in the 1590s. Indeed, Hallam claimed that it was in the mid-1590s that the puritans had begun to place Sunday on a similar footing to the Jewish Sabbath and had sought to prohibit ‘every sort of pastime and recreation’. In this, they had been opposed by people ‘on the high-church side’. Hallam agreed with Oldmixon and Brodie that James I had intended to use his endorsement of Sunday recreations as a way of singling out and harassing puritan ministers.¹⁶ Hallam also accused Laud of having deliberately used the 1633 Declaration as a tool to detect ‘a latent bias in the clergy’ and to oppress ‘pious men’ by prosecuting those ministers who refused to read it. Moreover, he claimed that its publication had been a deliberately populist move by Laud designed to turn people against Puritanism. Believing that Puritanism’s ‘morose gloomy spirit’ was ‘naturally odious to the young and to men of joyous tempers’, Hallam claimed that the ecclesiastical hierarchy had thought that ‘by enlisting the common propensities of mankind to amusement on the side of the established church, they might raise a division against [the] fanatical spirit’ of the puritans.¹⁷ The late nineteenth-century German historian, Leopold von Ranke, similarly claimed that Laud had believed that the *Book of Sports* would prove popular and ‘would attract people to his side’ and suggested that it was Laud’s intolerance and lack of compassion in enforcing the Book that had alienated support.¹⁸ Hallam further suggested that Laud had encouraged people to

¹⁴ M. Rapin de Thoyras, *The History of England*, trans. N. Tindal (London, 1786), Vol. III, p. 518.

¹⁵ G. Brodie, *A Constitutional History of the British Empire. From the Accession of Charles I to the Restoration* (three volumes, London, 1866), Vol. II, p. 105.

¹⁶ H. Hallam, *The Constitutional History of England from the Accession of Henry VII to the Death of George II* (two volumes, London, 1827), Vol. I, pp. 428-431.

¹⁷ *Ibid.*, Vol. I, p. 512-513.

¹⁸ L. von Ranke, *A History of England Principally in the Seventeenth Century* (six volumes, Oxford, 1875), Vol. II, p. 49.

occupy themselves in playing sports in order to prevent them from questioning matters of state. However, Hallam agreed with Echard and Oldmixon that the *Book of Sports* had backfired and that it had produced 'a far more scrupulous abstinence from diversions on Sundays than had been practised before'.¹⁹

During the course of the nineteenth century, attitudes to History and methods of historical research changed and History emerged as an academic discipline in its own right. Greater use of primary source material allowed for a more detached, analytical and scientific approach to Historical study. The late Victorian historian, Samuel Gardiner, exemplified this new approach and provided fresh interpretations of the seventeenth century. Gardiner gave a central role to Puritanism in the years leading up to the Civil War and wrote about the rise of a new form of Puritanism in which, he claimed, 'thoughtful Englishmen' had become less concerned about combating continental Catholicism and had begun instead to concern themselves with instigating moral reform at home. With the break from Rome achieved and a Protestant Church established in England, Gardiner argued, increasing numbers of Protestants had come to believe that English society itself was now in urgent need of reform and that individuals should transform their lives and live as God ordained. As Gardiner put it:

in the ideal England which rose before their eyes, the riotous festivities of Whitehall, and the drunken revelries of the village alehouse were to be alike unknown. Soberness, temperance, and chastity were to be the results of a reverent submission.²⁰

It followed, therefore, that the new puritanism would no longer tolerate the traditional Sunday pastimes. Gardiner stated that 'all England had been accustomed from time immemorial to consider that at the close of the service [on Sunday] the religious duties of the day were at an end' and that people were then free to spend the afternoon 'dancing upon the green' and enjoying their traditional sports. This assertion failed to take into account regional differences and the fact that wakes and ales had already become a thing of the past in certain rural areas and in many towns. Gardiner also failed to allow for the fact that there was a tradition of sabbatarian thinking within the Church in England and that, while it was certainly not as stringent as that of most puritans, voices as far back as the Middle Ages had spoken out against Sunday recreations. Nonetheless, he was surely right to claim that the Puritans had been determined to change things, believing that Sunday was 'the true representative of the

¹⁹ Hallam, *Constitutional History*, Vol. I, p. 513-514.

²⁰ S. R. Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War, 1603-1642* (ten volumes, London, 1883), Vol. III, pp. 239-242.

Jewish Sabbath, and as such was to be observed with complete abstention, not only from all work, but from every kind of amusement'.²¹ Gardiner claimed that some form of clash had been virtually inevitable between the new culture of 'the Puritan Sabbath' and the old culture of 'the traditional Sunday of the Middle Ages'.²²

Probably because of his own religious outlook, Gardiner believed that matters would have resolved themselves if they had not been subjected to official interference. He thought that people would have increasingly been won over to the Puritan view, as the example of the Puritans, when contrasted with the frivolity and drunkenness of others, would have made people 'thoroughly ashamed of the scenes by which a day thus set apart was too often desecrated'.²³ However, Gardiner stated that the Puritans' inability to leave the matter alone had forced the state to become involved. Thus, Gardiner saw the events in Lancashire in 1617 that led to the publication of the Jacobean *Book of Sports* as having been caused by Protestant magistrates seeking to force matters and to suppress Sunday sports. Gardiner maintained that, in an attempt to gain popularity, the Catholic gentry in Lancashire had responded to the magistrates' order suppressing traditional Sunday revels by taking the lead in denouncing puritan attempts to ban popular pastimes. Gardiner held that James's initial decision against the magistrates' order had been hasty and that James had been forced to reconsider the whole matter in detail when, hot on the heels of his decision, a rowdy group of people had disturbed worshippers by piping and dancing. Gardiner maintained that no more might have been heard of the Declaration if James had issued it for Lancashire alone. He implied that James had instead taken the opportunity to attack Puritanism by ordering the clergy across the country to read the declaration from the pulpit. In doing so, the king had produced a plan 'calculated to rouse the greatest possible amount of opposition'. Even so, Gardiner conceded that James, 'unlike his son ... was prudent enough to give way before so wide an expression of feeling, and withdrew his order for the reading of the declaration'.²⁴

Arguing that Puritanism had brought about an increase in strict sabbatarianism, Gardiner pointed out that, although numerous orders had been made by local magistrates to suppress church ales in Somerset because they led to disorder, none had made any reference to the 'profanation of God's sabbath' until 1615.²⁵ As for the events of 1632-33 themselves, Gardiner observed that Richardson's order had been supported by both Puritans and leading

²¹ *Ibid.*, pp. 247-248.

²² *Ibid.*, Vol. VII, p. 318; S. R. Gardiner, *The Personal Government of Charles I, 1628-1637* (two volumes, London, 1877), Vol. II, p. 24.

²³ Gardiner, *History of England*, Vol. III, p. 248.

²⁴ *Ibid.*, pp. 248-249 and 251-252.

²⁵ *Ibid.*, Vol. VII, p. 319.

non-Puritans.²⁶ He agreed with many earlier historians that Laud had resisted Richardson because he believed that the Judge's order interfered in ecclesiastical matters.²⁷ He stated that neither Laud nor Charles had been interested in dogmatic controversy, and that Laud had cared much more about obedience than about questions of breaching the fourth commandment.²⁸ Gardiner maintained that ministers had been made to read the Declaration from the pulpit purely because it had seemed to be 'the readiest way' to make the king's intentions as widely known as possible, suggesting that he did not necessarily think that its enforcement had been designed to weed out Puritan ministers.²⁹

At the end of the nineteenth century, L. A. Govett published a work devoted entirely to the subject of the *Book of Sports*. Govett rightly claimed that the 1633 Declaration had a special place in early seventeenth-century history although he overstated matters by asserting that it had been one of the major causes of the civil war.³⁰ He observed that James had frequently made a point of exercising his royal prerogative by issuing declarations even when the subject of the declaration had been of secondary importance. He maintained that James's decision to publish his Declaration had been one such example and that it had been made in order to uphold the royal prerogative. Govett claimed that James was partly provoked into publishing the Declaration because he was stung by the adverse comments made by Puritans disgusted at his decision to side with the Lancashire petitioners against the order of their magistrates. Like Gardiner, Govett claimed that, rather than settling the dispute, the effect of James's Declaration had been to create 'a fresh disturbance' over the issue of Sabbath observance. Although James had quickly withdrawn the requirement that his Declaration be published in the churches, Govett claimed that it had been 'too late to allay the storm' and implied that the king's intervention had led to an increase in sabbatarianism and to calls in Parliament for sabbatarian legislation. Indeed, Govett spoke of 'the increasing tyranny of the Puritans' and claimed that the issue of Sunday observance had become an increasingly important one during the course of James's reign.³¹

Govett referred to Laud's anger when he had been Bishop of London and the Lord Mayor of London had tried to prevent a woman from selling apples in St. Paul's churchyard on a Sunday. Although Laud had almost certainly objected to the Lord Mayor's actions purely because they encroached on ecclesiastical jurisdiction, Govett nonetheless insisted that this

²⁶ *Ibid.*; Gardiner, *Personal Government*, Vol. II, p. 25.

²⁷ Gardiner, *Personal Government*, Vol. II, p. 25; Gardiner, *History of England*, Vol. VII, p. 320; S. R. Gardiner, *The First Two Stuarts and the Puritan Revolution, 1603-1660* (New York, 1890), p. 89.

²⁸ Gardiner, *Personal Government*, Vol. I, pp. 34-5; Gardiner, *The First Two Stuarts*, p. 89.

²⁹ Gardiner, *History of England*, Vol. VII, p. 322.

³⁰ L. A. Govett, *The King's Book of Sports* (London, 1890), pp. 128; 130-131.

³¹ *Ibid.*, pp. 4-6, 13, 31-32, 44-45, 97 and 139.

episode demonstrated ‘Laud’s opinion of the Sabbath’. Indeed, Govett believed that Laud had enthusiastically supported the principles set out in the *Book of Sports* and that he had been keen to promote an anti-sabbatarian view of Sunday. Nonetheless, he did not deny that the *Book of Sports* had also been in tune with Charles’s own thinking. Indeed, he claimed that Charles had used it to both uphold his father’s decision and to ‘give a slap in the face’ to the puritans.³² Govett shared Gardiner’s view that seventeenth-century sabbatarianism had been a puritan doctrine and believed that both James and Charles had issued their Declarations in order to combat the rise of puritanism as well as to protect ecclesiastical jurisdiction and the royal prerogative. For Govett, though, the 1633 Declaration had been as much, if not more, the policy of Laud than of the king himself.

Writing in 1917, three hundred years after James I’s first Declaration for Lancashire, James Tait challenged Gardiner’s claim that the Lancashire magistrates’ order of 1616 prohibiting Sunday sports had been a novel interference with traditional Sunday amusements. He demonstrated that attempts had been made to suppress Sunday sports in Lancashire throughout Elizabeth I’s reign. Tait claimed that these attempts had been made largely in order to prevent disorder rather than from religious zeal. He admitted that ministers with sabbatarian views had exerted some influence, but claimed that this had been overstated. Tait also maintained that Gardiner was mistaken in regarding the influence of puritan sabbatarian thinking on magistrates as being a phenomenon that had only emerged in the early seventeenth century and stated that it had been apparent at least as early as the 1580s. Yet, while he did not accept that sabbatarianism was a puritan innovation belonging to the early seventeenth century, he nonetheless agreed with Gardiner that the 1616 order suppressing Sunday revels had been inspired by Puritan views of Sabbath observance.³³

The post-war period of the twentieth century saw a shift in thinking and the emergence of new interpretations of early modern England. Thomas Barnes produced some invaluable work on early-seventeenth-century Somerset and examined the Somerset ales controversy and the reissuing of the *Book of Sports*. The main thrust of his argument was that the controversy over church ales in Somerset had been the product of rivalries among the County’s gentry and of a private quarrel between Laud and Lord Chief Justice Richardson. Barnes stressed that it was this, and not puritanical loathing for traditional Sunday revels, that had lain behind the republication of the *Book of Sports*. He accepted that Puritanism had grown more extreme under the impact of Laudianism. Indeed, he argued that the *Book of Sports* had played a significant role in increasing opposition to Laud and had contributed to the growth of radical

³² *Ibid.*, pp. 100-101, 106-107, 130 and 139.

Puritanism within Somerset.³⁴ However, he contended nonetheless that the ales controversy itself had concerned more mundane rivalries and had not been primarily concerned with theological differences. Barnes pointed out that most of the county's justices had not been Puritans and that their support for an order of 1632 banning church ales had stemmed purely from concerns over social order. Furthermore, he observed that there had been a series of Somerset quarter sessions and assize orders against church ales. All of them, he argued, had stemmed from anxieties about breaches of the peace and only one had referred to the profanation of the Sabbath.³⁵ Barnes agreed that the Somerset ales dispute had begun as a clash over jurisdiction. However, he claimed that matters had quickly escalated as rival factions within the county had seized upon the opportunity to score points over one another. Barnes argued that Sir Robert Phelips, a prominent figure in Somerset, had deeply disliked Lord Chief Justice Richardson and had seized his chance to damage him and to demonstrate his own loyalty by reporting Richardson's failure to revoke the 1632 order to the king.³⁶ Phelip's enemies within the county had thereupon taken Richardson's side and the battle lines had been drawn. Barnes explained that it was because of these personal rivalries that matters had escalated and he argued that the whole Somerset ales controversy had been principally the product of an internal county power struggle.³⁷

Barnes alleged that, like Phelips, Laud had been opportunistic and that the Archbishop had seen the whole affair as a chance to attack puritanism. He claimed that Laud had written to Bishop Piers asking him to canvass his clergy for their opinion of church ales in order to amass ammunition with which to attack the puritans. He claimed that Laud had already been set on the idea of reissuing the *Book of Sports* and had been confident that Piers' response would give him the justification he needed to uphold church ales. However, Barnes failed to explain how Laud had then managed to press Charles to reprint the Declaration without waiting to receive Piers' reply.³⁸ Barnes claimed that the *Book of Sports* had been Laud's first move to 'impose uniformity of practice throughout the English Church'. Its enforcement, he suggested, had been used to expel a number of Puritan ministers and to begin a process of trying to impose conformity within the Church. However, Barnes maintained that the *Book of Sports* had instead increased religious discord and had pushed extreme Puritans into overt opposition against Laud. As well as exacerbating religious divisions and fuelling the

³³ J. Tait, 'The Declaration of Sports for Lancashire (1617)', in *EHR*, XXXII (1917), pp. 566-568.

³⁴ T. G. Barnes, 'County Politics and a Puritan Cause Célèbre: Somerset Church Ales, 1633', in *TRHS*, Fifth Series, 9 (1959), pp. 104 and 120; and T. G. Barnes, *Somerset, 1625-1640: A County's Government During the 'Personal Rule'* (Oxford, 1961), p. 16.

³⁵ Barnes, 'Somerset Church Ales', pp. 108-109.

³⁶ *Ibid.*, pp. 104 and 112.

³⁷ *Ibid.*, pp. 115-116.

³⁸ *Ibid.*, pp. 118-120.

extremism of Somerset's puritans, Barnes demonstrated that the whole affair had had a detrimental effect politically. The refusal to reinstate the order banning church ales and the publishing of the *Book of Sports* had been a public snub to the Somerset magistrates and had undermined the relationship between central government and the local administrators upon which early modern government in the county depended.³⁹

Christopher Hill, who began to write on these themes during the 1950s and 60s, adopted a relentlessly sociological approach to the issue of Sunday recreations and downplayed the importance of religious belief. He acknowledged that there had been an element of genuine religious conviction in the sabbatarian debate, but dismissed this as 'mere irrational bibliotary'.⁴⁰ For him, the increase in the popularity of sabbatarian thinking had been principally due to the commercial needs of 'the industrious sort of people' for a *regular* day of rest, and not conviction that Sunday should be kept holy.⁴¹ He maintained that early seventeenth-century England had been becoming an industrialised society which, unlike the old agricultural society it was slowly replacing, needed regular, disciplined labour. Consequently, there had been pressure to cut the number of working days lost to festivals and to make Sunday the enforced and regular day of rest. Hill argued that the complete prohibition of work on Sunday had been the only way in which workers could protect themselves and that, without that protection, employers would have demanded that apprentices and servants should work every single day.⁴²

Hill acknowledged that sabbatarian influences had existed before the Reformation, but argued that Protestantism, and especially puritanism, had gone much further in attacking the old rituals and customs. Indeed, he, like others, maintained that there had been a turning point in the 1590s when, he claimed, the church hierarchy had tried to prevent people from working on saints' days and, conversely, the Puritans had demanded the right to work on every day except Sunday. Hill claimed that the Puritan attitude to the working week and to Sunday rest had had the support of the industrious sort because it advanced their economic interests. He maintained that, at the very time that puritans were trying to stress the special sanctity of the Sabbath, the Church hierarchy had been trying to downplay it because allowing the elevation of Sunday would have made it more difficult for the Church to demand the observance of other holy days.⁴³

³⁹ *Ibid.*, pp. 120-121.

⁴⁰ C. Hill, *Society and Puritanism in Pre-Revolutionary England* (London, 1964), pp. 142 and 162.

⁴¹ *Ibid.*, p. 142.

⁴² *Ibid.*, pp. 143-145, 147-149, 160-163.

⁴³ *Ibid.*, pp. 165-176 and 181-182.

Hill argued that sabbatarians had been far more concerned about preventing people from working on Sundays than they had been about Sunday sports. Nonetheless, he accepted that puritans had wanted to stop Sunday pastimes. He claimed that attitudes had changed during the 1590s as puritans stressed increasingly the requirement to devote Sunday wholly to God and called for the banning of recreations as well as work.⁴⁴ However, Hill tried to minimise the religious motivations behind Puritan attacks on Sunday revels, regarding them instead as a civilizing process: ‘an attempt to impose the ethos of an urban civilization on the whole realm’.⁴⁵ Indeed, he contrasted two modes of life: that of the countryside and that of the industrious towns. He claimed that these two cultures had clashed in the late sixteenth and early seventeenth centuries, as England began to industrialise.⁴⁶

Hill suggested that royal and ecclesiastical opposition to sabbatarianism had also been socially motivated. He claimed that many JPs had supported the industrious sort in their attempts to achieve better regulation of the working week and designate Sunday as a day of rest. In contrast, he argued that the Stuart kings and bishops had deliberately used the *Book of Sports* to try to subvert this ‘civilising process’ and suggested that James I’s stand against the sabbatarians had been designed to protect his prerogative and to prevent puritans from presuming to alter the workings of society. By doing so, he and Charles I had identified the Crown with the old way of life and with the less economically advanced regions of the country. Consequently, Hill claimed, the values of the monarchy had been increasingly at odds with those of the industrious sort of people.⁴⁷

Hill was forced to accept that the Puritans had spearheaded the sabbatarian movement, yet he insisted on downplaying the role of religion. He stressed that most of the JPs in both Lancashire and Somerset had opposed traditional festivals out of concerns for social order and cited Barnes’s argument that the Somerset ales dispute had been fundamentally about personal and jurisdictional rivalries. He further maintained that the response to puritan sabbatarianism had been similarly socially motivated and had been designed to preserve the royal prerogative and ecclesiastical jurisdiction. Equally, he argued that the political hierarchy had encouraged Sunday recreations in order to keep the lower orders amused and to prevent them from troubling themselves about politics. He claimed that the very highest and lowest social groups had therefore supported the *Book of Sports*: the former had had a vested interest in the *status quo*, and the latter had simply enjoyed their revels. It was the puritans and middling sort who had been against church ales; not just on religious grounds but also

⁴⁴ *Ibid.*, pp. 165-176.

⁴⁵ *Ibid.*, pp. 185-187.

⁴⁶ *Ibid.*, p. 163.

because that method of raising funds for the church and disadvantaged had clashed with the 'ethic of self-help' which was being adopted by the employing classes.⁴⁸ While Hill was forced to acknowledge that some sabbatarians had been motivated by religious conviction, his Marxist determinist approach to History led him to insist that the real motivation had been a desire to establish a day of rest from work for purely commercial reasons. This, he argued, had brought the Crown and Church hierarchy into open conflict with the puritans and the emerging middle class.

The 1970s saw a reaction to the views of Marxist historians such as Hill, and historians once again began to stress the importance of religion in explaining the events and attitudes of the seventeenth century. For example, Nicholas Tyacke argued that religion had been a major issue in the years before the Civil War. He claimed that this had been due largely to the rise of 'Arminianism' in the 1620s.⁴⁹ He claimed that the 'Arminian' Archbishop Laud and his supporters had challenged the Calvinist orthodoxy of the Church of England and maintained that Laud had been convinced that there was a puritan conspiracy to usurp the authority of the bishops and that he had therefore resolved to defeat puritanism.⁵⁰ Tyacke argued that Laud and his fellow 'Arminian bishops' had deliberately redefined non-conformity to include sabbatarianism and claimed that, 'whereas during the Elizabethan and Jacobean periods sabbatarianism had increasingly become part of English religious life, from 1633 there was a sustained attempt to reverse the process'.⁵¹ He believed that the enforcement of the *Book of Sports* had been the start of a deliberate campaign against strict Sunday observance. J. S. McGee adopted a similar approach to Tyacke and claimed that attitudes to sabbatarianism had become a distinguishing mark of non-conformism in the early seventeenth century. He claimed that sabbatarianism itself had had a long history but argued that, during the reigns of James I and Charles I, it had become 'a party issue between Anglicans and Puritans' and that the reissuing of the *Book of Sports* in 1633 had been perceived by puritans to be a direct assault on Sabbath observance and an unambiguous breach of the Fourth Commandment.⁵²

William Hunt acknowledged the importance of religion but stressed the sociological tensions at work and the fear among parish elites that the increasing numbers of poor would lead to

⁴⁷ *Ibid.*, pp. 163 and 188.

⁴⁸ *Ibid.*, pp. 184, 189-192, 198-199 and 413; C. Hill, *A Nation of Change and Novelty. Radical Politics, Religion and Literature in Seventeenth-Century England* (London, Revised Edition, 1993), p. 88.

⁴⁹ N. Tyacke, 'Puritanism, Arminianism and Counter-Revolution,' in C. Russell (ed.), *The Origins of the English Civil War* (London, 1973), p. 139.

⁵⁰ N. Tyacke, 'Archbishop Laud', in K. Fincham (ed.), *The Early Stuart Church 1603-1642* (London, 1993), p. 67.

⁵¹ *Ibid.*, p. 68.

⁵² J. S. McGee, *The Godly Man in Stuart England. Anglicans, Puritans and the Two Tables, 1620-1670*, (New Haven and London, 1976), pp. 77-78.

greater social unrest. He accepted that traditional revels had been ‘affirmations of solidarity’ which had served to reinforce parish identity and helped to draw the community together. However, he pointed out that they had also encouraged the social ills of drunkenness, violence and promiscuity. As the propertied classes had become increasingly alarmed at the rise in the numbers of poor so they had become correspondingly concerned about the prospect of revels producing illegitimate children who would be a burden on the parish community and about the disorder that festivities so often led to. They had therefore attacked popular festivals in the hope of outlawing the drunkenness and fornication which so threatened society.⁵³ Hunt pointed out that these attitudes had been prevalent soon after the Reformation in England, when the entire festive culture came under attack. However, like Hill, he stressed people’s social rather than religious motivations. He acknowledged that many English protestants objected to what they saw as the idolatrous nature of customs like morris dancing and that they had objected to the concept of holding ales to raise money for the church as this practice rested on the Catholic doctrine of salvation through good works. Nonetheless, Hunt emphasised the secular nature of the change in attitudes and pointed out that ales had been condemned because they had failed to distinguish between the indolent and the deserving poor. He claimed that puritan preachers had ‘provided a theological legitimation for the cultural revolution that contemporaries called the ‘reformation of manners’.⁵⁴

Yet, although Hunt highlighted the economic reasons behind attempts to reform the behaviour of society’s poor, he did acknowledge that many people had been motivated by genuine religious conviction. He accepted that the godly ‘took their theology very seriously indeed’ and that it was religious belief that had made them condemn the drunkenness and debauchery that so often occurred at revels as things that ‘stank in the nostrils of the Most High’. Hunt also observed that many people had been very attached to their wakes and ales and that they had hated the puritans purely because they threatened their traditional festivities. He cited James I’s *Book of Sports* and his subsequent vetoing of debate about the Declaration in the 1621 Parliament as a ‘blow at the Puritans’ and pointed out that the puritans themselves had perceived it to be an attack on them.⁵⁵

One of the most interesting and stimulating studies of early modern culture to appear during this period was David Underdown’s *Revel, Riot and Rebellion* (1985). Focussing on the three western counties of Somerset, Dorset and Wiltshire, Underdown provided a fresh interpretation of popular culture in seventeenth-century England. He saw the social changes

⁵³ W. Hunt, *The Puritan Moment. The Coming of Revolution in an English County* (Harvard and London, 1983), pp. 65-66, 75-76, 79-81 and 132-135.

⁵⁴ *Ibid.*, pp. 134, 136 and 140.

which had taken place during the later sixteenth and early seventeenth centuries as a clash between two cultures: the traditional culture of ‘the harmonious, vertically-integrated society’ and the reforming culture principally of ‘the gentry and middling sort of new parish elites’. He claimed that there had been a conflict between these two cultures which had ultimately found expression in the Civil War itself. On the one hand, there had been those who wished to preserve the traditional culture ‘in which the old bonds of paternalism, deference and good neighbourliness were expressed in familiar religious and communal rituals’. On the other hand, there had been those who deplored the degeneracy and disorderliness that they saw in society and who had sought to sweep them away and to reform England into a godly society. This had inevitably meant the suppression of Sunday recreations and the enforcing of proper Sabbath observance.⁵⁶

Demographic and economic changes during the sixteenth and early seventeenth centuries had intensified divisions within society, widening the gulf between the propertied classes and the small landowners and landless poor. Underdown observed that the social consequences of this increased polarization had varied from region to region. He made a fundamental distinction between wood-pasture regions and the downlands and areas of primarily open-field arable farming. He claimed that in the arable downlands villages had tended to be grouped around the church and manor house and there was a much stronger feeling of communal identity. Although these areas had also been affected by the problems of inflation and population growth, they had been essentially conservative and the attacks on their traditional revels had met with sustained resistance. There had been a much stronger sense of parochial identity in the arable areas and a deeper attachment to the traditional way of life and to the old festive customs. In contrast, Underdown maintained that the wood-pasture areas had been religiously and culturally different. Parishes in these regions had tended to be larger and more spread out and social ties had been markedly weaker.⁵⁷ Moreover, particularly in the clothing regions, puritanism had had a strong hold in these areas. Consequently, attacks on traditional festivals in these areas had been significantly more common. Certain that God had tasked the Elect with reforming society and suppressing sin and disorder, puritans had believed that they had the right to order both their lives and those of their fellow parishioners in a systematic, disciplined way and to reform society along godly lines.⁵⁸ This had been particularly attractive to the wealthy yeomen and ‘middling sort’, who were increasingly concerned to avoid disorder.

⁵⁵ *Ibid.*, pp. 142, 151, 175, 179-180.

⁵⁶ D. Underdown, *Revel, Riot and Rebellion. Popular Politics and Culture in England 1603-1660* (Oxford, 1985), p. 40.

⁵⁷ *Ibid.*, pp. 40-41.

Underdown accepted that puritans and non-puritans alike had shared the concern for order and conceded that traditional revels had been under attack by clergy and civic authorities ever since the Reformation. However, he argued that, during Elizabeth I's reign, puritans had taken a leading role in the campaigns to suppress recreations and that their attacks had become increasingly ferocious towards the end of the sixteenth century and the early seventeenth century.⁵⁹ He pointed out that, insofar as ales were a way of raising funds, many parishes had abandoned them as they increasingly relied on church rates as a more efficient and enforceable way of raising money. Magistrates had also been against ales because they frequently led to drunkenness and disorderly behaviour. However, Underdown stressed that puritan reformers had been primarily against ales for religious reasons rather than because of practical or fiscal concerns.⁶⁰

In Underdown's view, the lower orders had objected to attempts to curb their traditional enjoyments and, as the puritan attacks had mounted, so too had resistance to them. This had been particularly so in those areas where the sense of communal identity remained strong and attachment to traditional customs ran deep. These customs had also found support among many people in authority, who believed that the old culture promoted the form of society in which there was a clear hierarchy and a close, co-operative and deferential community. Moreover, they had seen benefit in the poor indulging in recreations that helped to keep them happy and unquestioning of the established order. Underdown claimed that, in an effort to preserve that order a 'cultural counter-offensive' had been mounted and that James I's *Book of Sports* had been the product of the first such offensive.⁶¹ Yet, despite the counter-offensive which had been mounted by those seeking to uphold the established order and traditional customs, Underdown acknowledged that the assault launched by the puritans and others had continued into the 1630s. By then, attitudes had become even more polarised.⁶²

Underdown claimed that Laud and his supporters had appreciated fully the political dimensions surrounding the Somerset ales dispute and he argued that it had not simply been a question of upholding ecclesiastical jurisdiction. Rather, it had been a question of supporting the traditional festivals as a way of keeping the masses happy, thereby preventing them from meddling in affairs of church and state. It had been a straight conflict between the deferential and hierarchical society associated with the established order and the more individualistic

⁵⁸ *Ibid.*, p. 41.

⁵⁹ *Ibid.*, p. 48. See also D. Underdown, *Fire from Heaven. Life in an English Town in the Seventeenth Century* (London, 1992), pp. 65, 81 and 84.

⁶⁰ Underdown, *Revel, Riot and Rebellion*, p. 53.

⁶¹ *Ibid.*, p. 53, 56 and 63-65.

⁶² *Ibid.*, p. 66.

society and the political dissent associated with the puritanism that Laud so despised.⁶³ Underdown questioned the notion that the 1633 Book had only served to strengthen Puritanism. He cited several examples of old festive traditions re-emerging after the Book's publication and claimed that this aspect of Laudian policy had appealed to a significant section of the population.⁶⁴

For Underdown the issue of sports and Sabbath observance had been embroiled in a conflict between two competing cultures. The Crown, the Church hierarchy and many gentry had supported the traditional culture, while many of the middling sort - puritans and non-puritans – had promoted the reforming culture. Underdown's analysis is a fascinating one and he is surely right to stress the cultural differences behind attitudes to Sunday recreations and the *Book of Sports*. Nonetheless, Underdown gave a disproportionate emphasis to matters of culture and the structure of local communities over and above religious belief. Although he acknowledged the leading role that puritans had played in the attack on revels, Underdown stressed the importance of social over religious grounds for the suppression of traditional festivals.⁶⁵ He greatly underplayed the religious significance of people playing sports on Sundays and saw the attacks on traditional festivals in predominantly sociological terms. He failed to give sufficient prominence to the genuinely religious motivations which had lain behind puritan attempts to impose stricter Sabbath observance.

In a book published the year after *Revel, Riot and Rebellion*, Anthony Fletcher put greater stress than Underdown had done on the importance of religion in attempts to suppress Sunday recreations. Fletcher emphasised the importance that religious conviction had played in such attempts and highlighted the role of puritanism. For example, when referring to the events in Lancashire in 1616 and 1617, Fletcher asserted that 'a puritan clique' had attempted to impose strict Sunday observance in order to establish 'the puritan Sabbath' throughout Lancashire. Fletcher claimed that the puritan clergy and magistrates had challenged the conventional cultural values for religious rather than social reasons and observed that the decision of James I and Charles I to adopt a different view of Sunday recreations had ensured that the reformation of society became a political issue.⁶⁶

The next vital contribution to the debate was the work of Leah Marcus. In a fascinating examination of early Stuart literature, first published in 1986, she wrote convincingly about

⁶³ *Ibid.*, pp. 66-67.

⁶⁴ *Ibid.*, pp. 67-68.

⁶⁵ Underdown, *Revel, Riot and Rebellion*, p. 48.

⁶⁶ A. Fletcher, *Reform in the Provinces. The Government of Stuart England* (New Haven and London, 1986), pp. 63-64, 266-271, 281, 362-363.

the politicisation of traditional popular pastimes and demonstrated how both James I and Charles I had defended popular mirth in an attempt to uphold the sacred authority of the Crown. She maintained that, in publishing the *Book of Sports*, both kings had actively promoted popular festivity and that, in doing so, they had been conducting a novel experiment which had attempted to extend their authority, and that of the Anglican Church, into the volatile and frequently disorderly area of festive revelry. Marcus observed that Elizabeth I had recognised the benefit of keeping her people ‘merry’ and had lent tacit support to traditional festivity, but had nonetheless avoided overtly championing holiday pastimes for fear of outraging the sensibilities of her puritan subjects. In contrast, James and Charles had publicly supported traditional Sunday recreations, thereby politicising the whole issue.⁶⁷

Marcus pointed out that both James and Charles had jealously guarded the royal prerogative and had regarded puritanical attempts to suppress the traditional pastimes as an attack on that prerogative. Arguing that James I had seen popular English customs as ‘an integral branch of his power’, Marcus highlighted the fact that, in Scotland, the young King James had been forced by the Kirk faction to endure the indignity of having his own court pastimes abolished and that recreations had been a political issue in Scotland for much of his reign.⁶⁸ Consequently, James had come to associate the banning of popular festivity with the restraint of royal power.⁶⁹ Charles I had also recognised the importance of traditional pastimes for the Crown and, like Barnes, Marcus argued that Charles and Laud had utilised the issue of Sunday revels in their campaign to impose religious uniformity. The *Book of Sports* had been designed both to encourage Papists to convert - since they were otherwise prohibited from participating in Sunday recreations - and to force the puritans into line. In this way, traditional festivities were to be linked closely with state religion.⁷⁰ Therefore, Charles and Laud had attempted to ‘sacramentalise’ the old festivities by giving them the blessing of both Crown and Church. In doing so, they had fostered an impression of liberty when, in fact, their support for the old pastimes had been designed to keep both the ordinary people and the puritans in their place.⁷¹

Interestingly, given Kenneth Parker’s later suggestion that sabbatarianism had been deliberately identified with puritanism during the 1630s, Marcus pointed out that as early as 1619 *Pasquils Palinodia* (Anon.) had spoken of the ‘harmlesse mirth and honest

⁶⁷ L. S. Marcus, *The Politics of Mirth. Jonson, Herrick, Milton, Marvell and the Defence of Old Holiday Pastimes* (Chicago, 1986), pp. 2-4.

⁶⁸ *Ibid.*, pp. 4, 25 and 49.

⁶⁹ *Ibid.*, pp. 4-5.

⁷⁰ *Ibid.*, p. 113.

⁷¹ *Ibid.*, pp. 5-6.

neighbourhood' that England had enjoyed until the 'peevisish' Puritans had taken it upon themselves to attack Whisun-ales and May games.⁷² This demonstrates that puritans had been being linked with sabbatarianism well before the 1630s. Marcus rightly asserted that both James I and Charles I had seen puritan dissent in political terms and had equated puritanism with sedition.⁷³ It seems likely that, in promoting royal authority and the liberty of subjects to indulge in traditional holiday games, they had also been pointedly snubbing the puritan faction evident in many parish communities. Moreover, the effect of supporting Sunday recreations publicly while at the same time explicitly criticising puritans in the Declaration, had indeed served to identify sabbatarianism with puritanism.

In his important study of English sabbatarianism, first published in 1988, Kenneth Parker questioned the view advanced by Gardiner and Hill that sabbatarianism had been a puritan innovation. He argued instead that sabbatarianism was a doctrine which had a long pedigree within the church in England and was firmly rooted in the Middle Ages. He accepted that many other historians had acknowledged that sabbatarian beliefs in England had pre-dated the Reformation, but claimed that they had failed to give this fact sufficient weight. They had, he maintained, all too readily accepted the idea that Puritans had developed sabbatarianism as a doctrine during the late sixteenth century and that this doctrine had increasingly become a source of conflict between puritans and church authorities.⁷⁴ Parker argued that this view of English sabbatarianism was distorted and that a sabbatarian doctrine based primarily on the requirements of the fourth commandment had been evident at least as early as the fourteenth and fifteenth centuries and that 'complaints against the abuses of Sunday were an English concern throughout the Middle Ages'.⁷⁵ Moreover, he maintained that sabbatarian beliefs within the Elizabethan church had formed part of the Church's orthodox doctrine and were not a defining mark of puritanism. Parker pointed out that prominent church leaders such as archbishops Parker, Grindal, Whitgift and Abbot had condemned Sunday abuses and called for proper Sunday observance. Moreover, he claimed that many of the Elizabethan and early Stuart sabbatarians had acknowledged the continuity with their medieval forefathers by using medieval authorities to support the doctrine they advanced.⁷⁶

Parker argued that Christopher Hill and others had been wrong to accept the assertion of Laud's apologist, Peter Heylyn, that puritan sabbatarian doctrine was an innovation.⁷⁷ Parker

⁷² *Ibid.*, pp. 152-153.

⁷³ *Ibid.*, p. 78.

⁷⁴ K. L. Parker, *The English Sabbath. A Study of doctrine and discipline from the Reformation to the Civil War* (Cambridge, 1988), pp. 1-4; 92-94.

⁷⁵ *Ibid.*, p. 5.

⁷⁶ *Ibid.*, p. 15.

⁷⁷ *Ibid.*, pp. 17-40.

denied that sixteenth-century sabbatarianism had been exclusively puritanical and claimed that the Elizabethan Church hierarchy had endorsed sabbatarian doctrine through the *Homilies*, Nowell's *Catechism* and Bible marginalia. He also argued that 'the concept of a morally binding Sabbath was not a late Elizabethan innovation, but part of the doctrinal fabric of English religious life'.⁷⁸ Parker went on to claim that, in the early seventeenth-century, the Crown and the Church hierarchy had deliberately and misleadingly identified sabbatarianism with the puritan party. Parker alleged that James I's declaration had been 'a sabbatarian document' in that it set restrictions on which sports could be played on Sundays, by whom and when.⁷⁹ Parker's main contention, given his reluctance to view James I's *Book of Sports* as anti-sabbatarian, was that far from sabbatarianism having been an innovation, let alone a puritan one, it had been the active anti-sabbatarianism of Laud and his supporters which emerged in the 1630s that had been the innovation.⁸⁰

Parker claimed that both Laud and Charles had opposed strict sabbatarian doctrine because it diminished the authority of Crown and Church. He argued that they had therefore launched a deliberate attack on sabbatarianism in order to reassert royal and ecclesiastical authority. He agreed with Barnes that the reissuing of the *Book of Sports* in 1633 had been prompted by personal rivalries and disputes over ecclesiastical and secular jurisdiction. However, he maintained that the issue had then developed into a theological debate and that the *Book of Sports* had been deliberately used by Laud as a test of obedience, exposing those ministers who refused to read it to punishment by the Church authorities. Parker made the point that many of the ministers who had been opposed to the enforcement of the *Book of Sports* had not been puritans and he maintained that church leaders had reacted to the widespread opposition that greeted the Book of Sports 'by suppressing those who preached against the declaration and stopped the licensing of sabbatarian works'.⁸¹ He argued that a number of Laudians had deliberately labelled their opponents as 'puritans' and that they had deliberately and falsely claimed that sabbatarianism was a puritan innovation which had no place in Christian theology.⁸² Asserting that Sunday was not divinely instituted as the Sabbath and that recreations on that day were perfectly legitimate, they had portrayed the sabbatarian tradition as a recent, unorthodox phenomenon.⁸³ Thus, in Parker's view, Sabbatarianism had consequently become a mark of puritanism.

⁷⁸ *Ibid.*, p. 90.

⁷⁹ *Ibid.*, p. 151.

⁸⁰ *Ibid.*, p. 7.

⁸¹ *Ibid.*, pp. 178, 191 and 196.

⁸² *Ibid.*, p. 196

⁸³ *Ibid.*, pp. 191-206.

Parker's thesis was supported in the subsequent writings of L. J. Reeve and Ann Hughes. They agreed with Tyacke and Parker that Charles and Laud had redefined puritanism to embrace mainstream, orthodox English Calvinism.⁸⁴ Hughes also argued that the Laudians had deliberately talked up the traditional nature of Sunday pastimes in a further attempt to brand their opponents as unorthodox.⁸⁵ Julian Davies, writing in 1992, agreed with Parker that sabbatarianism had been an orthodox tenet of the English church which had been held by many conformist clergy and laity as well as puritans and that 'Charles I and his apologists' had deliberately portrayed it as a distinct puritan doctrine and had thus redefined the orthodoxy of the Anglican church.⁸⁶ However, unlike Parker, Davies tried to distance Laud from the *Book of Sports* controversy and claimed that the decision to reissue the Declaration in 1633 had been very much Charles I's own policy. He accepted Marcus's view that Charles had tried to use popular pastimes in order to lessen the social alienation caused by the greater reverence given to the church as a consecrated place. For Davies, though, Charles's principal purpose in reissuing the *Book of Sports* had been to 'isolate and stigmatise Puritanism as a disease within the body politic'. By identifying the godly with the restriction of popular recreations, Davies argued, Charles had hoped to alienate people from puritanism and to thereby neutralise a serious threat to the established order.⁸⁷

In his block-busting book on the Personal Rule of Charles I (1992), Kevin Sharpe agreed with Davies that it was Charles and not Laud who had been behind the reissuing of the *Book of Sports*, but he rejected the assertion that the sabbatarianism of the late sixteenth century had been merely a continuation of a long established doctrine. Instead, Sharpe maintained that from the 1570s onwards the puritans had sought to impose upon English parish life a far more rigorous Sabbath observance than had been attempted before. He argued that this rigid sabbatarianism, which sought to prohibit all festivities and to compel people to devote Sunday exclusively to worship, had been markedly different from earlier sabbatarian thinking and that it *had* been a puritan innovation.⁸⁸ Sharpe acknowledged that many non-puritans among the propertied classes supported this stricter doctrine because they wanted to prevent the disorderly behaviour that frequently occurred at revels. He maintained that, in reissuing the *Book of Sports*, Charles I had been concerned with upholding royal authority and suggested that the king had believed that the opposition to church ales had more to do with the machinations of the puritan faction than it did with concerns about disorder.⁸⁹

⁸⁴ L. Reeve, *Charles I and the Road to Personal Rule* (Cambridge, 1989), pp. 65 and 203; A. Hughes, *The Causes of the English Civil War* (London, 1991), p. 113.

⁸⁵ Hughes, *Causes of the English Civil War*, pp. 141-142.

⁸⁶ J. Davies, *The Caroline Captivity of the Church. Charles I and the Remoulding of Anglicanism* (Oxford, 1992), p. 173.

⁸⁷ *Ibid.*, pp. 175-176.

⁸⁸ Sharpe, *Personal Rule*, p. 351.

⁸⁹ *Ibid.*, pp. 352 and 354.

In his stimulating book, *The Rise and Fall of Merry England* (1994), Ronald Hutton pointed out that in the Middle Ages revels had been attacked by certain authorities at specific times, but that no general campaign had been mounted against them.⁹⁰ Revels held within the church or churchyard had been frequently condemned, particularly if held during service time, but generally, Hutton argued, the attitude of the pre-Reformation authorities towards Sunday recreations had been one of qualified tolerance and Hutton demonstrated that this situation had continued into Elizabeth I's reign.⁹¹ Hutton showed that there had been a marked decline in traditional revelry during the late sixteenth century and he ascribed this to the impact of evangelical Protestantism. He observed that radical Protestants had actively sought the suppression of Sunday revels on four grounds: that they profaned the Lord's day; that the traditional festive customs were Catholic; that the customs were heathen; and that they led to disorder. Hutton argued that concerns about disorder had been clearly held by mainstream Protestants as well and he pointed out that such concerns had increased during the course of Elizabeth's reign and that many of those opposed to popular festivities had been socially rather than religiously motivated. The social tensions created by the growth in population and increase in poverty undoubtedly exacerbated fears about social order. Nevertheless, Hutton argued that the attack against traditional festivity had been chiefly motivated by religion.⁹²

Hutton observed that the decline of Sunday revels and the attacks upon them had continued through the early Jacobean period and that James I's *Book of Sports* had merely slowed down 'the war of attrition waged against them'.⁹³ He argued that it was James's hatred of puritanism that had prompted him to publish the Declaration, even though James had failed to appreciate that many of the people who supported orders suppressing wakes and ales were not puritans at all.⁹⁴ He agreed with Barnes and Parker that the main reason for the reissuing of the Declaration in 1633 had been Laud's determination to protect the jurisdiction of the Church and observed that neither Laud nor the king were particularly interested in church ales as such. Hutton argued that, although the desire to prevent lay interference in church matters had been a factor in Charles's decision to publish his *Book of Sports*, the king's concern to combat puritanism had been far more significant. He suggested that both Charles and Laud had been determined to combat puritan attempts to suppress Sunday revels because they had seen such attempts as part of a general puritan campaign to change the Church from below.

⁹⁰ R. Hutton, *The Rise and Fall of Merry England. The Ritual Year 1400-1700* (Oxford, 1994), p. 71.

⁹¹ *Ibid.*, pp. 70 and 125-128.

⁹² *Ibid.*, pp. 143-146.

⁹³ *Ibid.*, pp. 158 and 174.

⁹⁴ *Ibid.*, pp. 174 and 193.

The *Book of Sports* had therefore been used to try to suppress sabbatarianism and, through its enforcement, to mark out and deal with puritan clergy.⁹⁵

In a study of English Puritanism published in 1996, Christopher Durston and Jacqueline Eales disagreed with Parker's assertion that sabbatarianism had been an orthodox doctrine of the Elizabethan and Jacobean Church. They agreed with Sharpe that, during the reign of Elizabeth I, puritans had developed a much stricter doctrine of Sabbath observance than had existed before and argued that Parker had seriously underestimated the importance of the puritan sabbatarian movement which had emerged in the 1590s.⁹⁶ Like Hutton, they maintained that most of the opposition to traditional festivals was on grounds of religion and had stemmed predominantly from puritanism.⁹⁷ Indeed, they observed that:

during the 80-year period that preceded the English Civil War it was those towns and villages with a strong puritan presence which were most likely to experience tensions and divisions, and to end up polarised between 'those who gadded to sermons and those who gadded to dances, sports and other pastimes'.⁹⁸

In a subsequent article on sabbatarian legislation in Lancashire, L. Racaut also dismissed Parker's claim that James I's *Book of Sports* identified puritanism with sabbatarianism, and that sabbatarianism had hitherto been upheld as orthodox church doctrine. Indeed, Racaut demonstrated that sabbatarianism had been linked to puritanism as far back as the 1580s and claimed that the *Book of Sports* was right to identify puritans with the attempts to suppress Sunday recreations, because a distinctive puritan minority among the Lancashire clergy and JPs were behind the 1616 order which had banned revels and which had then led to James issuing his Declaration.⁹⁹

Given that so many historians have written about reactions to the *Book of Sports*, it has been necessary to confine the foregoing survey to a relatively small number of works of particular note. The foregoing survey has nonetheless served to highlight the main points to be considered in the present thesis. The principal questions at issue concern the nature of seventeenth-century sabbatarianism; the reasons which prompted James and Charles to issue

⁹⁵ *Ibid.*, pp. 190-193.

⁹⁶ C. Durston and J. Eales (eds), *The Culture of English Puritanism, 1560-1700* (London, 1996), p. 23.

⁹⁷ *Ibid.*, pp. 25-26.

⁹⁸ *Ibid.*, p. 26. N.B. the quotation that Durston and Eales employ here is from Hunt, *Puritan Moment*, p. 146.

⁹⁹ L. Racaut, 'The 'Book of Sports' and the Sabbatarian Legislation in Lancashire, 1579-1616', in *Northern History*, Vol. XXXIII (1997), pp. 85-87.

their declarations concerning sports; the reaction to those declarations; the relevant cultural and religious tensions in society; and the importance which was attached to traditional festivities by different sections of the community. Had there been an established sabbatarian tradition or had a new, or at least a different, form of sabbatarianism developed as a puritan doctrine during the late sixteenth and early seventeenth centuries? Had sabbatarianism, as Parker claims, been deliberately and misleadingly labelled as puritan? Had those who used sabbatarian language been principally concerned with fears of disorder, or had they been motivated by religious conviction and genuine concerns about the profanation of the Lord's day? Who initiated the *Book of Sports*, and was its publication principally about issues of jurisdiction and authority? To what extent was the *Book of Sports* an attack on puritanism or part of a campaign to stigmatise radical protestants? Was the issuing of the *Book of Sports* intended as a populist move and, if so, what degree of popularity did it enjoy? To what extent had those who opposed the Declaration been representative of the bulk of the people? How effective had its enforcement been and to what degree had it been counter-productive? To what extent had reaction to the Declaration varied? Indeed, is there any correlation between reaction to the *Book of Sports* and later allegiance in the Civil War? All of these questions and more are prompted by a consideration of the role that the *Book of Sports* has in the history of the seventeenth century. Many of them go to the very heart of early Stuart society and the political and religious tensions that were to boil over into terrible conflict in the 1640s. The first step in exploring these questions must be to put matters in their proper context by examining the situation in pre-Reformation England. Is Parker correct to claim that seventeenth-century sabbatarianism was merely a continuation of the sabbatarianism of the medieval period?

Chapter Two

‘Vain, stupid, profane games.’ Medieval attitudes to the playing of sports on the Sabbath and other holy days.

Idelnes is . . . whanne . . . thou geuyest thee to huntyng, hawkyng, foulyng, fysching; to gon to wakys & to wrestlynges, to daunsynges & to . . . tauernys, to reuell, to ryott, to schetinges, to feyrs, to marketys on the holy dayes . . . & levyst thi parysch-cherche and thi seruyse . . . Alle these forseide are werkys of ydelnesse, in slawthe of goddys seruyse.¹

Thus, writing in the early fifteenth century, the anonymous author of *Jacob's Well* condemned as guilty of the sin of sloth those contemporaries who spent their leisure time in various pursuits such as wrestling, hunting, dancing, drinking and gambling. He asserted that ‘idleness’ such as this led to every kind of vice including pride, gluttony and lechery. People, he claimed, would mix in ‘euyll cumpany,’ squander their goods and those of others, think evil thoughts and succumb to ‘wykkyd desires.’ Moreover, he concluded, since people usually indulged in these idle pastimes on a Sunday or some other holy day, they were guilty of compounding matters by ‘defouling the halyday, in synne & euyll werkys.’

Other literature of the period similarly highlighted the moral dangers of a variety of pastimes and pursuits enjoyed by large sections of the population in the later Middle Ages. Many ‘ydell dedys’ were denounced, with drinking, sports and all forms of gambling being particularly condemned.² Some of this criticism was motivated by secular concerns. There was an anxiety that servants and apprentices who lost money in gambling would subsequently turn to stealing from their masters and that drinking and the playing of sports could lead to crime and violence. Royal proclamations and acts of Parliament also repeatedly stressed how important it was for the defence of the country that men should practice archery. Again and again, authority voiced its concern that archery practice was being neglected as people indulged in various other games and sports. Such pastimes were criticised by some as being immoral. There were also concerns that games should not be played in or around the parish church and that the

¹ A. Brandeis (ed.), *Jacob's Well. An English Treatise on the Cleansing of Man's Conscience* (Early English Text Society, London, 1900), pp. 105-6.

² *Ibid.*, p. 105.

sanctity of the parish church and churchyard should be respected. Furthermore, there was a strong belief in pre-Reformation England that Sunday and other holy days should be properly observed by people refraining from work and fulfilling their religious duties. Yet, as this chapter will demonstrate, even though there were moralists in the late medieval period who called for a strict form of Sunday observance, they were in a minority and did not represent the views of either the mainstream Church or of the state. Sabbatarianism was not a major issue at this time and did not have the prominence that it was to acquire in the late sixteenth and early seventeenth centuries, when it was to cause serious social divisions which were to lead the crown to become involved in the question of the regulation of Sunday revelry and to publish the *Book of Sports*.

In order to put the later sabbatarianism in its proper context, this chapter will consider the question of sabbatarianism in the later Middle Ages. It will look at how people spent their leisure time and, particularly, at the sports and pastimes that they indulged in on Sundays and holy days. It will also examine the reaction of those in authority to such pursuits. It will examine the secular and religious reasons behind attempts to suppress certain sports and the extent to which such moves were successful. It must be acknowledged straight away that contemporary sources that discuss sports and popular entertainment in this period are limited.³ The importance that ordinary individuals attached to sports and pastimes on the one hand and to the observance of Sunday and holy days on the other is therefore difficult to gauge. As is so often the case, the voice of the ordinary man and woman is silent. Inevitably, one is forced to make assumptions based on indirect evidence. For example, as we shall see, the fact that acts and proclamations outlawing certain games had to be repeatedly made suggests that, despite legislation and persistent exhortation, people continued to play such games. They clearly needed to be urged again and again to refrain from certain pastimes and not to neglect their archery practice. However, it remains difficult to ascertain the extent to which people indulged in these pastimes and the degree to which archery or Sunday observance was actually neglected.

The Ritual Year

Much has already been written on the liturgical and agricultural calendars in the medieval period and on how these intertwined and determined the pace and pattern of life.⁴

³ F. Heal, *Hospitality in Early Modern England* (Oxford, 1990), pp. 354-55; B. Harvey, 'Work and Festa Ferianda in Medieval England,' in *JEH*, Vol. XXIII, No. 4 (October, 1972), p. 305; R. Hutton, *The Rise and Fall of Merry England. The Ritual Year 1400-1700* (Oxford, 1994), p. 46; J. Bennett, 'Conviviality and Charity in Medieval and Early Modern England', in *P&P*, 134 (1992), pp. 34-35; T. S. Henricks, *Disputed Pleasures. Sport and Society in Preindustrial England* (New York; Westport, Connecticut; and London, 1991), pp. 31-2.

⁴ See, for example, K. Thomas, 'Work and Leisure in Pre-Industrial Society,' in *P&P*, 29 (1964), pp. 52-3;

England's economy was an agrarian one and the vast bulk of its people were involved in agriculture in some form or other. Consequently, the time which could be given over to leisure, sports and festivity was, in part, determined by the agricultural cycle: the changing seasons and the times when it was necessary to plough, sow and harvest and to take produce and livestock to markets and fairs.⁵ The Church recognised this in setting the other calendar which determined the pattern of peoples' lives: the liturgical calendar. Time was to be given over to work, but time also had to be given over to God: to worship and prayer and to observing the Sabbath and a myriad of other feast days. As Muir has stated, 'the ritual commemoration of the life of Christ in the liturgy kept time with the passing of the seasons, creating a festive counterpoint to work'.⁶ The liturgical year was in tune with the agricultural cycle and, as a number of historians have observed, its effect was to roughly divide the year in half. This is because, coinciding with the agricultural year's growing season, the first 'half' of the year, from December to June, was crammed with major festivals and holy days. These included Advent, the twelve days of Christmas, Epiphany, Candlemas, Shrovetide, Easter, Ascension, Whitsun, Midsummer and Corpus Christi. By contrast, the second 'half' of the year was comparatively lacking in major festivals and was instead commemorated largely through saints' days, many of which had only local significance. Unlike the major festivals celebrated between December and June, very few of these were commemorated nationwide.⁷ Duffy has pointed out that contemporaries would not have seen the year as being thus divided. He has also rightly warned against viewing the second half of the liturgical year as 'secular' in contrast to the 'ritualistic' first half. The people of the later Middle Ages would certainly not have regarded any period of the liturgical year as 'secular'.⁸ It is nonetheless legitimate to contrast the two 'halves' of the year. The period from December to June described in the shorthand of some historians as the 'ritual half' of the year, contained all the principal church festivals, whereas the months from July to November saw few nationwide festivals or commemorations.

Everyone was affected by the seasonal observances of the liturgical calendar. For example, it was not possible to marry during the forty days of Lent or the four weeks of Advent. Fasting was obligatory throughout Lent and on nearly thirty other days during the course of the year. People were therefore obliged to abstain from meat and from

J. M. Carter, *Medieval Games. Sports and Recreations in Feudal Society* (New York; Westport, Connecticut; and London, 1992), p. 85.

⁵ Carter, *Medieval Games*, p. 99.

⁶ E. Muir, *Ritual in Early Modern Europe* (Cambridge, 1997), p. 58.

⁷ *Ibid.*, p. 60; Hutton, *Merry England*, p. 46.

⁸ E. Duffy, *The Stripping of the Altars. Traditional Religion in England 1400-1580* (New Haven and London, 1992), pp. 46-47.

animal products such as eggs and cheese for prolonged periods. However, as well as fast days there were, of course, also feast days.⁹ Indeed, it is these which most concern us, for it was at times of festival that most sports and other pastimes such as dancing were pursued. The liturgical calendar was peppered with all manner of feast and saints' days in addition to the major Church festivals. However, these should be distinguished from the obligatory feast days or *festa ferianda*. Sunday was always a *festa ferianda* and the majority of the other obligatory feast days fell in the period from December to June. The *festa ferianda* were holy days of obligation on which people were required to refrain more or less completely from servile work and were obliged to keep the Sunday pattern of attending matins, Mass and evensong.¹⁰ As Duffy points out:

The observance and the status of holy days were much contested issues, since holy days were also holidays. Workers sought to secure days free from secular toil, landowners and employers sought to extract the maximum work from their tenants and employees, and a particular bone of contention was the question of whether servants or lords should bear the expense of the loss of a day's work involved in each feast. Hence considerable variation was the rule in the degree of solemnity of particular days, some requiring the cessation of all work (except activities such as milking cows, feeding livestock, or the saving of crops in harvest), other days requiring only women to abstain from work.¹¹

Although the bulk of the *festa ferianda* were celebrated in the 'ritual' half of the year, others such as the Feast of the Assumption, the Feast of St. Luke and the Feast of the Archangel Michael or Michaelmas were commemorated in the other half. There were also many feast days celebrated during this second half of the year which were not *festa ferianda* and which did not have the same national significance but on which people nonetheless indulged in sports and games. For example, most parishes would celebrate the feast day of the saint to whom their church was dedicated. Such celebrations would often take place on the Sunday nearest to the relevant saint's day. This prompts the

⁹ *Ibid.*, pp. 41-42.

¹⁰ *Ibid.*, p. 42.

¹¹ *Ibid.*

question of how important the observance of Sundays and other holy days of obligation was in medieval society and, consequently, what attitudes were to the playing of sports and games on such days.

Observing Sunday and other *festas ferianda*.

It was on Sunday that Christ had risen from the dead and on Sunday that the Holy Spirit had come to the Apostles. Therefore, commemorating as it did the renewal of the world through Christ's resurrection, Sunday replaced the Sabbath of the Old Testament as the Christian day of worship. However, it was not until after the conversion of the Emperor Constantine that it became possible to oblige people to observe Sunday as a day of rest from work. Constantine decreed that, with the exception of farmers cultivating their fields, there should be a total public rest from work on Sunday. Subsequently, conscious that simply requiring people to refrain from work could lead to idleness, 'the beginning of all vice,' the Church applied the Old Testament fourth commandment by demanding that the day be kept holy.¹² The Church felt threatened by the fact that, on Sundays, the vast majority of people indulged in celebrations which were usually very unchristian in nature. Anxious that Christians might be tempted to indulge in wicked pursuits themselves, the early Church set aside Sunday as a day of worship as well as rest.¹³ Parishioners were expected to hear Mass in its entirety and to fulfil their spiritual duties properly.¹⁴ Consequently, putting the weight of the Old Testament Sabbath commandment behind the state's decrees concerning rest from work on Sunday, the Church now required that Sunday should be kept holy in the Old Testament sense. All servile work, including farming, was forbidden. Instead, the day had to be given over to worship and contemplation. Although feasts such as Christmas and Ascension Day were seen to be significantly more important than the ordinary Sunday, Sunday was nonetheless thereafter the most important holy day.¹⁵

Throughout the medieval period, people were required to refrain from servile labour for the whole of Sunday. However, over time the definition of servile labour was refined to

¹² W. Rordorf, *Sunday. The History of the Day of Rest and Worship in the Earliest Centuries of the Christian Church* (London, 1968), pp. 154-55.

¹³ *Ibid.*, pp. 167-78; Harvey, 'Festa Ferianda', p. 289; E. C. Rodgers, *Discussion of Holidays in the Later Middle Ages* (New York, 1940), p. 29.

¹⁴ Rodgers, *Holidays*, pp. 30-31.

permit various tasks. For example, writing was allowed if it was not done for profit, as was a small amount of sewing or sweeping or the repairing of a break in a hedge.¹⁶ Servile work was permissible if done for pious reasons, such as caring for the destitute or carting materials for the building or repairing of churches or monasteries.¹⁷ Necessary works such as the cooking of food, the feeding of livestock or the harvesting of crops threatened by an imminent storm were also permitted.¹⁸ Nonetheless, for the main part, the laity were required to observe Sunday and other holy days of obligation by resting from worldly pursuits and attending Mass. Medieval moralists castigated people for misusing the Lord's Day by either working or playing sports, and urged them to observe Sunday and the important feasts of the year with due reverence and devotion. 'Yf thou be no prest nother clerk, but on of the peple,' a fifteenth century tract on the Decalogue declared, 'thenne bysy thee in the halyday to here prechyng of Godes worde, and be aboute with thy goede spekyng and styryng to bryng thy neygebore to betere lyvyng.'¹⁹ Writing in the early fourteenth century, Robert Mannyng of Brunne wrote that people were obliged to 'holdië weyl thyn halyday' and stated that:

Of al the festys that yn holy chyrche are,
 Holy sunday men oght to spare;
 Holy sunday ys byfore allefre
 That euer yt were, or euer shal be.²⁰

Mannyng took a clear sabbatarian line and asserted that, although the pope had authority to alter the liturgical calendar and change the days on which other feasts and saints' days were celebrated,

. . . he may, thurgh no resun,
 The sunday puttyn vp no dowun;
 Tharfore the sunday specyaly
 ys hiest to halew, and most wurthy
 . . . For hyt ys goddys ownë day.
 God made the wrldë, este & west,
 yn syxë days, the seuenthe to reste.
 Than restyd he hym fro al erthly werkys.

¹⁵ *Ibid.*, p. 29.

¹⁶ *Ibid.*, pp. 35, 37.

¹⁷ *Ibid.*, pp. 38-39.

¹⁸ *Ibid.*, pp. 39-40; Duffy, *Stripping of the Altars*, p. 42.

¹⁹ G. R. Owst, *Preaching in Medieval England. An Introduction to Sermon Manuscripts of the Period c. 1350-1450* (Cambridge, 1926), p. 4.

²⁰ Robert of Brunne, *Handlyng Synne*, ed. F. J. Furnivall (Early English Text Society, London, 1901), pp. 29-30.

How dur other prestys or clerkys,
 Or thou lewed man, that day werche,
 Whan that day ys halewed yn holy chyrche?²¹

The fifteenth-century treatise, *Dives and Pauper*, similarly declared that ‘the Sondag & othir haly dayys schuldyn ben halwyd,’ and that ‘Men schulden so gouernyn hem in the wokeday aform that hem schulde nout nedyn to brekyn the halyday.’²² It stated that long journeys should not be started on Sundays and that markets should not be held then, as ‘Sondag is our lordis day & is mest halwyd.’ It further declared that ‘on the Sondag thu schuldist don no wardly thing but only gif the to God & to gostly things . . . come to chirche, ley thin eryl to Godis word, thynke heuenly thingis.’²³ In his dialogue with Dives, Pauper, a mendicant preacher, condemns those who do servile work on the Sabbath. He defines servile work as including ‘euery bodely wark don principaly for temporel lucre and wordly wynnyng, as beyyng, sellyng, eryyng, sowyng, repyng, mowing & alle craftis of [worldly] wynnyng,’ and ‘alle warkys that schuldyn lettyn man from Godis seruise’.²⁴ While accepting that some works done for pious motives are permitted on holy days, Pauper states that even these works should not be undertaken on Sundays or on great feast days unless absolutely necessary. As with other medieval treatises, *Dives and Pauper* asserted that of all the church’s feast days, ‘the Sondag is mest solempne & holy for the grete dedis and wondris that God dede in the Sondag’.²⁵ True, Easter Sunday and Whitsunday were regarded as more important than ordinary Sundays and *Dives and Pauper* acknowledged that major feasts such as Christmas day and Epiphany were similarly commemorated more solemnly than ordinary Sundays. Nonetheless, given that feasts such as Christmas could fall on any day of the week, it stated that there was no day as solemn in itself as Sunday.²⁶

The best known fifteenth-century English manual of religious instruction, John Mirk’s *Instructions for Parish Priests*, similarly made it clear that people were required to keep holy days by going to church and refraining from work:

The halyday only ordeynet was,

²¹ *Ibid.*, p. 30

²² P. H. Barnum (ed.), *Dives and Pauper* (Oxford, 1980), Vol. I, pp. 8, 9, and 33-34.

²³ *Ibid.*, pp. 9-10, 274 and 290.

²⁴ *Ibid.*, pp. 277-8.

²⁵ *Ibid.*, p. 281.

²⁶ *Ibid.*, p. 282.

To here goddes serues and the mas,
 And spene [spend] that day in holynes,
 And leue alle other bysynes;
 For, a-pon the werkeday,
 Men be so busy in vche way,
 That for [t]here ocupacyone,
 They leue myche of [t]here deuoyone [devotion]
 Therfore they schule [t]here halyday
 Spene [spend] only god to pay;
 And [if] they do anyother thyng
 Then serue god by [t]here cunnyng,
 Then the breketh goddes lay
 And holdeth not [t]here halyday.²⁷

Parker has pointed to the fact that fourteenth- and fifteenth century homilies and treatises such as these are very similar to later sixteenth-century polemics against sabbath abuses and demonstrate that concerns about Sunday observance predated the Reformation and the emergence of radical Protestantism.²⁸ Parker refers, for example, to the Archbishop of Canterbury's condemnation in 1362 of the fact that, on Sundays, people did not 'sabbatize as they should, to the honour of God,' complaining that:

that which was prepared as a summary of devotion is made into a heap of dissipation, since upon these holy-days the tavern is rather worshipped than the Church, gluttony and drunkenness are more abundant than tears and prayers, men are busied rather with wantonness and contumely than with leisure of contemplation.²⁹

Yet, even if some moralists and churchmen did criticise people for their failure to fulfil their religious duties, it does not necessarily follow that they were ruling out recreations altogether but merely those that prevented people from attending church and from praying and worshipping as required.

²⁷ G. Kristensson (ed.), *John Mirk's Instructions for Parish Priests* (Lund, 1974), pp. 119-120.

²⁸ K. L. Parker, *The English Sabbath. A study of doctrine and discipline from the Reformation to the Civil War* (Cambridge, 1988), p. 11.

Reference was often made to disasters and misfortunes being visited upon those who, either by working or otherwise neglecting their spiritual duties, failed to observe Sundays and holy days properly. It was said that St Hugh, Bishop of Lincoln, had himself witnessed a miracle of bread being broken and flowing with blood, the dough for which had been kneaded on a Sunday. This was taken as a sign of God's displeasure at servile work being done on the Sabbath.³⁰ Similarly, it was claimed that attempts to fell a tree on a Sunday caused blood to flow from it and that, as the tree was struck, a voice damned the person who had ordered the felling on such a holy day. The young man who cut the tree died very soon afterwards and the monk who had ordered that it should be felled was said to have disappeared without trace.³¹ *Jacob's Well* tells of a man who often either missed or was late for Mass and who failed to pay attention when he did attend. When he died and prayers were said for his soul, the crucifix on the funeral bier covered its ears with its hands and a voice from above told the congregation:

this cursyd man wolde neuere for slauthe heryn my woord, .
 . . ne heryn my seruyse in holy cherche deuoutly; therfore,
 his soule is in powere of feendys dampnyd. Therfore, myn
 ymage on the cros stoppyth his erys, to schewe you that I,
 god, stoppe myn erys in heuene, that I here no prayere,
 prayed for hym in holy cherche. Therfore, prayeth no more
 for hym, for he is dampnyd.³²

It is important to note, however, that these are all assertions about God's displeasure directed towards people who worked on Sundays or who failed to attend church as they should have done and are not about whether or not people should indulge in recreations once they have fulfilled their religious duties. This is an important distinction.

To what extent did people observe the church's requirement to keep Sunday and other *festas ferianda*? A fourteenth century Dominican, John Bromyard, lamented that not only did few people abstain from worldly pursuits on Sundays and holy days, but that they also failed to fulfil their spiritual obligations:

They get up late, and come late to church, and wish to be so
 little there, that they will urge the priest to be quick because

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ Rodgers, *Holidays*, p. 22.

they have a friend coming to dinner ... Even the short time that they cannot help remaining in the church they spend in unnecessary talk, forgetting that the house of God is the house of prayer. Then they go away to dinner or to the tavern, and there they are in no hurry, for some spend the whole rest of the day and even till late at night, like the Amalecites eating and drinking and as it were keeping a festival day.

In fact, it appears that although some people did work on Sundays and holy days in contravention of the church's teaching, this was not as prevalent a problem as some contemporaries seemed to suggest. Barbara Harvey has illustrated how, in the eleventh century, *festa ferianda* were marked by virtually complete abstention from servile labour. The subsequent growth of towns led to a change in attitudes. The economy remained overwhelmingly agrarian in nature throughout the medieval period. However, up until the twelfth century, labouring on the land meant that the vast bulk of people were working under conditions of maximum immobility and that the traditional patterns of work and leisure were maintained and respected. As towns expanded and the labour force became comparatively more mobile, attitudes began to change for a significant section of society. In any event, the scarcity of labour in the wake of the Black Death more or less forced at least a temporary change in practices.³³ Immediately following the ravages of the Black Death, more work was done on feast days than had previously been countenanced. Despite the exhortations of theologians and moralists, more and more goods were carried on Sundays and feast days, and many Sunday and feast day markets were held.³⁴ Indeed, a statute of 1402, perhaps both acknowledging and attempting to discourage work on Sundays and other holy days, prohibited the payment of labourers for feast days and vigils.³⁵ However, it would seem that the old practices of observing *festa ferianda* were soon re-established. Harvey has pointed out that Henry VI's builders at Eton observed much the same holy days as Henry III's men had done when building his palace at Westminster two centuries earlier.³⁶ She also cites the fact that the local bishop permitted the parishioners of St. Dominic, in Cornwall, to move their dedication festival, which fell

³² *Jacob's Well*, p. 110.

³³ Harvey, 'Festa Ferianda', pp. 293 and 303.

³⁴ *Ibid.*, pp. 303-04.

³⁵ *Ibid.*, p. 306.

³⁶ *Ibid.*

in the harvest season, to a more convenient date so that they could commemorate it with suitable reverence.³⁷

Most farmers did indeed largely refrain from working in the field on *festa ferianda* and, even if many craftsmen and shopkeepers worked on the eve of a feast day, they too nonetheless kept the day itself as a holiday.³⁸ Non-attendance at church was the most common charge recorded in court records under the category of irreligious behaviour for the years immediately before the English Reformation. Yet such charges were relatively infrequent, suggesting that the day of rest continued to be widely observed. For example, only 26 people were accused of non-attendance in Suffolk in 1499 and only 25 in Hampshire in 1527.³⁹ Even if this does not reflect the true numbers who failed to attend, it almost certainly indicates that there was no great concern over Sunday trading, otherwise one would expect to find more allegations being made. Certainly, some people did work on *festa ferianda* and they were condemned by churchmen and others for doing so.⁴⁰ Although the authorities wanted to prevent people from working on holy days, the moralists were just as concerned about the other activities that people pursued on such days. For them, it was not sufficient for people to stop work, they had also to observe the holy days properly by fulfilling their spiritual duties. Idleness and devoting time to drinking, dancing and playing sports on these enforced days of rest were to be discouraged. Moralists believed that drinking and playing sports could lead to sin, which was even more serious when committed on a holy day. They urged people to reject worldly pastimes and:

To here goddes serues and the mas,
And spene [spend] that day in holynes.⁴¹

Idleness, sports and games. Sunday and holy days outside church.

Throughout the late medieval period there was concern about people being idle and about the likelihood that idleness would lead to debauchery and crime. The passage from *Jacob's Well* quoted at the beginning of this chapter illustrates the fears that idleness

³⁷ *Ibid.*

³⁸ *Ibid.*, pp. 306-7.

³⁹ C. Harper-Bill, 'Who Wanted the English Reformation?', in *Medieval History*, Vol. 2, No.1 (1992), p.69.

⁴⁰ For example, see Parker, *English Sabbath*, pp. 13-14 and Rodgers, *Holidays*, pp. 74-75. In 1413, the civil authorities, responding to a complaint by the archbishop of Canterbury, passed an ordinance forbidding the barbers of the City of London from keeping their houses and shops open on Sundays and threatening them with a fine of 6s 8d for every contravention of the ordinance.

could lead to all manner of sins, especially gambling and drinking.⁴² In his discussion of sloth, the fourth deadly sin, Mannyng wrote disapprovingly of people who, instead of fulfilling their religious duties on holy days, spent their time eating and gambling:

Yuf hyt be nat then redy, hys dyner,
 Take furthe the chesse or the tabler;
 So shal he pley tyl hyt be none,
 And Goddys seruyse be al done.
 Alas wykkédly he dyspendyth
 Alle the lyfe that God hum sendyth!⁴³

Gambling was regarded as pernicious because it led to the sin of covetousness and caused people who were losing money to slander God and his saints. It set a bad example for others and encouraged people to waste their time when they could be doing good works.⁴⁴ The many other sports and games that people indulged in on feast days similarly met with considerable disapproval. Not only were many associated with gambling, they provided a temptation to miss church services and, with the attendant drinking, could lead people to utter profanities and to become violent.⁴⁵ Mannyng condemned dances and summer games for leading people to sin. A Gloucestershire monk preaching in the mid-fifteenth century similarly condemned the ‘vain, stupid, profane games’ played at midsummer and the attendant heavy drinking.⁴⁶

All manner of sports were played in the late medieval period including football, handball, tennis, bowling, archery, wrestling, quoits and running. People would also amuse themselves through singing, dancing, leaping and vaulting, as well as by playing a variety of board games including chess and backgammon, or ‘tables,’ and other games of chance such as dice and cards.⁴⁷ Bull- and bear-baiting were also common, as was cock fighting. Sports such as archery, running and wrestling were seen to have some military benefit because they kept men fit and prepared for war. For this reason, the practice of archery was positively encouraged by the state. Yet, many other sports were frowned upon and were thought by writers like Mannyng to distract people from the proper observance of

⁴¹ Kristensson, *Mirk*, p. 120; Harvey, ‘Festa Ferianda’, p. 307.

⁴² M. K. McIntosh, *Controlling Misbehaviour in England, 1370-1600* (Cambridge, 1998), p. 200.

⁴³ *Handlyng Synne*, p. 145.

⁴⁴ *Jacob’s Well*, p. 134.

⁴⁵ G. G. Coulton, *The Medieval Village* (Cambridge, 1925), p. 93.

⁴⁶ *Handlyng Synne*, p. 156; Hutton, *Merry England*, p. 38.

⁴⁷ For a detailed consideration of these and many other sports and pastimes enjoyed in this period, see J. Strutt, *The Sports and Pastimes of the People of England* (London, 1841).

holy days. For it was indeed on Sundays and holy days that people had the greatest opportunity to play sports.

As discussed above, holy days occurred throughout the year, with most of the major feasts falling between December and June. These provided opportunities for celebration and for the pursuit of various sports and games. In addition, the summer months of May, June and July afforded the opportunity for parishes across the country to hold festivities and communal celebrations. Some parishes celebrated on May Day itself. Many others held festivities on different dates during the course of the next two months.⁴⁸ Even if held in June or July, these celebrations were sometimes known as ‘May-ales’ or ‘May games,’ but they were also often called ‘summer games’ or ‘church-ales.’ An ‘ale’ usually denoted a festival held, partially at least, in order to raise funds. Church-ales were among the most common type of ale. They were organised by churchwardens and were principally designed, as the name suggests, to raise money for the upkeep and repair of the parish church. Indeed, they were an important source of income for the church and could raise considerable amounts. In the early sixteenth century in Stogursey in Somerset the Whitsun church-ale raised more than £6 a year.⁴⁹ Bride-ales were also held to raise money for newly-weds, and help-ales would often be held to raise funds for someone who had fallen on hard times.⁵⁰ Scot-ales were another form of ale held to raise money for the community but, unlike church-ales, it seems that most scot-ales carried some form of compulsion to contribute.⁵¹

A strong ale would be brewed for these occasions and, in the case of church-ales, the parishioners would buy the ale and drink it, with the profit on each sale going into the parish coffers.⁵² In addition to providing ale at these events, parishioners were often also offered meat, cheese, eggs and other food.⁵³ Indeed, it is clear that, although many people attended the various types of ‘charity ale’ in order to contribute money to the church or other worthy causes, people also went to socialise: to drink, eat, dance and play games.⁵⁴ The church-ale was an important opportunity for a communal celebration, often helping to reinforce neighbourly bonds and social relationships.⁵⁵ Some parishes appear not to have held such events at all, but the surviving evidence suggests that the vast majority of rural

⁴⁸ Hutton, *Merry England*, p. 28.

⁴⁹ Bennett, ‘Conviviality and Charity’, p. 37.

⁵⁰ *Ibid.*, pp. 20-21. For a discussion of help-ales and bride-ales and of charity ales generally, see Bennett’s article.

⁵¹ *Ibid.*, p. 24.

⁵² A. Abram, *English Life and Manners in the Later Middle Ages* (London, 1913), p. 243.

⁵³ Hutton, *Merry England*, p. 29.

⁵⁴ Bennett, ‘Conviviality and Charity’, pp. 20-21.

⁵⁵ P. Clark, *The English Alehouse. A Social History 1200-1830* (London, 1983), p. 151.

parishes did. Many parishes held a church-ale every year, while some only did so in years when money was needed for a specific purpose.⁵⁶ Others held them relatively frequently and, in Elverton and Okebrook, in Derbyshire, for example, there were as many as four church-ales a year.⁵⁷ Ales were most popular in rural areas. Indeed, Plymouth and Manchester were among the few towns that held ales. Most towns did not.⁵⁸

Whereas bid-ales and help-ales were generally informal and held when good weather could be expected, church-ales tended to be larger affairs and were often held at Whitsun or on Easter Sunday itself.⁵⁹ Consequently, they were sometimes referred to as ‘Whitsun-ales’ or ‘Easter-ales’.⁶⁰ Often called a ‘church-ale’ and sometimes referred to as a ‘wake,’ a communal feast was held in many parishes to commemorate the dedication day of the parish church. These could be held on the actual dedication day of the church in honour of its patron saint or on the Sunday nearest to the relevant saint’s day. However, where the saint’s day was later in the year, wakes and church-ales were most often held sometime between Easter and the end of summer, although they could take place at any convenient time when money was needed for the church.⁶¹

Ales and wakes had, then, both secular and religious dimensions. They were often used to raise money for the church and to commemorate its dedication day. Usually held on Sundays and other holy days, they also took place on important feast days such as Easter Sunday and Whitsun, or Pentecost, Sunday. But they were also important social occasions when parishioners could meet, drink and play sports together. Thus they both had a religious significance and afforded an opportunity for substantial merry-making. A number of drinking cups from the period illustrate how these secular and religious aspects overlapped. For example, one cup has the following couplet inscribed around its rim:

In the name of the Trinitie
Fill the kup and drinke to me.

Another says:

Sayn denis yt es me dere

⁵⁶ Hutton, *Merry England*, p. 28.

⁵⁷ E. Peacock, ‘Church Ales,’ in *The Archaeological Journal*, Vol. XL (March, 1883), p. 13.

⁵⁸ Bennett, ‘Conviviality and Charity’, p. 34.

⁵⁹ C. Reeves, *Pleasures and Pastimes in Medieval England* (Stroud, 1995), pp. 154-55.

⁶⁰ Strutt, *Sports and Pastimes*, p. 366.

⁶¹ Hutton, *Merry England*, pp. 29, 36 and 46; Strutt, *Sports and Pastimes*, pp. 364-66; Clark, *English Alehouse*, p. 25; Peacock, ‘Church Ales’, p. 10.

For hes lof drenk and mak gud cher.⁶²

By the end of the fifteenth century church-ales were a regular method of raising funds in most parishes, and they were well-attended and popular.⁶³ They were occasions for people to play games and drink, often to excess. Not surprisingly, many people would get drunk. The fifteenth-century ballad, *Romance of Merline*, speaks of a woman who:

With neighbours to the ale went,
 Long she sat and did amiss
 That drunken she was I wiss.⁶⁴

Violence and crime would often follow.⁶⁵ Indeed, although we are forced to rely principally on court records for our evidence, it seems clear that the mixture of alcohol and aggressive sport often led to injury and deaths. A study investigating 66 thirteenth-century court cases involving crimes connected to sport and recreation found that as many as 51 involved the death of one or more of the participants or spectators.⁶⁶ Although it is impossible to determine how representative such cases were of peoples' behaviour at ales and wakes, such instances clearly fed the concern of many in authority that these events could lead to disorder.

As we have seen, heavy drinking was common at such events and, particularly given that the ales and wakes were usually held in the church-house or in the churchyard and sometimes even in the church itself, they were severely disapproved of by many moralists.⁶⁷ Since they were mostly held on Sundays and other holy days, when people should have been devoting their time to matters spiritual, the playing of sports, dancing and drinking was the source of much indignation among medieval moralists. Some sneered at the fact that ales were supposedly held for charitable purposes, regarding this as just a mask for ill-living and merry-making. In 1257, for example, the Bishop of Salisbury condemned as immoral any gathering of ten or more men for drinking, observing that such drinking bouts were sometimes given a veil of respectability 'by a

⁶² Peacock, 'Church Ales', p. 6.

⁶³ Hutton, *Merry England*, p. 59.

⁶⁴ Quoted in Peacock, 'Church Ales', p. 12.

⁶⁵ Bennett, 'Conviviality and Charity', p. 41; Carter, *Medieval Games*, p. 109.

⁶⁶ Carter, *Medieval Games*, p. 110.

⁶⁷ Clark, *English Alehouse*, p. 25; Hutton, *Merry England*, pp. 29 and 59; Peacock, 'Church Ales', pp. 9 and 10; and Abram, *Life and Manners*, p. 243.

change of name called charity scot-ales.⁶⁸ Even seemingly straightforward games which did not involving gambling met with disapproval as they too could cause people to utter scandalous oaths, speak ill of others and profane the holy day.⁶⁹ Mirk condemned people:

For schotyng, for wrastelyng & other play,
For goyng to the ale on halyday,
For syngyne, for roytyng & such fare,
That ofte the sowle doth myche care.⁷⁰

The author of *Jacob's Well*, as we have seen, similarly rebuked those who misspent their time in 'ydell dedys,' and condemned people who 'gon to wakys & to wrestlynges, to daunsynges . . . to reuell . . . on the holy-dayes.'⁷¹ In *Handlyng Synne*, Mannyng asserted that:

Halyday was made for preyere,
. . . Yyf thou euer . . .
Hauntust tauerne, or were to any pere
To pley at the ches or at the tablere,
Specyaly before the noun
whan goddys seruyse owyth to be doun
Hyt ys agens the comaundment
And holy cherches asent.⁷²

One medieval preacher complained that, no sooner was Mass finished on a Sunday or other holy day, than people would be:

Soone aftir at the ale, bollyng and synginge, with many idil wordis, as lesynggis, bacbitinggis, and scornynngis, ... with al the countenance of lecherie, chidingis, and figtingis, with many other synnes; makinge the holi daye a synful daye. And so it semeth now a daies that the holi daye may be clepid [called] the sorry day. For of alle the daies in the yeer, the holidayes ben moost cursidli dispensid in the develis servyce in dispote of

⁶⁸ Bennett, 'Conviviality and Charity', p. 25.

⁶⁹ Rodgers, *Holidays*, pp. 68-69.

⁷⁰ Kristensson, *Mirk*, p. 120.

⁷¹ *Jacob's Well*, p. 105.

⁷² Mannyng, *Handlyng Synne*, pp. 36-8.

God, and alle his seyntis in hevene . . . It is wondre that god
suffrith the peple to lyve up on erthe.⁷³

Moralists demanded that the laity should attend Mass and, thereafter, should continue to keep the Sabbath holy. People were called on to repeat the sermon to household members who had been unable to go to the service themselves and to spend the day doing other good deeds. They were not to spend the rest of the day in idle sport:

men schulde not be idil, but as besi on the holi day about the
soule, as men ben on the werk day about the bodi.⁷⁴

There was particular concern that the enticement of drinking and playing sports on the day of rest from work might encourage people to miss divine service altogether. In *Jacob's Well*, for example, the failure to hear divine service in favour of such pursuits was denounced as 'poisoning people in sloth.'⁷⁵ In 1447 the Bishop of Exeter complained of youths playing games around the Cathedral, especially when they did so 'in tyme of dyvyne service.'⁷⁶ Between 1527 and 1530 a number of people were brought before the court in the manor of Amberley, West Sussex, for encouraging immorality by allowing people to play quoits during the time of divine service and permitting people to play bowls and tennis during vespers.⁷⁷ *Handlyng Synne* asserted that it was forbidden to play such games 'whyle the prest stondest at messe'.⁷⁸ It is important here to note that in all these instances the authorities appear to have been concerned with the fact that the use of recreations was either preventing people from attending church or was interrupting church services for others. They do not appear to be concerned with the use of recreations *per se*, but with the fact that they were sometimes preventing people from attending divine service. Consequently, they were not demonstrating sabbatarian views as such, unlike the later puritan sabbatarians.⁷⁹

⁷³ Quoted in Owst, *Preaching in Medieval England*, p. 180.

⁷⁴ *Ibid.*, pp.193-4; Rodgers, *Holidays*, p. 33.

⁷⁵ *Jacob's Well*, p. 116.

⁷⁶ Abram, *English Life and Manners*, pp. 235-6; T. S. Henricks, 'Sport and Social History in Medieval England,' in *Journal of Sport History*, Vol. 9, No. 2, (Summer, 1982), p. 31; Henricks, *Disputed Pleasures*, p. 60.

⁷⁷ McIntosh, *Controlling Misbehaviour*, pp. 104-105. Quoits, or coits, was generally played by two teams of two or more people who would each throw a quoit – similar to a discus, although horse-shoes were also used – to an iron mark driven into the ground. The team whose quoit was nearest to the mark won, on the same principle as bowling today. For details, see Strutt, *Sports and Pastimes*, pp. 76-77.

⁷⁸ *Handlyng Synne*, p. 283.

⁷⁹ See chapters four, five, six and seven.

Nonetheless, moves were made to protect the sanctity of the church and to prevent secular recreation compromising that sanctity. It was a common practice to hold church ales and wakes in the churchyard or in the church-house, which was often within the enclosure of the churchyard.⁸⁰ Some ales and games were even held in the church itself.⁸¹ Edward I had passed a statute commanding that ‘neither Fairs nor Markets be kept in Church-Yards for the Honour of the Church’.⁸² The holding of sports and ales within the consecrated grounds of the church simply compounded the sin of not observing *festa ferianda* as the church required. Moralists such as Mirk insisted:

Also wyth-ynne chyrche & chyrchhay
 Do rygt thus as I the say;
 Songe and cry and such fare,
 For to stynte thow schalt not spare;
 Castyng of axtre & eke of ston,
 Sofere hem there to vse non.
 Bal and bares and suche play,
 Out of chyrcheyorde put a-way;
 . . . For cryst hym-self techeth vs
 That holy chyrche ys hys hows
 That ys made for no thyng elle
 But for to *praye* In, as the boke telles.⁸³

Mannyng similarly complained that it was sacrilegious to hold ‘swyche shames’ as wrestling and summer games in the church and churchyard.⁸⁴ Others insisted that people should ‘make no jangeling, rowning [chattering], no cry, no din in church nor in churchyard . . . no dances, no worldly songs, no interludes, no castings of the stone, steracles [performances], no playing at the ball, nor other idle japes and plays’.⁸⁵

⁸⁰ Peacock, ‘Church Ales,’ pp. 8-10.

⁸¹ Clark, *English Alehouse*, p. 33; Hutton, *Merry England*, p. 71.

⁸² 13 Edward I, c. 6, (*The Statutes of the Realm*, vol. I, p. 98).

⁸³ Kristensson, *Mirk*, p. 86.

⁸⁴ *Handlyng Synne*, p. 283.

⁸⁵ Quoted in Clark, *English Alehouse*, p. 27.

The Suppression of Games and Sports

The playing of sports on *festis ferianda* clearly offended many medieval moralists, but attempts to suppress recreations were often the product of secular concerns about social order rather than a response to moralistic outrage. Indeed, the attempts to suppress a wide variety of sports are very instructive. They suggest that secular motives and concern about possible disorder lay behind the outlawing of certain games rather than the Church's concern that people should observe holy days properly. They also indicate that many sports continued to be practised and enjoyed by a large section of the population, despite legislation against them and despite the condemnation of the theologians.

As early as the reign of Edward III, the crown attempted to force all able-bodied men to use their holiday leisure to good purpose by stipulating that they should practice archery on Sunday and other holy days. In a royal proclamation of 1365 they were forbidden 'to meddle in hurling of stones, loggats and quoits, handball, football, club ball, cambuc, cock fighting or other vain games of no value'.⁸⁶ It is clear that the proclamation was not motivated by worries about prophaning the sabbath or other holy days. Rather it was born out of a concern that English men should maintain the archery skills that had brought England victory on the battle field and which were vital to the country's defence. Rather than setting aside holy days exclusively for worship, men were required to use such days to practise their archery. In 1388, Edward's successor, Richard II, made these requirements statutory when he passed an act which ordered that:

Servants and Labourers shall have Bows and Arrows, and use the same the Sundays and Holydays, and leave all playing at Tennis or Football, and other Games called Coits, Dice, Casting of the Stone, Kailes [skittles], and other such importune Games.⁸⁷

Thereafter, a succession of proclamations were made and acts passed ordering men not to play such games, and to use Sundays and other feast days to practise their archery.⁸⁸

⁸⁶ Quoted in A. L. Poole, 'Recreations,' in A. L. Poole (ed.), *Medieval England*, Vol. II, (Revised ed.), (Oxford, 1958), p. 625 and Henricks, 'Sport and Social History,' p. 30. 'Loggats' was a game similar to nine-pins, or skittles; 'club ball' seems to have been an early form of cricket; and 'cambuc,' otherwise known as 'goff,' was similar to golf. For details, see Strutt, *Sport and Pastimes*, pp. 101-5 and 271.

⁸⁷ 12 Richard II, c. 6 (*Stats. Realm*, vol. II, p. 57).

⁸⁸ See: 11 Henry IV, c. 4; 17 Edward IV, c. 3; 11 Henry VII, c. 2; 19 Henry VII, c. 12; 3 Henry VIII, c. 13; 6 Henry VIII, c. 2; 6 Henry VIII, c. 13; 14 & 15 Henry VIII, c. 7 (*Stats. Realm*, vol. II, pp. 163, 462-3, 569, and 657; and vol. III, pp. 32-3, 123-4, 132-3 and 215-6); P. L. Hughes and J. F. Larkin (eds.), *Tudor Royal Proclamations*, Vol. I, *The Early Tudors (1485-1553)*, (New Haven and London, 1964), pp. 151-3 and 177-181.

Numerous proclamations and acts emphasised the importance of archery, ‘whiche is & hathe ben a greate suertie & defence of this realme’.⁸⁹ In 1514, for example, Henry VIII enacted a statute which reminded people that:

by the fete & exercise of the subjettys of thys . . . Realme in shotyng in long bowes ther hath contynually growen & bene wythin the same grete noubre & multytude of good Archars whych hath not only defendyd this realme & the subjectys thereof . . . but also wyth lytell noumbre and puyssance in regard have done many noble actys & dyscomfytures of Warre agaynst the infydeles & other, And furthermore subdued and reducyd dyvers & many regyons & countrees to their due obeysaunce to the grete honour fame & surety of thys Realme.⁹⁰

Proclamations and acts repeatedly expressed fears that archery was being neglected and at risk of being ‘for evermore . . . decayed and destroyed’.⁹¹ Consequently, again and again, the government outlawed all manner of games including tennis, cloysh, quoits and various games of chance. Most of them specifically cited the promotion of archery as the reason for outlawing such games. Only the 1477 statute of Edward IV and Henry VIII’s act of 1514 referred to the playing of such games as profaning holy days.⁹² Edward IV’s statute spoke of people who played a variety of unlawful games such as ‘Cloysh, Kailes, Half-Bowl’ and ‘Queckboard’ as being: ‘such evil disposed Persons that doubt not to offend God in not observing their Holy Days’.⁹³ Yet even this statute ordered that every able-bodied man ‘should use his bow’ instead of playing such games, suggesting that keeping feast days holy was not its primary concern. Moreover, it cited other, purely secular reasons for outlawing other sports. Many of these sports led to gambling and thus, the statute claimed, impoverished people. People frequently gambled on the outcome of tennis matches. There was a fear that such gambling could result in people losing and induce some of them to turn to crime in order to obtain the resources needed to pay off debts.⁹⁴ Indeed, the statute asserted that ‘many Murders, Robberies, and other heinous

⁸⁹ 3 Henry VIII, c. 13 (*Stats. Realm*, vol. III, p. 32).

⁹⁰ 6 Henry VIII, c. 2 (*Stats. Realm*, vol. III, p. 123).

⁹¹ Hughes and Larkin, *Tudor Royal Proclamations*, p. 178.

⁹² 17 Edward IV, c. 3; 6 Henry VIII, c. 2 (*Stats. Realm*, vol II, p. 462 and vol. III, p. 123).

⁹³ 17 Edward IV, c. 3 (*Stats. Realm*, vol II, p. 462).

⁹⁴ Henricks, ‘Sport and Society,’ p. 31; McIntosh, *Controlling Misbehaviour*, p. 101.

Felonies' were linked to such activities.⁹⁵ In attacking worldly pursuits on holy days, theologians themselves also often linked drinking and sports to violence and crime. Even though Edward IV's statute referred to the observance of holy days, it is clear that it was nonetheless mainly concerned with the secular consequences of playing unlawful games: the neglect of archery and the risks of impoverishment, leading to crime. The 1514 act referred to the 'hygh displeasure of Almyghty God' being incurred by those who played unlawful games and did not hear 'the devyne servyce . . . on holy and festivall dayes'. However, it too referred to the fact that 'Impoverysshment hath ensued and many heynous murders robberies & felonys' and concentrated on the neglect of archery.⁹⁶ Certainly, all the other proclamations and statutes which concerned themselves with unlawful games appear to have done so for purely secular reasons. Apart from the 1477 and 1514 statutes, no others referred to the observance of holy days.

That said, those secular reasons were not as straightforward as they might at first appear. Many of the proclamations and acts referred specifically to 'servants,' 'labourers' and 'apprentices'.⁹⁷ Indeed, the actions of young people, including apprentices and servants, were examined particularly closely when it came to jurors deciding whether to report offences.⁹⁸ This appears to have been due largely to concern over how they spent their free time and, more especially, to fears about the risks of disorder following drinking and gambling. Such concerns – again, secular and practical more than religious – were clearly enunciated in the act of 1477. The crown, jurors and local officials were all concerned that servants and the labouring poor should not squander their resources on alcohol or gambling.⁹⁹ Drunkenness could lead to violence and, in any event, might result in people being incapable of work.¹⁰⁰ Injury in sport might similarly lead to an incapacity to work. Worse still, loss of money through gambling could encourage young men to turn to crime and even to steal from their masters in order to get the necessary money to pay back creditors.¹⁰¹ It seems clear, then, that at least part of the motivation behind the moves to suppress games was to prevent disorder and to control the activities of young people. More specifically, in the words of the Bishop of Exeter, who complained in 1477 of sports being played during divine service, people in authority were concerned to control the

⁹⁵ 17 Edward IV, c. 3 (*Stats. Realm*, vol II, p. 463).

⁹⁶ 6 Henry VIII, c. 2 (*Stats. Realm*, vol. III, p. 123).

⁹⁷ For example, see: 12 Richard II, c. 6; 11 Henry IV, c. 4; 11 Henry VII, c. 2; and 19 Henry VII, c. 12 (*Stats. Realm*, vol II, pp. 57, 163, 569 and 657).

⁹⁸ McIntosh, *Controlling Misbehaviour*, pp. 12-13.

⁹⁹ *Ibid.*, p. 13.

¹⁰⁰ Clark, *English Alehouse*, pp. 147-48.

¹⁰¹ McIntosh, *Controlling Misbehaviour*, p. 101.

activities of the ‘yong people of the . . . comminalte.’¹⁰² Several kings, including Henry VII and Henry VIII, themselves enjoyed playing tennis, but they clearly did not want the ordinary people to indulge in the game. Moves against sports were therefore, in part at least, attempts to keep people in their place.

The Enduring Popularity of Sports.

Much of this chapter has been concerned with the exhortations of moralists to keep the Sabbath and other feast days holy and with their condemnation of sports played at wakes and ales. It has also discussed the secular motives behind attempts to suppress such sports and pastimes. But, how successful were such moves and how prevalent were sabbatarian views in the later Middle Ages? Despite the views expressed in *Handlyng Synne* and *Jacob’s Well* and by moralists such as Mirk, it is clear that many people connected with the church permitted wakes and ales and the playing of sports on *festa ferianda*. Indeed, many were actively involved in them. Given that so much has to be based on cases that actually reached the courts or on the reactions of those opposed to ‘unlawful games,’ it is impossible to know with any certainty how extensively they were pursued. Nonetheless, it is clear that many clergymen were themselves involved in sports and games held in May and other festivals. In the thirteenth century, the Bishop of Lincoln criticised priests for encouraging ‘games which they call the bringing-in of summer and autumn.’¹⁰³ That Mirk felt it necessary to tell priests that they had to forego ‘hawkyng, huntyng and dawnsyng,’ and not get involved in ‘Wrastelyng & schotyng & such maner game,’ again suggests that many priests were indeed indulging in such activities.¹⁰⁴

Proclamations had to be made repeatedly and numerous acts had to be passed ordering men to desist from ‘unlawful games’ and to practise their archery. This itself is a powerful indication that archery was indeed being neglected and that many people continued to spend their Sundays and holy days playing football, quoits and a wide range of other sports and games, despite laws to the contrary. Henry VIII’s proclamation of May 1526 itself acknowledged that the many ‘good acts and provisions for longbows and archery notwithstanding, . . . unlawful games be . . . continually used and exercised in this realm’.¹⁰⁵ When the Bishop of Exeter complained of the unlawful games played by young people in the Cathedral cloister, the Mayor of Exeter replied that playing ball in

¹⁰² Henricks, ‘Sport and Social History,’ p. 31; Henricks, *Disputed Pleasures*, p. 60.

¹⁰³ Hutton, *Merry England*, p. 56.

¹⁰⁴ Kristensson, *Mirk*, pp. 68-69.

¹⁰⁵ Hughes and Larkin, *Tudor Royal Proclamations*, p. 152.

churchyards and other ecclesiastical places was common elsewhere.¹⁰⁶ The continuing need for statutes outlawing games and the comments of the Mayor of Exeter illustrate that, despite such measures and despite the condemnation of moralists, the popularity of these games persisted. Indeed, Burke has pointed out that theologians had criticised popular culture since the earliest days of the Church. The fact that such condemnation continued throughout the Middle Ages merely serves to highlight the remarkable resilience of that culture and the popularity of sports and of wakes and ales.¹⁰⁷ Indeed, the fact that so many wakes and ales continued to be held in this period and that the majority of them appear to have been held in the church-house or in the churchyard suggests that, while a number of moralists did indeed speak out against them, large numbers of priests and churchwardens gave indirect if not explicit support to the celebrations and sports enjoyed by large sections of the populace on Sundays and holy days. It is clear, therefore, that the sabbatarianism of later puritans was not a mainstream principle of the medieval Church and it did not enjoy the long pedigree that they or historians such as Parker have claimed. Nor did secular authority espouse or seek to enforce strict sabbatarianism in pre-Reformation England. Having examined the place of Sunday festivity before the Reformation, it is now time to consider the impact of the break with Rome on Sunday observance in England.

¹⁰⁶ Abram, *English Life and Manners*, pp. 235-36.

¹⁰⁷ P. Burke, *Popular Culture in Early Modern Europe* (Revised edition, Aldershot, 1994), p. 217.

Chapter Three

The impact of the Break with Rome

The concerns voiced by late medieval moralists over how the sabbath should be observed found considerably greater expression during the course of the sixteenth century. This was due, in large part, to the emergence of English Puritanism in the final decades of the century when, as many historians have, in my view, correctly argued, a new, fundamentalist form of sabbatarianism emerged. The nature and impact of puritan sabbatarianism is examined in Chapter Four. However, the developments of the late sixteenth century cannot be properly understood without first examining the impact of the break with Rome and the early English Reformation and changing attitudes to the sabbath, to holy days and to traditional festivity. The mid-Tudor period was a time of momentous change in England and a time of considerable instability: there were fundamental and unsettling reversals in religious policy coupled with an increased threat of disorder and rebellion. As the present chapter will reveal, traditional pastimes became a focus of concern during this period, both because of changing religious attitudes and because of anxieties about social order.

The status of Sunday in Henrician, Edwardian and Marian England

Many of the early Protestant reformers challenged the Catholic Church's teaching on the Sabbath. They claimed that the Fourth Commandment applied to the Jewish Sabbath only and that the Catholic Church was wrong to teach that Christians should sanctify Sunday in the same way: by setting it apart and fulfilling spiritual duties prescribed by the Church of Rome. Luther declared: 'If anyone sets up the observance of Sunday upon a Jewish foundation, then I order you to work on it, to ride on it, to dance on it, to feast on it'.¹ Instead of treating the Fourth Commandment literally, Luther applied an allegorical interpretation to it, claiming that Christians should internalise the Sabbath and rest from sin every single day. Although Calvin also rejected Catholic teaching on the Sabbath and claimed that God required people to rest from sin at all times rather than superstitiously observe a specific day of rest, he nonetheless maintained that it was practical for Christians to set aside a particular time to worship collectively. He therefore saw merit in appointing a day in the week for such worship. Yet, while he acknowledged that Sunday was designated as the Lord's Day to commemorate the day on which Christ rose from the dead, for him there was no obligation to keep Sunday as

¹ L. A. Govett, *The King's Book of Sports* (London, 1890), pp. 20-21.

the day of worship.² The English reformer, William Tyndale, similarly rejected the concept that Christians were morally bound by any day, declaring:

We be Lordes over the Saboth and may yet chaunge it into the monday or any other day, as we see neede, or may make every tenth daye holy daye onely if we see cause why, we may make two every weeke, if it were expedient and one not inough to teach people. Neither was there any cause to chaunge it from Saterdag then to put difference betwene us and the Jews, and least we should become servauntes unto the day after their superstition. Neyther needed we any holyday at all, if the people myght be taught without it.³

Henry VIII's break with Rome was made for political rather than religious reasons. The King was himself a religious conservative: reluctant to make sweeping changes to religious rituals and customs and averse to embracing the teachings of the Protestant reformers.⁴ Nonetheless, under Henry the Church's teachings concerning Sunday and holy days of obligation were modified. Indeed, as early as 1536, in his first injunctions as head of the Church of England, Henry responded to complaints in the House of Commons about the excessive number of holy days and to claims that they encouraged idleness, riot and excess. He abolished a large number of holy days and ordered that all dedication feasts of parish churches should be held on the first Sunday in October. Although many wakes were already held on this day, many more took place at other times during the summer months, providing the opportunity for neighbouring parishes to reciprocate hospitality and entertainment. The 1536 articles prohibited such festivities and any rest from labour during the harvest period, from the beginning of July through to the end of September, except on Sundays and four dates dedicated to the Virgin Mary and the apostles. Yet, in spite of this injunction, wakes continued to be held during these months and, as the Bishop of Exeter complained in 1539, many labourers continued to refrain from working on saints' days.⁵ Whether the Pilgrimage of Grace and the serious threat that it had posed to Henry made him reluctant to enforce the

² K. L. Parker, *The English Sabbath. A Study of doctrine and discipline from the Reformation to the Civil War* (Cambridge, 1988), pp. 26-27.

³ *Ibid.*, pp. 33-34

⁴ D. Loades, *The Mid-Tudor Crisis, 1545-1565* (London, 1992), pp. 132-133.

⁵ R. Hutton, *The Rise and Fall of Merry England. The Ritual Year 1400-1700* (Oxford, 1994), p. 74; W. B. Whitaker, *Sunday in Tudor and Stuart Times* (London, 1933), p. 13; C. Hill, *Society and Puritanism in Pre-Revolutionary England* (London, 1964), pp. 142-143.

1536 injunctions is unclear. In any event, wakes continued to be held in the summer months and Henry's order against them appears to have been completely ignored.

The Church and Crown nonetheless continued to address the question of Sunday observance and the nature of the Sabbath in greater detail. In 1539 Convocation issued a book of ceremonies, which stipulated that:

Sundays are to be continued and employed in the service of God, to hear the word preached, to give thanks for the benefits which we receive daily. And that day is much to be regarded, both for the antiquity, and also for that it is a memorial of Christ's resurrection: whereby we ought to be stirred to rest our minds from earthly things to heavenly contemplations of Christ's glorified nature⁶

1543 saw the publication of *A Necessary Doctrine and Erudition for any Christian Man*, popularly known as *The King's Book*.⁷ This claimed that the Ten Commandments were moral commandments that were binding on both Jews and Christians alike, save for the Fourth Commandment which was partly ceremonial and only partly moral. It declared that the requirement to rest from bodily labour on the seventh day was only ceremonial and applied exclusively to the Jews. However, the Commandment was morally binding insofar as it provided for a perpetual spiritual rest from sin. *The King's Book* stated that:

as concernyng the spirituall rest ... that is to saye, reste frome the carnall workes of the fleshe, and all maner of synne, this precept is morall, and remayneth styll, and byndeth them that belong unto Christe: and not for every seventh day onely, but for all dayes, houres, and tymes. For at all tymes we be bounde to rest, from fulfyllinge of oure owne carnall wylle and pleasure, and from all synes and euyll desires⁸

In speaking of a spiritual rest from sin, *The King's Book* therefore adopted a position similar to that of the early reformers. In doing so, it also rejected the concept that was to be so

⁶ Quoted in Whitaker, *Sunday in Tudor and Stuart Times*, pp. 13-14.

⁷ For a discussion of *The King's Book*, see: G. Bernard, *The King's Reformation: Henry VIII and the Remaking of the English Church* (Yale University Press, 2005), pp. 583-589.

⁸ Henry VIII, *A necessary doctrine and erudicion for any chrysten man* (London, 1543), sigs. L5v – L6r.

fundamental to later Puritan belief: that the Fourth Commandment was literally binding on all Christians. It did, however, steer something of a middle course in that, having repudiated the morally binding nature of the Sabbath, it nonetheless went on to advance the traditional idea that the Church had ordained that Sunday should be devoted wholly to God's service through church attendance, public and private prayer, visiting the sick, instructing children in the faith and in other pious works. It declared that Saturday, the Jewish Sabbath, had been succeeded by Sunday in commemoration of Christ's resurrection. Furthermore, it stated that there were 'many other holy & festivall daies, which the church hath ordained, from tyme to tyme'. On these days, as on Sundays, Christians should give themselves entirely to worship and spiritual works. Therefore, despite the break with Rome and the abrogation of holy days in 1536, *The King's Book* specifically retained the custom of observing holy days appointed by the Church, although it warned against becoming overly superstitious about such observance and expressly permitted works of necessity on Sundays and holy days. These included working to save corn or cattle that were in danger of destruction and fighting for king and country when commanded to do so. However, although it permitted necessary work it expressly prohibited Sunday pastimes, declaring that people who '(as is commonly used) passe the tyme, either in idelnes, in glotony, in ryot, or other vaine, or idel pastime, do breake this commandement'. Indeed, it held that it was preferable for men to labour in the fields on Sundays rather than to be idle at home and for women to spin wool rather than 'to lose their tyme in leapyng or daunsyng, and other ydell wantonness'. This represented a departure from the old traditions in that, despite the fact that pastimes had been commonly used on Sundays and holy days, such pastimes were now condemned to the extent that even ordinary work was preferable to them.⁹

Sunday pastimes were further condemned in Edward VI's injunctions of 1547. These referred to Sunday as 'the holy day' and declared that it was 'at first beginning, godly instituted and ordained, that the people should that day give themselves wholly to God'. Underlining the regime's desire to introduce godly reforms, it stated that:

whereas in our time, God is more offended than pleased, more dishonoured than honoured, upon the holy day, because of idleness, pride, drunkenness, quarrelling, and brawling, which are most used in such days . . . therefore all the king's faithful and loving subjects shall from henceforth celebrate and keep their holy day according to God's holy will and pleasure.

⁹ Whitaker, *Sunday in Tudor and Stuart Times*, p. 16.

It is clear from this that *The King's Book* had not succeeded in altering the way in which many people spent their Sundays. Thus the people were again enjoined to spend the day in attending church, hearing God's word, praying, receiving the sacraments and in visiting the sick. Although Sunday was to be devoted entirely to God, the injunctions nonetheless allowed for working during harvest time on Sunday and holy days. In permitting this, the injunctions pointedly rejected Catholic teaching against labouring on these days by stating that:

if, for any scrupulosity or grudge of conscience, men should superstitiously abstain from working upon these days, . . . they should grievously offend and displease God.¹⁰

Writing in 1549, John Hooper - a hard-line Protestant who had been in exile in Zurich, had returned to England on the death of Henry VIII and who later became Bishop of Gloucester under Edward VI - stated that, through the words of Saint Paul, God had expressly commanded that Christians should observe Sunday as their Sabbath. Hooper maintained that those who failed to devote the day wholly to God were breaking the Fourth Commandment and condemned those who played sports and revelled on the Lord's Day, stating that it was:

to breeke the Sabboth not to ceasse from doing of ile, but to abuse the rest, and eace of the Sabboth, in sporties, games, and pastimes, keeping of merkettes, and feres upon the Sabbothe is to abuse the Sabboth. It is as mouche as to fery unto God, and work to the devill.¹¹

In 1552 an *Act for keeping Holy and Fasting Days* emphasised that certain days were appointed as holy days for the sole purpose of honouring God and edifying the people:

this is to say, separated from all profane use, and dedicated and appointed, not unto any saint or creature, but only unto God and his true worship.¹²

¹⁰ A. H. Lewis, *A Critical History of Sunday Legislation. From 321 to 1888 A.D.* (New York, 1888), pp. 92-93.

¹¹ John Hooper, *A Declaration of the Ten Holy Commaundementes* (Zurich, 1549), sig. 14r.

¹² Lewis, *A Critical History of Sunday Legislation*, p. 94.

It expressly stated that the time and number of holy days was not prescribed by Scripture, but was the prerogative of the Church to determine. It ordained that the approved holy days comprised every Sunday in the year plus twenty-seven additional holy days. Although it had forbidden the 'profane use' of such days and required people to abstain from bodily labour, it nonetheless declared that:

it shall be lawful to every husbandman, labourer, fisherman, and to all and every other person or persons, of what estate, degree, or condition he or they may be, upon the holy days aforesaid; in harvest or at any other time of the year when necessity shall require, to labour, to ride, fish or work, any kind of work, at their free wills and pleasure.¹³

It is clear from the Edwardian legislation that, while the regime wanted to put an end to the veneration of saints and to what it saw as the superstitious celebration of many holy days, it also wanted to ensure that Sunday was properly observed. Indeed, although it had long been the teaching of the Church in England that the laity should attend church on Sundays and holy days of obligation, under Edward VI's second Act of Uniformity they were for the first time required to do so by law. This statutory requirement clearly underscored the Christian's duty to devote Sunday to God's worship, but it also sought to ensure that people attended the parish church at least once a week. Thus, they would be exposed to the new religion: a church service in English and the preaching of the Protestant faith.

Mary I succeeded to the throne determined to re-establish the Catholic Faith within England and, by the time of the dissolution of her first parliament in December 1553, Edward's religious legislation had been repealed, including the 1552 Act of Uniformity and the legal requirement to attend church on Sundays. Protestant services ceased to be legal on 20 December 1553.¹⁴

Sports and pastimes in Henrician, Edwardian and Marian England

Given the Henrician and Edwardian legislation relating to the status and observing of Sundays and holy days, what were the attitudes and practice of both officialdom and people concerning

¹³ *Ibid.*, p. 97.

¹⁴ Loades, *Mid-Tudor Crisis*, p. 146; D. Loades, *Mary Tudor. A Life* (Oxford, 1989), p. 208; A. H. Lewis, *Sunday Legislation*, p. 97.

Sunday sports and pastimes during this period? As in medieval times, the majority of people had no time for relaxation or recreation except on Sundays and holy days. For most people, Sunday was the day after pay-day and their only free day of the week.¹⁵ With the reduction in the number of holy days, Sunday became *the* day of leisure to an even greater extent than it had been before. Consequently, people sought to make the most of it. It was the usual day for stage plays and bear-baitings and was also the day when people would go drinking in alehouses and pursue a wide range of sports and recreations.¹⁶ As the previous chapter has made clear, a series of statutes and proclamations prohibited servants and labourers from indulging in various sports and games in an attempt both to encourage able-bodied men to spend their Sunday afternoons practising archery and to prevent them from gambling and indulging in disorderly behaviour. In 1541 a further act was passed, which claimed that the playing of a wide variety of games, including ‘many and sondrie newe and crafty games’ invented in order to frustrate the intentions of the earlier statutes, had resulted in archery becoming ‘sore decayed and ... like to be more [de]mynished’. The statute claimed that the sidelining of archery in favour of other, more popular sports was putting bowyers and fletchers out of work and forcing them to seek employment in other countries, where they were passing on their skills to potential enemies to the detriment of the realm. It further stated that the gambling associated with the playing of unlawful games had impoverished people and led them to commit acts of robbery and murder. Moreover, it claimed that the such games enticed people away from attending church and had led to ‘the devyne service of God by such misdoers and holye and festyvall dayes nor heard or solemnized, to the high displeasure of Almyghtie God’. It is important here to note that, although this statute – like Henry VIII’s earlier statute of 1514 – spoke of God’s displeasure at the failure to solemnise Sundays and holy days, it referred specifically to the fact that the playing of sports kept people from hearing divine service on those days. It was the failure to go to church that was principally objected to. Sports were not condemned as profanations in themselves.¹⁷ Indeed, the Act was clearly not a piece of sabbatarian legislation and was primarily concerned with secular issues surrounding unlawful games: their tendency to impoverish people and lead them into crime and their effect on archery.

The Act required able-bodied adult males to practice archery and to keep a longbow and arrows in their houses. Fathers of boys aged between seven and seventeen also had to provide them with a bow and arrows and to ‘bringe them upp in shotinge’. The Act prohibited anyone from keeping a house, garden or alley where unlawful games were played and listed the

¹⁵ P. Clark, *The English Alehouse. A Social History 1200-1830* (London, 1983), p. 132.

¹⁶ W. P. Baker, ‘The Observance of Sunday’ in R. Lennard (ed.), *Englishmen at Rest and Play. Some Phases of English Leisure 1558-1714* (Oxford, 1931), p. 84.

prohibited games as including bowls, quoits, closh, cales (nine pins), logats (the same as nine pins, but using bones), half-bowl, tennis, dice, cards, tables (backgammon) and ‘any unlawful newe game’ which might be subsequently invented to bypass the statute. Whereas previous acts had banned servants, apprentices and labourers from playing such sports, the scope of this act was widened to embrace a broader range of occupations, including artificers, husbandmen, apprentices, labourers, servants, mariners, fishermen, watermen and any servingmen. Thus, the vast majority of adult males were prohibited from playing nearly every conceivable game except archery at all times and in all places, with the exception of Christmas time when they were allowed to play games in their master’s house provided they had his permission. Only noblemen and gentlemen who had property with a yearly value of £100 or more could licence the playing of cards, dice, tables, bowls or tennis within the confines of their own houses, gardens or orchards.¹⁸

Despite its provisions and despite heavy fines for breaching the statute, the 1541 Act was no more successful than its predecessors had been in preventing people from playing unlawful games in their free time. It was equally unsuccessful in halting the decline of archery. As the need for repeated legislation promoting it demonstrates, the practice of archery had been much neglected for generations, and during the mid-late sixteenth century it went into permanent decline. Archery had a proud history and the skill of English archers had been central to many historic military victories in the previous two centuries. It was therefore regarded as essential for men to maintain their archery skills and thus to keep themselves prepared and fit for war. As Brailsford observed, ‘Memories of Agincourt had left England with a nostalgic attitude towards archery which was to persist long after the bow and arrow had ceased to be of practical military significance’.¹⁹ It had therefore been common for churchwardens to erect butts for parishioners to practice archery after Sunday service, with the clergy often sanctioning it by their presence and frequently shooting at the butts themselves.²⁰

Although the gun as a weapon of war soon displaced the bow and arrow, many in England remained reluctant to acknowledge that its day had gone. Writers such as Thomas Elyot and Roger Ascham continued passionately to advocate the practice of archery. Elyot maintained that, of all the various forms of exercise, ‘none may be compared with shootinge in the long bowe’, which made men fit and strong and was better exercise than tennis, bowling, pins, closh or any other sport.²¹ Ascham wrote a whole treatise on archery in which he

¹⁷ 33 Henry VIII, c.9, (*The Statutes of the Realm*, Vol. III, pp. 837-841).

¹⁸ *Ibid.*; F. G. Emmison, *Elizabethan Life: Disorder* (Essex Record Office, 1970), p. 218.

¹⁹ D. Brailsford, *Sport and Society. Elizabeth to Anne* (London, 1969), p. 29.

²⁰ Govett, *Book of Sports*, p. 49.

²¹ Sir Thomas Elyot, *The Boke Named The Gouernour* (ed., Foster Watson, Everyman Library, 1907), pp. 112-113.

enthusiastically lauded its benefits, claiming that it led to bodily health, quickness of mind and the ability to help defend the country in time of war.²² He described it as being ‘a pastime wholesome and equall for euerye parte of the bodye’ and praised the skill of English archers in winning historic victories on the battlefield for Edward III, for the Black Prince and for Henry V.²³ Bishop Latimer saw archery as:

a gift of God that he hath given us to excel all other nations
withal. It hath been God’s instrument whereby he hath given us
many victories against our enemies.

Bemoaning the neglect of archery, he added: ‘now we have taken up whoring in towns, instead of shooting in the fields.’²⁴ Later, preaching before Edward VI, Latimer commended archery as ‘a worthy game, a wholesome kind of exercise, and much commended in physic’.²⁵ Yet, despite such sentiments, the art of archery continued its decline and the longbow, which had enjoyed an almost mystical place in the national psyche, came to be known disparagingly as the ‘country weapon’. The forces mustered in 1588 to combat the threat of a Spanish invasion counted no bowmen at all among the 6,000 trained men and only 800 out of the 4,000 untrained men.²⁶ In war, the longbow had given way to the gun, and in recreation it gave way to other, more fashionable sports.

Among the most popular sports and recreations were bowling, tennis, football, dicing, carding, dancing, bear-baitings and cockfights. Bowling had been practised since the Middle Ages, both on greens and in bowling alleys. It was popular at all social levels. Henry VIII had a bowling alley built at his palace of Whitehall while many wealthy people had bowling greens laid down in their gardens.²⁷ Despite the legislation that prohibited them from playing it, bowling was also widely enjoyed by the lower orders. While many public bowling greens closed in the wake of the 1541 statute, many alehouses had bowling alleys annexed to them and they continued to contravene the act.²⁸ Whereas the gentry played a rather sedate form of bowls, or lawn bowling, on their bowling greens, these wooden alleys saw a more rowdy sort of game: nine pins or skittles which, as Elyot stated, was ‘to be utterly abiected of al noble

²² C. G. Cruickshank, *Elizabeth’s Army* (Second edition, Oxford, 1966), p. 105

²³ Roger Ascham, *Toxophilus, the schole of shootinge conteyned in two bookes* (London, 1545), fols. 14 and 40.

²⁴ R. Hardy, *Longbow. A Social and Military History* (Third edition, Sparkford, 1992), p. 135.

²⁵ Govett, *Book of Sports*, p. 49.

²⁶ Hardy, *Longbow*, pp. 139-141.

²⁷ J. Strutt, *The Sports and Pastimes of the People of England* (London, 1841), p. 269; T. S. Henricks, *Disputed Pleasures. Sport and Society in Pre-industrial England* (New York; Westport, Connecticut; and London, 1991), p. 88.

²⁸ Brailsford, *Sport and Society*, p. 31.

men'.²⁹ The gambling and unruly behaviour that accompanied these games was a major factor in their prohibition and in the condemnation of them by moralists like Becon. How could Sunday be sanctified if people spent it in alehouses, gambling, drinking and swearing? Writing in 1550, Robert Crowley attacked the large number of illegal bowling alleys in London and the idle men who frequented them and gambled away their goods, and declared that hell awaited both them and the officers who failed to close down such places.³⁰ Nonetheless, despite such condemnation and the laws against it, the popularity of bowling continued to grow, leading Stephen Gosson to complain in 1579 that 'common bowling alleys are privy moths that eat up the credit of many idle citizens'.³¹

Like bowling, tennis was very popular among the nobility and gentry and Henry VIII, who was a keen tennis player as a young man, had tennis courts erected at the palace of Whitehall. Tennis was also fashionable at the universities and in many towns, where a number of public, enclosed courts were built. Again, although the 1541 act allowed the wealthy to have their own private courts, the legislation provided for fines to be imposed for every day that the public courts remained open.³² The act sought to prevent the common people from playing tennis because this game, too, was the occasion of much gambling. However, as with the attempts to suppress many other popular sports, the prohibition of tennis playing among the commonality was also designed to reinforce the social hierarchy and to keep people in their place. Certain games were deemed to be the prerogative of the higher social classes and, as Brailsford observes, a strictly hierarchical society demanded:

fixed patterns of work, prosperity and play appropriate to each rank. The games of the gentleman were to be one of his characterising features, one of the marks, indeed, of his gentility, and so it was essential that they should remain largely exclusive to his rank.³³

One sport that was exclusive to the lower classes was football. Football had little in common with today's game. It was a mass ball-game with virtually no rules and with no limit to the number of players on either side. Whole villages or sizeable teams from rival parts of a single parish would challenge each other to what was frequently an extremely rough contest, which,

²⁹ Henricks, *Disputed Pleasures*, p. 88; Emmison, *Elizabethan Life*, p. 221; Elyot, *The Governour*, p. 113.

³⁰ Robert Crowley, *One and thyrtye Epigrammes* (London, 1550), unpaginated.

³¹ Henricks, *Disputed Pleasures*, p. 89

³² Strutt, *Sports and Pastimes*, p. 94; Henricks, *Disputed Pleasures*, pp. 73 and 89.

³³ Brailsford, *Sport and Society*, p. 31.

if it involved neighbouring parishes, often spread out over several miles of countryside. Football could be very violent and frequently resulted in broken limbs, even fatalities. It often led to fierce arguments and fights and was frowned upon by many merchants because the injuries sustained and the disruption it caused often led to working days being lost.³⁴ It was regarded with contempt by Elyot and the propertied classes generally as:

nothings but beastly furie and exstreme violence; whereof procedeth hurte, and consequently rancour and malice do remaine with them that be wounded; wherefore it is to be put in perpetuall silence.³⁵

On occasions, football was played on Sundays, but it was traditionally most widely played on Shrove Tuesday. Neither the nobility nor the gentry played it, and its designation as an unlawful game was therefore neither an attempt to ensure proper Sabbath observance nor to reinforce social demarcation. Rather, it was prohibited primarily because of the violence associated with it and the consequent anxieties about social disorder.

Animal baiting and cockfights regularly took place on Sundays. These brutal sports were extremely popular and were the occasions of much gambling. The most common form of animal baiting was bear-baiting, but dogs also baited bulls and badgers for public amusement. The widespread nature of this barbarous sport is evidenced by the observation of Erasmus during the reign of Henry VIII that there were ‘many herds of bears maintained in this country for the purpose of baiting.’³⁶ Writing towards the end of the sixteenth century, the German traveller, Paul Hentzner, described a performance of animal baiting in which bulls and bears were tied up and then set upon by English bulldogs. This gruesome spectacle was then followed by the whipping of a blindfolded bear by several men: ‘standing circularly with whips, which they exercise upon him without any mercy, as he cannot escape because of his chain’.³⁷ While some later Elizabethan moralists were to condemn bear-baiting for its cruelty and to opine that the holding of such performances on a Sunday was sacrilegious, in the mid-sixteenth century the barbarity of the sport was not acknowledged. Indeed, bear-baitings were popular among the elite as well as the populace at large. Mary I attended a bear-baiting with her husband, Philip of Spain, and, when she visited her sister, Elizabeth, at Hatfield House, after Mass they watched a performance of bear-baiting together and ‘their highnesses were

³⁴ *Ibid.*, p. 53; Henricks, *Disputed Pleasures*, p. 89; A. H. Dodd, *Elizabethan England* (London, 1973), pp. 150-151; Emmison, *Elizabethan Life*, pp. 225-226.

³⁵ Elyot, *The Governour*, p. 113.

³⁶ Strutt, *Sports and Pastimes*, p. 257.

³⁷ *Ibid.*, p. 258.

right well content'.³⁸ Yet, even before the flood of complaint literature in the 1580s, bear-baiting was condemned. Crowley attacked as fools the people who squandered their money watching baitings every Sunday when they should have given money to the poor instead.³⁹

Cockfighting and throwing at cocks were other similarly cruel sports which, while popular among the common people, were also enjoyed by the highest in the land, as is evidenced by Henry VIII's building of a cock-pit at his palace of Whitehall.⁴⁰ Like football, the custom of throwing at cocks was particularly fashionable on Shrove Tuesday. It involved tying a cock to a post with a rope several feet long and then charging people to throw sticks and cudgels at it until it was killed, with the person administering the fatal blow winning the dead bird. Thomas More boasted, in later years, that he had been skilled at this sport in his childhood.⁴¹ As with many other sports of the day, cockfights and throwing at cocks were intrinsically linked with gambling and could often lead to heated exchanges and violence. Consequently, they were not deemed to be suitable pastimes for the common people and, along with football and many other sports, they were officially classified as unlawful games.

A recurring theme in considering the prohibition of various sports is that of gambling. Gambling among the lower orders was disapproved of by those in authority as they feared that servants and workers who lost money through gambling would turn to crime in order to recover their losses. Indeed, the 1541 Act claimed that 'manye haynous murders robberies and fellonyes were committed and done' as a result of the impoverishment caused by gambling over unlawful games.⁴² As poverty increased during the sixteenth century, concerns about gaming and its implications for social order also grew. Whereas gambling had often gone unreported during the previous century, in the sixteenth century the number of court presentments for illegal gambling dramatically increased.⁴³ Of course, it was not just games *associated* with gambling such as bowling, which were frowned upon: dicing and cards were themselves attacked and prohibited. These games of chance were expressly forbidden by the 1541 act, as they had been in earlier statutes. Crowley also condemned them, writing that:

diceynge hath brought many
wealthy menne to care
And manye ryche heyre

³⁸ Whitaker, *Sunday*, p. 23; Strutt, *Sports and Pastimes*, p. 257.

³⁹ Crowley, *One and thyrtye Epigrammes*, unpaginated.

⁴⁰ Strutt, *Sports and Pastimes*, p. 282.

⁴¹ *Ibid.*, p. 283; J. A. Sharpe, *Early Modern England. A Social History, 1550-1760* (Second edition, London, 1997), p. 291.

⁴² 33 Henry VIII, c.9, (*The Statutes of the Realm*, Vol. III), p. 838.

⁴³ M. K. McIntosh, *Controlling Misbehaviour in England, 1370-1600* (Cambridge, 1998), pp. 100-102; Emmison, *Elizabethan Life*, p. 218.

it hath made full bare.
 Some menne it hath sette up
 I wull not denye
 And brought to more
 worship
 Than they be worthye
 God knoweth to what ende
 He suffereth thys thing
 Perchaunce to rewarde them
 With hel at their endyng.⁴⁴

Dancing was another popular pastime. It was especially practised at ales and wakes and at May games and summer games generally. Although dancing was not yet attacked as vehemently or as persistently as it was to be later in the century, dancing on Sundays nonetheless received some criticism. *The King's Book* described dancing as 'idell wantonnesse' and declared that even bodily labour on a Sunday was less sinful than dancing.⁴⁵ However, the 1541 statute neither condemned nor prohibited dancing and some people saw merit in dancing as a good, wholesome recreation.⁴⁶ In any event, dancing on Sundays after church remained a popular pastime despite censure from some quarters. Indeed, the royal court itself led the way, as in 1554 when, on a Sunday, 'the King and Queen danced together, there being a brave maskery at Court'.⁴⁷

As noted in the last chapter, ales, wakes and May games continued to be popular well into the sixteenth century. Indeed, Henry VIII's attempt to move all wakes to the first Sunday in October was a dismal failure. However, during the reign of Edward VI the number of summer games across the country diminished dramatically. Although neither the government nor the Church hierarchy issued any formal orders against such festivities, there is some evidence of official hostility towards them. In 1547 the royal visitors to the West Country banned church ales 'because it hath byn declared unto us that many inconveniencies hath come by them'.⁴⁸ As Hutton observes, the term used is ambiguous and could refer to a religious issue such as a desire to separate profane celebrations from holy places, given that many ales took place in churchyards and church houses. There were certainly concerns that holy places should be

⁴⁴ Crowley, *One and thyrtye Epigrammes*, unpaginated

⁴⁵ Henry VIII, *A Necessary Doctrine*, sig. M1r.

⁴⁶ Elyot, *The Governour*, pp. 85-87.

⁴⁷ Whitaker, *Sunday*, p. 23.

⁴⁸ E. Duffy, *The Voices of Morebath. Reformation and Rebellion in an English Village* (Yale, 2001), p. 120.

properly respected, as Edward's statute against fighting in churches and churchyards demonstrates.⁴⁹ However, it seems more likely that the 'inconveniences' reported referred to disturbances and that the move was made as a practical measure to avoid disorder or to prevent assemblies that might breed rebellion.⁵⁰ Indeed, even before the Western Rebellion of 1549 there had been disturbances in the West Country in 1547 and 1548, suggesting that the authorities had cause to fear the possible consequences of popular assemblies.⁵¹ It should be noted, too, that Kett's Rebellion in East Anglia began at just such an assembly, when the townspeople of Wymondham in Norfolk gathered together with neighbouring villagers for a performance of a play in the summer of 1549.⁵²

Due to the paucity of the surviving evidence it is not clear whether the royal visitors on other circuits adopted a policy on ales similar to the one adopted in the West Country. However, a study of parishes for which comprehensive accounts for this period survive suggests that, whereas ales had been held regularly in parishes across most of Southern England in the mid-1540s, after 1549 they occurred in just a handful of communities. This was not true of central Oxfordshire where it would appear that ales continued to flourish, but that may simply be because officials there had a more lenient policy towards them.⁵³ Elsewhere, Edward's reign saw moves against other traditional celebrations. In 1549, for example, having already encouraged property-owners to discipline servants who attended May games, the Corporation of London issued an order prohibiting youths from attending such games altogether. In the same year a Protestant preacher denounced as an idol the huge maypole that had stood in Cornhill for many years and incited his congregation to destroy it.⁵⁴ When, in 1553, a brightly coloured maypole was brought into Fenchurch accompanied by a troupe of morris dancers, the Lord Mayor had the pole cut up.⁵⁵ Therefore, some moves were made to suppress May games and the use of maypoles even before they became the objects of vehement puritan attack and condemnation.

It would nonetheless be wrong to suggest that traditional festivities stopped altogether during Edward's reign. Ales continued to be held in some parishes, although their numbers had sharply declined. Similarly, though there were moves to suppress May games and revels in London and elsewhere, it is clear from the writings of John Hooper, from Edward's injunctions and from other surviving records that they still took place in some parishes.

⁴⁹ 5 & 6 Edward VI, c.4 (*The Statutes of the Realm*, Vol. IV, p. 133).

⁵⁰ R. Hutton, *The Stations of the Sun. A History of the Ritual Year in Britain* (Oxford, 1996), p. 249.

⁵¹ A. Fletcher, *Tudor Rebellions* (Third edition, London, 1983), p. 40.

⁵² Fletcher, *Tudor Rebellions*, p. 54.

⁵³ Hutton, *Stations of the Sun*, pp. 249-250.

⁵⁴ Hutton, *Merry England*, p. 88.

Moreover, certain aspects of traditional revelry continued to flourish at court where, for example, ‘Lords of Misrule’ and the use of ‘hobby horses’ continued to be as popular during Edward’s reign as they had been during that of his father. Nonetheless, there was a general stifling of popular celebration, whether through fear of disorder or as part of a move to institute a more godly society. Even as early as 1552 one John Caius could look back longingly to ‘the old world, when this country was called Merry England’.⁵⁶

With the death of Edward and the restoration of the Catholic faith under Mary, most of the traditional customs enjoyed a complete revival. Church ales, for example, rapidly reappeared across much of England, except in the North-east of England where they had never been widely held and in the South-east of England where radical Protestantism was strongest.⁵⁷ Given that Mary’s government did not actively promote these popular festivities, their immediate revival suggests that it had indeed been difficult to hold them under the previous regime. It also indicates their enduring popularity and their deep links with the old religion in the minds of the people. On a more practical level, given the importance of ales as a source of revenue for parish funds, their rapid re-emergence may reflect how much they were needed to help to raise funds needed to meet the considerable expense of restoring Catholic worship.

The restoration of traditional festivity was largely spontaneous and was certainly not official government or Church policy. Indeed in 1554, Mary’s Bishop of London, Edmund Bonner, issued Articles for his diocese that opposed both work and recreation on Sundays and holy days and inquired of the London clergy:

Whether there have been any men, women, or children of the age of fourteen or above, who upon Sundays or holydays have gone a-hunting or hawking, [or to] bear-baiting, games and other plays, [or to] disport or pastimes.⁵⁸

However, as Hutton points out, the revival of summer games was so marked that it is clear that most bishops did not adopt or enforce Bonner’s injunction and that traditional pastimes were broadly tolerated.⁵⁹ It is true that Mary’s Privy Council banned all May games in Kent in 1555, but this was almost certainly because, following Wyatt’s rebellion in Kent, the government feared that the convening of large numbers of people at any games, combined

⁵⁵ *Ibid.*

⁵⁶ Hutton, *Merry England*, pp. 89-90; Hutton, *Stations of the Sun*, pp. 83, 105-109.

⁵⁷ Hutton, *Stations of the Sun*, p. 250.

⁵⁸ Baker, ‘Observance of Sunday’, p. 83.

⁵⁹ Hutton, *Merry England*, pp. 101-102.

with the heavy drinking and riotous behaviour often associated with such events, ran the risk of occasioning a further instance of rebellion.⁶⁰ Indeed, in the same year Mary passed an act which voided licences granted under Henry VIII's 1541 Act to allow bowling, tennis, dicing and other 'unlawful' games in certain houses across the country on the grounds that:

divers & many unlawfull Assemblies, Conventicles Sedicions
& Conspiracies have & bene daily secretly practised by ydle &
misruled person repairing to such places.⁶¹

Nonetheless, the Privy Council did not issue a national prohibition of the seasonal festivities and, with the exception of Kent, it made no orders banning ales or Sunday sports.

The mid-Tudor period, then, did see a fluctuation in the use of ales and other traditional revelry and, for a variety of reasons, there were moves to suppress such festivity. These reasons included attempts by some reformers to establish a more godly society, but such attempts had comparatively little impact. As we shall see, it was during the reign of Elizabeth I that the calls for change increased and reformers began to clamour ever more loudly for the imposition of much stricter Sunday observance.

⁶⁰ Hutton, *Stations of the Sun*, p. 250; R. Hutton, 'The Local Impact of the Tudor Reformation', in C. Haigh (ed.), *The English Reformation Revised* (Cambridge, 1987), p. 131.

⁶¹ 2 & 3 Philip & Mary, c.9, (*The Statutes of the Realm*, Vol. IV, p. 285).

Chapter Four

The Reign of Elizabeth and the battle over the Lord's Day

Kenneth Parker has argued that the doctrine of a morally binding Sabbath was well established in England before the Reformation and that the strident sabbatarianism of many puritans in the 1580s and 90s was not an innovation but merely an elaboration of established, orthodox thinking regarding the Sabbath.¹ In some ways, this is an attractive thesis. As we have seen in chapter two, the early Christian Church taught that the Fourth Commandment obliged Christians to keep Sunday holy and calls were made by some moralists for stricter Sabbath observance well before the Reformation. In that sense, the sabbatarianism of the late sixteenth century did indeed have its roots in the Middle Ages. However, just as Parker argues that many historians have given insufficient weight to the long pedigree of sabbatarian beliefs within the English church, he in turn has underestimated the significance of late sixteenth-century puritan sabbatarianism and the extent to which puritans developed and promoted a different type of sabbatarian doctrine.² As Patrick Collinson has observed, the 1580s saw the development of a 'dogmatic rationale' to sabbatarian thinking as 'English divines began to discuss the fourth commandment with some theological detachment and to publish whole works on its doctrine'.³ The numerous catechisms and works of complaint literature that poured forth at the end of the sixteenth century not only turned up the volume of protest against perceived Sabbath profanations, but also set out detailed arguments for the morally binding nature of the Fourth Commandment and expounded on the Decalogue as never before. Not only did they introduce complex, reasoned theological arguments for the moral imperative of strict Sunday observance, they also argued against the keeping of other holy days on the grounds that, unlike the Sabbath, the days had not been ordained for sanctification by God. In this they departed from pre-Reformation thinking and presented a challenge to the authority of the Church and to its right to appoint holy days. In support of his argument that sabbatarian beliefs existed well before the emergence of Puritanism in the seventeenth century, Parker highlights the fact that a number of senior Elizabethan churchmen espoused such beliefs and supported moves to introduce sabbatarian legislation. However, as this chapter will demonstrate, the church hierarchy was far more concerned with attendance at church services than it was with how people spent their day after the service was over.

¹ K. L. Parker, *The English Sabbath. A Study of Doctrine and Discipline from the Reformation to the Civil War* (Cambridge, 1988), p. 91.

² *Ibid.*, p.5.

³ P. Collinson, *Godly People. Essays on English Protestantism and Puritanism* (London, 1983), p. 430.

The late sixteenth century saw recreations and popular pastimes come under more sustained and comprehensive attack than ever before: on both religious and secular grounds. A number of puritan writers equated popular culture and Sabbath violation with popery and with paganism; such men wanted the lawmakers and law enforcers to stamp out irreligious pastimes and to force people to devote Sundays entirely to God. Attempts to suppress Sunday revels were in part also due to increasing anxieties over the possibility of disorder. Concern for social order grew steadily greater towards the end of the sixteenth century as the country experienced the trauma of rising inflation coupled with a significant increase in the size of the population. This in turn led to a frightening increase in the numbers of people descending into poverty. There was a growing clamour for reforms in the way that people conducted their lives. Such calls came both from puritans and others keen to reform society on religious grounds and from people who sought reforms for purely secular reasons and who were motivated by concerns over the rise of poverty and the threat of disorder that it seemed to presage. For a variety of reasons, attitudes to the poor and to the concepts of charity and social provision also began to change. Alongside sabbatarian zeal and religious desires for moral reform, these factors played a significant role in leading many JPs and municipal authorities to attempt to place restrictions on popular festivity.

This chapter will examine the various factors that lay behind moves to suppress traditional sports and festivities and the extent to which a new doctrine of Sunday observance developed during the course of the sixteenth century. Given that the main area of contention among historians concerns the outpouring of complaint literature in the 1580s and 1590s, the chapter will focus on the latter part of Elizabeth's reign. However, it is important to first consider the early part of the reign and the attitude taken by Elizabeth and her senior churchmen to the question of sabbath observance and traditional revelry.

The status of Sunday under Elizabeth I

Elizabeth I's Act of Uniformity (1558) reinstated the legal requirement for people to attend their Parish Church on Sundays. Her injunctions of the following year set out peoples' obligations for Sunday observance: namely, that they should attend church and hear the Word of God read and preached, that they should pray, repent of their sins, receive the sacraments and visit the sick, 'using all soberness and godly conversation'.⁴ The Injunctions granted people permission to work on Sundays during harvest time, essentially restating the position

⁴ A. H. Lewis, *A Critical History of Sunday Legislation. From 321 to 1888 A.D.* (New York, 1888), p. 99.

set down in the Injunctions of 1547. In 1560 Richard Cox, Bishop of Ely, amplified on Elizabeth's Injunctions by declaring that no shops should be open and no craftsmen should go about their worldly affairs on Sundays. However, he accepted that many fairs and markets were held on Sundays and stipulated only that 'there be no shewing of any wares before the service be done'.⁵ Indeed, it was this concern that people should not miss divine service on Sunday that was most marked in all the pronouncements of the leading Elizabethan clergy. Such men were generally far more concerned about this than they were about how people spent the remainder of the Sabbath. For example, Archbishop Parker's Visitation Articles of 1560 enquired of the clergy:

whether be in your parishes any inn-keeper or ale-wives, that admit any resort to their houses in time of common prayer; any that commonly absent themselves from their own church, or otherwise idly or lewdly profaneth the Sabbath day.⁶

Although Archbishop Parker's Articles do make this rather ambiguous reference to profaning the Sabbath, the emphasis is clearly on ensuring that people attend divine service and that they are not encouraged to do otherwise.

The *Book of Homilies* that Convocation endorsed in 1563 is unusual in that it is one of the few officially sanctioned publications of Elizabeth's reign that appears to be markedly sabbatarian in its content. The book was issued as a collection of homilies to be used by parish clergy when they did not have a sermon prepared. The *Homily of the Place and Time of Prayer* held that, in two respects, Christians were not bound to keep the Sabbath as strictly as the Jews were. Firstly, repeating the assertions of *The King's Book* and the Injunctions of 1547 and 1559, it stated that Christians were permitted to work on Sundays in times of great necessity. Secondly, it declared that, whereas the Jews were commanded to keep holy the seventh day of the week, Christians kept the first day, the Sunday, as their Sabbath in honour of Christ's resurrection. Nonetheless, the *Homily* set down that in all other respects the Fourth Commandment did apply to Christians and that:

God hath given expresse charge to al men, that upon the Sabbath daye, whiche is nowe our Sundaye, they shoulde ceasse from all wekely and workeday labour ... Gods obedient people

⁵ Parker, *English Sabbath*, p. 43.

⁶ W. B. Whitaker, *Sunday in Tudor and Stuart Times* (London, 1933), pp. 25-26.

should use the Sunday holyly ... and also give themselves wholly to heavenly exercises of Gods true religion and service.⁷

It went on to condemn the ‘wicked boldness’ of those Christians who failed to hallow Sunday by either working on Sundays without necessity or giving themselves over to their own pleasures and diversions rather than devoting the day to God. Indeed, the *Homily* declared that those who pursued their own amusement were worse transgressors than those who worked on the Sabbath because:

they wyll not rest in holynesse, as God commaundeth: but they rest in ungodlynesse, and in fylthynes, praunsyng in their pryde, prankyng and prickyng, poyntyng and payntyng themselves, to be gorgeous and gay. They rest in excesse and superfluitie, in gluttony and dronkenness, like Rattes and Swyne. They rest in brawlyng and raylyng, in quarrellyng and fyghtyng. They rest in wantonnesse, in toyishe talkyng, in fylthy fleshlynesse, so that it doth to evidently appeare that God is more dishonoured, and the Devyll better served on the Sunday, then upon al the dayes in the weke beside.⁸

The *Homily of the Place and Time of Prayer* therefore appears to disapprove of revelry on Sundays. Yet, the homily does not actually prohibit sports, dancing or other Sunday pastimes as such. It is the debauchery and disorder often associated with traditional revelry that is actually being attacked. Furthermore, the criticism of Sunday working and merry-making comprises a very small section of the whole sermon, the vast bulk of which is taken up in exhorting people to go to church on Sundays. Parker has cited the *Homily of the Place and Time of Prayer* as ‘an officially sanctioned sabbatarian doctrine’ which provided the foundation on which puritans such as Nicholas Bownde subsequently constructed their own uncompromising sabbatarian arguments.⁹ Yet, while the homily does indeed state that people ‘should use the Sunday holyly’ and is disapproving of those who worked and engaged in ‘debauchery’ on Sundays, such disapproval must be put in context. As the title of the homily makes clear, it is concerned with ‘the place and time of prayer’ and is given over almost exclusively to the issue of church attendance. It is peppered with references to how people should ‘resort together’ and ‘assemble together’ in church on Sundays. The very paragraph

⁷ Anon., *The seconde tome of homelyes ... set out by the authoritie of the Quenes Maiestie* (London, 1563), fol. 139. See Appendix I for the full text of the *Homily of the Place and Time of Prayer*.

⁸ *Ibid.*, fol. 140.

that attacks those who work or indulge in ‘fylthy fleshlynesse’ on Sundays speaks of people who ‘do not resort together to celebrate and magnifie Gods blessed Name, in quiet holynesse and godlye reverence’. The seemingly unambiguous condemnation of Sunday merry-making is therefore not all that it appears when put in its proper context. The homily is concerned with church going and it is the hearing of divine service that is stressed. While devoting the day to ‘fleshly’ pursuits rather than to God is disapproved of, a complete reading of the homily suggests that this is because such pursuits either prevent people from going to church or hinder them from concentrating fully when in church. The sports and festivities that traditionally took place after Sunday service are neither explicitly attacked nor forbidden.

In addition to endorsing the *Book of Homilies*, the Convocation of 1563 also decided that ‘there should be authorised one perfect Catechism for the bringing up of the youth in godliness, in the schools of the whole realm’ and it subsequently approved *A Catechism* by Alexander Nowell, Dean of St. Pauls.¹⁰ Nowell’s *Catechism*, which was finally published in 1570 after several revisions, held that, although the outward rest required by the Fourth Commandment ‘belonged peculiarly to the Jews’, Christians were perpetually bound by the Commandment to:

assemble together to hear the doctrine of Christ, to yield confession of their faith, to make openly public prayers to God, to celebrate and retain the memory of God’s work and benefits, and to use the mysteries that he hath left us.¹¹

The catechism therefore again stressed the requirement to attend church. Parker has described Nowell’s *Catechism* as a ‘source of sabbatarian teaching’. Again, however, this work is not strongly sabbatarian in the way that later puritan works were to be.¹² The *Catechism* declared that people should meditate on God’s works and benefits every day but that ‘for our negligence and weakness’ sake, one certain day is, by public order, appointed for this matter’. Nowell therefore held that Sunday was ordained for public worship by the Church as a matter of practicality and not by God under the Fourth Commandment. Nowell stated that men should refrain from working on Sundays and should yield themselves ‘wholly to God’s governance’ and that servants should be allowed to rest from labour on the Sabbath. The reasons given for providing rest for servants were so that they too could worship and pray and, on a purely practical level, that it was:

⁹ Parker, *English Sabbath*, pp. 43 and 46.

¹⁰ Alexander Nowell, *A Catechism* (ed. G. E. Corrie, Cambridge, 1853), p. iv.

¹¹ *Ibid.*, pp. 128-129.

also profitable for the masters themselves that servants should sometimes rest between their workings, that, after respiting their work awhile, they may return more fresh and lusty to it again.¹³

His catechism required people to ‘rest from worldly business’ and to ‘express a certain form and figure of the spiritual rest’ in which:

we crucify our flesh, we bridle the froward desires and motions of our heart, restraining our own nature, that we may obey the will of God.¹⁴

Nonetheless, although the catechism called for people to rest from worldly business and set out the necessity for public worship on Sunday, it made no specific reference at all to Sunday recreations or pastimes after service. Given also that it stated that Sunday was appointed for public worship ‘by public order’ it would be wrong to regard Nowell’s *Catechism* as an overtly or strongly sabbatarian publication. In endorsing it, the bishops were affirming the requirement of people to refrain from work and to attend church once a week and the Church’s right to appoint the day of worship. They were not adopting a hard-line, stridently sabbatarian doctrine.

Parker has argued that the Elizabethan bishops promoted sabbatarian doctrine through the *Homilies*, Nowell’s *Catechism*, Bible marginalia and through Visitation Articles and other works. Indeed, he has stated that ‘sabbatarian doctrine and discipline were matters of great interest to many in the episcopate’ and that ‘the Church’s role was crucial in promoting sabbatarian doctrine and discipline in the early Elizabethan period, and it provided the foundation on which later sabbatarians built’.¹⁵ As the above discussion has illustrated, however, the *Homilies*, Parker’s Visitation Articles and Cox’s *Interpretations* of the Queen’s 1559 Injunctions were most concerned with church attendance. Furthermore, Nowell’s *Catechism* suggested that the Christian’s Sunday Sabbath was not divinely instituted but was instead ordained ‘by public order’. The Elizabethan episcopacy did not present a united, hard-line front in promoting a morally-binding Sabbath which demanded that people devote the day wholly to God to the exclusion of everything else including traditional pastimes. Certainly, some did have strong sabbatarian beliefs and disapproved of Sunday pastimes, but it would be

¹² Parker, *English Sabbath*, p. 46.

¹³ Nowell, *Catechism*, p. 129.

¹⁴ *Ibid.*, pp. 129-130.

an exaggeration to suggest that they represented the teaching of the Elizabethan Church. Parker has dismissed ‘conflicts over the institutions of the Lord’s day, holy days, proper use of the Sabbath, and Mosaic judicial laws’ that existed among the bishops and claims that these conflicts ‘do not detract from [his] conclusion’ that ‘the concept of a morally binding Sabbath was not a late Elizabethan innovation, but part of the doctrinal fabric of English religious life’.¹⁶ Yet, such conflicts are important as they demonstrate that the uncompromising sabbatarianism of late sixteenth-century puritans was significantly different from the views held by the majority of the Church hierarchy.

Some senior churchmen did indeed attack Sunday recreations, although, even here, the examples of such attacks are found in the later rather than the early Elizabethan period. For example, in 1575 Bishop Cooper of Winchester ordered the suppression of ‘church ales, May games, morris dances and other vain pastimes’.¹⁷ In 1584 Cooper again instructed his clergy to ban morris dancing and other ‘heathenish and ungodly customs’. However, although Cooper did indeed disapprove of such activities, he was motivated to issue these instructions by a report that they were taking place during divine service and keeping people from church. Again, then, it was the issue of church attendance rather than the pastimes themselves that prompted Cooper’s order.¹⁸ Indeed, although Cooper did not approve of pastimes such as morris dancing, he was not against recreations on the Sabbath *per se* and later wrote defending the playing of bowls on Sunday.¹⁹ In fact, of those bishops who did attack games and pastimes, all but two did so either because they were keeping people from church or because they were taking place in the church or churchyard. Archbishop Grindal, for example, prohibited feasts and dances in the church and churchyard and dances, games, piping and plays were subsequently banned in churches and graveyards by the bishops of Winchester, Worcester, Chester, Lichfield, Lincoln, Chichester, Hereford and London and the Archdeacons of Middlesex and Oxford.²⁰

The importance of church attendance has already been commented on. Under Edward and Elizabeth it had been made compulsory so that people would hear the Protestant faith preached. It was also intended to deter recusancy and to convert people to Protestantism. Around 1590, for example, a report commissioned by the Bishop of Chester on conditions in Lancashire, which had the largest proportion of Catholics of any county, complained that:

¹⁵ Parker, *English Sabbath*, pp. 47 and 90-91.

¹⁶ *Ibid.*, p. 90.

¹⁷ C. Hill, *Society and Puritanism in Pre-Revolutionary England* (London, 1964), p. 164.

¹⁸ R. Hutton, *The Rise and Fall of Merry England. The Ritual Year 1400-1700* (Oxford, 1994), p. 126.

¹⁹ Thomas Cooper, *An Admonition to the People of England* (London, 1589), p. 57.

²⁰ Hutton, *Merry England*, p. 127; K. Wrightson, *English Society 1580-1680* (London, 1982), p. 210.

the lords daie is generallie prophaned with unlawful trade & marketts, with heathenish and popishe pastimes, some tendinge to the norrishinge of Idolatrous Supersticion, others to increas of horedome & dronkenness, all purposlie maynteyned & countenanced by ye Gentrye and better sortt, for the hinderance & defacying of the Religious & holie excercyses of the Sabaoth.

As Greaves has pointed out, the bishop's desire for Sabbath observance in Lancashire was 'linked to the programme of the government and church to convert the county to Protestantism and to reduce it to total obedience to the crown'.²¹ It was this need to get people to attend church on Sundays and to hear the Protestant faith preached which exercised the church hierarchy and they were right to be anxious about it: both in their fight against recusancy and in order to maintain the church's authority. Clark has shown that, even if people did not stay away because of adherence to the old faith, absenteeism from church increased with the growth of the population and that 'for many ordinary folk the alehouse increasingly constituted a rival pole to the respectable, establishment meeting place of the church'. Others missed church because they were obliged to work on Sundays. Indeed, Clark has shown that as many as a fifth of the population in Kent regularly failed to attend church in the late sixteenth century.²² In the efforts of the church hierarchy to promote Sunday observance, it is of no surprise therefore, that church attendance was of most concern.

Nonetheless, for some, pastimes were themselves an issue. For example, even though he did not seek to prevent the laity from attending May games, Richard Barnes, the Bishop of Durham, prohibited his clergy from doing so. Some senior clergymen such as the Archdeacon of Middlesex saw 'any kind of work or pastime whatsoever' as a violation of the Lord's Day. Nonetheless, only two Elizabethan bishops condemned traditional festivities outright.²³ Richard Cox of Ely attacked Sunday merry-making, declaring in his 1579 visitation articles:

Because the Saboth day is so fondly abused in going unto Fayres and visiting frendes, and acquaintances, and in feasting and making good chere, in wanton daunsing, in lewd maygames sometyme continuing riotously with Piping all whole nightes in

²¹ R. L. Greaves, *Society and Religion in Elizabethan England* (Minneapolis, 1981), pp. 413-414.

²² P. Clark, *English Provincial Society from the Reformation to the Revolution. Religion, Politics and Society in Kent, 1500-1640* (Harvester Press, 1977), p. 156; G. Williams, *Wales and the Reformation* (Cardiff, 1997), p. 322.

²³ W. P. Baker, 'The Observance of Sunday,' in R. Lennard (ed.), *Englishmen at Rest and Play. Some Phases of English Leisure 1558-1714* (Oxford, 1931), p. 87; Hutton, *Merry England*, p. 127.

barnes and such odde places, both younge men and women out of their fathers and masters howses, I charge all my parishes within my Dioces, and charge the Churchwardens, Sidemen, and ministers to see that no such disorders be kept upon the Sabaoth day, commonly called the Sundayes.²⁴

The only other of Elizabeth's bishops to condemn Sunday pastimes was Coldwell of Salisbury who, in 1595, attacked church ales as 'minstrelsie, dauncing, and drinking, ... under colour thereby to procure some contribution towards the repairing of their church'. He condemned them as 'great abuses in prophaning the Lordes Sabbaoth consecrated wholie to his service' and as a 'great prophanation of that daie and the manifest contempt and dishonour of almightie God'.²⁵

Yet these bishops were unusual. Most other senior churchmen tolerated or even supported traditional pastimes, provided that they did not interfere with church attendance or take place on church property. Indeed, Parker has himself acknowledged that 'almost all church authorities permitted – or at least tolerated' recreations and other pastimes.²⁶ In 1586, for example, the vice-chancellor and heads of colleges at Cambridge University declared that Sunday sports and plays were lawful provided that they did not hinder religion and they rebuked a minister for preaching against them.²⁷ Indeed, in 1602 the vice-chancellor of Oxford, argued that the moral obligation to observe the Sabbath only applied to the time spent in divine service and that games and festivities were therefore permitted once the church service was over.²⁸ Moreover, as Hutton has observed, even if some may have personally disapproved of them, none of Elizabeth's bishops published any tracts against traditional merry-making. Indeed, in the early 1590s her most senior cleric, Archbishop Whitgift, paid for a pageant at his palace in Croydon that included scenes of 'Maying' and 'country dances'.²⁹ Whitgift himself enjoyed playing bowls after church on Sunday afternoons and was even defended in doing so by Bishop Cooper of Winchester, who declared that:

for your iesting at the Bishop for bowling upon the Sabboth,
you must understande that the best expositor of the Sabboth,

²⁴ Parker, *English Sabbath*, p. 62.

²⁵ *Ibid.*, p. 118; Hutton, *Merry England*, p. 127.

²⁶ Parker, *English Sabbath*, p. 101.

²⁷ *Ibid.*, pp. 110-111; Hutton, *Merry England*, p. 127.

²⁸ John Howson, *A Sermon Preached at St. Maries in Oxford* (Oxford, 1602); Parker, *English Sabbath*, pp. 100-101; Hutton, *Merry England*, p. 137.

²⁹ Hutton, *Merry England*, p. 128; R. Hutton, *The Stations of the Sun. A History of the Ritual Year in Britain* (Oxford, 1996), p. 253.

which is Christ, hath saide, that the Sabboth was made for man, and not man for the Sabboth: and man may have his meate dressed for his health upon the Sabboth, and why may he not then have some convenient exercise of the body, for the health of the body?³⁰

The church hierarchy, then, was not as comprehensively sabbatarian in its approach as Parker has suggested. With some notable exceptions, it was tolerant of Sunday pastimes provided that they did not prevent people from attending church and, by so doing, did not challenge the church's authority. Indeed, unlike later Puritan sabbatarians, who elevated the observance of the Lord's Day and attacked the observance of many other holy days, the Elizabethan church hierarchy sought to protect its authority by arguing that it had the right to establish additional holy days for spiritual labours.³¹ Whereas many puritans argued for the right to work on every day except Sunday, senior churchmen sought to prevent people from working on other holy days.³² Moreover, in 1560 a new list of holy days was issued which was considerably longer than that issued in 1552, even though the requirements concerning observance continued to apply only to the feasts that had been permitted under Edward VI.³³ The attitude of the church therefore also differed in this respect from the sabbatarianism of hard-line Elizabethan puritans.

As for Elizabeth I herself, it is clear that, while she expected people to attend church services, she was even more relaxed than most of her prelates about how people spent the rest of their Sunday. Unlike James I and Charles I, Elizabeth chose not to publicly declare her support for lawful Sunday pastimes and thus avoided needlessly antagonising the growing number of rabidly sabbatarian puritans. Nonetheless, through her actions she demonstrated her support for and her delight in sports and traditional festivities and provided a poor example of Sabbath observance. Elizabeth enjoyed watching courtiers and servants play tennis, and she planned, but never finished, a new tennis court at Windsor.³⁴ She also had her own bearward and attended bear-baitings throughout her reign both for her own amusement and as entertainment for foreign ambassadors and visiting dignitaries.³⁵ Furthermore, clearly not sharing the

³⁰ Cooper, *Admonition*, p. 57.

³¹ Parker, *English Sabbath*, pp. 52-55.

³² Hill, *Society and Puritanism*, p. 151.

³³ Hutton, *Merry England*, p. 123.

³⁴ T. S. Henricks, *Disputed Pleasures. Sport and Society in Pre-industrial England* (New York; Westport, Connecticut; and London, 1991), p. 87; D. Brailsford, *Sport and Society. Elizabeth to Anne* (London, 1969), p. 59.

³⁵ Greaves, *Society and Religion*, p. 446; L. A. Govett *The King's Book of Sports* (London, 1890), pp. 70-71; J. Strutt, *The Sports and Pastimes of the People of England* (London, 1841), pp. 257-258.

concern of some of her bishops to separate the sacred from the secular, in 1561 the Queen even allowed a wrestling match to take place in her chapel.³⁶ Elizabeth's Privy Council frequently met on Sundays and, throughout her reign, she enjoyed dancing and watching plays, jousts and other entertainments after Sunday church. In 1575, for example, she visited Kenilworth Castle where, after attending Sunday service in the parish church, she was entertained with morris dancing, tilting, plays and a banquet.³⁷ Unlike Edward VI and Mary I, who took no active part in May celebrations, Elizabeth loved to dance on May Day and did so into her old age. Indeed, Elizabeth even 'went a mayenge' on the last May Day of her reign, aged 69.³⁸ In 1589, Elizabeth's Privy Council intervened to stop puritans in Banbury from taking down maypoles and from prohibiting May festivities, and declared that it saw:

noe cause that those pastimes of recreacion, being not used at unlawful tymes as one the Sabboth day in tyme of Dyvyne Service, and in disordered and riotous sorte, should be forbidden the people.³⁹

It is clear from this that, provided people attended church and did not cause public disorder, the Queen and her Privy Council were not hostile to parish revels or to Sunday festivity.

The Queen's support for ales and Sunday revels is further evidenced by her decision in 1569 to grant a licence to a London poulterer who had 'fallen into decay' to organise Sunday sports to raise money for his family. The games which were sanctioned included archery, leaping, running, wrestling, throwing the sledge and pitching the bar, and they were to be held on up to nine separate Sundays.⁴⁰ The Queen's evident support for Sunday revelry was such that she prompted the puritan, William Fuller, to dare to openly criticise her. In 1586, Fuller complained:

I fear, O gracious sovereign, that your Majesty hath too little used so to sanctify the Lord's Sabbaths; for if you had, things could never have gone on as now they do; and how do your Majesty's people sanctify it? How? Alas, alas, they (by all

³⁶ Greaves, *Society and Religion*, p. 443.

³⁷ *Ibid.*, p. 417.

³⁸ *Ibid.*, p. 429; Hutton, *Merry England*, p. 124; Hutton, *Stations of the Sun*, p. 227.

³⁹ Greaves, *Society and Religion*, pp. 426-427.

⁴⁰ Govett, *Book of Sports*, pp. 23-24. See Appendix II for the full text of the licence granted.

likelihoods) do without punishment offend God more at that day than in any other day in the week.⁴¹

In 1572 Elizabeth issued proclamations which repeated her father's prohibition on unlawful games and called for the maintenance of archery.⁴² However, the proclamations were not concerned with Sunday observance but were motivated by a concern to avoid gambling among the common people and to avoid the disorder and crime which was frequently associated with such games. Indeed, the licence that the Queen granted to the impecunious poulterer demonstrates not only how popular Sunday sports were, but also, given the large numbers which attended such events, the concerns of those in authority for the maintenance of public order. In granting the licence, Elizabeth instructed the constables of Middlesex 'considering that great resorte of people in lyke to come thereunto' to ensure 'the preservation of the quene's majestie's peace'.⁴³ As for archery, although the Queen included this in the games sanctioned by the 1569 licence and issued a proclamation enforcing its maintenance, the promotion of shooting with bows and arrows was by now almost certainly intended simply to keep men fit and out of trouble and not because archery was still regarded as militarily important. Indeed, by 1595 Elizabeth was instructing the authorities in Buckinghamshire 'to convert all the bows in the trained bands unto muskets and calivers ... and to see that they may be trained and taught to use their pieces'.⁴⁴

If final proof were needed that Elizabeth was not herself sympathetic to sabbatarianism, the Queen vetoed a series of Parliamentary bills which sought to promote and enforce stricter Sunday observance. In part, this was to protect the royal prerogative and to prevent Parliament from meddling in matters of religion and because of Elizabeth's unwillingness to apply pressure on her Catholic subjects. However, it also reflected her views. She consistently rejected such measures and never instigated or promoted any sabbatarian legislation herself. Preaching at the opening of parliament in 1563, Alexander Nowell urged MPs to legislate to enforce church attendance, declaring that:

⁴¹ Whitaker, *Sunday*, p. 31.

⁴² P. L. Hughes and J. F. Larkin (eds), *Tudor Royal Proclamations*, Vol. II, *The Later Tudors (1553-1587)* (New Haven and London, 1969), pp. 359-362.

⁴³ Govett, *Book of Sports*, pp. 23-24.

⁴⁴ R. Hardy, *Longbow. A Social and Military History* (Third edition, Sparkford, 1992), p. 141.

the Lord's day, which now is so diversly abused, is to be looked unto: for on that day, taverns, alehouses, and other unruly places be full, but the Lord's house empty.⁴⁵

However, despite Nowell's exhortation to legislate against such abuses, a bill drafted on these lines failed to pass through parliament. A series of bills followed in the 1571, 1572, 1576 and 1581 sessions of parliament. All of these bills were concerned with church attendance and were targeted at recusant Catholics and could not therefore be described as sabbatarian bills. None of them received the royal assent. Whereas the earlier parliaments focussed on church attendance, the Parliament of 1584 did concern itself with the question of how people spent Sunday and drafted a bill for 'the better and more reverent observing of the Sabbath Day'. This stipulated that:

No market or fayre sholde be kept, ware shewed, or stall buylte upon the Sondaye, and where fayres were befor on the sondaye the same to be kept within iii days befor or after. An exception for heringe bye English mariniers, no unlawful games, pleyes, bearebaitinges, wakes, ringegames and such lyke hawkinge huntinge or rowinge with bardges upon the Sundaye for common cawses duringe the tyme of service or sermon.⁴⁶

This bill was drafted in the wake of the tragedy at a bear-baiting in the Paris Garden in London on Sunday 13 January 1583, when a gallery collapsed killing at least eight people and injuring many others. Lord Burghley, who backed the 1584 Sabbath observance bill, was horrified by the events at the Paris Garden and told the Lord Mayor of London: 'I think it very convenient to have both that [bear-baiting] and other like prophane assemblies prohibited on the Saboth daie'.⁴⁷ The bill was passed by both houses in March 1585, but was vetoed by the Queen. It is important to note that although it was certainly more sabbatarian in nature than the previous bills it, too, referred to pastimes being pursued 'duringe the tyme of service or sermon'. In 1601, Parliament considered four further bills that concerned the sabbath and included provisions for enforcing attendance at church and for suppressing Sunday trading. None of them concerned Sunday pastimes and none of them passed into law.⁴⁸ Nonetheless, even though they were primarily concerned with church attendance, the fact that Elizabeth's later parliaments considered a series of detailed measures that sought to promote better Sunday

⁴⁵ Parker, *English Sabbath*, p. 72.

⁴⁶ *Ibid.*, p. 122.

⁴⁷ *Ibid.*, p. 123.

observance is important. The passion of some MPs in advocating these measures from the 1580s through to the beginning of the next century reflects the change in the religious climate. Strident, puritan voices were now calling for proper sabbath observance and an end to all abuses and profanations of the Lord's Day.

Late sixteenth-century sabbatarianism and the puritan attack on the day of leisure

Kenneth Parker has rightly argued that some historians have failed fully to appreciate the long tradition of sabbatarian beliefs within the English church and that sabbatarianism was not a puritan invention. However, in demonstrating that sabbatarianism existed in England long before the Reformation and in arguing for the continuity of sabbatarian belief thereafter, Parker has denied that the sabbatarianism of late sixteenth-century puritans was in any way novel. He has maintained that the arguments of puritans such as Richard Greenham, Nicholas Bownde and William Perkins were entirely in tune with the mainstream teaching of the established church:

The developments in the 1580s and 1590s were not theological *innovations*, but the elaboration of received sabbatarian doctrine. Those who denied the morally binding nature of the Sabbath advocated a novelty, which did not represent the established teaching of the English Church.⁴⁹

In fact, while the sabbatarian beliefs espoused by many late sixteenth-century puritans had roots in earlier English sabbatarian doctrine, in some important respects they were significantly different. While it may have been an *evolution* of received sabbatarian doctrine, it was far more than a mere *elaboration*: it was a different thing.

Many historians have pointed to the 1580s and 1590s as a period in which attitudes to Sabbath observance became one of heated debate.⁵⁰ Indeed, Nicholas Bownde himself asserted that 'this argument of the Sabbath is full of controuersie, aboue many other points of diuinitie'.⁵¹ These years saw the publication of a large number of works calling for ever-stricter adherence to worship and spiritual duties on Sundays. They focussed on perceived abuses of the Sabbath

⁴⁸ *Ibid.*, pp. 123-128.

⁴⁹ *Ibid.*, p. 91.

⁵⁰ For example, see: Greaves, *Society and Religion*, pp. 395-408; Hill, *Society and Puritanism*, esp. pp. 142, 163-166 and 485; P. Collinson, *The Elizabethan Puritan Movement* (London, 1967), pp. 436-437; C. Durston and J. Eales (eds), *The Culture of English Puritanism, 1560-1700* (London, 1996), p. 23; M. M. Knappen, *Tudor Puritanism. A Chapter in the History of Idealism* (Chicago, 1939), p. 442.

⁵¹ Greaves, *Society and Religion*, p. 404.

and on the legitimacy of many activities pursued on Sundays, rather than on the narrow issue of church attendance which was the main concern of the church hierarchy. Sabbath violations were frequently equated with the most heinous of crimes and those in authority were called upon to punish offenders. Holy days were attacked and the concept that the church had the right to appoint such days or had the right to move the day of the Sabbath was challenged. These writers and their adherents elevated the Sabbath as never before: as the 'Lord's day', to be spent wholly in His service and they challenged the traditional Sunday of the English people. It is true, as has been demonstrated, that there had been those who had condemned idleness and revelry on Sundays well before the Reformation, and who had called on people to devote the day entirely to God. However, they had also wanted people to devote holy days to spiritual duties as well and had not challenged the Church's right to appoint such days or to determine the day on which the Sabbath was celebrated. With the drastic reduction in the number of holy days following the Reformation, Sunday had become an even more highly valued day of leisure to the ordinary people at the very time that it was becoming increasingly significant to those radical Protestants who were pushing for reform within England and in the way the English people spent their lives.

Historians have already written much about the outpouring of complaint literature during the 1580s and 90s: about the numerous works which discussed the nature of the Sabbath and its observance, and which attacked the various pastimes pursued by the masses. It is therefore not necessary to consider the complaint literature in detail here. Nonetheless, it is useful to focus on one or two of those works, and particularly on those of Greenham and Bownde, as they were crucial in polarising attitudes to the English Sabbath and to traditional Sunday revelry. Greenham wrote *A Treatise of the Sabbath* in about 1590. It was hugely influential and led Thomas Fuller to conclude that 'no book in that age made greater impression on peoples' practice'.⁵² It was circulated in manuscript for a number of years before finally being published in 1599. The manuscript version almost certainly prompted Greenham's step-son, Nicholas Bownde, to build on his step-father's thesis and to write *The Doctrine of the Sabbath*, which was published in 1595. Bownde's *Doctrine* was, despite Fuller's assertion, the work that made the greatest impact of all on the sabbatarian debate. Greenham and Bownde analysed the nature of the Sabbath and how it should be observed in great detail, and they were among the most learned exponents of puritan sabbatarian thinking. Both Greenham and Bownde challenged the position set out in the Injunctions of Edward VI and Elizabeth and declared that it was wrong to work on the Sabbath even in harvest time, because it was forbidden by God and because to do so denied the bodily rest that men needed after labouring

⁵² Collinson, *Godly People*, p. 439.

the other six days of the week.⁵³ They accepted that works of necessity were permitted on Sundays, but defined ‘necessity’ very narrowly to include only extreme situations of immediate danger such as a house fire.⁵⁴ Greenham declared that Sunday should be devoted wholly to God and that men should rise early to avoid idleness and spend the entire day in prayer, meditation and in hearing and discussing God’s word. Whereas the government and church authorities had been concerned with church attendance, Greenham was concerned with how the whole day was spent and insisted that no pastimes of any kind were allowable on the Sabbath. He maintained that ‘unlawfull ... phrophane and idle pleasures’ were always wrong and were especially so on the Sabbath. However, he went further and declared that even:

recreations, as in themselves are lawfull, and may lawfully be used of the children of God in their time and place; as those of shooting, training vp of souldiers, and such like, all which their pleasures carie profit either present, or in time to come, to the Church or common wealth, wee denie not simply that their places, but thinke them conuenient, and commendable ... Howbeit, the Sabboth day is no fit time for these vses.⁵⁵

In holding that not even archery was to be practised on Sundays, Greenham contradicted the various acts passed over many years to promote its maintenance. In so doing, and in condemning harvest work on the Sabbath, Greenham therefore directly challenged the legitimacy of the acts and injunctions that expressly permitted these activities. He was uncompromising in his belief that Sunday had to be devoted entirely to God’s worship:

Is not the Sabbath the harvest time and the market day for the soule, wherein wee should gather in whilest the sunne shineth, wherein wee should be very diligent, whilest our gaine is promised, wherein wee must provide for living and maintenance, and lay up store, laying all pleasure aside until the time to come?⁵⁶

⁵³ Richard Greenham, *The Workes* (London, 1599), pp. 335-336; Nicholas Bownde, *The Doctrine of the Sabbath* (London, 1595), pp. 68-69.

⁵⁴ Greenham, *The Workes*, p. 336; Bownde, *Doctrine of the Sabbath*, pp. 107-109 and 115-117.

⁵⁵ Greenham, *The Workes*, p. 383.

⁵⁶ *Ibid.*, p. 385.

Bownde extended the attack on the *status quo* by denouncing the concept of holy days and declaring that to ‘have adioyned so many other daies ... and made them equal with *the seventh* in sanctifying of them, nay many times preferring them above it’ was nothing short of popery.⁵⁷ In doing so Bownde was, like Greenham, at odds with the established church, which retained its right to appoint additional holy days. Moreover, in denying the holy nature of such days he was also developing a doctrine that pre-Reformation sabbatarians had not advocated. William Perkins similarly attacked the continued use of holy days in the post-Reformation church, asserting that:

God alone hath this priuiledge, to have a Sabbath consecrated vnto him: and therefore all holy dayes dedicated to whatsoever eyther Angell or Saint are vnlawfull: howsoever the Church of Rome haue imposed the obseruation of them vpon many people.⁵⁸

For both Bownde and Perkins, the Sabbath was to be elevated above all other days. No so-called holy day was equal to it or should be allowed to compete with it. Bownde held that the Apostles had appointed Sunday as the Christians’ Sabbath in, recognition of Christ’s resurrection. However, he rejected the name ‘Sunday’ as profane and heathen and stated that it should be called by its ‘right name religiously, *the Lord’s day*’.⁵⁹ The Lord’s Day was just that: the day belonging to the Lord in which all things should be devoted to Him. Therefore, even workers and servants had to give the day entirely to God, and masters were obliged to allow them to do so. Indeed, Bownde asserted that fathers and masters had a duty to punish children and servants who disobeyed God’s commandment to refrain from work on the Lord’s Day:

which if they neglect to doe, the sinne of the children, and of the servants shall kindle the fire of Gods wrath against them, the flame of which shall breake out to the destruction of the fathers, and masters also, because they have their part in the sin, by not keeping them in obedience vnto God, who he placed vnder them for the same purpose.⁶⁰

⁵⁷ Bownde, *Doctrine of the Sabbath*, pp. 32-33.

⁵⁸ William Perkins, *A Golden Chaine* (London, 1591), sig. H7v.

⁵⁹ Bownde, *Doctrine of the Sabbath*, p. 48.

⁶⁰ *Ibid.*, p. 92.

Bownde made clear that the Crown and those in positions of government had an even greater obligation to enforce Sabbath observance ‘because their authoritie is greater to commaund, and their power mightier to punish them that doe disobey’.⁶¹

As to Sunday pastimes, Bownde, like Greenham, ruled them out completely and insisted that men should not hunt, fence or play tennis or bowls on the Lord’s Day and that they ‘must not come to Church with their bowes and arrows in their hands’.⁶² People were wrong to think that just refraining from work met the requirements of the Fourth Commandment and freed them to subsequently indulge in ‘all kinde of pleasure and delights’.⁶³ He roundly condemned interludes, stage plays, animal baitings, cockfights and other sports pursued on Sundays.⁶⁴ He was particularly damning of May games and the setting up of maypoles, which he described as:

the unfruitful workes of Aitheisme among the Heathen, from whence they spring, or Idolatrie among the Papists, in which they grew vp, then for the day and cleere light of the Gospell, in which we doe live.⁶⁵

All these things were sinful at any time, Bownde declared, but far more so when they were indulged in on the Lord’s Day. He made a point of stating that he was not against all forms of recreation, but that it was wrong to indulge in any of them on the Sabbath. Bownde therefore advised people to pursue lawful recreations at another time and called upon those in government ‘to give some time to their children and servants, for their honest recreation, upon other dayes’.⁶⁶

The themes covered by Greenham and Bownde are found repeatedly in the many works that poured forth from radical Protestants in the latter part of Elizabeth’s reign: the elevation of the Lord’s Day; the attack on other holy days; the condemnation of all work on Sundays; the call on those in authority to enforce God’s law; the threat of divine punishment if Sabbath abuses continued; and the condemnation of all manner of pastimes and of traditional revelry.⁶⁷ This

⁶¹ *Ibid.*, p. 93.

⁶² *Ibid.*, p. 132.

⁶³ *Ibid.*, p. 133.

⁶⁴ *Ibid.*, pp. 134-135.

⁶⁵ *Ibid.*, p. 135.

⁶⁶ *Ibid.*, pp. 136-137.

⁶⁷ For example, see: Heinrich Bullinger, *Fiftie Godlie And Learned Sermons* (London, 1577), p. 140; George Gifford, *A Catechisme* (London, 1583), sigs. F7v – F8r; Peter Martyr, *The common places of the most famous and renowned divine Doctor Peter Martyr* (London, 1583), p. 375; Perkins, *A Golden Chaine*, sigs. l2r – l3v; Zacharius Ursinus, *The Summe of Christian Religion* (Oxford, 1587), p. 944; Humphrey Roberts, *An Earnest Complaint* (1572), Epistle.

thesis is naturally most concerned with the vociferous attacks made on popular pastimes and with the moves to have them suppressed. For example, playing and singing on the Lord's Day were regarded by George Estye and many others as even worse than working, and numerous writers complained, as Thomas Lovell did, about the way in which so many people in England failed to observe the Sabbath:

as if it were consecrated to the abominable idole of fleshly pleasure, rather then to the true service of the almighty God: for if there be any match made for the triall of any mastrie, or meeting for merriment (as they terme it) either between town & town, or neighbour & neighbour, or if there be any keeping ales, either for ye maintenance of the Church, or for some that are fallen into decay. When must these be tried ... but upon the Saboth Day?⁶⁸

The puritans naturally shared the church's and government's concern about church attendance and writer after writer railed against the fact that taverns and playhouses were full when churches were comparatively empty. John Field complained that: 'there is not Taverne or Alehouse, if the drink be strong, that lacketh any company: there is no Dicing house, Bowling alley, Cock Pit, or Theater, that can be found empty'.⁶⁹ John Stockwood protested to the Lord Mayor of London that such places were 'blocks layde in [the] way' of people on their way to church, and Humphrey Roberts complained that:

a great many, yea: I may say (a mulititude) come neither at service, sermon, nor any other godly exercise in the Church: But upon the Sabaoth Day resorte rather to Bearebaytying, Bulbaytyng, Dauncing, fenceplaying and such likewayn exercises, then to the church, to heare the worde of God: so colde is the devotion of a great many, both in the Citte and in the Countrey.⁷⁰

⁶⁸ George Estye, *A Most Sweete and Comfortable Exposition, upon the ten commaundements* (London, 1602), sig. M8v; Thomas Lovell, *A Dialogue between Custom and Vertie* (London, 1581), Epistle (sigs. A4r – A4v).

⁶⁹ John Field, *A Godly Exhortation by Occasion of the Late Judgement of God, shewed at Parris-Garden* (London, 1583), p. 4. Also see Arthur Dent, *The Plaine Mans Path-way to Heaven* (London, 1601), pp. 138-139.

⁷⁰ Humphrey Roberts, *An Earnest Complaint* (London, 1572), Epistle.

Yet, the attacks on popular pastimes went way beyond the fact that they kept people from going to church. Perkins asserted that it was wrong ‘to vse iests, sports, banketting’ or anything else which would hinder people from spending the entire day in God’s service, and Adam Hill complained that people misspent their time in ‘idle pastimes’ when they should be spending the whole day in prayer and meditation.⁷¹ Leonard Wright protested that the Lord’s Day was being grievously abused:

as though it had been ordeyned to serve Bacchus and Venus, the people being growen so carlesse, negligent, and licentious, to feast when they should fast, playe when they should praye, and laugh when they shoulde weepe for their sinnes, as though there were neither God nor diuell, heaven nor hell.⁷²

Numerous other writers condemned pastimes for keeping people from devoting the whole day to spiritual duties. William Kethe, for example, denounced the fact that:

the multitude do most shamefully prophane the Sabboth day, & have altered the very name thereof, so as where god calleth it his holy sabaoth, the multitude call it there revelyng day, which day is spent in bulbeatings, bearebeatings, bowlings, dicying, carding, daunsynges, drunkennes, and whoredome.⁷³

Adam Hill, George Gifford, Arthur Dent, Phillip Stubbes and Hugh Roberts were among the many complaint writers who denounced bearbaiting, bowling, tennis, football, stage plays, dicing, playing cards and tables, drinking, piping, dancing, May games, ales and wakes and all manner of other sports and festivity as profanations of the Sabbath.⁷⁴ Some went further still and denounced many popular sports as being intrinsically immoral, regardless of which day of the week they were indulged in. Stubbes claimed, for example, that football was ‘a bloody and murdering practice’ which was more like ‘a friendly kinde of fight ... then a felowly sporte or pastime’ and which ‘withdraweth us from godlines, either upon ye Sabaoth, or any other day els’. Stubbes also attacked bearbaiting for being intrinsically cruel, asking: ‘what Christian heart can take pleasure to see one poore beast to rent, teare, and kill another, and all

⁷¹ Perkins, *A Golden Chaine*, sigs. I3r – I3v; Adam Hill, *The Crie of England* (London, 1595), p. 21.

⁷² Leonard Wright, *A Summons for Sleepers* (London, 1589), p. 28.

⁷³ William Kethe, *A Sermon made at Blandford Forum* (London, 1571), p. 9.

⁷⁴ Hill, *Crie of England*, p. 16; Gifford, *Catechisme*, sig. F8r; Dent, *Plaine Mans Path-way*, pp. 138-139; Philip Stubbes, *The Anatomie of Abuses* (London, 1583), Preface to the Reader, and sigs. L2v, M3v and N8r; Hugh Roberts, *The Day of*

for his foolish pleasure?’⁷⁵ Field similarly described it as a ‘cruell and lothsome exercise’, and Bownde condemned the barbarity of baitings and cockfights that fed peoples’ ‘affections with the crueltie of one creature against another to no purpose’.⁷⁶ One of the most popular pastimes, drinking, was also one of those most condemned. In the early days of the Reformation, English Protestants had gathered at alehouses on Sundays and holy days for bible readings, and they would sit and drink ale before going to hear their sermons.⁷⁷ However, by the 1580s radical Protestants were denouncing alehouses for enticing people away from religion. They condemned Sunday drinking as a breach of the Fourth Commandment, and also attacked drunkenness for causing men to break the Seventh Commandment. Drunkenness was cited as a sign of damnation and as ‘deadly venim, and ranke poyson to the soule’, which aroused lust in men and led them into committing adultery.⁷⁸ Some accepted that drink taken in moderation or for medicinal purposes was not sinful, but overindulgence was condemned for damaging the body and for leading men into blasphemy, violence and shameful lusts.⁷⁹

Dancing particularly offended puritan reformers. They were forced to accept that it was not in itself intrinsically evil as the Bible contained many examples of holy men and women dancing. However, the puritan writers distinguished contemporary, mixed dancing from that recorded in the Bible, where, they observed, the men danced separately from the women. They also pointed out that when David and godly women like Miriam and Judith danced, they did so ‘for ioy in thanks to god’, and their dances were ‘spirituall, religious, and godlie, not after our hopping, and leapings, & interminglings men with women’.⁸⁰ The ‘deuelish dauncing’ of men and woman together was strongly condemned as ‘the nurce of much naughtiness’, which lured participants and onlookers alike into sin.⁸¹ In typical robust style, Stubbes asked:

what clipping, what culling, what kissing and bussing, what
smouching & slabbering one of another, what filthie groping
and uncleane handling is not practised euery wher in these
dauncings?

Hearing (Oxford, 1600), sigs. K3r - K4v.

⁷⁵ Stubbes, *Anatomie of Abuses*, sig. P6r.

⁷⁶ Field, *A godly exhortation*, unpaginated; Bownde, *Doctrine of the Sabbath*, pp. 134-135.

⁷⁷ P. Collinson, *The Birthpangs of Protestant England. Religion and Cultural Change in the Sixteenth and Seventeenth Centuries* (London, 1988), p. 107; P. Clark, *The English Alehouse. A Social History 1200-1830* (London, 1983), p. 157.

⁷⁸ Dent, *Plaine Mans Path-way*, pp. 35-36 and 71; Thomas Broad, *The Theatre of Gods Judgements* (London, 1597), p. 367.

⁷⁹ Martyr, *The Common Places*, Part II, pp. 497-502.

⁸⁰ Stubbes, *Anatomie of Abuses*, sigs. M7v – O3r; John Northbrooke, *A Treatise wherein Dicing, Dauncing, Vaine Playes or Enterludes, with Other Idle Pastimes Commonly Used on the Sabbath Day, are Reproved* (London, 1579), pp. 57-59; Christopher Fetherstone, *A dialogue agaynst light, lewde, and lasciuious dauncing* (London, 1582), sigs. D4r – D5r; Samuel Bird, *A Friendlie Communication or Dialogue betweene Paule and Demas* (London, 1580), pp. 36-37.

⁸¹ Thomas Lovell, *A Dialogue between Custom and Veritie* (London, 1581), Epistle (sig. A4v).

and he declared that mixed dancing ‘is euill in it self’.⁸² The dangers of mixed dancing were a constant theme among late sixteenth-century puritans. They warned that such dances were ‘nourishments and prouocations unto lusts and wantonnesse’ as they ‘stirre up and inflame the hearts of men’.⁸³ Indeed, Christopher Fetherstone claimed that even if some people met their future spouses through dancing, most dancing led to adultery, not marriage, and that most people who went dancing were unchaste and ungodly.⁸⁴ Dancing on the Sabbath was naturally vehemently attacked as ‘a foule abuse on the Lordes day’, and churchwardens were criticised for allowing people to indulge in ‘lasciuious’ dancing after divine service.⁸⁵ Moreover, wandering minstrels were blamed for keeping people away from Sunday service: ‘for they pipe away all our audience in many places: so pleasaunt a thing is it to daunce after the Diuell’.⁸⁶

Music and dancing were, of course, very common at ales and wakes, and these too came under severe attack from the puritan polemicists. They had a bad reputation for debauchery, as Richard Carew recorded in his *Survey of Cornwall*, noting that ales were known for ‘a multitude of abuses, to wit, idleness, drunkennesse, lasciuiousnes, vaine disports of minstrelsie, dauncing, and disorderly night-watchings’.⁸⁷ Stubbes acknowledged the neighbourliness of wakes to which ‘freendes and kyns-folk farre and neer are inuited’, but claimed that the excess at wakes was such that people would spend the whole of the following week ‘in drunkennesse, whoredome, gluttony, and other filthie sodomiticall exercises’.⁸⁸ Ales were an important source of income for the parish church, often raising large sums of money to repair the church and to buy service books, plate and vestments. This was acknowledged by some of the puritan writers. Indeed, Thomas Lovell highlighted the fact that the revelry associated with ales attracted young people and thus got them to contribute to church funds, which they otherwise would be unlikely to do. Nonetheless, Lovell disapproved of using ales for this purpose, claiming that it was wrong to maintain the Church through the use of ‘filthie sporte’:

But what to God we consecrate,
must godly be alway:
Men ought provide by honest meanes,

⁸² Stubbes, *Anatomie of Abuses*, sigs. M8r – M8v.

⁸³ Peter Martyr, *Common Places*, Part I, p. 504.

⁸⁴ Fetherstone, *Lasciuious dauncing*, sigs. C7r – C8v.

⁸⁵ John Stockwood, *A Very Fruitful Sermon* (London, 1579), p. 27; Fetherstone, *Lasciuious dauncing*, sig. C4v.

⁸⁶ Stockwood, *A Very Fruitful Sermon*, p. 27.

⁸⁷ Richard Carew, *The Survey of Cornwall* (London, 1602), pp. 69-70.

that Church doo not decay.⁸⁹

Stubbes similarly condemned the dependence on ales, asking:

do they think that the Lorde will have his howse build with drunkennesse, gluttony and such like abhominations? ... must we build this house of lyme and stone, with the desolation, and utter overthrow of his spirituall howse, clenched and washed in the precious blood of our Sauour Jesus Christ?

Instead, Stubbes insisted, it would be better for everyone to be made to contribute towards the upkeep of the church according to their ability to pay.⁹⁰

Many church ales were held in the summer months after May Day, and ‘May games’ and ‘silver games’ often formed part of the celebrations.⁹¹ These games, too, were roundly denounced by the complaint writers: not only because they profaned the Sabbath, but also because they led people into committing sins of the flesh and acts of idolatry, thereby occasioning breaches of three of the Ten Commandments. Morris, maypole and hobbyhorse dancing were commonly used in these festivities, to the outrage of puritans who regarded them as idolatrous.⁹² Morris dancers dancing ‘naked in nettes’ were said to be a major ‘enticement unto naughtines’ and the maypole, sometimes referred to contemptuously as the ‘mischievous pole’ and ‘madding pole’, was seen as a pagan symbol and was denounced as a ‘stinking idol’.⁹³ The use of maypoles was even attacked as a needless waste of valuable timber. Hugh Roberts declared that God had not created trees for them to be cut down and used ‘to satisfie mens fleshly lustes’, and described ‘may-polers’ as ‘caterpillars to the commonwealth’ for destroying the best quality trees and depriving the country of good building timber.⁹⁴ May celebrations were deeply disapproved of by the complaint writers, who saw them as occasions of excessive drinking and sexual licence. Christopher Fetherstone claimed that the May custom of going into the woods to collect garlands to adorn houses and maypoles simply provided young men and women with an opportunity for fornication, and he wrote that in one

⁸⁸ Stubbes, *Anatomie of Abuses*, sigs. M6v – M7r.

⁸⁹ Lovell, *Dialogue between Custom and Veritie*, sig. C2r.

⁹⁰ Stubbes, *Anatomie of Abuses*, sig. M5r.

⁹¹ C. Marsh, *Popular Religion in Sixteenth-century England* (London, 1998), p.97.

⁹² J. C. Cox, *Churchwardens' Accounts from the Fourteenth Century to the Close of the Seventeenth Century* (London, 1913), p. 284; J. Goring, *Godly Exercises or the Devil's Dance? Puritanism and Popular Culture in pre-Civil War England* (London, 1983), p. 12.

⁹³ Fetherstone, *Lascivious dauncing*, sig. D7v; Roberts, *Day of Hearing*, sigs. K4r-K4v; Stubbes, *Anatomie of Abuses*, sig. M3v.

⁹⁴ Roberts, *Day of Hearing*, sigs. K7r – K7v.

instance ‘of tenne maidens which went to set May, ... nine of them came home with childe’.⁹⁵ Stubbes put the numbers even higher, claiming that those who went ‘a-maying’ behaved like heathens and ‘that fortie, threescore, or a hundred maides going to the wood over night, there have scaresly the thirde part of them returned home again undefiled’.⁹⁶ In fact, despite such assertions the demographic evidence suggests that there was no rise in the number of either legitimate or illegitimate pregnancies associated with May celebrations.⁹⁷ Nevertheless, those attending May games were accused of drunken and wanton behaviour and the revelry was said to be ‘the cause of strife & tumult, & sometime of murther also’.⁹⁸ Inevitably, with large numbers of people gathering and consuming great quantities of alcohol, arguments and brawling were not uncommon and, religion aside, May games did raise legitimate concerns over the potential for disorder.

As the preceding discussion has shown, the numerous puritan writers of complaint literature bitterly criticised popular festivity and the traditional Sunday of the ordinary people. Popular Sunday pastimes were attacked both because they profaned the Lord’s Day and because they were sinful in themselves. The complaint writers argued that popular culture was ungodly and repeatedly claimed that it stemmed from both paganism and popery, and that Catholics were using traditional festivity to lure people away from Protestantism.⁹⁹ For example, John Terry maintained that the Church of Rome had deliberately tried to prevent people from hearing God’s word by distracting people with such diverting pastimes ‘as kinde the coales of vncleane lustes, and blow the bellowes to al filthy communication’.¹⁰⁰ John Field declared that all the abuses of the Sabbath sprang from the idolatries of Catholics, who ‘cared not what deuce took place, what pastime were used, though therein the diuell himselfe were served, so they might keep the people quiet and occupied in ignorance’.¹⁰¹ John Northbrooke similarly stated that the pope had invented holy days ‘to traine up the people in ignorance and idlenesse ... in loitering and vaine pastimes’ and Hugh Roberts even claimed that ‘the Pope and his seminaries’ were behind the setting up of maypoles and were using them to ‘pervert’ people ‘to go after *Baal*, and to like better of the *Masse*’.¹⁰² Again and again these writers called for all Sabbath abuses to be stamped out and for the suppression of the ‘heathen’ and ‘papist’ pastimes that so many people evidently enjoyed. They compared England to Sodom and

⁹⁵ Fetherstone, *Lascivious dauncing*, sig. D7v.

⁹⁶ Stubbes, *Anatomie of Abuses*, sig. M4r.

⁹⁷ D. Cressy, *Bonfires and Bells. National Memory and the Protestant Calendar in Elizabethan and Stuart England* (London, 1989), pp. 21-22; Hutton, *Stations of the Sun*, p. 229.

⁹⁸ Roberts, *Day of Hearing*, sig. K5v.

⁹⁹ C. Haigh, ‘The Continuity of Catholicism in the English Reformation’, in C. Haigh (ed.), *The English Reformation Revised* (Cambridge, 1987), p. 206.

¹⁰⁰ John Terry, *The Triall of Truth* (Oxford, 1600), pp. 125-126.

¹⁰¹ John Field, *A Caveat for Parsons Howlet* (London, 1581), p. 53.

¹⁰² Northbrooke, *A Treatise*, p. 12; Roberts, *Day of Hearing*, sigs. K7v – K8r.

Gomorrah and threatened that God's wrath would be visited upon the country if those in authority did not act:

the Lord hath threatened to poure out his wrathful indignation upon such as polute his Saboth. If we wil not be obedient unto him to hallowe it: then shall he set fire uppon the gates of our Cities and townes and it shall burn up our houses and no man shall be able to quench it.¹⁰³

To reinforce these warnings they pointed to disasters that they said had befallen Sabbath-breakers. It was claimed, for example, that a man received fatal injuries while playing football on a Sunday, that the staging of plays had brought plague to London and, most famously of all, that the collapse of scaffolding which killed several spectators during a Sunday bearbaiting in London's Paris Garden was an act of divine judgment 'both for the punishment of these present prophaners of the Lordes day, ... & also [to] informe and warne us'.¹⁰⁴

During the latter part of Elizabeth's reign, then, traditional pastimes came under attack as never before. A new, more strident form of sabbatarianism emerged which went far beyond concerns about church attendance and which elevated the Sabbath and sought the suppression of all Sunday recreations. With the population of the country growing and at a time of dramatic increases in inflation and poverty, these writings fuelled concerns about the dangers of disorder and polarised attitudes towards traditional revelry. Attitudes towards charity and poor-relief began to change, and traditional ales and wakes came under pressure. In some areas of the country local magistrates took measures to ban revels and tensions grew between those who saw them as either wrong or dangerous and those who valued their traditional way of life and sought to defend their day of leisure.

The suppression of traditional revelry

As Ronald Hutton has observed, the revival of church ales and other traditional revelry that had taken place under Mary was sustained well into the 1560s. Although Edward VI's accession had seen a dramatic reduction in the number of such festivities, Elizabeth's accession did not have the same effect and they continued to thrive into the early years of her reign. Maypoles and morris dancing were commonplace and ales prospered. They were

¹⁰³ Hill, *Crie of England*, pp. 2-3; Wright, *Summons for Sleepers*, p. 26; Lovell, *Dialogue between Custom and Veritie*, Epistle (sigs. A6r – A6v).

¹⁰⁴ Roberts, *Day of Hearing*, sig. K3v; Thomas White, *A Sermon Preached at Pawles Crosse on Sunday, the Thirde of*

particularly popular in the West Country and in the Midlands, but took place in many parishes elsewhere and extended into the North West and South East of England.¹⁰⁵ Wakes and ales remained a communal celebration that helped to bring communities together and also provided the opportunity to extend hospitality to neighbouring parishes. At Whitsun in 1561, for example, ten parishes gathered for a communal feast at Northill in Bedfordshire.¹⁰⁶ However, during the late 1560s the traditional parish revels went into a considerable and steady decline until, by the beginning of the seventeenth century, they were largely confined to the West Country and parishes in the Thames valley and the surrounding area.¹⁰⁷ Whereas entries for the payment of morris dancers, maypoles, drinking cups and the ingredients to brew ales were previously common features in many churchwardens' accounts, they became rare in most areas after the 1570s.¹⁰⁸ Such was the decline in popular festivals in some areas that by 1576 William Harrison was able to write that:

the superfluous numbers of idle waks, guilds, fraternities, church-ales, helpe-ales and soule-ales, called also dirge-ales, with the heathenish rioting at bride-ales, are well diminished and laid aside.¹⁰⁹

The decline in traditional revels in this period was due to a combination of factors. In part, they were suppressed for religious reasons: because, as the puritan divines vociferously claimed, they were thought to be ungodly and the occasions of debauchery and riotous behaviour. However, there were secular reasons for their prohibition too, as local justices feared that they would lead to crime and disorder, and some revels simply withered on the vine as the poor rate came to be regarded as a more efficient and attractive way of raising funds and attitudes to hospitality and charity began to change. All these factors were at play and combined to bring about the end of wakes and ales in many areas.

The sixteenth century was a period of enormous change. As the previous chapter demonstrated, the break with Rome, followed by the Edwardian reformation and the Marian counter-reformation, had led to fundamental and unsettling religious changes which had, in part, politicised traditional revelry. Although many parishes were deeply attached to their old festive customs, as is evidenced by their rapid revival under Mary and their persistence into

November 1577 in the Time of the Plague (London, 1578), p. 47; Field, *A Godly Exhortation*, unpaginated.

¹⁰⁵ Hutton, *Merry England*, pp. 113-114; Hutton, *Stations of the Sun*, pp. 250-251.

¹⁰⁶ Hutton, *Merry England*, p. 113.

¹⁰⁷ *Ibid.*, pp. 118-120; Hutton, *Stations of the Sun*, p. 253.

¹⁰⁸ Cox, *Churchwardens' Accounts*, pp. 281-291; Cressy, *Bonfires and Bells*, p. 21.

¹⁰⁹ William Harrison, *A Description of England* (ed. F. J. Furnivall, London, 1877), p. 134.

the early years of Elizabeth's reign, the reversals of policy towards them in the mid-Tudor period must have at least raised questions about their permissibility. The fact that traditional festivities had frequently been the occasion for disorder and had even been the starting point for rebellion only served to increase concerns about the desirability of such events. Indeed, as the century progressed inflation, poverty and the size of the population all increased, and anxieties about social order steadily grew. As Marjorie McIntosh has pointed out, the 1590s in particular saw 'high population density, bad harvests and food shortages, acute poverty, unusual amounts of migration, disruption of normal marriage patterns, and potentially violent unrest' and 'such factors were likely to have increased the amount of wrongdoing and anxiety about it'. Such concerns prompted moves by many authorities towards greater social control. As Martin Ingram has demonstrated, even in areas where Puritanism was not a factor, fears about potential social unrest prompted attempts to curb disorderly and immoral conduct. Yet, in many other areas of the country the desire of radical protestants to reform society and create a truly godly community was certainly a factor behind moves to control misbehaviour. Indeed, it would appear that attempts to suppress alehouses and popular revelry were most intense in areas where Puritanism was strongest.¹¹⁰ Puritan writers fuelled peoples' concerns about social order by repeatedly highlighting the dangers of 'slotheful idlenesse' and of allowing people – particularly young men – the licence to do as they wished in their free time.¹¹¹ Idleness was said to lead to 'many inconueniences' and idleness in youths 'would quickly flame evyll deedes'.¹¹² Adam Hill claimed that idleness was the root cause of 'many fraies and bloodsheds' in London and, arguing that it led men to commit theft and adultery, he concluded that 'idlenesse causeth pouerty, pouerty famin, & famin causeth robbery'.¹¹³ Many people, and not just puritans, made similar links and were deeply concerned by the rising numbers of the poor and by the way in which young people led their lives. These concerns helped to make popular revelry a contentious issue.

It was generally agreed that young people needed controlling. The age of adolescence was perceived as threatening to many in society and was described variously as a 'dark' and 'dangerous age' and as 'the worst and most dangerous time of all'. The violent and rowdy nature of youths was frequently commented upon and, in part, prompted the passing of The Statute of Artificers of 1563, which condemned 'the unadvised rashness and licentious manner of youth'. The promiscuity of young people was also frequently remarked on. Young men were said to be 'carried with a more headlong force unto vice, lust, and vaine pleasures of the

¹¹⁰ M. K. McIntosh, *Controlling Misbehaviour in England, 1370-1600* (Cambridge, 1998), pp. 2-3; Durston and Eales, *Culture of English Puritanism*, pp. 24-25.

¹¹¹ Ursinus, *Summe of Christian Religion*, p. 942.

¹¹² Robert Cleaver, *A Godly Form of Household Governement* (London, 1598), p. 329; Peter Martyr, *A briefe Treatise concerning the use and abuse of Dauncing* (London, 1580?), sig. B2r.

flesh', and so were in 'need of straiter discipline, more carefull watching ... harder bridling, and more diligent instruction by the word of God'.¹¹⁴ The question of sexual licence was of concern for secular as well as religious reasons, as it could lead to the birth of illegitimate children and, consequently, to the making of greater demands upon the poor rates.¹¹⁵ Not only were young people thought to be promiscuous, they were also closely associated with traditional festivity, because the youth of a community would frequently take the lead in organising May games.¹¹⁶ As has previously been demonstrated, these games were perceived as occasions of debauchery which led to large numbers of illegitimate births. Although the demographic evidence does not support such perceptions, it was perceptions that mattered in determining attitudes towards revels, and many people regarded them as occasions of bawdiness and violence, when a mixture of high spirits and alcohol often spilled over into disorder.¹¹⁷

Wakes and ales were also threatened by changing attitudes towards poverty and the poor. With the increase in anxiety over social order, the poor came to be feared both as a drain on parish resources and as a potential threat to law and order. The crisis of the 1590s created massive unemployment and privation and placed enormous pressures on parish communities, which, under successive pieces of Tudor legislation, carried the burden of providing poor relief. The large numbers of unemployed who left their own communities in search of work were treated like criminals and outcasts, as parishes sought to avoid the onerous responsibility of providing for them. As Peter Clark has observed in his study of Kent, the economic and demographic problems of the 1590s 'generated and exacerbated inter-communal tensions, exploding the traditional rivalries of village for village' and neighbouring parishes clashed over their 'respective responsibilities for watch and ward, poor relief and corn supply, with community survival the only criterion of local politics'.¹¹⁸ Consequently, concepts of reciprocal entertainment between parishes began to change. In any event, communities in many areas began to rely on rates, rents and pew-rates as a means of raising funds in place of ales and traditional revels. As Hutton has pointed out, however, the imposition of rates by an act of Parliament in 1572 was initially applied only erratically and the gradual move towards systematic poor relief cannot therefore fully explain the decline in fund-raising by communal festivity.¹¹⁹ All the evidence suggests that the decline in traditional revels was indeed due to a combination of various factors. Social polarization resulting from spiralling inflation, the

¹¹³ Hill, *Cries of England*, pp. 62-63.

¹¹⁴ P. Griffiths, *Youth and Authority. Formative Experience in England 1560-1640* (Oxford, 1996), pp. 34-37.

¹¹⁵ Durston and Eales, *Culture of English Puritanism*, p. 25.

¹¹⁶ C. Marsh, *Popular Religion in Sixteenth-century England* (London, 1998), p. 97; Griffiths, *Youth and Authority*, p. 145.

¹¹⁷ Greaves, *Society and Religion*, p. 427.

¹¹⁸ Clark, *English Provincial Society*, pp. 235-238 and 249.

growth of poverty and the increased fears of social unrest combined with the desires of religious enthusiasts to stamp out immoral, unruly behaviour and the profanation of the Sabbath and to reform England into a godly society. These concerns, both secular and religious, led to attempts across the country to suppress traditional games and festivals.

Local elites in various parts of the country took measures to suppress popular pastimes and to enforce Sunday observance. In 1578, for example, the authorities in Leicester ordered the public reading of the statute forbidding unlawful games and subsequently announced the imposition of fines on alehouses and other places where such games were played. In London, people who played football were threatened with imprisonment in 1572. Football was prohibited in the Royal Exchange in 1576 and banned from the City altogether four years later. In Southampton, the court leet sought the appointment of officials to arrest men hosting and playing illegal games, and imposed a curfew on artisans and servants in order to stop them drinking and gambling the night away in taverns.¹²⁰ In 1598, justices of the peace in Bodmin, Cornwall, ordered householders to prevent their children and servants from going to alehouses and from playing unlawful games. In Cheshire there was a campaign against summer games, and in Essex, a carpenter was presented at court for keeping ‘evil rule in his house ... and dancing and other unlawful games’, even though dancing was not an unlawful game under the statutes.¹²¹

As has been noted above, wakes and ales were most firmly rooted in the West Country. Nonetheless, during the 1590s there were moves to ban them in both Devon and Somerset. Having already forbidden ales from being held on Sundays, at the quarter sessions in July 1595 the Devon justices made an order banning Sunday May games as well and stipulated that ales would have to take place during daylight hours and without music or dancing. They justified the order by claiming that the revels caused ‘the dishonour of Almighty God, increase of bastardy and of dissolute life and very many other mischiefs’. The alleged disorders nonetheless continued and, in January 1600, the Devon JPs banned church ales altogether on the grounds that they led to ‘many inconveniences, which with modesty cannot be expressed’.¹²² In neighbouring Somerset, the justices banned ales completely in 1594 and again in 1596. In part they did so to prevent ales from being misused. A Somerset gentleman, Humphrey Sydenham, had been accused of poaching royal deer and he held a series of lavish ales to raise money to finance his defence. The county bench were apparently determined to

¹¹⁹ Hutton, *Merry England*, pp. 119-120 and 145-146.

¹²⁰ Greaves, *Society and Religion*, pp. 439-440.

¹²¹ *Ibid.*, p. 411; Hutton, *Stations of the Sun*, p. 254; F. G. Emmison, *Elizabethan Life: Disorder* (Essex Record Office, 1970), p. 224.

¹²² Hutton, *Merry England*, p. 139; Hutton, *Stations of the Sun*, p. 254; Greaves, *Society and Religion*, pp. 411 and 467.

stop him raising funds in this way and consequently prohibited ales altogether. However, the religious zeal of some of the justices was also almost certainly a factor behind the decision to ban ales. One of the judges, Sir John Popham, was from a family who were notable patrons of puritan ministers. He regarded ales as 'licentious' events and sought support for their prohibition from Sir Francis Hastings who was also well known for his puritan sympathies. Indeed, in his will Hastings bequeathed money to five Somerset parishes on condition that they would never hold any ales, which, he claimed, profaned the Sabbath, led to drunkenness and riot and trained youth in licentiousness.¹²³ Both secular and religious motivations therefore lay behind the decision to ban ales in Somerset.

Elsewhere there were clearly concerns about the profanation of the Sabbath. In 1579, for example, a High Commission issued orders for the whole of Lancashire banning:

pipers and minstrels playing, making and frequenting bear-baiting and bull-baiting on the Sabbath days, or upon any other days in time of divine service; and also against superstitious ringing of bells, wakes and common feasts, drunkenness, gaming and other vicious and unprofitable pursuits.¹²⁴

Given that Lancashire contained more Catholics than any other English county, it is unsurprising that an order should be issued which speaks of 'superstitious' bell-ringing and which outlaws pastimes that might keep people from the Protestant Sunday service. Yet, the order goes further than this in that it relates to the Sabbath generally and not just to the time of the church service and it forbids wakes and other 'common feasts' altogether. Indeed, although national laws did not require such stringency, in 1588 jurors in Manchester were ordered to present at court anyone who kept 'wakes, fairs, markets, bear-baitings, bull-baitings, greenes, alleys, may-games, piping and dancing, hunting and gaming, upon the Sabbath day'.¹²⁵ That same year ten men were presented for bear-baiting on the Lord's Day and, in 1592, justices warned the licensee of an alehouse not to allow breaches of the Sabbath day by permitting wakes, markets, bowling, cock-fighting, bear-baitings or May games.¹²⁶

In parts of the country Elizabeth's reign saw a dramatic increase in the number of presentments and punishments for playing games on Sundays and for Sabbath offences generally, particularly during the crisis years of the 1590s. As Daniel Beaver has observed in

¹²³ Hutton, *Merry England*, p. 139; Greaves, *Society and Religion*, p. 468.

¹²⁴ Govett, *Book of Sports*, p. 25.

¹²⁵ Whitaker, *Sunday*, p. 39.

his study of the Vale of Gloucester, between 1591 and 1592 there were just four presentments for non-attendance at church and for perceived profanations of the Sabbath compared with a yearly average of ten such presentments in the years 1594, 1595, 1596 and 1597, which rose to thirteen in 1599 and in 1600. Most of these concerned people working on the Sabbath, particularly during divine service. However, people were also prosecuted for playing sports and revelling, as in 1597 when a group of apprentices in Tewkesbury were prosecuted for playing stoolball during service time and, in 1599, when a Twyning man was prosecuted for playing the pipes ‘on Sabbath days in time of prayer’.¹²⁷ During the 1590s the grand jury in Essex presented people for permitting the playing of shovegroat during divine service, for allowing children and servants to play ‘shovel board’ on a Sunday and for ‘disorder and dancing’ on the Sabbath during the time of divine service. In Cheshire several men were similarly presented at the Quarter Sessions in October 1602 for bowling on a Sunday ‘at time of divine service and sermon’.¹²⁸

In Lincoln, the issues of sabbath observance and popular revelry divided the city corporation. A powerful puritanical faction called for strict enforcement of the sabbath, tight controls on alehouses and sought to ban May games and maypoles. The rival faction on the council vigorously opposed these measures and actively supported and encouraged the May games and the setting up of maypoles.¹²⁹ Indeed, maypoles, which had historically been communal symbols whose erection had been a community activity, became a symbol of the struggle taking place between those who were seeking to stamp out popular revelry and those who enjoyed, valued and sought to defend it. Lincoln was just one of a number of cities that banned maypoles. Doncaster, Banbury, Canterbury, Bristol, Leicester and Shrewsbury all imposed similar bans, often leading to clashes with sections of the local community. The resulting controversy in Banbury, which prompted the intervention of the Privy Council to support ‘pastimes of recreation’ has already been referred to. In Shrewsbury, in 1588, the authorities banned the traditional maypole and several members of the Shearmen’s Guild were jailed when they opposed the order and struggled with the officials taking down the pole. The banning of the maypole in Canterbury in the same year prompted a group of morris dancers to dance outside the mayor’s house in protest. When celebrations became too riotous in Leicester in 1599, the mayor had the maypole broken and then had one reveller imprisoned for helping to fix the broken shaft back together and for denouncing the mayor for what he had

¹²⁶ Greaves, *Society and Religion*, p. 411.

¹²⁷ D. C. Beaver, *Parish Communities and Religious Conflict in the Vale of Gloucester, 1590-1690* (Harvard, 1998), pp. 125-126 and 136-137.

¹²⁸ J. H. E. Bennett and J. C. Dewhurst (eds), *The Quarter Sessions Records with other Records of the Justices of the Peace for the County Palatine of Chester, 1559-1760* (Record Society of Lancashire and Cheshire, 1940), p. 50.

¹²⁹ Greaves, *Society and Religion*, pp. 412 and 426; Hill, *Society and Puritanism*, p. 178; Hutton, *Merry England*, p. 138; C. Haigh, *English Reformations. Religion, Politics and Society under the Tudors* (Oxford, 1993), p. 280.

done. A few years later the city's corporation issued an order banning maypoles permanently because 'the multitude of rude and disorderly persons' who attended the maypole caused 'manifold inconveniences and disorders'.¹³⁰ Feelings could clearly run very highly over the issue of maypoles. Although they were just one aspect of popular culture, in a sense they were representative of traditional festivity as a whole. The taking down of maypoles was therefore symbolic of a general attack on traditional revelry. This could well explain the tragic incident in May 1572 when a man was shot and killed as he and a number of others tried to take away the maypole standing on the green in the Sussex village of Warbleton. It may be that, given that the man was from a neighbouring village, he was in fact trying to steal the maypole as a trophy rather than to destroy it as something ungodly. The incident nonetheless illustrates the importance of maypoles to many local communities.¹³¹ Many people bitterly resented the attacks on traditional festivity and were very protective of its most potent symbol: the maypole. Indeed, in order to protect their maypoles, some men attached the royal coat of arms to them in the hope that they would then appear to be sanctioned by the Queen and suggesting, also, that an attack on the maypole was an act of treason.¹³²

The hostile reaction to the taking down of maypoles is an indication of the strong attachment that people felt towards their sports and pastimes. The moves to suppress them and to enforce strict sabbath observance were widely resented. In Deighton in Yorkshire, the curate was even beaten and stabbed when he tried to stop a man from bowling in the churchyard on May Day in 1575. Many people objected to the enforcement of sabbath observance and no doubt sympathised with the Ramsgate boatman who complained in 1581 that 'it was never merry England since we were impressed to come to the church', and with Ann Carter of Maldon, Essex, who told the constable charging her with working on a Sunday that 'if he would provide one to do her work she would go to church'.¹³³ By the mid-1580s the word 'puritan' was being used to mean a 'kill-joy'. In his 1585 treatise *Nobody is My Name*, John Deacon's character 'Everybody' enquired of the puritanical 'Nobody';

Why? Would you not have men to bee merrie and drive away
the time in good fellowshippe? I perceive you are one of those
Puritanes, who allow neither of pastime nor pleasure. Surelie
you are the strangest people that euer I hard of.¹³⁴

¹³⁰ Hutton, *Stations of the Sun*, p. 235; Greaves, *Society and Religion*, p. 426; Hill, *Society and Puritanism*, p. 178; Hutton, *Merry England*, p. 138.

¹³¹ Goring, *Godly Exercises*, p. 3; Hutton, *Merry England*, p. 142.

¹³² Roberts, *Day of Hearing*, K6v.

¹³³ Clark, *English Provincial Society*, p. 157; Parker, *English Sabbath*, p. 88.

¹³⁴ Goring, *Godly Exercises*, p. 20; John Deacon, *A Treatise, intituled; Nobody is My Name* (London, 1585), sig. E5v.

In any event, many people still clung to their traditional pastimes in the face of the attempts to put an end to them. The ban on ales had to be repeated frequently in both Devon and Somerset, indicating that they continued to be held regardless of the orders against them.¹³⁵ Similarly, despite the various orders made ‘to inhibite the outrageous playe at footeball’ in London during the 1570s and 1580s, in 1593 the Common Council was forced to acknowledge that football was still being played and was creating ‘divers great ryotts’. Indeed, football was apparently being played ‘in everie part’ of London in 1599, to the extent that people ‘can hardlie passe through the streets’. The fact that numerous orders against it had to be issued well into the seventeenth century demonstrates its continuing popularity.¹³⁶

While football was very much a game for the lower orders, other aspects of popular culture were both tolerated and supported by those higher up the social scale. Many churchwardens and parish clergy were indifferent towards the attempts to enforce sabbath observance and some notably failed to observe it themselves. In 1591, for example, two Tewkesbury men appeared before the church court for ‘playing at tables on a Sunday at the time of evening prayer’. One of them had been a churchwarden a year earlier and the other became churchwarden three years later.¹³⁷ The curate of Rufford, Lancashire, was accused of dancing on Sundays and holy days; the vicar of Normanton in Rutland was caught playing backgammon on a Sunday and, in 1597, two ministers in the Norwich diocese were cited for playing unlawful games.¹³⁸ In Essex, the churchwardens at White Notley missed divine service in order to help set up a maypole, and at Rudgwick in Sussex several of the parish’s most prosperous residents were among those who erected a maypole in the churchyard.¹³⁹

By the end of the sixteenth century two opposing sides were emerging: those who actively defended popular culture and those who were trying to suppress it for a combination of religious and secular reasons. The issues of sabbath observance and traditional festivity were now becoming contentious, political matters in a way and to an extent that they had not been before the Reformation and the rise of Puritanism. As Hutton has pointed out, for most of Elizabeth’s reign the outpouring of complaint literature went virtually unanswered. George Puttenham was one of the earliest writers to defend orderly Sunday recreations. In 1579, he presented the queen with a set of verses in which he said that it was wrong to ‘forbid peasants their country sport’. As the volume of condemnation of traditional festivity was turned up

¹³⁵ Hutton, *Stations of the Sun*, p. 254.

¹³⁶ Griffiths, *Youth and Authority*, p. 139.

¹³⁷ Whitaker, *Sunday*, pp. 89-90; Beaver, *Vale of Gloucester*, p. 123.

¹³⁸ Greaves, *Society and Religion*, pp. 418 and 442.

¹³⁹ Goring, *Godly Excercises*, p. 9.

towards the end of the reign, so a number of works appeared which lent support to popular revelry. In 1586, for example, William Warner wrote *Albions England* in which he praised all manner of traditional entertainments including morris dancing and maying, portraying them as part of the national way of life. During the 1590s a number of other writers and poets wrote approvingly of popular customs. In 1598, for example, John Stow wrote in nostalgic terms about the many May customs and summer games that had once been so popular in London. In his *Survey of Cornwall*, Richard Carew stressed the communal and bonding nature of church ales, and the playwrights, Thomas Dekker and John Marston, produced plays which romanticised English summer festivities. Indeed, as Hutton has observed, by the end of Elizabeth's reign there was a significant reaction against the many attacks on traditional pastimes to the extent that even 'sophisticated society was starting to take up [hitherto] despised or disliked seasonal festivals'.¹⁴⁰ Moreover, in addition to the appearance of works that celebrated traditional revelry, the 1590s saw the beginning of a doctrinal challenge to the sabbatarianism espoused by the puritan divines. Although apparently motivated as much by a personal vendetta as by religious conviction, Thomas Rogers, the rector of Horringer in Suffolk, targeted the puritan sabbatarians in a sermon he gave in December 1599, in which he described the concept of a morally binding sabbath as 'anti-christian and unsound'. At the same time, Archbishop Whitgift moved to suppress Bownde's *Doctrine of the Sabbath*. The remaining copies of Bownde's book were called in and, in 1600, the Lord Chief Justice banned the publishing of any further copies.¹⁴¹ The attempts to suppress Bownde's work only served to stimulate demand and made the way for a second and larger edition in 1606. Nonetheless, the fact that it came under attack and was banned by the church hierarchy is a powerful indication of the polarisation that had taken place of views on church authority and sabbath observance. The church wanted to maintain the prerogative of determining doctrine and did not share the strict sabbatarian views of the likes of Bownde, Greenham and Perkins. The preceding years had seen the development of a new, more strident and rigorous form of sabbatarianism and an unprecedented attack on traditional festivity, both in print and on the ground. As Whitaker stated: 'People at the end of Elizabeth's reign did not accept as lightly as they had done at the beginning the idea that once the religious duties of the day, as prescribed by the church, were over, they could do just as they liked on Sunday'.¹⁴² That concept was now under threat and under attack as never before. The sabbatarians had mounted a challenge not only to a people attached to their revelry but also to the government of the church itself. As Christopher Hill put it, whereas 'sabbatarianism of a sort had previously been part of the

¹⁴⁰ Hutton, *Merry England*, pp. 134-137.

¹⁴¹ Collinson, *Godly People*, pp. 441-443.

¹⁴² Whitaker, *Sunday*, p. 66.

common protestant heritage' from the 1590s 'it becomes the shibboleth of the Puritans, and the spokesmen of the hierarchy came to attack it'.¹⁴³

¹⁴³ Hill, *Society and Puritanism*, p. 485.

Chapter Five

James I's 'dancing book' and the politicisation of 'Saint Sabbath'

James I's reign saw far fewer works published on the Sabbath controversy in comparison with the outpouring of literature on the subject towards the end of the reign of Elizabeth. This is, perhaps, surprising given that under James there was a dramatic change in royal policy, with the publication of the King's *Declaration to his Subjects, Concerning Lawful Sports to be Used* and the licensing of Sunday recreation by the Crown that the Declaration represented. This chapter considers the events surrounding this shift in policy and the effect that it had on attitudes to popular pastimes. It looks at how Sunday sports became increasingly politicised and at the extent to which this caused polarisation and divisions in early Stuart society.

Thomas Rogers and his attack on Bownde and puritan sabbatarianism

In 1607 Thomas Rogers renewed the attack on puritan sabbatarianism that he had begun in 1599. In his preface to a revised edition of his *Catholic Doctrine of the Church of England*, Rogers referred to the vast number of books that had been published in the previous decade on the question of Sabbath observance and accused puritans of using the printed word to disseminate 'their sabbath speculations, and presbyterian ... directions for the observation of the Lord's day'. He warned that theirs was a new and insidious view of the Sabbath and that, if it went unchallenged, 'unsound opinions and paradoxes will so poison many, as the whole church and commonweal will find the danger'. He attacked puritans for denying the Church's authority to stipulate any holy days other than the Lord's day and accused them of using the issue of the Sabbath to subvert the authority of the episcopacy and thus advance their Presbyterian cause.¹ In doing so, he argued, they had: 'set up a new idol, their Saint Sabbath ... in the midst and minds of God's people'.² He stressed the fact that puritan sabbatarianism was a break from the past: an innovation. He argued that, in concentrating on the Lord's day, they had opened the way for licentiousness and profanity on other holy days and that they had 'introduced a new, and more than either Jewish or popish superstition into the land'. Rogers maintained that puritans treated the Lord's day as the Jewish Sabbath. He went on to describe the puritans as 'demi-Jews' who had abandoned all Jewish ceremonial law except in regard to the Sabbath, and claimed that their doctrine demanded that the sanctification of every seventh

¹ Thomas Rogers, *The Catholic Doctrine of the Church of England* (ed. by J. J. S. Perowne, Cambridge, 1954), pp. 18, 187 and 322.

² *Ibid.*, p. 18.

day was as morally binding as it had been under the Mosaical Decologue and that Christians were 'bound unto the same rest with Jews on the Sabbath day'³

Rogers stated that puritan preachers across the country had variously claimed that doing any servile work on the Lord's day was tantamount to murder and that having a feast or playing bowls on Sunday was as great a sin as killing a man or as a father cutting the throat of his own child.⁴ He blamed Bownde's *Doctrine of the Sabbath* for promoting this new sabbatarianism in the minds of such preachers and claimed that this new doctrine 'had taken deep impression in men's hearts' and had spread across the whole of England.⁵ He went on to claim credit for revealing the sabbatarian errors of Bownde and others; for Archbishop Whitgift's calling in of the remaining copies of Bownde's book; and for prompting Lord Chief Justice Popham to forbid any more copies being published. Rogers argued that the actions of Whitgift and Popham demonstrated that puritan sabbatarianism was contrary to the doctrine of the church and the law of the land and 'tendeth unto schism in the one, and sedition in the other'.⁶

In the preface to the second edition of his *Doctrine of the Sabbath*, which was published in 1606, Bownde claimed not to have known who was behind the suppression of the first edition.⁷ It seems clear, though, that Rogers was at least partly responsible for bringing it to the attention of the church hierarchy and for highlighting the fact that it challenged their authority to appoint holy days and in other matters.⁸ Rogers, a Suffolk minister eager for advancement in the Church, was almost certainly motivated in part by ambition and a desire to make a name for himself as a loyal son of the Church and in part by a desire to damage the reputation of Bownde, who was himself a Suffolk cleric and a potential rival for promotion.⁹ Rogers had long been at odds with a number of the neighbouring Suffolk clergy. He was particularly keen to take opportunities to snipe at godly preachers whom he saw as a threat to the Church's authority and whom he also suspected might seek to hinder his preferment within the Church. It is certainly possible that Rogers seized on the opportunity to attack Bownde in his sermon of December 1599 by exploiting the fact that Bownde's book had been dedicated to Robert Devereux, the Earl of Essex. Essex had left his command in Ireland in September 1599 and, by the time of Roger's anti-sabbatarian sermon, Essex was viewed with suspicion by the government and was under virtual house arrest. Two works dedicated to

³ *Ibid.*, pp. 89-90 and 315.

⁴ *Ibid.*, pp. 18-19.

⁵ *Ibid.*, pp. 19-20.

⁶ *Ibid.*, p. 20.

⁷ Nicholas Bownde, *Sabbatum Veteris et Novi Testamenti: or, The True Doctrine of the Sabbath* (London, 1606), sig. A3r.

⁸ W. P. Baker, 'The Observance of Sunday' in R. Lennard (ed.), *Englishmen at Rest and Play. Some Phases of English Leisure 1558-1714* (Oxford, 1931), p. 99.

⁹ K. L. Parker, *The English Sabbath. A Study of doctrine and discipline from the Reformation to the Civil War*

Essex had already been suppressed by the authorities, who clearly saw Essex and those loyal to him as a potential threat. The authorities might have moved to suppress Bownde's book; both because they wanted to stop talk of limiting the Church's right to determine holy days of obligation and because they feared sedition among Essex's supporters.¹⁰ Yet, even if Rogers were motivated by tawdry, secular concerns and by a personal vendetta against Bownde, it would be wrong to completely dismiss his claims about puritan sabbatarianism and his assertion that it was an innovation. He may well have tried to exploit this to his own ends but that does not mean that he did not also believe much of what he was saying or that everything that he had to say was without foundation.

Parker is right to point out that many of the extreme, judaical attitudes that Rogers ascribed to 'our English Sabbatarians' cannot be found in Bownde's work.¹¹ Indeed, Bownde counselled against falling 'into the extremity of the Jewes' who prepared their meat before the Sabbath and would not light a fire on the day itself.¹² Yet, if he and other puritans did not advocate treating the Lord's day with all the strictures of the Jewish Sabbath, they did censure all recreation and work on the Lord's day and they did demand that the day be totally devoted to God. They argued for the morally binding nature of the Sabbath and denied the Church's right to determine which day should be observed as the Christian Sabbath. They insisted that there should be just one day of rest and that there should be no other holy days, with the other six days of the week being devoted to work. Given that the Church authorities concentrated on church attendance and did not condemn recreation on the Sabbath as such and that they maintained their right to appoint other holy days, as the previous chapter demonstrated, the puritan sabbatarianism that developed in the late sixteenth century *was* an innovation, as Rogers claimed. It was indeed stricter and went further than the Church had done previously. Parker argues that it was Rogers' position on the Sabbath rather than Bownde's that was unorthodox.¹³ It is true that Rogers ascribed beliefs to the puritans that many did not hold and he portrayed their sabbatarianism as even more extreme than in fact it was. In doing so, he characterized it in a way that was to be exploited by Peter Heylyn and others in the reign of Charles I. Yet, although Rogers distorted the sabbatarian views of many puritans and although his attack could well have been motivated by spite and the desire for personal advancement, his view that puritan sabbatarianism was something new and went beyond the hitherto orthodox beliefs surrounding Sabbath observance was correct.

(Cambridge, 1988), pp. 94-95.

¹⁰ P. Collinson, *Godly People. Essays on English Protestantism and Puritanism* (London, 1983), pp. 441-442; Parker, *English Sabbath*, pp. 95-97; K. L. Parker, 'Thomas Rogers and the English Sabbath: The Case for a Reappraisal', in *Church History*, Vol. 53, No. 3 (1984), pp. 344-346; R. Hutton, *The Rise and Fall of Merry England. The Ritual Year 1400-1700* (Oxford, 1994), p. 165.

¹¹ Rogers, *Catholic Doctrine of the Church of England*, p. 315.

¹² Parker, *English Sabbath*, pp. 94-95; Nicholas Bownde, *Doctrine of the Sabbath* (London, 1595), sig. A4r.

Rogers' attack on puritan sabbatarianism and his linking it to attempts to advance Presbyterianism in England by undermining the authority of the Church had two important consequences. Insofar as it led to the suppression of Bownde's work, it increased the interest in it and there was considerable demand for Bownde's second edition in 1606. His attack also identified Bownde and puritans generally with extreme sabbatarian ideas and helped to make the Sabbath into a fundamental issue of contention.¹⁴ However, it would be a mistake to conclude that Rogers was wrong to assert that the puritan doctrine of sabbatarianism was more extreme than the orthodox view in England until the late sixteenth century or to suppose that the issue had not become contentious or politicised before Rogers spoke out. Parker has claimed that sabbatarianism enjoyed widespread support until it became characterized as extreme and identified with Puritanism during James' reign and, particularly, during the reign of Charles I when it was used a 'theological football' by the Laudians.¹⁵ However, as Bownde himself acknowledged, it had already become an issue of considerable contention by the end of Elizabeth's reign. Certainly, in Lancashire at least, sabbatarianism had been a source of conflict as far back as the 1580s.¹⁶

Lancashire and the battle for hearts and minds

Lancashire is crucial to any study of the sabbatarian question in late sixteenth and early seventeenth century England. Lancashire had the largest proportion of Catholics of any county in the country and many of Lancashire's gentry and principal landowners belonged to that faith.¹⁷ Lancashire's high degree of recusancy was of considerable concern to the government and, certainly during much of Elizabeth's reign, the extent of local Catholicism was seen as much more important than the potential problems that Puritanism might cause in the county.¹⁸ Recusants did not acknowledge the Queen as supreme head of the Church and their loyalty to the crown was therefore regarded as suspect. The Protestant reformation had made little discernible impact in Lancashire and, consequently, the government decided to take positive action to spread Protestant teaching within the county. Perhaps because of the fact that so many Catholics were concentrated in Lancashire, many of its Protestants tended to

¹³ Parker, *English Sabbath*, pp. 101-102.

¹⁴ R. L. Greaves, 'The Origins of English Sabbatarian Thought', in *Sixteenth Century Journal*, XII, No. 3 (1981), p. 33

¹⁵ Parker, *English Sabbath*, pp. 6-7.

¹⁶ L. Racaut, 'The 'Book of Sports' and Sabbatarian Legislation in Lancashire, 1579-1616', in *Northern History*, Vol. XXXIII (1979), pp. 86, 87.

¹⁷ S. R. Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War, 1603-42*, (Vol. III) (London, 1883), p. 248; C. R. Cole and M. E. Moody (eds), *The Dissenting Tradition* (Ohio, 1975), p. 87.

¹⁸ Victoria County History, *Lancashire*, Vol. II, p. 58.

be particularly radical.¹⁹ There were centres of Protestantism at Manchester and some other towns, yet vast regions of the county remained defiantly Catholic.²⁰ Writing to the Privy Council in 1574, the Earl of Derby described Lancashire as ‘the very sink of Popery where more unlawful acts have been committed and more unlawful persons held secret than in any other part of the realm’. Even after the threat of a Spanish invasion had subsided, the fear of sedition among English Catholics, and among Lancashire Catholics in particular, persisted.²¹ The government consequently gave the conversion of Lancashire Catholics a high priority and encouraged Protestant preachers to target the county. In the 1570s and 80s, when the rise of Puritanism was seen by some in the church hierarchy as a growing threat to its authority, the strength of Catholicism in Lancashire was seen as a continuing threat to the stability of the realm. For these reasons puritan preachers were sent into Lancashire: both to convert Catholics and to try to get Puritan preachers out of southern England, where Puritanism was viewed as challenging the interests of the Church.²² In 1577 Bishop Aylmer of London, keen to rid London of puritan clergy by encouraging their engagement elsewhere, concluded that ‘They might be profitably employed in Lancashire ... and other such like barbarous counties, to draw the people from Papism and gross ignorance.’²³ The government and church hierarchy were wary of the power and influence of preaching in London and the South East, where Protestantism was well established. However, in Lancashire and other ‘barbarous counties’, where Catholicism remained entrenched and was seen as a greater threat, they sought actively to use preaching to convert the population.

In 1583 the Privy Council instructed the Bishop of Chester:

to appoint some learned and godly ministers to repair unto such places where it shall be needful, to instruct the people the better to know their duty towards God and her Majesty’s laws and to reduce them to such conformitie as we desire.²⁴

Walsingham also told the Earl of Derby that ‘diligent and public preaching’ was the surest way to stamp out recusancy.²⁵ In 1584 monthly meetings or preaching ‘Exercises’ were

¹⁹ Gardiner, *History of England*, p. 248.

²⁰ Parker, *English Sabbath*, p. 140.

²¹ R. C. Richardson, *Puritanism in North-West England. A Regional Study of the Diocese of Chester to 1642* (Manchester, 1972), p. 5.

²² R. C. Richardson, ‘Puritanism and the Ecclesiastical Authorities: The Case of the Diocese of Chester’, in B. Manning (ed.), *Politics, Religion and the English Civil War* (London, 1973), p. 3.

²³ Quoted in Richardson, ‘Puritanism and Ecclesiastical Authorities’, p. 3 and Richardson, *Puritanism in North-West England*, p. 18.

²⁴ Richardson, ‘Puritanism and Ecclesiastical Authorities’, p. 3 and Richardson, *Puritanism in North-West England*, p. 18.

²⁵ Richardson, ‘Puritanism and Ecclesiastical Authorities’, pp. 3-4.

established in fourteen centres across the diocese of Chester. They were designed to bring people to the Protestant faith by spreading the Gospel and increasing ‘knowledge and zeal in the common people’.²⁶ The Privy Council not only backed this scheme but also specifically requested that the Bishop of Chester should involve a number of prominent puritan clergy including Edward Fleetwood, William Langley, Richard Midgley and John Caldwell. Indeed, puritan ministers dominated the preaching Exercises.

Such was the government’s concern about the potential for sedition and the strength of Catholicism in Lancashire that it was the only county where ‘Queen’s Preachers’ were appointed to convert Catholics.²⁷ In 1599 four Queen’s Preachers were appointed in Lancashire ‘for the needful instruction of the simple and ignorant in the knowledge of their duties to God and Her Majesty’.²⁸ The Preachers were to live and work in areas that were staunchly Catholic. They were to spread the Protestant faith and, through their preaching, to entice locals away from the old religion to which they seemed to be so firmly wedded. Again, puritans played a leading role. Three of the first four Queen’s Preachers were puritan clerics: Richard Midgley, William Harrison and William Forster. Significantly, earlier, in 1587, the Privy Council had engineered a purging of the commission of the peace in Lancashire. This also favoured the puritan party and increased the influence of the staunchly Protestant Salford bench. Indeed, from 1587 onwards, the circuit of sessions began at Manchester, which was the most puritan town in Lancashire.²⁹

These moves are important in considering the issue of Sabbath observance and recreation, because they help to explain why sabbatarianism became a source of conflict in Lancashire as early as the late sixteenth century. It was a county in which many people were wedded to a traditional way of life and to traditional festivities, as well as to the old religion. As a consequence of the embedded recusancy and in attempt to stamp it out, the Crown gave puritans prominent positions and authority both in secular Lancashire society and within the church. Given that puritans were increasingly espousing a more hard line and extreme form of sabbatarianism, clashes over this issue were bound to occur.

Church attendance was, of course, particularly important in a diocese with such a large population of recusants. Consequently, the church authorities were keen to stop anything that might dissuade people from going to church on Sundays. In 1579 Bishop Chaderton of

²⁶ Richardson, *Puritanism in North-West England*, pp. 18-19.

²⁷ Ernest Axon, ‘The King’s Preachers in Lancashire, 1599-1845’, in *Transactions of the Lancashire and Cheshire Antiquarian Society*, Vol. 56 (1941-2), p. 67.

²⁸ J. E. C. Hill, ‘Puritans and the ‘Dark Corners of the Land’, *Transactions of the Royal Historical Society*, Fifth Series, Vol. 13 (London, 1963), p. 90.

Chester, the Earl of Derby, the Earl of Huntingdon and other members of the Ecclesiastical Commission issued an order prohibiting Sunday pastimes, including wakes, piping and minstrelsy, bearbaiting, bullbaiting and drunkenness and the frequenting of alehouses on Sunday 'or vppon any other dayes in time of divine service or sermons'.³⁰ The reference to the time of divine service suggests a particular concern about church attendance. The Salford magistrates moved dutifully to suppress 'those Lewde sportes, tending to no other ende but to stir opp our freiyle natures to wantonness'.³¹ Displaying something of the judaical approach to Sabbath observance that Rogers was later to accuse the puritans of, the puritan JP, Edmund Assheton, encouraged such suppression when he complained about the 'prophanation of the Sabbath day' and pointed out that:

this day is called in Scriptures the Lords day, and [it] was not lawfull under the old lawe to carrye a pitcher of water on the Sabbath . . . but it was Deathe. Suche regarde was hadde in the tyme of the Lawe to keepinge holy the Sabbath.³²

In contrast, the Church hierarchy was primarily concerned with the question of church attendance, as evidenced further by Bishop Chaderton's suggestion that markets and fairs should be prohibited until after morning prayer.³³

The purging of the Commission of the Peace that occurred in 1587 was masterminded by the puritan, Edward Fleetwood, and gave Puritan JPs in Lancashire considerably greater influence than before. The Salford magistrates were far more fiercely and radically Protestant than most of their counterparts elsewhere in the county. From 1587 they were able to set the agenda and tone of the Quarter Sessions. This change saw an immediate increase in the indictment of recusants. Fleetwood and others also seized the opportunity provided by the removal of a dozen conservative JPs from the Commission of the Peace and the new dominance enjoyed by the puritan faction to formulate an order to regulate sabbath observance entitled the 'Enormities of the Sabbath.'³⁴ The 'Enormities of the Sabbath' condemned as 'dysorders of the Sabbath' all wakes, bearbaitings, bullbaitings, Ales and May Games held on the Sabbath, together with piping and dancing and unlawful gaming generally. It gave discretionary powers to constables, churchwardens and other officials to present

²⁹ L. Racaut, 'Book of Sports' and Sabbatarian Legislation', pp. 74-75; Richardson, *Puritanism in North-West England*, p. 11.

³⁰ Parker, *English Sabbath*, p. 141; F. R. Raines (ed.), *The Journal of Nicholas Assheton* (Manchester, 1848), footnote, p. 42; R. Hollingworth, *Mancuniensis, or an History of the Towne of Manchester* (Manchester, 1839), p. 88.

³¹ Parker, *English Sabbath*, p. 141.

³² *Ibid.*

³³ *Ibid.*, p. 142.

³⁴ L. Racaut, 'Book of Sports' and Sabbatarian Legislation', pp. 74-75. See Appendix III for the text of this document.

sabbath breakers at the Quarter Sessions.³⁵ Parker has suggested that the ‘Enormities of the Sabbath’ dates back to 1584. If this were so, it could indeed indicate that the increased concern about the enforcement of sabbath observance was not connected to Puritanism or a new form of sabbatarianism. However, as Racaut has demonstrated, it is clear that order was in fact drafted *after* the puritan purge of the Commission in 1587.³⁶ It is likely, therefore, that the puritans and their new form of zealous sabbatarianism provided the driving force behind this order. Parker himself accepts that most of the episcopal and secular orders concerning sabbath abuses issued in Chester diocese in the late sixteenth and early seventeenth centuries stipulated and implied that recreations were prohibited ‘until after evening prayer, conforming to the pattern found in other regions of the country’.³⁷ In other words, they were primarily concerned with church attendance and were relaxed about recreations taking place after church. If, as the evidence suggests, the ‘Enormities of the Sabbath’ order was made because of the puritans’ concern about sabbath observance above and beyond the question of church attendance, then it is an example of a more hardline approach to the enforcement of sabbath observance.

Despite the order to deal with the ‘Enormities of the Sabbath’, it is clear that Sunday recreations remained popular and persisted in many Lancashire communities. Various presentments were made at the Quarter Sessions for carrying rushes to church, piping, bearbaiting and other recreations on Sundays.³⁸ Parker points to the fact that, in 1590, seventeen Lancashire preachers complained to the bishop that:

Wackes, Ales, Greenes, Maigames, Rushbearinges, Bearebaites,
Doveales, Bondfires, all maner vnlawfull Gaming, Piping and
Daunsinge, and such like, are in all places freely exercised vppon ye
Sabbth³⁹

He also quotes Richardson as observing that ‘the issue which brought the civil authorities and preachers closest together was that of Sunday observance’.⁴⁰ Yet, he fails to point out that these preachers were ‘active and zealous Lancashire clergymen’.⁴¹ In other words, they were radical protestants: puritan preachers. It is true that Bishop Chaderton sent a summary of their

³⁵ *Ibid.*, p 77; and J. Harland, *The Lancashire Lieutenancy under the Tudors and Stuarts*, Volume II (two volumes, Manchester, Chetham Society, 1859), *passim*.

³⁶ Parker, *English Sabbath*, p. 143; L. Racaut, ‘Book of Sports’ and Sabbatarian Legislation’, *passim*, esp. pp 76-79.

³⁷ Parker, *English Sabbath*, p. 146.

³⁸ J. Tait (ed.), *Lancashire Quarter Sessions Records*, Vol. I, *Quarter Session Rolls 1590-1606* (London and Manchester, 1917), pp. xviii, 11 and 14.

³⁹ Parker, *English Sabbath*, p. 143; F. R. Raines (ed.), *Chetham Miscellanies* (Chetham Society, 1875), Vol. 5, p. 2.

⁴⁰ Parker, *English Sabbath*, p. 143; Richardson, *Puritanism in North-West England*, p. 147.

complaint to the High Commission and, as Richardson points out, that both the civil authorities and preachers were concerned that ‘the profaning of the Sabbath threatened the well-being of society besides that of religion’.⁴² There was considerable concern about the potential threat that Catholicism posed to the security of the state and a desire to see moves made to suppress anything that might help encourage recusancy. However, that is not to say that the preachers’ or the puritan JPs’ views on sabbath observance reflected the established views of the church hierarchy. It is still perfectly possible to see their strictures on sabbath observance as something novel and moves to enforce a stricter observance followed in the wake of the puritans’ greater control of local affairs. In 1592, for example, the Quarter Sessions bound alehouse keepers not to entertain people who ‘uphold disorders on the Sabbath day as wakes, fairs, markets, bearbaits, bullbaits, greens, ales, May games, hunting, bowling, cockfighting, or such like’.⁴³

It is clear that the attempts to suppress popular recreations on Sundays were resented by many of the people in Lancashire, regardless of whether such attempts were motivated by a desire to stamp out recusancy or to enforce a new, more hard-line form of sabbatarianism.⁴⁴ Despite, or because of, the orders against such practices, presentations for Sabbath abuses increased considerably.⁴⁵ People were presented at law and church courts for having minstrels play on the Sabbath, for keeping wakes, holding May games and for bowling and bullbaiting on the Sabbath.⁴⁶ Whether the resentment over attempts by the godly to suppress Sunday recreations was behind this or not, some people even threw stones at church windows during divine service ‘to the disquietinge of the congregation’.⁴⁷ In any case, the resentment over interference in popular recreations was evident in the village of Longdon when, in 1616, William Jeffries attempted to stop the regular Sabbath activity of morris dancing in the village during the summer months by trying to arrest the minstrel. His attempts to punish the minstrel under the vagrancy laws led to the threat that Jeffries would have his neck broken down the stairs.⁴⁸ Attitudes appeared to be polarising. And matters came to a head when James I progressed through Lancashire while returning from a visit to his native Scotland in 1617 and was asked to intervene to prevent the continuing suppression of certain Sunday recreations.

⁴¹ Raines, *Chetham Miscellanies*, p. iii.

⁴² Parker, *English Sabbath*, p. 143; Richardson, *Puritanism in North-West England*, p. 147.

⁴³ Tait, *Lancashire Quarter Sessions*, p. 51.

⁴⁴ E. Baines, *The History of the County Palatine and Duchy of Lancaster* (two volumes, London, 1868-70), p. 183.

⁴⁵ Parker, *English Sabbath*, pp. 144-145.

⁴⁶ Tait, *Lancashire Quarter Sessions*, pp. 11, 14, 175, 189, 216 and 226.

⁴⁷ Raines, *Chetham Miscellanies*, p. 4.

⁴⁸ A. Fletcher, *Reform in the Provinces. The Government of Stuart England* (New Haven and London, 1986), p. 268.

The events surrounding the first 'Declaration of Sports'

On 8 August 1616, at the instigation of a number of puritan JPs, Justice Edward Bromley sitting at the Assizes in Lancaster, issued orders designed to enforce stricter Sabbath observance in the county. Bromley's orders decreed:

That theree bee no pipinge, Dancinge, bowlinge, beare or bull batinge
or any other profanacion upon any Saboth Day in any parte of the Day
or upon any festival day in tyme of Devyne service.⁴⁹

These orders therefore sought to prevent such activities at *any* time during the whole of the Sabbath, including the period after divine service when such recreations would normally take place. The orders went on to require that these measures be enforced by the JPs and that parish ministers should read out the orders every quarter to their parishioners 'that they may the better bee remembred and observed by the parishioners'.⁵⁰ This is a remarkable example of the Lancashire magistrates, with the help of the Assize judge, moving to enforce a much stricter sabbath observance than was generally the case. Again, the evidence suggests that the justices at least were motivated by puritan zeal. They appear to have included the puritans: Edmund Fleetwood, James Anderton, John Bradshaw and Richard Ashton, together with some other clerical JPs who had come from the group of King's Preachers appointed by Robert Cecil before 1601.⁵¹ The 1616 orders were, then, the culmination of attempts by an influential group of puritans to introduce a much stricter form of sabbath observance.

Godly JPs and clerics had used the fear of popery during the years of threat from Spain to purge the commission of peace and to then pursue a sabbatarian campaign within the county.⁵² In fact, puritan preaching had not made great inroads into converting Catholics in Lancashire. Indeed, puritan attitudes, not least towards Sabbath observance, had possibly even helped to entrench their position. The Preachers had been introduced into Lancashire at a time when the country faced the threat of invasion from Spain and of Catholic-sponsored rebellion from within, and when the government consequently viewed Catholics with enormous suspicion. In the 1580s and 90s, therefore, 'the Lancashire preachers were the Government's watchdogs in a

⁴⁹ B. W. Quintrell (ed.), *Proceedings of the Lancashire Justices of the Peace at the Sheriff's Table During Assizes Week, 1578-1694*, (The Record Society of Lancashire and Cheshire), Vol. CXXI (1981), pp. 72-73; D. J. Wilkinson, 'Performance and Motivation amongst the Justices of the Peace in Early Stuart Lancashire', in *Transactions of the Historic Society of Lancashire and Cheshire*, CXXXVIII (1989), p. 54; L. Racaut, 'Book of Sports' and Sabbatarian Legislation', pp. 82-86.

⁵⁰ B. W. Quintrell (ed.), *Proceedings of the Lancashire Justices*, p. 73.

⁵¹ L. Racaut, 'Book of Sports' and Sabbatarian Legislation', p. 85.

⁵² *Ibid.*, pp. 85-86.

county which was full of disaffection and potential danger'.⁵³ However, by the time of the 1616 orders, long after the Spanish crisis was over, the Lancashire puritans had not only ceased to be useful in this role, but they themselves and the radical Puritanism that they espoused had come to be seen as a potential threat by both the church hierarchy and central government.⁵⁴

Parker himself has highlighted a crucial difference in the attitude to Sabbath observance between the church hierarchy in Lancashire and the county's pro-puritan magistrates. In 1617, as Parker points out, the Visitation Articles of Thomas Morton, the new bishop of Chester, asked whether:

any Rush bearings, Bul-baitings, Beare-baitings, Maygames, Morrice-dances, Ales or such like prophane Passetimes, or Assemblies on the Sabbath be used on the Sabbath *to the hindrance of Praiers, Sermons, or other godly exercises.*

That same year, Warrington justices ordered that:

no person uppon *anie parte of the Sabbath day* shall ... use anie shuteinge, bowlinge, diceinge, cardinge, ball playinge, drinking, or anie other unlawfull games.⁵⁵

Therefore, while the bishop was clearly concerned about sermons and services being interrupted or missed because of peoples' Sunday recreations, the magistrates were seeking to go much further. They were trying to ban recreations on Sundays altogether, regardless of whether people had already been to church or not. Parker has tried to downplay this difference by claiming that 'there was no apparent conflict between the bishop and secular officials over this issue'.⁵⁶ It is, nonetheless, a crucial difference when considering whether or not puritan sabbatarianism was something that went beyond the established view and concerns of the Church. Indeed, even Parker has had to acknowledge that 'the Lancashire orders *were* innovatory'.⁵⁷ In any event, matters came to a head later in 1617 in a way that *was* to involve the Bishop directly in conflict with puritan officials over this very issue.

⁵³ P. Collinson, *The Elizabethan Puritan Movement* (London, 1967), p. 406.

⁵⁴ L. Racaut, 'Book of Sports' and Sabbatarian Legislation', pp. 80-81; Richardson, 'Puritanism and Ecclesiastical Authorities', p. 15.

⁵⁵ Parker, *English Sabbath*, p. 148 (my italics); R. S. France (ed.), *A Lancashire Miscellany*, Volume 109 (The Record Society of Lancashire and Cheshire, 1965), p. 29 (my italics).

⁵⁶ Parker, *English Sabbath*, p. 149.

⁵⁷ *Ibid.*, p. 151.

In August 1617 James I returned from a visit to Scotland and passed through Lancashire, where he was to be entertained by Sir Richard Houghton at Houghton Tower. On his progress to Houghton, the King was petitioned by a group of Lancashire tradesmen, servants and peasants who complained that the magistrates' orders were preventing them from pursuing their traditional and hitherto lawful recreations on Sundays. They asked the king to nullify the orders. On hearing this, and with the encouragement of various courtiers, James decided in favour of the petitioners and made a 'speech about libertie to pipeing and honest recreation'.⁵⁸ James then continued with his journey to Houghton Tower, where on the following Sunday he himself attended a rushbearing and piping in the afternoon, and later watched some country dances.⁵⁹ On that same Sunday, 17 August, an unruly mob seemingly took advantage of James' pronouncement and piped and danced noisily during service time outside the nearby parish church at Over, to the disgust of the worshippers inside.⁶⁰ Clearly, such activities went beyond what the Church authorities - let alone the strongly sabbatarian puritans - could countenance, as people were here failing to attend church and were instead indulging in recreations during service time itself, as well as apparently taunting the churchgoers. Bishop Morton duly informed the king of these events and James 'utterly disfavoured any thoughts or intention of encouraging such prophaneness'. He left it to Morton to punish the offenders. The ring leader was duly fined and the piper was put in the stocks and 'laid by the heeles'.⁶¹

Some of the king's attendants felt that the reaction to the revellers had been too harsh and that they had only been seeking 'some innocent recreation for servants and other inferior people on the Lords day and Holy dayes, whose laborious callings deprived them of it at all other times'. They prevailed upon the king to look kindly on the question of peoples' Sunday recreation, which they claimed 'was the general desire of most of that Country'.⁶² James decided to consult Bishop Morton in order to see how he could satisfy peoples' desire for honest recreation 'without endangering his liberty to be turned into Licentiousness'.⁶³ Morton considered the issue and drew up draft regulations, which he then presented to the king, who approved them after making some minor amendments to 'alter them from the words of a Bishop, to the words of a King'.⁶⁴ James then issued the amended draft that day, 27 August

⁵⁸ Raines, *Journal of Nicholas Assheton*, p. 34.

⁵⁹ *Ibid.*, pp. 41-42; D. Underdown, *Revel, Riot and Rebellion. Popular Politics and Culture in England 1603-1660* (Oxford, 1985), p. 65.

⁶⁰ John Barwick, *A Summarie Account of ... Thomas late Lord Bishop of Duresme* (London, 1660), p. 80; G. H. Tupling, 'The Causes of the Civil War in Lancashire', in *Transactions of the Lancashire and Cheshire Antiquarian Society*, Vol. 65 (1955), pp. 10-11; Hutton, *Merry England*, (Oxford, 1994), p. 168.

⁶¹ Barwick, *A Summarie Account*, pp. 80-81.

⁶² *Ibid.*, p. 81.

⁶³ *Ibid.*

⁶⁴ *Ibid.*

1617, as a ‘Declaration’ that set out the conditions upon which certain sports would be allowed on Sundays. The King’s ‘Declaration to His Subjects concerning lawfull sports to be used’ represents a major shift in crown policy. As the previous chapter demonstrated, Elizabeth I had personally enjoyed May games and favoured Sunday recreations, provided that her people attended church as required. However, although she gave tacit support for such recreations, she never made any form of declaration on the matter. Instead, she shrewdly ensured that the crown did not get embroiled in what had already become a contentious religious issue by the end of her reign. By formally pronouncing on the matter of Sunday recreation, James was involving the crown in the debate.

Referring to the Lancashire magistrates’ order, the 1617 declaration criticised ‘some puritans and precise people’ for ‘prohibitinge & unlawfull punishinge of our good people for usinge their lawfull recreations & honest exercises upon sondaies and other holidais after the afternoone sermone or service’. It described Lancashire as being ‘too much infected’ with puritans as well as Catholics. It claimed that, at long last, there were signs that many Lancashire Catholics were showing signs of reform. However, the Declaration claimed, the attempts to suppress Sunday recreations were preventing:

the conversion of manie whom their preists will take occasion hereby to vex perswading them that no honest myrth or recreacion is lawfull or tollerable in our religion which cannot but breede a great discontentment in peoples harts.⁶⁵

As well as discouraging many Catholics from converting, the Declaration also said that the prohibitions against Sunday sports ‘barreth the common & meane sort of people from usinge such exercises as make their bodies more able for warrs’.⁶⁶ Not only would recreation keep men fit, but it could also keep people away from drinking in alehouses where they might indulge in ‘ydle & discontented speeches’. The suppression of Sunday recreations therefore hindered the prospect of converting Catholics to Protestantism and risked driving men into alehouses where they could indulge in seditious talk and could also lead to a less fit fighting force, to the detriment of the country if and when it needed to go to war. In his Declaration James also acknowledged that Sundays and holy days were the only days when people had time to exercise. Implicit in all of this was the suggestion that it was the puritans who were

⁶⁵ Ernest Axon (ed.), *Manchester Sessions. Notes of Proceedings before Oswald Mosley (1616-1630), Nicholas Mosley (1661-1672), and Sir Oswald Mosley (1734-1739)*, Volume I, 1616-1622-3 (Manchester, 1901), pp. xxiv-xxvi. See Appendix IV for the full text of the 1617 Declaration.

⁶⁶ *Ibid.*

behind the attempts to suppress recreation on such days. Given that Bishop Morton drafted the declaration, it is clear that, despite Parker's assertion to the contrary, there *was* a conflict between the bishop and secular officials on this issue.

James used his Declaration to state the official view of the crown on the matter of Sunday recreation: people should not be prevented or discouraged from lawful recreation on Sunday after divine service. Again, church attendance was of crucial concern and the liberty to indulge in recreation would only be granted to those who had first attended their parish church, thereby denying the privilege to recusants. James stated in the Declaration:

Wee likewise straightlie comand that everie person shall resorte to their owne parishe Church to heare devine service & eich parish by its selfe to use the said recreation after the service.

Whether or not this actually meant that people could only attend recreations in their own parish, or whether they could attend others provided that they went to the relevant parish church first was later to become the subject of some debate. Those who had been to church were expressly allowed to take part in:

Pypinge Dansinge either men or women archerie for men leaping valtinge or anie such harmeles recreation & the women to have leave to Carrie rushes to the Church for the decoringe of it accordinge to their ould Custome

Certain sports were to remain unlawful on Sundays: bear- and bull-baiting, interludes [plays] and bowling. Anyone taking part in recreations before divine service would be 'sharplie punishe[d]'.⁶⁷ The Declaration was directed to be published in all the parishes within the diocese, just as Justice Bromley had required his 1616 orders to be read to parishioners. Bishop Morton further instructed that he should be informed of any people who inclined 'to a kind of Judaisme by neither eatinge meate themselves nor sufferinge others to dress it upon the Lords day'. He also issued instructions that afternoon sermons should not be more than an hour long in order to ensure that parishioners had time to enjoy the recreations allowed to them by virtue of the King's Declaration.⁶⁸

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*, pp. xxvi-xxvii.

The Declaration instructed further that puritans and ‘precisions’ who failed to conform should be exiled from the county. The Declaration denied the liberty of Sunday recreation to Catholics and others who did not attend church and, in that sense, was even-handed in that it had implications for Catholics as well as puritans within the county. But, because the Declaration concerned recreations on Sundays and expressly attacked the orders of the puritan magistrates who had sought to ban them, it is hard to doubt that the King and Bishop Morton were using the document to put the puritans ‘in their place’. It would seem that they regarded attempts to suppress all Sunday pastimes as an unwelcome, novel intervention and that the official position of both Crown and Church was to support recreation on Sunday after church.

The 1617 Declaration was issued for the county of Lancashire, but James decided later that the Declaration should ‘with a few words thereunto added ... be published to all our Subjects’.⁶⁹ On 24 May 1618 he duly published an amended version for the whole realm. The 1618 *Book of Sports* was essentially the same as the earlier version. However, in addition to sanctioning dancing, leaping, vaulting and archery and ‘other such harmlesse Recreation’, it also explicitly allowed ‘May Games, Whitson Ales, and Morrisdances, and the setting up of Maypoles and other sports therewith used’.⁷⁰ This seems almost calculated to upset the puritans, many of whom regarded the maypole in particular as a symbol of idolatry. Again, the king required his declaration to be published in parish churches across the country.

The genesis of the 1618 *Book of Sports*

Although the events surrounding the publication of the 1617 Declaration have been well documented, it is not clear why James issued his national Declaration of 1618. Parker has pointed to the trial of John Traske as one possible cause.⁷¹ Traske was the leader of a sect of judaizing Christians who held that Saturday and not Sunday was the Lord’s Day and that it should be observed as strictly as the Jews observed their own Sabbath. The views of Traske and his followers were treated dismissively at first, but, after he wrote ‘a most scandalous letter’ to the king, Traske was tried in the Star Chamber and was sentenced on 19 June 1618 to a heavy fine and life imprisonment.⁷² Traske’s trial and the discussions surrounding it may indeed have played a part in James’ decision to issue his Declaration to cover the entire kingdom, but this is mere speculation as no records survive concerning the events surrounding

⁶⁹ James I, *The Kings Majesties Declaration to his Subjects. Concerning Lawful Sports to Be Used* (London, 1618), p. 1. See Appendix V for the full text of the 1618 Declaration.

⁷⁰ *Ibid.*, p. 7.

⁷¹ Parker, *English Sabbath*, p. 153.

⁷² *Ibid.*, pp. 161-164 (Traske later recanted and was released from prison).

its reissuing.⁷³ Even if Traske's trial played a part in prompting James to issue the declaration nationally, it may suggest that James wanted to stamp out strict sabbatarianism altogether and to counter what he had come to see as a potential threat to royal authority.

It is clear that James personally favoured moderate recreation and that he had no objection to what he saw as suitable, honest sports being enjoyed on Sundays. He himself was happy to conduct business and to indulge in revelry on Sundays. His Privy Council, like Elizabeth's, met every Sunday morning.⁷⁴ On one occasion, when the Lord Mayor of London tried to stop the King's carriages going through the City on Sunday during Divine Service as the court prepared to move the next day, James sent the Mayor a warrant commanding him to let the carriages proceed.⁷⁵ Masques and plays were performed frequently at court on Sundays, and the marriage of James' daughter, Elizabeth, to Frederick of the Palatinate took place on Shrove Sunday, 1613 and was followed by 'dancing, masking, and revelling.'⁷⁶

James himself was a passionate huntsman. He regarded hunting with hounds as 'the most honourable and noblest sport' and was reported to 'love the chase above all the pleasures of this world, living in the saddle for six hours on end'.⁷⁷ He not only hunted deer on horseback, but also used beagles to hunt rabbits and even used cormorants to hunt fish.⁷⁸ James enjoyed attending races between royal footmen and those of his nobles. These races could be over distances of fifteen or twenty miles and the king was reported as taking 'pleasure in being present at such sports, especially when any of the Court favourites are concerned.'⁷⁹ He also attended bear- and bull-baitings and even introduced the baiting of bears by lions.⁸⁰

James set out his views on sports at some length in *Basilikon Doron*. He saw many recreations as 'convenient and lawful'.⁸¹ In *Basilikon Doron* James instructed his son on how best to conduct himself as a future king and *Basilikon Doron* gives us considerable insight into his views on recreation. He recommended bodily exercises and games as necessary to keep a

⁷³ *Ibid.*, 153.

⁷⁴ C. Hill, *Society and Puritanism in Pre-Revolutionary England* (London, 1964), p. 159; R. Ashton (ed.), *James I by his Contemporaries* (London, 1969), p. 186.

⁷⁵ A. Wilson, *The History of Great Britain, Being the Life and Reign of King James the First* (London, 1653), p. 106.

⁷⁶ P. Cunningham (ed.), *Extracts from the accounts of the revels at court : in the reigns of Queen Elizabeth and King James I* (London, 1842), pp. xxxiv, 203, 204, 211; W. B. Whitaker, *Sunday in Tudor and Stuart Times* (London, 1933), p. 70; *CSPD, 1611-1618*, p. 512; J. Nichols, *The Progresses, Processions, and Magnificent Festivities of King James the First*, Vol. III (London, 1828), p. 26; L. A. Govett, *The King's Book of Sports* (London, 1890), p. 16.

⁷⁷ C. H. McIlwain (ed.), *The Political Works of James I* (Cambridge, 1918), p. 48; Ashton, *James I by his Contemporaries*, p. 2.

⁷⁸ Ashton, *James I by his Contemporaries*, pp. 2, 3, 8, 10, 63, 230 and 249; *Calendar of State Papers Venetian, 1617-1619*, pp. 258-259; Wilson, *History of Great Britain*, p. 104.

⁷⁹ *CSPV, 1617-1619*, p. 259.

⁸⁰ Ashton, *James I by his Contemporaries*, p. 64; L. S. Marcus, *The Politics of Mirth. Jonson, Herrick, Milton, Marvell and the Defence of Old Holiday Pastimes* (Chicago, 1986), p. 43.

⁸¹ McIlwain, *The Political Works of James I*, p. 43.

man fit and ‘exercise his engine, which surely with idlenesse will ruste and become blunt.’⁸² He condemned football as being ‘meeter for laming, then making able the vsers thereof’, but encouraged his son to undertake:

running, leaping, wrestling, fencing, dancing, and playing at the caitch or tennise, archerie, palle maillé, and such like other faire and pleasant field-games.⁸³

Although he favoured bodily exercise over ‘sitting house-pastimes’ James explicitly refused to condemn them, stating that he did not agree ‘with the curiositie of some learned men in our age, in forbidding cardes, dice, and other such like games of hazard.’ He said that he respected such ‘godly men’, but that they were mistaken in equating such games with casting a lot and that, although cards and dice should be played in moderation, playing at cards or tables was lawful.⁸⁴ James even went on to appoint someone to license people to ‘keep several numbers of Bowling Allies, Tennis Courts, and Such Like Places of Honest Recreation.’ In all, some thirty-one bowling alleys were licensed, along with fourteen tennis courts and forty gaming houses.⁸⁵

It is clear, then, that James was far from anti-sports, and felt benevolent towards those who wanted to partake in healthy exercise or in what he regarded as harmless recreation. This does not, though, necessarily explain why he decided to issue the Declaration of Sports. Fourteen years earlier, on 7 May 1603, James had issued a proclamation in which he had declared:

And for that we are informed, that there hath bene heretofore great neglect in this Kingdome of keeping the Sabbath day: For better observing of the same, and avoiding of all impious prophanation of it, wee do straightly charge and commaund, that no Beare-bayting, Bul-bayting, Enterludes, common Playes, or other like disordered or unlawful Exercises or Pastimes be frequented, kept or used, at any time hereafter upon any Sabbath day.⁸⁶

⁸² *Ibid.*, p. 48.

⁸³ *Ibid.*

⁸⁴ *Ibid.*, p. 49.

⁸⁵ T. S. Henricks, *Disputed Pleasures. Sport and Society in Pre-industrial England* (New York; Westport, Connecticut; and London, 1991), p. 155.

⁸⁶ J. F. Larkin and P. L. Hughes (eds), *Stuart Royal Proclamations, Volume I, Royal Proclamations of King James I, 1603-1625* (Oxford, 1973), p. 14.

It is certainly interesting that, on his coming to the throne, James decided to issue a proclamation in which he talked about the profanation of the Sabbath, and the fact that the proclamation was issued at the beginning of May could suggest some connection with the onset of the season for May and summer games. However, this was not stating anything new. The proclamation did no more than repeat the established position of the crown and church in relation to baitings and the performance of plays on Sundays for the masses. It is true that, as Parker points out, a set of instructions issued to constables on 23 May 1603 ordered them ‘not to suffer the Sabbath day to be profaned with bearbaiting, *piping, dancing*, bowling and other unlawful games and exercises’.⁸⁷ Parker implies that James was prohibiting piping and dancing on Sundays as well. However, in referring to these instructions, Parker makes no mention of James’ earlier proclamation and, in stating that the instructions ‘not only prohibited bearbaiting, bowling, and other unlawful games, but also Sunday piping and dancing’, he omits the fact that the instructions went on to say ‘according to the king’s proclamation’, when the king’s proclamation in fact made no reference at all to piping and dancing.⁸⁸ Parker states that the 1618 declaration overturned James’ instructions of 23 May 1603, but it is not clear who actually issued those instructions. It is unlikely that they were issued by the king and far more likely that they were issued by justices who either innocently or wilfully misinterpreted James’ proclamation.⁸⁹ They certainly went further than James’ 1603 proclamation. It would therefore be wrong to suggest that James’ 1618 declaration contradicted his 1603 proclamation. Even if the declaration did overturn an earlier position, that in itself would beg the question as to why James had issued the declaration and, if he had, why he had changed his stance. Parker would argue that puritan sabbatarianism was nothing new and that it was James’ position on Sunday recreation that was novel. However, as we have already seen, the sabbatarian views of many Puritans went much further than the orthodox sabbatarianism of the English church and state, and it seems clear that James’ declaration was a reaction to that and a move against the Puritans, who, by 1618, James had come to both dislike and mistrust considerably.

James had long associated moves to suppress Sunday pastimes with radical Protestantism and it would appear that he came to react increasingly against this. As king in Scotland, before his accession to the English throne, James had already crossed swords with godly ministers trying to suppress Sunday recreation. In 1599 a band of English comic players stayed in Edinburgh

⁸⁷ HMC *Twelfth Report*, Appendix, Part IV, *The Manuscripts of the Duke of Rutland* (1888), Vol. I, pp. 390-391 (my italics).

⁸⁸ Parker, *English Sabbath*, p. 153.

⁸⁹ It has not been possible to gain access to the relevant document (which is privately owned) and, consequently, it has not been possible to ascertain the county in which these instructions were issued. Nonetheless, it is highly improbable that any instructions to local constables were issued by the king himself. It is far more likely that these are instructions issued by local magistrates to their local constables and that they either innocently misinterpreted the king’s proclamation or made a conscious decision to widen its scope.

to perform their comedies. Fearing ‘the profanitie that was to ensue, speciallie the profanation of the Sabbath day’, church ministers called the Kirk into session and passed an order forbidding people from attending the plays and instructing ministers to publicise the order from their pulpits. James had earlier granted the players a warrant to lodge in the city and saw the Kirk’s decision as a challenge to his earlier warrant and to his authority. He told the Kirk’s representatives that he had issued the warrant granting the players a house in the city so ‘that the people might resort to their comedies’ and he instructed the Kirk to reconvene and rescind its order, telling them ‘Yee are not the interpreters of my lawes.’⁹⁰ In commenting on this episode, Marcus rightly observes that ‘for James, power, not public morality, was the issue.’ This gives us some insight into the issues involved around the Declaration of Sports, where James was sending a message to godly preachers and magistrates not to encroach upon the authority of the Crown in trying to regulate social behaviour. Marcus concludes that ‘eventually he succeeded in asserting his prerogative and the ministers backed down.’⁹¹ In fact, the outcome of this episode was less clear cut and has even greater parallels with events surrounding James’ Declaration of Sports. The Kirk did indeed reconvene and voted to rescind its earlier order. However, several ministers made it clear that they would not publish the fact that the order had been reversed and that they were not prepared ‘to justifie the thing they had done, or ellis they could not goe to a pulpit.’ When James’ reaction was sought, he responded: ‘Lett them nather speeke good nor evill in the mater, but leave it as dead.’ In the end he did not take any action when some ministers duly voiced their disagreement publicly. It would seem, then, that as with his later declaration, having asserted his authority and rebuked the ministers, James was prepared to let the matter drop rather than make a major issue of it by trying to then enforce his order in the face of opposition.⁹²

Marcus’ observation that James’ experiences in Scotland predisposed him to link the support of traditional revelry with the maintenance of royal authority is surely correct.⁹³ From August 1582 until June 1583 the young king, James VI, was held captive by a group of Scottish lords led by Lord Ruthven. They were backed by the Kirk. Dance was an abomination to the Kirk and, while James was under the control of the ‘Ruthven raiders’, court pastimes were suppressed and he was without any musicians.⁹⁴ In the light of this, James’ reaction to the Kirk’s later attempt to stop the performances of the English players is even more understandable: he saw moves by the godly to restrict traditional pastimes as an encroachment

⁹⁰ E. K. Chambers, *The Elizabethan Stage*, Vol. II (Oxford, 1923), pp. 267-269.

⁹¹ Marcus, *The Politics of Mirth*, p. 25.

⁹² Chambers, *Elizabethan Stage*, Vol. II, pp. 267-269.

⁹³ Marcus, *The Politics of Mirth*, p. 4.

⁹⁴ H. M. Shire, *Song, Dance and Poetry of the Court of Scotland under King James VI* (Cambridge, 1969), pp. 68, 91-92.

on his prerogative. He was therefore to go on to link the Crown ever more firmly with traditional recreation in defiance of moves to suppress it.

Furthermore, James regarded traditional pastimes as a way of alleviating tensions in society and of providing people with a harmless distraction, thereby discouraging them from discussing politics and from engaging in possible sedition. James' policy embodied Juvenal's old maxim that the people only desire two things: bread and circuses: keep them amused and they will be less likely to cause trouble. In *Basilikon Doron* James wrote that the common people were prone 'to iudge and speake rashly of their Prince' and to help prevent this and

to allure them to a common amitie among themselves, certaine dayes in the yeere would be appointed, for delighting the people with publicke spectacles of all honest games, and exercise of armes: as also for conueeing of neighbours, for entertaining friendship and heartlinesse, by honest feasting and merrinesse.⁹⁵

In the Declaration of Sports, James warned that to deny people honest recreation on Sunday would simply mean people would instead 'set up filthy tiplings and drunkenesse, and [breed] a number of idle and discontented speeches in their Alehouses.'⁹⁶ He therefore saw puritan attempts to suppress Sunday recreations both as a usurpation of royal authority and as a potential threat to social order. He did not, of course, approve of riotous behaviour: the very behaviour that prompted many magistrates to support the suppression of traditional revelry; but James was concerned that, if denied a sensible 'escape valve', the people could resort to drunkenness and idleness in alehouses and that this might encourage sedition. Puritan sabbatarianism was consequently a potential threat to both the position and the authority of the Crown.

James had little or no love for the puritans. He certainly did not share their views on recreation and his experiences in Scotland had no doubt given him cause to be suspicious of radical Protestants. James was recorded in 1605 as having 'most bitterly inveighed against the Puritans' and as having declared 'that he would hazard his Crown but he would suppress those malicious spirits.'⁹⁷ Earlier, in *Basilikon Doron*, James had referred to Puritans as 'verie pestes in the Church and Common-weale ... breathing nothing but sedition and calumnies, aspiring without measure, railing without reason'. Describing them as 'phanaticke spirits', he

⁹⁵ McIlwain, *The Political Works of James I*, p. 27.

⁹⁶ James I, *Declaration ... concerning Lawfull Sports* (1618), pp. 4 – 5.

⁹⁷ Ashton, *James I by his Contemporaries*, p. 186.

advised his son that he should ‘suffer not the principals of them to brooke your land, if ye like to sit at reste’.⁹⁸ After the Hampton Court Conference in 1604, James ridiculed the puritans and claimed that in his arguments with them he had ‘pepperid theaime ... soundlie.’ When he addressed Parliament shortly afterwards, he described puritans as ‘a sect rather than a Religion’ and stated that they should not ‘be suffred in any wel governed Commonwealth.’⁹⁹ At the Hampton Court Conference itself James had apparently recognised the usefulness of puritan preachers in Lancashire in trying to deal with recusancy there and had said that no severe measures would be taken against Puritan ministers in that county.¹⁰⁰ However, as discussed above, by 1617 the puritan preachers in Lancashire were being seen as at least as great a nuisance as the Catholics, and their attempts to suppress recreations and impose their own form of Sunday observance were thought to be undermining attempts to get Catholics to convert.¹⁰¹ In his Declaration, James made clear his concern that this was the case and spoke of ‘puritanes & precise people’ as an ‘infestation’.¹⁰²

While we cannot know for certain what prompted James to make the declaration national in 1618, it seems clear that he wanted to take the opportunity, perhaps one which had been provided by Traskes’s trial, to reassert royal authority by supporting traditional festivity and, at the same time, to attack puritans within the kingdom. He was exasperated by what he saw as their attempts to encroach upon his prerogative and saw them increasingly as a potential political threat. For him, the question of Sunday recreation had become as much a political as a moral issue. The events in Lancashire followed by the controversy surrounding Traskes’s trial enabled James to make a national declaration, firmly identifying the Crown with traditional festivity and publicly rejecting Puritan sabbatarianism. Parker claims that through his Declaration James associated strict Sabbath observance with Puritanism in three ways:

First, he rebuked the magistrates for establishing and enforcing regulations which prohibited lawful recreations, and stigmatized their rigorism by labelling them ‘puritans’. Second, his requirement that ministers conform to the Prayer Book or face exile, seemed to imply that a strict attitude towards Sunday recreations was another characteristic of non-conformity. Finally, his order that judaizing

⁹⁸ McIlwain, *The Political Works of James I*, p. 24.

⁹⁹ F. Shriver, ‘Hampton Court Re-visited: James I and the Puritans’ in *Journal of Ecclesiastical History*, Vol. 33, No. 1 (January, 1982), p. 66.

¹⁰⁰ Hill, ‘Puritans and the ‘Dark Corners of the Land’’, p. 91.

¹⁰¹ Richardson, ‘Puritanism and Ecclesiastical Authorities’, p. 15.

¹⁰² James I, *Declaration ... concerning Lawfull Sports* (1618), p. 2.

sabbatarians be reported further associated the prohibition of recreations with protestant extremists.¹⁰³

James did indeed associate strict sabbatarianism with Puritanism, but, as has been demonstrated, he was correct to do so. Their form of sabbatarianism, which included denying the right of the Church to appoint holy days of obligation, was non-conformist in that sense and their strictures on Sabbath observance went far beyond mere concerns over church attendance. However, by allying the Crown so clearly with those who supported traditional festivity - and by attacking puritan sabbatarianism and associating people who sought to suppress such festivity with the puritans - James' Declaration politicised the whole question of Sunday observance and recreations to a far greater degree than ever before. It outraged even moderate puritans, who had hitherto seen themselves as conformists but who felt strongly about Sabbath observance. It also troubled magistrates and others who were concerned about social order.

Reaction to the 1618 'Dancing Book'

The fact that the *Book of Sports* proved to be very controversial itself highlights the fact that the question of Sunday observance had already become a matter of considerable debate by 1618. On the one hand, many people were scandalised by the licence given to Sunday recreations and several ministers refused to read the *Book of Sports* to their parishioners. On the other hand, other people clearly delighted in the royal sanctioning of their traditional pastimes and cited the King's Declaration in support of their revelry. There are examples of several ministers refusing to publish the King's Declaration, or the 'Dancing Book' as its opponents called it. In Lancashire, a number of ministers refused to read it in their churches. They clearly regarded it as sanctioning the profanation of the Lord's Day and were duly reported for failing to comply with the Declaration.¹⁰⁴ William Clough, the vicar of Bramham in Yorkshire, preached on the Fourth Commandment in August 1619 and was reported as saying:

Nowe in deed the king of Heauen doth bid you keepe his Sabboath and reuerens his sanctuarie. Nowe the king of England is a mortall man and he bids you breake it. Chuse whether of them you will followe.

¹⁰³ Parker, *English Sabbath*, pp. 152-153.

He ended by declaring that: ‘in the ould and Auncient tymes Kings were subiect to the Lawes of preists, And not preistes to the Lawes of Kinges’.¹⁰⁵ A London minister apparently did read the King’s Declaration, but then read the ten commandments and concluded in similar vein by telling his congregation: ‘You have heard now the commandments of God and man. Obey which you please’.¹⁰⁶ The vicar of Horninghold was reported as quoting passages of scripture ‘in opposition to the King’s Book of Recreations on the Lord’s Day’.¹⁰⁷ Some ministers apparently read the Declaration because, even though they disagreed with its contents, they felt obliged to do so in obedience to their king; others read it and, having done so, then preached against it.¹⁰⁸ Others, such as William Gouge, a staunchly puritan minister at Blackfriars, simply refused to read it at all.¹⁰⁹ However, while there are a number of examples like these, there is no evidence to suggest that opposition to the Declaration’s publication was widespread among the Anglican clergy, even though those with puritan leanings would clearly have disapproved.

Bishop Bayly of Bangor may well have disliked the Declaration. While the circumstances are unclear, in 1621 the bishop was sent to Fleet prison ‘for disputing malapertly with the king on the Sabbath’.¹¹⁰ Bayly had puritan leanings and had already incurred disfavour by making some accusations of popery against some members of the Privy Council. He had been reprimanded by the council in 1619 and his brief imprisonment in 1621 may well have been due, in part at least, to his taking issue with the king over the *Book of Sports*.¹¹¹ However, given the timing, it is more likely that it was connected to the attempts in Parliament to push through a sabbatarian bill banning Sunday recreations, which was itself contrary to the Declaration.¹¹² In his great work, *The Practice of Piety*, Bayly had stated that allowing people to profane the Sabbath without being punished was a hindrance to piety and, although he allowed for recreation insofar as it made men fitter in mind and body to serve God, he maintained that ‘man was not created for sports, plays, and recreation but zealously to serve God’.¹¹³ Bayly had further questioned

¹⁰⁴ Marcus, *The Politics of Mirth*, p. 113.

¹⁰⁵ Ashton, *James I by his Contemporaries*, pp. 187-188.

¹⁰⁶ Hill, *Society and Puritanism*, p. 193.

¹⁰⁷ *CSPD, 1611-1618*, p. 608.

¹⁰⁸ Thomas Fuller, *The Church History of Britain* (ed. J. Nicholls, three volumes, London, 1837), Vol. III, pp. 271-273.

¹⁰⁹ P. Griffiths, *Youth and Authority. Formative Experience in England 1560-1640*. (Oxford, 1996), p. 57, n.175.

¹¹⁰ *CSPD, 1619-1623*, p. 276.

¹¹¹ *The Dictionary of National Biography*, p. 449.

¹¹² See the discussion below on Parliament and bills designed to enforce stricter Sabbath observance.

¹¹³ L. Bayly, *The Practice of Piety. Directing a Christian How to Walk, that He May Please God* (Seventieth edition, London, 1842; reprinted by Soli Deo Gloria Publications, 1995), pp. 88-89 and 132.

whether dancing, stage-playing, masking, carding, dicing, tabling, chess-playing, bowling, shooting, bear-baiting, carousing, tippling, and such other fooleries of Robin Hood, morrice-dances, wakes and May-games, be exercises that God will bless and allow on the Sabbath day

In any event, Archbishop Abbot himself appeared to be unhappy about the Declaration as he refused to have it read in his presence when he attended the parish church at Croydon on the day that it was meant to be read to the parishioners there.¹¹⁴ Parker points out that an examination of fifteen sets of visitation articles issued between 1618 and 1620 found no example of ecclesiastical officials enforcing the reading of the *Book of Sports*.¹¹⁵ However, this cannot of itself suggest that it did not find support among the bishops, as they were primarily concerned with church attendance rather than the question of recreation after church. The lack of reference to the Declaration cannot be taken to denote disapproval. Indeed, Francis Godwin, Bishop of Hereford, declared that the Sabbath was in part ordained ‘for the reliefe of nature by rest as of the body soe of the minde which is recreation’ and enquired ‘whether any person have taken upon them to hinder honest and seemely recreation upon sondayes and holidayes’. He also enquired ‘whether the minister doe not defer the afternoone service unseasonably for the debarring or hindering of fit recreation?’ and ‘whether you know if any preacher that impugne or inveigheth against as unlawfull the exercise of such things as tend to honest and fit recreations upon the sabbath or upon holidays or doth machinate any thing to the hindrance of them’.¹¹⁶ Godwin’s orders are undated, but appear to have been made in the early 1620s. He, at least, issued orders which suggest support for the *Book of Sports*. He clearly wanted to know if ministers were prolonging services or were otherwise trying to prevent peoples’ recreations on Sundays.

In certain quarters, the issue of the Book of Sports appears to have polarised attitudes. In one Northampton parish, for example, a puritan woman was presented for scolding servants who had claimed that they ‘must play upon the Sabbath days and holidays and obey the king’s laws in that point or else be hanged’. The woman reprimanded the servants and declared that ‘they might choose whether the king should hang them for not obeying him or the devil burn them for so breaking the sabbath’. She had gone on to condemn the *Book of Sports*, saying that ‘she does not think it lawful, let others to what they list’.¹¹⁷ If others did not share what the

¹¹⁴ P. A. Welsby, *George Abbot, the Unwanted Archbishop, 1562-1633* (London, 1962), p. 85; E. F. Slafter, *The Character and History of the Book of Sports 1618-1643* (Boston, 1905), pp. 9-10.

¹¹⁵ Parker, *English Sabbath*, p. 160.

¹¹⁶ K. Fincham (ed.), *Visitation Articles and Injunctions of the Early Stuart Church*, Volume I (Church of England Record Society, 1994), p. 152.

¹¹⁷ J. Fielding, ‘Arminianism in the Localities: Peterborough Diocese, 1603-1642’, in K. Fincham (ed.), *The Early Stuart Church, 1603-1642* (London, 1993), pp. 100-101.

Northampton servants claimed to be their belief that the king actually required them to play sports on Sundays, many clearly appreciated that he had sanctioned their doing so. In 1622 in Exeter, for example, a constable who tried to stop men playing trap-ball was met with defiance and told that ‘they played att noe unlawfull game and that the King [himself] did allowe it’.¹¹⁸ Five parishioners in the Wiltshire parish of Keevil similarly, and successfully, claimed that they were entitled to dance after evening prayer according to ‘the king’s book’, and at St. Mary’s, Marlborough, a parishioner cited the ‘king’s book’ when challenged for taking part in ‘sport or merriment’ on Midsummer day in 1618.¹¹⁹

Clearly, the Declaration highlighted the division on the issue of Sabbath observance. When the minister at Fuston in Yorkshire preached against the Declaration and tried to stop the traditional rushbearing he provoked a fracas in the church.¹²⁰ Indeed, while many people seized on the Declaration as a means of protecting their traditional recreations in the face of attempts to suppress and reform them, others cited it as encouraging vice and disorder. In November 1618 it was reported that, while parishioners were at prayer at Albrighton, Staffordshire, a mob gathered in the churchyard beating drums and firing guns and shouting ‘Come out, ye Puritans, come out’, and at nearby Lea Marston some people, impatient to begin their revelry, left church before the service had ended in order to begin drinking and dancing.¹²¹ It is not clear if there was any link between these events and the publication of the *Book of Sports*, but they illustrate well the tensions between those who wanted strict Sunday observance and those who wanted to enjoy traditional festivity. Perhaps the best example of this can be found in considering the dispute in 1618 between Sir Edward Montagu and John Williams, which was triggered by Montagu’s attempts to interfere in the holding of a wake.

The publication of the Declaration saw an increase in wakes and other festive events in many places, one example was Thatcham in Berkshire, where the Whitsun Ale was revived.¹²² This rise in festive activity upset many local puritans. The puritan JPs, Sir Edward Montagu and Sir Thomas Brook, sought to counter this in their locality by writing to the constables of Grafton Underwood, where a wake was due to be held. Seeking to put the strictest possible interpretation on the King’s Declaration, they instructed the constables that it was ‘the King’s Majesty’s pleasure that all such shall be presented and sharply punished that shall use any lawfull recreations before the end of divine services on Sundays’ and further demanded that

¹¹⁸ M. Stoylc, *From Deliverance to Destruction. Rebellion and Civil War in an English City* (Exeter, 1996), p. 29.

¹¹⁹ Hutton, *Merry England*, p. 174; Underdown, *Revel, Riot and Rebellion*, p. 66.

¹²⁰ Underdown, *Revel, Riot and Rebellion*, p. 66.

¹²¹ HMC *Reports on the Manuscripts of the Duke of Buccleuch and Queensbury*, Vol. III (London, 1926), pp. 213-214.

¹²² Hutton, *Merry England*, p. 170.

anyone present at the festivities who lived in another parish should be told to leave or should be similarly punished. In so doing, Montagu and Brook were targeting a group of musicians who were to attend from nearby parishes. They also prohibited the unlicensed selling of ale. The vicar of Grafton Underwood was John Williams, himself a recently appointed JP who eschewed the Puritanism of Montagu and Brook. Williams was to go on to become Bishop of Lincoln and Lord Keeper. When the constable, Robert Reeve, attempted to enforce Montagu's warrant, Williams read it out to the people assembled in the churchyard and instructed the alewives to go ahead and sell their ale regardless of the warrant. Williams, who regarded Reeve as a 'tumultuous and schismatical constable', later claimed that the warrant was 'opposite to the meaning of his Majesty's declaration' and criticised the constable for arguing:

1. That the King's declaration was a bolstering up of sin and breach of the Sabbath. 2. That his Majesty therefore ought to be prayed for, that God would give him an understanding heart. 3. That the observation of the Sabbath in religious worship must be continued for twenty-four hours. 4. That he and such as he can keep the Sabbath thus, when they are fast asleep; and the like.¹²³

Williams acted in defiance of Montagu's warrant, which he clearly saw as a work of puritan meddling in the community's traditional revelry: revelry that he believed had the king's blessing. He asked rhetorically: 'Am I not Justice of the peace and Justice of the quorum, Doctor and parson of the town?' and declared: 'therefore never a precise Justice of them all shall have anything to do in my town without me'. Defying Montagu's order to the contrary, Williams ordered that fiddlers should be permitted to play and even demanded that 'if there were none in the town, they should be sent for'. Again, linking attempts to suppress sports with Puritanism, Williams told the people attending the feast from other parishes that: 'You honest men that are come to the town, you shall use your pastimes and your sports, for I will have no such precise doings in this town'.¹²⁴

Williams' actions led to a serious dispute between him and Montagu, who bitterly resented the challenge to his authority, even though it was he who had taken it upon himself to issue orders concerning Williams' parish. This dispute highlighted the divisions that were becoming apparent in early Stuart society over attitudes to Sunday observance. The dispute divided the Northamptonshire gentry. Sir Arthur Throckmorton, Sir John Pickering and Sir Thomas

¹²³ HMC Report on the Manuscripts of Lord Montagu of Beaulieu (London, 1900), pp. 94-95

Crewe backed Montagu. Sir Francis Fane and Sir John Isham supported Williams.¹²⁵ Williams' supporters clearly felt that there was nothing wrong with honest recreation after church and that people like Montagu were seeking to suppress such recreation because of their 'preciseness' and puritanical views. Indeed, whereas Montagu wanted to apply the Declaration very narrowly, they sought to give it the most generous and widest interpretation. They argued, for example, that the Declaration did not mean that a person could only attend festivities in his own parish, but that a person could take part in recreations in any parish so long as he had first attended the church there: 'where he is at church, he is for that day as of that parish'.¹²⁶ Montagu's supporters, referring to the circumstances in Lancashire that had led to the Declaration, held that the king would countenance

many things in the remote places of his Realm which he will not do in the centre of his Kingdom; for many things may become the borders and skirts, as gardes of many colours, which will disgrace the heart of the garment

Whereas they could accept that such liberty might be necessary in areas such as Lancashire, where there was a justifiable desire to try not to alienate the large Catholic community, they felt that such licence was not appropriate elsewhere. Moreover, they were concerned about the potential for violence and stressed the fact that disorders frequently occurred at feasts.¹²⁷ Montagu claimed that Williams' actions had encouraged 'people in other towns ... to use disorderly courses'.¹²⁸ Indeed, it was claimed that some of the men playing with cudgels at the Grafton wake had 'had their heads broke, and the blood ran out' and it was further claimed that Edward Andrue of Grafton was attacked and had his nose broken at about 9 o'clock on the Sunday night when he entered an alehouse where fiddlers were playing and people were drinking.¹²⁹ Montagu later argued that the King's Declaration was being misunderstood and that 'the mistaking and misinterpreting of the King's Majesty's Declaration concerning recreations on the Sunday hath begotten many disorders and great assemblies'. He clearly felt that the Declaration gave magistrates power to keep people in their respective parishes and that 'there never was so good a device to keep the people in order, especially upon Sundays'.¹³⁰

¹²⁴ *Ibid.*

¹²⁵ Fielding, 'Arminianism in the Localities', p. 101.

¹²⁶ HMC *Report on the Manuscripts of Lord Montagu of Beaulieu* (London, 1900), p. 95.

¹²⁷ HMC *Manuscripts of the Duke of Buccleuch and Queensbury*, Vol. III, pp. 211-212.

¹²⁸ *Ibid.*, p. 208.

¹²⁹ *Ibid.*, p. 209.

The dispute between the two sides became something of a *cause célèbre*, with repercussions at court as well as within the county of Northampton. The king was informed of the events and Montagu was told that ‘the whole council, man by man,’ supported Williams’ actions. Parker appears to conclude that, in the end, it was Montagu and not Williams who won the day and he quotes Throckmorton writing to Montagu on 17 September 1618 and saying that ‘the great Judges’ had ruled in Montagu’s favour and that:

example cannot be better made than on a man of his [Dr. Williams’] coat, who should have been furthest from such a fault. It will be a means I hope to restrain such abuses.¹³¹

However, despite the suggestion implicit in Parker’s analysis that Williams was censured and Montagu was victorious, a letter from Sir Charles Montagu to Sir Edward dated 11 November 1618 shows that the matter remained unresolved. Indeed, it suggests that Montagu had been unsuccessful in gaining the support he had sought from Lord Chief Justice Sir Henry Hobart, who was said to be ‘but cold in it’.¹³² As Fielding argues, taken as a whole, the evidence suggests that Montagu’s actions did not enjoy much support at court, and that it was Williams’ stance which instead carried the day.¹³³ Whatever the final outcome, the whole episode serves to highlight the controversial nature of the 1618 *Book of Sports* and the divisions among important sections of early Stuart society on the question of Sunday recreation and its implications for Sunday observance and social order. Not surprisingly, this question was addressed by MPs at various sessions of Parliament during James’ reign.

Parliament and the question of Sabbath observance

James I, like his predecessor, Elizabeth, resisted moves by Parliament to meddle in religious policy, but MPs made persistent efforts to do so and these included attempts to enforce stricter Sabbath observance. Throughout James’ reign parliamentary bills were introduced that sought to suppress drinking and other recreations on Sundays. However, as Kent has illustrated, many of the MPs who promoted and supported these bills did so for social and economic reasons as well as moral and religious ones. While many MPs spoke about Sunday recreations as profanations of the Lord’s day and gave a strong moral tone to their speeches, many also spoke about drinking and other activities on Sunday as being dangerous and likely to lead to

¹³⁰ *Ibid.*, pp. 209-210.

¹³¹ Parker, *English Sabbath*, p. 157; HMC *Manuscripts of the Duke of Buccleuch and Queensbury*, Vol. III, p. 211.

¹³² HMC *Reports on the Manuscripts of the Duke of Buccleuch and Queensbury*, Vol. I (London, 1899), p. 254; Fielding, ‘Arminianism in the Localities’, p. 102.

¹³³ Fielding, ‘Arminianism in the Localities’, p. 102.

disorder and social unrest. Indeed, even the puritan MP, Francis Hastings, seemed to be as concerned about the likelihood of violence resulting from drinking at church ales as he was about the ungodly nature of the festivities themselves. Of course, although MPs were willing to lend their support to legislation which sought to achieve the moral reformation of the population, many did so only because they regarded the ‘vices’ that they were seeking to regulate as a threat to social order. However, the radical Protestant members of the Commons were motivated by more than just the desire to achieve good order and peaceful government. They pressed for laws to keep the Sabbath and to suppress drunkenness and other ‘sins’ out of religious fervour and a desire to see moral reform.¹³⁴ Attempts were made time and again in successive Parliaments to enforce stricter Sabbath observance. However, to the frustration of the zealous MPs and magistrates who wanted legislation to ban wakes, ales, May games, dancing and other recreations on Sundays, none of the bills introduced ever made it onto the statute book during James’ reign.¹³⁵

In his *Doctrine of the Sabbath* published in 1604, George Widley spoke approvingly of James’ proclamation of the previous year in which James had prohibited certain recreations on Sundays, and Widley called for laws to be enacted to force people to keep the Sabbath holy, ‘the Sabbath being a principall meanes whereby the seede of religion is sowed in our hearts’. For Widley and like-minded Protestants, the king’s 1603 proclamation was only a first, but insufficient, step. Legislation was needed: ‘for Gods Lawes to many are but as cobwebs to the great flyes, which they easily breake, without they be strengthened by the Princes lawes’.¹³⁶ MPs were to attempt to answer the calls of Widley and his ilk. Many clearly shared a very different view from the king as to how the Sabbath should be observed. This is perhaps illustrated by the fact that, whereas the Privy Council met on Sundays, in 1604 the Commons refused to hold a meeting with members of the Lords because it was scheduled to be held on a Sunday.¹³⁷

In January 1606, Sir Francis Evers introduced a bill ‘for the better observing and keeping holy the Sabbath day or Sundays’.¹³⁸ The bill stated that, contrary to James’ 1603 proclamation, the Sabbath was being:

many times prophaned and neglected by a disorderly sort of people in
using and exercising bear-baytinges, bulbaytinges, Stage playes,

¹³⁴ J. Kent, ‘Attitudes of Members of the House of Commons to the Regulation of ‘Personal Conduct’ in Late Elizabethan and Early Stuart England’, in *Bulletin of the Institute of Historical Research*, Vol. 46 (1973), pp. 42-45 and 62.

¹³⁵ Fletcher, *Reform in the Provinces*, p. 267.

¹³⁶ George Widley, *The Doctrine of the Sabbath*, (London, 1604), sigs. A2v - A2r

¹³⁷ C. Hill, ‘Seventeenth-century English Society and Sabbatarianism’ in J. S. Bromley and E. H. Kossman (eds), *Britain and the Netherlands*, Vol. II (1964), p. 89.

¹³⁸ *The Journals of the House of Commons*, Vol. I, pp. 260, 261 and 267; D. H. Wilson (ed.), *The Parliamentary Diary of Robert*

morrice daunces hunting, coursing, hawking, churchales, daunsing, rushbearing, maygames, whitsonales, outhurlinges, inhurlinges wakes and dyvers other unlawfull games, assemblies and pastimes in and upon the Sabbaoth dayes or sundayes.¹³⁹

The bill was designed to prohibit all such activities on Sundays and sought to impose heavy fines on offenders and to punish defaulters by having them put in the stocks for three hours on a Sunday. It found considerable support among MPs and passed through all stages in the Commons within three weeks without a division, but failed in the Lords for reasons which are not clear.¹⁴⁰ The MP, Nicholas Fuller, later spoke about the bill as offering protection to the Sabbath which had hitherto ‘lyen open without any law to unclean feet to come upon it’.¹⁴¹ Fuller called upon the king and the Lords to support the bill, but it did not make it through the Lords and it is possible that it failed through lack of support from the crown.¹⁴²

In the 1614 Parliament, Fuller reintroduced the 1606 bill, or a version of it, with, unsurprisingly given his later conflict with John Williams, support from Sir Edward Montagu.¹⁴³ Again, the bill found considerable support in the Commons. Indeed, it was the first bill passed by the Lower House in the 1614 Parliament, which indicates the importance already being attached to the question of Sabbath observance by many MPs, whether for religious reasons or out of concern for social order, and long before the publication of the *Book of Sports*.¹⁴⁴ The details that were recorded of the debate in the Commons give an indication of the thinking of at least some of the MPs who supported the bill, which was aimed at restricting recreations on Sundays. Some sought to widen the scope of the bill. One MP tried to have football added to the prohibited games. For others, the bill was clearly not sufficiently sabbatarian in that they wanted to use it in order to prevent any form of recreation and work on Sundays altogether. One MP wanted to see carriers prevented from travelling on Sundays, while another moved to have all forms of working banned, and another wanted to see alehouses closed completely on Sundays.¹⁴⁵ For them, the bill did not go far enough towards enshrining in law what they saw as proper Sabbath observance. It is clear, though, that MPs approved of the bill, even if some wanted it to encompass even more than it did. Parker stresses that the bill ‘received strong support in both houses’ and claims that this illustrates

Bowyer 1606-1607 (University of Minnesota Press, 1971), pp. 8 and 34.

¹³⁹ M. F. Bond (ed.), *The Manuscripts of the House of Lords, Volume XI* (New Series), *Addenda. 1514-1714* (London, 1962), p. 96.

¹⁴⁰ Whitaker, *Sunday in Tudor and Stuart Times*, p. 104, Hutton, *Merry England*, p. 156.

¹⁴¹ E. R. Foster (ed.), *Proceedings in Parliament, 1610, Volume 2, House of Commons* (London, 1966), p. 408.

¹⁴² Parker, *English Sabbath*, p. 129.

¹⁴³ *Commons Journal*, pp. 467-468 and 483.

¹⁴⁴ Hill, *Society and Puritanism*, p. 156.

¹⁴⁵ *Commons Journal*, p. 476.

‘the continued consensus on this matter’.¹⁴⁶ However, the fact that the bill had failed in the Lords in 1606 must raise a question over how much consensus there actually was, at least in 1606. It is not clear whether or not the 1614 bill was identical to that of 1606. Either it was the same, but the mood in the Lords had changed to such an extent that they looked upon it more favourably than before, or it was not and some changes had made it more palatable to the peers. In any event, the bill did enjoy greater support in 1614. Not surprisingly given his puritan sympathies, the bill was backed by Lord Saye, who declared that the Sabbath ‘is as much broken by recreations and sportes as the businesses of a mans callinge’.¹⁴⁷ The Bishop of Lincoln, Richard Neile, also supported the bill, declaring that ‘I think that there is noe man that regards the glory of God and Keepinge of the Sabbaoth day holy but doth like well this bill’. However, although Neile wanted to see the bill amended in order to prevent carriers and packmen from travelling on Sundays, he also wanted the bill to be changed in order expressly to allow people ‘to worke in tyme of harvest’ in accordance with the Edwardian statute of 1552.¹⁴⁸ This shows that, while wanting Sunday recreations restricted, Neile did not share the radical sabbatarianism of many puritans, who were against work of any description being undertaken on Sundays.

Not all the bishops supported the bill. James Montagu, the Bishop of Bath and Wells, spoke against it, in contrast to the backing given to it by his brother, Sir Edward, in the Lower House.¹⁴⁹ He took issue with the claim of the bill’s supporters that dancing profaned the Sabbath, arguing that ‘we finde in the scripture that dancinge is lawfull, for David danced before the Arke, naye the Jews did recreate on the Sabbaothe day and we cannot be stricter in observinge these thinges than they were’. He went on to state: ‘that dancinge cannot be proved vnlawfull by the scripture nor any such exercise vpon the sabbaoth day wherin there is neither labour vsed nor profainenes committed’. He accepted that lawful recreation could be abused by ‘wantonnes and deliciousnes’ and could consequently profane the Lord’s day, but argued that the recreations were not in themselves unlawful. Although such things could be abused, he asserted that jumping, leaping and dancing on a Sunday were not of themselves sinful.¹⁵⁰ Consequently, the bishop argued, any abuses should be tried in the church courts, but the recreations should not themselves be outlawed. In explaining Bishop Montagu’s opposition to the bill, Parker points to the fact that Montagu was editing the king’s collected works at the time, which included *Basilikon Doron*, in which, of course, James defended the

¹⁴⁶ Parker, *English Sabbath*, p. 129.

¹⁴⁷ HMC, *Report on the Manuscripts of Reginald Rawdon Hastings*, Vol. IV, (ed.) F. Bickley (1947), p. 265.

¹⁴⁸ *Ibid.*, p. 266.

¹⁴⁹ P. Collinson, ‘Elizabethan and Jacobean Puritanism as Forms of Popular Religion Culture,’ in C. Durston and J. Eales (eds), *The Culture of English Puritanism, 1560-1700* (London, 1996), p. 37.

¹⁵⁰ HMC, *Hastings*, pp. 266-267.

use of moderate recreation.¹⁵¹ This may indeed have had some bearing on Montagu's decision to speak out against the bill, but his opposition remains a fact that shows that the strong sabbatarian nature of the bill did not enjoy universal episcopalian backing. The 1614 bill did, though, have considerably more support than its predecessor. At the end of May, the Archbishop of York reported that the Lords' Committee set up to consider the bill 'did hold the Drift and Purpose thereof to be good, and to tend to the Glory of God'.¹⁵² However, he announced that some unspecified details needed changing and a conference was subsequently held between twenty-five members of the Lords' committee and fifty from the Commons committee to discuss the bill and suggested amendments.¹⁵³ At the conference, Bishop Montagu again argued against the bill and stated that 'to take away all recreation is ... contrary to the divine rule it selfe'. He pointed out that even Calvinist Geneva allowed pall-mall, tennis and other recreations after evening prayer and said that 'those recreations that neyther breake rest nor sanctification ... are lawfull and may be vsed'. He further argued that the bill's stipulation that offenders should be put in the stocks on a Sunday was wrong as it was 'very vnfitt to make the Sabbaoth a day of punishment'. Furthermore, recognising that the common people had to work all week and that Sunday was their only possible day of leisure, he criticised the bill for punishing the poor, saying that 'this bill will only touch and concern the poore'.¹⁵⁴ However, the Bishop of Oxford felt that the bill did not go far enough and wanted to see it also exclude all servile work and all buying and selling on Sundays. George Abbot, the Archbishop of Canterbury, personally backed the bill by stressing the fact that 'in the Scriptures ... God punished his people for nothings more than the neglect of sanctifying his Sabbaoth'. He assured the members of both committees that 'though some Lordes spake against partes of the bill' they did not dislike it and said that 'they are most gladde to imbrace it'.¹⁵⁵ Most did indeed seem willing to embrace the bill, but, before the amended bill could be passed by both houses, the Parliament was dissolved and so the bill died.

Parliament did not meet again until 1621, when, for a third time, MPs tried to introduce a bill to make ales, May games and other Sunday recreations unlawful. However, this time they were doing so in the knowledge that such activities had been sanctioned by the king. James' Declaration did not, though, deter MPs from once again trying to meddle in religious matters. Indeed, it may have spurred at least some of them on to do so. A mere two days after the

¹⁵¹ Parker, *English Sabbath*, p. 131; Collinson, 'Elizabethan and Jacobean Puritanism', p. 131.

¹⁵² *The Journals of the House of Lords*, Vol. II, p. 710.

¹⁵³ Parker, *English Sabbath*, p. 131.

¹⁵⁴ HMC, *Hastings*, pp. 278-279.

¹⁵⁵ *Ibid.*, pp. 279-280.

Commons had commenced business, Sir Walter Earle MP reintroduced the 1614 bill, described as:

An Act for keeping holy the Saboth-daye. Whereby all assemblyes at Church Ales, Dancing, May-game, etc., were made unlawfull.¹⁵⁶

Hill has suggested that the bill may have been aimed directly against the *Book of Sports* because it prohibited dancing and May games on the Sabbath. However, since the 1606 bill and, most probably, the 1614 bill did so as well, it seems unlikely that the King's Declaration was being targeted specifically. That said, the Declaration had clearly helped to polarise attitudes and it seems to have strengthened the feeling of antipathy of some MPs towards Sunday recreations. The Devonshire MP, George Chudleigh, said that he would not support the bill if the intention was to oppose the king's Declaration, but he clearly had no love for the Declaration since he went on to say that:

when his Majesty shall be informed by the experience of the justices of the peace in the country that it hath done more harm by increasing profaneness than it hath done good in converting papists, I doubt not but he will be pleased to call it in again.¹⁵⁷

If the Declaration had served to harden the attitudes of some MPs and strengthened their desire to curb Sunday recreations, others used it to justify their opposition to the bill and to criticise those seeking to ban traditional recreations. The MP for Shaftesbury, Thomas Shepherd, used the debate on the bill to launch an attack on the godly. Shepherd argued that the bill 'was against the King's Book' and claimed that, when properly translated, many of the psalms did not begin with the call to 'rejoice' but began with the phrase 'dance ye'.¹⁵⁸ He asserted that: 'the Kinge by his edict hath given leave to his subiects to daunce'.¹⁵⁹ He went on to denounce the bill's backers:

Saying it savored of the spirit of a puritan, exclaiming against justices of the peace in the country for favouring them, taxing the House,

¹⁵⁶ *Commons Journal*, pp. 511 and 514; W. Notestein, F. H. Relf and H. Simpson (eds), *Commons Debates, 1621*, Vol. IV (London, 1935), p. 33; Hutton, *Merry England*, p. 171.

¹⁵⁷ Notestein *et al*, *Commons Debates*, Vol. II, pp. 104-105.

¹⁵⁸ *Ibid.*, p. 82.

¹⁵⁹ Notestein *et al*, *Commons Debates*, Vol. IV, p. 52.

saying they made laws which were gins and snares for papists but not so much as a mousetrap for a puritan, etc.¹⁶⁰

In his attack, Shepherd clearly linked the bill to Puritanism and challenged the premise of the bill by asserting that ‘David biddeth us dance’ and claiming both royal and divine sanction for such recreation.¹⁶¹ Shepherd went on to say that these moves against recreation not only contravened the King’s wishes but also flew in the face of ‘the greifes and cries of the people’. He claimed that as soon as any complaint was made against those who sought to suppress Sunday recreations ‘some Justice of Peace or other is redy to protect them’.¹⁶²

The content and tone of Shepherd’s attack caused uproar. John Pym called Shepherd a ‘pertubator of the peace’ and accused him of wanting JPs to be ‘protectors of those that disobey the orders of the church’. He denied that Parliament was making laws against the ‘King’s Book’ and accused Shepherd of manufacturing a division among MPs ‘by intimating that [the bill] was occasioned by some puritans’.¹⁶³ Others accused Shepherd of ‘abusing God’s word’ and claimed that by approving ‘our maypole dancing by David’s example he shewed his profaneness’.¹⁶⁴ He was clearly viewed by some as ‘a base, jesuited papist’.¹⁶⁵ Seemingly acknowledging the important implications of overtly linking Puritanism with the attempt to suppress lawful games, Sir Edward Coke declared: ‘He hath sett a fire in religion and the state’.¹⁶⁶ Shepherd was censured and expelled from the Commons as an ‘unworthy member’.¹⁶⁷ In discussing this event, Parker quotes Pym’s assertion that Shepherd was ‘seekeing to bring us into the ill opinion of the kinge ... [by] sayinge that we went about to make a lawe in the face of his Majestie opposite to his Royall iudgement declared in printe’, but he fails to analyse whether this was or was not in fact the case.¹⁶⁸ The bill, if passed, would indeed have been contrary to the King’s Declaration and, as discussed above, the Declaration itself did not contradict the King’s proclamation of 1603. The proclamation had not outlawed ales, dancing or may games on Sunday and the Declaration had specifically sanctioned such activities. However, the bill sought to make ‘Church Ales, Dancing, May-game, etc. ... unlawfull’ and was consequently in defiance of the King’s stated views.¹⁶⁹ Therefore, Shepherd was correct to claim that the bill was contrary to the King’s Book. James

¹⁶⁰ Notestein *et al*, *Commons Debates*, Vol II, p. 82.

¹⁶¹ *Commons Journal*, p. 521.

¹⁶² Notestein *et al*, *Commons Debates*, Vol IV, p. 53.

¹⁶³ Notestein *et al*, *Commons Debates*, Vol II, p. 95.

¹⁶⁴ *Ibid.*, p. 96.

¹⁶⁵ W. Prest, *The Inns of Court under Elizabeth I and the Early Stuarts, 1590-1640* (London, 1972), p. 184.

¹⁶⁶ Notestein *et al*, *Commons Debates*, Vol V, p. 501.

¹⁶⁷ Notestein *et al*, *Commons Debates*, Vol II, p. 96.

¹⁶⁸ Notestein *et al*, *Commons Debates*, Vol IV, p. 63; Parker, *English Sabbath*, p. 171.

¹⁶⁹ Notestein *et al*, *Commons Debates*, Vol IV, p. 33.

accepted Shepherd's censure but, in doing so, he nonetheless appeared to support much of what Shepherd had said. The Secretary of State, George Calvert, reported that as the Commons had censured

one who spake against the Puritan Bill, because that Bill was directly against a Decree of his owne, ... [the King] would have us carefull howe we gave passage to that Bill And as we had stricken with the right hand against Papists soe we would strike with the left against Puritans.¹⁷⁰

The King's message makes clear that, while avoiding an argument over Shepherd's expulsion, James himself saw the bill as the work of Puritans and that he regarded it as contrary to his Declaration. He also urged the Commons to be even-handed, wanting the puritans to be treated equally with papists, just as he had in the Declaration itself, where he called on church authorities to 'convince & reforme' Catholics and to 'take the like straight order with all the Puritans and Precisians'.¹⁷¹ Despite the King's evident displeasure regarding the bill, the Commons pressed forward with it. The bill was passed by both Houses only to be vetoed by the King. Given James' earlier statement and the fact that the bill defied his Declaration, this can have come as little surprise. It may have been James' veto, though, that caused Bishop Bayly to argue with the king over Sabbath observance: an argument that landed him in gaol.¹⁷²

Despite the vetoing of the 1621 bill, when Parliament met again in 1624 MPs tried once more to pass sabbatarian legislation and promptly reintroduced the 1621 bill.¹⁷³ This bill was also passed by both Houses only to be vetoed by the King. In doing so, James again made it clear that it was contrary to his Declaration. Claiming that he 'did not love to doe contradictory things', he pointed out that he had 'published a declaration in print for the allowance of some exercises after evening prayer'.¹⁷⁴ Oddly, James described bull baiting and bear baiting as lawful recreations, even though these were specifically condemned in his 1603 proclamation and in his Declaration.¹⁷⁵ James went on to make clear that he did not object to people 'going to other parishes to make merry'. This had, of course, been a point of dispute between Montagu and Williams and the fact that James now seemed to sanction both bull baiting and bear baiting and the prospect of people going to neighbouring parishes to take part in

¹⁷⁰ *Ibid.*, p. 76.

¹⁷¹ James I, *Declaration ... Concerning Lawfull Sports*, (1618), p. 6.

¹⁷² *CSPD, 1619-1623*, p. 276.

¹⁷³ *Commons Journal*, pp. 671, 673 and 678.

¹⁷⁴ Parker, *English Sabbath*, p. 174.

¹⁷⁵ *Ibid.*

recreations on Sundays, despite what he had previously said in his Declaration, could indicate his increasing exasperation with those who wanted to suppress traditional pastimes and his frustration at their persistent attempts to introduce stricter sabbatarian legislation. Indeed, he stated that he would not assent to a bill

which is but to give the puritans their will, who thinke all consists of two sermons a day and will allow noe recreacon to poor men that labour hard all weeke long to ease themselves on the Sunday.¹⁷⁶

Once again, James identified the attempts to suppress Sunday recreation with Puritanism and made clear his opposition to such attempts.

Nonetheless, although James prevented Parliament from passing such sabbatarian legislation and cited his Declaration as a reason for doing so, he did not try to enforce the Declaration itself. This may well be because Archbishop Abbot was against it. We must therefore ask ourselves: what, exactly, was the attitude of the bishops to the King's Declaration?

The Jacobean Church and Sunday recreation

Parker claims that 'it is not possible to draw a distinction between episcopal and precisionist attitudes' on the matter of Sunday observance at this time and that 'there were few episcopal advocates for toleration of non-religious activities on Sunday'.¹⁷⁷ He is, though, forced to make a distinction 'between the didactic writings of Church leaders and their diocesan discipline, which often tolerated the use of afternoon recreations and other activities'.¹⁷⁸ In fact, only a couple of Jacobean bishops wrote works which in any way supported the ultra-strict puritan sabbatarianism and it is misleading to refer to 'the didactic writings of Church leaders' as this implies that their views represented those of the church leadership as a whole. Moreover, if bishops had genuinely shared the hardline sabbatarian views of the likes of Bownde and Greenham, then one would expect this to be reflected in their visitation articles and diocesan discipline generally. Parker's convenient separation of writings and diocesan discipline seems somewhat arbitrary. He is able to cite the names of just a handful of Jacobean bishops who condemned Sunday pastimes, and most of these were primarily, if not solely, concerned with the question of church attendance. Bishop Bayly is exceptional in that he does indeed appear to have been a strict sabbatarian. In his work, *The Practice of Piety*

¹⁷⁶ *Ibid.*

¹⁷⁷ Parker, *English Sabbath*, pp. 111-112.

¹⁷⁸ Parker, *English Sabbath*, p. 112.

(1612), he argued that Sunday was the Christian Sabbath, instituted by Christ, and that Christians were bound to keep it holy and that, indeed, ‘the morality of [the fourth commandment], as of the rest of the commandments, is more religiously to be kept as under the gospel, than of the Jews under the law.’¹⁷⁹ As discussed previously, he condemned recreations on Sundays and he cited examples of divine punishment being visited upon people for profaning the Sabbath. These included fires which destroyed much of Stratford-upon-Avon and Tiverton and which, Bayly claimed, were sent to punish the people of those towns for profaning the Lord’s Day. Despite this, Bayly was appointed Bishop of Bangor by James I in 1616. Nonetheless, his sabbatarian views were to land him in trouble, as we have seen, when he argued with the king over the question of Sabbath observance, most probably following James’ vetoing of the sabbatarian bill of 1621.¹⁸⁰ Lancelot Andrewes, Bishop of Winchester, had also written about the Fourth Commandment and wanted Sunday to be properly observed. Yet, although he was against people working and trading on Sundays and may have been more sabbatarian than most of his brother bishops, as Welsby observes, ‘the list of things which Andrewes stated to be unlawful on the Sabbath was plainly more conservative than that given by Bownde or Greenham.’¹⁸¹ Andrewes was far from being as in tune with puritan sabbatarianism as Parker’s argument might suggest, and it is even possible that he was involved in drafting the Lancashire Declaration of Sports as he was in attendance on the King at the time.¹⁸² There is no evidence that Andrewes was critical of the Book of Sports.¹⁸³

Parker points out that, in 1603, following James’ proclamation of that year, the Bishop of Llandaff and the Bishop of Bristol both issued Visitation Articles which asked whether people in their dioceses were indulging in games on Sundays, but both sets of Visitation Articles speak only of ‘unlawful games.’ Therefore, they do not appear to rule out games or recreations of all kinds, but only those deemed to be unlawful.¹⁸⁴ Parker acknowledges that ‘early Jacobean bishops continued to demonstrate an interest in church attendance’, but asserts that

greater attention seemed to be focussed on working, trading, alehouse activities, and popular pastimes – a pattern consistent with James’ proclamations.

¹⁷⁹ Bayly, *Practice of Piety*, p. 169.

¹⁸⁰ *CSPD, 1619-1623*, p. 276.

¹⁸¹ P. A. Welsby, *Lancelot Andrewes, 1555-1626* (London, 1964), pp. 25-27.

¹⁸² Parker, *English Sabbath*, pp. 99-102 and 108; Barwick, *A Summarie Account*, p. 81.

¹⁸³ Welsby, *Lancelot Andrewes*, p. 28.

¹⁸⁴ K. Fincham (ed.), *Visitation Articles and Injunctions of the Early Stuart Church*, Vol. I (1994), p. 1; Parker, *English Sabbath*, p. 119.

A number of points need to be made in response to this assertion. Firstly, there seems little evidence that they were actually giving greater attention to such matters. Indeed, if they were, would this not suggest a change in attitude, which might undermine Parker's own argument for the continuity of English sabbatarianism? Secondly, it is important to distinguish between 'unlawful games', which a few bishops were clearly concerned about, and 'popular pastimes' generally, which most were not. Finally, any such 'greater attention' would not represent 'a pattern consistent with James' proclamations'. As has been discussed above, although the instructions subsequently issued by some local magistrates to constables prohibited piping and dancing on Sundays, James' 1603 proclamation did *not* prohibit such pastimes at all. Parker goes on to cite a number of senior churchmen who enquired about games being played on Sundays. For example, he points out that, in 1606, Thomas Jegon, Archdeacon of Norwich, asked if innkeepers and householders 'suffer any plaies or games ... upon any Sunday' and that, in 1607, Thomas Matthew, Archbishop of York enquired whether parishioners used 'Rush-bearings, Bull-baytinge, Beare-baitings, May-games, Morice-dancers, Ailes or such like prophane pastimes ... on the sabbath.' However, Jegon enquired if Sunday games were allowed 'before evening praier be cleane done in that Parish' and Matthew's Visitation Articles asked whether 'prophane pastimes' were being used on the Sabbath 'to the hindrance of Prayers, Sermons, or other godly exercises.'¹⁸⁵ In other words, once again, they were concerned about recreations preventing people from going to church on Sunday rather than about preventing Sunday recreations altogether. Some, like Archbishop Bancroft in 1605, were concerned that church ales should not be held in the church or churchyard, but most, like James Montagu, Bishop of Bath and Wells, were simply concerned that *unlawful* games should not be held on Sundays and, like Bishop Vaughan of London, that festivity should not prevent people from attending divine service.¹⁸⁶ Parker is forced to acknowledge that 'almost all bishops allowed for the use of lawful recreations after evening prayer' and goes on to accept that this was 'a liberty that Bownde and other precisionists found abhorrent and contrary to scripture,' which itself contradicts his earlier claim that 'it is not possible to draw a distinction between episcopal and precisionist attitudes'.¹⁸⁷ It is clear that there was in fact a very real difference between the two and that the sabbatarianism of Bownde and other puritans was something novel.

Nonetheless, although their version of sabbatarianism was different and much stricter than the traditional sabbatarianism of the English church and state, it would be wrong to suggest that it did not come to find support among a few senior churchmen. Puritan sabbatarianism had now

¹⁸⁵ Parker, *English Sabbath*, pp. 119-120.

¹⁸⁶ Fincham (ed.), *Visitation Articles*, pp. 11, 21 and 37.

¹⁸⁷ Parker, *English Sabbath*, pp. 112 and 120.

existed for some time and it would perhaps be surprising if it had not influenced at least some senior members of the Church. Bishop Bayly clearly embraced the stricter view of Sabbath observance. John King, Bishop of London, also seemed to disapprove of ‘may-games, Ale-drink, playing with Bowles at a game commonly called Nine-holes, or other game or games ... whereby the Sabbath or Holy-day is prophaned, and the people led away to much lewdnesse.’¹⁸⁸ Furthermore, although Bishop Montagu argued against the 1614 bill which sought to prohibit Sunday recreations including morris dancing, claiming that dancing on the Sabbath was lawful, Archbishop Abbot, together with the bishops of Lincoln and Oxford, supported the bill.¹⁸⁹ Yet, as Hutton points out, the Visitation Articles of most of James’ bishops, including Abbot, indicate that they were mostly concerned about preventing people from working and trading on Sundays and preventing festivity from interrupting church services rather than prohibiting Sunday revelry altogether.¹⁹⁰

James clearly associated strict sabbatarianism with Puritanism and resented the attempts to suppress hitherto legal pastimes after divine service on Sundays. Puritans were criticised explicitly in the Declaration, which licensed traditional Sunday festivity after Church. If, as Parker argues, James was wrong to associate strict sabbatarianism with puritans, how did his bishops react? The Lancashire Declaration had to be read in all the churches in Lancashire, but ministers in churches elsewhere were not made to read the 1618 Declaration. This may well have been due to the influence or intervention of Archbishop Abbot. He was at a parish church in Croydon on the day that the declaration was to be read there and he refused to allow it.¹⁹¹ Abbot had, of course, supported the sabbatarian bill of 1614 and his evident lack of support for the Declaration may have persuaded James not to enforce it. James was nothing if not prudent and clearly saw more merit in allowing his Declaration to stand without actively trying to enforce its publication. It was reported that James decided to ‘wink at’ Abbot’s failure to publish the Declaration.¹⁹² In other words, he decided to ‘turn a blind eye.’

Parker points out that a study of fifteen sets of visitation articles issued between 1618 and 1620 failed to find any instance of ecclesiastical officials enforcing the reading of James’ declaration.¹⁹³ However, this does not mean that the Book of Sports found no support among the bishops. If they were concerned about people attending divine service but were not concerned about what sports the people played after church, then this omission does not seem

¹⁸⁸ Parker, *English Sabbath*, p. 120.

¹⁸⁹ HMC, *Hastings*, pp. 266-267, 278-279; Hutton, *Merry England*, p. 155.

¹⁹⁰ Hutton, *Merry England*, p. 155.

¹⁹¹ R. Halley, *Lancashire: Its Puritanism and Nonconformity*, Vol. I (Manchester, 1869), p. 234; Welsby, *George Abbot*, p. 85.

¹⁹² Nichols, *Progresses, Processions* (Vol. III), p. 397.

¹⁹³ Parker, *English Sabbath*, p. 160.

very significant. Although one must assume that, even though he did not actually speak out against it, Abbot did not approve of the Declaration and that Bishop Bayly disapproved even more, there is no evidence to suggest any large-scale opposition among the bishops generally. On the contrary, some were clearly supportive. Following James' 1617 Declaration, Morton, Bishop of Chester, had instructed that afternoon sermons should be no longer than an hour long in order to prevent preachers from trying to sabotage the king's declaration.¹⁹⁴ In a similar vein, following the 1618 Declaration, the Visitation Articles of Francis Godwin, Bishop of Hereford, asked 'whether the minister doe not defer the afternoon service unseasonably for the debarring or hindering of fit recreation?' Godwin also stated that, as well as public worship, the Sabbath was ordained 'for the reliefe of nature by rest as of the body soe of the minde which is recreation' and enquired if 'any person have taken upon them to hinder honest and seemely recreation upon Sondayes.'¹⁹⁵ This appears to be the only example of overt episcopal enforcement of the 1618 Declaration, but the fact that other visitation articles did not incorporate such enforcement cannot be seen as a sign of opposition.

James I appears to have been aware that certain clerics were not in favour of his declaration and, having made clear the position of the Crown, he decided not to enforce the reading of it across the land. Nonetheless, it did not meet with any significant episcopal opposition and clearly enjoyed some support. James had indeed linked strict sabbatarianism with Puritanism, as Parker claims, but James was right to do so. Furthermore, even if a handful of bishops demonstrated a degree of support for puritan views of Sabbath observance, it does not follow that those views represented the traditional sabbatarianism of the English Church, which was much more moderate. It may just signify that some senior clergymen had come to sympathise, to varying degrees, with the new form of sabbatarianism.

The debate dramatised

Despite the fact that the question of Sunday recreation became such a political issue during James' reign, the Jacobean period saw relatively few theological works published on the question of Sabbath observance. A clutch of books were written espousing puritan sabbatarianism in much the same vein as the puritan works of the late Elizabethan period: attacking wakes, ales, may games, dancing and other pastimes on Sundays as profaning the Lord's Day.¹⁹⁶ William Harrison's *Difference of Hearers* (1614) is typical of these, declaring

¹⁹⁴ Axon, (ed.), *Manchester Sessions*, p. xxvii.

¹⁹⁵ Fincham (ed.), *Visitation Articles*, p. 152.

¹⁹⁶ See, for example, William Burton, *An Abstract of the Doctrine of the Sabbaoth* (London, 1606), pp. 20-21; Fielding, 'Arminianism in the Localities', p. 100; William Harrison, *Difference of Hearers* (London, 1614), Epistle and pp. 138 and 140; W. Hunt, *The Puritan Moment. The Coming of Revolution in an English County* (Harvard, 1983), p. 140; John Sprint,

that ‘pleasure is the baite of sinne’ and attacking ‘lascivious dancing, riotous gaming, wanton sports & prophane pastimes on the Sabboth day’.¹⁹⁷ These works added to the far more numerous Elizabethan polemics attacking traditional festivity, prompting Robert Burton to write in the 1620s that ‘these sports have many oppugners, whole volumes writ against them.’¹⁹⁸ As divisions on the issue became more apparent, works attacking puritan sabbatarianism and defending traditional festivity also began to appear. In addition to Rogers’ *Catholic Doctrine*, Thomas Broad published his *Three Questions Answered*, in which he declared that ‘there is scarce any point of doctrine more controverted, then the doctrine of the Sabbath’ and went on to dispute Bownde’s version of sabbatarianism.¹⁹⁹ Even more support was given to traditional festivities by poets and playwrights. Given that many puritans were vehemently opposed to interludes and plays, it is of little surprise that they and their views were targeted by playwrights, but it nonetheless highlights the divisions that were becoming ever more apparent in early Stuart society.

Thomas Dekker was unusual in that he used plays to attack traditional festivity. Dekker indirectly criticised James’ support for traditional festivity in his play, *If This Be not a Good Play, the Devil Is in It*. Written in 1612, the play associated pastimes and revelry with Hell and the Devil and, at first, has the character of the king, Alfonso, declaring that the Sabbath will be devoted entirely to God: ‘Sacred is that and hye; / And who prophanes one houre in that, shall dye.’ This may well be a reference to James’ 1603 proclamation, which no doubt encouraged English puritans to believe that James intended to follow a much stricter sabbatarian course than Elizabeth had done, even if they misinterpreted the scope of the proclamation. Their subsequent sense of disappointment, even betrayal, is reflected in Dekker’s play, as Alfonso later abandons his earlier stance and, instead, indulges himself and his court in may games and other revelry, and by so doing takes his kingdom to the verge of ruin.²⁰⁰

Despite Dekker’s attack and his apparent support for the new sabbatarianism, most writers wrote in support of traditional pastimes, using their works to ridicule those who sought to suppress them. In 1612 a play entitled *The Merry Devil of Edmonton* gave a positive portrayal of the function of popular pastimes and, in 1614, several poets collaborated to produce a collection of poems called *The Shepherds Pie*, which celebrated ales, maypoles, dancing and

Propositions, tending to prove the necessarie use of the Christian Sabbaoth, or Lord’s Day (London, 1607), pp. 10 and 26; Widley, *Doctrine of the Sabbath*, pp. 57, 99, 100-104, 106, 108-109; Hutton, *Merry England*, p. 156;

¹⁹⁷ Harrison, *Difference of Hearers*, pp. 138 and 140.

¹⁹⁸ Jeremy Goring, *Godly Exercises or the Devil’s Dance? Puritanism and Popular Culture in pre-Civil War England* (London, 1983), p. 6.

¹⁹⁹ Thomas Broad, *Three Questions Answered* (Oxford, 1621), Introduction and *passim*.

²⁰⁰ Marcus, *The Politics of Mirth*, pp. 96-98.

other traditional revelry.²⁰¹ Ben Jonson wrote a number of plays which similarly fêted traditional festivity and lampooned puritans. His prologue to *Bartholomew Fair* (1614) referred to the puritans as James' 'land's faction' and spoke of their 'zealous noise'. He caricatured puritans savagely in the form of Zeal-of-the-land-Busy, who, like some of the MPs who supported the 1614 sabbatarian bill, attacked ales, dancing and May games. Busy was ridiculed as a self-righteous hypocrite who railed against innocent, popular pastimes, describing himself as:

One that rejoiceth in his affliction and sitteth here to prophesy the
destruction of fairs and May-games, wakes and Whitsun-ales, and
doth sigh and groan, for the reformation of these abuses.²⁰²

In *Pleasure Reconciled to Virtue* (1618), Jonson took the opposite view from Dekker of James' perceived change in policy and indirectly praised the *Book of Sports*. He depicted James as Hercules, first preventing excess in merrymaking and preventing riotous behaviour and then restraining people who attempted to suppress sport altogether.²⁰³ The anonymous poem, *Pasquils Palimodia*, printed in 1619, took a nostalgic approach, lamenting an idyllic England that it feared was lost and linking it with traditional festivity; the underlying message being that such festivity had to be protected and embraced in order to re-establish a prosperous England that was at peace with itself:

Happy the age and harmless were the dayes,
(For then true love and amity was found,)
When every village did a May-pole raise,
And Whitson-ales, and May-games did abound ...

The Lords of Castles Mannor, Townes and Towers,
Reioyc'd when they behelde the Farmers flourish,
And would come downe, unto the Sommer-Bower
To see the country gallants daunce the Morris ...

But since the summer-poles were overthrowne,
And all good sports and merrymments decayed,

²⁰¹ *Ibid.*, pp. 94-95; Hutton, *Merry England*, pp. 164-165.

²⁰² M. Jamieson (ed.), *Ben Jonson. Three Comedies* (London, 1966), Prologue and p. 429.

²⁰³ Marcus, *The Politics of Mirth*, pp. 113-118.

How times and men are chang'd.²⁰⁴

Plays and poems not only celebrated traditional festivity and attacked those puritans who sought to suppress it. Some also targeted magistrates who tried to ban revels. Magistrates in Middlesex had made increasing attempts to curb traditional pastimes and Jonson criticised them too in *Bartholomew Fair* in the guise of Justice Overdo. Overdo, as the name suggests, was portrayed as a busy-body who had no sense of proportion and who was all too easily outraged by peoples' behaviour and suspected crime, disorder and all manner of 'enormities' at every turn. He was portrayed as a pompous buffoon who continually overreacted and misjudged people and their motives.²⁰⁵ Jonson's attack on the magistrates is understandable in that traditional revelry was indeed under threat not only from radical Protestants, but also from JPs who were concerned that revelry would lead to drunkenness, violence and disorder.

Maintaining social order and the polarisation within society

Magistrates across the country were anxious to avoid disorder. Many of them believed that wakes and ales were a potential threat to order as they often led to drunkenness and violence. Writing in 1611, Thomas Coryate, praised church ales as 'feasts of charity ... breeding love betwixt neighbors & ... raising of a stocke for the supporting and maintenance of our Church.' A supporter of ales, Coryate nonetheless accepted that they were often the occasions of 'abuses' such as 'drunkenesse, gluttonie, swearing, lasciuiousnesse' and 'brawling, picking of quarrels.'²⁰⁶ Indeed, in Lancashire the eve of May Day was known as 'mischief night.'²⁰⁷ There were many examples of drunkenness and violence at revels of various types held on Sundays. For example, in 1614 and again in 1615 fighting broke out at may-games held in Longdon, involving men from neighbouring parishes.²⁰⁸ As Hutton points out, court records only record instances where disorder occurred at revels and it can be assumed that many ales took place without any violence.²⁰⁹ Nonetheless, violence often occurred at festivities and it could sometimes be serious, as in 1615 when two Devonshire ales ended in manslaughter.²¹⁰ Coryate's response was to condemn such disorder, but his solution was to call for the abuses to be stamped out rather than the ales themselves. However, many magistrates took a different

²⁰⁴ Collinson, 'Elizabethan and Jacobean Puritanism', pp. 41-42; L. Marcus, 'Politics and Pastoral: Writing the Court on the Countryside', in K. Sharpe and P. Lake (eds), *Culture and Politics in Early Stuart England* (London, 1994), p. 152.

²⁰⁵ Marcus, *The Politics of Mirth*, pp. 50-58.

²⁰⁶ Thomas Coryate, *Coryats Crambe* (London, 1611), sigs. E2v – E4v.

²⁰⁷ Collinson, 'Elizabethan and Jacobean Puritanism', p. 35.

²⁰⁸ Whitaker, *Sunday in Tudor and Stuart Times*, p. 81.

²⁰⁹ Hutton, *Merry England*, p. 162.

²¹⁰ C. Hill, *Society and Puritanism*, p. 184; Whitaker, *Sunday in Tudor and Stuart Times*, p. 76.

view and wanted to put a stop to traditional festivity which, unlike Coryate, they did not regard as ‘feasts of charity’ but as occasions of drunkenness, debauchery and disorder. Following the manslaughters in Devon, on 24 July 1615 the Assize Court at Exeter issued the following order:

The several manslaughters committed at two Church-ales within the county since the beginning of this present month of July, and further advertisements given unto this Court of the continual profanation of God’s Sabbath at these and other like such unlawful meetings, ministers unto the court just occasion to recite an order ... It is [therefore] ordered by the Court in regard of the infinite number of inconveniences daily arising by means of revels, Church-ales, and bull baitings, that all such revels, Church-ales, and bull-baitings be from henceforth utterly suppressed.²¹¹

This order is interesting in that it is clearly concerned about violence and other ‘inconveniences’ seen at some revels, but it also refers to the ‘profanation of God’s Sabbath.’ This raises the question of the extent to which civic authorities who sought to suppress revelry were motivated by religious rather than secular concerns.

It is clear that magistrates in Lancashire were subject to a strong puritan influence, but it would seem that JPs elsewhere in the country were too. At the very least, as is evidenced in the order of the Exeter assizes, they cited religious grounds to justify orders suppressing revelry which, for secular reasons, they feared would cause disorder. Certainly, a number of puritan ministers put pressure on justices to stop wakes and ales. In 1618, for example, Edmund Rudyard called on Sir William Bowyer and other Staffordshire justices ‘to look into the weighty and burdensome charge that lieth upon you as you are public magistrates.’ He wrote that God had put them ‘in place and authoritie to punish such greivous sinnes’ as ‘lasciuious and unchaste (mixt) dauncings, with diuers other abuses being common: as the horrible profanation of the Lords Saboth’ and called upon them to demonstrate their ‘hatred and lothing of sinne’.²¹² No doubt many magistrates wanted to wipe out wakes and ales because they feared disorder, but the evidence suggests that, particularly in certain parts of the country, many also had religious motives and wanted to stop what they saw as immoral behaviour and the profanation of the Sabbath. In 1611, for example, the Mayor of Salisbury

²¹¹ Whitaker, *Sunday in Tudor and Stuart Times*, p. 76.

²¹² Edmund Rudierd, *The Thunderbolt of Gods Wrath* (London, 1618), Epistle dedicatory. See also W. Crashaw, *The Sermon Preached at the Crosse* (London, 1609), pp. 171-172. Crashaw called on the Lord Mayor of London and other magistrates to

tried to prevent the traditional festivity on Midsummer Eve because that year it fell upon a Sunday.²¹³ That same year the Corporation of Chester voted to reschedule its midsummer show because it too fell on a Sunday.²¹⁴ Elsewhere, municipal authorities moved other feasts and events like annual elections to prevent them taking place on Sundays.²¹⁵ In 1611 the Common Council of London claimed that apprentices were living riotously by, among other things, spending their time in dancing, playing tennis and bowls ‘and other exercises unfit for their degrees and calling to the high displeasure of almighty God’.²¹⁶ In 1622 the entire bench of Devon’s JPs defied James’ Declaration of Sports and, citing complaints surrounding the holding of church ales, declared that their order prohibiting them still stood. Two years later the Somerset JPs similarly confirmed earlier orders banning church ales.²¹⁷ There is no doubt that in various parts of the country, despite James’ declaration licensing certain sports after Church on Sundays, traditional festivity was under attack from local magistrates, many of whom not only feared disorder but also appear to have been influenced by the new strain of puritan sabbatarianism. The issue of Sunday pastimes continued to become politicised and to polarise attitudes. This is clear from episodes like the one that occurred in Stratford in 1619 when the Bailiff of Stratford and Alderman Henry Smith had the town’s maypole taken down. This caused a riot and about forty supporters of the maypole then defied the authorities and erected another maypole. Satirical libels were then distributed attacking the town’s puritan governing faction. One of them spoke of ‘the old biting and young sucking Puritans of Stratford’ and another accused them of using their positions in local government to their own ends:

they say they are nothinge but lawes,
but suer the lawes they doe wrest,
for to bringe poore people in distresse ...
these men applye themselves to the lawe,
because theyd keepe the poor in awe
O lord do then revenge the poor,
and their right again to them restore.²¹⁸

In 1624, people in Guildford were furious when the town’s mayor pulled down their maypole even though they had attached to it ‘the armes of his Majestie ... [and] other armes of noble

stop abuses of the Sabbath such as ‘May-games and Morice dancers, by Wakes and Feasts.’

²¹³ Hutton, *Merry England*, p. 159.

²¹⁴ *Ibid.*, p. 158.

²¹⁵ Hill, ‘Seventeenth-Century English Society and Sabbatarianism’, pp. 88-89.

²¹⁶ Griffiths, *Youth and Authority*, p. 222.

²¹⁷ Hutton, *Merry England*, pp. 172, 173-174.

²¹⁸ C. J. Sisson, *The Lost Plays of Shakespeare’s Age* (Cambridge, 1936), pp. 190-191, 193-196.

men.²¹⁹ Indeed, as we have seen, the maypole became something of a totem symbolising the struggle between those who wanted traditional festivity preserved and those who wanted to ban it.

During the course of James' reign traditional festivity declined in many parts of the country. Puritans became closely associated with the attacks on popular pastimes, but they were aided in such attacks by many magistrates, motivated by fears of disorder as well as by religion. These were not, though, the only reasons for their decline. As has already been noted, economic factors were also at play. For many parishes church ales were simply becoming less economically viable, as receipts from them did not keep pace with the rising cost of providing food and drink and many parishes instead introduced a system of parochial rates in order to maintain the church.²²⁰ Ales continued to be used to raise money in many places, as in Wells, where an ale was held in 1607 to maintain the steeple and bells of St. Cuthbert's.²²¹ However, traditional festivity was struggling to survive as a means of raising money in other parts of the country. The move away from using ales was sometimes a halting one. At Thatcham in Berkshire, for example, the traditional ale had been abandoned in favour of rating, only to be revived again in 1617 and then held annually until 1621, when Thatcham moved finally and permanently to a system of rates to raise funds.²²² This see-sawing between fund-raising ales and a system of rates reflected the tensions within society: the enduring popularity of traditional festivity among sections of society and the desire of others to see them ended or replaced for whatever reason. The very fact that the Devonshire and Somerset JPs had to reissue their orders against wakes and ales is testimony to their continuing use. Indeed, ales continued in many places in Somerset into the 1630s, when renewed attempts to suppress them were to prompt Charles I to reissue his father's declaration. Indeed, despite an evident decline in various regions, traditional festivity was maintained in many parts of the country.²²³ Nonetheless, by the end of James' reign there was a serious division in society over the issue of popular pastimes traditionally enjoyed on Sundays. Rogers' *Catholic Doctrine* and the MP, Thomas Shepherd, had both pointed the finger at the puritan faction for pushing forward a new kind of sabbatarianism and they were right to do so. James I's Declaration of Sports had similarly played a significant part in linking Puritanism to the suppression of traditional festivity. A new, far stricter and wide-ranging form of sabbatarianism was indeed at work and influenced many MPs and magistrates into trying to end traditional revelry. Many ordinary people resented the attack on what they saw as their traditional way of life and clearly saw

²¹⁹ HMC Seventh Report, Appendix, p. 675.

²²⁰ Goring, *Godly Exercises*, p. 5; Underdown, *Revel, Riot and Rebellion*, pp. 52-53.

²²¹ Sisson, *Lost Plays*, p. 163.

²²² Underdown, *Revel, Riot and Rebellion*, p. 60.

²²³ See Hutton, *Merry England*, pp. 163-164.

Puritanism as behind it. For example, a new minister at Wyle who was apparently in all other respects a conformist in church ceremony and discipline was condemned by a woman parishioner as a puritan when he began a campaign against drunkenness, sexual immorality and dancing:

We had a good parson here before but now we have a puritan ... A plague or a pox on him that ever he did come hither ... I would we had kept our old parson, for he never did dislike with (games and dancing) ... These proud puritans are up at the top now but I hope they will have a time to come as fast down as ever they came up.²²⁴

James' Declaration of Sports had attempted to draw a line under puritan sabbatarianism and to protect the traditional rights of ordinary people to revelry after church on Sundays. He had criticised puritans and tried to put them in their place and to prevent them from encroaching on what he regarded as areas of royal authority. However, he did not enforce the reading of the Declaration and, although he vetoed attempts in Parliament to pass sabbatarian legislation which ran contrary to his Declaration, various magistrates and puritan ministers continued their war against traditional revelry. During the reign of his son, Charles I, the battle lines were to become even more clearly marked as Charles and his supporters sought to bring about the happy time that the parishioner from Wyle hoped for.

²²⁴ Goring, *Godly Exercises*, p. 21; M. Ingram 'Puritans and the Church Courts, 1560-1640,' in C. Durston and J. Eales (eds), *The Culture of English Puritanism, 1560-1700* (Basingstoke, Macmillan, 1996), p. 82.

Chapter Six

The *Book of Sports* and the reign of Charles I: From a 'pious Statute' to 'bloody civil war'

Looking back at the terrible, bloody civil wars that had torn England apart in the 1640s, Richard Baxter claimed that: 'The Warre was begun in our streets before the King or Parliament had any Armies', adding that: 'The hatred of the Puritans, and the Parliament Reformation, inflamed the ignorant, drunken, and ungodly rout ... even before the Warres'.¹ There is no doubt that, long before the country descended into physical conflict, tensions in Caroline society did indeed increase between the 'godly' Puritans and those whom they viewed as the 'ungodly' people who were resistant to reformation. There were, of course, many factors that caused the English Civil War and much ink has been spilt over the years in analysing the various causes. It is now widely accepted that arguments over religion and fears from both sides about perceived and potential religious changes were among the major factors that led to the war. Indeed, John Morrill has described the conflicts of the 1640s as 'England's Wars of Religion'.² Certainly, religious belief was a major factor in determining allegiance in the war. Baxter claimed that:

the generality of the People through the Land ... who were then called Puritans ... that used to talk of God, and Heaven, and Scripture, ... and to follow Sermons, and read Books of Devotion ... and spend the Lord's Day in Religious Exercises ... and speak against Swearing, Cursing, Drunkenness, Prophaneness, &c. I say, the main Body of this sort of men, both Preachers and People, adhered to the Parliament. And on the other side, the Gentry that were not so precise and strict against an Oath, or Gaming, or Plays, or Drinking, nor troubled themselves so much about the Ministers and People that were for the King's Book, for Dancing and Recreations on the Lord's Day; ... but went to Church ... and were glad to hear a Sermon which lasht the Puritans, and which ordinarily spoke against this strictness and preciseness in Religion, and this strict observation of the Lord's Day ... the main body of these were against Parliament.³

¹ Richard Baxter, *A Holy Commonwealth* (London, 1659), p. 457.

² J. Morrill, *The Nature of the English Revolution* (London, 1993), pp. 33-44.

³ Matthew Sylvester, *Reliquiae Baxterianae* (London, 1696), p. 31.

Religious divisions were at the root of many of the problems facing the Caroline regime on the eve of the civil war, and tensions over the question of Sabbath observance and over Charles I's decision to reissue and then enforce his father's declaration on lawful sports certainly played their part. Fuller maintained that many contemporaries even believed that the *Book of Sports* and the profanation of the Lord's day 'was a principal procurer of God's anger, since poured out on this land, in a long and bloody civil war'.⁴ The fact that, after it was over, many people viewed the war, which 'rent the bowels of England', as divine punishment for the licensing of recreations on Sundays that had taken place so many years before indicates the significance of the Caroline *Book of Sports* and highlights the profound impact that it had had on sections of English society.⁵ It would, of course, be going too far to claim that the *Book of Sports* itself had caused the war, let alone to suggest that it had unleashed divine vengeance on the nation. However, it is clear that later allegiance in the war was, for many people, determined by their religious convictions and that the dispute over Sabbath observance had become a matter of real contention during Charles' reign. Indeed, in 1641, John Ley observed that the Sabbath had:

become as a Ball, betwixt two Racketts bandied this way and that way, by mutuall contradiction, not onely betwixt the godly and the profane (which is no newes) but among many of those who are in no mean accompt in the Church of God, whether they bee valued by the eminence of their places, the excellency of their parts, or the holinesse of their lives.⁶

This last point is significant in that, as this chapter shows, Charles I's *Book of Sports* not only outraged English Puritans, which one would expect, but also distressed many otherwise moderate and mainstream Protestants. Indeed, it provoked considerable opposition and resentment and, possibly, as Sharpe has claimed, 'more than any other of [Charles I's] injunctions it raised opponents, who were not natural enemies to the church'.⁷ At the time that the Declaration was reissued its opponents had no platform on which to speak out, as Parliament was not sitting and printed works were subject to a high degree of control and censorship. When Parliament did sit again in 1640 and the controls of the printing presses began to disintegrate, the lasting resentment felt towards the *Book of Sports* by significant sections of English society became all too evident. This chapter considers Charles I's reasons

⁴ T. Fuller, *The Church History of Britain*, ed. J. Nicholls (Three volumes, London, 1837), Vol. III, p. 379.

⁵ *Ibid.*, p. 379.

⁶ John Ley, *Sunday A Sabbath* (London, 1641), sig. C3v.

⁷ K. Sharpe, *The Personal Rule of Charles I* (New Haven and London, 1992), p. 359.

for reissuing his father's *Book of Sports* and examines why the Caroline declaration provoked so much more opposition and trouble for the crown than James' declaration had done.

1625

For many radical Protestants, Charles I's reign appeared to get off to a promising start. Both Elizabeth I and James I had resisted attempts by MPs to meddle in religious policy and had blocked moves to pass legislation on Sunday observance. However, in the last Parliament of his father's reign, the so-called 'Prince's Parliament', the then Prince Charles had lent his support to the bill for better Sabbath observance, which his father subsequently vetoed. While Charles' reasons for doing so are unclear, it seems likely that the king was motivated by a desire for political advantage rather than genuine religious conviction, as Charles and Buckingham were eager for the 1624 Parliament to support war against Spain and were trying to curry favour with MPs.⁸ In any event, given Charles' support for the bill in his father's last Parliament, it is not surprising that MPs anticipated his support for a bill for better Sabbath observance when his first Parliament met in 1625. Indeed, they decided against incorporating a suggested amendment to the bill and, instead, resolved to reintroduce the 1624 bill without any alterations, on the basis that 'it past both Houses the last Parliament in this manner, and the Kinge beinge then a Member of the Upper House gave his voice to it and therefore is not like to denye his assent now, unless it receive alteration'.⁹ Both houses duly passed the bill 'for the further Reformation of Sundry Abuses committed on the Lords Day, commonly called Sunday' and, this time, the bill did indeed receive royal assent.¹⁰ Parker agrees that Charles' support for the 1624 bill and his assent to the 1625 Act was probably given for purely political reasons, observing that Charles was hoping that his co-operation with this and other measures would be rewarded by Parliament voting for much-needed revenues.¹¹ However, in doing so, Parker talks of Charles approving 'sabbatarian legislation'.¹² It is certainly true that Charles I enacted legislation concerning the observing of the Lord's day, which his two predecessors had refused to do, but the 1625 Act was certainly not 'sabbatarian' in the puritan sense of the word. The terms of the 1625 Act were the same as those of the 1624 bill and, as Parker himself pointed out in his discussion of the 1624 bill, those terms were entirely in keeping

⁸ See: C. Russell, *Crisis of Parliaments* (Oxford, 1972), pp. 298-299; C. Russell, *Parliaments and English Politics 1621-1629* (Oxford, 1979), pp. 145-203; and R. E. Ruigh, *The Parliament of 1624: Politics and Foreign Policy* (Harvard University Press, 1971), *passim*.

⁹ S. R. Gardiner (ed.), *Debates in the House of Commons in 1625* (London, 1873), p. 14; M. Jansson and W. Bidwell (eds), *Proceedings in Parliament 1625* (Yale, 1987), p. 232.

¹⁰ *Commons Journal* (Vol. I), pp. 799, 800, 825, 827, 842 and 846; Russell, *Parliaments and English Politics*, p. 234; Jansson, *Proceedings in Parliament*, pp. 78 and 80.

¹¹ K. L. Parker, *The English Sabbath. A Study of doctrine and discipline from the Reformation to the Civil War* (Cambridge, 1988), p. 176.

with James I's declaration on lawful sports: the declaration that had so offended the puritan sabbatarians.¹³ The 1625 statute described 'the holy keeping of the Lord's day' as 'a principal part of the true service of God' and stated that the Lord's day:

in very many places of this realm hath been and now is profaned and neglected by a disorderly sort of people, in exercising and frequenting bear-baiting, bull-baiting, interludes, common plays and other unlawful exercises and pastimes upon the Lord's day.

It went on to complain of 'quarrels, bloodsheds, and other great inconveniences' resulting from people going '*out of their own parishes*' to attend 'such disordered and unlawful exercises and pastimes, *neglecting divine service* both in their own parishes and elsewhere'. The Act then prohibited any 'meetings, assemblies, or concourse of people *out of their own parishes* on the Lord's day ... for any sports and pastimes whatsoever' and also banned people, even within their own parishes, from using 'bear-baiting, bull-baiting, interludes, common plays, or other unlawful exercises and pastimes'.¹⁴ These are important points. Firstly, in addition to voicing obvious concerns over disorder, the Act specifically referred to people 'neglecting divine service', once again highlighting the concern that people should attend church on Sunday. Secondly, although bear- and bull-baiting, plays and 'other *unlawful* exercises' were prohibited completely on Sundays, all lawful sports and pastimes were denied people only if they exercised them 'out of their own parishes'. In other words, the Act did not contradict James I's Book of Sports and was, therefore, no more sabbatarian than his declaration had been.

The 1625 Act is nonetheless important in that it was the first piece of legislation which had been passed concerning recreations on Sundays since the reign of Elizabeth I. Clearly, many zealous Protestants saw it as a significant and positive step. Walter Yonge recorded in his diary: 'a good bill passed the house for observation of the Sabbath' and William Prynne referred to it as 'the pious Statute'.¹⁵ Henry Burton said that the Act was 'an auspicious beginning, promising a religious gracious Raigne'. Indeed, it impressed him so much that he called Charles 'our pious King Charles, whose raigne hath bene honoured with a religious Law for the better keeping of the Lords day' and referred to the Act as 'the prime gemme in his

¹² *Ibid.*

¹³ *Ibid.*, pp. 174-175.

¹⁴ A. J. Stephens (ed), *The Statutes relating to Ecclesiastical and Eleemosynary Institutions* (two volumes, London, 1845), Vol. I, pp. 537-538. The italics are mine.

¹⁵ Walter Yonge, *The Diary of Walter Yonge, Esq.* (The Camden Society, London, 1848), p. 84; William Prynne, *Histrio-mastix* (London, 1633), p. 241.

Royall diadem; ... which deserves to be written in golden characters'.¹⁶ However, many contemporaries misinterpreted the Act, either through wishful thinking or because they deliberately sought to exploit ambiguities in the statute's wording to their own ends. Clearly the Act ruled out 'any sports or pastimes whatsoever' for people outside their own parishes and only prohibited people from indulging in 'unlawful exercises' within their own parishes, but it did not stipulate which exercises were lawful. Puritan commentators exploited this fact to assert that the Act outlawed recreations which it patently did not. Prynne, for example, referred to the 'unlawful exercise, sport, or pastime [referred to] within the pious statute' and added: 'within which there is no question, but dancing is included'.¹⁷ Similarly, Twisse, despite referring to the clause about people being forbidden to come out of their own parishes, nonetheless concluded erroneously that the statute meant 'that all sports and pastimes are prophanations of our Christian Sabbath ... in the judgement of the whole Parliament consisting of the Kings Majesty the head thereof'.¹⁸ Burton also asserted that 'it is plaine, that all manner of sports and pastimes are unlawful on the Lords day ... And therefore dancing, maygames, morrices, and the like ... are unlawfull'.¹⁹ In fact, by referring to unlawful pastimes, the Act clearly implied that other pastimes were perfectly lawful, provided people used them in their own parishes and did not neglect divine service. James I's *Book of Sports* had expressly allowed dancing, piping, leaping and vaulting and other 'such harmelesse Recreation' on Sundays after church, including May games, whitsun ales, morris dances and setting up maypoles.²⁰ Although James had wisely thought better of enforcing his Declaration, he had not revoked it. Therefore, the recreations listed in the 1618 Declaration remained lawful. This enabled Charles I to assent to the 1625 bill without any risk of nullifying the 1618 Declaration. Nonetheless, the fact that the Act did not specify which recreations were lawful enabled the likes of Prynne and Twisse to make false assertions about the recreations prohibited and may have prompted Parker to imply that the Act was more 'sabbatarian' than in fact it was. Certainly, at least one modern historian has misconstrued it and has claimed, wrongly, that 'the 1625 Act effectively reversed the 1618 Declaration of Sports and banned Sunday recreations'.²¹ It did no such thing. Hutton and Cope both observe that the statute did not specify which sports were lawful and suggest that the identity of these 'lawful pastimes' was left rather ambiguous. However, given that the 1618 Declaration had made clear which sports were lawful, there were no real grounds for conflicting interpretations.²² That said, the

¹⁶ Henry Burton, *For God and the King* (Amsterdam, 1636), p. 57; Henry Burton, *The Law and the Gospel Reconciled* (London, 1631), p. 56; Henry Burton, *A Brief Answer to a Late Treatise on the Sabbath Day* (Amsterdam, 1635), p. 28.

¹⁷ Prynne, *Histrio-mastix*, p. 241.

¹⁸ William Twisse, *Of the Morality of the Fourth Commandment* (London, 1641), p. 143.

¹⁹ Burton, *A Brief Answer*, pp. 28-29.

²⁰ See 1618 Declaration, p. 7.

²¹ J. Spurr, *English Puritanism 1603-1689* (London, 1998), pp. 84-85.

²² E. S. Cope, *Politics Without Parliaments, 1629-1640* (London, 1987), p. 58; R. Hutton, *The Rise and Fall of Merry*

reactions of contemporaries like Yonge and Prynne suggest that many people either erroneously or wilfully took the Act to be more sabbatarian than it actually was and it may well have been exploited to support attempts to suppress traditional recreations. Certainly, as Hutton points out, the passing of this Act appears to have had an impact upon traditional revelry.²³ In 1627 Parliament passed another Act ‘for the further reformation of sundry abuses committed on the Lord’s day’, which also got royal assent.²⁴ This Act made no reference to any form of pastime or recreation, but prohibited the driving of cattle, the carrying of goods, and the slaughtering of animals on Sundays. Together, the two Acts, which did, even if to a limited degree, seek to enforce stricter Sunday observance, may have encouraged puritans, and JPs concerned about social order, to make further moves to try to suppress gatherings and recreations on Sundays.

1625-1633

Although it is impossible to establish a causal link between the passing of the 1625 Act and a decline in recreations, it is certainly the case that traditional merry-making did experience a decline in some parts of the country in the years following the enactment of the 1625 bill. Church ales ended in Bere Regis in Dorset, and other traditional festivities stopped in Alton in Hampshire and in the Cotswold town of Dursley.²⁵ These were all areas where Sunday revelry had been long established and the cessation of the traditional pastimes in the first two years of Charles’ reign may have been connected to the passing of the 1625 statute. Certainly, the pressure to suppress revels continued in some quarters. Writing in 1629, Samuel Bachiler warned of God’s wrath being visited upon people for their sins and called upon magistrates:

to looke to good order in your Townes ... that prophane liberty bee not given to breake the Sabboths, to frequent ... riotous places, for heathenish May-games and Whitsunales (as they call their mad sports).²⁶

Various orders were indeed made by justices on the Western Circuit who were seeking to suppress wakes and ales in the counties of Dorset, Somerset and Devon, and in Bristol, in 1628, the corporation ordered the destruction of a maypole that had been set up in the city.²⁷ In 1629 Bishop Potter of Carlisle issued articles banning May-games, morris dances and ales

England. The Ritual Year 1400-1700 (Oxford, 1994), p. 189.

²³ Hutton, *Merry England*, p. 189.

²⁴ D. Pickering (ed.), *The Statutes At Large*, Vol. VII (1783), p. 320.

²⁵ Hutton, *Merry England*, p. 189.

²⁶ Samuel Bachiler, *The Campe Royall* (London, 1629), epistle to the reader.

²⁷ The orders banning wakes and ales in Dorset, Somerset and Devon are discussed in some detail in the section on the Somerset controversy later in this chapter; for the maypole, see Hutton, *Merry England*, p. 189.

on the Sabbath, despite the fact that they had been permitted by James' 1618 Declaration and were not prohibited by the 1625 Act.²⁸ However, Potter was the only bishop to do so. Some others enquired about the *misuse* of recreations and about the use of *unlawful* recreations, but, as Parker himself - who has examined eighty-six sets of visitation articles issued between 1618 and 1632 - observes, although they all enquired about alehouse disorders and most also enquired about Sunday trading, 'the only ominous gap concerned the use of recreations and pastimes'.²⁹ Not only did many sets of visitation articles make no reference at all to the misuse of lawful recreations, many made no enquiries about the use on Sundays of unlawful recreations either, suggesting, again, that the church hierarchy was not concerned about the issue, provided, of course, that people attended church.

Although moves were made in some areas to suppress ales and other traditional revelry, elsewhere they continued to thrive and enjoy support. Baxter, who was a child when the 1625 Act was passed, recalled how, in his Shropshire village of Eaton Constantine:

the Reader read the Common-Prayer briefly, and the rest of the Day even till dark Nights almost, except Eating time, was spent in Dancing under a May-pole and a great Tree, not far from Father's Door; where all the Town did meet together.

Baxter was a member of a godly and respectable family. Yet, the Baxters were unable to influence or restrain the revellers and Baxter recorded how, while they were trying to read the scriptures, they had to do so to the sound outside of 'the great disturbance of the Tabor and Pipe and Noise in the Street'. Even though one of the minstrels was a tenant of Baxter's father, his father was nonetheless unable to restrain him. Indeed, the revellers called Baxter's father a 'puritan' for trying to intervene. They clearly wanted to enjoy their merriment without interference and linked the attack on their traditional revelry with Puritanism.³⁰

Not only did traditional revelry thrive in many areas, it also enjoyed support from a number of writers. In a delightful book written in 1626 about the pattern of life in early seventeenth-century England, Nicholas Breton took the reader through the rituals and 'speciall dayes' of the year, in which he wrote approvingly of 'the youth of the Country mak[ing] ready for the Morris-Dance' in April and of 'the tall young Oke [being] cut downe for the Maypole' in

²⁸ *Ibid.*, p. 189.

²⁹ Parker, *English Sabbath*, p. 179.

³⁰ Baxter was born on 12 November 1615; Sylvester, *Reliquiae Baxterianae*, pp. 1-3.

May.³¹ In his last work, published in 1630, Michael Drayton celebrated an idealised rural life in *The Muses Elizium*, in which he too wrote approvingly about traditional pastimes. He wrote about two youths impressing and attracting girls with their dancing and celebrated the fact that the youths indulged in traditional sports:

To throw the Sledge, to pitch the Barre,
To wrestle and to Run,
They all the Youth exceld so farre,
That still the Prize they wonne.³²

Other writers engaged in the ongoing theological debate with the puritan sabbatarians. Thomas Broad published a further work defending the anti-sabbatarian position, and Edward Brerewood produced two works in which he insisted that the fourth commandment was only partially morally binding. Brerewood stated that the Lord's day had been instituted by the Church and that it did not have to be observed in the same way or with the same rigour as the Jewish Sabbath had been.³³

In comparison to the small number of works that appeared at this time attacking puritan sabbatarianism, several more works were published condemning recreations on Sundays and supporting the rigid sabbatarianism that radical English protestants had come to adopt. In his 1625 *Declaration of the Christian Sabbath*, Robert Cleaver attacked 'the adversaries of the Sabbath'. He denied that he and his fellow sabbatarians were indulging in 'Innovations & Novelties in our positions and tenents', insisting that the Church had always taught that the fourth commandment was a moral and perpetual precept.³⁴ Similarly, far from accepting that his sabbatarianism was anything new, Richard Byfield claimed that the idea that the fourth commandment was not moral and perpetual was itself 'novel and adulterous'.³⁵ Edward Elton also argued for the moral nature of the fourth commandment, claiming that:

This Commandment is one of the Tenne, and so reckoned in the Word of God; and it was written by Gods own finger in Tables of Stone; and immediately giuen out by the Lord himselfe: whereas all the Ceremonies belonging to the Iewes, were giuen by the ministerie of Moses.

³¹ Nicholas Breton, *Fantasticks seruing for a perpetuall prognostication* (London, 1626).

³² Michael Drayton, *The Muses Elizium* (London, 1630).

³³ Thomas Broad, *Tractatus de Sabbato* (n.p., 1627); Edward Brerewood, *A Learned Treatise of the Sabaoth* (Oxford, 1630), pp. 37-38; Edward Brerewood, *A Second Treatise of the Sabbath* (Oxford, 1632), pp. 9, 14-15, 20-21 and 38-39.

³⁴ Robert Cleaver, *A Declaration of the Christian Sabbath* (London, 1625), *passim*, especially the epistle dedicatory for the references to adversaries of the Sabbath and to innovations.

³⁵ Richard Byfield, *The Doctrine of the Sabbath Vindicated* (London, 1631), p. 107.

Elton went on to attack the use of recreations on Sundays. He accepted that there were:

such moouings of the body as bee honest and moderate, and carry with them an honest and delightfull exercise of the minde, and serue to the refreshing of the body and minde, as Shooting, Tennis-playing, Stoolball-playing, Wrestling, Running and such like.

However, he maintained that, when such recreations were used on the Sabbath, ‘especially in time of divine service’, then the Sabbath was turned from a day of ‘holy rest’ into one of ‘carnal rest’.³⁶ Robert Bolton, writing in 1626, attacked the baiting of animals and exhorted his readers to: ‘bathe not thy recreations in blood’. He also argued against recreations that encouraged people to waste time, complaining:

Thousands there are, who plunge themselves ouer head & eares in courses of pleasure; which they call recreations, wherein they very vnworthily and wofully waste the fat and marrow, as it were, of deare and precious time.³⁷

In a similar vein, John Cosin condemned people who did not distinguish between the ‘solemne Fesituall’ of the Sabbath and the ordinary days of the week and attacked those people ‘that spend it away in idle and vaine sports’.³⁸ Henry Burton also attacked those who:

eyther idle or trifle out the Lords day impertinently, or such as prophane it with carnall pleasures, as ... reuelling and ryoting, playes and enterludes ... & many such vnchristianlike prophane pastimes.³⁹

Griffith Williams not only maintained that the fourth commandment was a moral precept and applied to the Christian Sabbath, but also stated that ‘the benefits of Redemption doe farre surmount the benefits of Creation’ and that ‘therefore this should oblige vs Christians to a more precise observation and a more carefull sanctification of this our Lords Day, than the Iewes did their Sabbath Day.’⁴⁰ It is clear from this that Williams’ sabbatarianism went well

³⁶ Edward Elton, *Gods Holy Mind* (London, 1625), pp. 89-90 and 106.

³⁷ Robert Bolton, *Some Generall Directions* (London, 1626), pp. 155 and 157.

³⁸ John Cosin, *A Collection of Private Devotions* (London, 1627), unpaginated: section on ‘The Duties of the Fourth Commandment’.

³⁹ Burton, *Law and Gospel Reconciled*, p. 65.

⁴⁰ Griffith Williams, *The True Church* (London, 1629), p. 303. Williams was a maverick character who held a number of controversial views. He was appointed to the prebend at Westminster shortly before publishing *The True Church*. Despite his

beyond that of the Church hierarchy. Not surprisingly, given his views, Williams held that recreations, which were honest and lawful at other times, were unlawful on the Lord's day and he demanded that anyone using sports on Sunday should be punished and that: 'all his goods should be confiscated vnto the king'. He singled out dancing, dicing, bowling, shooting, tipling and May games for particular condemnation and said that those who sought to justify such profaneness were speaking 'what the Deuill puts in their mouthes'.⁴¹

Of all the sabbatarian works which appeared during the early years of Charles' rule, two books in particular angered the authorities and prompted them to act: Theophilus Brabourne's, *A Defense of the Most Ancient and Sacred Ordinance of Gods, the Sabbath Day*, and William Prynn's, *Histrio-mastix*. Brabourne had published an earlier *Discourse vpon the Sabbath Day* in 1628, in which he argued that, far from being ceremonial in any respect, the fourth commandment was morally binding to the extent that the seventh day, Saturday, remained the Sabbath Day and that the 'Lord's Day' had never replaced it.⁴² Brabourne's *Discourse* caused little stir. However, in 1631 Brabourne published his *Defense of the Most Ancient and Sacred Ordinance of Gods, the Sabbath Day*, and this was to get him into hot water. Brabourne's *Defense* was a huge tome, which set out at much greater length Brabourne's argument that the fourth commandment was a moral and perpetual law and that Christians should acknowledge Saturday rather than Sunday as the Sabbath.⁴³ He condemned the Church for sanctifying the Lord's day as the Sabbath day and attacked the 'absurdity' of people arguing about preserving the moral law when they were failing to defend God's Sabbath itself.⁴⁴ Furthermore, holding that the Lord's day was not the true Sabbath, Brabourne disagreed with the puritan sabbatarians who claimed that God cursed people who profaned the Lord's day and criticised those who wrote books describing 'many remarkable iudgements of God, which haue befallne the profaners of the Lords day.' He stated that no one could ascertain God's will or pleasure by simply judging events, arguing that, if that were the case, then logically one would have to conclude that the loss of the Palatinate to the Catholic Holy Roman Emperor had been God's will.⁴⁵ Unlike his earlier *Discourse*, Brabourne dedicated his *Defense* to the king and it was this dedication that was to get his work considerable attention - and to get him into real trouble.

sabbatarian stance, which was at odds with the mainstream church view, he went on to be appointed as Bishop of Ossory in 1641 and to support the royalist cause in the Civil War.

⁴¹ *Ibid.*, pp. 307-308.

⁴² Theophilus Brabourne, *A Discourse Upon the Sabbath Day* (London, 1628), *passim*, especially pp. 1-63, 68-75 and 100-238.

⁴³ Theophilus Brabourne, *A Defence of the Sabbath Day* (London, 1632), *passim*.

⁴⁴ *Ibid.*, sigs. B1r - B1v, D1v and p. 355.

⁴⁵ *Ibid.*, p. 257.

Brabourne's dedication called on Charles I to accept that the Sabbath was prescribed in the moral law and that Saturday was still the 'Lord's Sabbath'. He called on Charles to do something about the fact that the Saturday Sabbath was being condemned as Jewish and ceremonial and was being 'prophaned & trampled vnderfoote'.⁴⁶ Brabourne told Charles that, as king, he was *obliged* to protect and uphold the fourth commandment. He called on Charles to revive the 'old law, a long time dead' and to proclaim Saturday as the Sabbath as it used to be. Quoting from 2 Kings 5:13, he told the king: 'If it were a great thing, which the Lord requireth of thee, wouldest thou not have done it?'.⁴⁷ At the end of his long treatise, Brabourne again called on the king, the bishops and Parliament to change the law and restore the Lord's Sabbath.⁴⁸ Charles I was offended by the fact that Brabourne had dedicated such an unorthodox work to him and, no doubt, resented the language that Brabourne employed towards him and his presumption in telling the king what his obligations were. Heylyn claimed that Charles felt the dedication was 'so lewd an impudence' and recorded that, 'fearing to be thought the Patron of a doctrine so abhorrent from all Christian piety, [Charles] gave Order for the Author to be censured in the High Commission'.⁴⁹ Brabourne was imprisoned for several weeks before being examined before the High Commission. As an indication of the king's considerable displeasure over the dedication, and to underscore Charles' rejection of Brabourne's argument, the prosecution against Brabourne was led by the king's advocate. After being tried in the presence of several bishops and privy councillors and being subjected to lengthy interrogation, Brabourne 'began to stagger in his former opinion' and finally admitted his errors and submitted 'to the orthodoxicall doctrine of the Church of England, both concerning the Sabbath-day, and likewise the Lord's-Day'.⁵⁰ The king then commissioned Francis White, Bishop of Ely, to write a work attacking and putting right Brabourne's errors. White duly produced two works, one in 1635 and the other in 1637, which attacked Brabourne's 'pestilent, and subtile Treatise', challenged Brabourne's 'Sabbatarian Error' and not only argued against Saturday being the Christian Sabbath, but also denied the moral and perpetual nature of the fourth commandment.⁵¹

It has been suggested, both by contemporaries and by later historians, that the publication of Brabourne's book was one of the key factors that lay behind the republication of the *Book of Sports* in 1633. Heylyn claimed that this was the case, and, according to Prynne, Laud cited 'a

⁴⁶ *Ibid.*, sigs. A2v - A3v.

⁴⁷ *Ibid.*, sig. A4v.

⁴⁸ *Ibid.*, pp. 609 - 610.

⁴⁹ Peter Heylyn, *Cyprianus Anglicus or the Life of Archbishop Laud* (London, 1668), pp. 257-258.

⁵⁰ Heylyn, *Cyprianus Anglicus*, pp. 257-258; Francis White, *A Treatise of the Sabbath Day* (London, 1635), sig. A2v; Parker, *English Sabbath*, p. 199.

⁵¹ White, *Treatise, passim*; Francis White, *An Examination and Confutation of a Lawless Pamphlet* (London, 1637), sigs. A2r - A4r. These works are discussed further in the section on the 'battle of pens' in chapter seven.

Booke set out by Theophilus Brabourne, 1628' as one of three reasons behind the reissuing of the *Book of Sports*, the other two being the events in Somerset and 'a generall and superstitious opinion conceived of [the Lord's Day]'.⁵² It is interesting to note that Prynne refers here to Brabourne's earlier work and not to the later work which contained the dedication that offended the king so much. Hamon L'Estrange also suggested that the reissuing of the *Book of Sports* was prompted by:

a potent tendency in many to Judaisme, occasioned by the dangerous Doctrine and Positions of several Puritans, especially of one Theophilus Brabourne an obscure and ignorant schoolmaster, asserting the perpetual and indispensable morality of the Sabbath of the fourth commandment.⁵³

Brabourne's book certainly seems to have played a part in the decision to reissue the Book of Sports, if for no other reason than because its challenge to the king to act may have helped to convince Charles that the matter of Sunday observance needed to be clarified once more. In his diary entry recording the publication of the 1633 Declaration, Thomas Crosfield recorded that it was 'conceived to be published to the opposition of some doctrine taught by some of our divines'.⁵⁴ Crosfield may well have been referring here to Brabourne's *Defense*. Certainly, Heylyn, Prynne, L'Estrange and, apparently, even Laud himself cited it as one of the reasons behind the Declaration's publication. Brabourne's book and his impertinent dedication to Charles certainly helped to push the whole question of Sabbath observance up the political agenda. However, Brabourne's *Defense* was devoted entirely to arguing the case for the perpetual and moral nature of the fourth commandment and of the Saturday Sabbath and it did not discuss the issue of recreations, which was the subject of the Declaration. Therefore, Brabourne's work alone cannot explain why Charles reissued his father's *Book of Sports*.

The other work that caused enormous controversy and that *did* address the issue of Sunday recreations was William Prynne's *Histrionomastix*, and Crosfield may have had this in mind as well when he referred to the doctrine being taught by certain divines. Ronald Hutton has suggested that *Histrionomastix* was far more likely to have prompted Charles to act and to reissue the declaration than was Brabourne's work.⁵⁵ This is an interesting suggestion. Certainly, the content of *Histrionomastix* was more directly relevant to the *Book of Sports* and

⁵² Heylyn, *Cyprianus Anglicus*, p. 258; William Prynne, *Canterburies Doome* (London, 1646), p. 148; C. Hill, *Society and Puritanism in Pre-Revolutionary England* (London, 1964), p. 197; J. Davies, *The Caroline Captivity of the Church: Charles I and the Remoulding of Anglicanism* (Oxford, 1992), pp.176-177.

⁵³ Hamon L'Estrange, *The Reign of King Charles* (London, 1656), pp. 132-133.

⁵⁴ F. S. Boas (ed.), *The Diary of Thomas Crosfield* (Oxford, 1935), p. 66.

the question of recreations than was Brabourne's book, even though that was relevant to the question of sabbatarianism. The fact that Brabourne's *Defense* was cited by contemporaries, including Laud, who cited it at his own trial, makes one wonder why they did not also cite *Histrion-mastix*. It may simply be that it did not influence Charles I's decision to reissue the *Book of Sports*, but it may also be because Laud did not want to antagonise Prynne, who was prosecuting him, by linking his work to the publication of the declaration and that Prynne himself did not want his work associated with it. Given the subject matter and the impact of *Histrion-mastix*, it is certainly possible, if not probable, that it too influenced Charles' decision to act.

Much has been written about *Histrion-mastix* and its attack on stage plays, which was the main focus of the treatise and, particularly, the implied criticism of the Queen's role in performing in court masques. However, Prynne also attacked traditional recreations. Indeed, Prynne himself later wrote how he:

did in my *Histrion-mastix* ... produce the Decrees, Laws, Statutes, Canons of many Christian Emperours, kings ... and Resolutions of Fathers, Casuists, Schoolmen, and Protestant Divines Forraign and Domestick, to prove the unlawfulness of Stage Plays, Revels, Dancing, Gaming, Sports and Pastimes on the Lords day.⁵⁶

In *Histrion-mastix* Prynne condemned mixed dancing and may games as 'sinfull, wicked, unchristian pastimes'.⁵⁷ He attacked dancing as 'the Devils procession', arguing that it led to adultery and that:

The Devill is the guide, the middle, and end of the Dance. As many paces as man maketh in Dancing, so many paces doth he make to Hell.⁵⁸

Referring back to the 1625 statute, Prynne stated, wrongly, that dancing on the Lord's day was unlawful, claiming that the 1625 Act 'intended to suppress dancing on the Lords-day'.⁵⁹ Forced to distinguish contemporary dancing from dancing mentioned in scripture, Prynne argued that the dances recorded in the Bible

⁵⁵ Hutton, *Merry England*, p. 193.

⁵⁶ William Prynne, *A Briefe Polemicall Dissertation* (London, 1654), sig. A2r.

⁵⁷ Prynne, *Histrion-mastix*, to the Christian reader.

⁵⁸ *Ibid.*, pp. 229, 232-233 and 239.

⁵⁹ *Ibid.*, pp. 241 and 243.

were no ordinary daily recreations, practised at every feast or meeting, upon every Lords-day, ... and that upon no other occasion but for mirth or laughter sake, to passe away the time, or to satiate mens unruly lusts ... as all our moderne dances are.

He added that the dances in scripture were also never held in an alehouse or tavern ‘much lesse at any may-pole, wake or Church-ale’.⁶⁰

Histrionomastix outraged the authorities, particularly since it described women actors as ‘notorious whores’, thereby implicitly insulting the queen, and because of the criticism and invective it directed at the church hierarchy. The Venetian ambassador recorded that *Histrionomastix* contained ‘scandalous and biting remarks, about the civil and ecclesiastical government of [t]his kingdom’.⁶¹ Prynne’s formal expulsion from Lincoln’s Inn also declared that *Histrionomastix* contained ‘divers incitements of his people to sedition’.⁶² In 1634 Prynne was fined and imprisoned and further punished by being placed in the pillory and having both his ears cropped. His book *Histrionomastix* was ‘burnt by the Common Hangman’.⁶³ If nothing else, *Histrionomastix* added to the controversy over Sunday pastimes and served to push the issue higher up the ecclesiastical and political agenda. It seems likely that it too contributed to Charles I’s decision to reissue his father’s *Book of Sports*. However, the main factor behind this decision was not the works of either Brabourne or Prynne but the controversy surrounding the attempts to suppress wakes and ales in Somerset, which came to a head in 1633. To quote Thomas Fuller: ‘Pass we now from the pen to the practical part of the sabbatarian difference’.⁶⁴

West Country Ales and the Somerset Controversy

Just as it was events in one English county, Lancashire, that led James I to issue the first *Book of Sports* in 1618, so too it was the events in another English county, Somerset, that led his son, Charles I, to issue an amended version of the *Book of Sports* in 1633 - although this time with more far-reaching consequences. Thomas Barnes has described Somerset as a ‘predominantly puritan’ county, but puritan in the sense of being orthodox Calvinist and staunchly anti-Catholic. There were relatively few of the ‘precisor sort’ of clergy in the

⁶⁰ *Ibid.*, pp. 252-253.

⁶¹ W. Lamont, *Marginal Prynne, 1600-1669* (London, 1962), p. 29.

⁶² Lamont, *Marginal Prynne*, p. 31.

⁶³ *Ibid.*, p. 33; L. S. Marcus, *The Politics of Mirth. Jonson, Herrick, Milton, Marvell and the Defence of Old Holiday Pastimes* (Chicago, 1986), p. 169.

⁶⁴ Fuller, *Church History*, Vol. III, p. 376.

county and even fewer 'Laudian clergy'. In religious terms, the county was essentially moderate, orthodox and conservative.⁶⁵ Revels and traditional pastimes were popular among large sections of the Somerset people, as is evidenced by the need for repeated orders by those who sought to suppress them. As for the justices who made such orders, although a handful, like John Harington of Kelston, were zealous puritans, most have not been identified with the extremists. In making orders to suppress revels, most of the justices in Somerset do not appear to have been motivated by any religious zeal, but by a concern about possible disorder.⁶⁶ Certainly, the justices on the Western Circuit issued repeated orders against wakes and ales. Parker refers to these orders and, in doing so, acknowledges that they reflected concern about the disorder that frequently occurred. However, Parker suggests further that the justices who issued these orders were also concerned about the irreligious nature of such events and, in the context of his argument, implies that the orders were motivated in part by sabbatarianism.⁶⁷ Yet, in considering these orders and the reasons why they were issued, Parker fails to distinguish between those issued in Somerset and those issued in the neighbouring county of Devon.⁶⁸ In Somerset, orders against wakes and ales were issued in 1594, 1608, 1612, 1624, 1628 and 1632, but none of them, with the possible exception of the 1628 order, appear to have been made on any religious grounds whatsoever. However, in Devon, where Puritanism was a far stronger force and where the bench seems to have been influenced by zealous puritans very early on, a number of the orders were indeed made specifically to prevent people from profaning the Sabbath. The Devon bench issued orders in 1595, 1600, 1607, 1615, 1622 and 1627, and the orders of 1595, 1615 and 1622 were both clearly concerned to prevent profanations of the Sabbath as well as preventing disorders.⁶⁹

In 1595 the judges at the Quarter Sessions in Devon issued an order against ales and revels, arguing that they not only led to 'sundry disorders, and abuses', but also caused 'great prophaness of the Lords Sabath, [and] the dishoner of Almighty god'. The order stipulated

⁶⁵ T. G. Barnes, 'County Politics and a Puritan Cause Célèbre: Somerset Churchales, 1633', in *TRHS*, Fifth Series, 9, (1959), pp. 105-106.

⁶⁶ *Ibid.*, pp. 108-109.

⁶⁷ Parker, *English Sabbath*, p. 182.

⁶⁸ The Quarter Session records for Cornwall and for Dorset before 1660 do not survive (see D. Underdown, *Revel, Riot and Rebellion. Popular Politics and Culture in England 1603-1660*, (Oxford, 1985), p. 49 - footnote), therefore I have confined the comparison of orders against West Country ales to those made in Devon and Somerset. An order from the Dorset Assizes held in July 1631 does survive in which ales were suppressed due to 'soundry misdemeanours and disorders yeerely happeninge by occasion of the keepinge of publique revels, churchales, clerkes ales and other ales of like nature', but this order made no reference to any issues of religion. See J. S. Cockburn (ed.), *Western Circuit Assize Orders, 1629-1648* (London, 1976) p. 33.

⁶⁹ See Appendix VII for the full text of the Somerset and Devon orders against church ales. Barnes cites various orders for Somerset (Barnes, 'County Politics', p. 109, footnote 1.), but in doing so refers to a Somerset order of 1596 and cites as his reference: Prynne, *Canterburies Doome*, p. 152. However, the transcribed order printed by Prynne on that page is in fact the 1594 order. The reference that Barnes gives for the 1594 order (PRO, SP 16/96 No. 7) is in fact the 1628 petition to Judge Denham (see Appendix VIII). Cases concerning ales were brought before Somerset justices in 1596, but the Somerset Record Office does not have any record of any specific order being made against the holding of church ales in 1596. Barnes also omits the 1612 Somerset order and he refers to a Devon order of 1606. Again, there was a case in Devon in 1606 concerning disorder at an ale, but no order prohibiting ales was made that year. However, an order was made by the Devon bench against

that no ales, revels or may games should be held ‘upon the Sabathe at any tyme of the daye’.⁷⁰ In January 1600 the judges in Devon again ordered that ‘Church-Ales and Revells shall bee hence forth utterly suppressed’, but this time they made no mention at all of the Sabbath or any concerns about irreligion, although they did refer to ‘many enormities’ having occurred at two recent ales, suggesting that the order was prompted by concerns about disorder.⁷¹ However, in July 1615 the Devon justices issued an order that ‘church-ales, and Bull-baitings be from henceforth utterly suppressed’, which cited ‘severall manslaughteres committed at two church-ales’ in Devon earlier that month, but also referred to ‘further advertisements given now unto the Court of the continuall prophanation of Gods Sabbath, at these and other such like unlawfull meetings’.⁷² As with the 1595 order, the justices were concerned about the irreligious nature of ales and revels held on Sundays as well as the danger of disorder arising from them. In 1622 the Devon Bench issued a further order which cited a ‘greate disorder’ at an ale held at Ashburton ‘to the great dishonour of Almightye God, prophanacion of the Sabboth and the withdrawinge of many well disposed persons from good and godlie exercises’.⁷³ In July 1627 at the Assizes held in Exeter, Chief Baron Walker and Sir John Denham confirmed the previous orders made against ales and revels and complained of ‘the infinite number of inconveniences daily arising by means of Revels, Church-Ales, Clerk-Ales and publicke Ales’ and ordered that they all should be ‘utterly suppressed’. They further instructed that, ‘to the end that this Order may be better observed’, every minister ‘shall publish it yearely in his Parish Church’. The justices also ordered that ‘such persons as usually carry up and downe Bulls and Beares to baite (being Rogues by Statute) shal be punished ... for the further prevention of such inconveniences as usually happen upon such meetings’.⁷⁴ Yet, even though this order was to be published in parish churches, it was not concerned with questions of irreligion, but with maintaining order and avoiding ‘inconveniences’. Nonetheless, in Devon where the puritan influence was strong, several orders *were* sabbatarian in nature. This was not the case in Somerset.

The distinction between Devon and Somerset is an important one because it underscores the point made in chapter five that it was where Puritans had influence on the judiciary that orders suppressing ales were motivated by religious belief. The fact that orders demonstrating concerns about irreligion were not issued in areas where puritan influence was weak suggests that Parker is wrong to deny a link between Puritanism and the new form of sabbatarianism

ales in 1607 and this is included in the transcripts of the orders contained in Appendix VII.

⁷⁰ DRO, *Quarter Sessions Order Book, Volume I, (1592-1600)*, fols. 125 – 126.

⁷¹ Prynne, *Canterburies Doome*, p. 152.

⁷² *Ibid.*, p. 153. The manslaughteres recorded at these ales were referred to in the previous chapter.

⁷³ M. Stoye, *Loyalty and Locality. Popular Allegiance in Devon during the English Civil War* (Exeter, 1994), p. 218.

⁷⁴ Prynne, *Canterburies Doome*, pp.153-154; A. H. A. Hamilton, *Quarter Sessions from Queen Elizabeth to Queen Anne* (London, 1878), p. 115; Cockburn, *Western Circuit Assize Orders*, footnote on pp. 3-4; Heylyn, *Cyprianus Anglicus*, p. 256.

that had emerged from the later Elizabethan period onwards. Parker glosses over such distinctions. For example, he asserts without making any distinction between the Devon and Somerset orders, that ‘regulations issued in 1594, 1600, 1607, 1615, 1624, 1628, 1631 reflected concern over the irreligious nature of [wakes]’, when most of the orders he cites in fact made no reference to irreligion at all. Indeed, in the very next sentence he goes on to quote from the 1594 order issued at the Sessions held at Bridgewater, which stated that ‘no Church-Ale be admitted to be kept within any part of this shiere’, but neglects to point out that no reason for the order was given at all. It neither mentioned concerns over disorder nor any matters of religion.⁷⁵ In 1608 the justices in Somerset renewed the 1594 order, with additional prohibitions on bull- and bear-baiting, and did so in response to an especially rowdy church ale that had recently taken place.⁷⁶ Again, no reference to irreligion or Sabbath profanation was made. The 1612 order against Ales similarly made no reference at all to either religion or the Sabbath. Indeed, it implied that the only reason for the order was the ‘dearth of Corne’ that year.⁷⁷ Similarly, in 1624, justices in Somerset issued a further order suppressing ales, without giving any reason for doing so.⁷⁸ The order issued at the Devon Assizes in 1627 had also been issued at the Summer Assizes in Dorset in 1627. Following this, six Somerset clergymen petitioned Denham, requesting him to make a similar order at the Assizes held in Somerset in 1628, which he duly did.⁷⁹ This order was also to be published in parish churches. Barnes has described this order as the only Somerset order that ‘exhibited pressure against churchales ostensibly on religious grounds’. However, Barnes bases his conclusion that the order was made on religious grounds simply on the fact that the vocation of the petitioners ‘would indicate religious intent’.⁸⁰ This may be true, but their petition to Justice Denham gives no motive and makes no religious references at all. It simply asks him to grant an order similar to the 1627 order ‘for the suppressing of the like Ales and disorders in this county of Somerset’, and the 1627 order itself made no reference to any religious concerns.

The situation in Somerset was, then, very different from that in Devon, where there were orders suppressing ales which were issued expressly to prevent the profanation of the Lord’s day, reflecting the puritan sabbatarianism of the Devonian godly. That was not the case in Somerset. Even if the ministers who petitioned Denham in 1628 were motivated by religion, none of the Somerset orders, including the 1628 order itself, made any reference to profaning the Lord’s day or any other form of irreligion, whereas they all made some reference to

⁷⁵ Parker, *English Sabbath*, p. 182 (N.B. Parker here fails to list a number of orders - including the 1595 Devon order, which was sabbatarian, and he incorrectly dates the 1608 order as 1607 and the 1632 order as 1631); Prynne, *Canterburies Doome*, p. 52.

⁷⁶ Barnes, ‘County Politics’, p. 109.

⁷⁷ SRO, Q/SR 13/71.

⁷⁸ SRO, Q/503 folio 394.

⁷⁹ Prynne, *Canterburies Doome*, p. 154; Hutton, *Merry England*, p. 189; Barnes, ‘County Politics’, pp. 109-110.

⁸⁰ Barnes, ‘County Politics’, pp. 109-110.

‘disorders’, ‘inconveniences’ or ‘enormities’ resulting from the holding of ales and revels. Given the non-sabbatarian nature of the Somerset orders compared to some of those made in Devon, it is ironic that it was events in Somerset that were to lead to the reissuing of the Book of Sports.

It is clear, then, that judges on the Western Circuit made numerous orders in an attempt to suppress ales and revels. The fact that such orders had to be issued repeatedly is a testament to the continuing popularity and use of wakes and ales in many areas. Indeed, preaching before the Western Circuit justices sitting in Exeter in 1642, Thomas Trescot railed against church ales, ‘Bacchanalian Revellings, and Heathenish May-games’ which prophaned the Sabbath and bemoaned their enduring popularity, declaring that they were ‘yet in some places ... more zealously observed ... than either the Lawes of God, or the King’. Referring to the 1627 ‘wholesome order ... for the suppressing of Church-Ales and Revells’, he said that it was like the engraving of a tombstone in that it was ‘quite worn out’ and he called on the judges once again to act to suppress ales, adding that action was what was needed as, even though ‘we may preach against these disorders so long, till we spit out our very Lungs; ... Our words shall be but wind’.⁸¹ Just as wakes and ales continued in Devon, despite the many orders against them, so too they continued to be popular and to take place in parishes in Somerset. This brings us to the order issued in Somerset in 1632; an order which was to have profound consequences.

At the Somerset Assizes held at Taunton Castle on 19 March 1632 Baron Denham and Lord Chief Justice Richardson issued yet another order suppressing ales and revels. Referring to the many earlier orders, it declared that it was ‘agayne ordered by the court in regard of the infinite number of inconveniences dayly arisinge by meanes of revels, church ales, clarkes ales, and other publique ales, [that they] be utterly from henceforth suppressed’.⁸² It is clear from this that, despite the numerous earlier orders against them, revels and ales were continuing to take place. As with the previous Somerset orders, the 1632 order did not prohibit ales and revels on religious or sabbatarian grounds, but on the grounds that disorder often resulted from the holding of such events. Indeed, Prynne later claimed that the 1632 order was made at the behest of Somerset JPs after ‘many persons [were] indicted for murthering Bastard children begotten at Wakes and Revels, with sundry other grand disorders occasioned by these intemperate meetings’.⁸³ As the 1628 order had done, this order stated that it should be read

⁸¹ Thomas Trescot, *The Zealous Magistrate* (London, 1642), pp. 25-26. Although orders for Cornwall do not survive, it would appear from Richard Carew’s *Survey of Cornwall* that, at least at the beginning of the seventeenth century, attempts were being made to suppress ales, but that they continued to be popular here too. See Richard Carew, *The Survey of Cornwall* (London, 1602), pp. 68-71.

⁸² Cockburn, *Western Circuit Assize Orders*, p. 46.

⁸³ Prynne, *Canterburies Doome*, p. 128. As Hill observes, it is more likely that such children were conceived ‘after’ wakes and ales rather than actually ‘at’ them: C. Hill, ‘Seventeenth-century English Society and Sabbatarianism’, in J.

by the minister in every Somerset parish annually on the first Sunday in February and again on the two Sundays before Easter. In itself the 1632 order was not, therefore, unusual. It merely repeated the prohibition of ales and revels made in numerous earlier orders, and the instruction that it should be published in parish churches followed a similar instruction made some years before without causing any particular fuss. However, the 1632 order prompted considerable controversy because, as Thomas Barnes had demonstrated, it became embroiled in matters of local politics and personal rivalries.⁸⁴

In accordance with the Judges' instructions, the 1632 order was duly read out in parish churches throughout Somerset in February 1633. William Laud, who became Archbishop of Canterbury in August of that year, objected to this, as he saw it as encroaching on diocesan jurisdiction. As Bishop of London, Laud had clashed with the Lord Mayor of London over the very question of jurisdiction. In April 1629 the then Lord Mayor, Richard Deane, had issued an order which complained of people profaning the Sabbath by the carrying and selling of goods on Sundays and prohibited people from doing so. Laud had regarded this order as interfering with his jurisdiction as bishop and had written on his copy of the order: 'The Lord Mayor of London his Warrant against breakers of the Sabbath, My jurisdiction interested'.⁸⁵ When the new Lord Mayor, Nicholas Rainton, stopped a woman from selling apples within St. Paul's churchyard on a Sunday, Laud reproached Rainton for usurping his jurisdiction, threatened to report him to the king and insisted that the woman should continue to sell apples in the churchyard 'notwithstanding [the Lord Mayor's] Command to the contrary'.⁸⁶

Given Laud's predisposition to jealously guard ecclesiastical jurisdiction, it is not surprising that he resented the fact that the 1632 Somerset order was to be read from the pulpits. Yet, when he had been Bishop of Bath and Wells, he had not then reacted to the fact that judges had instructed that the 1628 order should be read in parish churches. However, it does not appear that the requirement to publish that order was ever enforced, unlike the 1632 order. In any event, a crucial, additional factor in 1633 seems to be the fact that the 1632 order had been issued by Chief Justice Richardson and that the reading of the order in parishes in February 1633 coincided with Laud and Richardson clashing over the sentencing of Henry Sherfield in the Star Chamber. Sherfield, the Recorder of Salisbury, had been furious at the failure to remove a stained glass window from the local church of St. Edmund's Church, which depicted the Creation and which Sherfield regarded as idolatrous. He and members of the vestry had

S. Bromley and E. H. Kossman (eds), *Britain and the Netherlands*, Vol. II, (1964), p. 98 (footnote No.2).

⁸⁴ See Barnes, 'County Politics' for a comprehensive discussion of the events, circumstances and consequences of the ales controversy in Somerset.

⁸⁵ Prynne, *Canterburies Doome*, p. 132.

⁸⁶ *Ibid.*, p. 132.

wanted the window removed, but the Bishop of Salisbury, John Davenant, had intervened to prevent its removal. Sherfield had then taken matters into his own hands by smashing the window with a pikestaff. He was duly brought before the Star Chamber in February 1633, the very month in which the order against ales was published in Somerset's parish churches. The judges all agreed on Sherfield's guilt, but disagreed on the severity of the sentence that should be meted out to him. Laud, who was less concerned with the act of iconoclasm and more concerned about the fact that Sherfield had defied the bishop's authority, wanted Sherfield to receive a severe punishment. He called for Sherfield to be fined £1,000 and to be dismissed as Recorder of Salisbury. In calling for this sentence, Laud also took the opportunity to voice his dislike of vestries and of lawyers in general. Richardson, a leading judge, voted for a more lenient sentence - and thus voted against Laud. In the end, Sherfield escaped with a fine of £500 and the costs of repairing the window, much to Laud's annoyance.⁸⁷ This episode resulted in bad blood between Laud and Richardson at the very time that the Somerset order was being read in parish churches. Laud's antipathy towards Richardson coupled with his objection to what he saw as judicial interference in ecclesiastical jurisdiction prompted him to move against Richardson. He complained to the king that Richardson's instructions to the Somerset clergy to publish the order usurped ecclesiastical jurisdiction. Charles agreed with Laud and instructed Richardson to revoke all orders prohibiting church ales at the next (Lent) assizes. Richardson responded in a foolhardy, rather petulant, way by duly revoking the orders at the Dorset assizes, but failing to do the same at the Somerset assizes, in direct contravention of the royal instruction to do so. Indeed, not only did he fail to revoke the order, but he reprimanded a constable who had the temerity to ask whether the orders against ales were to remain in force.⁸⁸ Barnes has analysed the local politics surrounding these events, and has demonstrated that Richardson's behaviour was motivated by a personal rivalry between him and Sir Robert Phelps, a prominent figure in Somerset society. Phelps had been one of a group of MPs who had made trouble for the government in parliament some years earlier and he had fallen out of favour as a result. He was anxious to regain royal approval and to retain his elevated status within county politics.⁸⁹ Indeed, in April 1633 Phelps had written a letter to Sir John Coke, Secretary of State to Charles I, in which he had said: 'God knows his heart, how right it is set to serve and obey his Majesty'.⁹⁰ Phelps was also smarting from the fact that, at the assizes in 1632, Richardson had thrown out a prosecution that Phelps was avidly pursuing. This episode and the way in which it was handled by Richardson had led to a bitter

⁸⁷ F. Hargrave (ed.), *A complete collection of state-trials, and proceedings for high-treason* (London, 1776), p. 399; H. R. Trevor-Roper, *Archbishop Laud 1573-1645* (Second edition, London, 1962), pp. 110-111; C. Carlton, *Archbishop William Laud* (London, 1987), p. 78.

⁸⁸ Barnes, 'County Politics', p. 111.

⁸⁹ *Ibid.*, pp. 111-113; Trevor-Roper, *Archbishop Laud*, p. 157.

⁹⁰ *CSPD, 1633-34*, p. 20.

falling out between the two men.⁹¹ Consequently, in an attempt to settle old scores and, also, to try to prove himself a loyal subject to the king and to obtain social and political advancement, Phelps decided to exploit Richardson's failure to revoke the Somerset orders against ales.

Whether or not Phelps was himself the informant, news reached the king of Richardson's failure to revoke the orders at the Somerset assizes and, on 2 May 1633, Charles wrote a letter to Phelps, and two other Somerset justices, informing them that he had learned that the holding of wakes had been hindered and instructing them to provide him with a full report on Richardson's actions. In his letter, Charles told them that they and the other justices should ensure that disorders did not occur at wakes, but also confirmed 'that the people after evening prayer may use suche decent & sober recreations as are fitt'.⁹² Phelps seized on this opportunity to take his revenge on Richardson. In a report which Phelps drafted, he and his two fellow justices told Charles of Richardson's disobedience and of his failure to revoke the orders. They also informed the king about the past suppression of church ales in the county and went on to extol the virtues of ales and revels, telling Charles that such gatherings served 'to nourishe acquaintance and affecion amongst them, eache parishe at those times, mutually entertayninge one another, with arguments of love, freedome, and hospitality'.⁹³ Charles then personally ordered Richardson to revoke the orders against ales at the next Somerset assizes, which were to be held in August 1633. This Richardson did, but his manner of doing so was extremely ill-judged and displayed extraordinary bad grace. Before revoking the order, he went out of his way to give an account of the various earlier orders made against ales and to highlight the disorders that ales had led to. Richardson then told the court that 'some ill affected persons had misinformed his Majestie concerning this Order, who had given him [Richardson] an expresse command to reverse it'. He then went so far as to incite the Somerset gentry to petition the king, telling them 'that if the Justices of Peace would truly informe His Majesty would give Order to revive it'.⁹⁴ After the court session was over, Richardson went even further and got twenty-five justices to sign a petition to the king requesting the suppression of ales, claiming that that summer had seen revels lead to 'Disorders of prophanation of the Lords-day, riotous tipling, contempt of authorities, quarrels, murders, &c'.⁹⁵ This may well have been a reference to a riot that had occurred at an ale held at Coleford in May 1633, when eighteen rioters, all from neighbouring parishes, were arrested

⁹¹ Barnes, 'County Politics', p. 113.

⁹² SRO, DD/PH 222, fol. 120.

⁹³ SRO, DD/PH 222, fol. 126.

⁹⁴ Barnes, 'County Politics', p. 115.

⁹⁵ PRO, SP 16/255 No. 39. The petition was accompanied by a copy of Richardson's order revoking the earlier orders against ales and also by copies of three orders made against ales in previous years. However, curiously, the copies included with the petition were not copies of Somerset orders, but were copies of the Devon orders against ales of 1600, 1615 and 1627. It is

and several people were injured. However, aside from the Coleford riot, Barnes' research failed to uncover any other serious church ale disorder in Somerset between 1625 and 1640, suggesting that the justices were both exploiting and possibly exaggerating the trouble at Coleford.⁹⁶ Some JPs evidently signed the petition because they genuinely wanted ales suppressed, either on grounds of order or of religion. Some, such as John Harington and John Symes, were sincere puritans and so were clearly opposed to ales on religious grounds. It is interesting to note that the petition, unlike any of the earlier Somerset orders themselves, referred to the Lord's day being profaned. Others, though, appear to have signed the petition because of their opposition to Phelips and his faction. Barnes has suggested that the twenty-four justices who did not sign the petition were either loyal partisans of Phelips' or men who wanted to stay in, or to obtain, royal favour and who did not want to put their name to a petition which appeared to question the king's judgement. Barnes does not seem to allow for the fact that some of them may equally genuinely have not wanted ales suppressed and may have shared the sentiments about the value of ales that Phelips had expressed in his earlier report to the king.⁹⁷

Following these events, Phelips immediately wrote to the king informing him of Richardson's extraordinary actions and observing that they 'laid an aspercon upon your Majesties direcons for there revocacon'.⁹⁸ Charles reacted by instructing that Richardson should be examined by Laud (now Archbishop of Canterbury) Lord Keeper Coventry, the Lord Privy Seal and the Earl Marshall. After their lordships had conducted their enquiry, the climax of these events occurred when Richardson was brought before the full Privy Council to be comprehensively rebuked in the presence of the king himself. It would appear that the Archbishop was particularly fierce and that he gave Richardson 'such a rattle for his former Contempt ... that he came out blubbering and complaining, 'That he had been almost choaked with a pair of Lawn Sleeves'.⁹⁹

One of the results of this whole episode was the ruination of Richardson's career. Although he retained his position of Chief Justice, he was humiliated and disgraced by being moved to ride the Home Circuit, which was by far the least prestigious of the six assize circuits. Julian Davies has suggested that the mutual antipathy between Laud and Richardson has been exaggerated and points to the fact that, not long after the Somerset controversy, Richardson assisted Laud by sending him the names of non-conformists. However, given Richardson's

not clear why this should have been the case.

⁹⁶ Barnes, 'County Politics', p. 116 (footnote).

⁹⁷ *Ibid.*, pp. 116-117.

⁹⁸ Parker, *English Sabbath*, p. 188.

⁹⁹ Heylyn, *Cyprianus Anglicus*, p. 257. See also Prynne, *Canterburies Doome*, p. 148.

greatly diminished status after his removal from the Western Circuit, it seems far more likely that this was the action of a humbled, broken man and a sign of his attempts to get back into favour rather than an indication that all was well between them.¹⁰⁰

The other, far more important, result of these events was that, on 18 October 1633, Charles I reissued his father's *Declaration to his Subjects, Concerning Lawfull Sports*.

The Caroline *Book of Sports*

There has been much debate over whether the decision to reissue the *Book of Sports* in 1633 was inspired by Archbishop Laud or by the king himself. Contemporaries such as Prynne and Burton claimed that Laud was responsible, whereas White, Heylyn and Dow said that it was Charles who decided to reissue the Declaration.¹⁰¹ Similarly, historians such as Barnes, Parker and Cust have suggested that Laud persuaded Charles to reissue the *Book of Sports*, whereas others such as Sharpe and Davies have argued that it was Charles' own decision to do so.¹⁰² Certainly, the events in Somerset and the argument between justices there about the merits and demerits of ales and revels brought the issue to the fore, and the petition of the justices and Phelip's correspondence with the king made Charles all too aware of the continuing debate surrounding wakes and ales. Brabourne's *Defense* and Prynne's *Histrio-mastix* had also served to push the question of Sabbath observance up the political agenda. Given that most government business was conducted by word of mouth, it is impossible to know all of the reasons behind the decision to reissue the *Book of Sports* or whose idea it actually was. There are, though, some grounds to suggest that it did indeed emanate from the king himself rather than from Laud.

While the events in Somerset were still rumbling on, Charles commanded Laud to write to William Piers, Bishop of Bath and Wells, to ask him to enquire of those ministers in his diocese who were 'best affected to ye Church & goverment' how recent wakes had been conducted and whether they had been the occasion of any disorders. This Laud did on 4 October 1633. Barnes suggests that, even though Laud claimed he had been commanded to do so by the king, this request was in fact Laud's idea and that Laud wanted Piers to provide a report that would justify the reissuing of the *Book of Sports*; a course of action upon which,

¹⁰⁰ Davies, *Caroline Captivity*, pp. 177-178.

¹⁰¹ Prynne, *Canterburies Doome*, pp. 52, 128 and 148; Burton, *For God and the King*, p. 59; White, *An Examination and Confutation*, p. 132; Davies, *Caroline Captivity*, p. 176; Peter Heylyn, *A Briefe and Moderate Answer* (London, 1637), p. 80; Christopher Dow, *Innovations Unjustly Charged Upon the Present Church and State* (London, 1637), pp. 74-75.

¹⁰² Barnes, 'County Politics', p. 119; Parker, *English Sabbath*, pp. 189-190; R. Cust, *Charles I. A Political Life* (Harlow, Longman, 2005), p. 138; Sharpe, *Personal Rule*, pp. 354-355; Davies, *Caroline Captivity*, p. 176.

Barnes claims, Laud was already determined.¹⁰³ Parker has made the same claim, asserting, without any actual evidence, that as early as September 1633 Laud ‘suggested Charles reissue the Declaration of Sports’ but that Charles was not persuaded that such a move was necessary and that it was Charles’ uncertainty that prompted him to ask Laud to collect more information.¹⁰⁴ We simply do not know if this was the case. However, in his letter to Piers, Laud told the bishop that the king believed that disorders ‘may & ought to be prevented by the care of the Justices of Peace, & yet leave the Feasts themselves to be kept, for the Neighbourly meetings & Recreacions of the people, of which he would not have them debarred under any frivolous pretences’.¹⁰⁵ This mirrors the views that Charles had expressed in his own letter to Phelips in May 1633, which may suggest that Laud’s letter to Piers was indeed the king’s idea. Laud added that Charles had been informed, presumably by Phelips, that puritans were behind the attempts in Somerset to suppress wakes in Somerset. The petition from the twenty-five justices that referred to profanations of the Lord’s Day can only have served to have reinforced that view. It is clear from this that Charles had come to link the puritans with sabbatarianism and the attempts to ban traditional revels even if, in fact, in Somerset the justices were more concerned about disorder and the puritan influence was minimal.

On receipt of Laud’s letter, Bishop Piers chose seventy-two Somerset ministers to consult in order to ascertain their views on the value of wakes. Laud’s letter had made clear the response that he was expecting and hoping for and Piers did not disappoint, either in the ministers he chose to consult or in his findings. On 5 November he wrote back to Laud and informed him that, having consulted ‘the Gravest of my Clergy, and such as stand best affected to the Church and Governement out of the severall partes of my Diocesse’ he had ascertained:

First, that they [wakes] have bin kept not only this last yeere, but also for many yeares before, as long as they have lived in their severall parishes without any Disorders. Secondly, that upon the Feast dayes, (which are for the most part every where upon Sundayes) the service of the Church hath bene more solemnly performed, and the church hath ben better frequented both in ye forenoones, and in ye afternoons, then upon any other Sunday in the yeere. Thirdly, that they have not knowen, nor heard of any disorders in the Neighbouring Townes, where the like Feasts are kept. Fourthly, that the People doe very much desire the continuance of these Feasts. Lastly, that all these Ministers are of opinion, that it is fitt

¹⁰³ Barnes, ‘County Politics’, p. 119.

¹⁰⁴ Parker, *English Sabbath*, p. 189.

¹⁰⁵ PRO, SP 16/247 No. 24.

and convenient these Feast dayes should be continued, for a memorial of the Dedications of their severall churches, for the civilizinge of people, for their lawfull recreations, for the composinge of differences by occasion of the meetinge of friends, for the increase of love and amity, as beinge Feasts of charity, for the reliefe of the poore, the richer sort keeping then in a manner open house, and for many other reasons.¹⁰⁶

Piers added that ‘the cheifest cause of the dislike of these Feasts amongste the preciser sort is, because they are kept upon Sundayes, which they never call but Sabbath dayes, upon which they would have noe manner of recreation’. He also warned that ministers were worried that if people were denied ‘their honest and lawfull recreations upon Sundayes after eveninge prayer’ they would go ‘either unto tipling houses, and there upon their ale-benches talk of matters of the Church or State; or else into conventicles’. In other words, wakes were a way of keeping people out of mischief.

Although Laud’s letter had specifically asked about wakes, Piers went on to talk about ales, pointing out that, in the past, they had been a valuable way of raising money and had been used to help the poor and to finance the repair of church buildings. However, he said that, ‘Concerninge Church-ales, I find that in some places the people have bin perswaded to leave them off, in other places they have bin put downe by the Judges and Justices; soe that now there are very few of them left’.¹⁰⁷ In many places across England, as we have seen, ales were in decline, as they were gradually being replaced by a system of rates. They were also liable to be suppressed by justices who feared disorders arising from them and, in the case of puritans, by those who saw them as causes of irreligion. Indeed, the petition of the twenty-five justices to Charles in August 1633 made it clear that the orders that the judges had issued against ales in the years prior to 1633 had meant that ‘the sayd Assemblies have for the most part for a long time been foreborne and not used’.¹⁰⁸ Piers’ report also makes it clear that in Somerset, as elsewhere in the country, church ales, clerk ales and bid ales were in decline. However, Parker has misinterpreted this aspect of Piers’ report and has wrongly concluded that ‘Piers paradoxically confessed that wakes were very rare in Somerset’.¹⁰⁹ Parker has confused the feasts of dedication, otherwise known as ‘wakes’, with ordinary church ales. Wakes were sometimes referred to as ‘ales’, but ales themselves were never called ‘wakes’ and, given that the bulk of Piers’ report specifically concerned wakes, it is quite clear that his reference to ales towards then end of his report was just that: a reference to ales and not to

¹⁰⁶ PRO, SP 16/250 No. 20.

¹⁰⁷ *Ibid.*

¹⁰⁸ PRO, SP 16/255 No. 39.

wakes. Both wakes and ales were the occasions of revels, drinking and recreations, but they were not the same thing. When Piers talked about ales he was distinguishing them from wakes, which he had already discussed. Indeed, Piers stated specifically:

I find that thoro out [throughout] Somersetshire, there are not only Feasts of Dedication, but also in many places Church-ales, Clarkes-ales and Bid-ales. The Feasts of Dedications are more generall, and generally they are called Feast-dayes, but in diverse places they are called revell-dayes; they are not knowne amongst the ignorant people by the name of Feasts of Dedication; but all scholars acknowledge them to be in ye memory of their severall Dedications.¹¹⁰

Moreover, Piers specifically stated that ‘Feasts of Dedication ... have bin kept not only this last yeere, but also for many yeares before, as long as they have lived in their severall parishes’, indicating that wakes were not declining, even if other ales were. Parker’s assumption that wakes were like all other ales leads him to suggest, incorrectly, that Piers was saying that revels generally were scarce in Somerset and to conclude: ‘This confession lends further support to the suggestion that the controversy was generated by Laud, and had little or nothing to do with local concerns’.¹¹¹ If it were the case that, in addition to ales, wakes and other revels were rare in Somerset then that might carry some weight. However, that is not what Piers said. Furthermore, the repeated orders against ales and other revels, which Parker himself admits ‘were not adequately enforced’, suggests that traditional revels were not such rare events.¹¹² Indeed, as testament to their enduring popularity, Piers told Laud that, when the constables of some Somerset parishes had come from the Assizes two years previously and had ‘told their Neighboures that the Judges would put downe these Feasts, they answered that it was very hard, if they could not entertayne their kindred and Friends once in a yeere, ... and they sayd they would endure the Judges penaltyes rather than they would break off their Feast Dayes’.¹¹³

Piers’ report would clearly have been useful to justify the reissuing of the *Book of Sports*, but Charles did not wait to receive the report before he reissued the Declaration on 18 October. Barnes and Parker could be right in claiming that, in the meantime, Laud had succeeded in persuading Charles to reissue the Declaration. Yet this claim does not sit easily alongside

¹⁰⁹ Parker, *English Sabbath*, p. 190.

¹¹⁰ PRO, SP 16/250 No. 20.

¹¹¹ Parker, *English Sabbath*, p. 190.

¹¹² *Ibid.*, p. 182.

¹¹³ PRO, SP 16/250 No. 20.

Parker's suggestion that Charles had not been persuaded earlier that it was necessary to reissue the Declaration and had consequently insisted that Laud should get a report from Piers first about the value of wakes. It seems just as likely that Charles made the decision to reissue the *Book of Sports* independently of Laud. Indeed, Laud subsequently himself denied responsibility. He denied that he had procured the Declaration and insisted that 'the king commanded the printing of it'.¹¹⁴ During his trial he produced a warrant signed by Charles I which instructed: 'Canterburye, see that our declaration concerninge Recreations on the Lords daye after Eveninge prayer, be printed'.¹¹⁵ Davies is the only modern historian to make reference to this, very puzzling document, but his use of it is somewhat misleading. He points out that the order was signed by the king, but he fails to add that the order itself was written in Laud's handwriting.¹¹⁶ Prynne claimed that Laud had written this document and had then got Charles to sign it so that he could later deny responsibility.¹¹⁷ However, as Davies points out, Laud was perfectly willing to acknowledge his responsibility for other controversial policy initiatives, so his denial in this instance should be taken seriously.¹¹⁸ It is tempting to speculate about the origins of such an interesting document, but impossible to be certain about them. Given the fact that it was written by Laud, albeit signed by the king, the document cannot be conclusive. In any event, the fact that someone like Prynne should want to blame Laud and use him as a scapegoat should be of little surprise.

Laud himself did not indulge in recreations and, although he was concerned to protect ecclesiastical jurisdiction, in other respects he was not a champion of revelry. In 1637, for example, he moved to prevent a parish feast from being held in a church.¹¹⁹ Although he condemned 'those men who stand so strictly upon the morality of the Sabbath, [and] do by a gross and carnal Sabbatization, three times outgo the superstition of the Jew', he was nonetheless very clear about the need to 'shun profaneness' and believed that the 'apostolical universal tradition settled the Lord's day for holy and public worship'.¹²⁰ Laud personally observed the Lord's day very strictly and he persuaded Charles I to move meetings of the Privy Council from Sunday mornings to Sunday afternoons.¹²¹ Of probably even more relevance, unlike some other bishops, Laud did not enforce the 1633 *Book of Sports* at all

¹¹⁴ J. Bliss and W. Scott (eds), *The Works of William Laud* (seven volumes, Oxford, 1847-60), IV, pp. 251 and 253.

¹¹⁵ PRO, SP 16/248 No. 12.

¹¹⁶ Davies, *Caroline Captivity*, p. 176.

¹¹⁷ Prynne, *Canterburies Doome*, p. 148.

¹¹⁸ Davies, *Caroline Captivity*, p. 176.

¹¹⁹ *Ibid.*, 204; Trevor-Roper, *Archbishop Laud*, pp. 156 and 158-159.

¹²⁰ Bliss, *Works of William Laud*, IV, p. 255; *Ibid.*, III, p. 307.

¹²¹ Davies, *Caroline Captivity*, pp. 180 and 204; Hill, *Society and Puritanism*, p. 159.

rigorously.¹²² If it had been his policy, one would have expected him to have been one of its fiercest enforcers.

As for the king, he was a rather austere figure and, unlike his father, he was not someone whose personality lent itself easily to appreciate traditional revelry.¹²³ Yet there are facets of his character and beliefs that suggest he needed no persuasion from Laud to reissue the *Book of Sports*. Charles had a deep dislike for and distrust of Puritans and he saw their attacks on recreations and their attempts to enforce a stricter Sabbath observance as dangerous, unwelcome interventions in both Church and society. Moreover, Charles did not regard the fourth commandment as a moral and perpetual precept. As Davies has observed, on the question of whether the same authority that had instituted Sunday as the Christian Sabbath had also instituted Easter, Charles declared that ‘it will not be found in Scripture where Saturday is discharged to be kept or turned into ... Sunday ... whereof it must be the Church’s authority that changed the one (and) instituted the other’.¹²⁴ Charles was certainly no sabbatarian and he regularly held both council meetings and masques on Sundays.¹²⁵

While it suited Prynne and Burton to blame Laud, most other contemporaries seem to have accepted that it was the king who was responsible for the republication of the *Book of Sports*.¹²⁶ Leah Marcus has even floated the intriguing possibility that Charles may have reissued the *Book of Sports* because he was trying to emulate his father, suggesting that, when he travelled to Scotland for his coronation in 1633, he was replicating his father’s journey of 1617. Marcus suggests that:

as though to emphasize his ceremonial repetition of his father’s progress, in connection with the event Charles reissued Jacobean proclamations designed to restore the countryside: the *Book of Sports* and the order commanding gentry and aristocrats back to their rural estates to keep hospitality in the traditional fashion.¹²⁷

At first sight this seems to be a slightly far-fetched notion, yet there may be some truth in it. Some historians have argued in the past that there is little evidence of Charles’ personal involvement in his royal proclamations and have seemingly accepted contemporary

¹²² See chapter seven on the enforcement of the 1633 Declaration.

¹²³ K. Sharpe, *Remapping Early Modern England. The Culture of Seventeenth-Century Politics* (Cambridge, 2000), p. 173

¹²⁴ Davies, *Caroline Captivity*, p. 180.

¹²⁵ Hamon L’Estrange, *The Reign of King Charles* (London, 1656), p. 133; Davies, *Caroline Captivity*, p. 175; Hill, *Society and Puritanism*, p. 159.

¹²⁶ Davies, *Caroline Captivity*, p. 174.

¹²⁷ Marcus, *Politics of Mirth*, p. 128.

assumptions and claims about the role of first Buckingham and then Laud in the king's printed statements.¹²⁸ More recently, historians have recognised Charles' close interest in such matters and his particular interest in what his own father had published. Indeed, as Kevin Sharpe has shown, Charles I closely followed what his father had done and annotated and corrected some of James' writings. Charles' speeches and proclamations frequently echoed his father's phraseology and Charles appears to have used his father's *Workes* as a pattern for his own kingship.¹²⁹ Sharpe also highlights the fact that Charles' *Book of Sports* drew on that of his father.¹³⁰ It may be that Charles' decision to reissue it when he did was just coincidence, but given his keen interest in his father's writings and actions, it is highly probable that Charles would have consulted records of what James had done when he journeyed to Scotland in 1617 when he planned his own visit to Scotland in 1633. Charles would then have been reminded of events in Lancashire on James' return and of his decision to issue the first *Book of Sports*. Charles' letter to Phelips on 2 May 1633, written shortly before his visit to Scotland, may well have been written at a time when his father's thoughts and actions concerning Sunday festivities were fresh in his mind.

Yet, whatever prompted the issuing of the book, Charles' correspondence with Phelips demonstrates his interest and involvement in the Somerset ales controversy. Charles had also been personally affronted by Brabourne's epistle dedicatory and he instructed White and Heylyn to write works attacking Brabourne and puritan sabbatarianism, demonstrating his own involvement in the sabbatarian debate. Both White and Heylyn, it is interesting to note, insisted that the *Book of Sports* stemmed from Charles himself.¹³¹ There is every reason to believe that Charles decided that not only would he reissue his father's Declaration but that, unlike his father, he would have it enforced and ensure that it was published in parish churches across the land. Indeed, Charles was well aware of the power of the pulpit, and told his son many years later that 'people are governed by the pulpit more than the sword in times of peace'.¹³²

We can never know for certain whether the idea of reissuing the *Book of Sports* came from Laud or Charles. Yet Charles' letter to Phelips in May 1633 and Laud's letter to Bishop Piers provide important evidence to suggest that it moved from the king himself. These letters suggests that Charles was contemplating reissuing the Declaration of Sports long before Laud

¹²⁸ J. Richards, 'His Nowe Majesty' and the English Monarchy: The Kingship of Charles I before 1640,' in *P&P*, 113 (1986), p. 76.

¹²⁹ Sharpe, *Remapping Early Modern England*, pp. 173-174. In a recent article, Mark Kishlansky has similarly asserted that '[Charles'] handbook was the *Basilicon Doron*'. See M. Kishlansky, 'Charles I: A Case of Mistaken Identity,' in *P&P*, Vol. 189, No. 1 (November, 2005), p. 50.

¹³⁰ *Ibid.*, p. 176.

¹³¹ White, *An Examination and Confutation*, p. 132; Heylyn, *A Briefe and Moderate Answer*, p. 80.

wrote to Piers, and that Charles was considering amending his father's Declaration. When Charles issued his own Declaration in October 1633, it was, aside from the preamble, identical to James' earlier Declaration in all respects except that Charles added a paragraph in which he specifically licensed 'the Feasts of the Dedication of the Churches commonly called Wakes'.¹³³ It is surely no coincidence that Charles' letter to Phelips only referred to wakes or that Laud's letter to Piers similarly only asked about how wakes were regarded and kept and did not ask about or refer to any other forms of revelry. Charles only referred to wakes in his letter to Phelips and the sole purpose of Laud's letter to Piers was to obtain information about the use of wakes. This suggests that Charles was possibly considering reissuing the Declaration as early as May, when he was preparing for his journey to Scotland, and that he had it in mind to include a specific reference to wakes. The paragraph in the Declaration concerning wakes stated that:

because of late in some Counties of Our Kingdome, Wee finde that vnder pretence of taking away abuses, there hath been a generall forbidding, not onely of ordinary meetings, but of the Feasts of the Dedication of the Churches, commonly called Wakes. Now our expresse will and pleasure is, that these Feasts, with others, shall bee obserued.¹³⁴

This is clearly a reference to the events in Somerset, again indicating the importance of these events in the decision to reissue the Declaration and of Charles' concern with proceedings there. Reflecting what Charles had written to Phelips in May 1633, the amending paragraph stated that justices were to see that any disorders were either prevented or punished, but that 'all neighbourhood and freedom, with manlike and lawful exercises be used'. Therefore, Laud's letter to Piers and the amending paragraph of the 1633 Declaration echoed what Charles had himself written to Phelips in May 1633, suggesting that Charles was indeed behind both the letter and the amendment. Furthermore, the fact that the letter enquired exclusively about wakes and that the amendment exclusively concerned wakes suggests that Charles was already intending to reissue the Declaration early in October and was considering adding a specific reference to wakes, which he did subsequently include. The connection between the enquiry to Piers about wakes and the express inclusion of wakes in the 1633 Declaration is a connection that has not been made by other historians, but the two certainly

¹³² C. Petrie (ed.), *The Letters, Speeches and Proclamations of King Charles I* (London, 1935), p. 200.

¹³³ Charles I, *The Kings Majesties Declaration to his Subjects, Concerning Lawful Sports to Be Used* (London, 1633), pp. 15-16.

¹³⁴ *Ibid.* It is not clear why Charles was so interested in wakes in particular, but his letter to Phelips, the letter he instructed Laud to write to Piers and the 1633 Declaration itself make it clear that he was particularly concerned that wakes should be protected. It may be that, because they were the Feasts of the Dedication of the Churches, he saw them as revels that had a particular connection to the Church and should therefore be preserved, but without further research this must remain pure conjecture.

appear to be linked. This also makes the fact that Charles issued the Declaration before Laud heard back from Piers more explicable. If Laud's enquiries to Piers had moved from Laud himself, then one would have expected Laud to have waited for a response. However, if Charles was already considering issuing the Declaration with the inclusion of a specific licence for wakes, then it seems credible to suggest that, having instructed Laud to get more information, the king then decided to go ahead with his plan anyway and issued the revised Declaration without waiting for Piers' report to arrive.

The relationship between Charles and Laud was a complex one, but, to a large extent, the two shared the same aims and assumptions in terms of religious policy.¹³⁵ We will never know what conversations took place between the two men concerning the decision to issue the 1633 Declaration, but there is no evidence to suggest that Charles was not his own man in this affair, and the unsubstantiated assertions of Parker and others that Laud manipulated Charles into publishing the *Book of Sports* should be treated with caution. One thing is clear: in issuing the revised Declaration, Charles I, unlike his father, meant it to be enforced. His Declaration instructed that it should be published 'by order from the Bishops, through all the Parish Churches of their seuerall Diocesse respectiuey'.¹³⁶ As with other matters, Charles regarded the reading of his Declaration as a test of obedience. Indeed, the newswriter Edward Rossingham told Viscount Scudamore in September 1634, 'the question will not be whether that sporting upon the Sunday be lawful yea or no, but whether they do not all to disobey the command of authority'.¹³⁷ As the final chapter demonstrates, Charles' decision to enforce his *Book of Sports* was to create considerable disaffection and was to have profound and far-reaching consequences.

¹³⁵ Cust, *Charles I*, pp. 133-143.

¹³⁶ Charles I, *Declaration ... Concerning Lawful Sports*, p. 17.

¹³⁷ Sharpe, *Personal Rule*, p. 359.

Chapter Seven

Enforcement and Reaction: choosing between the 'Commandments of God and Man'.

James I's Declaration of Sports had been unpopular, both with puritans and even among more moderate Protestants, and he had wisely decided not to press its enforcement. By the time that Charles I issued his revised Declaration in 1633, political, social and religious tensions had increased considerably and the reaction was correspondingly more intense.¹ Moreover, Charles fully intended to enforce the Declaration and the reading of it became a test of loyalty to the Crown.² As early as December 1633, Strafford, the Lord Deputy of Ireland, was informed by a source in England that: 'Here begins to be much difference in opinion about the book; for though it be the same verbatim that was publish'd in King James's time, yet it is commanded to be read in all the churches here and in the Country'.³

The Declaration required that the bishops should ensure its publication in every parish church, but it did not stipulate how it was to be published. Nor did it specify that every parish minister was required to read it. Indeed, Archbishop Ussher told Sir William Brereton that his understanding of the Declaration was 'that there was no clause therein commanding the ministers to read the book, but if it were published in the church by the clerk or churchwardens, the king's command is performed'.⁴ Similarly, Thomas Wilson, the rector of Otham in Kent, who refused to read the *Book of Sports* and was later brought before the church courts, explained that he 'refused to read the Book ..., not out of any contempt of any Authority, but as being commanded by no Law, for the Kings Majesty doth not in the Book command or appoint the Minister to read it'.⁵ Nonetheless, it was widely assumed that the minister should read it to his congregation and in some areas the reading of it by ministers became a test of compliance. Heylyn pointed out that the bishops were given the task of publishing the Declaration and that, if they then instructed the parish minister to read it, the minister was duty bound to obey. He also pointed out that 'many times in country villages, ... the Church-wardens cannot read, and therefore [they should] not ... be employed in publishing such Declarations, which require a more knowing man than a silly villager'.⁶ Even so, not all of the bishops forced ministers to read the Declaration. For example, John White, a

¹ A. Fletcher, *Reform in the Provinces. The Government of Stuart England* (London, 1986), p. 269.

² J. Davies, *The Caroline Captivity of the Church: Charles I and the Remoulding of Anglicanism* (Oxford, 1992), p. 183.

³ L. A. Govett, *The King's Book of Sports* (London, 1890), p. 121.

⁴ E. Hawkins (ed.), *Travels in Holland, the United Provinces, England, Scotland and Ireland by Sir William Brereton* (London, 1844), pp. 139-140.

⁵ George Swinnock, *The Life and Death of Mr. Tho. Wilson* (London, 1672), p. 74.

⁶ Heylyn, *Cyprianus Anglicus*, p. 295.

minister in the Bristol diocese, refused to read the book, despite being urged to do so by his bishop. Yet White avoided punishment when the churchwardens got someone else to read it on a Friday morning while the church was empty and while White was away.⁷ Indeed, although clergy and churchwardens were asked to certify that the Declaration had been published, they were not usually asked by whom it had been published.⁸ Such loopholes were exploited by ministers who were reluctant to read the book. William Price, a godly minister in the diocese of Peterborough, compromised his principles by allowing the parish clerk to read the Declaration at the end of divine service, while he put his fingers in his ears in order not to hear the book being read and to signal his disapproval.⁹ When Humphry Chambers, an otherwise conformist, moderate clergyman, was so anguished by the book's licensing of mixed dancing that he felt he could not read it, his bishop sent a surrogate to read it instead, so that 'the distraction thereof may not afford ground for a Romish jubilee or schismatical triumph'.¹⁰ Yet, whereas some bishops connived at such avoidance, others were keen to make sure that the incumbent had read and published the book personally.¹¹ As Fuller recorded, 'all bishops urged not the reading of the book with rigour alike, nor punished the refusal with equal severity'.¹² Some, such as Wren, Piers and Curle, enforced it strictly, some half-heartedly and some not at all.

As perhaps further evidence that the publication of the Book was the king's idea rather than his archbishop's, it is clear that Laud himself did not enforce it rigorously. At his trial, Laud admitted that he had punished some ministers who failed to read the Book, but he explained that he had had to take some action because 'His Majesty having commanded this, I could do little if I had not so much as inquired what was done'. He stated that, in some instances, he 'gave time to them which had not read it, and then never asked more after it', and he pointed out that in those few instances where ministers were punished with suspension it was because the ministers had done other things that merited disciplinary action in addition to failing to read the Book.¹³ Laud's assertions at his trial are supported by the surviving evidence. Following the printing of the Declaration, Laud wrote a letter to all the bishops in the Southern Province instructing them to use 'all diligence' in ensuring that the Book was published in their various parishes and to get copies of the Book in order to have them ready

⁷ D. Underdown (ed.), *William Whiteway of Dorchester, His Diary* (Dorset Record Society, Vol. 12, 1991), p. 147.

⁸ Davies, *Caroline Captivity*, p. 198.

⁹ T. Webster, *Godly Clergy in Early Stuart England. The Caroline Puritan Movement, c. 1620-1643* (Cambridge, 1997), p. 229.

¹⁰ Sharpe, *Personal Rule*, p. 359.

¹¹ K. Fincham (ed.), *Visitation Articles and Injunctions of the Early Stuart Church*, Vol. 1 (Church of England Record Society, 1994), p. 91; K. Fincham (ed.), *Visitation Articles and Injunctions of the Early Stuart Church, Volume 2* (Church of England Record Society, 1998), pp. xviii-xix, 147 and 206; Webster, *Godly Clergy*, p. 206.

¹² Fuller, *Church History*, p. 378.

¹³ *Works of William Laud*, IV, pp. 253-255.

for publication. However, he did not stipulate how it should be published and made no reference at all to it being read by parish ministers.¹⁴ Laud's detractors portrayed him as a zealous pursuer of godly ministers who used the *Book of Sports* to entrap and punish them. Prynne accused Laud of having compiled the Declaration himself, 'but [having it] published in his Majesties Name'. Moreover, even though Laud's letter to the bishops gave no such instruction, Prynne insisted that: 'This Book he enjoyned all Ministers to read and publish openly in the church in time of Divine Service'. He went on to assert that:

those who out of conscience refused to read it in this kinde were by his means suspended, excommunicated, prosecuted in the High-Commission, Sequestred from their Livings, yea many of them enforced to desert their Cures and depart the Kingdome; this book being made a snare onely to entrap or suppress most of the painfull, godly, preaching Ministers throughout the Realm, who were all more or lesse prosecuted about it.¹⁵

Indeed, Prynne claimed that Laud had had a hand in the suspension and excommunication of 'many hundred Godly Ministers'.¹⁶ In fact, as Davies has demonstrated, Laud did not pursue a strict policy of enforcement at all.¹⁷ In 1634 he censured only four ministers who refused to read the Book, while many other ministers in the Canterbury diocese refused to read it and yet went unpunished. The four who were censured: Richard Culmer of Goodnestone, John Player of Kennington, Thomas Hieron of Hernhill and Thomas Gardner of St. Mary, Sandwich, were all well-known non-conformists who Heylyn described as 'troublesome persons ... who publickly opposed all establisht orders, neither conforming to his Majesties Instructions, nor the canons of the Church, nor the Rubricks in the publick Liturgy'.¹⁸ Even so, Laud did not suspend any of them before first giving them time in which to reform. It seems that Gardner did indeed promise to conform and he was not prosecuted further, even though it appears that he was never actually made to read the book. As far as the other three were concerned, having given them time to conform, Laud did then suspend them.¹⁹ When they petitioned Laud to have their suspensions lifted, he, clearly exasperated by their continuing obstinacy, responded 'that if they knew not how to obey, he knew as little how to grant' and he refused

¹⁴ *Ibid.*, pp. 329-330.

¹⁵ Prynne, *Canterburies Doome*, p. 128.

¹⁶ *Ibid.*, p. 153.

¹⁷ Davies, *Caroline Captivity*, pp. 185-187.

¹⁸ Heylyn, *Cyprianus Anglicus*, p. 308. Culmer was a staunch puritan and was a violent iconoclast during the 1640s – see J. Spraggon, *Puritan Iconoclasm during the English Civil War* (Woodbridge, 2003), p. 185.

¹⁹ Davies, *Caroline Captivity*, pp. 185-186.

to lift their suspensions.²⁰ Yet, aside from these ministers, Laud suspended only one other minister who refused to read the Book: Thomas Wilson of Otham, who was suspended in 1635. However, like those censured in 1634, Wilson was also a non-conformist and had disobeyed in other matters. He was called before the High Commission in April 1635, but failed to attend on the appointed days.²¹ At Laud's trial, the archbishop pointed out that Wilson was suspended 'when he would neither obey, nor keep in his tongue' and, although Wilson was deprived of his living for almost four years, Laud made clear that 'it was not for not reading this book'.²² Indeed, Laud pointed out at his trial that far more ministers were punished in other dioceses, and he commented, justifiably, on his own enforcement of the Book of Sports that: 'my proceeding was far from rigour'.²³ Indeed, Thomas Valentine, the rector of Chalfont St. Giles, having been suspended by the Dean of the Court of Arches for not reading the book, petitioned Laud to have his suspension lifted. Laud made it clear that he had not intended ministers to be censured purely for failing to read the book and told Valentine 'that he would stand right in your opinion except some other matter appeared against him'. Valentine's suspension was duly revoked.²⁴ Thomas Fuller, no apologist for Laud, confirmed that 'as for the archbishop of Canterbury, much was his moderation in his own diocese, silencing but three (in whom also a concurrence of other nonconformities) through the whole extent thereof'.²⁵

Whereas Laud did not enforce the *Book of Sports* strictly, others did. The most rigorous enforcers were Bishop Piers of Bath and Wells, Bishop Curle of Winchester and, in particular, Matthew Wren, the Bishop of Norwich. Unlike most of his fellow bishops, Wren not only enquired in his visitation articles whether the *Book of Sports* had been published, but also by whom.²⁶ Indeed, Wren enquired about the reading of the book in his visitation courts as well as his visitation articles.²⁷ He discovered that a large number of his clergymen had not read the book, and responded by ordering sixty ministers of whom he 'had most doubt of' non-conformity to read the Declaration. Those who refused to comply were immediately suspended.²⁸ Years later, when the possibility of Laud's impeachment became clear, a petition was sent to parliament by the inhabitants of the diocese of Ely, where Wren had

²⁰ Heylyn, *Cyprianus Anglicus*, p. 10.

²¹ M. Jansson (ed.), *Proceedings in the Opening Session of the Long Parliament, Volume 1: 3 November – 19 December 1640* (New York, 2000), p. 368 (footnote No. 2).

²² See list of Articles against Wilson in Swinnoek, *The Life and Death of Mr. Tho. Wilson*, pp. 67–91; Bliss, *Works of William Laud*, IV, p. 254.

²³ *Ibid.*, p. 253.

²⁴ Sharpe, *Personal Rule*, p. 356.

²⁵ Fuller, *Church History*, p. 378. Fuller speaks here of Laud silencing three ministers, but, with the inclusion of Thomas Wilson, the number appears to have been four.

²⁶ Fincham, *Visitation Articles*, Vol. 2, p. 147.

²⁷ Davies, *Caroline Captivity*, p. 188.

²⁸ *Ibid.*

become bishop after his time at Norwich. Signed by hundreds of people and aimed at obtaining the impeachment of Wren as well, it accused him, *inter alia*, of ‘pressing the reading of the booke of sports and recreacions ... whereby the common prophancion of the Lord’s daie with beastlie drunkenness lascivious dauncings, quarrellings and fightings ... hath been exceedingly encouraged’.²⁹ The articles of impeachment against Wren accused him of forbidding afternoon sermons on Sundays and of forcing ministers to read the Book of Sports ‘publikely in their Churches’ and of suppressing those ministers who refused to do so, ‘by all which, knowledge was suppressed, and ignorance and prophanenesse introduced in that Diocesse’.³⁰ At his trial in 1641, Wren acknowledged that he had suspended thirty ministers, sixteen of whom were later also excommunicated. Again, though, as Davies points out, although Wren’s policy of enforcement was much stricter than that of his fellow bishops, he seems to have targeted ministers whom he suspected of failing to conform in other respects and he did not punish ministers purely for refusing to read the *Book of Sports*.³¹

Bishop Piers, who had, of course, been indirectly involved in the events leading up to the issuing of the Caroline Declaration, suspended at least twenty-five ministers who refused to read it in their churches.³² Again, in at least some instances, Piers seems to have singled out ministers because of their non-conformity in others matters too.³³ Like Wren, Piers was accused at his trial of forbidding afternoon sermons and of suspending ministers who had refused to read the *Book of Sports*. In addition, in a specific reference to Piers’ report on wakes of November 1633, his articles of impeachment further alleged that:

To countenance which Revels, the sayd Bishop (in opposition to the orders of the Judges of Assize, and Justices of Peace of Somerset-shire, for the suppressing of Sport and Revels, and their Petition to the King to that purpose) did call before him divers Ministers of his Diocesse, and presented unto them a writing in approbation and commendations of the sayd Sports and Revells: whereunto many of the sayd Ministers subscribed their names, by the Bishops perswasions; which writing the sayd Bishop sent up to the Arch-Bishop of Canterbury, who after the receipt thereof suppressed the Justices Petition. And shortly after the book for sports and Revels on the Lords day was published.³⁴

²⁹ W. M. Palmer (ed.), *Episcopal Visitation Returns for Cambridgeshire 1638-1665* (Cambridge, 1930), p. 73; Hutton, *Merry England*, p. 197.

³⁰ William Prynne, *The Anitpathie of the English Lordly Prelacie* (London, 1641), pp. 268-269.

³¹ Davies, *Caroline Captivity*, p. 188.

³² Hutton, *Merry England*, p. 196; Davies, *Caroline Captivity*, pp. 188-189.

³³ Davies, *Caroline Captivity*, p. 189.

³⁴ Prynne, *Anitpathie of the English Lordly Prelacie*. The pagination of this section of the book is irregular and this page is

This article was clearly wrong in the chronology that it outlined, given that the Declaration of Sports was issued before Piers' report was ever sent. Yet, the very fact that his involvement in securing the *Book of Sports* and his role in its enforcement featured in the accusations made against Piers so many years later is a testament to the lasting resentment over the book's publication and over the suspension of ministers who refused to read it.

Bishop Curle of Winchester was similarly later castigated for his enforcement of the *Book of Sports*. Prynne claimed that, after Wren and Piers, Curle 'was the most violent enforcer of this Booke on the Clergie ... and the first that ever suspended any Ministers for refusing personally to read it in their Churches', and he accused Curle of suspending five ministers in a single day for refusing to publish it.³⁵ However, Curle, Piers and Wren were notable exceptions among the episcopacy. Most others adopted Laud's approach and were very moderate in their enforcement of the Declaration. For example, although Bishop Goodman of Gloucester suspended some ministers who persistently refused to read the Declaration, they were suspended for just a week in order to allow time for a neighbouring minister to read the book in place of the suspended incumbent.³⁶ In similar fashion, as already noted, Bishop Coke of Bristol did not suspend John White of Dorchester, even though he refused to read the book, and, much to White's annoyance, the book was read by someone else, thereby avoiding the need to punish White. John Bancroft, Bishop of Oxford, did require ordination candidates to give their views on the *Book of Sports* and he suspended three ministers who refused to read it, but, again, it seems that other factors may have led to these suspensions. Overall, although there is evidence to suggest that pressure was put on ministers to read the book, Bancroft did not punish many, if any, for not doing so.³⁷ In the diocese of Peterborough, even though it was reported that at least sixty ministers had refused to read the book, none were censured. In Ely, Bishop White did not enforce the Declaration rigorously, and this was the same White who was employed by Charles to write works attacking Brabourne and puritan sabbatarianism. In London, Bishop Juxon thought it was sufficient that the book had been published and he did not appear to think it necessary that it should be read by the minister personally. He did suspend one minister who refused to read the book, but, again, this appears to have been because of the minister's non-conformity in other matters and not because of this particular offence.³⁸

unpaginated. It can be found between the pages numbered 290 and 291.

³⁵ *Ibid.*

³⁶ Davies, *Caroline Captivity*, p. 191.

³⁷ *Ibid.*, p. 191; K. Fincham, 'Episcopal Government, 1603-1640' in K. Fincham (ed.), *The Early Stuart Church 1603-1642*, (London, 1993), p. 85.

³⁸ Davies, *Caroline Captivity*, pp. 192-193; Webster, *Godly Clergy*, p. 206.

Some bishops did not censure any ministers for failing to read the *Book of Sports* and do not appear to have made efforts to ensure its publication beyond distributing copies of the book to their parishes for publication.³⁹ In a few instances this appears to have been because the bishops concerned did not approve of the Declaration. For example, although Bishop Davenant of Salisbury ordered ministers to read the book, he did not return the names of those of his clergy who refused to do so, declaring: 'I will never turn accuser of my brethren; there be enough in the world to take that office'.⁴⁰ Even if some bishops did not enforce the Declaration's publication with great vigour, only one, Bishop Potter of Carlisle, appears to have actually hindered its publication. The courts in Carlisle actively discouraged ministers from reading the Declaration and Bishop Potter, who had previously condemned may games, reputedly said that 'if it were sent to his diocese, he would slight it and urge none of his Jurisdiction to read it'.⁴¹

The enforcement of the *Book of Sports* by the bishops was, therefore, far from uniform. However, with very few exceptions, the bishops did order its publication and did enforce it, albeit to varying degrees. Parker does not discuss the reaction of the bishops to the reissuing of the *Book of Sports* and this may be because they did not take issue with it and, consequently, their reaction does not support his argument that strict sabbatarianism was in line with the traditions of the Church. Certainly, the vast majority of bishops did not appear to regard the Declaration as being in any way at odds with traditional sabbatarianism. This is yet more evidence that the puritan sabbatarianism which sought to ban all Sunday pastimes was out of line with the views of the church hierarchy. Robert Sanderson accepted that the king's Declaration settled the argument of the lawfulness of sports on Sundays, and although he still pleaded for their moderate use, he commended the use, in particular, of recreations that refreshed the body such as 'Shooting, Leaping, pitching the Barre, Stoole-ball &c.'⁴² Yet, although most bishops did not question or argue with the content of the Declaration, most did not vigorously enforce it either. We can only speculate as to why their enforcement of the *Book of Sports* was so piecemeal. Certainly, many more ministers refused to read the book than were ever suspended or censured in any respect. Even though the Declaration was not at odds with the Church's traditional view of Sunday observance, by 1633 the whole question of how people should spend the Lord's day had become very contentious. The influence of puritan sabbatarianism on many clergy had made it a potentially explosive issue and most bishops wisely chose not to exacerbate the situation needlessly. Most seem to have

³⁹ Davies, *Caroline Captivity*, p. 194.

⁴⁰ *Ibid.*, pp. 194-195.

⁴¹ *Ibid.*, p.195; Hutton, *Merry England*, p. 196.

⁴² Robert Sanderson, *A Sovereigne Antidote against Sabbatarian Errours* (London, 1636), pp. 23 and 25.

recognised how unpalatable the reading of the book would be for many of their clergy and, although they instructed that it should be published and they provided their parishes with copies of the Declaration, most chose not to force ministers to read it personally, appearing to share Archbishop Ussher's view that publication itself was sufficient and that it mattered far less who published it. Moreover, of those who were censured, none appear to have been pursued or punished over refusing to read the book alone. Yet, given that those who *were* censured all appear to have been notorious non-conformists, Prynne's assertion that the book was used to trap or ensnare staunchly puritan ministers was correct.⁴³ In attempting to discipline troublesome non-conformists, some bishops found their refusal to read the *Book of Sports* to be useful ammunition to use against them, but, more generally, their enforcement of the *Book of Sports* was more circumspect because they did not want to antagonise otherwise conforming clergy.

Even if most of the bishops either promoted or, at the very least, tolerated the publication of the *Book of Sports*, the examination of its enforcement reveals that many ministers across the country were against the book and that large numbers of them refused to read it. Many moderate clergymen felt uncomfortable with the idea of promoting dancing and other revels from the pulpit, even if they did not otherwise subscribe to puritan sabbatarianism. Many ministers anguished over whether they should obey their royal and ecclesiastical masters and read the book to their congregations, or take a stand and refuse to do so. This dilemma is well illustrated by Nicholas Estwick's correspondence in January 1634 with Samuel Ward, master of Sidney Sussex, Cambridge. Estwick, the rector of Workton in Northamptonshire, wrote to his friend seeking advice on what to do. He told Ward that the *Book of Sports* had 'caused much distraction & griefe in many honest mens hearts in our Diocesse which have reade it; and many there be to the number at the most three score ... which have refused to publish it'.⁴⁴ Estwick said that he did not question the morality of the Christian Sabbath, yet he was not sure whether or not the *Book of Sports* actually profaned the Sabbath, explaining that: 'albeit I have laboured in the point: yet I am not satisfied, but do hange in suspense whether recreations on the Lords day be lawful or not'. In particular, he was unhappy at the thought of condoning dancing, Whitsun ales and May games, explaining that: 'I do vehemently suspect that some of theis in our cuntrye townes are seldom or never used on that day, if at any time, without sin and many times with great disorder, and I can scarcely believe that they and the sanctification of the Sabbath are compatible in our villages'. It is clear from this that Estwick did not see such ales or games as sinful in themselves, or regard the holding of them as itself a clear profanation of the Sabbath, but he obviously thought that they were all too

⁴³ Prynne, *Canterburies Doome*, p. 128.

⁴⁴ Parker, *English Sabbath*, pp. 191-192; Webster, *Godly Clergy*, p. 228.

often the occasions of sin and disorder and it was that which would profane the Lord's day. Given these concerns, he was clearly unhappy with the contents of the Declaration, but he was mindful of his duty of obedience to the king, stating that: 'if a godly Constantine commands me to publish his constitutions which are not condemned by the church ... I may publish his pleasure'. Nonetheless, he told Ward that if he had been ordered personally to read the Declaration:

I would have run the same hazard with those which have refused to publish the book; for albeit I would be loathe to suffer for disobedience to man's law in point of ceremony yet it would not trouble my conscience to suffer for matters of that great consequence which do so much concern God's glory and worship as the due sanctification of the Sabbath.⁴⁵

Although Estwick did not read the book himself, he did get someone else to do so in order to comply with the requirement that it should be published in his church. Yet he worried that more scrupulous ministers would not connive in such a thing and would resist its publication altogether. He feared that 'this scrupulosity would lay the foundation of disorder and confusion both in the Church and the Commonwealth'.⁴⁶ Ward reassured Estwick that 'a minister with safety of conscience, may publish in his church, being commanded by sovereign authority such edicts, the contents whereof he doth not approve in his owne conscience' and told him that recreations on Sundays were lawful and did not break the 'law of the Sabbath'. Indeed, Ward assured Estwick that there was no harm in 'honest Recreations, such as pitching the bar, ringing a pole, shooting at butts, playing at stool ball [or] setting up a maypole', and pointed out to Estwick that 'our Saviour was present att a feast on the Sabbath day'.⁴⁷ Therefore, the *Book of Sports* was not at odds with the teaching of the Church, even if, on a practical level, the fact that honest recreations could often turn into occasions of sin greatly troubled Estwick and others.

Many other ministers were as tortured as Estwick was over the decision of whether to obey the king's command and read his Declaration or to follow their consciences and refuse to do so.⁴⁸ A significant minority made their objections clear and either refused to read it at all, or did read it but then preached against it.⁴⁹ Thomas Crosfield recorded in his diary in

⁴⁵ Sharpe, *Personal Rule*, p. 357.

⁴⁶ Parker, *English Sabbath*, pp. 191-193; Sharpe, *Personal Rule*, p. 357; Webster, *Godly Clergy*, pp. 228-229.

⁴⁷ Parker, *English Sabbath*, p. 193.

⁴⁸ Cope, *Politics without Parliaments*, p. 60.

⁴⁹ Davies, *Caroline Captivity*, pp. 185-195; Hill, *Society and Puritanism*, pp. 193-194; Webster, *Godly Clergy*, p. 229;

December 1633 that: ‘The Declaration for lawfull recreations upon the Sabbath much exagitated by precise men, denied to be red by Mr Rogers ... because ... they pretend it opens a gap to much licentiousness’.⁵⁰ Christopher Rogers, the Principal of New Inn Hall, Oxford, was certainly one of those ‘precise men’ and he and his fellow puritan ministers were indeed outraged by the book. Not only did they refuse to read it, but some even opted to emigrate rather than comply with its publication. Hugh Peter, who himself went into voluntary exile for a number of years, recorded that:

many of my Acquaintances going for New England, had engaged me to come to them when they sent, which accordingly I did. And truly, my reason for myself and others to go, was merely not to offend Authority in that difference of Judgment; and had not the Book for Encouragement of Sports on the Sabbath come forth, many had staid.⁵¹

Many more did stay and exploited the loopholes within the Declaration, which, although it required that it should be published, did not prohibit people from preaching against it. Bartholomew Safford, the rector of Enmore in Somerset, read the Declaration but then declared: ‘whatsoever the Kinge is pleased to have donne, yeat the Kings of heaven commaundeth us to keepe the sabbath’.⁵² Stephen Dennison, rector of St. Katherine Cree, similarly read the declaration and then read out the ten commandments and told his congregation: ‘Dearly Beloved, you have heard now the Commandments of God and Man, obey which you please’ while Thomas Spratt of Beaminster, Dorset, read the book but then told his congregation that ‘there is no one commanded to use these recreations ... but these laws are left to everyone’s choice ... therefore I do advise you rather to obey God’s laws’.⁵³ Similarly, John Wildgoose of St. Peter le Bailey in Oxford preached that the Lord’s day should be kept holy and that ‘the king had made laws against it’.⁵⁴ These ministers clearly saw the Declaration as very much the king’s work. Others saw Laud behind it. James Priest in Cambridgeshire decried the *Book of Sports*, proclaiming that ‘some scurvy popish bishop hath got a toleration for boys to play upon the Sabbath day’ and Prynne asked: ‘What could Beelzebub, had he been the Archbishop, have done more than in publishing the book against

M. Ingram ‘Puritans and the Church Courts, 1560-1640’ in C. Durston and J. Eales (eds), *The Culture of English Puritanism, 1560-1700* (Basingstoke, Macmillan, 1996), p. 89; R. Marchant, *The Puritans and the Church in the Diocese of York, 1560-1642* (London, 1960), pp. 81-85 and 97-98.

⁵⁰ *Diary of Thomas Crosfield*, p. 68.

⁵¹ Parker, *English Sabbath*, p. 194.

⁵² M. Stieg, *Laud’s Laboratory. The Diocese of Bath and Wells in the Early Seventeenth Century* (London, 1982), p. 292.

⁵³ Parker, *English Sabbath*, pp. 194-195; Davies, *Caroline Captivity*, pp.198-199; Ingram ‘Puritans and the Church Courts’, p. 89.

⁵⁴ Davies, *Caroline Captivity*, p. 174.

Sunday?’⁵⁵ Another puritan, Edward Williams of Shaftesbury, preached against the book ‘in a most high kind of terrification, as if it were a most dreadful thing and near damnable ... to use any recreations on the Sabbath’.⁵⁶ In Exeter, Ignatius Jurdain, one of that city’s leading puritans, was so outraged by the *Book of Sports* that, in November 1633, he wrote to Joseph Hall, the Bishop of Exeter, asking him ‘to moove the King for the calling in of his book set out for sports upon Sundaies, or to shew his letter to the King, which he did’. Charles was so offended by Jurdain’s letter, which ‘seemed to call his Prerogative in question’, that ‘in a great Anger [he] said he would hang him’ and the bishop apparently then had to beg the king not to punish Jurdain.⁵⁷

Jurdain was a particularly zealous puritan and ‘a very strict and conscientious observer of the Christian Sabbath, the Lords day’. During his time as Mayor of Exeter, he ‘did much reforme the open profaning of the Sabbath’ and, ‘by his zeal and vigilancy’, he intervened to stop ‘Bowling and Cudgel-playing, and other profane pastimes [which] were then much used’ on Sundays.⁵⁸ Yet, the publication of the *Book of Sports* did not just offend puritans. Hamon L’Estrange later claimed that of all Charles’ injunctions, there was not ‘any one Royal Edict, during all King Charles his reign, resented with equal regret’ and there is no doubt that the book’s publication and enforcement offended many people beyond the ranks of the puritans.⁵⁹ Bulstrode Whitelocke recorded that ‘much difference of Opinion was also preached and published, touching the Observation of the Lords day’ and that the republishing of the *Book of Sports* ‘was not very pleasing to many, who were no Puritans, as well as to them generally’, and that it ‘gave great distast to many, both others, as well as those who were usually termed Puritans’.⁶⁰ Even if there was not overt opposition, there were mumblings and complaints in many parishes over the ‘morrise book’ and the fact that ‘the Kinge did alowe of that which god did forbid, meaninge that the king had of late comaunded sportes to be used upon sondaies after evening prayer’.⁶¹ The book’s enforcement also upset many ordinary folk and, in Buckinghamshire, one woman cursed the Dean of the Court of Arches, ‘to the pit of hell’ for suspending two ministers for not reading the Book of Sports.⁶²

⁵⁵ Sharpe, *Personal Rule*, p. 365; C. Hill, ‘Seventeenth-century English Society and Sabbatarianism’, in J. S. Bromley and E. H. Kossman (eds), *Britain and the Netherlands*, Vol. II, (1964), p. 98.

⁵⁶ Sharpe, *Personal Rule*, p. 355.

⁵⁷ *William Whiteway Diary*, p. 135; Ferdinando Nicolls, *The Life and Death of Mr Ignatius Jurdain* (London, 1654), sig. A2v (epistle dedicatory).

⁵⁸ Nicolls, *Ignatius Jurdain*, pp. 6 and 13.

⁵⁹ L’Estrange, *Reign of King Charles*, p. 133.

⁶⁰ Bulstrode Whitelocke, *Memorials of the English Affairs* (London, 1682), pp. 16, 17 and 18.

⁶¹ Underdown, *Revel, Riot and Rebellion*, p. 30; Stieg, *Laud’s Laboratory*, p. 293.

⁶² *CSPD.*, 1635, p. 40.

The *Book of Sports* was popular among the many people who cherished their traditional way of life and the few opportunities they had for communal revels and recreations: such as those who Bishop Piers had reported were prepared to 'endure the Judges penalties rather than they would break off their Feast Dayes'.⁶³ In others, though, it prompted a completely negative reaction. Thomas May later claimed that, although the Declaration permitted 'sports, and pastimes of jollity and lightnesse ... to the Country people' on Sundays, it was counter productive in that:

instead of producing the intended effect, [it] may credibly be thought to have been one motive to a stricter observance of that day, in that part of the Kingdome, which before had been well devoted; And many men who had been before loose and carelesse, began upon that occasion to enter into a more serious consideration of it, and were ashamed to be invited by the authority of Church-men, to that which themselves at the best, could but have pardoned in themselves, as a thing of infirmity.⁶⁴

One such was Richard Conder, who recalled how:

When I was a young man I was greatly addicted to football playing; and as the custom was in our parish and many others, the young men, as soon as church was over, took a foot-ball and went to play. Our minister often remonstrated against our breaking the sabbath which however had little effect, only my conscience checked me at times, and I would sometimes steal away and hide myself from my companions. But being dexterous at the game, they would find me out, and get me again among them. This would bring on me more guilt and horror of conscience. Thus I went on sinning and repenting a long time, but had no resolution to break off from the practice; til one sabbath morning, our good minister acquainted his hearers, that he was very sorry to tell them, that by order of the King and Council, he must read them the following paper or turn out of his living. This was the *Book of Sports* forbidding the minister or church-wardens or any other to molest or discourage the youth in their manly sports and recreations on the Lord's Day etc. When our minister was reading it, I was seized with a chill and horror not to be described. Now, thought I, iniquity is established by a law, and sinners are hardened in their sinful ways!

⁶³ PRO, SP 16/250 No. 20.

⁶⁴ Thomas May, *The History of Parliament of England* (London, 1647), pp. 23-24.

What sore judgements are to be expected upon so wicked and guilty a nation! What must I do? wither shall I fly? How shall I escape the wrath to come? And God set in so with it, that I thought it was high time to be in earnest about salvation: And from that time I never had the least inclination to take a football in hand, or to join my vain companions any more. So that I date my conversion from that time; and adore the grace of God in making that to be an ordinance to my salvation, which the devil and wicked governors laid as a trap for my destruction.⁶⁵

Others were worried that people would abuse the licence given to them to revel, and that disorders or the fragmentation of authority would result. It was reported that the Declaration made 'masters of families complain exceedingly they cannot contain their servants from excursions into all profane sports and pastimes on the Lord's Day'.⁶⁶ Some JPs attempted to curb revels despite the books' publication. For example, at the Sessions in Bury St Edmunds, Justice Cole announced that he would indict any minister who encouraged Sunday recreations and, in Maidstone, justices appear to have attempted to stop youths indulging in Sunday recreations.⁶⁷ Moreover, despite the Declaration's licensing of the setting up of maypoles, the maypole at Cerne Abbas was chopped down in 1635 and made into a ladder.⁶⁸

Clearly, then, the *Book of Sports* caused considerable distress and opposition. Yet, although it is impossible to quantify, it is important not to lose sight of the fact that the *Book of Sports* was published in the majority of parishes and that large sections of the English population welcomed it and continued to value their traditional recreations. Parker claims that there was much popular opinion against the use of recreations on Sundays, but, in doing so, he accepts that the high profile Puritan campaigns against such recreations may have given such opposition greater prominence than it deserves. Although Parker is forced to acknowledge that 'recreations after evening prayer had long been allowed by ecclesiastical authorities' - an acknowledgement which itself contrasts with the main thrust of his thesis - he himself stresses the opposition to the *Book of Sports* and does not pay sufficient attention to the significant support that traditional revelry continued to enjoy.⁶⁹

⁶⁵ M. Spufford, *Contrasting Communities. English Villagers in the Sixteenth and Seventeenth Centuries* (Cambridge, 1974), pp. 231-232.

⁶⁶ Hill, *Society and Puritanism*, p. 187.

⁶⁷ Davies, *Caroline Captivity*, p. 200; Cope, *Politics without Parliaments*, pp. 58-59.

⁶⁸ Hutton, *Merry England*, p. 198.

⁶⁹ Parker, *English Sabbath*, p. 196.

Inevitably, the voices and views of the mass of the common, illiterate people go largely unrecorded. Only those who got embroiled in confrontations or affrays were likely to find their way into the records, and it is impossible to gauge how representative they were. The loud clamour of puritans attacking traditional festivity for its immorality, and the concerns about disorders occurring at wakes and ales that were voiced by justices whose role it was to uphold law and order, have understandably given greater and undue prominence to the opposition to such revels. In many places and for many people in Caroline England, wakes and ales remained popular and continued to enjoy support. Although the records are of necessity largely silent and fail to indicate the scale of the continuing support for traditional revelry, several pieces of evidence nonetheless hint at its abiding popularity. For example, when Edward Williams of Shaftesbury was presented for preaching against the *Book of Sports* in May 1634, the presentment was underwritten by ten parishioners.⁷⁰ The very fact that orders had to be made repeatedly in an attempt to try to suppress wakes and ales, and that puritan writers and ministers continually complained about such festivities, indicates that they were still very common in many parts of the country. Despite the best efforts of puritans and justices, in much of the country the common people remained largely resistant to attempts to reform them and remained stubbornly attached to their traditional way of life. In their petition to Charles I in August 1633, the twenty-five Somerset justices complained that the spreading rumour that orders against wakes and revels were to be revoked had been enough to prompt people to once again organise church ales, bid ales and clerk ales, which ‘for the most part [had] for a long time been foreborne and not used’.⁷¹ Francis Cheynell claimed that it was ‘the great grievance in every parish’ that there was ‘a prophane and ignorant multitude who are all borne with a Pope in their belly, and are not yet redeemed from their grosse superstition and vaine Conversation which they received by Tradition from their Fathers’.⁷² Edmund Calamy similarly complained that:

the Bulk of our people are wicked, and their hearts are not as yet prepared to the yoke of the Lord ... They are unreformed themselves; and it is no wonder they are so opposite to a thorow Reformation.⁷³

Writing in 1643, William Mewe bemoaned the peoples’ continuing love for ‘whisun-Ales-Lords-day sports’ and the fact that they seemed ‘resolved ... to engage their lives, liberties, to maintain these pleasing devotions; this the Lord saw ... to be an horrid thing’.⁷⁴ Sanderson,

⁷⁰ CSPD, 1634-35, p. 2.

⁷¹ PRO, SP 16/255 No. 39.

⁷² Francis Cheynell, *Sions memento, and Gods alarum* (London, 1643), p. 38.

⁷³ Edmund Calamy, *Englands looking-glasse* (London, 1642), p. 56.

⁷⁴ William Mewe, *The robbing and spoiling of Jacob and Israel* (London, 1643), p. 27.

who supported the *Book of Sports* and lawful recreations on Sundays, nonetheless commented on the difference between ‘men of liberall education’, who enjoyed ‘Walking and Discoursing’ as a means of recreation, and ‘the ruder sort of people, who scarce account any thing a sport which is not loud and boisterous’.⁷⁵

The combined pressures of puritan sabbatarianism, the concerns on the part of justices to maintain social order, and the move away from traditional fundraising through ales towards a system of rates in many places across England, had certainly led to a decline in ales, as Piers’ letter to Laud had acknowledged.⁷⁶ However, there is evidence to suggest that, just as the 1625 Act for better Sunday observance may have resulted in the decline of traditional revels, the publication of the *Book of Sports* led to a revival in ales or, at the very least, slowed down the rate of their decline in some parts of the country. This suggests that the Declaration gave people the courage to hold revels again who had, in recent years, felt oppressed by the forces which had been trying to stamp them out.

In Devon, a county where puritan influence had long been strong and where many parishes had abandoned the traditional ales in favour of a system of rates, the Caroline *Book of Sports* came too late to save church ales in most parishes, but in other parts of the country it prompted a revival of festive traditions.⁷⁷ In the west Dorset village of Symondsbury, a maypole was once again erected and, in Dundry in north Somerset, a maypole was similarly set up next to the churchyard in May 1634. Underdown’s research suggests that there had not been a maypole in Dundry for many years and that there, and elsewhere in north Somerset, traditional festivities and recreations, which had been common before 1600, had gone into abeyance in many places before enjoying a revival in the 1630s, most probably following the publication of Charles’ *Book of Sports*.⁷⁸ Indeed, Underdown concludes that many of the ales and revels recorded in the 1630s at Montacute, Beer Crocombe and elsewhere in Somerset, ‘were probably revivals made possible by the lifting of the prohibitions in 1633’.⁷⁹ Parishes in other parts of the country also appear to have revived ales in the 1630s, such as in South Newington in Oxfordshire and in Great Marlow, where a church ale was held in 1639 instead of imposing a rate. During the 1630s traditional customs were supported by Laudian clergymen such as John Lothwaite in Norfolk, who enthusiastically read the *Book of Sports* and actively supported Sunday football matches, and Henry Hannington in Kent, who cut

⁷⁵ Sanderson, *A Sovereigne Antidote*, p. 24.

⁷⁶ Stoye, *Loyalty and Locality*, pp. 215-217.

⁷⁷ *Ibid.*, p. 217.

⁷⁸ Underdown, *Revel, Riot and Rebellion*, pp. 86-88.

⁷⁹ *Ibid.*, p. 99.

short the Sunday service to make way for drinking and dancing.⁸⁰ The Laudian minister, Thomas Laurence of Bremerton, ‘caused a May pole to be set up at his door and also in the same place a bowling green and kitling alley, it being adjoining to the churchyard, wherein every Sabbath day here was dancing, bowling and kitling, and himself to countenance it’. Laurence praised dancing as ‘very fit for recreation’ and personally paid the fiddlers to play.⁸¹ The *Book of Sports* was certainly good news for minstrels, such as Thomas Hellyer of Aldermaston, who said he felt ‘bound to pray’ for Archbishop Laud ‘because he was the means of setting forth the Book of Recreations, which helped him to some money’.⁸²

Richard Conder spoke of the ‘sore judgements’ he expected God to visit upon those who profaned the Sabbath as a result of the *Book of Sports*, and Denis Bond recorded in his diary how a carter carting a maypole one Sunday in May 1639 was killed when the cart overturned and that ‘the woman at Wilton which was to give the entertainment for the drinking the same day scalded her child in a milk pan that it died: this was done on the Lord’s day in the morning’.⁸³ Writing in 1636, Henry Burton cited numerous examples of people he claimed had been similarly punished by God for breaking the Sabbath. Challenging those who ‘have bene so audacious, as to affirme, the profanation of the Lords day by Maygames, Daunces, Maypoles, Wakes and common Labour out of time of divine Service, (especially after evening Prayer) to be no sin’ he described many incidents of people being injured or killed after revelling on Sundays.⁸⁴ Furthermore, he claimed that the *Book of Sports* had encouraged such profanations. For example, he claimed that a young Enfield woman ‘hearing of the liberty, which was given by the booke, which was published for sports, would needs goe daunce, so long as shee could stand on her leggs; she daunced so long, that thereof within 2 or 3 dayes shee dyed’.⁸⁵ Burton similarly claimed that in Woolston, where the minister had ‘by Gods blessing ... reformed things very well’ and had curtailed traditional revelry, ‘upon the publication of this booke in printe, many of the inhabitants the springe following, were imboldened to set up Maypoles, Morricedaunce, and a Whitson ale, continuing their rude revelling a weeke together’. With evident relish, Burton went on to claim that God later punished them for their wickedness, when the room where the ale had been brewed caught fire and the barn where the revels had been held burned down along with thirteen houses ‘most of whose inhabitants were actors or abettors in the same’.⁸⁶ Burton cited numerous

⁸⁰ *Ibid.*, p. 67.

⁸¹ L. Marcus, ‘Politics and Pastoral: Writing the Court on the Countryside’, in K. Sharpe and P. Lake (eds), *Culture and Politics in Early Stuart England* (London, 1994), p. 154.

⁸² *CSPD, 1633-34*, p. 460.

⁸³ Spufford, *Contrasting Communities*, p. 231; Sharpe, *Personal Rule*, p. 358.

⁸⁴ Henry Burton, *A Divine Tragedie Lately Acted* (Amsterdam, 1636), sig. A3v.

⁸⁵ *Ibid.*, p. 6.

⁸⁶ *Ibid.*, pp. 7-8.

examples from across the country of people being punished for abusing the Sabbath, many of whom, he claimed, had been led into their sin following the reading of the *Book of Sports*, such as the hapless man in Thurlow in Suffolk who held a feast for friends on a Sunday ‘for joy of the publishing of the Booke for sports’ and who was then ‘the next day pressed to death, by the suddaine fall of a faggot stack’.⁸⁷ Burton claimed that there were:

many more examples ... not onely such as have fallen out within these two yeares last past, since the sayd booke was published by the Ministers in their Churches, but also, since the booke was first of all printed and published, the very bruite whereof without being read by Ministers was enough, and to much to imbolden youth to take their liberty in profaning the Lords day.⁸⁸

Burton’s *Divine Tragedie* not only supports the suggestion that the Caroline *Book of Sports* did indeed cause a revival in festivities in several areas and that it encouraged people to take part in such revelry, but, given that he gave examples from place right across the country, it also suggests the widespread and popular nature of such festivity. Although some wakes and ales do appear to have been revived, others had never been stopped, even if the pressures to suppress them had increased in the early 1600s. What is clear is that many wakes and ales were held in the 1630s and, even if they were generally in gradual decline, the *Book of Sports* seems to have revived some and, at the very least, to have slowed down the rate of that decline. In the West Country, Justices still had to deal with people who became disorderly at revels, such as the youths at Dartmouth in 1634, who drank so much that ‘they could not stand so steady as the [may]pole did’.⁸⁹ Yet, the justices made no further attempts to ban wakes and ales.⁹⁰ Indeed, the JPs in Somerset appear to have been so cowed by Charles’ rejection of their petition and by how Richardson was dealt with that, in 1638, they seemed reluctant even to deal with the disorderly aspects of ales and they failed to punish a number of ‘unruly people’ attending a bid ale.⁹¹

The *Book of Sports* had both short-term and long-term consequences. The long-term effects were profound, and are discussed at the end of this chapter. In the short-term, it enabled bishops to use the enforcement of the Declaration to pursue troublesome non-conformist clergy. As for the clergy themselves, although some undoubtedly welcomed it, there were

⁸⁷ *Ibid.*, p. 14.

⁸⁸ *Ibid.*, p. 27. See pages 4–43 for other examples, especially pp. 6, 7, 8, 9, 14, 23–24, 25–26, 30–31 and 33–34.

⁸⁹ Hutton, *Merry England*, p. 198.

⁹⁰ *Ibid.*

⁹¹ Barnes, ‘County Politics’, p. 120.

many whose consciences were gravely troubled by it, even if they did not resist it. Significant numbers did refuse to publish it and some were punished as a result. The *Book of Sports* prompted others to go into exile. As for the laity, some were horrified, many were delighted by it. Across the country, it led to a limited revival of traditional revels, and it discouraged some justices from trying to suppress them. It also prompted both sabbatarians and anti-sabbatarians to pursue the resulting controversy in print.

The Battle of Pens

W. B. Whitaker wrote of Brabourne's *Defense of the Most Ancient and Sacred Ordinance of Gods, the Sabbath Day* that it was part of 'a regular battle of pens ... in progress at the time between the opposing camps on the Sunday question' and that 'a great deal of what was written ... was of too partisan a nature to do more than inflame tempers and harden prejudices'.⁹² This is certainly true, although in the years immediately following the publication of the *Book of Sports* there was an imbalance in what was printed. The 'battle of books' that Cope also speaks of was initially a rather one-sided affair.⁹³ Although Heylyn later wrote that the *Book of Sports* 'was no sooner published then it was followed and pursued with such loud outcries as either the Tongues or Pens of the sabbatarians could raise against it', in fact relatively few people had the temerity to attack it in print during the 1630s.⁹⁴ One of the few who did was William Prynne, who complained about the 'many prophane and erroneous, impious books' that appeared 'against the very morality of the Sabbath, and 4. Commandement' and attacked the bishops for having 'shut up the mouthes of sundry or our most godly, powerfull, painefull Preachers'.⁹⁵ Prynne was, no doubt, here referring to the censuring of non-conformist ministers who refused to publish the Declaration, but he may also have had in mind the suppression of sabbatarian works during the 1630s. Indeed, no sabbatarian works were legally published between 1633 and 1641.⁹⁶ Although a few unauthorised works of this type did appear during these years, only works attacking and undermining puritan sabbatarianism were actually authorised. The most significant of these works were Francis White's *Treatise of the Sabbath-Day* of 1635, his *Examination and Confutation of a Lawlesse Pamphlet* of 1637 and Peter Heylyn's *History of the Sabbath* of 1636.

⁹² W. B. Whitaker, *Sunday in Tudor and Stuart Times* (London, 1933), p. 132.

⁹³ Cope, *Politics without Parliaments*, p. 60.

⁹⁴ Heylyn, *Cyprianus Anglicus*, p. 260.

⁹⁵ William Prynne, *Newes From Ipswich* (London?, 1636), unpaginated.

⁹⁶ Parker, *English Sabbath*, p. 217.

Following the publication of Brabourne's *Defense*, the king commanded Francis White, the Bishop of Ely, to write a work countering Brabourne's argument. In his *Treatise of the Sabbath-Day*, White attacked Brabourne's 'Sabbatarian error' of arguing that Saturday was the Christian Sabbath, and then widened his attack to encompass 'Sunday-Sabbatizers' who sought to prohibit honest recreations on Sundays.⁹⁷ Although White said it was sacrilegious to use 'vicious and unlawfull' recreations on the Lords day, he maintained that it was perfectly permissible for 'honest and lawfull' recreations to be 'exercised upon some part of the Christian Holy-day'.⁹⁸ He claimed that 'Sunday Sabbatarians' believed that 'to use any civill recreation on the Lord's Day, is a sinne of as evill quality, As Murder, Adultery, Incest, False Witness, Theft, &c.' and he cited examples of ministers in Somerset, Norfolk and Suffolk who variously preached that Sunday bowling and bell-ringing were as sinful as murder and that 'to make a Feast ... on the Lords-day, is a great a sinne, as for a father to take a knife and cut his childes throat'.⁹⁹ He disagreed with those 'sabbatizers' who argued that the fourth commandment was a moral and perpetual precept and asserted that 'Sunday is grounded upon Apostolicall Authority: and not upon the Law given in Mount Sinai'.¹⁰⁰ He claimed that, given that the apostles had altered the Sabbath from Saturday to Sunday, Sunday was established as the Christian Sabbath by the Church and not by the fourth commandment. In the same way, he argued that the use of recreation 'in such manner as the Law of the Church, and of the State permitteth: is no sinne, and ... is not a transgression of any precept of the ... Decalogue'.¹⁰¹ White wrote about 'the Novell-Sabbath Teachers, concerning labour and recreation upon the Sunday' and, in doing so, highlighted the fact that the sabbatarianism of the radical Protestants was far stricter than the traditional sabbatarianism of the Church in England, which had permitted certain recreations on Sundays provided people fulfilled their religious duty by first attending church.¹⁰² White also claimed that it was sensible for the Church to allow people some recreations on holy days, arguing that:

if they should (upon Puritan principles) restraine them wholly from all repast: the Holy-day would be more unwelcome to them than the plough-day; and besides it might ingender in peoples mindes, a distaste of their present religion, and manner of serving God.¹⁰³

⁹⁷ White, *A Treatise of the Sabbath Day*, dedication, sig. A2v and p. 235.

⁹⁸ *Ibid.*, pp. 229-230 and 255.

⁹⁹ *Ibid.*, pp. 240 and 235-236.

¹⁰⁰ *Ibid.*, pp. 280-281.

¹⁰¹ *Ibid.*, p. 241.

¹⁰² *Ibid.*, p. 233.

¹⁰³ *Ibid.*, p. 266.

Parker is right to point out that White made a very selective use of earlier works and the teachings of the Church. However, in arguing that ‘White’s treatise was an attempt to rewrite the history of this doctrine, and was calculated to associate sabbatarians with judaizers’, Parker fails to acknowledge the validity of some of White’s arguments.¹⁰⁴ Even if White’s use of sources and examples was selective and even if he exaggerated the strictness of many puritan sabbatarians, his argument that their views represented a new kind of English sabbatarianism was fundamentally sound, as the previous chapters have demonstrated. White’s assertion that the moderate use of recreations was permissible on Sundays was perfectly in keeping with the established traditions and teachings of the Church and he was right to argue that those who sought to ban such recreations on religious grounds were indeed ‘novell sabbatarians’.¹⁰⁵ Indeed, Parker himself concedes that the Church had long allowed recreations after divine service on Sundays.¹⁰⁶ Those who argued that such recreations were a profanation of the Sabbath were, as White claimed, arguing for a new, stricter form of sabbatarianism. White’s lengthy treatise attacking the sabbatarianism that many people in England now adhered to, coming in the wake of the enforcement of the *Book of Sports* and dedicated, as it was, to Archbishop Laud, prompted a strong reaction among the people that he was targeting. As Fuller put it:

expressions fell from his pen, whereat many strict people ... took great distaste. Hereupon books begat books, and controversies on this subject were multiplied.¹⁰⁷

In an unlicensed tract, Henry Burton responded by challenging White’s assertion that the Lord’s day was instituted by the Church and argued instead ‘that the keeping of the Lords Day is grounded upon, and commanded in the fourth Commandment, and so is not of human institution.’¹⁰⁸ Burton cited the *Homily of the time and place of Prayer* in support of his argument and denied that the Homily could be open to ‘private interpretation ... of a sort of factions Sabbatarian Novellists’.¹⁰⁹ Although Parker suggests that White was wrong to associate sabbatarians with judaizers, sections of Burton’s tract indicate that this view had some validity. Burton argued that:

¹⁰⁴ Parker, *English Sabbath*, p. 200.

¹⁰⁵ White, *A Treatise of the Sabbath Day*, p. 207.

¹⁰⁶ Parker, *English Sabbath*, p. 196.

¹⁰⁷ Fuller, *The Church History of Britain*, Vol. III, p. 373.

¹⁰⁸ Burton, *A Brief Answer to a Late Treatise*, p. 5.

¹⁰⁹ *Ibid.*, p. 13.

the Lords day is come in place of the old Sabbath: Therefore it is commanded in the fourth Commandement ... if the fourth Commandement command the Sabbath day to be kept perpetually in all ages (as sayeth our Homily) and that Sabbath day of the Iewes is now come in place of the old, and is the Christians Sabbath day: then of necessity, doth the fourth Commandement command us Christians to keep the Lords day, as our new Sabbath day.¹¹⁰

He went on to attack White's distinction between 'vitious and unlawfull' recreations and 'honest and lawfull' ones as 'poore and pitifull shifts and shufflings'.¹¹¹ Burton condemned all recreations on Sundays and, in particular, he criticised the 'promiscuous meetings of wanton youth in their May-games, setting up of May-poles, dancing about them, dancing the Morice, and leading the ringdance, and the like' as 'obscene, or lascivious and voluptuous pastimes'.¹¹²

Although Parker argues that 'in this debate over the Church's teaching on the Sabbath, the evidence vindicated Burton rather than White', he is forced to concede that, at least on the matter of recreations, Burton's attitude was far stricter than the traditional teaching of the English Church.¹¹³ The issue of the status of Sunday as the Christian Sabbath and of how it should be observed now became even more of a 'theological football' than before.¹¹⁴ As the previous chapters have demonstrated, the puritans had sought to elevate the status of Sunday and to demand a far stricter observance than had previously been the case. Indeed, George Walker, rector of St. John the Evangelist, Watling Street, argued that the law of the Sabbath was binding on all Christians until the end of the world and said that, even though the Christian Sabbath had been moved from Saturday to Sunday, 'the moralitie and perpetuity of the law require that every circumstance of the Sabbath, and every particular Sabbath duty, should at all times remain the same perpetual and unchangable'.¹¹⁵ In arguing this, Walker and his fellow puritans distorted the teaching and past practice of the English Church. Equally, Laudians and anti-puritans now exaggerated their own case and similarly distorted earlier writings and sermons in order to link Puritanism with sabbatarianism so that people who advocated a stricter observance of Sunday, but who were otherwise orthodox, moderate

¹¹⁰ *Ibid.*, p. 16.

¹¹¹ *Ibid.*, pp. 22-23.

¹¹² *Ibid.*, p. 23.

¹¹³ Parker, *English Sabbath*, pp. 201-202.

¹¹⁴ *Ibid.*, p. 178.

¹¹⁵ George Walker, *The Doctrine of the Sabbath* (Amsterdam, 1638), p. 52.

Protestants, were in danger of being labelled as puritans and of being at odds with both the Church hierarchy and the Crown.

White responded to Burton's unlicensed tract by publishing *An Examination and Confutation of a Lawlesse Pamphlet*, in which he again argued that the fourth commandment was not an entirely moral precept, that the Lord's day was not the 'litterall Sabbath of the fourth Commandement' and that Sunday and other holy days were 'left by the authoritie of God's Word, to the libertie of Christ's Church to be determined, and assigned orderly in every Countrey, by the discretion of the Rulers and Ministers thereof'.¹¹⁶ He attacked 'some Novell Teachers, here in England' for 'converting [Sunday] into a Legall Sabbath' and for 'Affirming that all bodily exercise, and all civill passe-time and Recreation, (although the same be sober and honest) is simply unlawfull, upon all houres of the Lord's Day'.¹¹⁷ He drew attention to the fact that people had 'long time been distracted about Sabbatarian questions' and claimed that the king had approved White's earlier treatise, which sought to clarify the whole issue, and wanted to settle people 'in a firme resolution, never to bee distracted with Sabbatarian fancies any more'.¹¹⁸ Once again, White defended the use of honest pastimes on Sundays and claimed that:

if in time of the Gospell, Christian people upon Principles borrowed out of the Talmud, and the Rule of Pharisaicall Tradition, should be surcharged with such rigid Ordinances, as are imposed by Novell Sabbatarians, and be wholly restrained from all recreation, upon any part of the Holy-day, one end of the Holy-day, should be destroyed ... that Holy-day, instead of a day of Refreshing, shall become a day of Oppressing people.¹¹⁹

Therefore, once again, White both portrayed puritan sabbatarians as judaizers and also highlighted the novelty and strictness of their sabbatarianism and the fact that it was at odds with the Church's traditions.

White played an important role in identifying puritans with a novel and overly strict form of sabbatarianism that was contrary to the traditions of the Church, yet the most prominent figure in the attack mounted on puritan sabbatarians was Peter Heylyn, a staunchly Laudian clergyman and historian. In 1634 Heylyn organised the translation and publication of a

¹¹⁶ White, *Examination ... of a Lawless Pamphlet*, pp. 4, 7, 44-45, 46 and sig. A3r.

¹¹⁷ *Ibid.*, pp. 4-5.

¹¹⁸ *Ibid.*, pp. 14-16.

¹¹⁹ *Ibid.*, p. 128. See also pp. 122, 230, 238, 240 and 242.

lecture on the doctrine of the Sabbath that John Prideaux, Professor of Divinity at Oxford, had delivered in 1622.¹²⁰ Prideaux's lecture argued that the fourth commandment was partly moral and partly ceremonial. It touched on the question of recreations, stating that 'wee are permitted Recreations (of what sort soever) which serve lawfully to refresh our spirits, and nourish mutuall neighbourhood amongst us', yet this was not the focus of the sermon.¹²¹ Nonetheless, it was this that Heylyn stressed when he wrote a preface to Prideaux's *Doctrine of the Sabbath*, which presented Prideaux's work as if it was a defence of the recently reissued *Book of Sports*.¹²² Prideaux was an orthodox Calvinist and fierce anti-Arminian and Heylyn deliberately used the preface to imply support for the *Book of Sports* from moderate, establishment Calvinists such as Prideaux.¹²³ In his preface, Heylyn said that the debate over the Sabbath was the most ancient controversy in the Church's history and implied that it was radical Protestants who had reignited the debate and had tried to introduce a new form of sabbatarianism, claiming that 'immediately upon the Reformation of Religion in these western parts, the Controversy broke out afresh'.¹²⁴ He argued that 'on the Lords day all Recreations whatsoever are to be allowed which honestly may refresh the spirits, and encrease mutuall love and neighbourhood amongst us' and he particularly praised wakes for promoting 'good neighbourhood' along with dancing, shooting and wrestling 'and all other Pastimes, not by Law prohibited, which either exercise the body, or revive the minde'.¹²⁵ As White had done, Heylyn also attacked ministers who preached that bowling or feasting on the Lord's day was equivalent to murder or adultery.¹²⁶

Charles I then commissioned Heylyn to write his vast work on the history of the Sabbath. This distorted the history of sabbatarianism in such a way that it was portrayed as a feature of Puritanism alone and as alien to mainstream religion. *Puritan* sabbatarianism was indeed different and much stricter than the traditional sabbatarianism of the English Church, but Heylyn's work suggested that all sabbatarianism was unorthodox.¹²⁷ Heylyn challenged the notion that the *Homily of the time and place of Prayer* created a 'Lords day Sabbath', arguing that the Homily required people to commit their 'whole selves body and soule' to the performance of the religious duties required of them, but that this did not mean that people 'should spend the day wholly in heavenly exercises; for then there were no time allowed us to

¹²⁰ Hutton, *Merry England*, pp. 193-194.

¹²¹ John Prideaux, *The Doctrine of the Sabbath* (London, 1634), p. 39.

¹²² A. Milton, 'The creation of Laudianism: a new approach', in T. Cogswell, R. Cust and P. Lake (eds), *Politics, Religion, and Popularity in Early Stuart Britain* (Cambridge, 2002), pp. 162-184.

¹²³ A. Milton, 'Licensing, Censorship, and Religious Orthodoxy in Early Stuart England', in *The Historical Journal*, 41, 3, (1998), p. 648.

¹²⁴ Prideaux, *Doctrine of the Sabbath*, sigs. A1r and A2v.

¹²⁵ *Ibid.*, sig. C1v.

¹²⁶ *Ibid.*, sigs. B4r - B4v.

¹²⁷ Milton, 'Creation of Laudianism', p. 172; Hutton, *Merry England*, p. 194.

eat and drinke'.¹²⁸ He argued that the Homily required people to give themselves wholly to God's worship during the time on the Lord's day that was allocated to his worship, but that it did not require people to spend the *whole* day in holy exercises. Therefore, people should devote themselves completely to God's worship 'for those time which are appointed by the Church, for the assemblies of Gods people' but they were then free to spend the Lord's day in 'dancing, shooting, leaping, vaulting, may-games, and meetings of good neighbourhood' outside those times; in other words: after divine service.¹²⁹ Attacking the idea that Sunday should be entirely devoted to worship, Heylyn accused Nicholas Bownde of being 'the Founder of these Sabbatariancies' and, as Rogers had done, he accused Bownde of causing the spread of a false sabbatarianism.¹³⁰ He claimed that:

in the yeere 1595, some of that faction which before had laboured with small profit, to overthrow the Hierarchy and government of this Church of England; now set themselves on worke to ruinate all the orders of it: to beate downe at one blow all dayes and times, which by the wisdome and authority of the Church, had beene appointed for Gods service, and in the steed thereof to erect a Sabbath, of their owne devising.¹³¹

He pointed out that such 'Sabbath speculations ... had been hammering more then ten yeeres before', but claimed that it was the publication in 1595 of Bowdne's *Doctrine of the Sabbath* that led to the spread of sabbatarianism.¹³² Although Heylyn's portrayal of all forms of sabbatarianism as unorthodox was misleading, he was nonetheless correct to highlight the extreme nature of Bownde's sabbatarianism. He argued at length that such sabbatarianism was contrary to the traditions and precepts of the Church and that the Sabbath of the fourth commandment was 'an institute peculiar to the Jewish Nation'.¹³³ Heylyn maintained that the Lord's day should not, therefore, be subject to the rigours of the Jewish Sabbath and that, consequently, the prohibition on doing any work on the Lord's day was not as rigorous or severe and that it was also wrong to forbid people from indulging in 'lawful pleasures and honest recreations'.¹³⁴ He condemned those people who had made the Lord's day into 'their new Saint Sabbath' and who had embraced 'new Sabbath doctrines' and he commended the king for his action 'to suppress those rigours, which some, in maintenance of their Sabbath-

¹²⁸ Peter Heylyn, *The History of the Sabbath. Second Book* (London, 1636), p. 247.

¹²⁹ *Ibid.*, pp. 245, 247-248, 249.

¹³⁰ Peter Heylyn, *The History of the Sabbath. First Book* (London, 1636), p. 101.

¹³¹ Heylyn, *History of the Sabbath, Second Book*, p. 250.

¹³² *Ibid.*, p. 250.

¹³³ Heylyn, *History of the Sabbath, First Book*, p. 171.

¹³⁴ Heylyn, *History of the Sabbath, Second Book*, pp. 164 and 251.

Doctrines, had pressed upon this Church, in these latter dayes'.¹³⁵ He further praised Charles for publishing the *Book of Sports* and for thereby 'licensing on that day, those Lawful Pastimes, which some, without authority from Gods Word, or from the practice of Gods Church, had of late restrained'.¹³⁶

Other writers similarly defended sports on Sundays, and both condemned sabbatarianism and linked it with Puritanism. Robert Sanderson accused sabbatarians of being like Scribes and Pharisees and claimed that they were sowing division within the Church as: 'they creep into houses, in a shape of sanctimony ... cast a snare upon the silly consciences of men, making concision in the Church of the Lord, and so the middle wall of partition which Christ hath broken down, they do renew, and this doing, shew themselves to be the deceitfull workers'.¹³⁷ John Pocklington accused zealous sabbatarians of being like Trypho the Jew and of using a 'sword to cut off all sports and recreations on their Sabbath'.¹³⁸ Pocklington argued that the Church had appointed Sunday as the Lord's day and denied that the strictures of the fourth commandment applied to it. He said that sabbatarians were wrong to refer to the Lord's day as the Sabbath, and condemned their adoration of the 'idoll Sabbath'.¹³⁹ Christopher Dow, the rector of Battle in Sussex, wrote two works in this period which defended the use of recreations on Sundays. Parker claims that Dow accepted the morally binding nature of the Sabbath precept, and states that:

While Dow and other Laudian apologists espoused the same doctrine defended by Burton, Walker, and many others, Heylyn and Pocklington had used anti-sabbatarian polemics to justify the Book of Sports, and defend episcopal authority in regulating Sunday observance.¹⁴⁰

It is true that Dow saw the fourth commandment as partially morally binding, and stated that: 'this commandment extends to us Christians, as well as to the Jewes in as much as to consecrate some part of our time to God'.¹⁴¹ However, contrary to Parker's assertion that he espoused 'the same doctrine defended by Burton, Walker, and many others', Dow did not maintain that the commandment was wholly morally binding. He did indeed argue that 'it is morall and perpetuall that some time be dedicated to the solemne, publique worship and service of God', but he insisted that the commandment was 'partly morall, and partly

¹³⁵ *Ibid.*, p. 258; and Heylyn, *History of the Sabbath, First Book*, sig. A3r.

¹³⁶ Heylyn, *History of the Sabbath, First Book*, sig. A4r.

¹³⁷ Sanderson, *A Sovereigne Antidote*, sig. A4r.

¹³⁸ John Pocklington, *Sunday No Sabbath* (London, 1636), p. 38.

¹³⁹ *Ibid.*, pp. 4-6 and 9.

¹⁴⁰ Parker, *English Sabbath*, pp. 178, 205, 206.

¹⁴¹ Christopher Dow, *A Discourse of the Sabbath* (London, 1636), p. 25.

Ceremoniall'.¹⁴² This was not the position held by either Burton or Walker or by Prynne or any of their fellow puritan sabbatarians. They maintained that the commandment was a wholly moral and perpetual precept and that Sundays should be devoted entirely to God's worship. Dow argued that only part of the day had to be given over to worship. Indeed, he stated that, even though they should only be works of necessity or of charity or piety, 'Christians are not bound to rest on that day from all works'.¹⁴³ While he commended those people who chose to spend Sundays entirely in holy meditations and private prayer, he said that people should not be forced to do so and that they should be free to use 'honest and seemly recreations, after the publike dutyes of the Day are finished'.¹⁴⁴ Dow averred that honest recreation and moderate feasting on Sundays was permitted and concluded that:

Christians cannot justly be blamed if on the Lords day God be solemnly and decently served at fit times, and no other worke entertained to the hinderance of this, though every moment of the Day be not spent in performance of the acts of Gods worship, nor the vacant space observed with a *superstitious rest*, which shall exclude all other works, and all, even *lawfull recreations*, which to exact at the hands of Christians, what is it but to surpasse, the Jewes in superstition about the Sabbath'.¹⁴⁵

Dow's views were, therefore, far removed from the likes of Burton. Indeed, he wrote a work specifically attacking Burton's *Divine Tragedy Lately Acted* and accused Burton of presuming to know God's mind in portraying accidents that had befallen people on Sundays as acts of God's judgment.¹⁴⁶ Again, in sharp contrast to the views of Burton and other puritans, Dow denied that morris dancing and maypoles were heathen and he defended the *Book of Sports*, arguing that it was 'no in-let to profanesse, or irreligion, or hindrance of the due sanctification of the Lords day'. Indeed, he stated: 'that such as refuse to publish it accordingly, are justly punished, and their punishment no cruelty, or unjust persecution'.¹⁴⁷ Therefore, contrary to Parker's claim, far from espousing the same doctrine as Burton, Dow condemned 'rigid Sabbatarians'.¹⁴⁸ Indeed, he accused them of hindering the conversion of recusants by denying people their honest recreations on Sundays

¹⁴² *Ibid.*, p. 32.

¹⁴³ *Ibid.*, p. 46.

¹⁴⁴ *Ibid.*, pp. 53-54.

¹⁴⁵ *Ibid.*, pp. 72-73.

¹⁴⁶ *Ibid.*, pp. 10-11.

¹⁴⁷ Christopher Dow, *Innovations Unjustly Charged Upon the Present Church and State* (London, 1637), pp. 86, 76-77.

¹⁴⁸ *Ibid.*, p. 78.

Parker is right to distinguish Dow from Heylyn and Pocklington in that he did at least argue that the fourth commandment was partially morally binding in a way in which they did not, but all three, along with White, Sanderson and others, challenged the rigid and extreme nature of puritan sabbatarianism and asserted that recreations on Sundays were perfectly lawful and did not profane the Lord's day. Their works served to link puritans with the very concept of sabbatarianism to a much greater degree than before. Indeed, Robert Bolton's pro-sabbatarian work of 1626 was reprinted in 1638, in which he attacked mixed dancing and other recreations and complained: 'that the Minister which meddles with them, shall twenty to one, be *ipso facto* a ranke Puritan'.¹⁴⁹ Puritans had, of course, been associated with moves to suppress recreations long before the publication of the *Book of Sports* and the works defending it. As early as the mid-1590s the word 'puritan' had become a term used to abuse people who were against traditional revels, as it had been used against Richard Baxter's father when he had intervened to try to stop minstrels playing at a revel.¹⁵⁰ In 1629, for example, John Earle wrote that the fiddler who played at Whitsun ales 'hates naturally the puritan as an enemy to this mirth'.¹⁵¹ Yet, the works of Heylyn, White, *et al* went further in that they made a firm connection between sabbatarianism and Puritanism and, in so doing, they further polarised attitudes and increased the divisions within Caroline society.

Poets and playwrights also contributed to the offensive against sabbatarians and the elements in society that were threatening the festive culture.¹⁵² In 1633 Ben Jonson produced two plays which celebrated rural pleasures. *The King's Entertainment at Welbeck* included a country wedding in which the bride was 'dressed like an old May-Lady' and *A Tale of a Tub* made several favourable references to Bride-ales and to 'Whitson-Lords and their Authorities, at Wakes and Ales'.¹⁵³ The following year, Thomas Carew produced a masque called *Coelum Britannicum* in which Carew praised Charles for protecting traditional revelry for the sake of religion.¹⁵⁴ 1636 saw the publication of *Annalia Dubrensia*, a collection of verses by various poets who emphasised the value of traditional revelry and attacked those who sought to suppress it. John Trussell bewailed the attack on wakes in recent times, writing:

The countrie Wakes, and whirlings have appeer'd
Of late, like forraine pastimes: Carnivalls,

¹⁴⁹ Robert Bolton, *Some General Directions* (London, 1638), p. 200

¹⁵⁰ J. Goring, *Godly Exercises or the Devil's Dance? Puritanism and Popular Culture in pre-Civil War England* (London, 1983), p. 20; Sylvester, *Reliquiae Baxterianae*, pp. 1-3.

¹⁵¹ Goring, *Godly Exercises or the Devil's Dance?*, p. 20.

¹⁵² There is not space in this thesis to discuss the works of poets and playwrights in any depth. For further reading, see Marcus, *Politics of Mirth*, *passim*.

¹⁵³ Hutton, *Merry England*, p. 194.

¹⁵⁴ *Ibid.*

Palme and Rush-bearing, harmlesse Whitson-ales
 Running at Quintain, May-games, generall Playes,
 By some more nice, then wise of latter dayes,
 Have in their Standings, Lectures, Exercises,
 Beene so reprov'd, traduc'd, condemn'd for vices
 Profane, and heathenish, that now few dare
 Set them a foote; The Hocktide pastimes, are
 Declin'd, if not diserted; so that now
 All Publike merriments, I know not how,
 Are questioned for their lawfulnessse; whereby
 Societie grew sicke; was like to die.¹⁵⁵

John Ballard commended Trussell for boldly trying 'to stop those itching mouthes' which were clamouring against 'harmlesse sports'.¹⁵⁶ In 'A Congratulatory Poem', Robert Dover warned that, if people were to abandon their sports and pastimes, then, much to the detriment of the nation, they would be likely to be unfit and to turn to drinking rather than other active exercise. He condemned the 'refined Clergie' who attacked mixed dancing and other recreations and praised those who continued in their sports, concluding:

And let Content and Mirth all those attend,
 That doe all harmlesse honest sports defend.¹⁵⁷

The greatest literary defender of traditional festivity during this period was the poet, Robert Herrick. In 1630 Herrick became the rector of the Devonshire parish of Dean Prior, which was in a particularly traditional part of the country. His most famous work, *Hesperides*, was not published until 1648, but Herrick wrote a series of poems throughout the 1630s and 40s extolling the virtues of rural pastimes and the value to the countryside community of traditional festivity. In his 'Argument' at the beginning of *Hesperides*, Herrick wrote:

I sing of May-poles, Hock-carts, Wassails, Wakes,
 Of Bride-grooms, Brides, and of their Bridall-cakes.¹⁵⁸

¹⁵⁵ Matthew Walbancke, *Annalia Dubrensia* (London, 1636), sig. B2r.

¹⁵⁶ *Ibid.*, sig. D4v.

¹⁵⁷ Robert Dover, 'A Congratulatory Poem', in *Annalia Dubrensia*.

¹⁵⁸ Robert Herrick, *Hesperides* (London, 1648), p. 1.

In 'Corinna's, Going A Maying', Herrick referred to the *Book of Sports* as 'The Proclamation made for May', and celebrated the rites associated with the traditional holiday of May Day.¹⁵⁹ In 'The Country Life' he wrote about the blessings of the 'sweet country life':

For Sports, for Pagentrie, and Playes,
 Thou hast thy Eves, and Holydayes:
 On which young men and maids meet,
 To exercise their dancing feet:
 Tripping the comely country Round,
 With Daffadils and Daisies crown'd.
 Thy Wakes, thy Quintels, here thou hast,
 Thy May-poles too with Garlands grac't:
 Thy Morris-dance; thy Whitsun-ale;
 Thy Sheering-feast, which never faile.¹⁶⁰

In 'The Wake', Herrick suggested that wakes kept the common people amused and, with a certain amusement at the ruder sort's lack of sophistication, he recorded the simple attractions for them, writing:

... let us two
 Go to Feast, as others do.
 Tarts and Custards, Creams and Cakes,
 Are the Junketts still at Wakes:
 Unto which the Tribes resort,
 Where the business is the sport:
 Morris-dancers thou shalt see,
 Marian too in Pagentrie:
 And a Mimick to devise
 Many grinning properties.
 Players there will be, and those
 Base in action as in clothes:
 Yet with strutting they will please
 The incurious Villages.¹⁶¹

¹⁵⁹ *Ibid.*, p. 75.

¹⁶⁰ *Ibid.*, p. 271.

¹⁶¹ *Ibid.*, pp. 300-301.

Herrick goes on to say that the day's events would then end with cudgel-playing and that a degree of disorder and violence could ensue, but then makes the crucial point that this was a way for country folk to be good neighbours, to drink together and to resolve disputes through mutual reconciliation:

But the anger ends all here,
Drencht in Ale, or drown'd in Beere.
Happy Rusticks, best content
With the cheapest Merriment:
And possesse no other feare,
Then to want the Wake next Yeare.¹⁶²

Thus, Herrick suggested that wakes and traditional revels were a way of keeping the ordinary people content and that they also promoted good neighbourliness.

In contrast to the works of Jonson, Herrick and other writers who celebrated the traditional festive culture, John Milton wrote *Comus*, a masque which was performed in 1634, the year after the publication of the Caroline *Book of Sports*, and which implicitly criticised the liberty granted to people to dance and revel. The masque contains numerous coded attacks on Charles I's court and on Laud and his religious policies. Comus himself is portrayed as a very ungodly figure who corrupts people into licentiousness. The literary convention was to celebrate the rising of the sun, yet here Comus celebrates the sun going down and the world descending into night, with order being put to bed and replaced with disorder and heathenish revelry. Comus' speech is a dark hymn to debauchery in which he praises 'merry wakes and pastimes', and implicitly attacks those who would suppress such 'revelrie, Tipsie dance, and Jollitie' for their 'sowre Severitie' and their 'morall babble'.¹⁶³ However, the pro-sabbatarian works that were published in this period, were relatively few in number and none of them were authorised. In addition to *A Brief Answer to a Late Treatise of the Sabbath Day* (1635), Burton published *A Divine Tragedie Lately Acted* (1636), and *For God and the King* (1636); William Prynne produced *Newes from Ipswich* (1636); Robert Bolton published *Some General Directions for a Comfortable Walking with God* (1638) and *Two Sermons* (1638) and George Walker published *The Doctrine of the Sabbath* (1638). They all argued that the Sabbath was divinely instituted, defended the moral and perpetual nature of the fourth commandment and denied that any recreations were permissible on Sundays. They attacked

¹⁶² *Ibid.*, p.301.

¹⁶³ John Milton, *A maske presented at Ludlow Castle* (London, 1637), pp. 4-5 and 28.

the publication of the king's Declaration, which Burton claimed had been like putting fuel on a fire and had encouraged people to provoke God's anger, and which Prynne claimed had turned the Lord's day into the Devil's day.¹⁶⁴ It is clear that many other works attacking the *Book of Sports* and Sunday recreations would have appeared if the political climate had been different, but censorship and, most probably, the punishment of openly non-conformist clergy, discouraged many people from publishing pro-sabbatarian works. A large number of anti-Laudian pamphlets and works challenging the writings of White and Heylyn were circulating in the 1630s in manuscript form, but very few made it into print during this period.¹⁶⁵ Censorship was certainly partly responsible and some works were undoubtedly altered or suppressed. The puritan, John Vicars, recorded in 1636 that: 'Manuscripts are now the best help God's people have to vindicate the truth, printing being nowadays prohibited to them', and Prynne later claimed that the printing presses were 'locked up and strictly watched by Lawd and the Bishops then swaying against all Treatises on this Subject in opposition to the Anti-Sabbatarian Pamphlets'.¹⁶⁶ There were certainly instances of censorship. For example, in 1635 the licenser, Samuel Baker, a chaplain to the Bishop of London, censored a commentary by William Jones which dealt with Sabbath observance, and Laud had passages in other works either censored or altered to remove references to the 'sabbath' or to make them more hostile to the idea of strict Sunday observance.¹⁶⁷ Sir Edward Dering later complained that: 'All this wholesome doctrine was expunged lest it should mar a ball, a wake or a morris dance upon the Lord's Day'.¹⁶⁸ Indeed, well over thirty religious books, and maybe many more, were interfered with or stopped at the press between 1625 and 1640.¹⁶⁹ It was certainly dangerous openly to challenge the official line on Sunday observance. Burton was punished for publishing his works attacking Francis White and ecclesiastical policy, along with William Prynne and John Bastwick, who had also published works attacking Laudian policies.¹⁷⁰ However, although regulations on the printing of religious works were tightened during the 1630s, censorship at this time was neither all pervasive nor as tightly controlled as has sometimes been suggested.¹⁷¹ Nonetheless, it was widely believed that restrictions on printing were much tighter than they were in reality and this seems to have been sufficient to deter many would-be writers of sabbatarian works, who simply did not

¹⁶⁴ Burton, *A Divine Tragedie Lately Acted*, p. 2; Prynne, *Newes from Ipswich*, unpaginated.

¹⁶⁵ Milton, 'Licensing, Censorship, and Religious Orthodoxy', p. 641.

¹⁶⁶ K. Fincham (ed.), *The Early Stuart Church 1603-1642* (London, 1993), p. 16; Prynne, *A Briefe Polemicall Dissertation*, Sig. A2v

¹⁶⁷ D. Cressy, *England on Edge. Crisis and Revolution 1640-1642* (Oxford, 2006), pp. 284-285; Hill, *Society and Puritanism*, p. 192; Hutton, *Merry England*, p. 193.

¹⁶⁸ Hill, *Society and Puritanism*, p. 192.

¹⁶⁹ Milton, 'Licensing, Censorship, and Religious Orthodoxy', p. 644.

¹⁷⁰ Hutton, *Merry England*, p. 195.

¹⁷¹ Milton, 'Licensing, Censorship, and Religious Orthodoxy', pp. 636 and 650.

bother to offer up their books for publication.¹⁷² That situation changed as Charles I began to lose control of events and censorship and the controls on printing all too obviously began to break down. By 1641, realising that the Crown's control of the presses had gone and no longer fearing terrible consequences, sabbatarian writers were emboldened at last to publish their works, and there was a flood of sabbatarian tracts and of works attacking the *Book of Sports* and traditional Sunday festivities.

With things now moving in the sabbatarians' direction, Richard Bernard, the rector of Batcombe in Dorset, condemned the 'books [that had] been written, and by licence passed the presse, to take away the morallity of the fourth Commandement'.¹⁷³ He rejected 'the opprobrious name of Sabbatarians' that had been applied to those who sought to uphold that commandment and insisted that it was a moral and perpetual precept and that the use of recreations on Sundays was a clear breach of it.¹⁷⁴ The puritan, William Gouge, attacked anti-sabbatarians for putting 'a knife to the throat of religion' and for branding those who observed the Sabbath properly 'with ignominious titles, as Precisions, Puritanes, Sabbatarians and Jewes'.¹⁷⁵ The writer and politician, George Abbott, similarly attacked what he described as 'primitive English Antisabbatarians' for being 'Patrons of impiety'. Declaring that 'God hateth rioting on the Sabbath, much more than hee doth working on the Sabbath', Abbott condemned those who wanted to permit dancing and other revels on Sundays.¹⁷⁶ George Hakewill, the Archdeacon of Surrey, wrote that even lawful recreations were forbidden on Sundays and the puritan, William Ames, similarly maintained that no sports should be played on the Lord's day because they drew peoples' minds away from religion.¹⁷⁷ In a lengthy work on the morality of the fourth commandment, William Twisse argued that Christians were still bound by the commandment and attacked the use of sports on Sundays. Challenging the notion that wakes and ales promoted good neighbourliness, Twisse asked:

whether Christian neighbourhood be not better maintained, in meeting together in the repeating of a Sermon ... then in meeting together at beare-baiting, or at a play, or at a maygame, or to look upon a morice dance.¹⁷⁸

¹⁷² *Ibid.*, pp. 637 and 642.

¹⁷³ Richard Bernard, *A Threefold Treatise of the Sabbath* (London, 1641), sig. A2v.

¹⁷⁴ *Ibid.*, pp. 223, 88, 91, 92, 93, 228, 231 and 232-233.

¹⁷⁵ William Gouge, *The Sabbaths Sanctification* (London, 1641), sig. A2r and p. 30.

¹⁷⁶ George Abbot, *Vindiciae Sabbathi* (London, 1641), sig. A3v, and pp. 64, 65 and 87.

¹⁷⁷ George Hakewill, *A Short but Cleare Discourse* (London, 1641), p. 29; William Ames, *The Marrow of Sacred Divinity* (London, 1642), p. 298.

¹⁷⁸ Twisse, *Morality of the Fourth Commandment*, p. 244.

As Burton had done in 1636, some writers cited examples of people struck by divine vengeance for playing sports on Sundays. For example, Lewis Hughes cited instances such as the man in Kingston who was apparently struck blind and dumb after rejoicing at the suspending of the local minister for not reading the *Book of Sports*. Hughes claimed that he would have needed to write a large volume ‘to make mention of all the judgements that God hath shewed upon Sabbath breakers, since the Book of Sports was commanded to be read in Churches’.¹⁷⁹ In similar vein, Walker claimed that God continually showed his anger at Sabbath profanations:

drowning some in their swimming, breaking the backs, armes, legs and necks of others in wrastling, striking with horrible lamenes and with deadly surfets, and sudden death, leapers, dancers, hunters, hawkers, riders, bowlers, and such like.¹⁸⁰

The very fact that, as soon as the controls on the presses were lifted, so many such works were published is itself an indication of how important and divisive the whole question of Sabbath observance had become and the extent to which the *Book of Sports* had created lasting resentment. During Charles I’s Personal Rule, the opposition to the *Book of Sports* was necessarily muted. Censorship and the widespread belief that the presses were tightly controlled had largely prevented opponents from attempting to publish sabbatarian and anti-Laudian works, and the lack of a parliament had denied people the platform from which to voice their opposition to the Declaration. All that changed with the rebellion in Scotland and the first Bishops’ War. Charles I was forced to call a parliament in 1640 and the strength of feeling against the *Book of Sports* among many sections of Caroline society then became even more evident.

The *Book of Sports* and the Short and Long Parliaments

After eleven years without a parliament, during which time people had been denied the opportunity to speak out against Charles I’s religious and other policies, parliament sat again in April 1640. The sitting of the Short Parliament afforded MPs their first opportunity to speak about the *Book of Sports*. The fact that a number of prominent MPs did so some seven years after its publication is testimony to the book’s lasting impact and to how deeply it was resented. Francis Rous, the MP for Truro, objected to the fact that ministers had been made

¹⁷⁹ Lewis Hughes, *Signes from Heaven* (London, 1642), p. 10.

¹⁸⁰ George Walker, *The Doctrine of the Holy Weekly Sabbath* (London, 1641), p. 158.

to read the ‘booke concerning Mortice [*sic*] Danceinge on the Lords Day’ and that some had faced suspension and excommunication. He claimed that they were unjustly punished because the book could have been read by a clerk instead.¹⁸¹ John Pym saw the publication and enforcement of the *Book of Sports* as ‘a very greate grievance being ag[ains]t the foundacon of gover[n]m[en]t’ and similarly condemned what he saw as the unjustified punishment of ministers who refused to read the Declaration.¹⁸² Sir Walter Earle also attacked the suspending without warrant of ministers ‘that read not the booke for pastimes’, and the matter was one of the items listed in a report made for the House of Commons by the committee concerning innovations in religion.¹⁸³

Charles I dissolved the Short Parliament in May 1640, but, following the defeat of English troops in the second Bishops’ War, he was forced to call another parliament in November. The meeting of the Long Parliament once again enabled MPs to voice their grievances and the fact that the *Book of Sports* continued to feature in their debates again indicates the profound impact that it had had. Puritans, in particular, had high hopes that the Long Parliament would undo the religious innovations that they believed that Archbishop Laud had introduced and that it would also act to end the profanation of the Lord’s day. Richard Bernard dedicated his *Threefold Treatise of the Sabbath* to the Parliament and, in particular, to the Grand Committee of Religion, telling its members that they had been appointed by God to redress the errors of the anti-sabbatarians and to exalt ‘the honour of Christ which by these men hath been so dishonoured’.¹⁸⁴ George Walker also welcomed the new Parliament and the changes that it heralded, writing in his *Doctrine of the Holy Weekly Sabbath*:

Now blessed be God for your happy Assembly in this most hopefull Parliament, by which I have been eased of my strait bonds, and the times are so changed, that this Treatise, and divers others of my labours are licensed to passe by the Presse into the publik view of the world.¹⁸⁵

Matthew Sylvester later observed that, even though MPs in the Long Parliament ‘were of several Tempers as to Matters of Religion’, they had various grievances which initially united them in calling for changes in government policy and these included ‘the Book for Dancing on the Lord’s Day’. Sylvester said that, even though many of them were against the *Book of*

¹⁸¹ E. Cope (ed.), *Proceedings of the Short Parliament of 1640* (London, 1977), p. 147; J. D. Maltby (ed.), *The Short Parliament (1640) Diary of Sir Thomas Aston* (London, 1988), p. 7.

¹⁸² Cope, *Proceedings of Short Parliament*, p. 151; Maltby, *Diary of Thomas Aston*, pp. 8, 54, 94 and 256.

¹⁸³ Maltby, *Diary of Thomas Aston*, p. 87; Cope, *Proceedings of Short Parliament*, pp. 203-204.

¹⁸⁴ Bernard, *A Threefold Treatise*, sigs. A3r – A3v.

¹⁸⁵ Walker, *The Doctrine of the Holy Weekly Sabbath*, sig. A3r.

Sports, some MPs were more concerned about matters such as the imposition of Ship Money, and he described these MPs as ‘Good Commonwealth’s Men’. However, he went on to state that:

The other sort were the more Religious Men, who were also sensible of all these things, but were much more sensible of the Interest of Religion; and these most inveiyed against the Innovations in the Church, the bowing to Altars, the Book for Sports on Sundays, the Casting out of Ministers, the troubling of People by the High Commission Court, the Pilloring and Cutting off Mens Ears, (Mr Burtons, Mr Prins, and Dr Bastwicks) for speaking against the Bishops, the putting down Lectures, and Afternoon Sermons and Expositions on the Lord’s Day, with such other things, which they thought greater weight than Ship Money.¹⁸⁶

There is no doubt that political and religious grievances combined in the Long Parliament, but, as John Morrill has demonstrated, it was religion that was the most important factor in determining MPs’ actions.¹⁸⁷ While they by no means all shared the same views on Charles’ religious policies, they were preoccupied by the future of religion in England, and the *Book of Sports* and Sunday observance was a recurring concern.

Once again, MPs attacked the *Book of Sports* and its enforcement. It was immediately included among the grievances that the House of Commons wanted redressed and MPs raised the cases of ministers who had been suspended for refusing to read it.¹⁸⁸ Not only did the Commons Committee for Religion recommend that several such ministers should be restored to their livings, but it also enquired into the actions of other ministers who had shown fervent support for the Declaration. John Pocklington, whose *Sunday No Sabbath* had particularly offended the sabbatarians, was deprived of his living and his book was publicly burned: the same fate that had befallen Prynne’s *Histrion-mastix* during the Personal Rule.¹⁸⁹ Puritan MPs then pushed for a strict sabbatarian discipline to be imposed upon the country.¹⁹⁰ On 8 September 1641 the Commons resolved that:

¹⁸⁶ Sylvester, *Reliquiae Baxterianae*, p. 18.

¹⁸⁷ J. Morrill, ‘The Religious Context of the English Civil War’, in *Transactions of the Royal Historical Society*, 5th Series, Vol. 34 (1984), *passim*.

¹⁸⁸ Hutton, *Merry England*, p. 200; Jansson, *Proceedings in Long Parliament*, pp. 368, 372, 373 and 377.

¹⁸⁹ Hutton, *Merry England*, p. 200

¹⁹⁰ C. Durston, ‘Puritan Rule and the Failure of Cultural Revolution, 1645-1660’, in C. Durston and J. Eales (eds), *The Culture of English Puritanism, 1560-1700* (London, 1996), p. 213; Milton, ‘The creation of Laudianism’, p. 175.

the Lord's day should be duly observed and sanctified; that all dancing, or other sports either before or after divine service, be foreborne and restrained; and that the preaching God's word be promoted in the afternoon, in the several churches and chapels of this Kingdom.¹⁹¹

Things moved more quickly still once parliament had set itself up as, in effect, an alternative government. In March 1643 MPs instructed the Lord Mayor of London to enforce proper Sabbath observance and the Mayor duly issued instructions that churchwardens and constables should 'not permit or suffer any person or persons in time of divine service, or at any time on the Lord's day ... to use any unlawful exercises or pastimes'.¹⁹² Then, on 5 May 1643, Parliament ordered that the *Book of Sports* should be burned by the common hangman in Cheapside and that all copies of the book should be handed over to one of the sheriffs of London for burning.¹⁹³ Copies of the book were duly publicly burned five days later.

By this time, England had been plunged into civil war and the majority of MPs who continued to sit in the Long Parliament were keen to achieve much stricter Sabbath observance wherever they could. As is discussed in the final section of this chapter, the maypole and associated traditional festivity had almost become a symbol of the royalist cause and this may have spurred MPs on to try to eradicate it. In April 1644 an ordinance 'for the better observation of the Lords-Day' was passed which prohibited people from being present 'at any wrastlings, Shooting, Bowling, Ringing of Bells or Pleasure or Pastime, Masque, Wake, otherwise called Feasts, Church-Ale, Dancing, Games, Sport or Pastime whatsoever'. It further ordained that:

because the prophanation of the Lords-day hath been heretofore greatly occasioned by May-Poles, (a Heathenish vanity, generally abused to superstition and wickedness) ... all and singular May-Poles, that are, or shall be erected, shall be taken down and removed ... And that no May-Pole shall be hereafter set up, erected or suffered to be within this Kingdome.¹⁹⁴

In January 1645 Parliament established a Directory for the Public Worship of God, which legislated on the sanctification of the Lord's day and declared that the whole day had to be

¹⁹¹ Daniel Neal, *The History of the Puritans* (Five volumes, London, 1822), Vol. II, p. 419.

¹⁹² *Ibid.*, Vol. III, p. 36.

¹⁹³ Thomason Tract, 669.f.7[12]: Die Veneris 50. Maij. 1643.

¹⁹⁴ C. H. Firth and R. S. Rait (eds), *Acts and Ordinances of the Interregnum 1642-1660* (three volumes, London, 1911), Vol. I, pp. 420-421.

devoted to both public and private worship and banned all sports and pastimes.¹⁹⁵ That October, Parliament ordered the excommunication of: ‘Any person that shall upon the Lord’s Day use any dancing, playing at dice, or cards, or any other game, masking, wake, shooting, bowling, playing at football, or stool-ball, wrestling, or that shall make, or resort unto any plays, interludes, fencing, bull-baiting or bear-baiting’.¹⁹⁶

By the time of this last ordinance, the first Civil War was all but over: a war which had torn England apart in the bloodiest and most divisive conflict that the country had ever seen. The factors that had led the country into such a terrible, prolonged conflict were many and varied, as were the reasons which determined peoples’ allegiance. Yet, it is clear that religious belief and issues of culture were a major factor. Many parliamentarians wanted religious reform and, as MPs were trying to do through legislation at Westminster, they wanted to stamp out what they saw as profanations and to establish godly rule in the country; while many royalists wanted to preserve the established Church of England and to preserve their traditional way of life.

Traditional revelry and the question of allegiance

A vast amount has already been written on allegiance in the English Civil War and on the various factors that determined whether people supported the royalists or parliamentarians and, indeed, on the extent to which people actively sided with one side or the other at all. There is not scope in this thesis to examine the question of allegiance in any detail, but it is clear that attitudes towards traditional revelry, to the *Book of Sports* and to the whole question of Sabbath observance played a part in determining some peoples’ loyalties in the 1640s.

David Underdown’s ground-breaking study of early modern Somerset, Wiltshire and Dorset concluded that royalism was strongest in communities with strong social ties and an established hierarchy and which cherished their traditional festive culture. These areas, it has been argued, tended to be in mixed farming and downland regions, where villages were much more nucleated. Where parishes were large and spread out, as in the woodland areas and cattle-grazing districts, social control by a local elite was less practical. Rapid economic change and the breaking down of communal solidarity which, in part, entailed the decline of traditional revels, provided fertile ground in which radical ideas could flourish. It was in these areas, Underdown argues, that there was strong support for Parliament.¹⁹⁷ Ann Hughes

¹⁹⁵ *Ibid.*, Vol. I, p. 599.

¹⁹⁶ Whitaker, *Sunday in Tudor and Stuart Times*, p. 155.

¹⁹⁷ Underdown, *Revel, Riot and Rebellion*, pp. 5, 40, 44, 82, 88-89, 95-96 and 179.

has observed that Underdown's wood-pasture/sheep-corn dichotomy is too crude to fully explain allegiance to one side or the other and that the links between economic activity, social structure and political attitudes were more complex.¹⁹⁸ While this is almost certainly true and while the nature of the social structure and culture of particular areas may not fully explain peoples' allegiances, the evidence suggests that it was nonetheless an important factor for many people. So, too, was religious belief. Indeed, the two were often closely linked, as is evident from much that has been discussed in this and the earlier chapters. In general terms, whereas radical Protestants wanted to eradicate traditional festivity which they saw as a vestige of the old Catholic religion preventing the godly reformation of society, religious conservatives retained a stubborn affection for that festive culture. Mark Stoyale cites the example of William Elliott, a respectable Exeter man who was both a fierce defender of traditional festive culture and antagonistic towards the 'puritan justices' who were trying to stamp it out. Elliott actively promoted the use of maypoles, church ales and Sunday gaming and fell foul of the local justices several times as a result. On one occasion, when Elliott was hauled before the justices for organising a prohibited church ale, he not only freely admitted selling ale but defiantly told the court that: 'he doth sell it and will sell it, for it is an aunciente custome that the wardens of the parish ... have used to sell drinke for the space of 3 hundred yeres, and it is for the good of the parishe'. As Stoyale observes, 'Elliott's opinions exude the true flavour of the religious and cultural conservatism which later underlay popular Royalism'.¹⁹⁹

Hutton makes the point that links between such cultural conservatism and royalist allegiance in the Civil War cannot be made in every case. For example, men such as Sir Thomas Barrington supported traditional revels before the war but nonetheless went on to become committed parliamentarians. Equally, most of the Somerset justices who signed the petition against ales in 1633 were from leading royalist families. One such, Sir John Stowell, not only signed the petition but also denounced Bishop Piers to the Commons in 1640 and yet he was a staunch royalist in the Civil War. Hutton concludes that attitudes to ales and traditional festivity were not therefore good indicators of allegiance in the war and he states that:

Like Ship Money and the reforms presided over by Archbishop Laud, the Book of Sports was essentially an issue decided in 1640-1. It and all it stood for, had little to do with the bloody quarrel which followed.²⁰⁰

¹⁹⁸ A. Hughes, 'Local History and the Origins of the Civil War', in R. Cust and A. Hughes (eds), *Conflict in Early Stuart England. Studies in Religion and Politics 1603-1642* (London, 1989), pp. 241-243; See also Stoyale, *Loyalty and Locality*, p. 215.

¹⁹⁹ Stoyale, *Loyalty and Locality*, pp. 220-221.

²⁰⁰ Hutton, *Merry England*, pp. 204-205.

Yet, although Hutton is right to point out that attitudes to ales and to the *Book of Sports* were not necessarily sufficient to determine later allegiance in the war, the two were often linked. Even if the *Book of Sports* was not itself a motivating factor – and for some it may well have been – what ‘it stood for’ certainly was. As much as they would have liked the issue to have been decided in 1640 or 1641, the Long Parliament felt it necessary to issue a series of ordinances in an attempt to establish much stricter Sunday observance and to eradicate traditional revels, suggesting that the issue was one which was still very much alive throughout the 1640s. Indeed, as this chapter has demonstrated, the *Book of Sports* and the battle over Sunday recreations had a huge and lasting impact on Caroline society. The fact that puritan MPs gained the upper hand in the Long Parliament and were at last able to launch their counter attack and to overturn the licensing of Sunday recreations did not mean that the issue was over or that it had little to do with the subsequent civil war. The bloody conflict that followed was, in large part, fought over different religious beliefs and matters of cultural difference. Indeed, traditional festivity was seen by both sides during the conflict as something that they were either fighting for or against and the maypole became virtually synonymous with the royalist cause. Collinson’s comment that ‘England’s wars of religion began, in a sense, with a maypole’ is well made.²⁰¹ On the eve of the Civil War ‘loose and licentious’ people in the Oxford parish of Holywell set up a maypole and attached a drawing of a man in tub ‘to describe a Roundhead’ and then abused it by firing at it with muskets.²⁰² Lady Brilliana Harley similarly recorded in June 1642 how at Ludlow and also at Croft ‘they seet vp a May pole, and a thinge like a head vpon it ... and gathered a great many about it and shot at it in deristion of roundheads’.²⁰³ The link between recruitment to the royalist cause and the protection of traditional festivity was perhaps made most symbolically in Southwark in July 1642 when a copy of a proclamation concerning the commission of array was attached to a maypole in Southwark.²⁰⁴

Parliamentarians themselves acknowledged the fact that attachment to the traditional festive culture was a feature of royalism and several roundhead pamphlets made reference to it. For example, one parliamentarian pamphlet satirised royalists in Kent by printing a letter purporting to come from them which called for the resumption of ales and ended: ‘let us serve God, after the old Protestant religion, and be merry together without preciseness.’²⁰⁵ In June

²⁰¹ Collinson, *Birthpangs of Protestant England*, p. 141.

²⁰² A. Clark (ed.), *The Life and Times of Anthony Wood, i: 1632-1653* (Oxford, 1891), p. 49; Underdown, *Revel, Riot and Rebellion*, p. 177.

²⁰³ T. T. Lewis (ed.), *The Letters of the Lady Brilliana Harley, Wife of Sir Robert Harley* (London, 1854), p. 167.

²⁰⁴ K. Lindley, *Popular Politics and Religion in Civil War London* (Aldershot, 1997), p. 211.

²⁰⁵ Stoye, *Loyalty and Locality*, p. 221.

1644 the parliamentary diurnal, *The Spie*, claimed that royalists had made ‘a Plea in the behalf of the vulgar Rabble, for Whitson-Ales and Morris-Dancing and Maypoles’. It went on to highlight the attachment to the common people to such traditional festivity, and the fact that they were willing to fight to defend it, claiming that: ‘now his Majestie is Recruiting, when they understand he fights for such glorious parcels of the Protestant Religion, they cannot chose but come in unto him, to helpe to defend these, and such like ancient Pagan Customes’.²⁰⁶ In August 1645 *Mercurius Britanicus* attacked ‘Cavaliers and Club-men’, claiming that they stood for ‘the old Vanities and Superstitions of the Fore-fathers, the old Necromantick Order of Prelacie, and the wondrous old Heathen-Customes of Sunday-Pipings and Dancings, with the meritorious May-Poles, Garlands, Galliards, and jolly Whitsun-Ales’, adding that ‘these are the old Lawes and Customes which (doubtlesse) will be prejudiciall to the whole Kingdome, if not abolished’.²⁰⁷ Likewise, the Exeter preacher, John Bond, claimed that the fact that the Parliamentary forces met with considerable opposition in Somerset was because ‘Wakes, Revells, May-poles &c. ... so much abounded in those parts’, suggesting that the ordinary people there valued and wanted to protect them and understood that the king stood for their traditional revels and that Parliament was against them.²⁰⁸ Even after the conclusion of the first Civil War, the maypole remained a potent symbol of opposition to the parliamentary cause, and maypoles formed rallying-points for popular uprisings in May 1648 in both Sussex, Kent, Suffolk and Cornwall.²⁰⁹

The importance of traditional festive culture to many ordinary people caught up in the traumatic events of the 1640s is clear. The *Book of Sports* cast a long shadow. The battle over Sunday recreations was fought out in ink among the intellectual elites, in the courts and in Parliament among the judicial and political elites and, finally, in a bloody conflict in which vast numbers of ordinary people who had not been party to those more elevated debates found themselves all too closely involved. The Civil War was every bit as much a cultural conflict as it was a religious or political one, with many on the royalist side fighting to defend their traditional way of life.

²⁰⁶ Stoye, *Loyalty and Locality*, pp. 221-222.

²⁰⁷ E.298[24]: *Mercurius Britanicus*, 25 August – 1 September 1645.

²⁰⁸ Stoye, *Loyalty and Locality*, p. 222; John Bond, *Occasus Occidentalis* (London, 1645), p. 32.

²⁰⁹ Hutton, *Merry England*, p. 210; R. Ashton, *Counter Revolution. The Second Civil War and its Origins, 1646-8* (London, 1994), p. 376; and M. Stoye, *West Britons: Cornish Identities and the Early Modern British State* (Exeter University Press, 2002), p. 128.

Conclusion

The royalists may eventually have lost the first and second Civil Wars, but the execution of Charles I in 1649 and the establishment of the Commonwealth did not settle the issue of Sunday observance. Nor did it represent the comprehensive defeat of popular revelry that Charles' puritan opponents had hoped for. Indeed, the godly continued to call for the suppression of wakes, may games and sports, 'which trained up People to Vanity and Loosness long after the king's death.'¹ Parliament, which had already enacted sabbatarian legislation during the 1640s, did pass two further laws 'for the better observation of the Lords Day'. The 1650 Act repeated the prohibition on dancing on Sundays and the 1657 Act extended this measure by banning, as the 1644 Act had done, 'Wakes, Revels, Wrestlings, Shootings, Leaping, Bowling, ... Church-Ales, May-Poles ... or any other Sports and Pastimes.'² In 1654 commissions of 'ejectors' were appointed to eject parish ministers judged to be 'scandalous, ignorant and insufficient.' The criteria for ejection included support for Sabbath-breaking and for wakes and morris dancing.³ Initially, the number of ejections was small, but, in the Autumn of 1655, Cromwell sent major-generals into the localities with orders to 'encourage and promote godliness, and discourage and discountenance all profaneness and ungodliness,' including Sabbath-breaking. There was then a large-scale purge of ministers deemed unfit for office.⁴

Yet, despite these and other measures, traditional revels continued to take place during the Interregnum in various parts of the country, albeit to a lesser extent than before the Civil War.⁵ In Devon, for example, the justices were outraged to be told that:

certaine daies called Revell daies are yet observed in diverse parishes, which hath been heretofore the unhappy occasion of much profaneness and wickednes in letting out the corruptions of men into all manner of disorder, as drunkennes, swearing, fighting and playing at games expressly against the Word of God and contrary to the Statute.⁶

¹ George Fox, *A journal or historical account of the life, travels, sufferings, Christian experiences and labour of love in the work of the ministry, of... George Fox* (London, 1694), p. 25. Here the non-conformist Fox describes how, in 1649, he lobbied magistrates and judges to suppress wakes and may games.

² C. H. Firth and R. S. Rait (eds), *Acts and Ordinances of the Interregnum 1642-1660* (three volumes, London, 1911), Vol. II, pp. 385 and 1162-1163.

³ J. Spurr, *English Puritanism 1603-1689* (London, 1998), p. 118. See also, J. Miller, *After the Civil Wars. English Politics and Government in the Reign of Charles II* (Longman, Harlow, 2000), p. 130.

⁴ C. Durston, 'Puritan Rule and the Failure of Cultural Revolution, 1645-1660,' in C. Durston and J. Eales (eds), *The Culture of English Puritanism, 1560-1700* (London, 1996), pp. 217-218; Spurr, *English Puritanism*, p. 118.

⁵ R. Hutton, *The Rise and Fall of Merry England. The Ritual Year 1400-1700* (Oxford, 1994), p. 221.

⁶ A. H. A. Hamilton, *Quarter Sessions from Queen Elizabeth to Queen Anne* (London, 1878), p. 161.

In 1652 people from the surrounding area collected in Woodborough, Wiltshire, and ‘very disorderly danced the morris-dance’ and, in the same year, a clergyman complained to the authorities that people in the Somerset parish of West Chinnock were regularly playing sports on Sundays, ‘whereby God is highly discouraged.’⁷ May Day continued to be celebrated in various parts of the country, as in Henley-in-Arden, in Warwickshire, where maypoles, morris dancing and ‘other heathenish and unlawful customs’ were used, and even in Hyde Park, where revellers gathered and ‘much sin was committed by wicked meetings with fiddlers, drunkenness, ribaldry and the like.’⁸ In April 1650, the puritan artisan, Nehemiah Wallington, recorded his distress at the failure of the authorities to prevent ‘the profaning of the Lord’s day’.⁹ Indeed, the very fact that Parliament had to pass additional legislation in 1650 and 1657 and that Cromwell felt it necessary to despatch major-generals to enforce Sabbath observance and promote godliness is an indication of the stubborn attachment many ordinary people felt towards their traditional festivity.

As this thesis has demonstrated, during the course of the previous decades, the question of Sabbath observance and popular revelry had come, in large part, to define the political divisions within contemporary English society. The maypole had become the symbol of opponents to the new regime, as was amply demonstrated in Wolverhampton in April 1653 when the dissolution of the Rump Parliament was celebrated by the erection of a maypole.¹⁰ The attempts by the authorities to suppress traditional popular culture had met with opposition in many areas. Richard Baxter acknowledged that, despite some success in the puritan campaign to reform the people of Kidderminster, ‘many ignorant and ungodly Persons ... were still among us’.¹¹ The puritan reformer, Robert Beake, suffered ‘no small share of revilings’ in his attempts to bring the people of Coventry to godliness.¹² The country’s puritan justices naturally supported attempts to reform their localities and to rid parishes of traditional Sunday revels, but many other JPs were at best half-hearted in supporting measures to suppress such festivity and some were deliberately obstructive. Indeed, in November 1655 the major-general in charge of the east Midlands reported that ‘what some justices in order to reformation do, others undo’ and that ‘wicked magistrates by reason of their number overpower the godly magistrates’.¹³ Prior to the Civil War, many of these magistrates may well have supported such moves out of concerns about social order,

⁷ D. Underdown, *Revel, Riot and Rebellion. Popular Politics and Culture in England 1603-1660* (Oxford, 1985), p. 263; Durston, ‘Puritan Rule’, p. 221.

⁸ Durston, ‘Puritan Rule’, p. 223.

⁹ P. S. Seaver, *Wallington’s World. A Puritan Artisan in Seventeenth-Century London* (Stanford University Press, 1985), p. 149.

¹⁰ Underdown, *Revel Riot and Rebellion*, p. 269.

¹¹ Matthew Sylvester, *Reliquiae Baxterianae* (London, 1696), p. 85.

¹² Durston, ‘Puritan Rule’, p. 231.

¹³ *Ibid.*, pp. 220-221.

but such was the link that had been forged between the old order and traditional revelry that now the new regime wanted to suppress wakes, ales and other traditional revelry not just on religious grounds, but because of their new potential to be used as a focus for royalist sedition, and many justices and other officials were reluctant to support them.¹⁴

The failure of the Commonwealth and the Restoration of the monarchy also represented the failure of puritan sabbatarianism and the restoration of traditional revelry. When the monarchy was restored, maypoles, now firmly linked with royalism, not only appeared rapidly across the country, but were used ‘to vex the Presbyterians and Independents’ and erstwhile supporters of the Republic.¹⁵ In Oxford, for example, the people were ‘so violent for may-poles in opposition to the Puritans that there was numbered twelve ... besides three or four morrises.’¹⁶ The puritan, Adam Martindale, recorded how a ‘rabble of prophane youths ... were encouraged to affront me, by setting up a May-pole in my way to the church, upon a little banke ... where, in times past, the Sabbath had beene woefully profaned.’¹⁷ When the Warwickshire Presbyterian, Thomas Hall, attempted to stop the erection of two maypoles at King’s Norton, he was denounced as ‘little better than a Quaker, a preacher of false doctrine, and an enemy to the King.’¹⁸ The apparent victory of traditional revelry over moral reform was keenly felt by radical Protestants who despaired that ‘the Countrey, as well as the Town, abound with vanities; now the reins of Liberty and Licentiousness are let loose: May-poles, and Playes, and Juglers, and all things els pass current.’¹⁹ There are many more such examples, and they serve to underscore not only the importance to large sections of the populace of their traditional May revels, but also how deeply they resented the attack that had been made upon them and how politicised the whole question of popular culture had become. The monarchy was now firmly linked to traditional festivity. Indeed, the Marquis of Newcastle urged the newly-restored Charles II to revive:

May-games, morris dancers, the Lords of the May and Lady of the May ... and after evening prayer every Sunday and holy day – the country people with their fresher lasses to trip on the town green about the May-pole to the louder bagpipe there to be refreshed with their ale and cakes.²⁰

¹⁴ Underdown, *Revel, Riot and Rebellion*, p. 259.

¹⁵ Hutton, *Merry England*, p. 223; Underdown, *Revel, Riot and Rebellion*, pp. 274-275; T. S. Henricks, *Disputed Pleasures. Sport and Society in Pre-industrial England* (New York; Westport, Connecticut; and London, 1991), p. 106.

¹⁶ Hutton, *Merry England*, p. 223.

¹⁷ R. Parkinson (ed.), *The Life of Adam Martindale, Written by Himself* (The Chetham Society, Manchester, 1845), p. 156.

¹⁸ Underdown, *Revel, Riot and Rebellion*, p. 275.

¹⁹ Henry Jessey, *The Lords Loud Call to England* (London, 1660), p. 24 – quoting from a letter dated 7 May 1660. The town referred to is Newcastle.

²⁰ Hutton, *Merry England*, p. 233.

The king's progress through London in May 1660 included 'a stage of Morrice-dancers at the Maypole' and, the following year, the Duke of York, the king's brother and Lord High Admiral, ordered sailors to help erect a giant maypole adorned with the royal coat of arms to replace the maypole that had been taken down from the Strand in 1644.²¹ The link between May games and the monarchy became even stronger during the course of Charles II's reign, as 'oak apples' and oak boughs – commemorating the king's escape after the Battle of Worcester – were incorporated into the traditional May garlands and celebrations.²²

As well as May games, wakes, bull-baiting and other forms of rural revelry also clearly enjoyed a notable revival after the Restoration.²³ Yet the victory of revelry over puritan reformation was not complete in the sense that things did not return entirely to the situation before the Civil War. The long tradition of using ales to raise funds for the parish church remained more or less dead and, almost without exception, church ales were not revived at the Restoration.²⁴ Nor did Charles II seek to revive his father's *Book of Sports*. But, then, as Hutton rightly observes, he did not need to. Charles I had used his declaration, in part, as a test of loyalty with which to identify and flush out radicals from within his Church, but the Second Restoration Settlement of 1661-1662 made a similar declaration redundant. The likes of Baxter, Hall and Martindale were ejected from their livings without any need for a new *Book of Sports*.²⁵

Some MPs persisted in trying to reintroduce sabbatarian legislation after the Restoration and sought to ban wakes and other revels and to enforce strict Sunday observance on the English people. Yet, bills introduced to this end in 1662, 1663, 1664, 1667, 1670 and 1673 all failed.²⁶ Parliament did pass a bill for the better observance of the Lord's Day in 1676/77, which Charles II signed into law. Parker claims that this Act 'bore remarkable similarities to the measures passed in 1644'. Yet, as Parker himself acknowledges, although the Act prohibited working and trading on Sundays, it 'excluded the prohibition of all recreations.'²⁷ It was, therefore, a far cry from the strict, sabbatarian Act of 1644. Earlier, in 1663, Charles II had issued a proclamation 'for the observation of the Lords day', which required people to

²¹ James Heath, *The Glories and Magnificent Triumphs of the Blessed Restitution of His Sacred Majesty K. Charles* (London, 1662), p. 206; Hutton, *Merry England*, pp. 225-226.

²² Underdown, *Revel, Riot and Rebellion*, p. 283.

²³ *Ibid.*, pp. 280-281; Hutton, *Merry England*, pp. 229-230 and 238-239; L. S. Marcus, *The Politics of Mirth. Jonson, Herrick, Milton, Marvell and the Defence of Old Holiday Pastimes* (Chicago, 1986), p. 262; E. Griffin, *England's Revelry. A History of Popular Sport and Pastimes 1660-1830* (Oxford, 2005), pp. 41-42 and 59-67; and Durston, 'Puritan Rule', p. 231.

²⁴ Hutton, *Merry England*, p. 229; R. Hutton, *The Stations of the Sun. A History of the Ritual Year in Britain* (Oxford, 1996), p. 257.

²⁵ Hutton, *Merry England*, p. 231.

²⁶ *Ibid.*, pp. 232-233.

²⁷ K. L. Parker, *The English Sabbath. A Study of doctrine and discipline from the Reformation to the Civil War* (Cambridge, 1988), p. 219; Hutton, *Merry England*, pp. 232-233.

attend church on Sundays and prohibited: ‘All meetings and Concourse of people out of their own parishes for any sports and pastimes whatsoever, and all unlawful exercises within their own parishes on the said day.’²⁸ This too, then, was far from being a sabbatarian document and did no more than the *Book of Sports* did in seeking to prevent people from indulging in Sunday revels *outside their own parishes*.

Parker ends his work on the *English Sabbath* by concluding that: ‘after the tensions of the 1630s and 1640s had diminished, Restoration England returned to the sabbatarian consensus that had existed during the Jacobean period’, and he claims that: ‘Restoration sabbatarianism was part of a recurring pattern in the history of the English Sabbath, reasserting and reaffirming the doctrine and discipline that had been part of English religious life for centuries.’²⁹ He seeks to portray the Laudian church as an aberration that temporarily broke from the traditions of the English Church, which, he claims, had long been sabbatarian. However, as this thesis has demonstrated, in so arguing, Parker has grossly overplayed sabbatarian tendencies within the English Church, whose hierarchy both before and after the Restoration was concerned principally with church attendance and was remarkably accommodating towards the people’s desire for recreation on Sundays after Church. Moreover, Parker has seriously underestimated both the significance and the innovative nature of puritan sabbatarianism in the late sixteenth and early seventeenth century.

* * *

When I began my research into the *Book of Sports* and the nature of late sixteenth- and early seventeenth-century sabbatarianism, I felt certain that, while the issue had featured in many histories of the period, most did not give it the prominence that it deserved. I was also keen to establish whether sabbatarianism was the puritan innovation that historians such as Gardiner and Hill had claimed or whether the puritan’s view of Sunday observance was in fact in keeping with the traditions of the English Church. Was Parker right, in other words, to identify the Laudians as innovators who wanted to downplay the morality of the fourth commandment and to grant people greater licence in how they spent their Sundays than had previously been the case? If possible, I also wanted to establish the extent to which attempts to suppress wakes and ales were motivated by concerns about morality or social order, and the degree to which people resisted such attempts and why. I was interested in exploring the political and cultural divisions in society caused by these issues and, in particular, the

²⁸ Charles II, A Proclamation for the Observation of the Lords Day (London, 1663).

²⁹ Parker, *English Sabbath*, p. 219.

motivations and reactions of the people engaged in the controversy surrounding the reissuing and enforcement of the *Book of Sports* of 1633.

This thesis demonstrates that the events and issues surrounding the *Book of Sports* do indeed merit serious consideration for any scholar of early seventeenth-century English society and it underscores the enormous importance of the *Book of Sports* and the sabbatarian question. Although there had always been radical or zealous elements within the Church and wider society that called for strict Sunday observance and sought the suppression of popular recreations, they had been a minority and, contrary to Parker's assertions, they had not represented the mainstream view of either Church or state. The authorities did want people to cease non-essential work and to attend church on Sundays and, particularly, in the medieval period when it was most relevant, the government wanted to encourage Englishmen to practice their archery on Sunday afternoons. Yet, aside from these matters, both Church and state were relaxed about how people spent the rest of their Sunday, provided their actions did not lead to disorder or sedition.

My research, as set out in this thesis, has confirmed that the sabbatarianism of the puritans that emerged during the course of the late sixteenth and early seventeenth century was radically different and far more all-encompassing than the traditional view of the Church, and that the increasing stridency of puritan reformers coupled with increased concerns about social order on the part of many otherwise moderate justices turned village greens into a cultural battleground. The combined pressures of this new, hard-line form of sabbatarianism, concerns about social order and the stubborn attachment that many people had towards their traditional pastimes and way of life created very dangerous divisions and helped to polarise early Stuart society. As puritans came to be regarded as a serious threat to the authority of the crown, and as puritans became ever more closely linked with moves to suppress traditional Sunday pastimes, first James I and then Charles I decided to engage in the debate and to identify the crown with traditional festivity and popular culture. However, the cultural and religious divisions were so great that Charles I's decision to reissue the *Book of Sports* in 1633 made matters considerably worse and his decision to enforce its publication created new enemies and contributed to the deepening of divisions that spilled out into open conflict some years later.

Parker's work on the *English Sabbath* has been an important contribution to our knowledge and understanding of this period and of these important issues, but, as this thesis has demonstrated, his view fails to recognise the innovative nature and dramatic impact of puritan sabbatarianism. This thesis redresses the balance and reasserts the hugely divisive and novel

nature of the puritan beliefs about Sunday observance. It also challenges the assumption of all too many historians that Archbishop Laud was behind the reissuing of the *Book of Sports* and suggests that it was indeed very much the king's own work. Further research into this area might well be illuminating and it would be particularly useful if the reasons for Charles I's evident interest in wakes could be established.

As Tanner observed back in 1930, and as this thesis has demonstrated, the sabbatarian controversy is indeed 'vastly more important than it appears at first sight'.³⁰ This thesis helps to explain the polarisation of early Stuart society and the enormous political significance of popular festivity, as well as the religious divisions over Sunday observance. In particular, this thesis has, I hope, confirmed the vital importance both of the *Book of Sports* and of the sabbatarian debate for our understanding of the fractured nature of Caroline society - and has explained the place of that debate in the origins of the English Civil War.

³⁰ J. R. Tanner (ed.), *Constitutional Documents of the Reign of James I, 1603-1625* (Cambridge, 1930), p. 49.

APPENDIX I

An Homily of the Place and tyme of prayer.

[Source: Anon., *The seconde tome of homelyes ... set out by the autoritie of the Quenes Maiestie* (London, 1563), fols. 138 – 147]

‘God through his almightie power, wisdome, and goodness, created in the beginning heaven & earth the Sunne, & Mone, the stares, ye foules of the ayre, ye beastes of ye earth, the fishes in the sea, & all other creatures for the use and commoditie of man, whom also he had created to his owne image and likenes, and geven him the use and government over them all, to thend he should use them in such sort, as he had geven hym in charge and commaundement, and also that he shoulde declare hym selfe thankfull and kynde, for all those benefites so liberally and so graciously bestowed upon him utterly without anye deserving on his behalfe. And although we ought at all tymes, and in all places, to have in remembraunce, and to be thankfull to our gracious Lorde, accordyng as it is written: I wyll magnifie the Lorde at all tymes. And agayne: Wheresoever the Lorde beareth rule, O my soule prayse the Lorde: Yet it appeareth to be gods good wyll and pleasure, that we should at speciall tymes, and in speciall places, gather our selves together, to thintent his name myght be renowned, and his glory set forth in the congregation, and the assembly of his Saintes. As concerning the tyme whiche almyghtie God hath appointed his people to assemble together solempnely, it doth appeare by the fourth commaundement of God: Remember saith God, that thou kepe holy the Sabboth daye, upon the which day, as is playne in the Actes of the Apostles, the people accustomedly resorted together, and harde diligently the lawe and the Phrophetes read among them. And albeit, this commaundement of God doth not binde Christian people so strayghtly to observe and kepe the utter ceremonies of the Sabboth day, as it was geven unto the Jewes, as touchyng the forbearyng of worke and labour in tyme of greate necessitie, and as touchyng the presyse keepyng of the seventh daye, after the maner of whiche is our Sundaye, and make that our Sabboth, that is our day of rest, in the honour of our Saviour Christe, who as upon that daye rose from death, conqueryng the same most triumphantly: Yet notwithstanding, whatsoever is founde in the commaundement, appertayning to the lawe of nature, as a thyng moste godlye, moste iuste and nedefull for the setting forth of Goddes glorye, it ought to be retayned and kept of all good Christian people. And therefore by this commaundement, we ought to have a time, as one daye in a weke, wherein we ought to rest, yea from our lawfull and needful workes. For like as it appeareth by this commaundement, that no man in the sixe dayes ought to be slouthful or ydle, but diligentely labour in that state wherein god hath set hym: Even so God hath geven expresse charge to al men, that upon the Sabboth daye whiche is nowe our Sundaye, they shoulde ceasse from all weekly and workeday labour, to thintent that lyke as

God hym selfe wrought sixe dayes, and rested the seventh and blessed, and sanctified it, and consecrated it to quietnes and rest from labour: even so gods obedient people should use the Sunday holyly, and reste from theyr common and dayly busynes, and also geve them selves wholly to heavenly exercises of Gods true religion and service. So that God doth not only commaunde the observation of this holy day, but also by his owne example doth styrre and provoke us to diligent keepyng of the same. Good naturall children wyll not only become obedient to the commaundement of theyr parentes, but also have a diligent eye to theyr doynge, and gladly follow the same. So if we wylbe the children of our heavenly father, we must be carefull to kepe the Christian Sabboth day, which is the Sundaye, not only for that it is Gods expresse commaundement, but also to declare our selves to be lovyng chylde, in folowyng the example of our gracious Lorde and father. Thus it may playnely appeare, that Goddes wyll and commaundement was, to have a solemne time and standing day in the weeke, wherin the people should come together, and have in remembraunce his wonderfull benefites, and to render him thankes for them, as appertayneth to lovyng, kynde, and obedient people.

‘This example and commaundement of God, the godly Christian people, beganne to folowe immediatly after the Assension of our Lorde Christ, and began to chose them a standyng day of the weeke, to come together in. Yet not the seventh day, whiche the Jewes kept, but the Lordes day, the day of the Lordes resurrection, the day after the seventh day, which is the first of the weeke. Of the whiche day, mention is made by S. Paule on this wyse: In the fyrst day of the Sabboth, let every man lay up what he thynketh good, meanyng for the poor. By the first day of the Sabboth, is ment our Sunday, whiche is the first day after the Jewes seventh day. And in the Apocalippes it is more playne, where as S. John sayth: I was in the spirite uppon the Sunday. Sithens whiche tyme, Gods people hath always in all ages, without any gainsaying, used to come together upon the Sunday, to celebrate and honour the Lordes blessed name, and carefully to kepe that day in holy rest and quietnesse, both men, women, chylde, servaunt, and straunger, for the transgression and breache of whiche day, God hath declared him selfe muche to be grieved, as it may appeare by hym, who for gatheryng of stickes on the Sabboth daye, was stoned to death. But alas, all these notwithstanding, it is lamentable to see the wicked boldenesse of those that wilbe counted Goddes people, who passe nothyng at all of keypyng, and hallowing the Sunday. And these people are of two sortes. The one sort, yf they have any businesse to do, though there be no extreme need, they must not spare for the Sunday, they must ryde and iourney on the Sunday, they muste dryve and carry on the Sunday, they must rowe and ferrye on the Sunday, they muste bye and sell on the Sunday, they muste kepe markettes and fayres on the Sundaye. Finally, they use all dayes a lyke, workedayes and holydayes are all one. The other sort yet is worse. For

although they wyl not travalye nor labour on the Sunday, as they do on the weeke day, yet they wyll not rest in holynesse, as God commaundeth: but they rest in ungodlynesse, and in fylthynes, praunsyng in theyr pryde, prankyng and prickyng, poyntyng, and payntyng them selves, to be gorgeous and gay. They rest in excesse, and superfluitie, in gluttony, and dronkenesse, lyke Rattes and Swyne. They rest in brawlynge and raylyng, in quarrellyng and fyghtyng. They rest in wantonnesse, in toyishe talkyng, in filthy fleshlynesse, so that it doth to evidently appeare, that God is more dishonoured, and the devyll better served on the Sunday, then upon al the dayes in the weke beside. And I assure you, the beastes whiche are commaunded to rest on the Sunday, honour God better then this kynde of people. For they offend not God, they breake not theyr holyday. Wherfore, O ye people of God, lay your handes upon your hartes, repent and amende this grievous and daungerous wickednes, stande in awe of the commaundement of God, gladly folowe the example of God hym selfe, be not disobedient to the Godlye ordr of Chrystes Church, used and kept from the Apostles time untyll this daye. Feare the displeasure and iust plagues of almyghtie God, yf we be negligent, and forbear not labouryng and travelyng on the Sabboth day or Sunday, and do not resort together to celebrate and magnifie Gods blessed name, in quiet holynesse and godlye reverence.

‘Nowe concerning the place where the people of God ought to resort together, and where especially they ought to celebrate and sanctifie the Sabboth daye, that is the Sunday, the day of holy rest. That place is called Gods Temple or the Church, because the company and congregation of Gods people (which is properlye called the Churche) doth there assemble them selves on the dayes appointed for such assemblies and metinges. And forasmuch as almyghtie God hath appointed a speciall tyme to be honoured in, it is very mete, godly, and also necessary, that there should be a place appointed where these people should mete and resort, to serve theyr gracious God and mercifull father. Trueth it is, the holy Patriarkes for a great number of yeres, had neither Temple nor Church to resort unto. The cause was, they were not stayed in any place, but were in a continuall peregrination and wanderyng, that they coulde not conveniently buylde any Church. But so sone as God had delyvered his people from their enemies, & let them in some libertie in the wyldernes, he set htem up a costly and a curious tabernacle, whiche was as it were the paryshe Churche, a place to resort unto of the whole multitude, a place to have his Sacrifices made in, and other observances and rites to be used in. Furthermore, after that God, accordyng to the trueth of his promyse, had placed and quietly settled his people in the lande of Canaan, nowe called Jewry, he commaunded a great and a magnificent Temple to be buylded by king Salomon, as seldom the lyke hath ben sene. A Temple so decked and adourned, so gorgeously garnished, as was meete and expedient for people of that tyme, whiche woulde be assured and styrred with nothyng so much, as with

such outward goodly gay things. This was nowe the Temple of God, indued also with many gyftes and sundry promyses. This was the paryshe Church, & the mother Church of all Jewry. Here was God honoured and served. Hyther was the whole Realme of all the Israelites bounde to come at three solemne feastes in the yere, to serve their Lord God here. But let us proceade further. In the tyme of Christe and his Apostles, there was yet no Temples nor Churches for Christian men. For why? they were always for the most part, in persecution, vexation, and trouble, so that there coulde be no libertie nor licence obteyned for that purpose. Yet God delighted much that they should often resort together in a place, and therefore after his Assension, they remayned together in an upper Chaumber. Sometime they entred into the temple, sometime into the Singagogues, sometime they were in pryson, sometimes in theyr houses, sometime in the fieldes &c. And this continued so long, tyll the fayth of Christ Jesus began to multiply in a great part of the world. Nowe, when divers Realmes were established in gods true religion, and god had geven them peace and quietnesse: then began kynges, noble men, and the people also, styrred up with a godly zeale and ferventness, to buylde up Temples and Churches, whyther the people might resort, the better to do theyr duetie towards God, and to kepe holy theyr Sabboth day, the day of reste. And to these Temples have the Christians customably used to resort from time to time, as unto mete places where they might with common consent, prayse and magnifie Gods name, yelding him thanks for the benefites that he dayly powreth upon them, doth mercifully, and abundauntlye, where they might also heare his holy word read, expounded, and preached sincerely, and receive his holye Sacramentes, ministred unto them duely and purely. True it is, that the chiefe and special Temples of God, wherein he hath greatest pleasure and most delight to dwell, are the bodyes and myndes of true Christians, and the chosen people of God, according to the doctrine of holy Scriptures, declared by Saint Paule. Knowe ye not (saith he) that ye be the Temple of God, and that the spirite of God doth dwell in you? The Temple of God is holy, whiche ye are. And agayne in the same Epistle: know ye not that your bodye is the Temple of the holy ghost, dwelling in you, whom you have geven you of God, and that ye be not your owne? Yet this notwithstanding, God doth allowe the materiall Temple made of lime and stone (so ofte as his people do come together into it, to prayse his holy name) to be his house, and the place where he hath promised to be present, & where he wyll heare the prayers of them that call upon hym. The which thyng, doth Christ and his Aposles, with all the rest of the holye fathers, do sufficiently declare by this: That albeit, they certainly knewe that theyr prayers were harde, in what place so ever they made them, though it were in caves, in woods, and in desertes, yet (so ofte as they coulde conveniently) they resorted to the materiall Temples, there, with the rest of the congregation, to ioyne in prayer and true worship.

‘Wherefore (dearely beloved) you that professe your selves to be Christians, and glory in that name, disdayne not to folowe the example of your master Christ, whose schollers (you say) ye bee. Shewe you to be lyke them, whose schole mates you take uppon you to be, that is, the Apostles and Disciples of Chryste. Lyft up your handes, with cleane hartes in all places, and at all tymes. But do the same in the Temples and Churches, upon the Sabboth dayes also. Our godlye predecessours, and the auncient fathers of the primitive Churche, spared not theyr goodes to buylde Churches, no, they spared not to venture theyr lyves in tyme of persecution, and to hazarde theyr bloud, that they myght assemble them selves together in Churches. And shall we spare a little laboure, to come unto Churches? Shall neyther their example, nor our duetie, nor the commondities (that thereby shoulde come unto us) move us?

‘If we wyll declare our selves to have the feare of God, yf we wyll shewe our selves true Christians, yf we wylbe the folowers of Christ our master, and of those godlye fathers, that have lyved before us, and nowe have receaved the rewarde of true and faythfull Christians, we must both wyllingly, earnestly, and reverently come unto the materiall Churches, and Temples to pray, as unto fitte places appoynted for that use, and that upon the Sabboth day, as at most convenient tyme for Gods people, to ceasse from bodyly and worldlye busnesse, to geve them selves to holy rest, and godly contemplation, pertaynyng to the servyce of almightie God, wherby we may reconcile our selves to God, be partakers of his reverent Sacramentes, and be devoute hearers of his holy worde, so to be establyshed in sayth to Godwarde, in hope agaynste all adversitie, and in charitie towarde our neighbours. And thus, running our course, as good Christian people, we may at the last attayne the rewarde of everlasting glory, through the merites of our Saviour Jesus Chryste, to whom with the father, and the holy ghost, be all honoure and glory. Amen.

‘The second part of the Homilie, of the place and time of prayer.

‘It hath ben declared unto you (good Christian people) in the former Sermon read unto you, at what tyme, and into what place ye shall come together to prayse God. Nowe I entend to set before your eyes, fyrst how zelous and desirous ye ought to be to come to your Churche. Secondlye, howe for GOD is grieved with them, that do despise or lyttle regarde to come to the Churche, upon the holy restful day. It may wel appeare by the Scriptures, that many of ye godly Israelites being now in captivitie for their sinnes, emong the Babilonians full often wished, and desired to be againe at Hierusalem. And at their returne, through gods goodnes (though mani of ye peole were negligent) yet the fathers were marveyulous devout to buyld up the Temple, ye gods people myght repaire thither to honour him. And king David when he was a banished man out of his countrye, out of Hierusalem the holy Citie, from the sanctuary,

from ye holy place, and from the tabernacle of God? What desire, what ferventnesse was in hym towards that holy place? What wishinges, and praiers made he to God, to be a dweller in the house of the Lord? One thing (saith he) have I asked of the Lord, & this wil I stil crave, that I may resort, & have my dwellyng in the house of the lord, so long as I live. Againe, Oh how I ioyed when I hard those words we shal go into the Lords house. And in other places of the Psalmes, he declareth for what entent and purpose, he hath such a fervent desire to enter into the temple & church of the Lord. I wyl fal down (saith he) & worship in the holy temple of the Lord. Again, I have appeared in thy holy place, ye I myght behold thy might and power, that I might beholde thy glory, and magnificence. Finally, he sayth, I wyll shewe forth thy name to my brethren, I wyll prayse thee in the myddes of the congregation. Why then had David such an earnest desire to the house of God? Fyrst, because there he would worshyp and honor God. Secondly, there he woulde have a contemplation and a sight of the power & glorie of god. Thirdly, there he wold praise the name of God, with all the congregation and company of the people. These considerations of this blessed prophet of God, oughte to stirre up, and kyndle in us the like earnest desire to resort to the Church, especially upon the holy restfull days, there to doo our dueties, and to serve god, there to call remembrance how God even of his mere mercy and for the glorye of his name sake, woorketh mightily to conserve us in health, wealth, and godlynesse, and myghtily preserveth us from the assautes and rages of our fierce, and cruell ennemies, and there ioyfully, in the nombre of his faythfull people, to praise and magnifie the Lordes holy name.

‘Sette before youre eyes also, that auncient father Simeon, of whom the Scripture speaketh thus, to his great commendation, and an encouragemente for us to do the lyke: There was a man at Hierusalem named Simeon, a iust man, fearing God, he came by the spirit of god into the Temple, and was told by the same spirite, that he shold not die before he saw the anointed of the Lord. In the Temple his promise was fulfilled. In the Temple he saw Christ, and toke hym in his armes. In the temple he brast out into the myghtie praise of God his Lorde. Anna, a prophetesse, an olde wydowe, departed not oute of the temple, gevyng her selfe to prayer, and fasting, day and night. And the coming about the same time, was likewise inspired, and confessed, and spake of the Lord, to all them, who loked for the redemption of Israell. This blessed man, and this blessed woman wer not disappointed of wonderfull fruit, commoditie, and comfort which God sent them, by their diligent resorting to Gods holy Temple. Now ye shal heare how grievously God hath ben offended with hys people, for that they passed so little upon his holy temple, and fouly eyther dispysed or abused the same. Which thyng maye plainly appere, by the notable plages and punyshementes, which God hath layed upon his people, especially in this, that he stirred up their adversaries, horribly to beat down, and utterly to destroy his holy temple, with a perpetual desolation. Alas, how many Churches,

Countries and kyngdoms of Christian people, have of late yeares bene plucked down, overrunne, and lefte wast, with grevous, and intollerable tirannie, and cruelty of the enemy of our Lord Christ, the great Turk, who hath so universally scourged the Christians, that never the like was hard and read of? Above xxx yeares past, the greate Turke had overrunne, conquered and brought into his dominion and subiection twentye Christian kingdomes, turning away the people from the fayth of Christy, poysoning them with the devyllyshe relygyon of wycked Mahomet, and eyther destroying their Churches utterlye, or fylthyly abusynge them wyth their wicked, and detestable errors. And nowe this great Turke, this bitter and sharp skorge of Gods vengeance is even at hand in this part of Christendom, in Europe, at the borders of Italy, at ye borders of Germany, gredily gaping to devoure us, to overrun our countrie, to destroy our Churches also, unlesse we repent our sinfull lyfe, and resorte more dilygentely to the Church to honor God, to lerne his blessed wil & to fulfyll the same. The Jewes in their time provoked iustly the vengeance of god, for that partly they abused this holy temple, with the detestable idolatrie of the hethen, & superstitious vanities of their own inventions, contrary to Gods commandement, partly they resorted unto it as hipocrites, spotted, imbrued, & foulely defiled with all kind of wickednes, and sinfull life, partly many of them passed little upon ye holye Temple, & forced not whether they came thither or no. And have not the Christians of late days, and even in our dais also, in lyke maner provoked the displeasure and indignation of almightie God? Partly, because they have prophaned & defiled their churches, with heathenish and Jewishe abuses, with images, and Idols with numbers of altars, too too superstitiously & intollerably abused, with grosse abusing, & filthy corrupting of the Lords holy Supper, the blessed sacrament of his body and bloud with an infinite number of toyes and trifles of theyr own devises, to make a goodly outward shew and to deface the homely simple & sincere religion of Christ Jesus. Partly, they resort to the churche like hipocrites, full of all iniquitie, and synfull life, having a vayne and daungerous fansy and persuasion, that if they come to the Church besprinkle them with holy water, here a masse, and be blessed with the chalice, though they understand not one word of the whole service, nor fele one motion of repentance in their heartes, all is well, all is sure. Fye upon suche mockyng and blasphemynge of gods holy ordinance. Churches were made for an other purpose, that is, to resort thither, and to serve god truly, there to learne his blessed wyll, there to call upon his mighty name, there to use the holy sacramentes, there to travaile how to be in charitie with thy neighbour, there to have thy poore & nedy neighbor in remembrance, frome thence to depart better, & more godly than thou camest thither. Finally, Gods vengeance hath ben, & is daily provoked, because much wicked people passe nothing to resort to the church, either for that they are so sore blynded, that they understand nothing of god and godlynes, and care not with divelish example to offend their neighbours: orels for that they see the Churche altogether scoured of such gay gasing sightes as their grosse fantasy

was greatly delighted with, because they se the false religion abandoned, & the true restored, whyche semeth an unsaverie thyng, to theyr unsavery taste, as may appere by this, that a woman sayd to her neyghbour. Alas gossyp, what shal we now do at Church, siknce al the sayntes ar taken away, since al the goodly sightes we were wont to have ar gon, since we cannot heare the like pyping, singing chaunting and playing upon the Organs, that we could before. But derely beloved we ought greatly to reioyce, and geve god thanks, that our Churches ar delivered of all those thinges which displeased god so sore, and filthelye defiled his holy house, and his place of prayer. For the whiche he hath iustly destroyed the manye nations, according to the saying of sayncte Paule. If any man defile the temple of God, god wil him destroy. And this ought we gretly to prais god for, that such superstitious and idolatrius maner, as wer utterly naught, & defaced gods glory, are utterly abolished, as they most iustly deserved: and yet those things that either god was honoured with, or his people edified, are decently retained, & in our churches comely practised. But nowe forasmuch as ye perceive it is gods determinate plesure, ye shuld resort unto your Churches upon the day of holy rest, seing ye heare what displesure god concieveth, what plagues he poureth upon his disobedient people, seing ye understand what blessings of god are geven, what heavenly commodities come to such people, as desirously & zelouslye use to resort unto theyr churches, seyng also ye are now friendly bidden, and ioyntly called: beware that ye slack not your dutie, take hede that you suffer nothyng to let you hereafter to come to the Church, at such tymes as you are orderly appoynted, and commanded.

‘Our savior Christ telleth in a parable, that a great supper was prepared, gests wer bidden many excused themselves, and wold not come I tell you (saith Christ) none of them that wer called, shall tast of my supper. This great supper is the true religion of almightie god, wherewith he wil be worshipped, in the due receiving of his sacramentes, and sincere preaching and hearing his holy word, practisyng the same by godly conversation. This feast is now prepared in gods banketting house the Church, you are thereunto called, and ioyntly bidden, yf you refuse to come, and make your excuses, the same will be answered to you, that was unto them. Nowe come therefore (derely beloved) without delay, and become partakers of the benefites provided, and prepared for you. But se that ye come thither with your holy day garment, not like hipocrites, not of a custome, and for maner sake, not with lothsomnes, as thoughe ye had rather not come than come, yf ye were at your libertie. For god hateth & punisheth such counterfaite hipocrites, as appereth by Christes former parable. My frend (saith God) how camst thou in without a wedding garment? & therefore commaunded his servants to bynd hym hand and foote, and to cast hym into the utter darkenesse, where shalbe weping and wailyng and gnashyng of teethe.

‘To the intent ye may avoyde the like daunger at goddess hand, come to the Church on the holy day, & come in your holy day garment that is to saye, come with a cherefull and godlye mind, come to seke gods glory, and to be thankful unto him, come to be attone with thi neighbour, and to enter in friendship and charitie with him. Consider ye all thy doynge stinke before the face of God, if thou be not in charitie, with thi neighbour. Come with an hart sifted, and clensed from worldly and carnall affections, & desires, shake of all vaine thoughtes, which may hinder thee from Gods true service. The birde when she wil flye, shaketh her winges. Shake and prepare thy selfe, to flye hier than al the byrdes in the ayre, that after thy duetie duely done in this earthy Temple and Church, thou mayest fly up, and be receaved into the glorious Temple of God in heaven, through Christ Jesus our Lorde, to whom with the father & the holy ghost be all glory and honour. Amen.’

APPENDIX II

The text of the licence granted by Elizabeth I in 1569 to John Seconton.

[Source: L. A. Govett, *The King's Book of Sports*, (London, 1890), pp. 23-24.]

'To all majors, constables and other hed officers within the countie of Middlesex.

'After our hartie recommendations. Whereas we are informed that one John Seconton, Powlter, dwelling within the Parishe of St. Clementes Daines, being a poore man, havinge foure small children, and fallen into decays, ys licensed to have and use some playes and games at or uppon nyne severall Sondaies for his better relief, comforte and sustentacion, within the Countie of Middlesex, to commence and begynne at and from the 22nd daie of Maye next, comynge after the date hereof, and not to remayne in one place not above three severall Sondaies, and, we considering that great resorte of people is lyke to come thereunto, we will require you as well for good order, as also for the preservation of the quene's majestie's peace, that you take with you foure or five of the discrete and substanciall men within your office or liberties, where the games shal be put in practise, then and there to foresee and doo your endeavour to your best in that behalf duringe the conynuance of the games or playes, which games are hereafter severallie mencyned; that is to saye, the shotynge with the standerd, the shotynge with the brode arrowe, the shotynge at the twelve skore prick [i.e. target] the shotynge at the Turke, the leppinge for men, the runninge for men, the wrastlinge, the throwinge of the sledge, and the pytchinge of the barre, with all such other games as have at any time heretofore, or now be licensed, used, or played. Yeoven the 26th daie of April in the eleventh yere of the quene's majestie's raigne.'

APPENDIX III

The 'Enormities of the Sabbath'.

[Source: J. Harland, *The Lancashire Lieutenancy under the Tudors and Stuarts* (Manchester, Chetham Society, 1859), Vol. II, pp. 217 – 223]

'Of the Enormities of the Sabbothe; with the meanes how to refourme the same. Also about Bastards and Vagabonds. – [This piece is signed by many Lancashire gentlemen.]

'THE ENORMITIES OF THE SABBOTHE ARE THEIS:

'Waykes, Fayres, M'kettes, bayrebaytes, bullbaites, Ales, May Games, resortinge to Alehouses in tyme of devyne Service, pypinge and dauncinge, huntinge, and all manner of unlawfull gaminge.

'THE MEANES HOWE TO REFORME THE SAME:

'To give in chardge at the publique quarter sessions to all Mayors, bailiffs and Constables, and other civill officers, Churchwardens, and other officers of the churche, to suppressse [by] all meanes lawfull the saidde disorders of the Sabbothe, as also to presente the saide offenders at the Quarter Sessions, that they may be dealt with for the same soe farre as Lawe will beare, and for the psente tyme to apprehend the minstrelles, bearwardes and other suche lyke cheffe authors of the saide disorders. And them to bringe ymediatly before som Justices of peace to be punished at their discrecions.

'That the churche wardens and other churche officers be Enioyned to appear at the Quarter Sessions and their to make presentment of all that neglecte divine Service vpon the Sabbothe daye by absence or otherwise, that they may be indicted vpon the statute which imposeth a penaltie of xijd for everie suche offence.

'To abridge the ymesurable multitude of Alehouses to the pointe of the statute.

'To take order that the Alesellers shall vttr a full Quarte of Ale for a penny and non of anie lesser syse.

‘To bynde the Alehowse keeps by speciall termes in the condicions of their recognisances for the receiptinge anie that are cheffe maynteyns and ptakers of the foresaid disorders of the Sabbothe, as also for the receiptinge anie boddie at all into their howses, or selling Ale or other virtualls in tyme of Dyvyne Service.

‘That the Cunstable and other civill officer, the churche wardens and other churche officers, be enjoyned at the Quarter Sessions to make presentment to the Justices of peace of all those Ale howse keeps that have broken the condicion of their Recognisances. And that the Justices take order with the said forfeitures accordinge to the right course of Lawe.

‘That the said officers be enjoyned to make presentations alsoe at the Sessions of all theis that sell ale, havinge thereto noe Lycence.

‘That yor worshippes would take order amongst yourselves that noe Lycence be given to anie to keepe Ale howses but only in public Sessions.

‘That your wor: would examine the afforsaid officers of the churche and commenwealth yt they may make due presentments at the Quarter Sessions of all the bastardes borne or remyninge within their severall precincts, and that thereupon a strict course be taken for the due punishment of the reputed parentes accordinge to the statute, as alsoe for the convenient keepinge and Releeffe of the said infants.

‘And alsoe for Vagabondes according to the statute.

‘Jo. Byron, Ric. Shirborn, Edm. Trafforde, Nicholas Banester, James Asshton, Ric. Brereton, Ric. Assheton, Bryan Parker, Tho. Talbotte, John Bradshawe, Edm. Hopwood, Alex. Rigbie, W. Wrightington, Edm. Fleetwoode.’

APPENDIX IV

The Kings Maiesties Declaration to His Subiects, concerning lawfull sports to be used dated Gerards Bromley 27 Aug., 15 James I (1617).

[Source: Ernest Axon (ed.), *Manchester Sessions. Notes of Proceedings before Oswald Mosley (1616-1630), Nicholas Mosley (1661-1672), and Sir Oswald Mosley (1734-1739), Volume I, 1616-1622-3* (Manchester, 1901), pp. xxiv – xxvi]

‘Whereas wee did justlie in our progress throughe Lancashire rebuke some puritans &c. precise people and tooke order that the like unlawfull cariage should not bee used by anie of them hearafter in the prohibitinge & unlawfull punishinge of our good people for usinge their lawfull recreations & honest exercises upon sondaies and other holidais after the afternoone sermone or service. Wee now fyndinge that twoe sortes of people wherewith that cuntrie is too much infected (wee, meane Papists & Puritanes, have maliciouslie traduced and calumniated these our just & humble proceedings & thearefore least our reputacon might upon the one syde (thoughe innocentlie) have some aspersion left upon it & that upon the other part our good people in the Cuntrie bee not misled by the mistakinge or misinterpretacion of our meaninge wee have thearefore thought good heareby to cleare & make our pleasure to bee manifested to all our good people in those partes. It is true that at our first enteringe to this Crowne & Kingdome wee weare informed & that too trulie that or Cuntrie of Lancaster abounded more in papishe recusants then anie Cuntrie of England and this hath continued synce to our great regret with little amendment save that now of late in our last comminge throughe the said Countie wee fynd both by the reporte of the Judges and of the Byshopp of that Diocess that there is some amendment now daylie beginninge which is no smale contentment unto us this report of this growinge amendment made us the more sorie when wee heard with our owne eares the generall complainte of the people that they weare barred from all lawfull recreacion and excercise upon the sondaies afternoone after the endinge of all Divine service which cannot but produce twoe evils The one a hindringe of the Convercion of manie whom their preists will take ocasion heareby to vex perswadinge them that no honest myrth or recreacion is lawfull or tolerable in our religion which cannot but breede a great discontentment in peoples harts especially of such as are padventure one the point of turninge The other inconvenience is that this phibition barreth the common & meane sorte of people from usinge such excersises as may make their bodies more able for warrs when wee or our successors shall have occasion to use them & in place therof sette upp filthie Typlinge & Drunkennes & breedes a number of ydle & discontented speches in their

Alehouses For when shal the Common sorte of people have leave to exercise if not upon
 sondaies or holidais seeinge they must plie their labours & winn their livings in all
 workinge daies. Our expresse pleasure is thearefore that the lawes of our kingdome and
 Cannons of our Church bee as wee observed in that Countie as in all other places of this our
 kingdome & upon the other part that no lawfull recreation bee barred to our good people
 which shall not tend to the breach of our aforesaid Lawes & cannons of our Church which to
 express more pticulerlie our pleasure is that the Bishops & all other inferior Churchmen &
 churchwardens shall for their parte bee carefull & dilligent both to instruct the ignorant &
 convince & reforme them that are mislead in religion presentinge them that will not
 conforme themselves but obstinatelie stand out to our Judges & Justices whome wee likewise
 comand in that case to put the Lawe in due execution against them. Our pleasure likewise
 is that the Byshopp of the Diocess shall through all his said Diocess take the like straight order
 with all the puritanes & precisians within the same either constraininge them to conforme
 [them]selves or to leave the Cuntre accordinge to the lawes of our kingdome & Canons of
 our Church & so to strike equallie one both hands against the Contemners of our authoritie &
 adversaries of our Church And as for our good peoples recreation our good pleasure likewise
 is that after the en[d] of all Devyne service our good people bee not letted or discouraged from
 anie unlawfull [*sic*] recreacion such as Pypinge Dansinge either men or women archerie for
 men leapinge valtinge or anie such harmeles recreation & the women to have leave to Carrie
 rushes to the Church for the decoringe of it accordinge to their ould Custome but withal wee
 doe heare accounte still as phibited as unlawfull games to be used upon sondaies onelie as
 beare & Bull beatinge enterludes & bowlinge & likewise wee barr from this benefit &
 liber[ty] all such knowne recusants either men or women as will abstaine from Comminge to
 the Ch[urch] or Devyne service beinge thearefore unworthy of anie lawfull recreation after
 the [said] service that will not first come to the Church & serve of god before their goinge to
 the said recreation. Our pleasure likewise is that they whome it belongeth to in office shall
 present & sharplie punishe all such as in abuse of this our libertie will use these excersises
 before the endinge of all Devine service for that day. And wee likewise straightlie coman that
 everie person shall resorte to their owne parishe Church to heare devine service & eich
 parish by its selfe to use the said recreation after the service straightlie prohibitinge anie
 offensive weapons to bee carried or used one the same tyme of recreation And our pleasure is
 that this our Declaration shalbee published by order from the bushoppe of the Diocess
 throughout all the parish Churches and that both our Judges of our sircuite & our Justices of
 the peace bee informed. Given at Gerrards Bromliey the xxvijth day of August in the XVth
 yeare of our Reigne of England France & Ireland and of Scotland the Ijth.

APPENDIX V

The Kings Maiesties Declaration to His Subjects, concerning lawfull sports to be used (London, 1618).

‘By the King

‘Whereas upon Our returne the last yeere out of Scotland, wee did publish Our pleasure touching the recreations of Our people in those parts under Our hand: For some causes Us thereunto moving, We have thought good to command these Our directions then given in Lancashire with a few words thereunto added, and most applicable to these parts of Our Realmes, to be published to all Our Subjects.

‘Whereas We did iustly in Our Progresse through Lancashire, rebuke some Puritanes & precise people, and tooke order that the like unlawfull carriage should not bee used by any of them hereafter, in the prohibiting and unlawfull punishing of Our good people for using their lawfull Recreations, and honest exercises upon Sundayes and other Holy dayes, after the afternoone Sermon or Service: Wee now find that two sorts of people wherewith that Countrey is much infested, (Wee meane Papists and Puritanes) have maliciously traduced and calumniated those Our iust and honourable proceedings. And therefore lest Our reputation might upon the one side (though innocently) have some aspersion layd upon it, and that upon the other part Our good people in the Countrey bee misled by the mistaking and misinterpretation of Our meaning: We have therefore thought good hereby to cleare and make Our pleasure to bee manifested to all Our good people in those parts.

‘It is true that at Our first entry to this Crowne, and Kingdome, Wee were informed, and that too truly, that Our County of Lancashire abounded more in Popish Recusants then any Countie of England, and thus hath stil continued since to Our great regret, with litle amendment, save that now of late, in Our last riding through Our said County, Wee find both by the report of the Judges, and of the Bishop of that diocese that there is some amendment now daily beginning, which is no small contentment to us.

‘The report of this growing amendment amongst them, made us the more sory, when with Our owne Eares Wee heard the generall complaint of Our people, that they were barred from all lawfull Recreation, and exercise upon the Sundayes afternoone, after the ending of all Divine Service, which cannot but produce two evils: The one, the hindering of the conversion of

many, whom their Priests will take occasion hereby to vex, perswading them that no honest mirth or recreation is lawfull or tolerable in Our Religion, which cannot but breed a great discontentment in Our peoples hearts, especially of such as are peradventure upon the point of turning; The other inconvenience is, that this prohibition barreth the common and meaner sort of people from using such exercises as may make their bodies more able for Warre, when Wee or Our successors shall have occasion to use them. And in place thereof set up filthy tiplings and drunkenesse, and breeds a number of idle and discontented speaches in their Alehouses. For when shall the common people have leave to exercise, if not upon the Sundayes and Holydayes, seeing they must apply their labour, and winne their living in all working dayes?

‘Our expresses pleasure therefore is, that the Lawes of Our Kingdome, and Canons of Our Church bee as well observed in that County, as in all other places of this Our Kingdome. And on the other part, that no lawfull Recreation shall bee barred to Our good People, which shall not tend to the breach of Our aforesaid Lawes, and Canons of Our Church: which to expresse more particularly, Our pleasure is, That the Bishop, and all other inferior Churchmen, and Churchwardens, shall for their parts bee careful and diligent, both to instruct the ignorant, and convince & reforme them that are misled in religion, presenting them that will not conforme themselves, but obstinately stand out to Our Iudges and Iustices: Whom We likewise command to put the Law in due execution against them.

‘Our pleasure likewise is, That the Bishop of that Diocesse take the like straight order with all the Puritans and Precisians within the same, either constraining them to conforme themselves, or to leave the Countrey according to the Lawes of Our Kingdome, and Canons of Our Church, and so to strike equally on both hands, against the contemners of Our Authoritie, and adversaries of Our Church. And as for Our good peoples lawfull Recreation, Our pleasure likewise is, That after the end of Divine Service, Our good people be not disturbed, letted, or discouraged from any lawfull Recreation; Such as dauncing, either men or women, Archerie for men, leaping, vaulting, or any other such harmelesse Recreation, nor from having of May Games, Whitson Ales, and Morrisdances, and the setting up of Maypoles and other sports therewith used, so as the same be had in due and conuenient time, without impediment or neglect of divine Service: And that women shall have leave to carry rushes to the Church for the decoring of it, according to their old custome. But withal We doe here accompt still as prohibited all unlawfull games to bee used upon Sundayes onley, as Beare and Bull-baitings, Interludes, and at all times in the meaner sort of People by Law prohibited, Bowling.

‘And likewise Wee barre from this benefite and libertie, all such knowne Recusants, either men or Women, as will abstaine from coming to Church or divine Service, being therefore unworthy of any lawfull recreation after the said Service, that will not first come to the Church and serve God: Prohibiting in like sort the said Recreations to any that, though conforme in Religion, are not present in the Church at the Service of God, before their going to the said Recreations. Our pleasure likewise is, That they to whom it belongeth in office, shall present and sharply punish all such as in abuse of this Our libertie, will use these exercises before the ends of all divine Services for that day. And we likewise straightly command, that every person shall resort to his owne Parish Church to heare divine Service, and each Parish by it selfe to use the said Recreation after divine Service. Prohibiting likewise any Offensive weapons to be carried or used in the said times of Recreations And Our pleasure is, That this Our Declaration shalbe published by order from the Bishop of the Diocesse, through all the Parish Churches, and that both Our Iudges of Our Circuit, and Our Iustices of Our Peace be informed thereof.

‘Given at Our Mannour of Greenwich the foure and twentieth day of May, in the sixteenth yeere of Our Raigne of England, France and Ireland, and of Scotland the one and fiftieth.

‘God Save the King.’

APPENDIX VI

The Kings Maiesties Declaration to His Subjects, concerning lawfull sports to bee vsed
(London, 1633).

‘By the King.

‘Ovr Deare Father of blessed Memory, in his returne from Scotland, coming through Lancashire, found that his Subjects were debarred from Lawful Recreations upon Sundayes after Euening Prayers ended, and vpon Holy dayes: And Hee prudently considered, that if these times were taken from them, the meaner sort who labour hard all the weeke, should haue no Recreations at all to refresh their spirits. And after His returne, Hee farther saw that His loyall Subjects in all other parts of His Kingdome did suffer in the same kinde, though perhaps not in the same degree: And did therefore in His Princely wisdom, publish a Declaration to all his louing Subjects concerning lawfull Sports to be vsed at such times, which was printed and published by His royall Commandement in the yeere 1618. In the Tenor which hereafter followeth.

‘By the King.

‘Whereas vpon Our returne the last yere out of Scotland, We did publish Our Pleasure touching the recreations of Our people in those parts vnder our hand: For some causes Vs thereunto moouing, Wee have thought good to command these Our Directions then giuen in Lancashire with a few words thereunto added, and most applicable to these parts of Our Realmes, to bee published to all Our Subjects.

‘Whereas Wee did iustly in Our Progresse through Lancashire, rebuke some Puritanes and precise people, and tooke order that the like vnlawfull carriage should not bee vsed by any of them hereafter, in the prohibiting and vnlawfull punishing of Our good people for the vsing their lawfull Recreations, and honest exercises vpon Sundayes and other Holy dayes, after the afternoone Sermon or Service: Wee now finde that two sorts of people wherewith that Countrey is much infested, (Wee meane Papists and Puritanes) haue maliciously traduced and calumniated those Our iust and honourable proceedings. And therefore lest Our reputation might vpon the one side (though innocently) haue some aspersion layd vpon it, and that vpon the other part of Our good people in that Countrey be misled by the mistaking and

misinterpretation of Our meaning: We haue therefore thought good hereby to cleare and make Our pleasure to be manifested to all Our good People in those parts.

‘It is true that at Our first entry to this Crowne, and Kingdome, Wee were informed, and that too truly, that Our County of Lancashire abounded more in Popish Recusants then any County of England, and thus hath still continued since to Our great regret, with little amendment, saue that now of late, in Our last riding through Our said County, Wee find both by the report of the Iudges, and of the Bishop of that diocesse, that there is some amendment now daily beginning, which is no small contentment to Vs.

‘The report of this growing amendment amongst them, made Vs the more sorry, when with Our owne Eares We heard the generall complaint of Our people, that they were barred from all lawfull Recreation, & exercise vpon the Sundayes afternoone, after the ending of all Diuine Seruice, which cannot but produce two euils: The one, the hindering of the conuersion of many, whom their Priests will take occasion hereby to vexe, perswading them that no honest mirth or recreation is lawfull or tolerable in Our Religion, which cannot but breed a great discontentment in Our peoples hearts, especially of such as are peradventure vpon the point of turning; The other inconuenience is, that this prohibition barreth the common and meaner sort of people from vsing such exercises as may make their bodies more able for Warre, when Wee or Our Successours shall haue occasion to vse them. And in place thereof sets vp filthy tiplings and drunkenesse, & breeds a number of idle and discontented speeches in their Alehouses. For when shall the common people haue leaue to exercise, if not vpon the Sundayes & holydaies, seeing they must apply their labour, & win their liuing in all working daies?

‘Our expresse pleasure therefore is, that the Lawes of Our Kingdome, & Canons of Our Church be aswell obserued in that Countie, as in all other places of this Our Kingdome. And on the other part, that no lawfull Recreation shall bee barred to Our good People, which shall not tend to the breach of Our aforesaid Lawes, and Canons of Our Church: which to expresse more particularly, Our pleasure is, That the Bishop, and all other inferiour Churchmen, and Churchwardens, shall for their parts bee carefull and diligent, both to instruct the ignorant, and conuince and reforme them that are mis-led in Religion, presenting them that will not conforme themselues, but obstinately stand out to Our Iudges and Iustices: Whom We likewise command to put the Law in due execution against them.

‘Our pleasure likewise is, That the Bishop of the Diocesse take the like straight order with all the Puritanes and Precisians within the same, either constraining them to conforme

themselves, or to leave the County, according to the Lawes of Our Kingdome, and Canons of Our Church, and so to strike equally on both hands, against the contemners of Our Authority, and aduersaries of Our Church. And as for Our good peoples lawfull Recreation, Our pleasure likewise is, That after the end of Diuine Seruice, Our good people be not disturbed, letted, or discouraged from any lawful recreation, Such as dauncing, either men or women, Archery for men, leaping, vaulting, or any other such harmelesse Recreation, nor from hauing of May-Games, Whitson Ales, and Morris-dances, and the setting vp of Maypoles & other sports therewith vsed, so as the same be had in due & conuenient time, without impediment or neglect of Diuine Seruice: And that women shall haue leaue to carry rushes to the Church for the decoring of it, according to their old custome. But withal We doe here account still as prohibited all vnlawfull games to bee vsed vpon Sundayes onely, as Beare and Bullbaitings, Interludes, and at all times in the meaner sort of people by Law prohibited, Bowling.

‘And likewise We barre from this benefite and liberty, all such knowne recusants, either men or women, as will abstaine from coming to Church or diuine Service, being therefore vnworthy of any lawfull recreation after the said Seruice that will not first come to the Church and serue God: Prohibiting in like sort the said Recreations to any that, though conforme in Religion, are not present in the Church at the Seruice of God, before their going to the said Recreations. Our pleasure likewise is, That they to whom it belongeth in Office, shall present and sharpely punish all such as in abuse of this Our liberty, will vse these exercises before the ends of all Diuine Seruices for that day. And We likewise straightly command, that euery person shall resort to his owne Parish Church to heare Diuine Seruice, and Parish by it selfe to vse the said Recreations after Diuine Seruice. Prohibiting likewise any Offensiuie weapons to bee carried or used in the said times of Recreations. And Our pleasure is, That this Our Declaration shall bee published by order from the Bishop of the Diocesse, through al the Parish Churches, and that both Our Iudges of Our Circuit, and Our Iustices of Our Peace be informed thereof.

‘Giuen at Our Mannour of Greenwich the foure and twentieth day of May, in the sixteenth yeere of Our Raigne of England, France and Ireland, and of Scotland the one and fiftieth.

‘Now out of a like pious Care for the seruice of God, and for suppressing of any humors that oppose trueth, and for the Ease, Comfort & Recreation of Our well deseruing People, Wee doe ratifie and publish this Our blessed Fathers Declaration: The rather because of late in some Counties of Our Kingdome, Wee finde that vnder pretence of taking away abuses, there hath been a generall forbidding, not onely of ordinary meetings, but of the Feasts of the Dedication of the Churches, commonly called Wakes. Now our expresse will and pleasure

is, that these Feasts with others shall bee obserued, and that Our Iustices of the peace in their seuerall Diuisions shall looke to it, both that all disorders there may be preuented or punished, and that all neighbourhood and freedome, with manlike and lawfull Exercises bee vsed. And Wee farther Command Our Justices of Assize in their seuerall Circuits, to see that no man doe trouble or molest any of Our loyall and duetifull people, in or for their lawfull Recreations, hauing first done their duetie to God, and continuing in obedience to Vs and Our Lawes. And of this Wee commande all Our Iudges, Iustices of Peace, as well within Liberties as without, Maiors, Bayliffes, Constables, and other Officers, to take notice of, and to see observed, as they tender Our displeasure. And Wee farther will, that publication of this Our Command bee made by order from the Bishops through all the Parish Churches of their seuerall Diocesse respectiuely.

‘Giuen at Our Palace of Westminster the eighteenth day of October, in the ninth yeere of Our Reigne.

‘God saue the King.’

APPENDIX VII

Orders of the Devon and Somerset Justices against Wakes and Ales.

I. Devon Orders

The 1595 Devon Quarter Sessions Order against Ales

[Source: DRO, Quarter Sessions Order Book, Vol. I (1592-1600), folios 125 – 126]

‘Bapte

‘It[e]m whereas before this tyme, it was Ordered and Decreed by the right honourable Frauncys Erle of Bedford and the rest of her ma[jes]tes then Justyces of the peace w[i]thin this County for the Avoydinge of sundry disorders, and abuses, that do arise by Revels, and Churche, or p[ar]ishe Ales, kept and uttered upon the Sabath daye the same should be utterly abolysed & put downe, And wheras also after that tyme, it was ordered, Decreed and Adiudged by the then Justyces of Assices and the Rest of her ma[jes]tes then Justyces of the peace w[i]thin this County, that every drawing, selling, yevinge or other utteringe of Drynke at suche Revels and Church or P[ar]ish Ales is a common tipping not lawfull and that the Churche wardens & others doinge, causinge, or consentinge to the same do incurr the penalty of the lawes and statutes in that case provyded, and that every person,(by such occasion) absent from his owne parishe churche at the devyne service shall for such absence, (as w[i]thout a lawfull cause) incurr the penalty and furfeycture of the lawes and statutes in that case provyded, and that such as resort to the same are to be Indicted as for an unlawfull assembly, forasmuch at the said Church or p[ar]ish Ales or drynkinges Revels, Maye games, playes, and such other unlawfull assemblies of the people of sundry p[ar]ish unto one p[ar]ish on the sabathe dayes and other times is a special cause that many disorders, contemptes of Lawe, and other enormytes, are there p[er]petrated and committed to the great prophaness of the Lords Sabath, the dishoner of Almighty god, encrease of Basterdy and dissolute liff, and of very many other Mischeiffes and inconvenyences to the great hurt of the Common wealth, It is now ordered Agreed and concludyd upon, that there shall not be any Maye games, playes, church or p[ar]ish ales or Drynke used, kept, or uttered, upon the Sabathe at any tyme of the daye, nor yeat in, or upon, any other holly dayes or Festyvall dayes in the tyme of devyne s[er]vice or preachinge of the word, nor at any tyme in the night season, nor yeat that there shalbe any Mynstralcy of any sort, dauncynge or suche wanton dalliances, used at the tyme of the sayd Maye games, playes, Churche or p[ar]ishe Ales or Drynkinges, And that no Churche or parishe wardens or others presume to Brewe or utter any Church or parish Ale, or

Drynke, upon any holly or Festyvall Daye or other Daye unless he or they lies bounde in recognisance to her ma[jes]tes use according to the statute provyded for tiplers and also to observe these Orders, upon payne to be punished according to the Laws’.

* * *

The 1600 Devon Order against Ales
[Source: PRO, SP 16/255 No. 39 (i)]

‘This Order was agreed on by all the Queenes Majesties Iustices of the Peace at the Chapter House Assembled the 10th Day of January 1599, Anno 41 Eliz:

‘And foras much as it appeareth that many enormities {that with modestie cannot be expressed) heretofore have happened by Church Ales and Revells in this County of Devon. It is therefore ordered that Church Ales and Revells shalbe hence forth utterly suppressed. And if contrarywise in contempt of this Order preparation be made for any to be kept any Justices of this County send for such as make preparation to admonish them to make stay thereof and upon their refusal in that behalfe or proceeding therein to bind them that make such preparation to the good behaviour and to appeare at the next Sessions of the Peace to be holden within this County of Devon then and there to endure such punishment as either by the Lawes of the Realme or Order of this Court shalbe inflicted upon them for their contempt and disobeying this Order’.

* * *

The Easter 1607 Devon Quarter Sessions Order against Ales
[Source: DRO, Quarter Sessions Order Book, Vol. 2 (1600-1607)]

‘Easter 1607

‘for the suppressing of Church ales

‘Whereas by our order made ye xth of January 1599 it appeareth that many inconveniences had then formerly happened by parish ales and revels wthin this County of Devon yt for modesty were thenforborne to be expressed It was orderd parish Ales Church ales & Revels should bee from thenceforth utterly supressed And that if Contrary thereto or in contempt thereof preparation were made by any ye Justices of this County forthwth should send for them to admonish them to make stay thereof. And if they notwithstanding refused to stay or did proceed, to bind them for refusing or proceeding to ye good behaviour & to appear at ye

next Sessions, then and there to undergoe such punishment as by ye lawes or order of ye Courte should be inflicted upon them as by ye same order may appeare. The iustices at this Sessions taking dewe consideraconne of ye sayed order, and of abuses more complayned of by keeping ales under couller of Churchales thereby to evade out of the penalty of ye sayed order for remedy whereof it is nowe eftsoones ordered yt ye sayed former order shall stand and be confirmed And it is furder ordered yt all Churchales parish ales, young mens ales Clerkes ales & Sextons ales and all Revels be utterly suppressed And for as much as ye iustices are now informed yt John Trust & Henery Colton of Harberton wthin this County have by abusing ye Justices procured licence to sell ayle intending under Coller thereof to sell Churchale at Harberton & have made preparaconne for ye same It is thereupon farder ordered yt a letter be writen by ye Clarke of ye peace as from ye bench to ye sayed Trust & Colton requiring them to desist.’

‘(marginal note) John Trust & Henery Colton ale wardens at Harberton to desist’.

* * *

The 1615 Devon Assizes Order against Ales

[Source: PRO, SP 16/255 No. 39 (ii)]

‘From the Assizes held at the Castle of Exeter, July 24 1615 Anno 13 Jacob. &c. Sir Laurence Tanfield and Sergeant Mountague Justices of Assize, &c.

‘The severall manslaughteres committed at two Church ales, within this County since the beginning of this present month of July, and further advertisements given now unto the Court of the continuall prophanation of Gods Sabbath at these and other such like unlawfull meetings, ministers unto this Court just occasion to recite an Order formerly sett downe by the Reverend Judges of Assize, at the Assizes holden for this County the 19th day of July in the yeare of the raigne of our Sovereigne Lord King James by the Grace of God of England, France and Ireland King, Defender of the Faith &c: the Eleventh and of Scotland the 46th, that Order being as followeth, *viz.* It is ordered by the Court in regard of the infinite number of inconveniences dayly arising, by meanes of Revells, Church ales, and common Bull baytings, that all such Revells, Church ales and Bullbaitings bee from henceforth utterly suppressed, and if hereafter it shall be made knowne unto the Justices of the Peace within their severall divisions, take course, as well for the speedy apprehending and punishment of idle and lewde people drawne together to such places, as for the binding over of the persons using typling, and for the inflicting of further punishment upon all offenders in such places as in their

discretion shalbe thought fitt. And to the end that this Order may be the better observed, It is ordered that this be speedily published in every Parish Church within this County’.

* * *

The 1622 Devon Quarter Sessions Order against Ales

[Source: DRO, Quarter Sessions Order Book, Vol. 5 (1618-1625), folio 323]

‘Bapte. XX° Ja. 1622

‘For suppressing of Church ales

‘Whereas Complaine hath diverse tymes bin made unto this Courte of the greate prophanacon of the Sabbath daie & of greate & notorious misdemeanors Committed by sondrye persons in their unlawfull meetings att Churchales Revells and other unlawful assemblies, wherein howsoever punishment hath bin diverse tymes inflicted upon offenders in that kinde to the intent the like evils might have bene prevented yet forasmuch as yt now appeareth unto this Courte that greate disorder hath latelie bene Comitted by the like meetinge att Aishburton parishe to the greate dishonor of Almightye god, prophanacon of the Sabbath and the withdrawinge of manye well disposed persons from good and godlie exercises, and in Contempe of authoritie upon Consideracon whereof & in respect of the manifolde inconveniences wch heretofore have and daiely are like to arise by reason of the said disorders It ys therefore ordered that the said Churchales & the like unlawfull meetinge shalbe from hence still for ever utterlie forborne & suppressed throughout this Countie and that all and every person that shall henceforth offend in the like shalbe bound by some Justice of peace neere adioynge to the good behavior and to appeare at the next generall Sessions of the peace to be held for this Countie to answer their Contempts and disorders in that behalfe And for the better performance hereof wee will and Comande that this order be published openlie in Aishburton parishe Church ymediatlie after devine service on Sondaie next and in all other parishe Churches wthin this Countie wth asmuch speed as maie be by the Constables of everye hundred or parishe’.

* * *

The 23 July 1627 Devon Quarter Sessions Order against Ales

[Source: DRO, Quarter Sessions Order Book, Vol. 6 (1625-1633), fol. 120]

‘An order made by the Judge of Assize there for the suppressing of Ales and Revells

Xxiii July 1627

‘Whereas orders have heretofore byne made by the Judges of the Assize for the suppressing of Ales and Revells the same orders are nowe confirmed at this Assize and again ordered by the Courte in regarde of the infinite number of Inconveniencs dailye ariseing by meanes of Revells Church Ales and other publick Ales that all such Revels Churchales Clearkesales and all other publicke ales be from henceforth utterly suppressed And if hereafter it shalbe made knowne to the Justices of peace of this Countye of any such to be sett upp or hereafter used That then the Justices of the peace w[i]thin their severall divisions take Course aswell for the speedy apprehendeinge and punishm[en]te of Idle and Lewde people drawne together to such places as for the byndeinge over of the persons useinge such tiplinge and for inflictinge of such punishm[en]te upon all offenders in such places as the same doth deserve And to the end that this order may be better observed It is furder ordered that the Clarke of Assize shall leave a cobby hereof with the Clarke of the peace and the under sheriffe And from them or one of them every Constable shall take a cobby for his severall hundred and libertye and shall particularly deliver a Copy to the minister of every parish w[i]thin his severall hundred and libertie and shall take a noate of ev[er]y minister under his hand of the daie upon w[hi]ch the minister receaved it from him and that ev[er]y minister w[hi]ch soe Receaveth it shall publish it yeirely in his parish Church the first Sunday in February and it is likewise furder ordered that ev[er]y Constable shall at ev[er]y Lent Assize present to the Judges of this Circuite a noate of the receipte of this order under the hands of the said ministers and for the furder avoydeing of Idle people It is furder ordered that such p[er]sons as usually Carry up & downe bulls & beares to baite being Roagues by the statute shalbe punished as roagues for the further prevention of such Inconveniencs as usually happen upon such meetings.

‘Ex. per Simonem Spatchurste
Clericum Assiarum’.

II. Somerset Orders

The 1594 Somerset Quarter Sessions Order against Ales [Source: PRO, SP 16/96 No. 7(i)]

‘At the Sessions at Bridgewater, the 28th September 1594.

‘It is ordered and agreed, that no Church ale be admitted to be kept within any part of this sheire. And that by the Justices of the peace of the Lymits notice thereof bee given to the

severall parishes within their Lymits, and that such as shall offend in keeping any such be dueely punished.

‘John Popham, Lord Cheife Justice.

George Sidnam Knight, Henry Berkley Knight,

George Speak Henry Waldron

Alexander Colles, John Frances,

Alexander Popham John Lancaster,

Edward Hext, Thomas Phillips’.

* * *

The 1608 Somerset Quarter Sessions Order against Ales

[Source: SRO, Q/SR 2/118]

‘Jannuar 13 1607 apud Wells

‘It was at this present Sessions ordered by the consent of all the justices then and there present, whose names are herunto subscribed, that all Bulbayting, Bearebayting, Church ales Clerke ales, Woodwardes ales, Bidales, and all kindes of such like ales whatsoever, be immediately from henceforth throughout this whole Countie of Somerset utterly forbidden and suppressed. And that the order heretofore taken concerning the said Church ales and such like at Bridgewater by the late Lord Chiefe Justice of England, and other Justices of the peace of this Countie then and there present be hensforthe fully renewed confirmed and established. And that all offenders against this present order be forthwith upon the first notice had of them, bound to their good behaiour by the Justices the same limit or any other Justice of this Countie; And that likewise the comers and frequenters unto such Bullbaytes, Bearebaytes and ales above mentioned may be indicted of an unlawfull assembly at the quarter Sessions next ensewing, and so be there proceded withal according to the lawes. And that further with that spede it presently may be done all inhabitants of every parish shalbe rated and assessed according to the quantitie and value of their lands possessions and goods, unto a reasonable and proporcionable quantity for the reparacion and maintenance of the Church, as neede from time to tiem shall require, according to the lawes and constitucons of this land on that behalf provided’.

* * *

The 1612 Somerset Quarter Sessions Order against Ales
[Source: SRO, Q/SR 13/71]

‘Ivelchester Decimo

‘At this Sessions it is ordered that proclamaticon be made that noe Church Ales shalbe kept, and all Justices doe binde over all such as shall keepe any ales by meanes of the dearth of Corne.

‘It is generally ordered that the Composicon (?) shall holde’.

* * *

The 1624 Somerset Quarter Sessions Order against Ales
[Source: SRO, Q/SO3 folio 394]

‘It is ordered that noe Churchales be hereafter used within this County’.

* * *

The 1628 Somerset Quarter Sessions Order against Ales
[Source: SRO, Q/SR 61(i)/52]

‘An order made by the Judges of the Assyses for the suppressinge of All Ales and Revells
March 1627

‘Whereas orders have byn heretofore made by the judges of the Assizes for the suppressing of all Ales & revels the said orders are [???] reformed(?) at this Assizes and again ordered by the courte in regard of the infinite number of inconveniences dayly ensewinge by meanes of the revells Church Ales Clerke Ales, and all publicke Ales be from henceforth utterly suppressed And if that hereafter yt shalbe made knowne to the Justices of peece of the County of any such to bee sett upp or hereafter to bee used that then the Justices of peece within their severall divisions take course as well for the speedy apprehending and punishment of idle & lewd persons drawinge together to such places and also for the bindinge over of the persons using tiplinge, inflictinge of such punishment upon all offenders in such places as the law doth inflicte And to the end that this order may be the better observed yt is farther ordered

that the Clarke of the Assizes shall leve a cobby hereof with the undersheriff and from the undersheriff every Constable shall take a cobby for his several hundreds and liberties And shall particularly deliver a cobby to the minister of every parish within his several hundreds and liberties And shall take a note of every Minister under his hand of the daye uppon which the Minister soe received yt And shall publishe yt yerely in his parish Church upon the first Sunday in February And yt is farther ordered that every Constable shall at every Lent Assizes present to the judges of this circuit a note of the receipt of these orders under the hand of the said Minister And For the farther avoydinge of the concourse of idle people yt is farther ordered that minstrels and suche other persons that carry about bulles & beares to bayte being Rogues by the statute shalbe punished as rogues for the farther prevention of such inconveniences as usually happen uppon such meetings’.

* * *

The 1632 Somerset Quarter Sessions Order against Ales

[Source: J. S. Cockburn (ed.), *Western Circuit Assize Orders, 1629-1648* (London, 1976), p. 46]

‘Whereas divers orders hav ben heretofore made by the judges of assizes for the suppressinge of ales and revells, the same orders are nowe confirmed att this assizes, and [it is] agayne ordered by the court in regard of the infinite number of inconveniences dayly arisinge by meanes of revells, church ales, clarkes ales, and other publique ales, [that they] be utterly from henceforth suppressed. And yf that hereafter it shalbe knowen to the justices of the peace of this county of any suche that shalbe sett up or hereafter to be used, that then the justices of peace within their severall divisions take course aswell for the speedy apprehendinge and punishment of idle and lewde persons drawinge together to suche places, and alsoe for the byndinge over of those persons usinge tiplinge, inflictinge of such punishment on all offenders in suche places as the lawe dothe inflict. And to thend this order may be the better observed, it is farther ordered that the clarke of assize shall leave a cobby thereof with the undersheriffe; and from the undersheriffe every constable shall take a cobby for his severall hundred and liberty, and shall deliver a cobby to the mynister of every parish within his severall hundred and liberty, and shall take a noate of every mynister under his hand on the day when he received it; and [the minister] shall publishe it yeerely in his parish church upon the first Sunday in February and two Sondays before Easter yeerely. And it is farther ordered that every constable shall att every Lent assize present unto the judges of the circuit a noate of the said order under the hand of the said mynister. And for the farther

avoydinge of the concurse of idle people it is farther ordered that mynstrells and suche other persons that usually carry up and downe bulls and beares to bayte, beinge rogues by the statute, shalbe punished as rogues, for the farther preservacion of suche inconveniences as usually happen att suche meetings'.

APPENDIX VIII

The petition to Judge Denham at the Somerset Assizes, March 1627/28 [PRO, SP 16/96 No. 7]

‘To the honourable Sir John Denham Knight one of the Barrons of his Majesties Exchequer and Justice of Assize for the County of Somersett

‘The humble Peticion of the ministers whose names are subscribed.

‘Sheweth,

‘That whereas at the last Summer Assises held for the County of Dorsett; there was an order made for the suppressing of all Revels, Church Ales, and other publique Ales (amongst other things) as by the Copie of the sayd Order hereunto annexed appeareth

‘Your Petitioners therefore humbly desire that your Lordship would be pleased to grant the like order at this Assises for the suppressing of the like Ales and disorders in this County of Somersett.

‘Soe they shall always pray for your Lordship long health and prosperity

‘Adam Abraham	John Forde
William Gyllet	John Fathers
Ralfe Turner	George Drake

‘15 Marcii 1627’

[Underneath this petition and signed by John Denham there is written the following: ‘Let the Clerke of the Assizes draw up the like Order for this County. Jo. Denham’]

APPENDIX IX

**The letter sent by Charles I to Sir Robert Phelips, Sir Henry Berkeley and Rev.
Dr. Paul Godwin on 2 May 1633**
[SRO, DD/PH 222, fol. 120]

‘Charles R

‘Trusty & welbeloved we greate you. Whereas we understand it hath bene an Ancient custom in that Countie & in sundry other Counties to hold certain Feastes of dedications of Churches commonly called the Wakes & that this said custom hath bene of late interrupted we do hereby will & require you forthwith to certify us under your handes, what hath bene given in charge by the Judges of Assize who doe now ryde that circuite or by any other that have formerly ryd the same, or by any other in Authority concerning the suppressing of the said Feasts. And further whether any Judge or other have made any order concerning the same, & sent it to any of the Clergy to publishe in their severall parishes without warrant from the Bishop of the Diocesse. And more particularly we do hereby require you to certify us what order Sir Thomas Richardson chiefe Justice of Court of Kings bench did make & publishe at the last Assizes for that County for the recalling of any such former order made against the said Feasts, as our expresse command twice signified unto him by the Lord keeper of our greate Seale was he shold doe. Our intention in this Buisnes is no way to give a liberty to the breache or prophanacon of the Lorde’s day, which we will to be kepte with that solemnity & reverence that is due to it, but that the people after evening prayer may use suche decent & sober recreations as are fitt. And to that end we do hereby require you & all other the Justices of peace in your severall divisions, to take speciall care, that all excesses in those feastes and disorders in those Recreations be prevented. Given under our Signett at our Palace of Westminster the second day of may in the nynthe yeare of our Raigne.’

APPENDIX X

The letter sent by Sir Robert Phelips, Sir Henry Berkeley and Rev. Dr. Paul Godwin to Charles I, May 1633

[SRO, DD/PH 222, fols. 124-126]

‘To the Kings most excellent Majestie

‘The humble certificate of Robert Phelipps, and Henry Berkeley, Knights & Paul Godwyn Dr
in Divinitie

‘May it please your Majestie

‘Whereas by your Majesties letters dated the second of May in the ninthe yeare of your happy
raigne, wee are comanded to certifie your Majestie under our hande, what hath beene given in
charge by the Judges of Assizes, which doe nowe ride this Westerne Circuit, or by any other
that have formerlie riden the same, or by any other in authoritie, concerninge the suppressinge
of the feast daies (commonly called wakes) of this Countie of Somerset.

‘As likewise, whether any Judge or other, have made any order concerninge the same, and
sent it to any of the clergie to publishe in their severall parishes, without warrant from the
Bishop of the Diocesse. And wee are also by those letters more particularly commanded to
certify your Majestie what order Sir Thomas Richardson Chiefe Justice of Your Majesties
court of Kingsbench, did make and publishe at the last Assizes for this Countie for the
recallinge of any such former orders made against the said feasts, as by your Majesties
expresse command twice signified unto him by the Lord Keeper of the Greate Seale, hee was
to have done.

‘Nowe in obedience to these your Majesties direcions, and in discharge of our owne particular
duties, we humbly render your Majestie this followinge accompt of our proceedings herein,
grounding the same not only upon our own particular memory and observacion, but likewise
upon such other sort of evidence and testimony as might best conduce to the findinge out of
the truthe and the presentinge her cleare and without contradiction before your royall viewe
we humbly supplicate may be gratioously afforded to that which here followeth.

‘And in the first place concerning that part of your Majesties directions, what orders have bene made, and by whom, for the suppressinge of the Feast daies,

‘We finde that there was an order to that purpose made in the yeare 1627, by the then Judges of Assize ridinge this Circuit, the coppie whereof we humbly present unto your Majesty. But it doth not by any diligence we can use, appeare unto us, that the said order was either generally knowne, or in any sort publiquely executed, till now very lately by the direcion of the present Judges.

‘We further finde that in the yeare 1631, at the summer Assizes held at Taunton for this Countie the now Lord Chiefe Justice Sir Thomas Richardson, did publiquely declare himselfe against these feast daies and Revells, expressinge at that time, that in the Circuit which he had formerlie rid, he did suppress them there, and was for soe doinge complained on to your Majesty, unto whom he gave (as he said) very good satisfaction. Hee at this Assizes did order, that they should be suppressed in this Countie, and did alsoe give direcions to the Justices of peace to binde those who should not observe his order therein to the next Assizes.

‘In prosecution of which order and direcions, the Constable of Batcome duly with company with him, in somewhat a violent manner (as we are informed) enter the house of one Jordan of that parish, the feast daie of that place, about nine of the clock in the evening, being a Sunday, where were assembled some of Jordan’s friends and neighbours in a quiett and orderlie manner, but the Constable dispersed the company, and the next day carried Jorden to a Justice for contemninge this order & direcions, but the Justice did not at that time binde over Jordan, but a while after my Lord Cheife Justice beinge then at the Bathe, and being informed of this passage gave direcions that his former order should be executed and accordinglie was Jordan bound to the Assizes, & good behavior Jordan consideringe the hard measure as he conceived offered unto him in having his house under color of authoritye, and without the charge of any legall offence, to be thus entered and himselfe arrested and bound over to the Assizes, did in Michms. terme followinge exhibite his bill of complaint unto your Majesties Court of Starrechamber against the Constables and his assistants for this violence offered unto him, unto which bill they demurred and pleaded for justification there warrant and the former direcions. And hereupon as we have heard, and doe believe it to be true, his Lordshipp was soe much moved and disturbed, as that he procured the cause to be referred to himselfe, to consider whether it were fitt to be retayned in that Court or not, and agreeable, unto his endeavour the cause was referred unto his Lordshipp, and hee made a certificate unto the Lordshipp of the Starrechamber wherein he expressed his owne former order, and direcions made for the suppressinge of the feast daies, & the contempt of Jordan in his disobedience

unto them, & did deliver his opinion to be, that the cause was fitt to be dismissed with good costs for their unjust vexacion therein, and accordingly the cause was dismissed. The coppies of which certificate & the order of dismissal, we humbly likewise present unto your Majesty.

‘This order thus made by my Lorde Cheife Justice, and in such sort put in execution, as in his owne Certificate is expressed, It doth appeare unto us that at the Assizes next immediately followinge, held at Taunton in March 1631, the before mentioned order made in the yeare 1627, by the judges that then did ride this Circuit, was nowe revived & with some addition (as wee conceive) directed to be put in execution. The Constables were strictly commanded to take coppies of that order, and the Clergie accordinge to the purport of the same, enjoyed to publishe and divulge the said order in their severall parishe churches, which directions both by the Constables, and the Clergie were accordinglie obeyed and put in execution. And that this was done without any warrant from the then Lord Bishop of this diosesse, besides other good reasons to induce us for to believe wee have the Lord Bishops owne affirmation whoe told one of us that he did not knowe nor had heard of any such direccions, before the order it was by the Clergie in sundry churches of this County read and divulged.

‘Nowe for that part which it doth please your Majesty in a more particular manner to require us to certifie concerning my Lord Cheife Justice his obedience unto your Majesties comande, to be by him performed at the last Assizes held for this County, We doe in all humilitie present unto your Majestie, that neither by our owne observation, who were then present at the Assizes, nor by the informacon of others, of whome wee have with diligence enquired, doth it appeare unto us that he did make or publishe any order, for the revokinge and annulling the former orders and direcions given against the said feast daies and Revells, neither did he in any sort at that time, declare it to be your Majesties pleasure, that those feasts in this Countye, should be againe restored to their accustomed and orderly use and practice Att which his Lordships neglect and omission wee cannot enough mervaile when we consider the proper occasion was ministered unto him, to putt him in minde of your Majesties directions and his owne dutie in that particular. For some Constables did repaire unto him to knowe his pleasure, whether the order made by his Lordship for the suppressinge of the feast and Revell daies in this Countye, should be any longer observed or not; What he replied to this propostion, is set downe in a paper apart, as it was delivered unto twoe of us, by one of the high Constables of this Countie, whoe did propound the question to his Lordship.

‘In the last place, and by waye of conclusion fo this our humble Certificate, we presume to tell your Majestie that these feast daies and Revells, have been for a long space observed and

practiced in the severall parishes fo this Countye; Are much affected by the people here and doe comendably serve to nourishe acquaintance and affecion amongst them, eache parishe at those times, mutually entertayninge one another, with arguments of love, freedome, and hospitality. And although the best assemblies are not priviledged from ill accidents nor from the mixture of some ill ordered people, yet we have not knowne in our divisions (for which we praise God) any such bad encounter to have happened neither hath the conversacon at such times bene for irregular, profane, or excessive, as that it hath ministred matter of severe reprehension, or hath given just cause of scandal to men soberly minded, and not too much addicted to the waies of an overstrict singularitie.

‘Nevertheless we cannot be soe much wanting to dutie, & our owne obligation, as not to acknowledge your Majesties singular goodnes and pietie, expressed in your Royall care and direcions, to prevent that the Lords daye, under color & pretence of sober and decent recreation should not be irreligiously prophaned nor the first and religious duties thereof, should be in any sort neglected or contemned neither that in these feast times necessary & harmelesse libertie should not be converted into bold licence, and disorder. To the observacon of these your Majesties direcons, we shall apply ourselves with all possible dutie and diligence, and we shall not omit in our moste entire and fervent devotions, to beseech God to give your Majestie here on earth a long and glorious raigne, to the unspeakable comfort and felicitie of all your faithfull subiects, and amongst them of us

‘Your majesties most loyall vassals

‘Ro. Phelipps

He. Berkeley

Pa. Godwyn’

APPENDIX XI**Lord Chief Justice Richardson's order revoking previous Somerset orders against wakes and ales, Somerset Assizes, Summer 1633**

[PRO, SP 16/255 No. 39(iv)]

'Whereas diverse Orders have been heretofore made by the Judges of Assize for the suppressing of Church Ales, Clerkes Ales, Wakes, Revells and such like within this County of Somersett, which were formerly made by the Judges by reason of many disorders and misdemeanors ariseing upon the meeting of multitudes of people out of other parishes. It is now ordered by his Lordship that all former Order heretofore made by any Judges or Justices for the suppressing of Church ales, clerkes Ales Wakes and Revells be revoked (as much as in him lyeth) and made utterly void. And that it may be lawfull for all persons freely to use any lawfull recreation or exercise at such meetings, but with this advice, that they be carefull that noe outrages or misdemeanours commonly ariseing at such Church Ales, Clarke Ales, wakes and Revells be done or committed.'

APPENDIX XII

**The Petition of the twenty-five Somerset Justices that was sent to Charles I in August
1633**

[PRO, SP 16/255 No. 39]

‘To the Kings Most Excellent Majesty

‘The most humble peticon of John Lord Paulett, Sir Edward Powell, Sir William Portman, Sir Ralph Hopton, Sir John Stawell, Sir Francis Popham, Sir John Windham, Sir George Speeke, Sir John Horner, Sir Edward Rodney, Sir Francis Dodington, Gerard Wood, Robert Hopton, John Syms, Thomas Lutterell, William Francis, Robert Custer, William Willronde Richard Cole, George Poulett, William Evory(?), Will Bassett, Anthony Stokar, William Capell and John Harington Esquires. Justices of the peace within the County of Sommersett,

‘Most humbly shewing

‘That whereas heretofore there hath been from time to time severall good orders made by the Justices of Assize, and Justices of the peace for the County of Sommersett, for the restraining and suppressing of certaine Assemblies in that county called Church Ales, Clerke Ales, Bidd Ales, and Revells, by reason of many disorders inseparably accompanying the same, whereby the sayd Assemblies have for the most part for a long time been forborne and not used to the great good and quiet of the sayd County.

‘Now soe it is, may it please your Majesty, that by occasion of a declaration published the last Assize by the Lord Chiefe Justice of the Kings Bench for restoring of wakes and Revells and repealing of all orders made against them, and by reason of a rumour thereof spread in the county since the last Lent assizes, not only all the Disorders of prophanation of the Lords-day, riotous tipling contempt of authorities, quarrels, murders &c. frequently over flowing the sayd Assemblies thus increased that summer, but over the other disorderly Assemblies of Church Ales, Bidd Ales Clerke Ales condemned by the Lawes have againe been sett up to the great prejudice, of the peace, plenty and good government of the County.

‘May it therefore please your most excellent Majesty to grant us some more particular declaracon herein, that your Majesties commaund in that behalfe may not be thought to

extend any further then to the upholding of civill feasting between neighbour and neighbour in their parishes, and the orderly and reasonable use of manly exercises and activities, which we all shalbe most ready to maintaine. And that we have your Majesties favoure and allowance to suppress all the forementioned unlawfull Assemblies of Church Ales, Clerks Ales, and Bidd Ales, and to punish all the forementioned disorders as heretofore we have done, wherein your petitioners have noe other end then to doe your Majesty faithfull service, and to performe the good government to the County.’

[The petition was accompanied by copies of the orders suppressing ales of 1600, 1615 and 1627]

APPENDIX XIII

The letter sent by Sir Robert Phelips to Charles I on 18 August 1633
[SRO, DD/PH 222, fol. 131]

‘May it please your Majesty

‘I doe most humblie presume to certifie your Majestie, that the Lord Cheife Justice hath at this Assizes executed your Majesties commande for the revokinge of the orders and direcions prohibitinge the Revells and Feast Daies in this Countie in soe unfit a manner as will scarce stand with his dutie and obedience. It pleased him to saye publique asperccions upon my selfe, and others who were by your Majestie imployed in that occasion. He likewise alleaged things not agreable to truthe, and wrested and disguised other peices, to the apparant injurye thereof. Hee mencioned the office of the Bishop slightlie if not with scorne. Hee persuaded and incited the gentlemen to petition your Majestie against your owne direcions, and thereby factiouslye to distract the unitie and peace of this Countie; And finallye did insinuate that the orders made were wise and consequentlie saide an aspercion upon your Majesties direcions for there revocacion.

‘This beinge the state of his carriage and of the present buisines It is moste humblie petitioned to th’end your Majestie may discerne the truth and laye the blame where it is merited, and cutt short in future ocasions the method of soe bolde a proceedinge; That you will be pleased to referre the examinacion of the Certificate which was latelye presented unto your Majestie, and this particular carriage and proceedinge of the Lord Cheife Justice unto the right honorable the Lord keeper of the greate seale and the Lord Bishop of London. For which your Majesties royall favour both my selfe and others shall be encourgaged with alacritie and diligence to execute your Majesties commande. And in the meanetime shall as in dutie we stand bound earnestlie beseech allmightie God to continue unto your Majestie along & happie raigne over us.

‘Your Majesties most loyal subiect and vassal Ro. Phelipps.’

APPENDIX XIV

The letter sent by Archbishop Laud to Bishop Piers on 4 October 1633

[PRO, SP 16/247 No. 24]

‘My very good Lord

‘My Businesses concerninge my Translation are now allmost over & those of Tearme ready to beginne. And in the Interim I am commanded by His Majestie to putt you to a little paynes. There hath been of late some noyse in Somersetshyre about the Feasts of the Dedicacions of Churches comonly called ye Wakes and it seemes the Judges of Assize formerly made an order to prohibit them & caused it to be published in some or most of ye Churches there by the Ministers without my Lord the Bishopps consent or privity. The pretence of this hath been that some disorders derogatory from Gods service & the government of the Comonwealth are comitted att those times. By which argument, any thing that is abused may be quite taken away. It seemes there hath some heate been strucke in the Countrye about this, by the carriage of the Lord Chiefe Justice Richardson at the twoe last Assizes, especially the last, with which his Majestie is not well pleased. And for the preventing of any Outrages or disorders at those Feasts noe man can be more carefull than his Majestie is, but he conceives & that very rightlye, that all those may & ought to be prevented by the care of the Justices of Peace, & yet leave the Feasts themselves to be kept, for the Neighbourly meetings & Recreacions of the people, of which he would not have them debarred under any frivolous pretences. And farther his Majestie hath been lately informed by men of good Place in that Countrye, that the Humorists increase much in those partes, and unite themselves by banding against the Feasts, which course as His Majestie noe way likes, so he Hath been informed alsoe that for this last yeare since warning was given, there hath not been any noted Disorders at any of those Feasts kept in those Partes. Yet for His better satisfaction He Hath comanded me to require you (which I here doe by these Letters) to send for some of the gravest of your Clergy, and such as stand best affected to ye Church & goverment in the severall Partes of your Diocess, and by them to Informe your selfe how these Feasts have been ordered for this last yeare, & how free they have been from Disorders, and to send me upp an accompt of it, such as I may shew to his Majestie of which you must not fayle. And He doubts not but that you will performe the same like a wise and prudent governour. Thus leaving this busines to your care, and desiring you to make as much convenyent haste with it as you can, I commend you to Gods Grace, and rest,

‘Lambeth
Octob: 4
1633

Your Lordshipps very loving frend
and Brother’

APPENDIX XV

**The letter sent by Bishop Piers of Bath and Wells to Archbishop Laud on
5 November 1633**

[PRO, SP 16/250 No. 20]

‘Most Reverend Father in God and my very Honourable good Lord,

‘My humble service presented to your Grace. I received upon the 12th of October last a letter from your Grace dated the 4th of the same moneth; wherein your Grace hath required me by a commaundment from His Majesty to send for some of the Gravest of my Clergy, and such as stand best affected to the Church and Governement out of the severall partes of my Diocesse and by them to informe my selfe how the annuall Feasts of the Dedications of their Churches have bene kept within their severall parishes this last yeer, and how free they have bin from disorders. Now accordinge to His Majesties pleasure and commaundement herein, presently after the receipt of your Graces letter I sent forth my letters into all the severall Deanrys within my Diocesse for some of the Better sort of the clergy out of every Division, part and corner of Somersetshire to come unto me, and soe they did upon certayne dayes appointed by me; and I find by the severall Answeres of threescore and twelve Ministers, Beneficed men, in whose parishes these feasts are kept, as followeth. First, that they have bin kept not only this last yeere, but also for many yeares before, as long as they have lived in their severall parishes without any Disorders. Secondly, that upon the Feast dayes, (which are for the most part every where upon Sundayes) the service of the Church hath bene more solemnly performed, and the church hath ben better frequented both in ye forenoones, and in ye afternoons, then upon any other Sunday in the yeere. Thirdly, that they have not knowen, nor heard of any disorders in the Neighbouringe Townes, where the like Feasts are kept. Fourthly, that the People doe very much desire the continuance of these Feasts. Lastly, that all these Ministers are of opinion, that it is fitt and convenient these Feast dayes should be continued, for a memorial of the Dedications of their severall churches, for the civilizinge of people, for their lawfull recreations, for the composinge of differences by occasion of the meetinge of friends, for the increase of love and amity, as beinge Feasts of charity, for the reliefe of the poore, the richer sort keeping then in a manner open house, and for many other reasons.

‘This is the summe of their severall free and voluntary Answeres, which I have in writinge under their own hands, and wilbe ready to show if they be required, which course I took because it might not [*sic*] be given out hereafter by those who condemne these Feasts, that I

did mistake either their wordes or their meaning. And I doe verely believe, that if I had sent for an hundred more of ye clergy within my Diocesse, I should have received the same Answer from them all; because not one of those Ministers who appeared before mee (although they were almost all of them as yet strangers unto me, and most of them strangers one to another) varied in ye substance of his Answere from the rest; nay most of them agree in their very phrases and wordes, and yet all of them gave their answeres severally: soe that I may liken these seventy and two Ministers in this matter, unto the Septuagint, or seventy two Interpreters, who agreed soe soone in the Translation of the old Testament.

‘Now as I have made a true report of the Answeres of these Ministers, soe I desire to sett doune some observations of myne owne, which I have collected out of their answeres.

‘I find that thoro out [throughout] Somersetshire, there are not only Feasts of Dedication, but also in many places Church-ales, Clarkes-ales and Bid-ales. The Feasts of Dedications are more generall, and generally they are called Feast-dayes, but in diverse places they are called revell-dayes; they are not knowne amongst the ignorant people by the name of Feasts of Dedication; but all scholars acknowledge them to be in ye memory of their severall Dedications, and some Ministers of late have taught them soe: Diverse churches are dedicated here to ye Holy trinity, and they are kept upon trinity Sunday; but almost all those Feasts which are kept in memory of the Dedication of churches unto Saintes, are kept upon some Sundayes, either before or after the Saintes dayes; because, (as I conceive) on the weeke dayes the People have not had leasure to celebrate these Feasts. And I find that almost all the Feasts of Dedications are kept in ye summer tyme, Betweene our Lady day and Michaelmas, because that time of the yeere is most convenient for the meetinge of Friends from all places: in some places they have Solemne Sermons preach’t by Divines of good note, and also Communion upon their Feast dayes; and in one place in this county, the parish holds land by their Feast: And one Minister (who hath bene a great travayler) hath inserted in his answer, that in some Reformed churches namely in Switzerland these Feasts of Dedication are observed.

‘I find also that the people generally would by noe meanes have these Feasts taken away, for when the Constables of some parishes came from the Assizes about two yeeres agoe, and told their Neighboures that the Judges would put downe these Feasts, they answered that it was very hard, if they could not entertayne their kindred and Friends once in a yeere, to prayse God for his Blessings, and to pray for ye Kings Majestie under whose happy Governement they injoyed peace and quietnesse; and they sayd they would endure the Judges penaltyes rather than they would breake off their Feast Dayes. It is found also true by experience, that

many suites in law have bin taken up at these Feasts by mediation of Friends, which could not have bene soe soone ended in Westminster Hall.

‘Moreover I find that the cheifest cause of the dislike of these Feasts amongste the preciser sort is, because they are kept upon Sundayes, which they never call but Sabbath dayes, upon which they would have noe manner of recreation, nay neither rost nor sod: And some of the Ministers who were with me have ingeniously confessed, that if the people should not have their honest and lawfull recreations upon Sundayes after eveninge prayer, they would goe either unto tipling houses, and there upon their ale-benches talk of matters of the Church or State; or els into conventicles.

‘Concerninge Church-ales, I find that in some places the people have bin perswaded to leave them off, in other places they have bin put downe by the Judges and Justices; soe that now there are very few of them left: but yet I fine, that by Church-ales heretofore, many poore parishes have cast their Bells, repaired their towers, Beautified their Churches, and rayed stockes for the poore; and not by the Sinnes of the People (as some Humourists have sayd) but by the Benevolence of people at their honest and harmelesse sports and pastimes; at which there hath not bene observed soe much disorder, as is commonly at fayres and markets.

‘Touchinge Clarke-ales (which are lesser church-ales) for the better maintenance of parishe clarkes; they have bin used (untill of late) in diverse places; and there was good reason for them; for in poore country parishes where ye wages of the clearke is very small, the people thinkinge it unfit that the Clarke should duely attend at church, and loose by his office, were wont to send him in provision, and then feast with him, and give him more liberally, then their Quartely payments would amount unto in many yeeres. And since these have bin put downe, some Ministers have complained unto me, that they are afraid they shall have noe parishe clarkes for want of maintenance for them.

‘There is another kind of publique meetinge called a Bid-ale when an honest man decayed in his Estate is sett up agayne by ye liberall benevolence and contribution of Friends at a feast: but this is layd aside almost in every place.

‘But I feare I have wearied your Grace with this impertinent discourse of country Feasts; yet while I am in that discourse of Feasts, I may not forgett one thinge wherein I have bene desired by a Grave and learned Divine dwellinge neare Taunton, to move your Grace, and that is that your Grace would be a meanes, that the Judges in their Lent Circuit might not sitt and condemne people on that Great Feast day of the Annunciation.

‘And soe havinge carefully endeavoured to performe His Majesties commaundement, I cast my selfe downe at His Majesties feete, humbly begginge His Gracious pardon, if I have erred in any point: And I desire noe longer to live, than I may be able to doe God, and His Majestie service in ye Church; which althoughe other Bishops can performe with greater abilityes than my selfe, yet none shall performe the same with more readinesse, diligence, and fidelity then I will doe: And soe prayinge for the continuance of your Graces health and happinesse, I leave your Grace to Gods blessed protection and humbly rest

‘Your Graces ever to be commanded

‘Wells, 5

‘Novemb: 1633

‘Guil. Bath & Wells’

APPENDIX XVI

The undated instruction from Charles I to Archbishop Laud to print the 1633 *Book of Sports*. The instruction is written in Laud's handwriting, but signed by the king
[PRO, SP 16/248 No. 12]

‘Charles R

‘Canterburye, see that our declaration concerninge Recreations on the Lords daye after Evening prayer, be printed.’

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