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THE ENGLISH RECUSANTS



# THE ENGLISH RECUSANTS

*A Study of the Post-Reformation Catholic  
Survival and the Operation of the Recusancy  
Laws*

*by*

BRIAN MAGEE  
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*With an Introduction by*

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LONDON

BURNS OATES & WASHBOURNE LTD

PUBLISHERS TO THE HOLY SEE

BX 1492

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MADE AND PRINTED IN GREAT BRITAIN  
FOR  
BURNS OATES & WASHBOURNE LTD  
1938

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## AUTHOR'S PREFACE

**T**HE traditional interpretation of the English Reformation, though strongly entrenched behind the barricades of our school history books, is in some danger of losing ground. For the average man, the Reformation is the simple story of a free and vigorous people striking off the shackles of an outworn superstition; a small minority of the nation, it is true, clung to the old beliefs, and, urged on by the sinister Jesuits, plotted against Church and State, but were finally defeated by the Protestant patriots.

Opposed to this traditional picture, an entirely contrary interpretation has been put forward. According to this, at the accession of Elizabeth, a large majority of the English people were strongly attached to Catholic belief and practice, and the Protestant religion was imposed by force and fear on an unwilling people; a tyrannical government eventually achieved its objects only by means of an intense persecution, operating through ferocious penal laws.

The true character of the Elizabethan settlement can be understood only by finding, however approximately, the relative numbers of those who favoured it and those who opposed it. In this relationship is the key to the problem.

In the following pages I have tried to show that a majority of the English people were opposed to the change in religion, and that it was not until towards the end of the reign of Elizabeth that the balance began to incline against the Catholics. By the end of the

reign, a new generation unfamiliar with Catholic practice had reached maturity, and it was inevitable that the Catholics should diminish in numbers under the pressure of the penal laws.

Nevertheless, the Catholic decline was a slow and gradual process. The religious question remained the dominant issue in the England of the seventeenth century. The Gunpowder Plot, the Civil War, the Popish Plot, and the Revolution of 1688—these are the events which give the century its character; with the exception of the Civil War, the religious quarrel was the main issue in each case. And even the Civil War was influenced by the religious divisions in a far greater measure than has perhaps been realised. 'No Popery or arbitrary power' were the watchwords of the enemies of the monarchy.

Hatred and fear of the Catholic religion became an obsession. The wildest and most incredible stories of plots and plotters found ready listeners. The Papist became, in the Protestant imagination, at the best, a bad citizen, at the worst, a contriver of massacre and destruction, while the Jesuit was a monster of almost superhuman cunning and malice, the prototype of the master-criminal of modern fiction.

It is difficult to account for this perpetual fear, mounting at times to panic, if the Catholics were an insignificant minority of the nation. Men do not go in fear of an enemy incomparably weaker than themselves; they ignore him. And, whatever else the Protestants of the seventeenth century did, they most certainly did not ignore the Catholics. The atmosphere of the times defies analysis, unless the existence of a very large and vigorous Catholic minority is postulated. Only upon such an assumption does the England of the Stuarts become intelligible.

It is the purpose of this book to examine the problem

of Catholic numbers in the seventeenth century and after. To this problem there are two principal methods of approach: first, the opinions of contemporaries and the impressions that can be formed from significant facts and incidents; secondly, contemporary statistics of various kinds.

For the most part the impression to be formed from contemporary letters, discussions, and debates is that the Catholics formed a very considerable minority of the nation. The more precise evidence of a statistical nature points conclusively in the same direction. It is impossible to discuss the question of Catholic numbers without being led to examine the closely connected problems of Recusancy finance, and of the part played by Catholics in public affairs; to both of these questions separate chapters are devoted. It is also of some interest to estimate the distribution of Catholic strength throughout the country. Finally, where the sources which have been consulted throw light upon minor aspects of Catholic life, these have not been neglected.

I make no claim to present a continuous and connected history of the English Catholics during the two centuries following the Reformation. To some, my conclusion that the Catholics, under the Stuarts, formed a very considerable and powerful minority of the nation, may appear surprising. This conclusion, nevertheless, is based upon a considerable body of evidence, which I have weighed as fairly as I can. Those who have been impressed with the harshness of the Recusancy laws, may perhaps be disinclined to accept my view that these laws weighed much less heavily upon the Catholics than has been supposed. On this matter, however, much ground remains unexplored.

I cannot adequately express my debt to Father L. Hicks, S.J., for his constant help and encouragement, and for his valuable advice on many points of detail.

My thanks are also due to Father Philip Hughes for many criticisms and suggestions, and for his kindness in allowing me to see documents in the Archives of the Archbishop of Westminster. Finally, I have to thank my father for his help in the correction of proofs, and in many tedious but necessary tasks.

## INTRODUCTION

**A**MONG the many problems which English history presents, far the most important is this: 'What was the process of the Reformation in England?' The book for which I have the honour to write this introduction attacks that problem from an approach of the highest value: the numerical situation of the Catholics after they had become an opposition. It is only by grasping two points in this connection that we can appreciate with what difficulty and how slowly the unnatural severance between this country and the main body of Europe was accomplished. These two points are: first, the large number of acknowledged and open Catholics remaining *at each stage* in the affair; second, the contemporary wide penumbra of Catholicism: the very broad margin of those who would not face persecution but were still at heart in favour of the ancestral religion.

The English Reformation was the most important European event between the conversion of the Roman Empire and modern times. It was the most important because upon it the unity or break-up of Christendom depended. It is of especial importance to Englishmen because it is by far the greatest event in the story of their country; but it is of still greater importance to Europeans as a whole, because if England had not been torn away from the unity of Christendom that unity would be intact to this day. It was the loss of England which determined the whole affair. Because of that loss Europe ultimately fell into two camps, the Protestant culture on the one hand, and the Catholic culture on the other. On

account of this division men grew weary of general conceptions ; scepticism became first common, then universal. Sovereign nationalities ceased to admit any common bond, and therefore became at last the murderously self-destructive things they are to-day. It was through the Reformation that the dissolution of Europe came and that chaos of which we are now suffering the last, and perhaps mortal, effects.

But how can we say that the English Reformation was of such importance ? After all, the revolt against unity, the effort to destroy Christendom, did not begin in England ; it began (as might have been expected) in the Germanies, and in the non-Romanised part of the Germanies. Nor was England the battle-field of the Reformation. The battle-field of the Reformation was France. A whole lifetime of fighting in France decided for the rest of Europe that compromise on which Europe afterwards attempted—most insecurely—to live. The French religious wars did not establish Protestantism, on the contrary they saved the Catholic culture ; but they went on so long and were so indecisive that they allowed the new religion to take root.

Again, no Englishman or group of Englishmen appeared as leaders of the reaction against Catholic morals, Catholic doctrine and the old European unity. Everything at the beginning of the English movement came late, everything was accidental. How, then, can we regard the English movement as being of such supreme importance ?

For this reason : That the original upheaval was without form. The religious turmoil had been like a boiling-pot. Its prime quality was an unco-ordinated enthusiasm directed to no one end, but everywhere negative ; an indignation against the corruption of the Church had been rising for more than a lifetime, indeed for more than a century. It at last overflowed, and the

only common spirit in that revolution was a disgust with the papacy. Nothing so negative and so unorganised could possibly survive.

The princes, nobility and squires, large and small, the free cities, the distant little Scandinavian States, took the opportunity to loot the goods of the Church as did all manner of adventurers. The economic motive came in to give driving power to the reformers everywhere. But when the first blind fury had spent itself it would have been possible to compromise upon the economic revolution to which it had given rise. The zeal for making a recovery after the fever would have been sufficient to restore Christendom—had it not been for England; and it is tragic to remember that England was thrown upon the revolutionary side through no national movement, through no special national conditions, through nothing beyond a petty personal accident: the violence, in appetite and ambition, of an impulsive, unbalanced man, who happened also to be the whole English Government. Henry Tudor was King of England just at the moment when kings were reaching the maximum of their power: just at the moment when mediæval kingship was dying and the worship of personal kingship was being born.

England was an ancient Roman province. It inherited to the full the traditions of 1500 years. It was an integral part of Europe and of Christendom. When England went the whole structure reeled.

I say, therefore, that it is of the first moment, in our effort to understand the story of Europe, to grasp the real nature of the *English* transformation, since, but for that transformation, the unity of Europe would have been restored.

Unfortunately, the questions: What was the Reformation in England? What were the steps by which it proceeded? What was the nature of English character



and thought at each stage of the great change? have never been answered worthily.

One might almost say they have never been answered at all. And the reason of this lamentable deflection of historical knowledge is that, when a united England was at last re-established, after a century and a half of kaleidoscopic change, that new Protestant England became so vigorous and so united that its literature, especially its writing of history, became engaged wholly upon the propagation of the new thing.

English letters in general and English historians in particular took up an attitude of what is called to-day 'propaganda'—anti-Catholic propaganda—and the new unity of the nation was such that this attitude was universal. Since the first generation of the eighteenth century the whole directing class in England, our teaching, our social spirit—all—has been a continuous plea for the anti-Catholic thesis. In particular there appeared a determination, partly conscious in a few but in the most of men only instinctive, to represent the English Reformation as being, from its origin, at once national and inevitable.

The modern Englishman, meaning by that term the Englishmen who made the great new expansion of England in commerce, in colonisation and the rest, the aristocratic England which became and has remained so great, propounded almost without exception a certain historical thesis which is false. This false thesis has taken deep roots and has acquired such a strength that it is now almost impossible to over-set it and to restore the true picture.

Our official history has taught by continual suggestion and by taking it as it were for granted that the English people were in some fashion naturally antagonistic to Catholicism. The confused revolt against the Church officials and their crystallised later-mediaeval Church

system of government, with its huge top-heavy income and its bureaucratic corruption, is represented by our official history as something which the English people were awaiting, and welcomed, when it came, as an emancipation from an unpopular faith.

Again, what was essentially a political, or at the most, a social ill-ease, is represented as being essentially a spiritual movement.

So much for the false motive power ascribed to the English Reformation.

Official falsehood equally misrepresents the successive steps by which Catholicism was ultimately driven out. We are given to understand that the architect of the whole affair was a highly popular, typically national monarch, Henry Tudor, a man of strong will and strong political sense as well; that with judgement suitable to the great occasion he gradually loosened the irksome bonds which had attached England to the general civilisation of Europe.

Of what followed his death, a further false picture is drawn. His eldest daughter, the legitimate Queen of England, Mary, is set out as opposing the natural tendency of Englishmen to deny their ancestral religion; as attempting to defend a failing cause by futile cruelty. His illegitimate daughter, Elizabeth, is represented as the idol of the nation, a woman who ruled with individual power and skill, piloting England on the course which England desired to follow, protecting the nation against the violent aggression of Spain and leaving her realm a great power at last, after having founded English predominance at sea.

The Catholic tradition, we are told, had sunk so low by the time of her death (in less than fifty years!) that it appealed only to a fast-disappearing minority, principally confined to a few remote landed families who were at issue with the mass of the nation. The long Stuart

period, from the Gunpowder Plot to the expulsion of James II, eighty years later, is represented as an unnatural effort on the part of kings, who were not English in temper, to deflect the natural development of England, challenging the English instinct for parliamentary government (called 'constitutional') and ending in an insane attempt on the part of the last Stuart, James II, to impose upon the whole English people by force and fraud the Catholic system which they detested and which only a handful of them still accepted. Against so monstrous a provocation the English people rose in rebellion, driving out the tyrant who had conceived it and settling down into a formation which exactly suited their high destinies—substituting representative government for an irrational personal monarchy and giving full freedom to the instinctive Protestantism of the nation.

The whole of that official picture is false.

The truth, which it is the business of serious history to proclaim, is that the English Reformation was a very slow, laborious and difficult process, because it was established by force of wealth and arms *against* the traditions and *against* the inherited nature of English society. At every stage in the process our historians depict a state of affairs other than what was. They under-value—always in a large measure, often in a grotesquely large measure—the strength of the conservative resistance and, what is more important, the quality of that resistance. It is the business of true history to replace their official legend by a just estimate of the slow pace at which the change proceeded and of the gradual yet irregular advance of that process.

England did indeed become at last a new thing. The English Catholic past became after the generation 1688–1715 a foreign country to Englishmen. A new England had arrived and the old England was at last rapidly disappearing. But the great change had only come

after a very long, difficult, uncertain and varying conflict.

In general, one may say that at each main landmark in the journey from European Catholic unity to national anti-Catholic unity, the remaining strength, value and even numbers of English Catholicism were far greater than official history allows, and it is our business to discover the right balance of the forces at work during the two lifetimes over which the transition extended. What we have to find out is not so much how many Englishmen could still heroically oppose the increasing attack on them at various dates, but how much England was still Catholic *in mind* at the beginning of the Governmental pressure against Catholicism in 1560; how much England was still Catholic *in mind* at the end of the first Cecil's effort about the time of Mary Queen of Scots' death and the consequent Armada; how much when the second Cecil had done his work and the turn of the tide following the Gunpowder Plot was gathering momentum; how much in the mid-seventeenth century during the wrestling between the money power and the Crown, the great London merchants and the Crown, the Puritan minority and the Crown; how much in the earlier years of the Restoration; how much at the time of the Popish Plot; how much at the terminal of all this when the Stuart dynasty fell and the work was concluded.

In order to arrive at the right solution of these difficult problems we have to consider three elements.

First of all we must estimate the real proportions, numerically, not so much of those who declared themselves openly on the one side or the other, as of a general anti-Catholic feeling on the one side and of traditional feeling more or less in sympathy with Catholicism on the other. These two categories divide the nation into much larger groups than the conventional and official 'Catholic' and 'Protestant.'

Next we must satisfy ourselves on the *intensity* of the feeling on either side.

Thirdly, we must estimate the effect of power exercised through wealth and through office from the beginning to the end of the development : all executive power and most wealth were with the small anti-Catholic Minority from 1560 to 1570; with the larger anti-Catholic Minority of 1570-1580; with the rapidly growing anti-Catholic Minority of 1580-1600; and, after 1600, with what had become the anti-Catholic *Majority*, thenceforward.

Thus, in making our estimate, we have to appreciate that the real divisions of English society throughout the affair were not mere definite Catholicism, *still less definite Papalism*, on the one side, and definite Protestantism on the other. To think in those terms is to 'read history backwards' : to think of the past in terms of the present. To ask such questions as : How many Englishmen were Catholic at such and such a date? How many were Protestant? is to misstate the thing altogether. The real divisions of England up to the very moment when the Catholic element collapsed in 1689, a century and a half after the movement against Catholicism had begun, were, it would seem, as follows :

First, there was a body of strong anti-Catholicism making up in zeal, conviction and energy what it lacked in numbers. It began as a tiny minority : what are called abroad 'intellectuals.' It grew with time, but still remained a minority, did that nucleus of convinced, persistent and intense reaction against the Catholic Faith.

Next, there was from the beginning a large body impossible to define, but certainly for a whole lifetime more than half the nation, which was fairly indifferent to the purely religious question, with a left wing and a right wing of indifference : indifference with anti-

Catholic tendencies on the left, indifference with tendencies vaguely traditional and therefore vaguely Catholic on the right. Lastly, there was from the beginning and at the beginning a very large minority definitely awakening to the importance of preserving the Catholic spirit, if no more. But, within that large minority, there was a nucleus which was ready to make a definite pronouncement of full Catholic conviction at a risk. It was always small; and that part of the small nucleus which was ready to make the sacrifice of fortune (let alone of life) was, of course, smaller still.

Of these three elements the fortunes of the first, the anti-Catholic element, increased. It annexed more and more of the indifferents. It became more and more identified with national feeling.

At the other extreme, that dwindling minority which desired to restore the old religion grew more definite even as it declined in numbers; but, though it grew more definite, it felt, at heart, its prospects to be more and more doubtful.

There was still a chance, as late as 1688, for the establishment and retention of an organised, practising Catholic community, amounting to perhaps one-eighth or more than one-eighth of English people, when the combined bad policy and misfortune of the last Stuart reign led to the final catastrophe.

Had James II maintained his throne there would have lived on in England a body of organised Catholicism, strongly surviving; not indeed on the scale of the Dutch (where it was nearly half the nation), but at least sufficient to modify the nature of the State. Of rather more than a million English families, much more than a hundred thousand but less than two hundred thousand, were ready to rank themselves openly as Catholics when the fall of the active Monarchy ended everything. For after 1688 onwards, more and more rapidly, this at first

considerable Catholic minority melted away like ice at the change of the seasons.

At the mid-eighteenth century, the critical date of '45, one comes across continual allusions to Catholic traditions in this family and that of Catholic sympathies with the fallen dynasty which sympathies were connected with the religion of the Pretenders. Men and women recall in their letters and diaries, in their sketches of biography, in their family anecdotes, the Catholicism of this or that member—a grandparent, an uncle or aunt, a cousin. They speak of them as relics, but not as relics of things dead.

Another long half lifetime, by, say, 1785 (the loss of the American colonies and the eve of the French Revolution) and English Catholicism may be said to have disappeared. It is estimated, apparently with justice, that by that time not one English family in a hundred had any knowledge of the Sacraments, of the Mass, or in general of the Catholic Faith. The Faith had become wholly alien and odd, as well as antipathetic, to all the English mind.

If we take then as our starting point the date 1559-60, when Cecil launched the policy which held the field for two long lifetimes (for over a century and a quarter), and, as the term of the affair, 1688-90, we can in that period of 130 years establish a few clear marking points at which to gauge the rate and the successive heights of the flood.

We have, of course, no general statistics, for it was an age in which statistics were not drawn up.

In the pages that follow will be found a close analysis of such figures as we possess; but, for a main outline, we have to content ourselves with the general statements of contemporaries, checked by probabilities, common sense and our general knowledge.

A little before the push begins during the rash experi-

ment of the usurping Council (1546-53)—the nominal reign of little Edward VI—a man who had the best opportunity for judging, Paget, the man who had all the papers of the Council before him—reports from various parts of England, his own experiences and his own excellent judgement for a guide, the man who was at the centre of government—easily explains why Somerset and the rest failed and why the attempt at establishing a new religion, odious to the mass of the nation, though it had not broken down under the widespread and popular risings, could not win in spite of hired foreign mercenaries and artillery. He left it on record that barely *one in twelve* of the English people were upon the side of the Reformation. We know, of course, that even of that tiny fraction the greater part were in London.

When Mary took the throne in 1553 amid popular enthusiasm, England was what it had always been, fully Catholic. There is no evidence that the persecution, the very numerous burnings of the last three years before Elizabeth (a repression directed against what was felt to be rebellion and undertaken in spite of protest from the Emperor and his son, the Queen's husband) greatly affected opinion one way or the other. Common sense will tell us that the large measure of such violence and suffering had *some* effect—especially in London, where the executions were more numerous than elsewhere. Converts were made to the new opinions. Those already convinced in them were confirmed in their new zeal and faith. Particular cases (such as Hooper the popular Bishop of Gloucester) undoubtedly provoked strong local feeling. But England as a whole was not much less Catholic at the end of Mary's reign than at the beginning. The persecution had not touched the great bulk of the country towns. It had not been presented at all to the mass of the agricultural population which



then composed the overwhelming majority of the nation. Besides this, the persecution, cruel though it was and unprecedented in scale, was a national protest against foreign interference—foreign interference of the oddities introduced by Cranmer (Swiss, German, French and other Reformers); interference of the Spaniard and his chaplains who tried to prevent the persecution altogether and to protect the heretics.

When Mary was dead, and Philip of Spain and William Cecil between them had put Elizabeth upon the throne, the popular mind was thoroughly bewildered. It is impossible to put the thing with precision, but probably the proportion of convinced Protestants (which virtually meant, in that day, convinced Calvinists) was still not much larger than one family in twelve. But what *had* changed in the violent official action and reaction of fourteen years was the security of the public mind.

The small but active and intense Protestant minority was now allied with the executive power. Those who had feared for their newly-acquired wealth, the loot of religion, were vastly relieved to remember that with the new administration under Cecil they were—after 1560—secure.

Mary had guaranteed them the possession of the loot and the Pope had reluctantly agreed; but they could not feel so safe under her as under the man who was now at the head of affairs.

The ramifications of the great economic revolution ran everywhere throughout society. There had been sale and re-sale of the looted endowments not only of monasteries, but of colleges, schools, hospitals and of every form of corporate property. Apart, of course, from the large fortunes, such as those of the Russells and the Cromwells, acquired by the sack of religion, there was a mass of minor interests. A large proportion of the

squires had got some of the pickings, and there were in every market town, almost every village, speculators who had benefited by the economic upheaval.

Those who were indifferent to religion would naturally support the new Protestant establishment as making their new wealth more certainly secure, but even those who regretted the national religion of the past in which they had all been trained did not for the most part feel as strongly about it as they did about their new-found wealth. The mass of the people in the country-sides had been pushed backwards and forwards and what with the First Prayer Book, the Second Prayer Book, the preachers trimming their sails to each change of government, the popular restoration of the Mass under Queen Mary, then the unexpected and violent persecution of which rumours reached even the remote counties, then the appearance again in the Parish Church of a service in English—and so on, there was a thorough confusion.

Of that confusion William Cecil took full advantage. With the utmost skill he piloted his reform through the first ten years of the reign, till the abortive rebellion in the North gave him his chance. He was helped by a number of factors. At this date, after Elizabeth had been on the throne ten years, those who had grown up before the schism with Rome were old men; those who had grown up in the later years of Henry VIII, when last the Mass was still an unquestioned universal national habit, were already in late middle age; all those who had been boys under Queen Mary, with opinions unformed, had passed through their teens and early manhood under anti-Catholic direction. No one could keep a school or even act as private tutor unless he supported Cecil's religious policy. The populace thought of the Tudors as a national dynasty. The rightful heir to the throne of England, Mary Stuart, was doubly a foreigner, French and Scotch, and that helped to contrast her attachment

to the old religion unfavourably with that of the new experiment. As the younger generation grew up and the elders died off, the nation began to fall into two divisions more clearly separate than before, but of a different texture. It was no longer a case of a small intense Protestant minority using its power against a slack but very large Catholic majority. It was rather a case of something like half the English, and that the younger half, beginning to think of themselves as national rather than as Protestant or Catholic.

Indeed, that was the chief work of William Cecil. He deflected that tendency to worship, which is in all of us, from the universal worship of the ancient Church to the particular worship of England. A shamefully romantic literature, grown up in the nineteenth century, has absurdly exaggerated the antagonism between national feeling on the one side and Catholicism on the other, but the antagonism was there and was growing. Had the wind veered on that July day of 1588 and favoured the landing of the Spaniards after the killing of Mary Stuart, it is morally certain that the Catholic rising which would have followed must have succeeded. It is almost equally certain that Elizabeth herself would have made terms; for she preferred the side of civilisation and order to the side of piracy and of rebellion, and she chafed at her subservient position. But after the Armada had failed things went more and more as William Cecil had originally intended them to go, and as his son Robert, whom he had trained and who had succeeded him, directed them.

When Robert Cecil put James Stuart on the throne after Elizabeth's death, one can fairly say that a good half of the nation, not only accepted, but was in real sympathy with, the new religious establishment, and of the other half only a few privileged people could live lives actively Catholic, however strong their family

traditions and personal preferences. Every official force made for the gradual stifling of the old worship, and even for the extinction of its memory, yet the number who preferred the old tradition to the new experiment was still very large.

The pivotal date, *after* which there was certainly a growing anti-Catholic majority, is the Gunpowder Plot of 1605-6. Whether that plot were originated by Robert Cecil or only fostered by him, it at any rate exactly suited his policy and was the making of a new and really Protestant England.

By the time James's son, Charles I, was at issue with the squires in Parliament and the merchants of the City of London, those who were still in some degree of sympathy with the old religion were perhaps little more than one-third of the nation in mere numbers, while in spirit, initiative and organisation they could not compare with their opponents.

As for numbers, a good test is the officers of the two armies after the outbreak of the Civil War. We have it on contemporary estimate that two-fifths of the officers who died for Charles were professedly Catholic. The officers on both sides were drawn from much the same class, but there was a somewhat larger proportion of officers from the non-gentry on the parliamentary side, especially after the New Model had been formed, so it is better to call the Catholic proportion of gentry one-third than two-fifths. With the avowed Catholics forming one-third of the Royalist half—one-sixth of all the commissioned officers—they would represent with their estates a corresponding part of the nation as a whole. But a nation of which one-sixth openly professes and suffers heavily for a tradition contains at least as many who will run no risk but are in sympathy, stronger or weaker, with those who risk all. One-third of England was opposed to the Protestant spirit, sympathetic in

various degrees with the older tradition, at the outbreak of the Civil War in 1642.

Meanwhile, there went on, for 160 years, an economic revolution which, on the material side, was the main cause of the great political change whereby England ultimately lost the Faith.

From 1536 to 1540 the great mass of collegiate property, monastic, academic, educational and charitable, was looted wholesale. At least one-fifth, perhaps more like one-third—at any rate something between one-fifth and one-third—of the surplus rental values of English land and buildings was seized by force from its former owners and taken over by the Government and later bestowed or sold cheap to a mass of speculators, favourites and landed families whose support the Crown needed. The endowment, not only of the monasteries, but of the colleges, the hospitals and of the schools was violently seized in a revolution on such a scale as had never been known before. Even the colleges of the universities were to have gone the way of the rest, when they were saved by Henry's death in 1547. After that date, for six years, there was a perfect orgy of further looting on the part of the irresponsible men who had seized upon the Government, led at first by the uncles of the wretched little diseased boy King, their favourites and their fellow-conspirators. The endowments of the innumerable little elementary schools up and down the country, often supported by the Chantries, went, and great parcels of the regular Church endowments as well—the incomes of sees, prebends, etc.

By the time the diseased lad died, a new landed class had arisen and the old landed class was gorged with the spoils of religion. The flood was checked under Mary but rose at her death and went on uninterruptedly under Elizabeth, during whose long reign of forty-three years more and more of what remained to steal was stolen.

The patrimony of the Crown was snatched piece-meal by successive favourites; there was a continual conspiracy for despoiling the public to the advantage of private men. By the time Elizabeth died the Crown was ruined—and let it be remembered that it was to the personal advantage of every one of these robbers, from before the death of Henry VIII until after the death of Elizabeth, to ward against the return of the old religion.

On top of the general scramble for sudden wealth at the expense of religious and other corporations went the confiscation of individual lay estates, to the advantage of those whom the Cecils, now the main directors of the great change, favoured. The old nobility was impoverished to the advantage of new men. The Cecils themselves are a first-rate example of what happened. They began as inn-keepers; the next generation were Civil Servants; then, from a position of what we should call a few hundreds a year just at the middle of the sixteenth century, they became in one lifetime, in the early years of the seventeenth, one of the richest families in England, with a huge palace on the North Road, a town-house with swarms of servants, and two separate peerages and corresponding establishments for the elder and the younger son; and the Cecils are but one main example out of dozens.

With the Civil Wars the thing continued. All Catholic Ireland was looted. About half her land was still in Catholic hands, that is in the hands of the original owners, when Cromwell's usurpation was beginning. By the time he died hardly a twentieth remained. A vast amount changed hands in England itself and in Scotland. Everyone who had supported the legitimate Government of Charles, and most of those who only sympathised with him too openly, were either ruined altogether or fined so heavily that they were crippled to the advantage of their opponents. William Cecil, the originator of the

new policy, had very truly said that the instrument for the destruction of the old religion was the confiscation of wealth. He practised what he preached; and he and his son and their successors effected the transformation of England. Yet such was the tenacity of the ancient Faith that although the Sacraments were cut off and although Mass was unobtainable save in a few privileged places, although no Catholic might teach and every Catholic endowment was destroyed, one-eighth of the nation was still standing out openly for the ancestral religion after the ordeal had continued for 150 years—and at least another one-eighth must have secretly sympathised with tradition. It was not until 1688 that the final blow fell and that, thenceforward, the religion which had made England disappeared from English land.

It will be seen that my general conclusion corresponds with that of the valuable book for which I am writing this introduction; that is, the numerical position of active and acknowledged open Catholics in 1688 was about one-eighth of the population.

It will also be seen that I have suggested, I think without exaggeration, that if a violently persecuted minority could muster open adherents to the proportion of one-eighth there must have been at least an equal number in greater or less degree of sympathy with the ancestral religion.

One should always remember in writing a history that the characteristics of any date with which one is dealing are those of living men: human beings under the conditions common to all of us: sons and daughters remembering their parents, grandchildren remembering their grandparents, households filled as our own households are filled, with all manner of memories and relics of the past. The England of the Popish Plot was to the England of 1600 (even those who least understand the survival of Catholicism must admit that half England

was then still Catholic in tone) much as we are to the early '70's, the full Victorian period when Parliament was still a great and active institution, and the Party system still had reality about it; when such innovations as, let us say, teetotalism or woman suffrage were no more than the fads of a tiny minority; when the traditions of the mass of Englishmen were still drawn from the country-sides, and when the position of the great landed families was unquestioned. There has been a vast change since then, yet the England of 1938 retains strong traditions of the England of 1870. So it was with the England of the later Stuarts: it retained a strong memory and hold of an earlier time.

The spiritual revolution of 1600-1700 was certainly far deeper and more violent in its effect than any modern change, but though the intensity of the thing is different the rhythm is much the same.

I may conclude by repeating what is perhaps the most convincing consideration of all, the fact that these presumed figures for the various stages of the Reformation correspond to what we should, *a priori*, have expected. The rate at which Catholic numbers declined, the pace and various material stages of the change are exactly what would be natural to the generations in which it took place. There is nothing violent nor unlikely in the supposition, which one may almost call a certainty, that the half of a population opposed to official power falls to a quarter in the course of a long lifetime. The younger men belong to the new idea and gradually forget the old traditions. There is nothing violent or odd in the conclusion that for one man who actively proclaimed himself adherent to the old and officially persecuted Church, there was at least one other man who secretly sympathised with it in some degree. The improbabilities are all on the other side. The official thesis still taught in our schools and universities, of an England already almost



wholly anti-Catholic within a lifetime of the Reformation, of men giving up easily at command the habits and traditions of a thousand years is not credible. *That* thesis is indeed unhistorical and does indeed do violence to common sense.

H. BELLOC.

# THE ENGLISH RECUSANTS

## CHAPTER I

### THE FIRST PARLIAMENT OF QUEEN ELIZABETH

**T**HE true nature of the Elizabethan religious settlement can be understood only by an assessment of the relative numbers of those who favoured it and those who opposed it. The whole character of the English Reformation turns on this. Yet the problem is not one to be settled easily, for the surviving records that may serve as a guide are fragmentary and incomplete. Moreover, it is essential to understand the shifting, uncertain character of the religious allegiance of a very large part of the nation. No clear-cut division existed at the time, and therefore no precise calculation is possible now. There were, most certainly, uncompromising Catholics and enthusiastic Protestants, but equally certainly there were many who were bewildered by the violent controversy of the age, and perhaps even more bewildered by the religious revolutions and counter-revolutions through which the country had passed. All this produced a sense of instability and uncertainty. Many, too, in this as in other ages, were indifferent to religion.

It must be appreciated, too, that among those on the Catholic side every conceivable degree of attachment was to be found. There were those who were willing to suffer persecution and even death, rather than renounce

their faith, and, at the other end of the scale, there were those who were reluctant to incur even the mildest penalties. It was characteristic of the age that in countless recorded instances the head of a family outwardly conformed, while his wife and perhaps his children refused to go to the official service. The documents of the period abound in references to 'Church Papists,' the term applied to those whose conformity was manifestly insincere. It is worth quoting a witty contemporary description of this class :

' A Papist is one that parts religion between his conscience and his purse, and comes to church not to serve God, but the King. The fear of the Law makes him wear the mark of the Gospel, which he useth, not as a means to save his soul, but his charges. He loves Popery well, but is loth to lose by it, and though he be something scared by the Bulls of Rome, yet he is struck with more terror at the apparitor. Once a month, he presents himself at the church to keep off the churchwardens, and brings in his body to save his bail ; kneels with the congregation, but prays by himself and asks God's forgiveness for coming thither. If he be forced to stay out a sermon, he puts his hat over his eyes and frowns out the hour ; and when he comes home, he thinks to make amends for his fault by abusing the preacher. His main subtlety is to shift off the Communion, for which he is never unfurnished of a quarrel, and will be sure always to be out of charity at Easter. He would make a bad martyr, and a good traveller, for his conscience is so large he could never wander from it, and in Constantinople would be circumcised with a mental reservation. His wife is more zealous in her devotion, and therefore more costly, and he bates her in tyres what she stands him in religion.'<sup>1</sup>

<sup>1</sup> Harleian MSS. 1221, No. 5. (Quoted by Birt, *The Elizabethan Religious Settlement*, p. 52.)

This cynical but accurate portrait describes the nature of the times more vividly than any figures, and serves also to point the difficulty of precise classification. The term 'Recusant' was applied only to those who steadfastly refused to attend the Protestant service, but it is necessary to distinguish further between the general body of recusants and those recusants who had been formally convicted as such by the courts of law. It was only the latter class, the 'Recusants Convict,' who were liable to the financial penalties imposed by law. Such records as we have of the names of convicted recusants are at best a very partial and incomplete guide to the strength of the Catholic body, since, in the first place, only a relatively small proportion of recusants were actually convicted, and, in the second place, the steadfast recusants were only a fraction of those who were Catholic at heart.

It is important also to distinguish between attachment to Catholic belief and practice, and attachment to the Papacy. Hostility to the Pope was, in the sixteenth century, no new thing. Many English kings, before the time of Henry VIII, had quarrelled with the Pope, and there was a widespread resentment against papal taxation and monetary demands, even among those who were definitely on the Catholic side. Nor was it always clearly appreciated, in the earlier stages of the Reformation, that the acceptance of the Papal Supremacy in matters of faith and morals was of vital significance, and that obedience to the Pope was the ultimate criterion of orthodoxy. Large numbers who were sincerely attached to Catholic practice were quite prepared to accept the Royal Supremacy, and it is quite clear that the Parliamentary opposition to the Supremacy Bill in 1559 was much weaker than the opposition to the Bill of Uniformity. The Protestants knew how to attack the enemy at his weakest point, when they dubbed the

Catholics 'Papists,' for they knew that hostility to the Pope would command more popular sympathy than an attack on Catholic doctrine.

The situation was further complicated, as far as the gentry were concerned, by the question of the monastic lands. The magnitude of the economic revolution which transferred perhaps one-fifth of the surplus rents of the country into the hands of a comparatively small number of rich men can hardly be exaggerated. Its effect was to create a powerful vested interest in the maintenance of Protestantism, and the ownership of former Church lands must have tempered the religious zeal of many a wealthy Catholic. Indeed, Renard, the ambassador of Charles V, wrote on September 3, 1554, that the Catholics held more Church property than the heretics,<sup>1</sup> and Queen Mary had been forced to sanction its retention, in order to secure the passage of the Reconciliation in Parliament. It has often been pointed out that the possession of the Church lands was one of the driving-forces on the Protestant side, but it is equally true that this factor must have had the effect of acting as a brake on the vigour of the Catholic opposition.

To sum up: it is impossible to make a clear-cut division between Catholics and Protestants, to conceive the nation as divided into two sharply opposed hostile camps. The actual situation was far more complex.

Nevertheless, the question remains, what was the nature and extent of the hostility to the Elizabethan settlement? Making due allowance for all variations and degrees of belief and sympathy, was the nation *on the whole* opposed to the change or not? To that question the answer will be very definitely in the affirmative. All allowances being made for varying shades of opinion, a careful study of the evidence points decisively to the view that a very considerable majority, even among the

<sup>1</sup> J. A. Muller, *Stephen Gardiner and the Tudor Reaction*, p. 261.

wealthy classes, were strongly attached to the Catholic tradition.

To this assertion it may be objected: if the bulk of the wealthier classes were on the Catholic side, how is it possible to account for the fact that the reforming legislation was passed by Parliament? The first step in this inquiry will therefore be to examine the composition and proceedings of the first Parliament of Elizabeth.

There is a strong tradition that this Parliament was 'packed' with Government supporters. This has been asserted by both Catholic and Protestant historians; both Hume and Lingard agree on the point. This tradition is mainly based on a document of the reign of Charles I, found among Secretary Windebank's papers, and printed in Clarendon's collection of State Papers.<sup>1</sup> The substance of this document is summed up by Hume in the following words: 'It appears that some violence was used in these elections; five candidates were nominated by the Court to each Borough, and three to each County; and by the Sheriff's authority, the members were chosen from among the candidates.'<sup>2</sup> This statement is supported by contemporary evidence, for Feria, the Spanish ambassador, writes on February 20, 1559, of 'the wickedness which is being planned in this Parliament, which consists of persons chosen throughout the country as being the most perverse and heretical.'<sup>3</sup>

Dom Birt also cites the Spanish historian Diego Ypez, who wrote before the close of Elizabeth's reign. Ypez says of the 1559 elections: 'For the purpose of suborning justice at its source, by bribery and manipulation in the name of and with the authority of the Queen, they managed that the members who were returned for the

<sup>1</sup> State Papers, collected by Edward, Earl of Clarendon, p. 92.

<sup>2</sup> Ed. 1854, iv, p. 7.

<sup>3</sup> *Chron. Belg.*, No. CCCI, i, p. 442. (Quoted by Birt, *The Elizabethan Religious Settlement*, p. 53.)

counties and boroughs should be selected and nominated to their liking.<sup>1</sup>

But perhaps the most important witness is the Protestant historian Camden, who repeats the story, in the following words: 'Plures e Protestantibus data opera tum e comitatibus tum e civitatibus et burgis fuisse electos.'<sup>2</sup>

This evidence appears conclusive, but Professor Bayne, in his articles in the *English Historical Review*, takes the opposite view, and his careful and painstaking study of the personnel of the House of Commons requires serious consideration.<sup>3</sup> Now if unusual pressure had been exercised by the Government in the 1559 elections, we should expect to find an abnormally small proportion of the Marian members taking their places in the first Parliament of Elizabeth. Yet, according to Bayne, this is not the case.

Bayne points out that about one-quarter of the members who sat in the first Parliament of Elizabeth in 1559 had also sat in Mary's Parliament in 1558. This may seem a small proportion, but Bayne claims that it was not abnormally so, and he shows that in each of the four Parliaments of Mary's reign only about one-quarter of the members had sat in the preceding Parliament. It cannot be denied that this is a strong argument, but there is one important point which Bayne appears to have overlooked: and that is the fact that Mary's fourth Parliament was *actually in session* on the day of her death. What, it will naturally be asked, has this to do with the matter?

The answer may be put in this way: the dissolution of a Parliament in mid-session by the death of the

<sup>1</sup> Birt, *The Elizabethan Religious Settlement*, p. 54.

<sup>2</sup> *Camden's History*, edition 1717, edited by Thomas Hearne, Vol. I, p. 36.

<sup>3</sup> *English Historical Review*, Vol. XXIII (1908).

sovereign was accidental, not deliberate. The work of the session was presumably uncompleted, the members were still in harness. Surely, in the normal course of events, the first Parliament of the new reign would have included a very high proportion of members who had previously sat. The last Parliament of Edward VI and the first three Parliaments of Mary had all been dissolved in the normal manner. The work had been completed, and the members had returned to their homes. Moreover, the interval between Mary's death and the meeting of Parliament, on January 23, 1559, was only two months—which was an exceptionally short time. By comparison, the intervals between previous Parliaments may be noted. Thus, the last Parliament of Edward VI was dissolved on March 31, 1553, and Mary's first Parliament met on October 5, 1553, an interval of six months. This Parliament was dissolved on May 5, 1554, and the second Parliament met on November 12, 1554, again after an interval of six months. The second Parliament of Mary's reign was dissolved on January 6, 1555, and the third met on October 23 of the same year, an interval of nine months. The fourth Parliament was not summoned until January, 1558, after an interval of two years.

Thus it may reasonably be urged that a comparison of the Parliament of 1559 with those of Mary's reign is not a fair comparison. The circumstances of the termination of Mary's last Parliament and the remarkably short interval between that event and the meeting of the new Parliament in 1559 are quite unique. It is not until more than a hundred years later, under Charles II, that we find such a short interval between two Parliaments. By that time, of course, political conditions had entirely changed, but a study of the lists of the members of the Parliaments of Charles II supports the conclusion that where the interval between two Parliaments was so



abnormally short a very high proportion of old members were re-elected. Thus the third Parliament of Charles II was dissolved on July 10, 1679, and the fourth met on October 17 of the same year, an interval of three months. A full comparison of members' names is a tedious business, but, taking five counties at random, we find that about four-fifths of the members of the third Parliament again took their seats in the fourth. The fourth Parliament was dissolved on January 18, 1681, and the fifth and last of the reign met at Oxford on March 21, 1681, an interval of two months. Once again, a random test of eleven counties shows that four-fifths of the old members were re-elected.

These figures cannot be compared with those of 1559 without due allowance being made for changed conditions. It appears that, as time went on, there was a definite tendency for a higher proportion of members to serve in more than one Parliament. This tendency does not appear in the second Parliament of Elizabeth in 1563. A full comparison between 1563 and 1559 shows approximately the same proportion of old members as in the successive Parliaments of Mary, that is about 25 per cent. But by 1586 a change was apparent. Parliament was dissolved on September 14, 1585, and the next was summoned for October 15, 1586. A random test of ten counties shows that about one-half of the old members were re-elected. A slightly higher proportion is revealed by a comparison between the second and third Parliaments of Charles I (1626 and 1628). Thus, the tendency for the proportion of re-elections to rise is evident, but it is still clear that, in the only two cases where a new Parliament followed immediately on the dissolution of the old, the proportion of re-elections was higher than ever.

Comparisons of this kind are admittedly open to the objection that conditions were never precisely the

same on any two occasions. However, they show that it is not by any means absurd to suggest that in the absence of Government pressure the proportion of re-elections in 1559 would have been more than 25 per cent. With the session's work uncompleted and the elections taking place immediately after Mary's death, we should naturally expect an unusually high proportion of members to continue in office. This presumption is supported by the figures for 1679 and 1681. Since, in point of fact, only 25 per cent of the 1558 members were re-elected, it is reasonable to infer that some Government pressure was applied. The low proportion of re-elections between 1553 and 1563 certainly show a marked disinclination on the part of the country gentlemen to shoulder the responsibility of taking a part in national affairs at Westminster. After all, a Parliamentary session involved considerable expense, prolonged absence from private affairs, and, if the individual disagreed with the Government, some element of danger. Nor, in the middle of the sixteenth century, were these disadvantages balanced by the sense of exercising power. The element of personal risk was perhaps one of the principal reasons for this disinclination to accept responsibility, for we find in 1690, which was again a time of doubts and dangers, that the proportion of re-elections falls heavily. On a test of six counties, less than half the members of the convention Parliament were re-elected, though the interval between dissolution and the first meeting of the following Parliament was only six weeks. Contrast this with the proportion of four-fifths in 1679 and 1681, when the Whigs were flushed with success. Whatever the explanation, the fact remains that, in the middle of the sixteenth century, election to Parliament was regarded as a burden rather than a privilege. This fact alone must have made it easy for a Tudor Government to influence the elections.

To conclude, Bayne's statistics of re-elections cannot be taken as proof of the absence of Government pressure in the elections of 1559. Bayne continues his argument by showing that the number of those who had held office under Mary as Justices of the Peace and Sheriffs, and who sat in the Parliament of 1559, was normal; or, in other words, that Mary's Justices and Sheriffs were as well represented in 1559 as they had been in 1558. This fact certainly supports the view that the first Parliament of Elizabeth was not a committee of Government nominees.

On the other hand, Bayne himself admits that many prominent Catholics, such as Mary's Privy Councillors, and those on the threshold of the Council, who had sat in Parliament under Mary, were no longer found there in 1559. His analysis of the membership of the House shows that about 21 per cent represented the 'official element,' that is Councillors, Courtiers, and Government officials. To this extent, at the very least, the scales were loaded against the Catholics, even on Bayne's own showing, and it may very well be that this is sufficient to account for Feria's statement that the House of 1559 consisted of persons 'chosen as being the most perverse and heretical.' For 21 per cent is no negligible proportion; it means that a solid Protestant *bloc* of eighty members replaced a similar number of strong Catholics, which, in a house of slightly more than four hundred members, is a very heavy turnover of votes. In so far as the House of Commons was composed of the 'official element,' the Catholics were therefore inadequately represented. To this extent, at the very least, the House of Commons was 'packed.' Bayne brushes aside even the evidence of Camden. It is true that Camden wrote in the reign of James I, but he was born in the early part of the reign of Elizabeth, and must have been well acquainted with many contemporary

witnesses. This, however, is by no means the whole story. There are other and entirely different grounds for asserting that the Catholics were under-represented.

It is well known that the geographical distribution of representation was scandalously unfair, but it does not seem to have been observed by historians that the areas which were inadequately represented in Parliament were largely those parts of the country in which Catholicism was strongest: that is in the North and West. It is not proposed to discuss at this point the geographical aspects of the religious divisions. It is sufficient to note that an analysis of the value of lands owned by Catholics which were registered in 1715-20 shows that in the North and West the Catholics owned 11 per cent of the land, while the corresponding figure in the South and East is only 3 per cent. The matter is not controversial. It is common knowledge that it was in the North and West that the Catholic religion found its most tenacious adherents. It can be shown that the Parliamentary representation of the North and West was much less than its population, by comparison with South and East, would have justified.

For the purpose of this analysis, it will be convenient to divide the country into four sections; thus:

(1) Southern Group: Cornwall, Devon, Somerset, Dorset, Wilts., Hants, Sussex, Surrey, and Kent.

(2) Eastern Group: Bedford, Berks, Bucks, Cambridge, Essex, Herts, Hunts, and Suffolk.

(3) North and West Group: Cheshire, Durham, Cumberland, Derby, Gloucester, Hereford, Lancashire, Leicester, Lincoln, Monmouth, Norfolk, Northants, Northumberland, Nottingham, Oxford, Rutland, Shrop-

shire, Stafford, Warwick, Westmorland, Worcester, and Yorkshire.

(4) London and Middlesex.

The official returns of Members of Parliament for 1559 are incomplete, but the returns for 1562 are more or less intact. The nine counties in the Southern Group were, in 1562, represented by 184 members, or an average of 20 per county, while the rest of England (31 counties) were represented by 215 members, or an average of only seven per county. This disproportion, however, is not as great as it appears, for the South of England was the most populous part of the country. For a valid comparison, it is necessary to find some index of the distribution of population. There does not appear to be any such index for the time of Elizabeth, but we have a reliable guide in the form of a table of the number of houses in each county laid before Parliament in 1693 by John Houghton, F.R.S.<sup>1</sup> It is true that this table, which is doubtless based upon the Hearth Tax of the reign of Charles II, is a century later than Elizabeth, but there is no reason to suppose that there was any important change in the distribution of population in the intervening period. The Industrial Revolution was still, in 1693, a thing of the future, and the economic structure of the country had not undergone any radical changes under the Stuart kings.

From this table it is possible to calculate the distribution of population between the four groups of counties under consideration, and from the Official Returns of Members of Parliament for 1562 the distribution of Parliamentary representation may be determined. The following table shows the relationship between population and Parliamentary representation :

<sup>1</sup> Cobbett, *Parliamentary History*, Vol. V, Appendix X.

	Percentage of Population	Percentage of Parliamentary Representation
Southern Group . . .	26.6	46.3
Eastern Group . . .	14.1	12.3
London . . . . .	8.9	2.0
North and West Group .	50.4	39.4
	100.0	100.0

It will be observed that the Southern Group had a much larger proportion of members than its population justified, and that the three remaining groups were all under-represented. The important point, for the present purpose, is that the North and West accounted for 50.4 per cent of the population, but was represented by only 39.4 per cent of the Members of Parliament; and on the other hand the South, East, and London, taken together, accounted for 49.6 per cent of the population, but elected 60.6 per cent of the members.

This is a striking disparity. Population is equally divided, yet the Southern and Eastern counties have a voting preponderance of three to two.

It is therefore evident that the Catholics must have been under-represented in the first Parliament of Elizabeth, quite apart from any Government influence in the elections. To sum up: the House of Commons was certainly 'packed' to the extent of the 'official element' of 21 per cent. It may have been more heavily packed, but the evidence is not absolutely conclusive. Finally, the Catholics were under-represented through the accident of the geographical distribution of membership.

The composition of the House of Lords must next be considered. The full strength of this body in 1559 was 81 peers, 64 temporal and 17 spiritual. But, just as in

the House of Commons, the scales were weighted against the Catholics. The following facts will make this clear.

In the first place, by an extraordinary series of coincidences, no fewer than ten bishops had died during 1557 and 1558, and Cardinal Pole had not filled their sees. The normal ecclesiastical representation in the House of Lords was therefore 27. Thus, at the outset, 10 votes which might have changed the course of history were lost to the Catholic cause. Feria, the Spanish ambassador, summed the matter up tersely, when he wrote on February 20, 1559: 'That accursed Cardinal left 12<sup>1</sup> bishoprics to be filled, which will now be given to as many ministers of Lucifer, instead of being worthily bestowed.'<sup>2</sup>

In the second place, one bishop, Goldwell, of St. Asaph's, was never summoned to Parliament, on the technical pretext that he was in the process of translation to another see. Thirdly, at the beginning of April, the Bishops of Lincoln and Winchester were committed to the Tower, and Abbot Feckenham, of Westminster, was prevented from being present at the final division on the Bill of Uniformity. Thus three—and, on the final division, four—more Catholic votes were lost, and this by the direct action of the Government. Finally, Elizabeth, at her coronation, had created three new peers and restored two peerages previously forfeited. All these five peers, without exception, were strong Protestants. Thus, partly by accident, and partly through the action of the Government, 14 votes were lost to the Catholics, and 5 votes were added to the strength of the Protestant party.

Dom Birt, in his scholarly book *The Elizabethan Religious Settlement*, examines the religious sympathies

<sup>1</sup> This should be *ten*.

<sup>2</sup> *Chron. Belg.*, No. CCCXV, i, p. 264. (Quoted by Birt, *The Elizabethan Religious Settlement*, p. 44.)

of individual members of the House, and his analysis may be shown in the following table :

Catholics, 20 temporal and 17 spiritual	.	37
Protestants	. . . . .	21
Doubtful	. . . . .	7
Unknown	. . . . .	16
		—
		81

It would appear from this that the Catholics were in a decisive majority in the Upper House, and there can be no doubt that, in the absence of Government pressure, the reforming legislation would never have been passed.

We have now to trace the passage through Parliament of the Bills for Supremacy and Uniformity.

The first Supremacy Bill was introduced into the House of Commons on February 9, 1559. That it was strenuously opposed is clear from the fact that after the second reading, on February 13, it was committed to Sir Anthony Coke and Mr. Knollys for revision. The precise terms of the original Bill are not known, but it appears that the phraseology of the revised version was slightly less objectionable to the Catholics. The Venetian ambassador, writing on February 13, remarks that 'the affairs of this kingdom are going from bad to worse, although a proposal was twice debated, *and not carried*, to give Her Majesty the title of Supreme Head of the Anglican Church; yet from what is seen, it will inevitably pass.'<sup>1</sup>

This passage shows that the Catholic opposition was active, although the Venetian had no illusions as to the issue of the struggle. On February 21 the revised version of the Bill was introduced for the first time, and passed its third reading on the twenty-fifth of that month, but

<sup>1</sup> Quoted by Birt, p. 73.



it was only passed after strong pressure had been applied by the Government. This fact must be strongly emphasized, since it shows that, in spite of inadequate representation, the Catholics were strong enough in the House of Commons to offer vigorous opposition to the innovations. The correspondence of Feria makes this point perfectly clear. Writing on February 26, 1559, he says: 'I hope to see her [the Queen] to-morrow, and speak to her about the matter of religion, because yesterday those of the lower house of Parliament voted that the supreme ecclesiastical power should be attached to the Crown of the Kings of England, notwithstanding that some spoke in favour of moderation, in so much as it was necessary, in order to succeed with the iniquitous scheme, for Secretary Cecil to throw the matter into confusion, and so passed it.'<sup>1</sup> Incidentally we may notice that Feria had no doubt whatever that Cecil was the prime mover in the whole business! Contemporary evidence thus shows that it was necessary for Cecil to intimidate the opposition in order to secure the passage of the Bill.

On February 28 the Bill was read for the first time in the House of Lords. The opposition in the Lords was fiercer and more effective than in the Commons, for on March 13 the Bill was entrusted to a committee for revision, and the Venetian ambassador speaks of 'very great altercation and disputes' in the intervening fortnight. The exact terms of the Bill as passed by the Commons on February 25 are unknown, but it is certain that it contained provisions for abolishing the Mass. In other words, it was not a Bill for Supremacy alone; it combined the two distinct issues of the papal authority and Catholic doctrine. The committee entrusted with revision appears to have included a majority of Catholics (the names are known), and within two days a new Bill

<sup>1</sup> *Chron. Belg.*, No. CCCIII, i, p. 444. (Quoted by Birt, p. 75.)

was laid before the House, to be annexed to the principal Bill. This proviso deleted all the *doctrinal* changes but left the Supremacy untouched. Three days later, on March 18, the Bill and the proviso passed the third reading. The House of Lords therefore accepted the Royal Supremacy, but decisively rejected the abolition of the Mass. The Catholic religion, with the exception of the papal authority, was to be retained in full. This is conclusive proof that the majority of the peers were on the Catholic side. The Venetian ambassador wrote on March 21: 'By a majority of votes they have decided that the aforesaid things [i.e. the abolition of the Mass and the Sacraments] shall be expunged from the book, and that the Masses, Sacraments, and the rest of the Divine offices shall be performed as hitherto.'

The Government did not accept defeat. The counter-attack was sharp, for on March 22, four days after the House of Lords had passed the Bill and the proviso, the Commons had passed fresh clauses legalising the Prayer Book of 1552 and prohibiting any other service.<sup>1</sup> Cecil's determination to abolish the Mass was thus expressed in no uncertain manner. At this point in the history of the Bill there is considerable obscurity. According to the *Journal of the House of Lords*, the fresh doctrinal clauses inserted by the Commons were passed by the Lords on the very same day (March 22). It is hardly credible that, in any event, all three readings could have been taken on the same day on which the Bill passed its third reading in the Commons; nor can it be believed that the Catholic opposition collapsed with such startling suddenness. Moreover, if it were passed by both Houses, why did this Bill never receive the Royal assent? In point of fact, the struggle was begun all over again, for the Government decided to separate the questions of

<sup>1</sup> See Professor Pollard, *Political History of England*, Vol. VI, p. 203.

Supremacy and Doctrine, and to deal with each in a separate bill. On April 10 an entirely new Supremacy Bill was introduced into the House of Commons, shorn of all doctrinal changes. It is simply inconceivable that the Government, if they had obtained what they desired on March 22, should have reopened the whole matter without any apparent reason. Finally there is contemporary evidence that the House of Lords did *not* pass the Bill, as revised by the Commons, on March 22. The Venetian ambassador writes on March 28 :

‘ Although they [i.e. the House of Lords] had passed the clause about the Supremacy of the Church, they did so under such restrictions that the Commons would by no means consent to it. They are therefore in greater discord than ever, and on Thursday, after the Easter holidays, they will sit again and reconsider the matter, which is committed to four good and Catholic bishops, and to four of their Protestants.’

Easter fell in 1559 on March 26. It is fairly evident that the Lords were not yet willing to accept the doctrinal changes.

On April 10 the new Supremacy Bill was introduced in the Commons. No doctrinal matters were incorporated. The House of Commons passed the Bill on April 14, and it was read for the first time in the House of Lords on the following day.

The extraordinary thing is that at this point, for a brief moment, the Catholic opposition appears to gather strength, for on April 17 the Supremacy Bill was entrusted for revision to a committee, on which, if we may judge by the names, there was a slight preponderance of Catholics. The situation had been complicated by some scruples on the part of Elizabeth herself as to the exact form of words to be used in the title to be given to her as Head of the Church, and the appointment of

this committee may have arisen out of this. It may be that these scruples on the part of Elizabeth had encouraged the Catholics. As we shall see in a moment, April 17 is a very significant date, for it is on this day that there appears to have been a demonstration of Catholic strength even in the House of Commons.

But from this moment onwards the Catholic opposition collapses suddenly and completely, and events march rapidly to their conclusion. On April 18 the Uniformity Bill, abolishing the Mass, was introduced in the House of Commons, and passed its three readings in three days. On April 26 the Supremacy Bill passed its third reading in the House of Lords, and the Uniformity Bill was read for the first time on the same day. Three days later, the Uniformity Bill passed its third reading in the House of Lords, and the struggle was over. The rapid action of these last twelve days is in striking contrast to the prolonged disputes which had filled most of three months. Yet even the final act in the drama provides evidence of the widespread hostility to the religious innovations, for it is well known that the Uniformity Bill passed its third reading in the House of Lords by the precarious majority of three votes. Even this narrow margin could not have been secured without the imprisonment of the Bishops of Lincoln and Winchester, and the detention of Abbot Feckenham, to say nothing of the creation of five Protestant peers at Elizabeth's coronation.

There was one other fact which was even more significant, and which deserves special attention, because it has been less widely known. That fact is that on the day of the critical division only 39 peers (9 spiritual and 30 temporal) seem to have been *personally* present. In other words, more than half the lay peers seem to have absented themselves. There is no official return of the names of those present in the House on April 29, but a study of the official lists in the *Journal* of the House

shows that the personal attendance of only 30 lay peers was abnormally low—especially for an important division. The following is a table of the number of lay peers personally present on other dates about this time :

On April 17, Monday	.	.	.	.	33
„ 19, Wednesday	.	.	.	.	38
„ 20, Thursday	.	.	.	.	46
„ 22, Saturday	.	.	.	.	55
May 1, Monday	.	.	.	.	31
„ 8, Monday	.	.	.	.	57

Thus April 29 was a Saturday, and at the next meeting of the House on the following Monday the attendance was only 31. It is true that only 33 were present on April 17, but the fact remains that more than half the lay peers were unwilling to vote in favour of the Bill. Mr. F. W. Maitland, in *The Cambridge Modern History*, remarks apropos of the point that ‘ some of them were inclined neither to alter the religion of England, nor yet to oppose the Queen.’<sup>1</sup>

According to Birt, even allowing for proxies, the total voting strength on April 29 cannot have been more than 53. If this is correct, then at least 28 peers (of whom some 24 must have been lay peers) must have completely abstained from voting. This is an eloquent commentary on the real feelings of the House. Only 21 lay peers, out of 64, were to be found voting personally in favour of the Bill.

The sudden collapse of the Catholic opposition at the end of April may be explained at least partly by sheer fatigue. The Venetian ambassador, writing on April 25, 1559, of one of the minor Bills (concerned with the expulsion of monks and religious) remarks :

<sup>1</sup> Vol. II, p. 569. (Quoted by Birt.)

‘ There is no doubt of the Bill passing, as it favours personal interest, and also, because they are near the end of Parliament, all being weary of remaining so long at great cost and inconvenience ; and therefore, in order to return to their homes, they will pass any evil thing, unless God give them more sense than they have evinced hitherto.’

To return to the House of Commons : unfortunately, full details of the proceedings are unknown to us, but, in one solitary instance, the voting figures are recorded by Sir Simonds D’Ewes, in his *Journal of Queen Elizabeth’s Parliaments*. On April 17 the ‘ Bill that the Queen’s Majesty shall have divers temporal lands of the Archbishops and Bishops, in recompense of Tenths and Parsonages Improprate ’ was read the third time. It is true that this was a Bill of minor importance only, but the light thrown on the strength of the Catholic opposition is none the less valuable for that. We have seen that the Catholics were under-represented in the House, both through Government influence and through the accident of the geographical distribution ; we have also noticed the evidence of pressure upon the House itself in connexion with the Supremacy Bill. With our knowledge of Tudor methods, it may be guessed that a large number of luke-warm Catholics would yield to such pressure, while those of doubtful allegiance would be at the service of the Government. With all these influences operating in favour of the Protestant party, it would not be surprising to find those voting on the Catholic side a very small minority indeed. The actual figures are a revelation.

According to D’Ewes<sup>1</sup> they were :

In favour of the Bill . . . . .	134
Against the Bill . . . . .	90

<sup>1</sup> *Journal of Queen Elizabeth’s Parliaments*, p. 54.

Thus exactly two-fifths of those present voted on the Catholic side. In all the circumstances, this is an astonishingly high proportion. Beyond any reasonable doubt, if the Catholics had been fairly represented, and if members had been free to vote according to their consciences, the Catholics would have had an overwhelming majority.

It is instructive to contrast the history of Elizabeth's first Parliament with the Reconciliation under Mary. On that occasion, both houses voted *unanimously* in favour of the restoration of the Catholic religion. There were, it is true, a few dissentients who were 'persuaded' to reconsider their decision; Government pressure was no less active under Mary. Nevertheless, the contrast is remarkable. All the evidence shows that, in the mid-sixteenth century, a strong majority, even among the gentry, were on the Catholic side.

## CHAPTER II

### A CATHOLIC MAJORITY—1559-1587

THE recorded opinions of contemporary observers amply support the view that a large majority of the English people were opposed to the religious changes. This was the opinion of so shrewd an observer as William Paget. Paget's testimony is particularly valuable, because it was certainly not influenced by any emotional bias. He is a perfect example of the calculating politician who trims his sails to every wind, and his character may be judged from the fact that he served on the Council under Henry VIII, Edward VI, and Mary. He was raised to the peerage under Edward VI and made Lord Privy Seal by Mary. He is always found counselling moderation. It was he, together with Arundel, who rode to Framlingham in 1553, to offer to Mary the submission of the Council; it was he who, in 1554, opposed the Succession Bill, which aimed at the exclusion of Elizabeth from the throne. It is generally agreed that he was an able, experienced, and clear-sighted politician. Such a man as this could write in a letter to Protector Somerset, in 1548: 'The use of the old religion is forbidden by a law, the use of the new is not yet printed in the stomachs of eleven or twelve parts of the realm.'<sup>1</sup> According to Paget, therefore, only one-twelfth of the nation was in favour of the new religion.

<sup>1</sup> Strype, *Ecclesiastical Memoirs*, Vol. II, Part 2, p. 431. (Quoted by Beatrice White, *Mary Tudor*, p. 138.)



As time went on the Reformation made headway, yet Feria, the Spanish ambassador, writes on March 19, 1559: 'I am convinced that religion will not be overturned here, because the Catholic party is greater than the rest by two-thirds.'<sup>1</sup> Two months later, he writes again: 'The Catholics are in a great majority in the country, and if the leading men in it were not of so small account, things would have gone differently.'<sup>2</sup> About twenty-five years later, in 1574, the Catholic writer, Edward Rishton, in his continuation of Sanders' history of the Anglican Schism, says: 'Besides the very large number of the nobility of whom I have spoken before, the greater part of the country gentlemen was unmistakably Catholic; so also were the farmers throughout the kingdom, and in that kingdom they are an honourable and wealthy people. They all hated the heresy. Not a single county except those near London and the Court, and scarcely any towns except those on the sea-coast willingly accepted the heresy.'<sup>3</sup>

The Venetian ambassador, writing on March 21, 1559, says that 'although the latter [i.e. the Protestants] increase in number, they are not so powerful as the Catholics, who comprise all the chief personages of the kingdom, with very great command in their estates, having also many followers; and the greater part of the common people, out of London, in several provinces, are much attached to the Catholic religion.'

It is only fair to add that there is another passage in the Venetian Calendar, written nine years later, on June 17, 1568, in which there is a reference to 'the few Catholics still to be found in that country.' The writer was the Venetian ambassador in Spain, and therefore not an observer at first hand; and it must be pointed

<sup>1</sup> Birt, p. 79, quoting *Chron. Belg.*, 322, I, p. 475.

<sup>2</sup> Birt, p. 180, quoting *Chron. Belg.*, 346, I, p. 519.

<sup>3</sup> Birt, p. 180.

out that in 1568 an acute observer might have been pardoned for coming to such a conclusion. During the first decade of Elizabeth's reign, the position of the Catholics was not clearly defined; it was thought by many that conformity to the State religion was permissible, and it was only gradually that they came to realise that the Anglican Church might prove to be permanent. With this gradually dawning realisation, the opposition hardened; in 1568 the flight of Mary Stuart into England provided a rallying point, followed in 1569 by the Catholic rising in the North. In 1570 Pope Pius V issued the Bull *Regnans in Excelsis*, absolving the Catholics from allegiance to the Queen, and in 1571 the Government passed a new and more repressive measure by which the possession of a papal bull became high treason, and the introduction into the country of devotional objects incurred the penalties of *Praemunire*. From this time onwards, the religious divisions became more clear-cut, and it is a sign of the times that the term 'Recusant' now first came into general use. In 1568 on the eve of these events it might well have appeared that the Catholic religion was on the verge of complete extinction. The view expressed in the Venetian Calendar for 1568 can thus be easily understood. No doubt the writer changed his opinions in the years that followed.

In 1569, the year of the rising of the North, Sir Ralph Sadler, an important Government official, wrote that 'there be not ten gentlemen in all this country that do favour and allow of Her Majesty's proceedings in the cause of religion; and the common people be . . . altogether blinded with the old Popish doctrine.'<sup>1</sup>

In 1586 a paper was found on the person of one Creighton, a Scottish Jesuit, containing arguments in favour of the projected Spanish invasion. Among various 'Reasons to show the easiness of the enterprise,'

<sup>1</sup> S. P. Dom., Eliz. Add. Vol. 15, No. 77.

the writer of this paper states that 'the faction of the Catholics in England is great, and able, if the kingdom were divided into three parts, to make two of them.'<sup>1</sup> This estimate, for so late a date as 1586, is perhaps an unduly optimistic one, for the advocates of desperate enterprises are prone to over-estimate the chances of success. Nevertheless, it is difficult to believe that such a claim could have been made seriously, unless a majority of the nation still leaned to the Catholic side.

Men of such different types as Paget the politician, Feria the ambassador, the scholarly Rishton, and (if he were the author of the document) the Scottish Jesuit Creighton, all agree that the Catholics formed a large majority of the nation.

A modern American writer, Mr. Preserved Smith, published in 1920 a book called *The Age of the Reformation*. On page 325 he states that 'Maurice Clenock estimated in 1561 that a majority of the people would welcome foreign intervention in favour of Mary Stuart and the old faith'; and also that the information sent to the Curia in 1567 was that 32 English nobles were Catholics, 20 well affected to the Catholics, and 15 Protestants.' He goes on to say that 'in 1572 a careful estimate of the religious state of England was made by a contemporary, who thought that of the three classes into which he divided the population, papist, protestant, and atheist [by which he probably meant indifferent], the first was smaller than either of the other two.' This estimate does not tally with the other opinions quoted, and is not borne out by the official statistics compiled in the same year (1572), which are examined below. Mr. Smith, unfortunately, does not quote his authorities.

<sup>1</sup> Strype, *Annals of the Reformation*, Vol. 3, p. 415 (1728 edition). Charles Butler in his *Historical Memoirs*, Vol. 2, p. 177, quotes the extract as if it had been Strype's own opinion, which does not necessarily follow.

In 1586, on the eve of the Armada, Spanish agents were busily engaged in sounding the English Catholics. The results of these enquiries are summarised in a most interesting document, which is printed *in extenso* in the Calendar of Spanish State Papers. It was enclosed in a letter from Bernardino de Mendoza<sup>1</sup> to Philip II, dated August 13, 1586. This document takes the form of an estimate of the Catholic strength in a number of counties of England, and one receives the impression of a country still, for the greater part, Catholic in sympathy. The relevant extracts may be quoted :

Northumberland. The people are all Catholics.

Cumberland. Nearly all the people here are Catholics.

Westmorland. This county is Catholic.

Durham. All the people are strongly Catholic.

Yorkshire. All the gentlemen are Catholics, except the Lieutenant and 6 others, who are greatly hated.

Lincoln. Many well affected to the Catholic religion.

Norfolk. The majority of the people are attached to the Catholic religion.

Cambridge and Huntingdon. Full of heretics.

Suffolk. Also full of heretics.

Essex and Kent. Some Catholics, but the whole population of these counties is infested with heresy.

Sussex. I have been unable to discover their strength for fear of discovery.

Hampshire. Full of Catholics.

Dorset. The common people are well disposed, for the greater part.

Cornwall. The people are very well disposed ; there are many heretic gentlemen, but they are greatly hated.

Somerset. People heretical.

<sup>1</sup> Spanish ambassador in England ; expelled from the country in 1584, he became Ambassador to France.

Wiltshire. People favourably inclined to the Catholic religion.

Berkshire. The whole population is well disposed.

Herts. The whole of the people are well disposed towards the Catholic religion.

In South Wales and North Wales, the gentry and common people are much attached to the Catholic religion.

Staffs. The gentry and common people are strongly Catholic.

Derby. The people are well disposed.

Notts. The people are well disposed.

Lancs. All the gentry and common people are much attached to the Catholic religion.

This survey covers twenty-four English counties, besides Wales. No precise estimate is given for Sussex, which leaves us with estimates for twenty-three counties.

In eight cases the writer is very definite in his opinion that the Catholics were a strong majority. He uses such phrases as 'strongly Catholic' or 'much attached to the Catholic religion.' In nine cases, we have the impression of a Catholic majority, but expressed in less definite terms, such as 'well disposed,' or 'full of Catholics.' In only six cases out of twenty-three does the writer appear to think that there was a Protestant majority. Wales appears to have been mainly Catholic.

A survey of this kind must be regarded as more reliable than a general estimate for the whole country, simply because it is more circumstantial. On the other hand, it might be urged that the Spaniards, on the eve of the Armada, were perhaps in a mood of exaggerated optimism. At any rate, such a detailed survey cannot be disregarded, and is an important confirmation of the view that England was still, up to the time of the Armada, mainly Catholic.

The opinion of such a prominent Catholic leader as

Sir Francis Englefield is worth quoting. The Cardinal de Granvelle, writing on July 4, 1582, remarks:<sup>1</sup> 'I have spoken with Englefield . . . he says that they (the Catholics) are very numerous and of great influence, as well a large number of the people being Catholics.'

We have now to consider the most important evidence of all. In 1572 Sir Thomas Gargrave, Vice-President of the Council of the North, drew up a list of the principal gentlemen in Yorkshire, with a note of the religious inclinations of each.<sup>2</sup> This list contains the names of 123 gentlemen, classified as follows :

Catholics.

'Worse sort' of Catholics	19
'Mean or less evil' Catholics	22
	— 41
Protestants . . . . .	43
Doubtful . . . . .	39
	— 123

It is reasonable to hazard a guess that those marked 'doubtful' were people who were, on the whole, on the Catholic side, but who lacked the tenacity to withstand persecution. The whole power of the Government was directed against the Catholics, and we may be certain that a man who inclined even slightly to the reformed religion would have no hesitation in declaring himself. On the other hand, a man who was only luke-warm in his Catholic sympathies would try to avoid committing himself to one side or the other. This list shows that the definite Catholics and the definite Protestants were about equal in number, but if those labelled 'doubtful' were men of luke-warm Catholic sympathy, it is clear that the Catholics outnumbered the Protestants

<sup>1</sup> *Spanish Calendar*, p. 383.

<sup>2</sup> *S. P. Dom.*, Eliz., Vol. 21, No. 86.

by two to one. Moreover, Dom Birt<sup>1</sup> remarks that amongst the thirty-nine marked 'doubtful' are to be found the names of many who were staunch Catholics. Finally, the list of Catholics is clearly incomplete, for the document concludes with the significant statement: 'many more evil and doubtful.'

Thus, on the evidence of an important Government official, it is shown that a majority of the Yorkshire gentry were Catholic.

A similar list was drawn up for Hampshire in the same year.<sup>2</sup> This document is headed: 'Noblemen, gentlemen, yeomen, and chief franklins within the county of Southampton, with a note of every their dispositions.' Out of 248 names, 143 are marked as Papists. Of the 143, 47 are described as 'very earnest and militant Papists.' Thus, about two-thirds of the Hampshire gentry were Catholics; and this on the evidence of an official Government enquiry.

These two lists are evidence of the most conclusive character. They were not drawn up by Catholics, but by Government officials. So far as the two counties of Hants and Yorks are concerned, the existence of a Catholic majority is definitely proved; the matter is settled beyond all reasonable argument. We have moved from estimate and guess-work to certainty. It may be observed that these statistics confirm Mendoza's estimate for the two counties in question.

The two lists were both compiled at about the same time, and it seems probable that similar lists were drawn up for other counties, but, if this was the case, they do not appear to have survived. The value of these lists, considered as a representative sample of the whole country, is enhanced by the fact that Yorkshire and Hampshire are more than two hundred miles distant from one another.

<sup>1</sup> Birt, p. 327.

<sup>2</sup> S. P. Dom., Eliz., Vol. 90, No. 18.

Another very important series of documents was published by the Camden Society in 1895<sup>1</sup> under the title: 'A Collection of original Letters from the Bishops to the Privy Council, 1564, with returns of the Justices of the Peace, and others within their dioceses, classified according to their religious convictions.' It appears that the Government had instructed the Bishops to prepare a detailed statement of the religious attitude of this most influential body of country gentlemen. In Tudor England, the Justices of the Peace were an essential and vital element in the machinery of Government; they were the local agents of the Central Authority, and wielded tremendous power. In an age of slow communications, their actions were not subject to that rigid and systematic control from above, which is characteristic of modern officialdom. Whether a law was enforced or not in any particular district largely depended upon the will of the local Justice of the Peace. Hostility on the part of the Justices could turn a law into a dead letter, and to carry out any sweeping changes, it was absolutely essential for the Government to secure the active co-operation of the Justices. In the matter of religion, this co-operation could only be secured by the appointment as Justices of men who were favourable to the new doctrines. This, indeed, was Cecil's policy. That well-known document 'The Device for the Alteration of Religion,' attributed to Cecil, is explicit on the point. It is unnecessary here to describe the 'Device' fully, for it has been adequately dealt with by other writers. Briefly, it is a carefully constructed plan for the destruction of the Catholic religion. All the details were worked out, all contingencies were provided for, and, be it noted, all the elements in the plan were carried into effect. According to the 'Device,' 'no office of jurisdiction or authority to be in any discontented man's hand,

<sup>1</sup> *Camden Miscellany*, Vol. 9.



so far as justice or law may extend.' Justices who were Catholic in sympathy were to be removed from office, and in their places were to be put 'men meaner in substance and younger in years.'

Now, in 1564, Elizabeth had been on the throne for six years, and the Government had had ample time to carry this policy into effect. If by this time any Catholic Justices remained, the reason can only have been the difficulty of finding suitable Protestants. A Justice, of necessity, must be a man of wealth and prestige, and even a Tudor Government could not appoint men of very inferior position, merely because they were acceptable on religious grounds.

Miss Bateson, the editor of the Camden Society publication, summarises the replies of the Bishops as follows :

#### JUSTICES OF THE PEACE (1564)

Favourable (i.e. to the Protestant policy of the Government)	431
Hinderers or Adversaries (i.e. strong Catholics)	157
Neuter or not favourable (i.e. less active Catholics)	<u>264</u>
	421
Total	<u>852</u>

It therefore appears that the Justices of the Peace were about equally divided into Protestants and Catholics. It must be repeated that the Justices were appointed by the Government, and we should naturally expect Protestants to preponderate. The fact that in the sixth year of Elizabeth's reign, about half of these officials were Catholics is a striking proof that the Catholics still formed a strong majority of the gentry. This survey, moreover, covers the whole country; it is more than a sample; it is a complete cross-section of the most influential class in England.

The returns make an interesting study. As one would expect, the dioceses most hostile to the Government were those of the north and west. For example, of the city of Hereford, it is said 'there is not one that is counted favourable to this religion'; of Radnor, 'none of the Justices of the Peace that are now in office are counted favourers of this religion, but the best of them is judged but a neuter'; in Cheshire, only 22 Justices are 'favourable,' as against 42 'not favourable'; in Staffs, 10 out of 17 Justices were hostile to the Government; in Shropshire, only 4 out of 12 Justices are 'favourable'; in Warwick, only 8 out of 41 gentlemen named are 'favourable,' but this list includes some who were not Justices. In Cambridge, on the other hand, only 5 Justices out of 40 were Catholics; in Wilts., all the Justices are either 'furtherers' or 'no hinderers' of the Government's policy; in Hampshire, 23 Justices out of 30 are 'favourable'; by contrast, the neighbouring county of Sussex shows 12 against the Government, and only 10 'favourers.' In Lincoln, 21 Justices out of 39 are 'earnest in religion' (i.e. Protestants). For Worcestershire, a list of Justices and other prominent gentry shows only 26 out of 70 'favourable.' The legend of a suffering nation welcoming the Reformation with open arms cannot survive these figures. Controversialists may cite innumerable individual examples of Protestant or Catholic enthusiasm, of suffering for conscience' sake. Such arguments can never be final, but statistics such as the above are conclusive.

One more document must claim our attention. It was part of the Government's policy to tender the oath of Supremacy as a method both of testing the religious inclinations of important individuals, and of intimidating the Catholics. It appears that in 1579, all Justices were required to take the oath. There is in the Public Record Office a document containing the names of those Justices

of the Peace in Bucks, Beds, Hunts, Cambridge, Suffolk, and Norfolk who had failed to appear at the Assizes to take the oath, and a similar list of those Justices who had been present, and taken the oath. Those who were absent were 'warned by the *Custos Rotulorum* to appear at the next Sessions of the Peace in the same several counties, to be gotten to take the oaths aforesaid.'<sup>1</sup> These lists show that 49 out of 163 Justices or 30 per cent had been absent. As late as 1579, there was thus a marked reluctance on the part of many Justices to take the oath, and it is to be noted that the counties named are by no means those in which the Catholics were strongest.

These lists may be tabulated thus :

	Those who took the oath.	Those who were absent.
Bucks . . . . .	15	11
Beds . . . . .	10	8
Hunts . . . . .	11	7
Suffolk . . . . .	38	10
Cambridge . . . . .	12	4
Norfolk . . . . .	28	9
	<hr/>	<hr/>
	114	49
	<hr/>	<hr/>

A similar list for Kent, Sussex, Surrey, Herts, and Essex shows that 69 out of 187, or 37 per cent, were absent.

This chapter would not be complete without some reference to the official enquiry of 1577, when the Bishops sent up lists of recusants in their respective dioceses. The total number is about 1650. To suppose that this figure represented the total number of Catholics at this date is, of course, fantastically absurd. It is more

<sup>1</sup> S. P. Dom., Eliz., Vol. 133 (13).

probable that the Bishops recorded the names of such Catholics as they regarded as particularly dangerous. A full discussion of Recusancy statistics follows in a later chapter. If any evidence is required to show that the lists of 1577 represent no more than a minute fraction of the Catholic body, it will be sufficient to mention that under Charles I, over 9000 persons were convicted of Recusancy in Lancashire alone; and this after the Catholic numbers had been steadily dwindling for a century. All official lists of Catholics, both in 1577 and in later times, were compiled for some particular purpose, and, for the most part, merely show the names of such individuals as, for one reason or another, were specially prominent.

A document which affords a better, though still incomplete indication of the true strength of the Catholics, was drawn up in 1574, entitled 'Recusants' names.' The internal evidence seems to show that it was compiled by a Catholic. This list contains 592 names, but the important point is that all the persons mentioned are of the rank of 'Esquire' or higher degree (i.e. peers and knights). Now, an Esquire was, in those days, a gentleman of very considerable wealth and importance. Gregory King, the famous statistician of the late Stuart period, estimated that there were, in the whole country, some 4500 persons of this or higher rank. If this estimate is accepted, the list of 592 names compiled in 1574 represents between one-seventh and one-eighth of the most substantial gentry in the country. There is no reason whatever for accepting lists of these types as being complete and comprehensive; indeed, it will be shown in a subsequent chapter that as late as 1680, there were at least 400 Catholics of these ranks, and there can be no question that Catholic numbers dwindled steadily as time went on. The fragmentary and incomplete nature of Recusancy lists is such that it is astonishing to

find as many as 592 Catholic esquires named in a single list.

The failure of the Spanish Armada unquestionably marked a turning-point in the Catholic decline. In the documents which have so far come to light, there is no suggestion that, after 1588, the Catholics formed a majority of the people. Up to the very eve of the Armada, there is abundant evidence that they did; all estimates and opinions converge in this, and a Catholic proportion of two-thirds constantly recurs in estimates and statistics. Feria and Creighton specifically mention this figure, and the statistics for Hampshire and Yorkshire in 1572 both give the same result. Nowhere after 1587 is this figure repeated or confirmed. The highest estimate for any later date is one-half. Ironically enough, the Spanish invasion, to which so many had pinned their hopes, was in the future to prove one of the most effective weapons against the Catholics, for it ranged the new and growing spirit of nationalism on the Protestant side.

Yet, even after the Spanish failure, there are some remarkable examples of attachment to the Catholic faith. In 1589, an English expedition, with 14,000 men, landed in Portugal; the campaign achieved little, but it is reported that as many as 300 English soldiers remained behind in Portugal of their own free will, and became Catholics.<sup>1</sup>

<sup>1</sup> *Venetian Calendar*, Vol. VIII, No. 856.

## CHAPTER III

### THE CATHOLICS UNDER JAMES I

**T**HE sixteen years between the defeat of the Armada in 1588 and the accession of James I in 1603 were comparatively quiet, and there are few signs of any great activity among the Catholics. Yet their silence was not the apathy of defeat, but rather the tension of expectancy. Elizabeth, at the time of the Armada, had been growing old. Her health had never been good, and many Catholics felt that they had only to wait for James to succeed her in order to obtain relief. For James was the son of Mary Stuart; he had promised toleration, and there were even rumours that, at a favourable opportunity, he would declare himself a Catholic. But for this widespread belief, it can hardly be doubted that some vigorous effort would have been made before the close of the century. As it was, all eyes were fixed on James, and few were willing to risk the hazards of armed rebellion when it seemed that the repeal of the Penal Laws was only a matter of time.

On the accession of James, there was every indication that these hopes would be realised. Within a few months, the recusancy fines were substantially remitted; at the Coronation the Queen, Anne of Denmark, refused the Protestant Communion. By August, 1603, James was in communication with the Papal Nuncio at Brussels, and received assurances that the Pope had set his face against any insurrection on the part of the English Catholics. The Penal Laws, though not repealed,

were everywhere relaxed. For a few brief months, the Catholics enjoyed a freedom and security that they had not known throughout the reign of Elizabeth.

The strength of the Catholic body, with the suspension of persecution, at once became evident. Non-attendance at the services of the Church of England increased enormously, and the returns of Recusants in the early part of 1604 showed large increases. The Government became alarmed at discovering the unexpected strength of the Catholics, and a sharp reversal of policy followed. For the first time in forty years, men had been able to declare their real beliefs without fear of persecution, and the result was sufficiently startling to produce not merely a reversal of the policy of toleration, but an actual intensification of persecution.

In February, 1604, James issued a proclamation for the banishment of priests; in June, an Act was passed for the enforcement of the recusancy laws, and new severities were introduced.

This was the moment when we should expect to find a violent reaction on the part of the Catholics. Their hopes had been disappointed, and they were faced with a future without prospect of relief, for James was still a relatively young man of thirty-seven, and his heir, Prince Henry, had already shown himself violently anti-Catholic. If the Catholics formed a really large minority of the people, we should expect to find at such a moment, human nature being what it is, that some attempt would be made to secure the free exercise of their religion by force of arms. It is, perhaps, the absence of any rising that may have led to the common belief that the Catholics were not sufficiently numerous to make the attempt. But it must be remembered that the Government system of espionage was very efficient, and it was difficult in the extreme to concert plans for rebellion. None the less, it is quite possible that some serious outbreak would

have occurred, had not the Catholics been broken by the decisive events of November, 1605. If the defeat of the Armada was a heavy blow to the Catholic cause, the effects of the Gunpowder Plot were crushing. The origins of the plot are obscure, and will probably always remain so, but nearly all modern writers, Catholic and non-Catholic, agree that the Government had full knowledge of the plot long before November, 1605, and that the 'discovery' was carefully staged in such a way as to produce the greatest possible revulsion of feeling against the Catholics. Ben Jonson wrote on November 8th, three days after the crisis: 'They [i.e. the Catholics] are all so enweaved in it as it will make five hundred gentlemen less of the religion, within this week.'<sup>1</sup> This is eloquent testimony of the disastrous consequences of the affair.

It does not appear, however, to have been noticed by most historians that two isolated outbreaks did, in fact, occur, long before the Gunpowder Plot was made public. Neither has much attention been drawn to the fact that the Act against Recusants was violently attacked in the House of Lords by Viscount Montague. There is thus ample evidence that the Catholic body was by no means a small cowed minority, fearful of raising its head.

Montague's speech was no mere plea for toleration, but a bitter attack on the Reformation. He is reported as saying 'that we had been misled to forsake the religion of our fathers, and to follow some light persons, of late time sprung up, that were of unsound doctrine, evil life, or to that effect.'<sup>2</sup> These are not the words of a leader of a crushed and insignificant sect. About the same time (June, 1604) there was a local outbreak in the north, and Mass was publicly celebrated in the parish

<sup>1</sup> S. P. Dom., Jas. I, Vol. 16 (30).

<sup>2</sup> Cobbett, *Parliamentary History*.



church. The Venetian ambassador reports the incident in the following terms: 'A few days ago, the men of one of the northern counties, who are almost all Catholics, rose and expelled one of the Calvinistic Ministers, and insisted upon the public and solemn celebration of Mass in the church.'

A far more serious outbreak occurred a year later (June, 1605) in Herefordshire. The account of the Venetian ambassador is as follows: 'In the same county, there is a church on a hill, where Mass was celebrated, and attended by a great concourse of people. The Justices sent 50 or 60 men to arrest the priest, and as many of his congregation as possible. But the congregation, suspecting that something of this sort might happen, came armed, and made so vigorous a resistance that they drove the officers away. . . . The Council [i.e. the Privy Council] came to the conclusion that the use of force of arms in a country so full of Catholics and men of mettle was to run the obvious risk of something more serious, and resolved to refer the whole question to the magistrates of the county, with orders to use all dexterous means for having the chiefs of the movement in their hands, and punishing them severely, and this they are to do as in virtue of the authority they hold, but not on the orders of the King or Council; and this so as to avoid compromising the royal authority, for they hold that if execution were ordered on the royal warrant, it would have to be carried out with greater severity. When the magistrates received the Commission, being bitterly hostile to the Catholics, they failed to carry out their orders with that dexterity which had been contemplated by the King and Council; but they proceeded with rigorous fury to arrest hundreds of persons. When the Catholics saw what was going on, perhaps a thousand of them banded together in arms, and took up a strong position. The constables sent by

the Justices were compelled to retire. . . . Many, and above all the King, felt that they must take up arms in earnest and repress the audacity of these persons, before the evil spread further roots, but in the end the opinion of the majority prevailed, that it is better to proceed cautiously. . . . There is the further consideration that by the use of force they would not only imperil the royal reputation, but, unless that policy succeeds, which it certainly would not in a country so full of Catholics and men of mettle, they would encourage the other Catholics in the country to join the rebels, and to produce some serious revolution.'

The cautious policy of the Government appears to have succeeded, for a few weeks later the Venetian writes that the Earl of Worcester, who was sent to put down the Catholic rising in Wales,<sup>1</sup> has returned. He reports that 'he found the movement far inferior in importance to what had been represented. He put a few fellows of the baser sort in prison, more to show that he had done something than because they deserved punishment.' It must be noted that the Earl of Worcester was a nobleman of Catholic sympathies, and doubtless did his best to smooth matters over. The Bishop of Hereford wrote to Cecil of the affair: 'If we go out with few, we shall be beaten home; if we levy strength, we are descried, and they are all fled to the woods and there they will lurk until the assizes be past.'<sup>2</sup>

These little-known incidents are of great interest, since they show that the Catholic religion had not at this date lost its hold on the masses, at least in the north and west. The two outbreaks were clearly popular and spontaneous, and it is difficult to believe that such demonstrations were made by men who felt themselves to be in a small minority. The two incidents, which

<sup>1</sup> This should be Herefordshire.

<sup>2</sup> *Forgotten Shrines*, by Dom Bede Camm, p. 336.

were obviously unorganised, have all the appearance of being the exasperated resistance of leaderless masses to an unpopular Government. The mere fact that such things could take place in the reign of James I is, in the light of generally accepted views of history, sufficiently remarkable.

We may note at this point two contemporary estimates of Catholic numbers. A Catholic priest, by name Roger Gwynn, considered that one-third of the population was Catholic in 1603. He made this statement while a prisoner in Government hands, and it cannot be suggested that he spoke in a mood of optimistic exaltation. The relevant extract from 'The Examination of Roger Gwynn, seminary priest, June 22, 1603,'<sup>1</sup> is as follows: 'To the demand, what number of Catholicks there were in England, his answer was that he thought the third part were Catholicks. Being demanded whom he accounteth Catholics, he saith he accounteth none for Catholicks, but such as do refrayne to come to our Church.' Gwynn therefore thought that as many as one-third of the population were open Recusants.

Secondly, the Venetian ambassador writes on December 8, 1605: 'I know that it has been pointed out to His Majesty that it is no wise policy, considering that the Catholics number *a half, and perhaps more*, of the population, to press them so hard that they should be driven to band together and try their fortune to the ruin of one party and of the other.' In 1603 the Italian, Degli Effetti, expressed the same opinion.<sup>2</sup>

Another interesting estimate is found in a letter of a certain Philip Bennett, addressed to the Earl of Salisbury, in 1605.<sup>3</sup> This man (who may possibly have been one of Cecil's spies) seems to have been imprisoned for debt, and he writes that he had conversation with many

<sup>1</sup> S. P. Dom., Jas. I, Vol. 2 (15).

<sup>2</sup> Roman Transcripts 9/87.

<sup>3</sup> S. P. Dom., Jas. I, Vol. 17.

Catholic prisoners, one of whom said that there were 300,000 Papists in England, who would pay 40s. per annum for toleration. If the 300,000 are taken to be heads of households (which is the natural interpretation) and if we assume an average of five persons to a family, we may calculate a Catholic population of one and a half millions, which is about one-third of the total population at this date.

The consistency of these estimates, coming from three very different sources, is striking. Even if the English Catholics, partisans of a losing side, may have lost their sense of proportion, there is no reason to suppose that the Venetian ambassador was anything but a cool observer. His business was to keep his Government well-informed, and to give an exact and truthful account of the condition of England. These opinions substantiate and confirm the picture that we form from the incidents in Hereford and the north.

When the reverberations of the 'Powder Plot' had died away, it was seen that the Catholic body was permanently weakened. The waverers had hurriedly ranged themselves on the Protestant side, while the Catholics were torn by dissension on the question of the Oaths of Supremacy and Allegiance. The new Oath of Allegiance was designed to foster, and did foster these divisions, for many Catholics whose loyalty to the Crown was a permanent factor in Stuart politics felt themselves unable to subscribe to an oath which with intentional offensiveness declared the doctrine of the deposing power of the Popes to be 'heretical and damnable.' In the forefront of the opposition to the oath were the Jesuits, but some of the secular clergy argued that the oath might conscientiously be taken. We do not here propose to trace the history of these disputes, but an understanding of the nature of the forces which were undermining the integrity of the Catholic body is a

necessary background to an appreciation of the statistical evidence which follows.

The eleven years between 1606 and 1617 are marked by no outstanding events. Diminished and weakened, the Catholic tradition yet held, and the nature of the times is vividly portrayed in the words of a contemporary Jesuit, one Pollard. In October, 1610, Pollard thus describes the condition of Yorkshire: 'Notwithstanding all which (i.e. the persecution), it is worth the observance to consider how many in number and great in substance and nobility there be in those countries who either exteriorly profess or at the least interiorly believe the Catholic faith; insomuch as I observed in the East Riding, there be scarce three or four Justices of Peace or men of authority in the Commonwealth who are men of ancient families and of great estate; for all such who are suspected to be backward in religion are barred from all such offices and dignities. The number of Catholics in these parts is so great that among my friends and acquaintances, the most of them, if not all, being gentlemen of good account, I can travel from this side Lincoln to York, and so thirty mile farther, which is above 80 mile, and within every 6 mile come to a Catholic house, and for the most, within three mile, all or the most of them gentlemen's or gentlewomen's houses of good account; and, for all this, I will not in all that way, go 6 mile out of the ready and nighest way.'<sup>1</sup>

This vivid picture of the still numerous and substantial Catholic families, living quietly on their estates, and taking no part in public affairs is typical of the more or less uneventful middle years of the reign of James.

From 1617 onwards, when James opened formal negotiations for the marriage of his son with a Spanish princess, the whole situation began to change. The

<sup>1</sup> Stonyhurst MS., Angliæ A. 3 (100). Printed in Dodd's *Church History* (edition 1841, Vol. 4, Part 5).

Spaniards insisted upon the repeal of the Penal Laws against Catholics as a condition of the match, and James himself favoured toleration. But the King had to reckon with the fierce opposition of Parliament, in which the Puritans were by this time strongly represented, and he did not feel himself strong enough to secure the passage of such an enactment. Nevertheless, he made vague promises, and took steps to mitigate the severity with which the laws were applied. It was in the King's power, if he so wished, to render the Penal Laws virtually harmless, for the executive machinery was in his hands. He could not change the laws, but he could hinder their enforcement. Within a few years, great changes became apparent. The Recusancy fines were exacted less harshly than hitherto, priests began to move about openly, and with impunity, and James even began slowly and tentatively to appoint Catholics to offices of authority. The Catholics were jubilant, for they felt that the new policy foreshadowed the dawn of complete toleration.

The story of the two years after James' accession was repeated; the relaxation of persecution revealed once again the existence of a large and vigorous Catholic minority. Once again, men could openly avow their beliefs with comparative safety, and it became increasingly evident that a very large part of the nation was still Catholic at heart.

The debates in the House of Commons between 1621 and 1625 throw a flood of light on the strength and vigour of Catholic belief and practice. The legend that the Catholics were at this time a small and insignificant sect is completely exploded by the records of these discussions. The following extracts from the records of these debates provide an illuminating picture of the times.

1621. (Notestein,<sup>1</sup> Vol. 2, p. 475.) 'In Warwickshire,

<sup>1</sup> Wallace Notestein and others, 'House of Commons Debates, 1621.'

there was a crucifix set up in the market place by one whose brother was executed for treason.'

1625. June 25. (Camden Society, 1873.) Extract from a petition to the King: 'That all such insolencies as any Popishly affected have lately committed or shall hereafter commit to the dishonour of our religion, or to the wrong of the true possessors thereof, may be exemplarily punished, and namely the heinous fact of one Foster, in openly tearing the Bible in the Cathedral Church of Canterbury.'

1625. (Camden Society, 1873.) 'In Yorkshire they (i.e. the Recusants) are doubled, if not trebled since this connivancy. In the North Riding, there were 1200 convicted five years since, now 2400.'

'In one parish of Lancashire 533 [Recusants] presented.'

'In the end of the Queen's time in all the Kingdom but 400 priests and 60 Jesuits; about three years since, there were known to be 1060.'

'In Lancashire, 60 of them joined together, and beat the Sheriff coming to levy the twelvecence for absence from Church. They have built a Churchyard, carry up and down an altar publicly, have certain places where none but Recusants come; one Jarren, a priest, useth to ride up and down with 6 men, and, when their armour hath been taken, letters have been procured to deliver it again.'

1624. April 5. (Chetham Society, 1879.) (House of Lords.) The Archbishop of Canterbury: 'They go by the thousand to Mass, to the great offence of the people.'

1621. (Notestein, Vol. 4, p. 12.) 'They have more hope than ever they had since the beginning of the Reformation. Masses are now near as frequent as sermons.'

1621. (Notestein, Vol. 4, p. 16.) 'If 100 come out of a Church, as many, by way of affront, will come from

a Mass. Popish pictures are openly made, and shewed in the streets.'

1621. (Notestein, Vol. 2, p. 37.) Sir Robert Phillips: 'It was time to look about for that we were now about the climacterical year, for religion had continued here about 63 years, and I fear it is near a period. There hath been 6000 Papists dispersed in England from Spain, which is to be regarded; for now Papists are grown so insolent as they boast of going to Mass, and at table dare to maintain it when we dare not justify the maintenance of our laws. Judges dare not receive presentments, no man dare offer them.'<sup>1</sup>

1621. (Notestein, Vol. 5, p. 140.) 'The increase of Papists doth threaten the Crown.'

1625. (House of Lords Debates, 1621-8, Royal Historical Society, 1929, p. 58.) The Bishop of Bangor: 'There is a great concourse of people to St. Winifred's well, and another well, an old chapel new amended, and public Mass said continually.'

1621. (Notestein, Vol. 2, p. 475): 'Sir James Perrott said that in a shire near him a minister having preached upon the fifth of November against the Gunpowder Treason and against their devilish doctrine, two or three Papists came to his house and beat him, and he had much ado to escape with his life.'

And again (Notestein, Vol. 5, p. 245): 'A petition was exhibited by a minister in Monmouth complaining that he was assaulted in his own chamber by two recusants convict, was beaten and wounded for preaching against the Catholic truth; and another time they came to him, and disputed with him of purgatory and upon differences of opinion, did again beat and wound

<sup>1</sup> According to another version, Sir Robert Phillips said: 'Papists dare now at tables maintain transubstantiation, and they are grown so powerful that judges dare not receive indictments against them.'



him and forced him to vow upon his salvation never to preach controversy again, and to leave the town. They are countenanced with great men who abound in that country and walk with daggers and swords. Threaten when they have a Catholic king to destroy us all, whom they call obstinate Catholics, with fire and faggot.'

In 1625 a certain Thomas Ogle drew up a comprehensive survey of the position of the Catholics in Northumberland. This document<sup>1</sup> which is styled 'Information against the Recusants,' and which covers nine closely written pages, shows that the Catholics were still very strongly entrenched in the north.

Ogle draws attention, *inter alia*, to the following points :

1. Their number by conviction . . . . . 900  
 Their number by estimation . . . . . 2000
2. Their wealth, which is specially remarkable.
3. Their offices under His Majesty :
  - (a) Stewardships ;
  - (b) Bailywicks ;
  - (c) Collectorships.
4. The strong castles and towers which are held by them. (Thirteen places are named.)
5. Justices of the Peace, whose wives are Recusants. (Four names are given.)
6. The number of families of the best rank which are either wholly or much smattered with Recusancy :
 

1. Widdringtons.	7. Carnabies.
2. Fenwicks.	8. Lawsons.
3. Radcliffes.	9. Selbies.
4. Swinburnes.	10. Thirlwalls.
5. Collingwoods.	11. Erringtons.
6. Thorntons.	12. (Name undecipherable.)

<sup>1</sup> S. P. Dom., Chas. I, Vol. 522 (52).

## 7. Their boldness :

1. In daring to continue to break all laws made against them.
2. In daring to affront both Justices and Justice in open Court.
3. In daring to dispute against the true religion professed in this Kingdom.

Ogle devotes two pages to a record of 'particular insolencies' of which an example is the following: 'Thomas Collingwood of Todburne, did resist the officers that came to levy the twelve pence a Sabbath, and told him that their party was not so weak but there would be news in England before that were paid.'

Some papers of the same period in the collection of Lord William Howard, the great Catholic magnate of the north, are worth quoting :<sup>1</sup>

The first runs as follows :

'At Christmas last at Bampton, in Westmorland, within the diocese of Carlisle, the tenants and servants of my Lord William, together with others in the parish, did erect a Christmas lord, and did most grossly disturb the minister in time of Divine Service, the minister himself granting a toleration because he doth ordinarily dine and sup at the Lord William's table, but never prays with him, and these Christmas misrule men, some of them drunk to the minister when he was at prayers, others stepped into the pulpit, and called the parishioners to an offering for the maintenance of their sport, others of the Lord William's servants came into the church disguised, others shot guns in the church, and brought in flags and banners, others sported themselves with pies and puddings in the church, using them as bowls in the church allies, others played with dogs, and used them as they used to fear sheep, and all these were done

<sup>1</sup> Surtees Society, *Household Books of Lord William Howard*, p. 424.

in the church, and in time of Divine Service, and the said Lord doth bring the minister into contempt, scorn and derision.'

And the second :<sup>1</sup>

'Such as lately bear the greatest sway in those places are most of them professed enemies of true religion, as namely Roger Widdrington Esquire, George Thirlwall the keeper of Harbottle Castle in Riddesdale, and William Charleton, great Bailiff of Tindaile, and servant to Lord William Howard, by whose pretended occasions with those people upon Sabbath days on the forenoon, the most part of the people of all Riddesdaile, if not Tindaile, are kept abroad in the town streets and churchyards all prayer and sermon time.'

Another incident which does not belong to the period now under consideration is none the less worth quoting. In 1612 a certain Isaac Wake, describing the execution of a priest at Tyburn, remarked that 'so many Catholics were present that they spoke of attempting a rescue. The Council have had meetings to suppress recent assemblies of Catholics, who speak too boldly.'<sup>2</sup>

Some few years later than our period, in 1637, the residents of St. Giles-in-the-fields petitioned the King, complaining of 'the great increase of the Romish Church in the said parish, where they are so exceedingly multiplied that in that part of the parish called Bloomsbury, there are as many or more than Protestants.'<sup>3</sup>

So strong was the feeling that the Catholics might even attempt to secure election as Members of Parliament that in 1621, special precautions were taken to ensure that no Papists should enter the House. Notestein (Vol. 2, p. 16) quotes a document in the Harleian series<sup>4</sup> to the following effect :

<sup>1</sup> Surtees Society, *Household Books of Lord William Howard*, p. 432.

<sup>2</sup> S. P. Dom., Jas. I, Vol. 71 (64).

<sup>3</sup> S. P. Dom., Chas. I, Vol. 349 (116).

<sup>4</sup> Alford papers, Harleian 6846, f. 126 r.

'The Lower House, to prevent that no person infected with Popery should sit as a member of that House, ordered in the beginning of the Parliament that the whole House should receive the Communion together on a day prefixed, and that every several member thereof should deliver a little note of his name and of the place for which he served to certain members deputed by the House to accompany the Ministers in administering the Communion.' The same procedure was adopted on the opening of the Parliaments of 1640 and 1661.<sup>1</sup>

These precautions were by no means unnecessary, for we read that (in 1621) 'John Hollis, second son of Lord Houghton, and Sir Henry Bretton, both Papists, were returned for the borough of Gatton, Co. Surrey, by the influence of Mr. Copley, owner of almost all the town, though Sir Thomas Gresham and Sir Thomas Bludder were chosen by the freeholders.'<sup>2</sup> Mr. Hollis and Sir Henry Bretton were compelled to give up their seats. And again, in 1624, we are told that 'about the beginning of this Parliament, the Earl of Rutland, the Count Arundel, the Lord Morley, and Lord Montacute were expelled the higher house of Parliamen, for, refusing the Oath of Supremacy, *and divers burgesses expelled the lower house*; but at last these all conformed, and took the Oath of Allegiance, and were admitted.'<sup>3</sup>

In 1620 Sir Joseph Leedes, elected for Hindon, Wilts, refused to take the Oath, and forfeited his seat.<sup>4</sup> In 1624 Sir Thomas Gerrard, a prominent Catholic, was elected for Liverpool; he also refused to take the Oaths. In this case the matter went further, and Sir Thomas was ordered to appear and to take the Oaths,

<sup>1</sup> E. Porritt, *The Unreformed House of Commons*, Vol. I, p. 131.

<sup>2</sup> S. P. Dom., Jas. I, Vol. 119 (83). According to another account Mr. Copley was a convicted Recusant.

<sup>3</sup> *Diary of Walter Yonge* (Camden Society), p. 73.

<sup>4</sup> *House of Commons Journal*, I, p. 516, quoted by E. Porritt, *The Unreformed House of Commons*, Vol. I, p. 132.

and more repugnant still, to receive the Communion. The last we hear of the case is that Sir Thomas was not to be found, having left his lodgings hurriedly.<sup>1</sup>

A comparison of a list of the Members of the House of Commons in 1620 and the list of Catholic knights which follows in Chapter VIII shows that as many as fourteen of the Catholic knights were Members of the House. The significance of this number can be appreciated only when we bear in mind first that the list of Catholic knights is very far from being complete, since it is quite impossible to trace all the names; secondly, though very large numbers of knights were to be found in the House, they were not so many as to form a majority; there were approximately two hundred and thirty-five knights in the House of Commons in 1620. It seems highly probable that there were many more Catholics in the House of Commons in 1620; the fourteen knights are merely those who can easily be identified. It is not, of course, suggested, that the Catholics formed a really large minority of the House, but it is very illuminating to find that even a small minority in the Protestant citadel were actually Catholics. It is, however, necessary to point out that few of the fourteen<sup>2</sup> seem to have been Catholics of the uncom-

<sup>1</sup> *House of Commons Journal*, I, p. 680, quoted Porritt, Vol. I, p. 132.

<sup>2</sup> The names and the districts represented are:—

Sir Henry Hastings.	Leicester.
Sir George Dalston.	Cumberland.
Sir George Calvert.	Yorks.
Sir Henry Slingsby.	Yorks.
Sir Thomas Walmesley.	Lancs.
Sir Edmund Morgan.	Mon.
Sir George Chaworth.	Notts.
Sir Henry Widdrington.	Northumberland.
Sir Thomas Riddell.	Northumberland.
Sir Richard Tichbourne.	Hants.
Sir Henry Compton.	Wilts.

(continued on opposite page.)

promising type. Indeed, they must all have taken the Oath of Supremacy before taking their seats in Parliament. About sixteen Catholic knights seem to have been elected to the Parliament of 1623-24. Among these are a few who were or had been Recusants—Sir Richard Edgecome, Sir Henry Hastings, and Sir Percy Herbert. No doubt these were among the ‘divers burgesses’ who were expelled and re-admitted.

Everything points to a very vigorous revival of Catholic activity in the last years of the reign of James. There is no better evidence of soaring hopes than the intrusion of Catholics into the very citadel of Protestantism, the House of Commons. The same mood appears in the House of Lords. Nothing startling happened, but there are occasional examples of Catholic protests in the debates. Thus, in 1624, according to a letter in the Calendar of State Papers,<sup>1</sup> the Earl of Rutland, a known Catholic, and here specifically described as a Papist, objected to the words ‘for the defence of religion,’ in the terms of a subsidy grant. He was saved from censure by the influence of Buckingham.

At about the same time (1624), Sir Francis Nethersall wrote to Secretary Carlton: ‘There are also bills for free trade, for reducing usury to 8 per cent, for reviving all the Acts against Papists, and preventing their eluding them by making over their estates to others. This last Act had only one dissentient, Lord St. John of Basing; but the King stormed at it, and blamed Buckingham for voting for it.’<sup>2</sup>

Sir William Herbert.  
Sir George Simmons.  
Sir Joseph Leedes.

Montgomery.  
Berks.  
Wilts.

By contrast, only seven of the Catholic knights can be found among the members of the Long Parliament which met in 1640. The smaller number is perhaps a sign of the times, for by 1640 hatred of the Catholics had risen to fever-heat.

<sup>1</sup> S. P. Dom., Jas. I, Vol. 161 (30).

<sup>2</sup> Ibid. (36).

It appears from incidents of this kind that, though no very ambitious programme was adopted, there was some concerted attempt to show that the Catholic body was still a force to be reckoned with. Among the Catholics themselves, there appears to have been an active and vigorous public opinion, which showed itself on the occasion of the coronation of Charles I. A letter in the Salvetti correspondence, dated February 13, 1626, runs as follows :

‘ It is a fact, however, that the majority of the peers who profess the Catholic faith have been present at the coronation of His Majesty, and consequently attended, not without scandal to other Catholics, the prayers and preaching made in the Church, but their position is now made so difficult and painful that doubtless many amongst them think more of their human, than of their divine interests.’<sup>1</sup>

How painful the position of the Catholic peers must have been made is evident, for it is recorded a few months later, at the opening of Parliament, that ‘ all the Recusant Lords that were at the coronation did ride to the Church with the rest, but when they came there, they all went away, and heard not the sermon.’<sup>2</sup>

Since fully one-fifth of the peers were Catholic (as will be shown in a later chapter), this was no insignificant demonstration. The Catholics meant to make themselves heard. On every hand there is evidence of revival and gathering confidence ; on all sides there are signs that the Catholic survival was very much stronger than has been commonly supposed.

<sup>1</sup> Hist. Man. Com., Skrine MSS., p. 44.

<sup>2</sup> Hist. Man. Com., Duke of Buccleuch’s MSS.

## CHAPTER IV

### PAPISTS IN AUTHORITY

ON April 27, 1624, the House of Commons addressed a petition to the King, complaining that many Recusants had been placed by His Majesty in positions of trust, and praying him to remove them. Various members of the House had been asked to supply details of the names of these Recusants, and the positions held, and this information is preserved in the *Journals* both of the House of Commons and of the House of Lords.<sup>1</sup> The Lords returned an evasive answer to the petition; they expressed agreement, but objected that the shortness of time did not permit them to hear the parties on oath, 'and that, if we should publicly go with a committee of both Houses to the King, we should strike deep into the reputation of the parties, and give his Majesty and the whole world occasion to think that we did both judge and condemn before we had heard.' In the long run, the matter seems to have been dropped, and nothing was done. At any rate, on May 8, 1628, a similar list of suspected Recusants in positions of trust was prepared by the House of Commons. There are no details of this later list in the *Journals* of the House, but the document has been preserved among the Nalson Collection of Parliamentary papers, and has been printed by the Historical Manu-

<sup>1</sup> *Commons' Journal*, April 27, 1624. *Lords' Journal*, May 20, 1624.



scripts Commission.<sup>1</sup> The title at the head of this list is worth reproducing in full :

‘The names of all such persons as are certified to be in places of charge or trust in their several counties, having wives, children or servants that are Recusants or non-Communicants, and therefore are vehemently suspected to be ill-affected in religion by reason of the Acts of State.’

This list of 1628 differs from the list of 1624, in that the persons are not themselves described as Recusants, but only their wives or families. In 1624, more than half those mentioned are themselves stated to be Recusants. The distinction, for our present purpose, is not of any great consequence, for a man with a Recusant wife was, in almost every case, himself a Catholic at heart. In 1621, when a Bill to disarm Papists was being discussed in the House of Commons, it is known that its provisions applied not only to Recusants, but also to non-Communicants and to those whose wives were Recusants.<sup>2</sup> Indeed, many of the persons in the 1628 list are known to have been Recusants themselves, from other evidence. For example, Sir Thomas Lamplugh appears in the 1628 lists as a Justice of the Peace for Cumberland; this same Sir Thomas appears in a list of convicted Recusants compiled in 1642.<sup>3</sup> We need not doubt, therefore, the accuracy of the judgement that, in the vast majority of cases, a man with a Recusant wife was with some justice ‘vehemently suspected to be ill-affected in religion.’

These lists are of great interest, since they afford a measure of the extent to which the Catholics were succeeding in their efforts to re-enter public life. The following is an analysis of the offices held, taking both

<sup>1</sup> Portland MSS. (Vol. I, p. 1).

<sup>2</sup> Notestein, Vol. 5, p. 11.

<sup>3</sup> S. P. Dom., Chas. I, Vol. 495.

the 1624 and the 1628 lists into account, and after eliminating all duplications:

The Commission of the Peace.

Lords Lieutenant of Shires . . . . .	4
Deputy Lieutenants . . . . .	16
Justices of the Peace . . . . .	61
	<hr/>
Total on the Commission of the Peace . . . . .	81
	<hr/>
High Sheriffs . . . . .	2
Commissioners of Sewers . . . . .	5
Commissioners of Oyer and Terminer . . . . .	2
Custos Rotulorum . . . . .	1
Coroner . . . . .	1
Colonel of Footbands . . . . .	1
Captains of Footbands . . . . .	4

In addition there are named :

The Chancellor of the Exchequer, Sir Richard Weston.

The Lord President of the Council of the North, the Earl of Sunderland.

A member of the Council of the North, Sir Marmaduke Wyvell.

The Lord President of Anglesey.

The names of the four Lords Lieutenant are :

The Earl of Rutland, Lincolnshire.

The Earl of Sunderland, Yorkshire.

The Earl of Worcester, Glamorgan and Monmouthshire.

The Earl of Banbury, Oxfordshire.

To these names must be added those of Sir George Calvert, later Lord Baltimore, Secretary of State from 1619-1625, of Lord Cottington and Sir Francis Windebanke, respectively Lord Treasurer and Secretary of State under Charles I. Calvert resigned his office in 1625, declaring himself a Catholic. Cottington at least

died a Catholic, but the position of Windebanke is less clear; he certainly leaned to the Catholic side. The extraordinary case of Sir Henry Spiller is discussed in Chapter V.

The Earl of Worcester, Lord Lieutenant of Glamorgan and Monmouth, is not mentioned in the Parliamentary lists, but he was a known Catholic, and there is ample evidence of the fact. Sir Henry Shirley, High Sheriff of Rutland in 1625, does not appear in the lists in his capacity of Sheriff, though he is named as a Justice in 1628, but with these exceptions, the foregoing analysis is entirely based on the two lists mentioned.

The most important fact we learn is that, taking the names for 1624 and 1628 together, there were eighty-one Catholics on the Commission of the Peace. The *Liber Pacis* for the year 1632 shows that the total number of Justices was approximately two thousand persons. The Catholic proportion was therefore only 4 per cent, and of course, we do not know whether the eighty-one Catholics all served at the same time. Four per cent may seem a very small proportion, and indeed it is, but the point rather is that it is astonishing to find any Catholic Justices at all. It is only when this point of view is appreciated that the matter can be seen in its true perspective. The policy of toleration was developed only very slowly and tentatively, and neither James nor Charles would have dared to have restored to the Catholics their full share in the conduct of public affairs. It must be repeated that, considering the nature of the times, it is very surprising to find as many as eighty-one Catholic Justices of the Peace. We may fairly conclude that the Catholics must have represented a far higher proportion of the gentry, as a whole.

Of the four Catholic Lords Lieutenant, the Earls of Rutland and Worcester are known to be Catholics from other clear evidence in the State papers. The Earl of

Sunderland is marked as himself a Recusant in the 1624 list, but he seems to have been a waverer, occasionally going to Church. Of the Earl of Banbury, there is no direct evidence that he was a Catholic, but it is certain that his wife was a Recusant. It is worth noticing that, of the eighty-one Justices, nearly three-quarters are known to be definite Catholics, either from the *Commons' Journal* or other evidence, while as regards the remaining quarter, only their wives and children are known to have been Recusants.

A few personal details are sufficiently interesting to be mentioned. Sir John Conway, who appears in the 1624 lists as a Justice for Flintshire, appears to have been a cousin of the Secretary of State, Sir Edward Conway; this is another example of Catholic connections in high places. On April 8, 1626, Sir John wrote to Sir Edward, thanking him for his favours, and desiring to have his portrait for his house in Wales.

It must be conceded that it was not always correct to regard a man with a Recusant wife as himself of Catholic sympathies. A notable exception was Sir James Perrott. In the debates of 1621, Sir James figured prominently in the attack on the Catholics, in one speech setting out a catalogue of the 'causes of Papist insolencies.'<sup>1</sup> Yet this same man declared in the House of Commons in 1624 that his own wife was a Recusant. For one case of this kind, however, there are more than a dozen where it can be shown that Justices accused of having Recusant wives were definitely Catholics themselves. The case of Sir James Perrott is particularly interesting, for it shows the ubiquity of Catholicism at this time. No doubt Sir James thought that by himself admitting the fact of his wife's recusancy, he would save himself from attack on that score.

A vivid picture of the times is found in a letter of the

<sup>1</sup> Notestein, Vol. 2, p. 37.

Earl of Huntingdon, written on November 30, 1625.<sup>1</sup> In 1625, the Government ordered that all Recusants should be disarmed, and the Lords Lieutenant were responsible for carrying out this task. Huntingdon reported to the Council as follows :

‘What arms or munition was found I have in this enclosed expressed, with the names of all the Recusants that are housekeepers in this Shire, and the places of their abode, causing my deputies to search all the houses of such as were convicted and others suggested ; except the High Sheriff’s house, Sir Henry Shirley’s, who by reason of his office, and being neither presented nor convicted and seeing he went to the Church with the Judges, and hath come into sermon and Divine service twice since, made me forbear to search his house.’

‘In the county of Rutland, there were no arms found upon the search, there being very few Recusants in the county.’

Sir Henry Shirley is also mentioned in the 1628 list as a Justice of the Peace for Leicestershire, and it may be noted that a Sir Thomas Shirley was a convicted Recusant in 1641.<sup>2</sup> This Sir Thomas, whose place of residence is given as Cambridgeshire (adjoining Rutland) was no doubt a relative, possibly the son of Sir Henry Shirley. Also, in John Southcote’s note-book, a Sir Anthony Shirley is mentioned as a Catholic. It appears that the Shirleys were a well-known Catholic family, for Sir Thomas Shirley was Collector for Huntingdon in 1639, when the Catholics raised a financial contribution to assist the King.

Sir Henry Shirley is an excellent example of the large body of Catholics who were never convicted of recusancy. It is evident that the list of 1628 was not based on mere idle rumours.

<sup>1</sup> S. P. Dom., Chas. I, Vol. 10 (54).

<sup>2</sup> S. P. Dom., Chas. I, Vol. 489 (42) .

## CHAPTER V

### RECUSANCY FINES

**T**HERE is possibly no aspect of seventeenth-century history which has received less attention than Recusancy finance, and certainly there is none which is more baffling and difficult to unravel. The brief study which makes up this chapter has no pretensions to finality; indeed, it is little more than a presentation of the problem. There is a vast mass of tangled and contradictory documents which remains untouched, and which offers almost an unlimited field to anyone who has the leisure to attack the problem.

By the Act of 1587, two-thirds of the lands and goods of all convicted Recusants were forfeit to the Crown, but this crushing penalty was only rarely enforced in full.

There is ample evidence that the estates of the Recusants were universally undervalued. Some examples of undervaluation will be of interest. Thus, in 1621, Mr. Drake, speaking in the House of Commons, said:<sup>1</sup>

‘I know that Recusants in the subsidies desire to be eased in regard the King hath two parts of their lands, and this was their excuse why they would lend nothing last loan. But when their land is to be valued, they get out their Commission themselves, and they sit on it in those parts of the shire farthest from their dwellings

<sup>1</sup> Notestein, Vol. 2, p. 97.

where they are scarce known, and they have their own servants to give evidence. I have known £2000 land<sup>1</sup> found by a Commission to be but £50, so they go easier away than any other.'

In the same debate, Sir Edward Giles said :<sup>2</sup>

'A man of £6000 per annum found at 20 marks, and another of some £400 per annum at 20 nobles.'

Sir James Perrott's comment was : 'Their lands are not found at their true value, and so they, escaping for a trifle, care not.'

In 1641, Lawrence Squibb, in a memorandum upon the Revenue in general, refers to the matter of undervaluation of Recusants' lands. 'Supposing the Sheriffs be careful in Levying, which may be doubted, their inquisitions are commonly not above a tenth part of the value.'<sup>3</sup>

In 1629, the Lord Privy Seal (Lord Coventry) wrote to the Justices of Assize in Oxfordshire :

'Yesterday at my being at Court, it pleased His Majesty to command me to signify to my Lords the Judges in their several circuits that His Majesty takes notice of the smallness of his revenue yearly answered by the forfeitures of Popish Recusants. And that the same falls out by reason of the undervalues returned from the counties into the Exchequer. . . . His officers' proceedings in granting the leases of those lands, and the solicitors of those leases labouring to suppress the true values, and pass the same at the lowest rate they can, it comes to pass that, though the Recusants themselves do rather increase, yet their revenue is much decayed and diminished.'<sup>4</sup>

Some years later, in 1649, certain officials complained

<sup>1</sup> £3000 according to another account.

<sup>2</sup> Notestein, Vol. 3, p. 160.

<sup>3</sup> S. P. Dom., Chas. I, Vol. 485 (108).

<sup>4</sup> British Museum, MS. 32,093 (f. 24).

of evasion by Recusants in a petition to the Council. Two items in this petition are :

1. 'Error in the inquisition, which is very usual, being many times done wilfully by the Sheriff, *on purpose to be avoided by the Recusant*.

2. By pleading fraudulent conveyances.<sup>1</sup>

Even in 1649, it seems, it was not always easy for officials to deal with influential Recusants.

It is thus perfectly clear that any official computations of Recusants' lands cannot represent more than a fraction of the real value.

We have next to examine the allied problem of compositions and leases.

In theory, it was possible for the King to seize the forfeited lands, and to sell them, but this was rarely, if ever done. It was a far better proposition to let the lands to a tenant, and to replenish the Exchequer with the annual rentals. Moreover, in this way, the Recusant was encouraged to conform, for, upon conformity he recovered his lands; if his lands had been sold, this would have been impossible, and he could not have recovered his property. Thus it was that Recusants' lands were commonly let, the rents being payable to the Crown. In practice, the tenant was frequently the Recusant himself, though this was illegal. In many cases, also, the lands were commonly let to a friend or relative of the Recusant, who thus in practice remained in possession of his lands. In 1621, Parliament raised objections to this system, Mr. Crew proposing that 'this committee might have direction to frame a bill for explanation of the Statute of 3 Jac. I, where it is said that no lease shall be set of the two parts of Recusants' lands, either to themselves, or to their use, and yet the King does set them.'<sup>2</sup>

<sup>1</sup> Hist. Man. Com. 4th Report, Appendix, p. 273.

<sup>2</sup> Notestein, Vol. 2, p. 98.



In general, the lands were leased at rentals far below their true value. For example, in 1621, Sir James Perrott said:

‘And I hear that there are leases granted of Recusants’ lands for forty shillings a year, which are worth £400.’<sup>1</sup>

In other cases, the estates were not sequestered, and even the nominal ownership remained vested in the Recusant, the Recusant paying an agreed annual sum by way of composition in lieu of sequestration. Just as with the leases, these compositions were in general comparatively small.

Consider the following examples from two documents in the State Papers.

1. S. P. Dom., Chas. I, Vol. 178 (40), dated 1630.

Name.	Compounded for.	True value.
Sir Cuthbert Clifton and two others . . .	£100 per annum	£1500 per annum.
Sir William Norris . . .	£60 „ „	£600 „ „
Thomas Dallison . . .	£15 „ „	£200 „ „
Sir Henry Merry . . .	£66 13 4 „	£600 „ „
Sir John Thymelby . . .	£160 per annum	£1500 „ „
Sir Ralph Ellerker . . .	£50 „ „	£600 „ „

2. S. P. Dom., Chas. I Vol., 148 (47), Letter of Wentworth, dated 1629.

‘Phillip Anne, a gentleman of £500 per annum, compounded for £20 a year, although his father ever paid £80, and Mr. Cholmley, a man of £800 a year, compounded for £23, although he has all his brother’s land, who paid £120 a year during his life, and all his own to boot.’

A document dated 1612 sets down points for consideration in connection with the King’s revenue. It is suggested that a Commission be appointed to ‘supervise the compositions with Recusants, many of whom pay nothing, or much less than is ordered by law.’<sup>2</sup>

<sup>1</sup> Notestein, Vol. 2, p. 97.

<sup>2</sup> S. P. Dom., Jas. I, Vol. 71 (98).

The severity of the financial penalties was thus mitigated :

1. By undervaluation.
2. By leases at low rentals.
3. By compositions.

Moreover, as we shall see later, even the sums due from the Recusants were not always collected in full. So great was the disparity between theory and practice that Sir John Strangeways remarked in the House of Commons in 1621 :

‘Recusants keep no horse or men for service, but say the King hath two parts of their land. Though we have it, it is but in name and upon record, they in purse.’<sup>1</sup>

In the Parliament of 1621, Sir Henry Spiller, the Receiver of Recusants’ Revenue, was charged with misdemeanour. The following account appears in Notestein’s records of the debates.<sup>2</sup>

‘The first was for the levying of £4000 of Recusants’ lands, and to bring the money into the Exchequer; but concerning £1000 of that money a command was indorsed that he should not levy that money, but only to take bond to pay, and discharge, and subscribed H. Spiller. The second was for £2000, to which there was the like direction, contrary to the writ. The third was for £540, whereof £170 was levied in money, and for £200, bond was taken, but the money was paid back again. £140, part of this money was due from one Wiseman, who received His Majesty’s pardon in 8 Jac. [1611], and being then in debt to His Majesty £4500. That debt was estalled at £140 per annum, whereof until 12 Jac. [1615] there was nothing answered. In 12 Jac., this £140 was levied and repaid, which should argue as if the King had no right to the money; and

<sup>1</sup> Notestein, Vol. 5, p. 225.

<sup>2</sup> Notestein, Vol. 4, p. 102.

since that it is begged, and hath been made good, and is recovered.'

In the same debate, another speaker mentioned as one of the causes of the diminution of the revenue, 'the King's grace exempting of new Recusants.'

It is thus clear that, in many cases, even the reduced amounts payable by the Recusants were not collected in full.

The royal revenue, however, suffered in other ways which were not so beneficial to the Recusants. It was a common practice for the King to grant the profits arising out of the Recusancy fines to courtiers and friends, and to others in reward for services. This was a very widespread evil, as the following examples will show.

Mr. Pym, in the House of Commons, in 1621, said :

'Many of the King's servants have begged the forfeitures of Recusants who have compounded with them, and so have a kind of toleration by retail, which the King never thought of.'<sup>1</sup>

In the same debate, Sir Henry Spiller, discussing the causes of diminution in the Recusants' revenue, said : 'that some part of it was assigned for His Majesty's liberality, whereby from the Bed-chamber to the meanest officer, Recusants were granted, not only particulars, but to some two, five, ten ; and by shires £2000, £3000, £6000 out of one or more shires.'<sup>2</sup>

The Calendar of State Papers shows some specific instances.

1. S. P. Dom., Jas. I, Vol. 77 (62), year 1614. Grant to Viscount Haddington of £2000 out of the compositions for Recusants' goods.

2. S. P. Dom., Jas. I, Vol. 10a (63), year 1604. Grant

<sup>1</sup> Notestein, Vol. 2, p. 462.

<sup>2</sup> Notestein, Vol. 4, p. 101.

to John Gibb, groom of the bed-chamber, of £3000 out of Recusants' penalties.

3. S. P. Dom., Jas. I, Vol. 28, year 1607. Grant to the Earl of Montgomery of the moiety of £20,000 due to the Crown, profits of Recusants' lands, to be recovered by him.

But the most comprehensive list of grants is contained in a manuscript volume in the British Museum, which shows that in six years (1606-11) the forfeitures of no fewer than seven hundred and ten Recusants were granted.<sup>1</sup>

The State Papers also contain a number of Schedules of grants of Recusants' compositions and leases, which would repay a detailed study.

It is also possible that the collection of the Revenue was occasionally farmed out, the grantee offering the King a fixed sum, and making his own profit out of any surplus.

Thus, in 1610, Sir John Saville offered the King £8000 for the benefit of Yorkshire Recusants,<sup>2</sup> while Sir George Manners and Sir Thomas Grantham offered £2000 *more than before* for the benefit of Lincolnshire Recusants. In 1626, a more enterprising financier, whose name is not given, offered the King £20,000 per annum for the benefit of all Recusants' lands in the whole country.<sup>3</sup> These are records of offers; I have found no evidence that they were accepted.

It is clear that the Recusants actually paid a great deal more than the sums that found their way into the Exchequer. How great was this margin, in some counties, at least, may be judged from the startling statement of a Member of the House of Commons in 1621, who said of the Recusants' revenue: '£4000 in one shire gathered, and not £100 came to the King.'<sup>4</sup>

<sup>1</sup> MS. 34, 765.

<sup>2</sup> S. P. Dom., Jas. I, Vol. 54 (78).

<sup>3</sup> S. P. Dom., Chas. I, Vol. 43 (27).

<sup>4</sup> Notestein.

It will be convenient to consider the problem under three heads :

1. The total liability of the Recusants, agreed and payable (i.e. the total assessment upon the Recusants).
2. The total sum actually paid by the Recusants.
3. The total sum reaching the Exchequer.

The earliest clue to the total liability is to be found in a document of 1603, quoted by Gasquet,<sup>1</sup> which runs as follows :

‘Whereas the penalties amount yearly to the sum of £13,595, as appeareth by the account of the officer appointed for that purpose, there is paid into the Exchequer for the Prince’s use but £3900 or thereabouts. The rest goes to certain courtiers who have begged these penalties, and compounded with them, and by that means become Patrons and Protectors of Recusants, whereby Popery is maintained and increased in this realm.’

A study of the Exchequer receipts shows that the figure £3900 means the receipts of a half-year only, and it is therefore possible that the estimate of total liability refers to a half-year also, in which case the figure for a full year would amount to some £27,000. But the fact that the fines were collected in two half-yearly instalments may explain the error. It is much less likely that there would be such a mistake in a calculation of the total value of the penalties.

The writer of this document suggests that more than two-thirds of the fines went to grantees, but the ambiguity of the figures makes it impossible to draw a definite conclusion.

The second clue to the total liability is a document in Lansdowne MSS. 153 (p. 92); this document is simply headed ‘Recusants’ Lands,’ without further explanation. Values are given for thirty-two counties, and the total

<sup>1</sup> *Hampshire Recusants* in ‘The Old English Bible and other essays,’ p. 364.

amounts to £43,332. The missing counties are Berks, Cheshire, Devon, Herts, Hunts, Leicester, and Rutland. The document is dated 1614.

There is support for this figure in a statement made by Sir James Perrott in the House of Commons in 1621: 'Whereas there is £40,000 due yearly to His Majesty from the recusants.'<sup>1</sup> It therefore seems reasonably safe to assume that, in the latter part of the reign of James I, the total liability of the Recusants amounted to approximately £40,000 per annum.

It is more difficult to estimate the total amount actually paid by the Recusants, as there is naturally no official record of the sums collected by the grantees.

There is, as far as I have been able to discover, only one solitary clue to the total amount *actually paid by the Recusants*, but it is of the greatest interest. A passage in one of the annual Letters of the Jesuit Mission, dated 1615, runs as follows: 'The negotiations for a truce have also been the occasion of lightening our burdens. A proposal, too, has been made to the Privy Council by the intervention of a Protestant in high station, to allow the Catholics to redeem themselves from the increasing plunder practised upon them for a yearly payment of 80,000 crowns, representing that the King's Treasury would be the gainer thereby, as at present the fine levied upon Catholics brought in only 28,000 crowns, owing to the defalcations of a multitude of officials or their immediate employers. Winwood, however, defeated all hope of a compromise by standing out for double the amount offered. The sole result has been to aggravate the wretchedness of the poor Catholics, whose proposal went to show that they might still be profitably mulcted.'<sup>2</sup>

If this letter is to be relied upon, we have limiting

<sup>1</sup> Notestein, Vol. 2, p. 97.

<sup>2</sup> Foley, *Records S. J.*, Vol. 7, p. 1096.

figures as to the amounts paid by the Recusants: they must have paid more than £20,000 per annum, but less than £40,000.<sup>1</sup>

Since the total liability at this time appears to have been in the neighbourhood of £40,000, it seems that the greater part of the liability was actually discharged in cash. To the extent that the payments fell short of £40,000, the difference can only be attributed to failure on the part of the royal officials to enforce the penalties up to the hilt, and perhaps to leniency on the part of the grantees. There is definite evidence that the officials of the Exchequer did not always collect the full amount due.

The officer who was responsible for the collection of the fines was, at this time, a certain Sir Henry Spiller. We have already noticed that he was attacked in the Parliament of 1621 for failing to collect the full fines, in certain cases. This was not, however, the first complaint about Spiller on this score. He was fiercely attacked in 1614, and his enemies asserted that the royal revenue was suffering heavily on account of his leniency to the Recusants. Thus, a certain George Margitts wrote to Sir Ralph Winwood (précis in Calendar of State Papers):

‘Certain records must be compared with his notes, or the cause so beneficial to the King will fall to the ground. The records are kept from his party, but are open to the recusants.’<sup>2</sup>

Spiller replied with a statement attributing the falling-off in the revenue to the fact that many Recusants had conformed, to the numerous grants and other causes, but

<sup>1</sup> It is to be noted that unconvicted Recusants also suffered financially, by the exactions of informers, who demanded a price for their silence. It is naturally impossible to assess the magnitude of these private exactions, but see S. P. Dom., James I, Vol. 115 (9).

<sup>2</sup> S. P. Dom., Jas. I, Vol. 178 (44).

his opponents replied that the actual revenue amounted to hardly a quarter of the amounts which had been remitted to the Recusants since the King's accession.<sup>1</sup>

At this point an extraordinary fact must be observed. There is unimpeachable evidence that Sir Henry Spiller was himself a Catholic, though doubtless he outwardly conformed. In Francis Peck's *Desiderata Curiosa*, p. 461, there is printed 'The Life of Mr. Arthur Wilson, the historian, written by himself,' and it is stated that the original was in the author's own handwriting. The relevant extract is as follows :

'After I had gotten these hands well, I was received by Sir Henry Spiller to be one of his clerks in the Exchequer office ; who also, with his family, were some of them absolute, and others of them Church papists. Yet the nature of his office was to prosecute those who were papists (such spiritual juggling there is always for money !) and for my part, I still stood indifferent.' The writer then proceeds to give a circumstantial account of his life in the Spiller household, and refers to Lady Spiller as 'a great papist,' zealous to convert Protestants.

In the *Journal of the House of Commons* there is an entry for March 2, 1626 that 'Sir Henry Spiller presented because neither he nor his servants, in four or five years, in St. Andrews in Holborn, received the Communion there. To which Sir Henry Spiller answered he used at Easter to remove into the country where he and they received.' The House, however, was not satisfied, for on March 20 following, it ordered Sir Henry Spiller to be presented as a Recusant.

It is indeed astonishing to find that the Royal officer primarily responsible for the collection of Recusancy fines was himself a Papist. It is not difficult to account for his lenient treatment of the Recusants, and there

<sup>1</sup> S. P. Dom., Jas. I, Vol. 180 (69 and 70).



could be no better proof of the ubiquity of Catholicism at this time.

A further proof of the increasing mildness of the administration is to be found in a comparison of the number of Recusants who paid their fines into the Exchequer in 1615 with the corresponding number in 1594. Although there is very little difference between the Exchequer receipts in the two years in question, we find that the number of Recusants who paid in 1615 was more than twice as great as the number who paid in 1594. It is therefore clear that the average fine per head in 1615 was less than half what it had been in the earlier year.

We have now to consider the sums reaching the Exchequer. If we are to rely on the letter quoted from Foley, the Recusants must in 1615 have paid a total sum exceeding £20,000; yet the Exchequer receipts for the fiscal year 1615-16 amounted to only £6529. It follows from this that only about one-quarter (or less) of the payments reached the Exchequer, while the remaining three-quarters must have gone to the grantees, though some allowance must perhaps be made for defalcations by collectors. It is impossible to determine precise proportions, but this conclusion is borne out by a comparison of the number of Recusants paying fines into the Exchequer with the number of Recusants whose fines were granted to courtiers and favourites. In the year 1615 the number of Recusants who paid fines into the Exchequer did not much exceed 300, while in the six years from 1606-11, no fewer than 710 Recusants were assigned to grantees. The question of the relationship between the number of convicted Recusants and the number who actually paid the fines is discussed below.

The trend of the Exchequer receipts from Recusants between 1586 and 1640 may be observed from the

table<sup>1</sup> on this page. It is unnecessary to give the figures for every year; the general trend of events is shown by these examples.

1586 . . .	£1,518
1587 . . .	£5,745
1592-98 . . .	£6,500 (per annum approximately)
1600 . . .	£8,478
1603-04 . . .	£1,414
1607-08 . . .	£6,873
1608-09 . . .	£9,787
1614-15 . . .	£7,629
1615-16 . . .	£6,529
1623-24 . . .	£3,141
1629-30 . . .	£5,200
1632-33 . . .	£11,000
1633-34 . . .	£26,000
1634-35 . . .	£12,000
1635-36 . . .	£8,281
1636-37 . . .	£11,663
1638-39 . . .	£7,858
1639-40 . . .	£32,288

The low figure for 1603-04 represents the first attempt of James to relax the Penal Laws. The rise in the years immediately following 1605 reflects the reaction to the Gunpowder Plot. The gradual decline after 1610 to the low level of 1623-24 reflects the cautious and tentative efforts of James to relieve the Catholics, while

<sup>1</sup> The Exchequer receipts from 1583 to 1602 are given in Gasquets' *Hampshire Recusants*. (In 'The Old English Bible and other Essays,' pp. 355-6.) Father Gerrard carries the account up to 1609 in his *What was the Gunpowder Plot*, Appendix O, p. 279; his figures were taken from Lansdowne MSS. 153. The figures for later years are taken from the Pells Abbreviate Books in the Public Record Office.

the low level of 1623-24 coincides with the negotiations for the Spanish marriage.

It is interesting to contrast the trend of the Recusancy fines with the enormous increase in the number of Recusancy convictions after the Gunpowder Plot. The question of convictions is discussed in detail in the following chapter, and it is sufficient at this point to note that there were probably three times as many convicted Recusants at the close of the reign as there had been at James' accession. By contrast, the Exchequer receipts from Recusants rise in 1608-09 only slightly above the level of 1600, and afterwards fall considerably below it. Though this was, as we have seen, partly due to greater leniency in the exaction of the penalties, it was also very largely due to the lavish grants by James to his courtiers and friends. We have seen that, comparing 1615 with 1594, while the number of convicted Recusants was trebled, the number paying fines into the Exchequer was only doubled. This points clearly to an increase in the *proportion* of grants, as compared with the proportion of grants under Elizabeth.

Perhaps the most striking feature of the table is the rapid rise in the annual receipts from £3141 in 1623-24 to £26,000 ten years later. The increase does not appear to have been due to increased severity in the system of collection; the evidence of Wentworth's composition papers makes the point clear. It may be that a larger number of Recusants contributed to the total; unfortunately, under Charles I, the Pell's Abbreviate Books cease to give details of individual Recusants. But, beyond doubt, the principal cause of the increase was the fact that Charles ceased to grant the fines to his courtiers. There are no records of grants, in the reign of Charles, that can compare with the lavishness of James. It is in this fact, rather than in increased severity, that the explanation of the increase in the Exchequer

receipts is to be found, though it is highly probable that the increasing financial difficulties of the Government may have led to a larger number of Recusants being required to contribute.

According to Gardiner, in 1635 the fines were commuted from two-thirds to one-third of the value of the Recusants' lands.<sup>1</sup> The change in policy is reflected in the sharp fall in the Exchequer receipts from £26,000 in 1633-34 to £12,000 in 1634-35. During the four years from 1635 to 1639, the receipts fluctuated between £7000 and £12,000, but in 1639-40, the unprecedented figure of £32,288 is recorded. It is particularly to be observed that practically the whole of this sum (i.e. £30,774) was paid into the Exchequer in the *first half* of the year, i.e. in the term of Michaelmas, 1639. The term of Easter, 1640, yielded a mere £1514. It is very possible that the exceptionally large sum received during the Michaelmas term included the voluntary contribution of the Catholics to the expenses of the King's Scottish expedition. According to Albion,<sup>2</sup> the Catholic collectors had £10,000 in hand in July, 1639, but it is quite possible that this sum did not find its way into the Exchequer until after Michaelmas. No other explanation would seem to fit the facts. If this assumption is correct, the year 1633-34 marked the peak of the King's revenue from Recusancy fines.

Lawrence Squibb, one of the tellers of the Exchequer, in a memorandum dated 1641, wrote: 'Concerning the revenue upon recusants' lands, that of the north parts hath been raised to £10,000 or £12,000 per annum, and of the south to £4000 or £5000 per annum.'<sup>3</sup> This suggests a total of some £16,000. No doubt this figure represents the full amount of the assessment on the

<sup>1</sup> *History of England*, Vol. 8, p. 133.

<sup>2</sup> G. Albion, *Charles I and the Court of Rome*, p. 336.

<sup>3</sup> S. P. Dom., Chas. I., Vol. 485 (108).

Recusants, after the reduction from two-thirds to one-third in 1635. But apart from the collection of Michaelmas, 1639, the Exchequer receipts rarely reached this sum. The collection for Easter, 1638, was large, reaching £14,940, but the Pell's Abbreviate Book for the other half of the year (Michaelmas, 1637), appears to be missing.

All the foregoing figures are subject to one qualification. The system of collection was a dual one, some of the fines being collected by the Royal officials and some by the sheriffs of the counties. There is in the British Museum a document which gives a detailed statement of the Exchequer receipts for the half-year to Easter, 1595.<sup>1</sup> This document is of first-rate importance, for it shows the amount paid by each individual Recusant. The total agrees approximately with the figure given by Gasquet, the discrepancy being only £189. The writer goes on to state :

‘There is, I think, much more money rising by recusants, which is still paid to the sheriffs of the counties, and so passed in the particular accounts of the Pipe Office, yet pleased your Lordship to say that order should be taken with Mr. Vaughan that all money growing thereby should be particularly paid to the Receipt, which performed, your Lordship may always know from me the certainty thereof, according to this certificate.’

But, if we can rely upon an account printed in William Prynne's *Popish Royal Favourite*, it would seem that the sums collected by the sheriffs were comparatively small. According to this account, which covers the years 1628 to 1640, the sheriffs' collections averaged only £314 per annum in the south.<sup>2</sup> But it is to be noted that in

<sup>1</sup> Harleian MS. 7042, pp. 211-12 ; see Appendix IV.

<sup>2</sup> This is a good example of the Parliamentary propaganda of the time. Prynne implied that the sheriffs' collections were the *only* amounts paid by the Recusants.

1627, the King had ordered that the fines should be paid only to the Royal Receivers, and it is possible that in earlier years the sheriffs may have collected larger sums.

No one who studies the records of Recusancy fines can fail to be struck by the comparatively small sums involved. It is impossible to assess the total number of convicted Recusants alive in each consecutive year, but it will be shown in the following chapter that immediately before the Civil War the total number was probably in the neighbourhood of 27,000. In the latter years of the reign of Elizabeth, the number was certainly greater than 4000, and probably about 8000. As the reign of James I progressed, the number rose steadily, and possibly exceeded 20,000 at the end of the reign. We have also noted that the total annual sum paid by the Recusants in or about 1615 must have been less than £40,000. It is impossible to fix these figures precisely, but it is evident that the average fine per Recusant was very small, at the most hardly more than £2 per head. Even allowing for the very much greater value of money in those days, this was not an enormous sum, and is scarcely compatible with the conception of crushing financial pressure on the Recusants.

The truth, however, seems to be that this is one of the cases in which an *average* figure is entirely misleading. We have already noticed the document in the British Museum which gives a full and detailed account of the Exchequer receipts from Recusants for the half-year to Easter, 1595. This account contains *only* 155 *names*. Allowance must be made for the fact that in three or four cases the Recusant's name is followed by the words '*et al,*' indicating a joint payment by several Recusants, but this is offset by the fact that in several cases the same names are repeated, indicating that some Recusants paid in two or more instalments. Substantially, therefore, only some 155 Recusants, more or less,

actually paid their fines into the Exchequer. Some, of course, may have paid to the sheriffs, but it is of little consequence whether the total was 155, or 200, or 300; the point is that the number of Recusants who paid their fines into the Exchequer is ridiculously small, by comparison with the total number of convicted Recusants. The Recusant Roll for the year 1592-93, printed by the Catholic Record Society, contains more than 3500 names, and that is in the Roll for one year alone.

Many Recusants, we know, paid their fines to grantees, but even in the years following the Gunpowder Plot, when the grants reached their peak, the total number of Recusants granted in six years was only 710, and this at a time when the number of convicted Recusants was increasing rapidly.

However one looks at these numbers, one cannot escape the conclusion that the great majority of convicted Recusants paid nothing at all.

If 155 Recusants accounted for payments totalling over £6000 per annum, it can hardly be doubted that the Recusants who paid even the record sum of £26,000 in 1633-34 must have been a very small proportion of the 27,000 convicted Recusants at that time.

Much has been made of the fact that, according to law, a convicted Recusant was liable to the crushing penalty of £20 per lunar month, but it would be hard to find a better example of a complete contrast between theory and practice. In point of fact, the detailed account for the half-year to Easter, 1595, shows that only thirteen Recusants in the whole of England actually paid this sum, while by 1603 the number had risen to sixteen. Some misunderstanding has, perhaps, arisen from the fact that in the Recusant Rolls there is noted after the name of each recently convicted Recusant the sum of £20, £40, or £60, or more, according to whether the term of Recusancy mentioned in the indictment was

one, two, three, or more months. There can be no possible doubt that these notations were made purely as a matter of form; at no time was there any attempt to enforce these fantastic fines, except in the cases of the unfortunate sixteen gentlemen mentioned above. Even Cardinal Gasquet seems to have been misled in this matter. In the *Hampshire Recusants* he writes:

‘The amounts, as stated to have been forfeited in this latter reign, became so enormous that one almost hesitates to believe them. I give one entry exactly as it stands. It is endorsed “Recusants, 10th July 1612,” and it is to the following effect: “The forfeitures of Recusants which have been escheated into this court from the beginning of Michaelmas term in the 9th year of the King’s Majesty’s reign, to the end of Trinity term in the 10th year of his said Majesty’s reign, do in the whole amount to, as by the Estreats thereof, remaining in the custody of the Clerk of the Estreats of this court, and by him cast up, particularly appeareth £371,060.” There would appear to be no reasonable doubt about this record; but the effect is to show that, in this one year, property of Catholic Recusants was confiscated to the Crown to the amount, in modern figures, of £4,452,720.’<sup>1</sup>

Cardinal Gasquet writes as if this enormous sum of £371,060 represented the value of *lands forfeited* in the year 1612-13. This interpretation will not hold water for a moment. There is one and only one explanation of the document he quotes, and that is that the figure £371,060 represents the sum total of the theoretical £20 a month due from Recusants convicted in that year, which was noted as a formality on the conviction record, but never taken seriously. In other words, it

<sup>1</sup> *Hampshire Recusants*, pp. 365-6.



was purely a fanciful calculation, having no relation whatever to practical facts. If anyone doubts this explanation, it should be sufficient to point out that £371,060 is *exactly divisible* by 20. It would be straining the laws of probability too far to suggest that the aggregate of the values assigned to many thousands of estates (each calculated at so many pounds, shillings, and pence) happened, by a coincidence, to be an exact multiple of £20.

Our conclusion is that while convictions were numbered by thousands, the Recusants who actually paid fines were numbered only in hundreds. The vast majority of convictions, it would seem, were never followed up at all.

In one way, this suggests that the enforcement of the penal laws was much milder and laxer than has been commonly supposed, but on the other hand, it becomes clear that the few Recusants who did pay paid relatively heavily, though less than the letter of the law required.

The account for the half-year to Easter, 1595, shows that thirteen Recusants paid the full £20 a month, while the average fine of the remaining Recusants was £11 a half-year or £22 for a full year. Bearing in mind the value of money in those times, £22 a year represents a very heavy tax indeed. Sir Henry Spiller in 1621 mentioned as a partial explanation of the decline in the Recusants' Revenue the conformity of 600 Recusants whose fines amounted to £6000 per annum, which suggests an average of only £10. It seems certain that the average penalty diminished still further under Charles I.

To sum up; the financial penalties for Recusancy, though theoretically overwhelming, were seldom enforced up to the hilt. In the majority of cases they were not enforced at all; only in a comparatively few hard cases were very heavy burdens imposed.

## CHAPTER VI

### RECUSANCY STATISTICS IN THE SEVENTEENTH CENTURY

THE numerical strength of the English Catholics in the seventeenth century is a matter about which widely differing opinions are held. Hume held that under Charles II they were only one-hundredth of the population, while Macaulay suggested one-fiftieth. Meyer considered that under James I, they did not amount to more than  $2\frac{1}{2}$  per cent. The most recent reference to the problem is that of Mr. Godfrey Davies, in his volume on *The Early Stuarts*, in which he mentions the Bishops' Return of Recusants in 1603, where the total number is given as 8512. Mr. Davies, however, appears to accept the estimate of Panzani, the Papal Agent who visited England in 1636, when he wrote that the English Catholics numbered 150,000. On the other hand, Usher, in his *Reconstruction of the English Church*, seems to favour a much higher figure; he gives a map showing the Catholic percentage in each county, and credits some of the northern counties with being 85 per cent Catholic, but he does not state the basis of his calculations. Pollock, in his *Popish Plot* remarks that more than one-third of the officers killed in the Civil War on the Royal side were Catholics; this statement undoubtedly has its origin in *The Catholic Apology*, attributed to the Earl of Castlemaine, in which the names of more than two hundred fallen Catholic officers are given.

From these widely varying estimates, no reliable conclusions can be drawn.

The first step in the solution of the problem is to determine the number of convicted Recusants. Of the many penal enactments against the old religion, none had more far-reaching consequences than the Act of 1587,<sup>1</sup> by which all Popish Recusants (i.e. Catholics who abstained from attendance at the services of the established Church) were liable to the enormous fine of £20 per lunar month, or, in default, to forfeiture of two-thirds of their lands and goods. The Recusant did not become liable to these penalties until he had been formally convicted of Recusancy by a Court of Law. Incidentally, it is to be noted that the penalties applied to *Popish* Recusants, and not to Protestant Nonconformists; it therefore seems unlikely that Protestants were ever convicted of Recusancy. If the number of convicted Recusants can be determined, this will at least provide a foundation upon which estimates of the total number of Catholics can be built up; it is perhaps hardly necessary to point out that the convicted Recusants were merely the nucleus of the whole Catholic body.

#### A. THE RETURNS OF 1603, 1606, AND 1613.

The earliest seventeenth-century document which claims our attention is the Diocesan Return of 1603, entitled 'A brief sum of all the Parishes, Impropriations, Preachers, Communicants, and Recusants certified for the several dioceses of both the provinces of Canterbury and York.'<sup>2</sup>

The table opposite is a summary of this document.

There are minor discrepancies between the totals of this summary and the totals given in a note attached to the original document. Thus, in the summary on the

<sup>1</sup> 29 Eliz., Cap 9.

<sup>2</sup> Harleian MS. 280, pp. 157-172.

document itself, the Recusants are given as 8512, against 8590 in the following summary. The total number of parishes in the country is given as 9054, against 9254 ;

Diocese	No. of Parishes	Impro- priations	Preachers	Communi- cants	RECUSANTS		
					Men	Women	Total
Chichester	250	120	211	48,325	109	153	262
Bristol . . .	236	64	126	44,445	89	124	213
Sarum . . .	248	109	200	76,307	—	—	171
Ely . . .	141	75	112	29,909	—	—	19
Peterborough . . .	293	91	144	54,086	13	83	96
Exeter . . .	604	239	223	188,774	44	55	99
Gloucester . . .	267	125	127	57,563	33	31	64
Hereford . . .	313	166	81	62,954	152	279	431
Coventry and Lichfield . . .	561	259	86	117,256	231	419	650
Bangor . . .	61	38	47	38,840	11	21	32
St. Asaph . . .	121	19	41	53,188	100	150	250
Llandaff . . .	177	98	50	37,100	—	—	381
St. David's . . .	305	100	84	83,322	—	—	145
Canterbury . . .	262	140	201	52,753	18	20	38
Peculiars belong- ing to Canter- bury . . .	54	14	58	17,603	5	13	18
Rochester . . .	98	42	76	18,956	11	7	18
London . . .	613	189	503	146,857	166	152	318
Norwich . . .	1121	386	259	147,552	147	177	324
Oxford . . .	194	88	85	33,527	93	141	234
Bath & Wells . . .	412	160	163	84,088	50	52	102
Winchester . . .	362	132	220	58,707	149	249	398
Worcester . . .	241	76	120	34,465	102	168	270
Lincoln . . .	1255	577	920	242,550	—	—	295
York . . .	581	336	433	214,470	300	420	720
Durham . . .	135	87	63	67,279	211	315	526
Chester . . .	256	101	161	178,190	922	1520	2442
Carlisle . . .	93	18	36	61,699	30	44	74
	9254	3849	4830	2,250,765	2986	4593	8590

Improvements, 3841, against 3849 ; and Preachers 4793, against 4830. These discrepancies, however, are trivial ; they may be due either to errors in transcribing details from the original document, or to errors in the

episcopal summary, but they are, for our purposes, of no great consequence.

A number of interesting facts emerge from this analysis. The first is that the figures for communicants, and therefore we may presume for Recusants, do not include children, for the total number of communicants, about two and a quarter millions, is approximately one half the generally accepted figure for total population, at this time, viz. four to four and a half millions. This implies that the total number of children was equal to the total number of adults, which is just about what, on general principles, we should expect. The important deduction, for our purposes is that we may reasonably assume that no Recusancy returns, either at this or later dates, included children and that all Recusancy statistics must be doubled, in order to find a figure which may be validly compared with total population. No one will deny that, even without the above document to guide us, such a presumption is merely common sense. To set all doubts at rest it is only necessary to consult the various Penal Statutes, many of which explicitly apply to Recusants above the age of sixteen years.

The second interesting point about the Diocesan Returns is that, in the case of two dioceses, Ely and London, there are inserted figures for 'noe-communicants.' These interpolations, it is interesting to note, are in a different hand to that in which the rest of the document is written. The number of 'noe-communicants' given for Ely is 668, against only 19 Recusants, and for London 1572 against 318 Recusants. These figures are important, because they show a recognition of the fact that the Recusants were only a small part of the Catholic body; the non-communicants are obviously Catholics who temporised as far as to go to church, but who refused to take the much more serious step of receiving the Protestant communion. Compare the

description of a 'Church Papist':<sup>1</sup> 'His greatest subtlety is to put off the communion.'

Both these points, concerning children and non-communicants, must be borne in mind, for they materially affect the calculations which follow.

The next point to observe is the fact that the women Recusants are half as numerous again as the men. Here is statistical proof of the generally accepted fact that the head of a house would often outwardly conform, while his wife and children did not go to church. The explanation is simple: the man was the owner of the family lands, and it was upon *his* Recusancy that two-thirds of the land were forfeit to the Crown. By the Act of 1609, however, 'a married woman, being a Popish Recusant, and not conforming within three months after conviction, may be imprisoned . . . until she conform, unless the husband pay £10 monthly, or forfeit a third of all his lands.' The penalty for having a Recusant wife was thus only half the penalty to which the husband was liable for his own Recusancy. The original Act, by which a Recusant forfeited two-thirds of his lands, had been passed in 1587; it was thus twenty-two years later that the corresponding penalty for a Recusant wife came into force. The measure of 1609 was clearly designed to attack the widely prevailing practice by which a man conformed, his wife and children being Recusants, for while Recusant wives, not only by precept, but also by example, brought up their children as Catholics, there was little hope of the complete extirpation of the Catholic religion.

It is not explicitly stated in this document that the figures refer to *convicted* Recusants, and it may be that the bishops meant the total to include all Recusants, whether convicted or not.

<sup>1</sup> See ante, page 2.

The next Recusancy return of importance is dated 1606, the substance of which may be given as follows :

NUMBER OF RECUSANTS 1606 <sup>1</sup>	
Norfolk, Suffolk, Hunts, Beds, and Bucks	700
Hants, Wilts., Dorset, Somerset, Devon and Cornwall . . . . .	924
Northants, Rutland, Lincs, Notts, Derby, Leicester and Warwick . . . . .	923
Yorks . . . . .	1,000
Lancs . . . . .	600
Oxford, Berks, Gloucester, Monmouth, Shropshire, and Staffs . . . . .	1,865
Surrey, Kent, Sussex, Essex, and Herts . . . . .	114
	6,126

It will be noticed that this return is incomplete, covering only thirty-three counties. The strongly Catholic areas of Durham, Northumberland, Cumberland, Westmorland, Cheshire and Wales are missing, as also are London and Cambridge. Making allowances for these omissions the total of 6126 tallies very closely with the total of 8590 for 1603. It is impossible, however, to reconcile the 600 Lancashire Recusants in the later document with the 2442 in the diocese of Chester, according to the earlier return.

Under the figures for Hants, Wilts, etc., there are two very interesting comments :

‘Many women Recusants, and their husbands come to Church, but permit their wives to continue Recusants and seduce others.

‘Many more Recusants in these counties, but not yet indicted.’

<sup>1</sup> S. P. Dom., Jas. I, Vol. 13 (52).

This last statement is a significant admission, and suggests also that the figures given are of convicted Recusants. It is perfectly clear that these figures do not include more than a fraction even of those Recusants whose names were known to the authorities; a certificate signed by the Bishop of London in the very same year (1606) shows that there were 148 known Recusants in Essex alone.<sup>1</sup> Compare 114 Recusants for five counties, including Essex, in the foregoing statement.

The next document of importance is dated 1613, and is headed: 'A true abstract of the recusants, non-communicants presented by the parsons, vicars, curates, churchwardens and sworn men of the several parishes and chapeltries in the county of Lancs hereafter mentioned as followeth.'<sup>2</sup>

The figures are as on page 88.

The blank spaces in the following table indicate blank spaces in the original document. It seems likely, though it is not specifically stated, that the figures cover one complete hundred of Lancashire.

Unfortunately, the number of communicants are only given for 24 out of the 48 parishes, and thus it is impossible to express the Recusants and non-communicants as a percentage. It is to be noted that in most cases where the number of Catholics is large, the number of communicants is not given.

Several interesting facts emerge from this table. The first is that the number of Recusants, 2075, is almost as great as the number shown in the 1603 return for the whole diocese of Chester, 2442; although the above table covers only 48 parishes, while there were 256 parishes in the diocese of Chester. In the return of 1606

<sup>1</sup> Historical Manuscripts Commission, 10th Report, Appendix IV, pp. 485-90 (MSS. of the Custos Rotulorum and Justices of the Peace of the County of Essex.)

<sup>2</sup> Lansdowne MSS. 153, No. 10.



Number of Parishes.	Recusants.	Non-Com- municants.	Communicants.
9	90	51	5,928
I	92	28	1,217
I	4	—	—
I	2	—	—
I	2	—	—
I	57	15	—
I	5	1	—
I	45	0	—
I	60	18	733
I	109	0	603
I	202	39	2,035
I	73	33	645
I	9	9	—
I	0	0	—
I	15	9	95
I	80	113	2,297
I	50	10	—
I	25	11	—
I	36	26	—
I	224	166	—
I	70	600	—
I	20	414	—
I	163	34	—
I	44	0	—
I	175	—	—
I	6	77	—
I	57	65	—
I	163	436	—
I	0	0	1,000
I	0	0	137
I	24	0	1,300
I	15	0	—
I	49	—	—
I	4	6	—
I	80	93	—
I	0	0	1,600
I	0	0	279
I	1	0	409
I	2	0	562
I	22	138	1,324
<hr/>	<hr/>	<hr/>	<hr/>
Totals 48	2,075	2,392	20,164
<hr/>	<hr/>	<hr/>	<hr/>

the whole of Lancashire is credited with only 600 Recusants. These are glaring discrepancies and show clearly that the returns of 1603 and 1606 do not include anything like the whole number of Recusants.

If one has to choose between the return of 1603 and the document of 1613, the latter is clearly more reliable, because it is more detailed and circumstantial; figures are given for individual parishes. It may very well be that no great reliance should be placed on any Recusancy returns emanating from ecclesiastical sources, since there was always an obvious motive for understatement. For a vicar to admit a large number of Recusants in his parish, or for a bishop to make such an admission of his diocese, was a confession of personal failure, for it was the business of vicars and bishops to see that people went to church.

The second point that emerges from the 1613 table is that the non-communicants exceed the Recusants, in spite of the fact that for five parishes the figure for non-communicants is not given. The evidence of the two interpolations in the Diocesan Returns of 1603 is thus confirmed.

#### B. THE RECUSANT ROLLS AND OTHER RECORDS OF CONVICTIONS.

For a few years after the Act of 1587 the particulars of the amounts due to the Crown from the convicted Recusants were entered in the Pipe Rolls, but apparently the mass of detail grew too cumbersome, and from 1592 a separate annual roll was prepared to accommodate the Recusancy fines. For a hundred years, until the second year of William and Mary, the Recusant Rolls (*Cedul Pipe pro Recusantibus*) occupied a permanent place in the records of the Exchequer.

Each Recusant Roll is classified under county headings, and each section is divided into two parts.

1. In the first part are recorded particulars of the amounts due to the Crown from the convicted Recusants, whose lands had been forfeited. These records are entirely inadequate as a guide to the number of convicted persons, for the following reasons :

(a) The practice of granting the profits arising from Recusancy convictions to courtiers and servants of the Crown. In the short space of six years (1606-1611) the forfeitures of no fewer than 710 Recusants were granted by James I.<sup>1</sup>

Evidently these Recusants were mainly, if not entirely, of the wealthier class, for the list contains the names of twenty-four knights. Sometimes as many as ten Recusants were granted to a single individual.

(b) The possibility that the revenue may have occasionally been farmed. It is difficult to estimate the extent of this system, but there are several examples of offers for farming out the revenue of particular counties. Thus in 1610, Sir John Saville offered the King £8000 for the benefit of Yorkshire Recusants.<sup>2</sup> If the revenue was farmed the details of the individual cases would hardly appear in the Exchequer records.

(c) Remission of the fines by the King, in many individual cases. Thus, in the House of Commons, in 1621, one of the causes of the decline in the revenue from Recusants was stated by Sir Henry Spiller to be 'the King's grace exempting of new Recusants.'<sup>3</sup>

(d) Finally, it is certain that, in cases where the Recusant was very poor, his fines were not worth collecting. It has been shown in Chapter V that only a minority of convicted Recusants actually paid the fines.

<sup>1</sup> British Museum MS. 34, 765.

<sup>2</sup> S. P. Dom., Jas. I, Vol. 54 (78).

<sup>3</sup> Notestein, Vol. 4, p. 102.

Sir Henry Spiller in the same debate (i.e. in 1621) said that, of 1800 Lancashire Recusants 'there are 6 Esquires, 10 gentlemen, 250 men's wives and the rest people of no note. For by special commission which was executed in 3 places there was found but £252 per annum and £40 goods.'<sup>1</sup>

For these reasons the records of amounts paid into the Exchequer cannot possibly contain the names of all convicted Recusants.

2. The second part of the Recusant Rolls consists of a list of *recent* convictions for Recusancy. There is no reason to suppose that these lists are incomplete, but, on the other hand, there is no proof that they are complete; the problem could only be settled by a complete analysis of all the names on the Rolls for a considerable number of years, which would be a gigantic task.

It may seem that here is the answer to our problem, but we are at once faced by the awkward fact that the same person might be convicted for Recusancy on more than one occasion. This difficulty, however, is not as serious as it seems, as the following considerations will show.

I have examined the Rolls for six years of Charles I, and it is clear from even a cursory survey that convictions took place at very irregular intervals. For many counties there are no convictions recorded, even in two consecutive years, and in no case do all or nearly all counties appear in any one Roll.

In Volume VI of the Catholic Record Society there is printed a full list of convictions for Recusancy in twenty-two counties, for ten separate years of the reign of Charles II. This record is taken from a document in the British Museum,<sup>2</sup> and was prepared under the authority of Sir George Downing, Secretary to the Treasury. It

<sup>1</sup> Ibid.

<sup>2</sup> Add. MS. 20, 739.

is perfectly clear that this list was based on the Recusant Rolls; it is stated to be based on the Pipe Rolls, and, as we have seen, this means the Exchequer Rolls of Recusants. A study of these records shows that, in most cases, individual parishes do not appear more than once, although individual counties frequently appear in more than one year. Though there are many examples of the same person being convicted more than once, this seems on the whole to have been exceptional. As a test, I have made an analysis of the names of all those described as being gentlemen, or of higher rank, and I find that the total number of convictions should be reduced by about  $12\frac{1}{2}$  per cent, to allow for the repetition of the same names more than once.

A second test gives a similar result. Among the State papers there is a printed volume, containing the names of Recusants convicted in London and Middlesex between 1625 and 1642.<sup>1</sup> This book, in which the names are arranged under the letters of the alphabet, is perhaps the most perfect record of convicted Recusants in existence. I have not been able to make a complete analysis, but I have taken the entries under the letter E as an example, and I find that only twelve out of one hundred and two entries represent repetitions. This is almost exactly the same proportion as in the preceding example.

These tests suggest very strongly indeed that, subject to a small adjustment of about  $12\frac{1}{2}$  per cent, the number of convictions is equivalent to the number of convicted persons.

On the other hand, the Middlesex Sessions Records show that, in this district, indictments for Recusancy took place in every year between 1625 and 1642, and that there are innumerable cases of the same Recusant

<sup>1</sup> S. P. Dom., Charles I, Vol. 495. The book contains approximately 3750 entries.

being indicted again and again. The answer to this difficulty is, first, that the case of London and the surrounding districts is not typical of the country as a whole; for example, the Worcester Sessions Records show that no proceedings whatever were taken against Recusants between 1625 and 1634, that is, for nine consecutive years. Secondly, indictment is not the same thing as conviction, and it seems that only a minority of those indicted at the Middlesex Sessions were actually convicted. Comparing the Middlesex Records with the list of convictions in London and Middlesex (Vol. 495), we find that, of forty-eight knights mentioned in the indictments, only twenty-two appear in the list of convictions. There is therefore nothing in the Middlesex records which conflicts with the view that the number of convictions roughly corresponds to the number of convicted persons.

All surviving records of convictions have one feature in common: they show that there was a tremendous drive against the Catholics on the eve of the Civil War, between 1640 and 1642. Consider the number of convictions as shown by the Recusant Rolls for the following years :

1627-28	.	.	.	.	2,500
1633-34	.	.	.	.	2,000
1635-36	.	.	.	.	1,000
1636-37	.	.	.	.	700
1641-42	.	.	.	.	15,000

These figures are only very approximate, but they show beyond doubt that the opening of the Long Parliament was marked by strong pressure on the Catholics. It is interesting to note that Lancashire accounts for approximately 9000 out of the 15,000 in 1641-42. Even in this very long roll, no convictions are shown for nearly half the counties of England.

The Worcester Sessions Records tell the same story, as shown by the following table :<sup>1</sup>

Number of Recusants presented in 1634 . . .	40
"    "    "    "    "    1637 . . .	72
"    "    "    "    "    1640 . . .	46
"    "    "    "    "    1642 . . .	223

In the West Riding of Yorkshire, between the years 1637 and 1642, 156 Recusants were presented at the Quarter Sessions. One hundred and fifty, or nearly all of them, were presented at one Sessions in 1641.<sup>2</sup> It must not be thought that Quarter Sessions records are conclusive evidence of the numbers of Recusants convicted ; on the contrary, Recusants appear to have more frequently been convicted at the Assizes.

The picture may be completed by a glance at the Middlesex indictments. Prior to 1640, the highest number of Recusants indicted in any one Session rarely, if ever, exceeded 100, but at the Sessions held in December, 1640, no fewer than 1430 persons were indicted.<sup>3</sup>

It would be possible to determine the number of convictions over a period of years by a careful analysis of the Recusant Rolls, but I have not had the leisure to undertake this task. There are, however, two summaries of convictions in various counties for varying periods of years, which may serve our purpose. The first is a document prepared in 1641 headed 'Convictions of Recusants from primo Caroli in the 29 English counties in the Southern division.'<sup>4</sup> This document was published by the controversialist, William Prynne, in a pamphlet

<sup>1</sup> Worcester Historical Society, *Quarter Sessions Rolls*, Introduction, p. ccxvi.

<sup>2</sup> Yorkshire Archæological Assoc., *West Riding Sessions Records*, Preface, p. xxiii.

<sup>3</sup> See *Middlesex County Records*.

<sup>4</sup> S. P. Dom, Chas. I, Vol. 478 (69).

entitled 'The Popish Royal Favourite,' with the following preamble :

'How many recusants were convicted from the first till the sixteenth year of His Majesty's reign, only in the Southern parts of England (besides Wales and the northern parts, where they most abound), many of them being persons of quality, will appear by this certificate of Mr. John Pulford, specially employed in their prosecution by His Majesty.'

It seems that Prynne made no distinction between the number of convictions and the number of convicted persons.

This document may be compared with the summary of convictions in twenty-two counties, prepared in 1677, and printed in Volume 6 of the Catholic Record Society, referred to above. The statement of 1641 includes the convictions for periods which vary for each county, but in most cases for twelve, thirteen, or fourteen years, while the statement of 1677 includes convictions for ten years. It is instructive to compare the two documents, which may be summarised as in Table on page 96.

It will be observed that in nearly all cases where the same counties appear in both tables, heavy declines are recorded. For 17 counties, figures are available for both periods ; in 1641, the total number of convictions for these counties was 5270, while in 1677 it was only 2078, or less than half. The decline may have been the reflection of a decline in the number of Catholics ; it may also be that there was less energy in the prosecution of Recusants.

Unfortunately there is no list of this kind which covers the whole country, but a composite figure may be built up by taking the list of 1641 as a base, and adding to it such figures for the missing counties as are available. (See Table on page 97.)



## RECUSANCY CONVICTIONS

	Until Anno Car. I	John Pulford's Certificate, 1641	B.M. Add. MS. 20,739, 1663-77 (Pipe Roll for 10 of these years).
Beds	14	90	77
Berks	14	360	95
Bucks	14	310	85
Cambridge	13	40	75
Cornwall	13	160	—
Devon	13	200	42
Dorset	14	210	41
Essex	12	190	96
Gloucester	12	80	—
Herts	4	20	31
Hunts	14	50	34
Hants	14	960	284
Hereford	15	760	—
Kent	13	290	25
Leicester	16	420	—
Middlesex	16	1,060	—
London	?	London & Midsx.	52
Mon.	14	1,400	—
Norfolk	14	490	441
Northants	9	230	—
Oxon	14	440	—
Salop	12	560	—
Somerset	14	330	29
Sussex	12	950	265
Suffolk	13	460	210
Surrey	12	160	10
Wilts.	14	160	238
Warwick	12	1,000	—
Worcester	13	540	—
Staffs		—	678
Lancs		—	5,496
Yorks		—	1,855
Newcastle		—	77
		<u>11,920</u>	<u>10,236</u>

THE 'COMPOSITE' TOTAL OF CONVICTED RECUSANTS

Counties included in the List of 1641 :

Beds . . . . .	90	
Berks . . . . .	360	
Bucks . . . . .	310	
Cambridge . . . . .	40	
Cornwall . . . . .	160	
Devon . . . . .	200	
Dorset . . . . .	210	
Essex . . . . .	190	
Gloucester . . . . .	80	
Herts . . . . .	20	
Hunts . . . . .	50	
Hants . . . . .	960	
Hereford . . . . .	760	
Kent . . . . .	290	
Leicester . . . . .	420	
Middlesex . . . . .	1060	
Monmouth . . . . .	1400	
Norfolk . . . . .	490	
Northants & Rutland . . . . .	230	
Oxford . . . . .	440	
Shropshire . . . . .	560	
Somerset . . . . .	330	
Sussex . . . . .	950	
Suffolk . . . . .	460	
Surrey . . . . .	160	
Wilts. . . . .	160	
Warwick . . . . .	1000	
Worcester . . . . .	540	11,920

Counties included in the Lists of 1677 :

Staffs . . . . .	678	
Lancs . . . . .	5496	
Yorks (E. & W. Ridings) . . . . .	1855	8,029
		<hr/>
		19,949

## Counties from other sources :

Yorks (N. Riding), 1625 <sup>1</sup>	.	.	2400	
London, 1642 <sup>2</sup> (approx.)	.	.	3750	
Northumberland, 1625 <sup>3</sup>	.	.	900	
Durham, 1626 <sup>4</sup>	.	.	1000	8050
			<hr/>	
		Total		<hr/> 27,999 <hr/>

This total must be reduced, as follows :

1. The 1641 list includes 1060 convictions for Middlesex, but as the list of London convictions (Vol. 495) includes Middlesex convictions, 1060 should be deducted from the total of 27,999, leaving 26, 939.

2. The calculations with regard to repetition of names suggest that the total number of convictions should be reduced by one-eighth, to arrive at the number of convicted persons. This deduction will not apply to the figures included above for Yorks (N. Riding), Northumberland, and Durham, since these are based on statements of the number of convicted persons. The necessary deduction is :

$\frac{1}{8}(26,939 - 4300) = 2830$ . Deducting 2830 from 26,939, we arrive at an estimate of 24,109 convicted persons in thirty-four counties. Some further small deduction may be necessary to allow for the fact that the London convictions include the names of many country gentlemen, presumably convicted while visiting the capital, and who may have been convicted at other times in their own counties. However, in round figures, 24,000 is probably accurate enough.

The missing counties are Cumberland, Westmorland,

<sup>1</sup> Statement in House of Commons. See Camden Society, 1873.

<sup>2</sup> S. P. Dom., Chas. I, Vol. 495.

<sup>3</sup> S. P. Dom., Chas. I, Vol. 522 (52).

<sup>4</sup> S. P. Dom., Chas. I, Vol. 35 (18).

Cheshire, Derby, Nottingham, and Lincoln. Cumberland and Westmorland were strongly Catholic, and there is a document among the subsidy rolls which shows that in 1641 there were more than two hundred convicted Recusants in the Leath Ward of Cumberland<sup>1</sup> alone—and there were five wards in Cumberland. Cheshire, on the other hand, in spite of its proximity to Lancashire, appears to have contained a very small number of Recusants, but Derby seems to have accounted for a fairly large number. The Recusant Roll for 1641-2 shows, according to my calculation, that 454 Derby Recusants were convicted at one assizes. Nottingham seems to have contained few Recusants, but there was always a strong Catholic element in Lincolnshire. In Wales also, the Catholic element appears to have been fairly strong. It is impossible to say what addition should be made to cover the missing areas, but an allowance of 3000 would seem a conservative estimate. If this figure be taken as a reasonable hypothesis, we have a final total of 27,000 convicted Recusants in England and Wales.

This calculation suffers from the defect that the figures from which it is constructed are not entirely contemporaneous, but I suggest that, taking the list of 1641 as the groundwork of the calculation, the sum-total is, if anything, an understatement of the number of convicted Recusants at that date. In the first place, the figures for Lancs, Staffs, and the East and West Ridings of Yorkshire are taken from the 1677 list of convictions; a comparison of the two documents shows that, in nearly all cases, there were more convicted Recusants under Charles I than under Charles II. With regard to Lancashire, the Recusant Roll for 1641-2 shows that more than 9000 Lancashire Recusants were convicted at one assizes.

<sup>1</sup> Public Record Office, E 179; 90/71.

In the second place, the list of 1641 does not include the convictions of the sixteenth year of Charles I (1640-1) except in the cases of Leicester and Middlesex. Bearing in mind the great drive against the Recusants between 1640 and 1642, it seems fairly safe to assume that, had the list been prepared a year or two later, larger totals would have been disclosed. Taking all considerations into account, it seems that an estimate of 27,000 convicted Recusants in England and Wales in 1641 or thereabouts is by no means exaggerated. Allowing for children, this suggests a 'convicted Recusant population' of perhaps 54,000 which is slightly more than 1 per cent of the total population.

### C. OTHER EVIDENCE IN SUPPORT OF THE COMPOSITE TOTAL

The disparity between the composite total and the returns of 1603 and 1606 is apparent. Both these earlier returns, though internally inconsistent, point to a total of some 8000 Recusants, and the 1606 return at least appears to be a statement of convicted Recusants. It would therefore seem that there must have been a very great increase in the number of convicted Recusants between 1603-6 and 1641. There is ample evidence that this was in fact the case, and the disparity, so far from being a difficulty, rather confirms the reliability of our figures.

In the House of Commons in 1621 several speakers referred to the increase in the number of convictions. Thus, it was ordered 'that on Tuesday 20th February shall the Committee meet in the Exchequer to consider the decay of the Revenue of Recusants' lands, said to be £18,000 in 44 Elizabeth, and now but £7000 per annum, yet *thrice more convicted*, and more land extended than at that time,' which afterwards was bitterly debated between

Sir Henry Spiller and Sir James Perrott. Spiller affirmed 'never above £8000 in tempore Elizabeth.'<sup>1</sup>

One speaker also remarked: 'And albeit there be *four* times as many recusants now as in Queen Elizabeth's time.'<sup>2</sup>

And Sir James Perrott: 'Not half so many convict recusants in Queen Elizabeth's time.'<sup>3</sup>

Sir Henry Spiller gave a specific example: 'There appears by record to be in Lancashire 1800 recusants; of these there were not above eight or nine hundred in the Queen's time.'<sup>4</sup>

An interesting example of the steady growth in the number of convictions is to be found in the case of Northumberland according to a paper endorsed 'Sir H. Anderson's note.'<sup>5</sup> There were 306 convicted Recusants in that county in 1603, but by 1617 the number had risen to 507, while by 1625 the figure is given as 900. Between 1603 and 1625 the number of convicted Recusants in Northumberland was almost precisely trebled.

In the Parliament of 1621 King James himself remarked in the course of his speech: 'I think there are more recusants discovered, but not that there are more indeed than heretofore . . . perchance they have been heretofore more wary, and now show themselves in greater numbers.'<sup>6</sup> It would be an error to assume that an increase in the number of convictions implied an increase in the number of Catholics. It is much more likely that the more tolerant regime which developed under the Stuarts emboldened the Catholics to show themselves more openly; it is worth noting that while the enforcement of the penalties of the law lay with the Crown,

<sup>1</sup> Notestein, Vol. 5, p. 256.

<sup>2</sup> Ibid. p. 469.

<sup>3</sup> Ibid. p. 307.

<sup>4</sup> Notestein, Vol. 4, p. 102.

<sup>5</sup> S. P. Dom., Jas. I, 86 (113) printed in Surtees Society, Vol. 68, p. 432.

<sup>6</sup> Notestein, Vol. 4, p. 74.

anyone could indict a suspect for Recusancy. With the law as it stood, the Stuart Kings could hardly prevent convictions, but they could, and did, relax the consequent penalties. Though at first sight it may seem strange that an increasingly tolerant regime should be accompanied by an increasing number of convictions, these considerations afford sufficient explanation. This view is borne out by a letter of the Attorney-General Coventry to Secretary Conway, referring to a suggestion that presentments of Recusants should be prohibited; he advises against such a course, remarking that 'no harm can result from presentments, since all forfeitures on conviction are forbidden to be levied.'<sup>1</sup>

The Subsidy Rolls for 1641 throw a partial and fragmentary light on the numbers of convicted Recusants in a few scattered areas. The Subsidy Act of 1641<sup>2</sup> included provisions that convicted Recusants liable to the subsidy should pay at double rate, and that all convicted Recusants who were not wealthy enough to be liable should pay a toll tax of 8d. to each subsidy. This part of the Act does not appear to have been carried out effectively, for it is only in a few cases that the Subsidy Rolls contain particulars of convicted Recusants.

Thus, for the Amounderness hundred of Lancashire, the names of 1884 convicted Recusants are recorded for the poll tax, while the hundreds of Salford, West Derby, and Leyland accounted for 2306, making 4190 convicted Recusants in four hundreds out of six. This shows that the figure of 5496 for Lancashire in the composite total is not excessive. In the case of the Offlow hundred of Staffs 539 persons were assessed to the subsidy, of whom 16, i.e. 3 per cent, are marked as Recusants (i.e. *convicted* Recusants). In addition, another 140 Recusants were assessed to the poll tax. Compare this with 678

<sup>1</sup> S. P. Dom., Jas. I, Vol. 185 (54), March 15, 1625.

<sup>2</sup> 16 Car. I, cap. 2.

convicted Recusants for the whole county, in the composite total.

In the roll for the Seisdon hundred of Staffs, 4 out of less than 200 persons liable to the subsidy were marked as convicted Recusants; that is, slightly more than 2 per cent.

The convicted Recusants had also been liable to the subsidy at double rate in 1628; the Subsidy Roll for the Leyland hundred of Lancashire, in 1628, shows the names of 160 persons, of whom 11, i.e. 7 per cent, are marked as convicted Recusants.

There is finally one other piece of evidence which confirms the accuracy of the composite total in a very striking fashion. There is a manuscript in the Guildhall Library, London,<sup>1</sup> which appears to have been written by a Catholic, signing himself 'N. N.' in the year 1667, not long after the Great Fire. Rumours of popish plots were endemic in the seventeenth century, and it was only natural that the Papists should be accused of starting the Fire of London. 'N. N.' wrote scathingly of these rumours, and, in support of his argument, quoted an extract from a pamphlet entitled 'The Regal Apology,' which seems to have been written about the year 1647. The relevant part of this extract is the following:

*'It is well known that there are not in all above 24,000 Papists convicted in all England and Wales; allow as many more not having that capacity (for sure, when you shall have deducted the old decrepit men, and all the women, the number will not be much above) . . .'*

*'24,000 Papists convicted in England and Wales.'* This is the only clear-cut statement of the total number of convicted Recusants that I have been able to find, and it agrees remarkably well with the composite total of 27,000.

<sup>1</sup> MS. 498.



#### D. CATHOLIC ECCLESIASTICAL AND OTHER ESTIMATES

At this point the estimates of various Catholic ecclesiastics and others must be considered.

In 1613, the Papal Nuncio at Brussels stated that there were about 600 priests working in England, and that the mission reckoned fully 30 families to each priest.<sup>1</sup> Allowing an average of 5 to a family, this would suggest a total of about 90,000 Catholics, but, be it noted, Catholics who were bold enough to practise their religion.

In 1637 Panzani, the Papal Agent who visited England, set down his impressions in his *Relazione dello Stato della religione Catholica in Inghilterra*.<sup>2</sup> The passage in which he discusses Catholic numbers<sup>3</sup> is worth reproducing in full.

‘There are in England about 150,000 Catholics. Among them are some titled people, and many of simple nobility, and many of the middle class, among whom are not a few who have considerable riches. There are finally among these, as regards the public good, a great difference, since some are Catholics only for themselves, and their personal utility, striving exteriorly to live in such a way that it may not be known that they are Catholics, from which it follows that the other Catholics derive little or no use from them. And such are some of the principal and titled, because these from the greater fear they are in and to keep themselves in the King’s favour, if they keep a priest in the house, they keep him so secretly that at such time neither their own

<sup>1</sup> Meyer, *England and the Catholic Church under Queen Elizabeth*, p. 63.

<sup>2</sup> Bibl. Barberini, LVI 136/A.n. 2450. There is also a copy in the archives of the Archbishop of Westminster.

<sup>3</sup> *Ibid.*, Folio 12v. *et seq.*

children, much less the servants know it, thence the poor Catholics near cannot come into these houses to have the convenience of hearing mass and receiving the sacraments. On the contrary, many of the highest nobility, and nearly all the gentry and many rich Catholics, either because they are more fervent, or for other reasons are more courageous, making almost open profession of Catholicity, they give facility (here more, there less) to neighbouring Catholics for hearing mass in their house and receiving the sacraments, rendering in this manner notable help to those poor people suffering from various misfortunes and especially from fear of the laws, they would suffer extreme need, there not being more than one in England who was obliged to administer the sacraments.

‘Besides the above-mentioned Catholics, there is another kind of Christians, who though in their hearts detest heresy and schism, nevertheless from the fear of losing their goods and offices, or from the wish to advance themselves at court, live exteriorly as heretics, going to the Protestant Churches, taking the oath of supremacy and of fidelity, speaking as it may happen against Catholics, but interiorly they live and believe as Catholics, some of them also keep in their house one or more priests, so that in any need they may be able to be reconciled; for this reason they are commonly called schismatics by the good Catholics. Of such sort I hear are some of the chief nobility, as well secular as ecclesiastical, and many of each other kind, also while I have been in London, nearly all the principal gentlemen who have died, though during life they were thought to be Protestants have nevertheless died Catholics, of whom some not without probably reason concealed their Catholic tendency from the knowledge of most of the English, and in order to secure their salvation became Catholics on their death-bed.’

Coming from such a man as Panzani, this account of the English Catholics under Charles I must command respect. We are told that the English Catholics numbered 150,000, but Panzani explicitly states that this figure does not include 'schismatics.' It is clear from the context that by 'Catholics' he means *recusants* only, for it is only in his description of the schismatics that he uses the phrases 'going to the Protestant Church' and 'from fear of losing their goods'; it is not suggested that even the more cautious of his 150,000 went so far as to go to Church.

In the well-known narrative of John Gerard, S.J., we have a clear definition of a schismatic in the following passage: 'This young nobleman was a schismatic, that is a Catholic by conviction but conforming externally to the state religion.'<sup>1</sup>

The Catholic Church forbade her children to attend the Protestant services, and it is evident that in Catholic ecclesiastical circles at least, the term Catholic was commonly applied only to those who observed this prohibition.

There are two other estimates which must be correlated with that of Panzani: in 1662, Con, another Papal Agent, wrote that there were in England '200,000 Catholics, all of whom live and enjoy their possessions by the King's grace.'<sup>2</sup>

The only meaning that can be attached to this phrase is that the 200,000 were Recusants, for Catholics who outwardly conformed did not come within danger of the law, and therefore had no need of the King's grace. In 1618, the Spanish ambassador in England, Sarmiento (better known by his later title of Count of Gondomar),

<sup>1</sup> Foley, *Records S. J.*, Vol. I, p. 462. (Quoting 'Condition of Catholics,' p. xxiii.)

<sup>2</sup> Blair's Archives. (Quoted by M. V. Hay, *The Jesuits and the Popish Plot*, p. 89.)

estimated that the Recusants numbered 300,000, while he gives 'Catholics attending Protestant worship' as 600,000.

Sarmiento's analysis in full is as follows :<sup>1</sup>

Recusants . . . . .	300,000
Catholics attending Protestant worship	600,000
Atheists . . . . .	900,000
Puritans . . . . .	600,000
Other Protestants . . . . .	1,200,000
	<hr/>
	3,600,000

A point which considerably increases the value of Sarmiento's estimate is that his figure for the total population of England, 3,600,000, is remarkably accurate, though perhaps falling a little short of the true figure.

Taking Panzani, Con, and Sarmiento, we have three estimates ranging between 150,000 and 300,000 for Recusants alone, quite apart from those Catholics who outwardly conformed.

Against this, we have calculated a total of some 27,000 convicted Recusants which must be increased to, say, 54,000 to include children. This suggests that only one Recusant in every three or four or five was convicted. There are at least two items of evidence which suggest some such proportion; Nash, in his *Materials for the History of Worcestershire*,<sup>2</sup> remarks that 'not one Recusant in five is convicted,' while in 1625 Thomas Ogle writes of the Northumberland Recusants :

' Their number by conviction . . . . .	900
Their number by estimation . . . . .	2,000'

It is not clear whether the 2000 does or does not include the 900, but if the contemporary connotation of

<sup>1</sup> Quoted by G. Albion, *Charles I and the Court of Rome*, p. 13 n.  
<sup>2</sup> Published 1799.

the word 'estimation' be taken into account (we should say 'by repute'), the probability is that Ogle meant that there were 2000 reputed Recusants in Northumberland, in addition to the 900 convicted. In this case, the proportion of convictions is one in approximately three and a quarter. There is thus entirely independent corroboration of the proportion of one conviction in every three to five Recusants.

In 1620, Sir Edward Giles remarked in the House of Commons 'that, when he was Sheriff of Devonshire, there came a writ of enquiry for recusants, and there were not returned above ten, and those scarce worth ten shillings, whereas there are at the least one hundred *rich and wealthy men* Papists in that county.'<sup>1</sup>

One wonders how many poorer Catholics there were in Devonshire.

A very striking proof of the fact that only a small proportion of the Recusants were convicted is found in the case of the Amoundernesses hundred of Lancashire in 1640. According to Sir Simonds D'Ewes:<sup>2</sup> 'Mr. Kirby, one of the knights for Lancashire, reported that he had sent down the order for inditing of recusants there at the sessions held since Christmas last; and that he understood that there had been 15,000 indited in one hundred, called Amoundernesse hundred, being not the largest hundred in that county; with the report of which great number the House itself was much startled.' The same story is repeated in Vicar's *Parliamentary Chronicle*, Part I, p. 343, and in the *Kingdom's Weekly Intelligencer* for May 23-30, 1643, p. 165. The account given in the latter runs as follows: 'Another thing observable in the general is, that in Lancashire and

<sup>1</sup> *Proceedings and Debates of the House of Commons, 1620-21*, by Sir Edward Nicholas (edited by Thomas Tyrwhitt). Oxford, 1766, Vol. I, p. 24.

<sup>2</sup> D'Ewes, *Journal of the Long Parliament*, p. 292.

Yorkshire there are more Papists than in all England besides, for in one hundred in Lancashire, since this Parliament began, there were 15,000 Papists presented at one sessions, and many thousands of them convicted presently after.<sup>1</sup>

It is difficult to credit such a very large figure, for, according to the analysis of John Houghton in 1693, there were 40,202 *houses* in Lancashire,<sup>1</sup> which implies a total population of about 200,000 for the county. Now, there were *six* hundreds in Lancashire, and it appears that Amounderness was one of the smallest. A printed list of the names of all the freeholders in Lancashire in 1600, classified by hundreds, shows that Amounderness accounted for only 65 out of 784, while a list of the names of those who compounded for knighthood in 1631 shows that Amounderness provides 32 names out of 280.<sup>2</sup> These figures suggest that Amounderness accounted for only about one-tenth of the population of Lancashire, but, on the other hand, Amounderness provided £665 out of the Ship-money assessments of £3500 upon the county, or more than one-sixth of the total. The total population of Amounderness may therefore have been anything from 20,000 to 35,000, but the *adult* population cannot have been much above 10,000 to 17,500. Since only adults above sixteen years of age were liable to conviction for Recusancy, the story of the indictment of 15,000 would mean that virtually the whole population of Amounderness were at least suspected of Recusancy. It is to be noted from the account in the *Weekly Intelligencer*, that it is not claimed that all these persons were convicted, but that 'many thousands of them' were. We have already noticed that as many as 1884 Recusants in Amounderness were

<sup>1</sup> Cobbett, *Parliamentary History*, Vol. V, Appendix 10.

<sup>2</sup> Both these lists are printed in the first volume of miscellanies, Lancashire and Cheshire Record Society.

assessed to the poll tax in 1641. But, difficult as it is to credit so large a figure as 15,000, it must be remembered that Amounderness includes the Fylde and the district round about Preston, and was traditionally the most solidly Catholic district in the whole country. Whatever the truth of the matter, the story at least serves to show that the convicted Recusants by no means represented the whole body of Recusants.

Another interesting sidelight on this point occurs in D'Ewes' *Journal of the Long Parliament*:<sup>1</sup> 'Then we fell again to debate who should presently be disarmed, and some would have had such as had compounded (i.e. for Recusancy), *because that hindered conviction.*'

It is also interesting to note that the State Papers for the year 1609 contain a short list of *unconvicted* Recusants.<sup>2</sup>

In the debates of 1621, Sir Henry Spiller complained of the failure to convict Recusants. 'Informations which were wont to be brought into the Exchequer are now brought in other courts at Westminster Hall and are not prosecuted to effect. It did appear lately to the Commissioners by certificate to the Common Pleas that there depended 700 informations, upon which few appearances and not one judgement; and in the King's Bench 1100 informations; and out of all these 1800 there is not come to the King's coffers £200.'<sup>3</sup>

In 1640 a speaker in the House of Commons complained that 'there are nineteen peers of this realm and two countesses papists that there were never yet convicted.'<sup>4</sup>

Mr. J. W. Willis Bund, editor of the Worcester Quarter Sessions Rolls, was strongly of the opinion that

<sup>1</sup> *Journal*, p. 488.

<sup>2</sup> S. P. Dom., Add. Jas. I, Vol. 39 (101).

<sup>3</sup> Notestein, Vol. 4, p. 102.

<sup>4</sup> *Journal of the Long Parliament* (ed. Notestein), p. 90.

large numbers of Recusants were never presented or convicted as such. Thus Mr. Bund wrote :

‘ In spite of the rewards offered by statute for presenting recusants, and the risk that was run of indictments by not presenting, the constables did not as a rule present all, or nearly all the Catholics in these parishes. . . . The constables did not take the trouble to hunt up Catholics. The prosecutions in London show that there were Catholics in places where the constables said there were none. . . . Possibly it may have been that it was only the rich Catholics, grants of whose recusancy were made to greedy courtiers, that were hunted out, the others were not worth interfering with ; if they kept quiet, and did not make themselves conspicuous, they were not disturbed.’<sup>1</sup>

Mr. Bund supports his argument by citing examples of prominent Catholic families whose names do not appear in the records.

On general grounds the perennial petitions of Parliament for the speedier discovery and conviction of Recusants and for the better enforcement of the laws confirm the view that the law was never at any time fully enforced.

In addition to the authorities already quoted, there are several other estimates of the same order of magnitude. In 1677, Alexander Holt, agent to the English Catholic secular clergy in Rome, reported that the English Catholics numbered 200,000. In 1670 the Venetian ambassador in England wrote that there were over 30,000 English Catholic families, which means a Catholic population of over 150,000.

The continual recurrence of figures varying between 150,000 and 300,000 must be more than a coincidence, and in the light of the statistics of convictions, one feels justified in claiming that a Recusant population of some

<sup>1</sup> *Worcester Quarter Sessions Rolls*, p. ccxvi, *et seq.*



200,000, more or less, in the middle part of the seventeenth century, is reasonably well established. 200,000 may be taken as approximately 5 per cent of the population.

It is possible to check this percentage by a very satisfactory test, which is described fully in Chapter VIII, the substance of which may be here briefly stated. The *Book of Knights*, compiled by W. C. Metcalfe, contains a list of the knights created by Charles I; the total number, after eliminating the names of a few foreigners, amounts to approximately 782. From a detailed study of contemporary documents, principally State Papers, I have been able to establish that approximately 28 out of these 782 knights were Recusants, while 11 were sufficiently well known as Catholics to be described as Papists in official documents. If we add the names of 19 more who are known, from other sources, to have been Catholics, we have a total of 58 Catholics' names in Metcalfe's list of 782. This total of 58 is, of course, an absolute minimum, for there must have been many more Catholic knights about whom no direct evidence has yet come to light.

At the end of the century (in 1698), the agent of the Vicars-Apostolic wrote to the Pope that the English Catholics numbered 100,000.<sup>1</sup> Clearly this means practising Catholics. The decline from some 200,000 as late as 1677 to 100,000 twenty-one years later is explained by the fact that the Popish plot and the revolution had occurred in the interval. It is worth noting that in the summer of 1687, no fewer than 20,859 Catholics were confirmed in the northern districts alone. A full list of the names is preserved in the archives of the Archbishop of Westminster.<sup>2</sup>

<sup>1</sup> Archives of the Archbishop of Westminster, Vol. 36, p. 716.

<sup>2</sup> *Ibid*, Vol. 35.

## E. THE LESS OPEN CATHOLICS

It remains for us to consider the problem of the less open Catholics. It is natural to suppose, human nature being what it is, that those Catholics who were willing to risk the penalties of the law were less numerous than those who, in varying degrees, outwardly conformed to the Established Church. Panzani gives no estimate of the number of schismatics, but Sarmiento, as we have seen, thought that the 'Catholics attending Protestant worship' were twice as numerous as the recusants. Foley's *Records of the English Province of the Society of Jesus* contains an enormous amount of family history and biographical matter, which abounds in references to schismatics. The Venetian ambassador wrote in 1623: 'It is notorious that there is a countless number of Catholics there, who at present keep in the background out of fear.' The Protestants were fully aware that conformity was often superficial. In the records of the Parliament of 1621, it is stated that 'Sir Edward Giles would have the committee consider of some law against Church Papists.'

In a few isolated cases, recusancy returns contain estimates of the number of non-communicants. The following may be noted:

(a) In the two cases in the Diocesan Returns of 1603 where non-communicants are given, the numbers are: Ely, 668 non-communicants as against 19 recusants; London, 1572 non-communicants as against 318 recusants. The only real value of these figures is that they show a recognition of the fact that non-communicants were more numerous than recusants.

(b) In the Lancashire return of 1613, in the 43 parishes where figures for non-communicants are given, we find 2392 non-communicants as against 1843 recusants. The number of communicants is given in only 24 out of 48

parishes, but as far as they go, the figures suggest that recusants and non-communicants combined were about 10 per cent of the whole population of this part of Lancashire.

(c) About the same time (temp. James I) it is reported that there were only 32 recusants in the parish of St. Saviour's, Southwark, as against 3700 communicants, but 300 men and 200 women refused to receive the communion.<sup>1</sup> It appears from this that the Catholics of St. Saviour's formed about one-eighth of the population of the parish. This is a remarkable admission, and may be contrasted with the meagre 1572 non-communicants assigned to the whole of London in 1603.

(d) Peacock's 'Yorkshire Catholics in 1604,' an abstract of an official enquiry of which the original manuscripts are preserved in the Bodleian Library, would repay a careful analysis. Even a cursory survey shows that the non-communicants appear to have been very much more numerous than the recusants.

In the House of Commons in 1621, a certain Mr. Brooks said: 'And I think wondrous necessarily we are called to desire it for the suppressing of the like insolency of Papists, who I protest I think are more easily discovered by their ill speaking of the King and Queen of Bohemia than by not receiving the Communion, for I think more of them speak ill of them than forbear the Communion.'<sup>2</sup> This reference to the war in the Palatinate is of the highest interest. The clash between the Catholic Emperor Ferdinand II and the Protestant Elector Palatine, who had illegally accepted the Bohemian crown, marked the beginning of the protracted religious struggle of the Thirty Years' War. The English Protestants were enthusiastic in their support of the Elector, and it seems

<sup>1</sup> Harleian MSS. 595, p. 25. (Quoted by Usher *The Reconstruction of the English Church*, Vol. I, p. 159.)

<sup>2</sup> Notestein, Vol. 3, p. 142.

that the English Catholics were no less enthusiastic in their support of the Emperor. Indeed it is reported that in 1622 the English Catholics actually sent financial aid to the Emperor, to the extent of no less a sum than £30,000.<sup>1</sup>

Englishmen of Catholic sympathies who were unwilling to appear openly as Catholics would have less hesitation in supporting the Emperor, since the war in the Palatinate, though fundamentally due to religious differences, was not exclusively religious. It is not difficult to believe that Mr. Brooks was right when he suggested that those who spoke well of the Emperor were those who, if not openly Catholics, were Catholics at heart. It is therefore important to notice that, according to Mr. Brooks, the English supporters of the Emperor were more numerous than the Church papists who refused the Protestant Communion.

We have thus evidence that the non-communicants were more numerous than the recusants, and that those whose Catholic sympathies were revealed by their support of the Emperor were again more numerous than the non-communicants.

Much more important than these fragmentary and scattered references to non-communicants are the Parliamentary Lists of Papists prepared in 1680. In that year various members of Parliament prepared lists of prominent papists, each for the district he represented.<sup>2</sup> It should be noted, first, that the word 'Papist' (a wider

<sup>1</sup> This must be accepted with reserve. I am informed that there is a statement to this effect in a certain Whiteway's Diary, but I have had no opportunity of verifying it. There is, however, some support for the story in a letter of Sir William Pelham to Secretary Conway, written in 1624 (S. P. Dom., Jas. I, Vol. 159 (28)): 'Papists by rejoicing at the loss of the Palatinate and *helping the Emperor* show how they stand affected.'

<sup>2</sup> House of Lords MS. No. 321. See Historical Manuscripts Commission 11th Report, Appendix, Part II, pp. 225-237.

and more comprehensive term than 'recusant') is used, and, secondly, that the lists include, for the most part, the names of the Catholic *gentry* only. These lists, which contain the names of more than 1200 Catholics of the upper classes, constitute (as far as I am aware) by far the most nearly complete and comprehensive existing record of the Catholic *gentry* in the seventeenth century.

It requires a separate chapter adequately to discuss the full significance of these lists. For our present purpose, the important point is to compare the relevant sections of the 1680 manuscript with the list of convicted recusants drawn up in 1677.

The 1677 list, which covers 22 counties, includes the names of 33 persons described as Esquires, but in the Parliamentary List of Papists of 1680, there appear the names of 159 Esquires under these same 22 counties. This suggests that the proportion of convicted recusants to all Catholics was one in five; in point of fact the proportion of convicted recusants must have been even smaller, for the 1680 lists, though unique in their scope, are nevertheless imperfect, since many well-known Catholic names are missing.

A more precise test can easily be made in the case of the knights and baronets. Of 48 knights and baronets named in the 1680 lists (for the same 22 counties) only five appear among the 1677 lists of convicted recusants. The comparison seems to be reasonably valid, for, if the 1677 lists do not include all the convicted recusants, similarly the 1680 lists are not entirely complete. It therefore seems that only one out of every ten Catholic knights and baronets was a convicted recusant. However imperfect this test may be, it would be difficult to find a better one; when we are dealing with definite and specific names we are on reasonably solid ground.

If this multiple of ten be accepted, then on the basis of a convicted recusant population of 54,000 (allowing

for children) the total Catholic population would have been perhaps 540,000, under Charles I. That is, approximately one-eighth of the whole nation.

The foregoing calculation is doubtless hazardous and uncertain. We have no means of knowing whether the ratio of one in ten holds good for lower classes; we have no means of knowing whether the ratio found for 1680 would hold good for 1640. Nevertheless, the comparison between the 1680 lists of papists and the 1677 lists of convictions shows clearly that the convicted recusants were only a small proportion of the Catholic body. It would be manifestly rash to accept any particular ratio as final, but there can be little doubt that the total number of Catholics, in the wide sense, was considerably greater than Panzani's estimate of 150,000 recusants.

#### F. THE EVIDENCE OF THE SEQUESTRATIONS UNDER THE COMMONWEALTH

Another important test of the Catholic proportion is provided by statistics of estates under sequestration in the Commonwealth period. There are two accounts which distinguish between Delinquents and Papist Delinquents. The Delinquents were, of course, those who had actively supported the King.

The first of these accounts is headed, 'An account of the Year's Receipts from the Estates of Delinquents, Papist Delinquents, and Papists in the undermentioned counties.' (1651).<sup>1</sup> The importance of the account, for the present purpose, is that it gives the number of estates in addition to the money figures. It is clear that the Papist Delinquents were Catholics who had actively supported the King, for there is a third column giving particulars of the estates of Papists, i.e. Catholics who

<sup>1</sup> Papers of the Committee for Compounding, G. 254 (101).

had not been actively engaged, but whose estates were liable to sequestration under the ordinary laws.

The following is an abstract of that part of the account which relates to numbers, as distinct from cash values :

NUMBER OF ESTATES, 1651

County.	Delinquents.	Papist	
		Delinquents.	Papists.
Bucks .	8	1	18
Berks .	6	25	—
Beds .	8	—	3
Cambridge	7	—	3
Cheshire .	53	7	43
Dorset .	18	—	49
Essex .	6	1	39
Durham .	18	20	66
Gloucester .	21	1	30
Hunts .	1	—	6
Hereford .	6	7	19
Kent .	15	2	23
Lincs .	58	8	21
Leicester .	10	—	23
London .	11	—	13
Monmouth	13	12	28
Middlesex .	13	—	8
Montgomery	2	3	4
Norfolk .	18	5	30
Northants .	8	2	11
Oxford .	17	—	27
Sussex .	5	3	20
Wilts. .	5	5	25
Warwick .	4	—	50
Westmorland	12	—	16
Westminster	10	—	5
Worcester .	14	7	57
Totals	<u>367</u>	<u>109</u>	<u>637</u>

It would therefore seem that, out of 476 Delinquents, 109 or nearly one quarter, were Papists. But it must be pointed out that only 24 English counties and one Welsh county are included in the account. The strongly Catholic counties of Lancashire, Yorkshire, Stafford, Cumberland and Northumberland do not appear. If these counties had been included, it is probable that the proportion of Catholics would have been considerably higher.

The full details of the account for Durham appear in Volume III of the publications of the Surtees Society (p. 56-7) showing the names of the 18 Delinquents and of the 20 Recusant Delinquents. A year later (1652) the Durham County Committee prepared an alphabetical list 'of all persons whatsoever that have been sequestered in this county from April 1, 1644, to December 1, 1651, and are not discharged, omitting none.' In this later list, only 26 persons are described as Recusant Delinquents, as against 62 Delinquents. It is difficult to account for such variations.

The same volume (Surtees Society III) contains (p. 87) a list of Papists and Delinquents in Northumberland dated 1655. In this list there are 12 Recusant Delinquents as compared with only 5 Delinquents. There can be no doubt that the Catholics were still an exceedingly powerful minority, if not a majority, in the extreme north.

Unfortunately, there are some anomalies which weaken the value of the account, considered as evidence of the Catholic proportion. For example, Berkshire is shown with the astonishingly high number of 25 Papist Delinquents, against only 6 Delinquents; equally strangely, no Recusant Delinquents are given for the very Catholic county of Westmorland. Anomalies of this kind make it necessary to treat the account with some reserve.

The second account, dated February, 1654, is headed: 'A list of the names of all such persons now



remaining under sequestration for Delinquency, or Recusancy and Delinquency, and the yearly value of their Estates.<sup>1</sup> The total number of names is 198, of which 51 are marked as Recusant Delinquents. In this case the proportion of Catholics is slightly above one-quarter, but once again there are curious anomalies. Forty-nine names are given for Lancashire, of which no fewer than 34 are marked Recusant Delinquents; but this means that for the remaining counties, there are only 17 Recusants out of 149, which is little more than one-ninth. The figures are clearly not altogether representative, for no Recusants are marked in the lists for such strongly Catholic counties as Cumberland, Durham, Westmorland, and Stafford. All this is very puzzling and we must therefore regard this account with circumspection. The truth probably is that no very great pains were taken to mark as Recusants all who were such. This account differs from the account of 1651 in that there is no classification of Recusants in a separate column—the Catholic names are simply marked ‘R.D.’ i.e. ‘Recusant Delinquent.’ The account of 1651, on the other hand, was prepared in columnar form, and it therefore seems as if more care had been taken over the classification. This earlier account may therefore be regarded as the more reliable of the two.

For what they are worth, these figures suggest that one-quarter of the Royalist gentry were Catholics. If, as some hold, the gentry were more or less equally divided between King and Parliament, this would suggest that the Catholics were one-eighth of the whole. It must once again, however, be borne in mind that those whose Catholic sympathies were not widely and publicly known would hardly be classified in these accounts as Papists or Recusants. The true proportion of Catholics, including all whose sympathies, however concealed, lay

<sup>1</sup> State Papers, 23/259 (22).

in a Catholic direction, must have been higher than one-eighth, if these accounts are a fair sample. The Earl of Castlemaine, in 'The Catholic Apology,' written a generation after the Civil War, states that two-fifths of the Royalist officers killed in the Civil War were Catholics, and he gives a full list of names. This would suggest that the Catholics were one-fifth of the gentry as a whole. It must be noted, however, that Castlemaine himself did not suggest this. On the contrary, he was so anxious to prove the loyalty of the Catholics to the Crown that he minimised the numerical strength of the Catholics; by this argument, the large number of Catholics in the Royal army became all the more striking. The relevant passage from *The Catholique Apology* is the following:

'As for the catalogue of those brave Catholics that died in defence of monarchy, I have been often (I must tell you, Reader) blamed by my friends for omitting so many worthy ones, that have also run the same fortune. . . . I doubt not upon a stricter enquiry to find out the names of many more. I wonder very much, I confess, that my adversary urges so poor and odd a thing as that more Protestants died in this war than of our religion; which may easily be, seeing we are not the hundredth part of the nation.'<sup>1</sup>

This absurd statement is sheer propaganda of a crude kind, and certainly does not inspire great confidence in any of Castlemaine's assertions.

The Duke of Ormond agreed with Castlemaine; he wrote to Sir Cyril Wyche from Dublin on November 20, 1678: 'You know the disproportion betwixt Papists and Protestants in England as to number is vastly different from that in Ireland. There perhaps the hundredth man is not a Papist, and here it may be the eighth or tenth man is not a Protestant.'<sup>2</sup>

<sup>1</sup> *Catholique Apology*, p. 491.

<sup>2</sup> Hist. Man. Com. Leybourne-Popham MSS., p. 242.

By way of contrast, Giovanni Sagredo, the Venetian ambassador, wrote on October 1, 1655 :

‘ The Catholic faith inclines to make headway, and if it were not persecuted, it would grow until it became the principal and most widespread. But, with the priests condemned to the extreme penalty and the professors of Catholicism deprived of their goods, this severity lops off the branches which would otherwise increase notably, and stays the fertility of the true religion, which many profess at heart although outwardly they repudiate it. This is certain, that in spite of all the persecution, a fourth part of England is undoubtedly Catholic.’

These estimates cancel out, and the truth must lie between the two extremes.

#### SUMMARY

The principal conclusions of this survey may be stated as follows :

1. The diocesan return of 1603 and the return of 1606 suggest about 8000 (presumably convicted) Recusants at the beginning of the seventeenth century. Other data, notably the figures for Essex Recusants in 1606 and for Lancashire Recusants in 1613, show that these returns do not include more than a fraction of known Recusants.
2. It is clear that there was a very great increase in the number of convicted Recusants in the latter years of James I and under Charles I. This movement culminated in an entirely unprecedented number of convictions in 1640-42. Subject to a small deduction, the number of convictions may be taken as equivalent to the number of convicted persons. Conviction records suggest that there were perhaps 27,000 convicted Recusants about 1641. Allowing for children, this is somewhat above

one per cent of the population. The substantial accuracy of this figure is borne out by the statement in 'The Regal Apology,' 1647.

3. Catholic ecclesiastical estimates suggest a Recusant population of some 200,000. Ample evidence that many Recusants, probably the majority, were never convicted. Note that at least 58 out of 782 knights created by Charles I were Catholics, of whom at least 28 were Recusants; in the nature of the case, these figures must be bare minima.

4. As to the less open Catholics, the existence of large numbers is shown by miscellaneous statements of non-communicants. The best indication to be found is that of 48 Catholic knights named in the Parliamentary lists of 1680 only 5 appear to have been convicted Recusants. This ratio suggests a Catholic population of about 540,000, or one-eighth of the whole population.

5. A proportion of one-eighth is also suggested by two accounts relating to Delinquents' estates under the Commonwealth, in which Catholics are about one-quarter of the whole. If the gentry were equally divided between King and Parliament, this implies that the Catholics were one-eighth of all the gentry. Note also that two fifths of the Royalist officers killed are said to have been Catholics.

On general grounds, if there were as many as 200,000 Recusants, it is not unreasonable to suppose that at least as many more were Catholics in the wider sense of the term.

## CHAPTER VII

### THE RECUSANT LORDS

**A** FACT which strongly suggests the existence of a large Catholic minority under the Stuarts is the large number of Catholic peers. It can be shown on unimpeachable evidence that fully one-fifth of the members of the House of Lords were Catholic under Charles I. Under Charles II, the proportion declined to perhaps one-seventh. But, in addition to those whose Catholicity is absolutely certain, there were many more whose sympathies inclined to the Catholic side.

Charles Butler, in his *Historical Memoirs*<sup>1</sup>, held that one-third of the peers were Catholic in the early years of James I. He says: 'Having desired a young gentleman who favours him with his friendship, and who is particularly qualified for the task, to investigate this fact, the writer received from him the following paper: "A list of the peers summoned to Parliament in the third year of King James, showing such of them as were reputed to be Catholics." In the list which follows, of 74 names, 20 are marked as Catholic, and 12 more as "doubtful." Of the doubtful names, the writer mentions four whom he considered as the "most probable." Unfortunately, the compiler of this document does not appear to have produced any evidence to support the list.

The statement that fully one-fifth of the peers were Catholic, under Charles I, rests on more solid ground.

<sup>1</sup> Vol. 2, p. 177 n.

In the table which follows, the authority for every name which appears is given. For example, one of the State Papers, dated 1640, contains the names of 20 noblemen to whom Charles I granted Letters of Protection against the Recusancy laws. Again, an order of the Privy Council, dated 1625, mentions the names of certain peers who were to be disarmed under the Act for disarming Recusants. The list of Recusants in positions of trust in the Journals of both Houses of Parliament, 1624, includes the names of a number of peers. Several are mentioned in Castlemaine's *The Catholique Apology*.

For later periods, two specially important sources of information are, first, the Parliamentary Lists of Papists, dated 1680 (now in the Library of the House of Lords) and the land registrations of 1715-20, an abstract of which has been printed under the title *English Catholic Nonjurors of 1715*, by Estcourt and Payne. A most interesting document, among the Additional Manuscripts of the British Museum, contains 'A List of the Voters for and against the repeal of the Penal Laws 1687.' This is a complete list of the peerage of that date, and besides showing the numbers of those who voted for and against it specifically marks the Catholics. This document was apparently compiled from three different sources: (1) the French Archives; (2) a manuscript of Lord Willoughby in the Portland Collection; and (3) a manuscript by an anonymous hand, also in the Portland Collection. There are a few anomalies, for the three sources do not entirely agree.

A full list of all peers who were Catholics between 1624 and 1715 follows below. The order in which the names appear is this: first, the names of those who were unquestionably Catholic under Charles I; secondly, others, more doubtfully Catholic, under Charles I; thirdly, additional names of definitely known Catholics 1660-1715; fourthly, additional doubtful names, 1660-

1715. It should be noted that a large proportion of those peerages held by Catholics under Charles I were, of course, still in Catholic hands in the later periods, but it has been thought undesirable to duplicate names. The sources of evidence, which are placed beside the names, will make the date or dates at which each individual was known or said to be a Catholic, perfectly clear.

The following abbreviations are used to describe the sources of evidence.

- H.L.J., 1624. *Journal of House of Lords*, 1624, list of Recusants in positions of trust.
- P.C.O., 1625. Privy Council Order, 1625, for the disarming of Recusants.
- L. Ptn., 1640. Letter of protection against Recusancy Laws, S.P. Dom., Chas. I, Vol. 437 (67).
- 1680 lists. Parliamentary lists of Papists, 1680. See Historical Manuscripts Commission, 11th. Report, Appendix, Part II, MS. No. 321.
- 1715 lists. Registration of Catholic estates; abstract printed in *English Catholic Nonjurors of 1715*.
- Voters 1687. List of voters for and against the repeal of the Penal Laws, British Museum, Add. MSS. 34,526.
- C.A. The *Catholique Apology*, by the Earl of Castlemaine. Dodd. *Church History of England*.
- Duckett. *Penal Laws and Test Act*, by Sir George Duckett. This is an analysis of the returns in an enquiry conducted in 1687 as to the attitude of the country gentry to repeal.
- Nalson. *Collection of Affairs of State*, p. 662, contains a 'List of Prime Papists' whom the House of Commons desired to be secured.

Name.	Source of Evidence.
<i>A. Definite Catholics Temp. Chas. I</i>	
1. Earl of Rutland	H.L.J. 1624; see also S.P. Dom., Jas. I, Vol. 161 (30).
2. Marquis of Winchester	P.C.O. 1625; L.Ptn. 1640; H.L.J. 1673.
3. Earl of Shrewsbury	P.C.O. 1625; L.Ptn. 1640; Nalson 1641.
4. Earl of Worcester (afterwards Duke of Beaufort)	L.Ptn. 1640; Dodd; Duckett 1687; Nalson 1641.
5. Earl of St. Albans	P.C.O. 1625; L.Ptn. 1640; H.L.J. 1624.
6. Earl Rivers	L.Ptn. 1640.
7. Earl of Castlehaven (An Irish title; but also held Eng- lish title of Lord Audley)	P.C.O. 1625; L.Ptn. 1640; H.L.J. 1624; 1680 lists; Voters 1687.
8. Viscount Montague	P.C.O. 1625; L.Ptn. 1640; 1680 lists; H.L.J. 1660; Voters 1687; 1715 lists.
9. Lord Scroope (later Earl of Sunder- land)	H.L.J. 1624; Voters 1687. (But the Sunderland of the reign of James II was a somewhat doubtful con- vert.)
10. Lord Wootton	H.L.J. 1624.
11. Lord Abergavenny	L.Ptn. 1640; Voters 1687.
12. Lord Stafford	L.Ptn. 1640; 1680 lists; 1715 lists.
13. Lord Morley and Mounteagle	P.C.O. 1625; H.L.J. 1624; L.Ptn. 1640; Voters 1687.
14. Lord Petre	H.L.J. 1624; P.C.O. 1625; L.Ptn. 1640; 1680 lists; Voters 1687.
15. Lord Eure	H.L.J. 1624; P.C.O. 1625; L.Ptn. 1640.
16. Lord Windsor	H.C.J. 1624; P.C.O. 1625; L.Ptn. 1640.
17. Lord Vaux	P.C.O. 1625; L.Ptn. 1640.



Name.	Source of Evidence.
<i>A. Definite Catholics Temp. Chas. I (continued)</i>	
18. Earl of Cardigan (also held title of Lord Brudenall)	L.Ptn. 1640; 1680 lists; Voters 1687; Indicted as Recusant, Middle- sex Sessions Records.
19. Lord Stourton	L.Ptn. 1640; Voters 1687; Nalson 1641.
20. Lord Tenham (also known, from family name, as Lord Roper)	H.C.J. 1624; P.C.O. 1625; L.Ptn. 1640; 1680 lists; Voters 1687.
21. Lord Arundell of Wardour	P.C.O. 1625; C.A.; Dodd; Voters 1687; 1715 lists; Nalson 1641.
22. Lord Powis	C.A.; Voters 1687; 1715 lists. (One of the 'Popish Lords in the Tower' 1680.)
23. Lord Cottington	C.A.; Dodd.
24. Earl of Carnarvon (also known, from family, as Lord Dorner)	C.A.; Dodd; 1715 lists.
25. Lord Carrington	1680 list (not the principal list, but another, viz. House of Lords MS. 40); Voters 1687. He was created a peer in 1643, but as Sir Charles Smith he was one of the most pro- minent Recusants of his day.
 <i>B. Other Catholics (more doubtful) Temp. Charles I</i>	
26. Earl of Kingston	Dodd.
27. Lord Mordaunt (later Earl of Peterborough)	<i>House of Commons Journal</i> 1626 (but a tendency to conform is noted). The Peterborough of the time of James II was a doubtful convert.
28. Earl of Portland	Wife and children Catholic temp. Chas. I, according to Dodd; Voters 1687.

Name.

Source of Evidence.

*B. Other Catholics (more doubtful) temp. Charles I (continued)*

29. Earl of Dorset See Albion, *Charles I and the Court of Rome*, p. 357.
30. Lord Widdrington Dodd; Voters 1687.

*C. Additional Definite Catholics 1660-1715.*

31. Earl of Berkshire 1680 list (MS. 40; see No. 25 above).  
A convert.
32. Lord Bellasis H.L.J. 1673; 1680 lists; Voters 1687. (One of the 'Popish Lords in the Tower' 1680).
33. Lord Clifford Voters 1687; 1715 lists. The first Lord Clifford was the Catholic Lord Treasurer of Charles II, and one of the Cabal Ministry.
34. Lord Waldegrave Voters 1687; 1715 lists.
35. Lord Langdale 1680 lists; Voters 1687; 1715 lists.
36. Earl of Norwich H.L.J. 1673.
37. Lord Pawlett 1680 lists. There is some doubt as to the identity of this individual. Pawlett was the family name of the Marquis of Winchester, who appears to have conformed before 1680; there was also a Baron Pawlett, but if he was a Catholic, the 1680 list is the only evidence of the fact.
38. Duke of Norfolk 1680 lists; 1715 lists. The Duke of 1680 (sixth Duke) was a staunch Catholic, but when he died in 1684, his son and successor conformed to the established church. The head of the house, under Charles I, did not hold the title of Norfolk, but was known as Earl of Arundel (the dukedom had been forfeited under Elizabeth, but was restored

Name.	Source of Evidence.
<i>C. Additional Definite Catholics</i> 1660-1715—(continued)	
	in 1661). The Earl of Arundel under Charles I had conformed. Thus, the main branch of the House of Howard oscillates between the two religions—Protestant under Charles I, Catholic under Charles II, Protestant for a brief period at the close of the century, and then Catholic again.
39. Lord Fauconberg	Dodd; 1715 lists. This family also oscillates; the Lord Fauconberg of 1687 voted on the Protestant side.
40. Earl of Bristol	Convicted Recusant 1663, per list of convictions 1677.
41. Lord Hunsdon	Indicted as Recusant, per Middlesex Sessions Records; Voters 1687; Duckett.
<i>D. Other Catholics (more doubtful)</i> 1660-1715.	
42. Lord Gerrard of Bromley	Voters 1687; widow in 1715 lists. An example of family division; title held successively by Protestant and Catholic branches.
43. Earl of Salisbury	Voters 1687.
44. Earl of Derwentwater	Widow in 1715 lists. Of the Ratcliffe family, who are prominent in various Recusancy returns.
45. Lord Dover	Voters 1687; widow in 1715 lists.

Other names that might have been included are Viscount Newark and the Earl of Banbury, who appear in the petition of 1628 against men of Catholic sympathies in positions of trust; also the Duke of Berwick, the natural son of James II. Four more peers are men-

tioned as Catholics in 1663, in the Blundell papers, Lords Andover, Wentworth, Barkley, and Crofts.<sup>1</sup>

The total number of peers with seats in the House of Lords was in 1640 about 129. Section A of the above table shows that there were 25 peers who were undoubtedly Catholic; that is, about one-fifth. In addition, there were five more of Catholic sympathies.

Between 1624 and 1715, there were 45 peerages, all of which were at one time or another held by Catholics, using the term to include those of Catholic sympathies. Of course, there were never 45 Catholic peers at any one time. Catholics conformed; Protestants were converted to the Catholic religion; some peerages became extinct; new peerages were created; nevertheless, the total of 45 is an impressive figure.

How strong was the Catholic tradition can be seen from the many instances of families which had conformed and which in later years reverted to the old faith. The Norfolks are an outstanding example; the Fauconbergs are another. The Lord Mordaunt (later Earl of Peterborough) conformed under Charles I, but his son became a Catholic under James II. The story of the Earls of Sunderland is precisely the same. Earl Rivers is a Catholic in 1640; either he or his son conforms, but in 1715 the Earl Rivers of the day was a Catholic priest, for a certain John Hitchmough deposed before the Commissioners for the forfeited estates 'that John Savage, now Earl Rivers, is a Popish secular priest, and receives £500 per annum from James, Earl of Barrimore.'<sup>2</sup> Another case is the Shrewsburys. The Earl of the time of Charles I was a staunch Recusant; yet the Earl of the latter part of the century was not only a Protestant, but one of the ringleaders of the group that brought in William of Orange. His successors reverted to the

<sup>1</sup> *A Cavalier's Notebook* (ed. T. E. Gibson), p. 196.

<sup>2</sup> Payne, *Records of the English Catholics of 1715*, p. 127.

Catholic faith. The Earl of Kingston (later Marquis of Dorchester) of the time of Charles I was of Catholic sympathies, but the family never appeared strongly on the Catholic side. Nevertheless, he is included in the list of Catholic peers (1663) in the Blundell papers. How superficial was conformity to the established Church, in many cases, may be judged from the fact that, on taking the Oaths of Supremacy and Allegiance in 1678, the Marquis of Dorchester and the Earl of St. Albans mumbled the words indistinctly, and on the following day were required to repeat the oaths clearly, to the satisfaction of their lordships.<sup>1</sup>

In 1678, no fewer than 21 peers gave up their seats in the House of Lords rather than take the Oaths prescribed by the Test Act. Two more definitely Catholic peers, Abergavenny and Clifford, were minors. Thus, there were 23 Catholic peers (apart from the waverers) which is nearly one-sixth of the total number.

Less than justice has been done to the Recusant Lords. Power and office, by the customs of the times, were their privilege, but authority and position were denied to the Recusants. At the last, even their hereditary places in Westminster were closed to them. The nobility were the natural military leaders of the people; the Recusant Lords suffered the humiliation of being disarmed. While their fellows were the administrators of Justice, the Recusant Lords, were, in many recorded cases, convicted like criminals, for refusing to go to Church. Though they numbered in their ranks no great leaders, though their lives are not filled with heroic action, they made heavy and bitter sacrifices. Power, authority, and profit—which, they felt to be their natural right—were withheld unless they would renounce their faith. Here was none of the glory of martyrdom, none of the heat of battle; only the steady resistance of the will to

<sup>1</sup> Cobbett, *Parliamentary History*.

a pressure unrelenting and persistent. These things should be remembered to their honour.

Lacking a leader, the Catholic nobility achieved little that is recorded in the pages of history. Yet, but for the prestige of their names, and their constant support of the missionary priests, the Catholic faith might have been utterly extinguished in England.

A few flashes illuminate the darkness of the stormy century : the courageous words of Viscount Montague ; the princely gift of the Marquis of Worcester, who gave his entire fortune to the King ; the siege of Basing House, last stronghold of the royalists, where the garrison heard Mass as they listened to the thunder of the Puritan cannon ; and after Charles I was crowned, 'all the Recusant Lords that were at the coronation did ride to the Church with the rest, but, when they came there, they all went away, and heard not the sermon.' Away from the Church, away from power, authority and office, slowly ride the Recusant Lords, and at their head rides King James the Second.

## CHAPTER VIII

### THE CATHOLIC KNIGHTS AND BARONETS

**T**HE problem of Catholic numbers in the seventeenth century can be approached in two ways ; first, by the study of contemporary opinions and impressions, and secondly, by more precise statistical methods. As to the latter, one line of enquiry has been explored in the chapter on Recusancy statistics ; upon the solid bases of the number of convicted Recusants, it was calculated that the Catholics were perhaps one-seventh of the nation.

In this chapter, an entirely different method of calculation is adopted ; one which is more convincing, because less dependent on inference and assumption.

Though we have no records of the private beliefs of the four or five million common people of seventeenth century England, it is possible to trace the personal history of large numbers of the upper classes. If we take a group of men and find what proportion of them were Catholics, it is reasonable to believe that a similar proportion of the whole nation was Catholic, provided that the selected group is a fair sample. The knights and baronets are here taken as such a sample. Their numbers are sufficiently large to exclude the element of chance, and sufficiently small to be studied conveniently. They constitute a reasonably fair sample, since, for the most part, knighthood was a matter of social and financial status, and seems to have been conferred independently

of religious belief. This assumption is subject to two qualifications :

1. Since the average fee for knighthood was between £60 and £70—a large sum in those days—it is probable that convicted Recusants, burdened with the Recusancy fines, were less able to afford the honour than their Protestant neighbours. In so far as this was the case, the argument which follows is strengthened, rather than weakened, for the Catholics would be more numerous than their representation in the list of knights would indicate.<sup>1</sup>

2. Any knights created by Charles I after the outbreak of the Civil War must obviously have been royalists, and, since the Catholics were all on the King's side, they were probably slightly over-represented in the creations of 1642 and the years that followed.

It will be observed that these two qualifications

<sup>1</sup> Knighthood was a penalty as much as an honour. It had sometimes been the custom, at the coronation of a new monarch, to invite all gentlemen possessed of lands worth £40 a year and upwards to receive knighthood. Comparatively few availed themselves of the privilege, and refusal was sometimes punished by a fine. Henry VIII had adopted this device for raising revenue, and in 1631 Charles I did likewise. The Royal Commissioners appointed to levy the compositions were instructed that in no case were they to accept less than £10, and, as a general principle, to require an amount equal to three and a half times the individual's subsidy assessment. Some light is thrown on the position of the Catholic gentry in a letter written by a certain John Povy to Sir Thomas Puckering in 1631, printed in Ellis's letters, Vol. III, 2nd series, p. 266, a passage from which is as follows :—

'I hear that the unknighthed Catholique Lords, lying all under the lash of Queen Elizabeth's statutes (which, whensoever his Majesty shall be pleased strictly to put into execution, he shall soon undo them all), do willingly compound for their knighthoods, paying only double to what they are in the subsidy, whereas others (if they can get it from them) must pay the treble and one half over and above.'

Here is another interesting example of the King's leniency to the Recusants.



operate in opposite senses, and are therefore at least partly compensatory. On the whole, therefore, the knights and baronets may be regarded as a fair sample of the gentry.

Whether they were a fair sample of the nation as a whole is another matter. In general, the prestige of the country gentry was such that the common people followed their lead, in religious as in other matters.

In the following pages is a list of 262 Catholic knights and baronets between the years 1624-54.

#### SUMMARY OF ABBREVIATIONS

1. C.C. Calendar of the Proceedings of the Committee for Compounding (*temp.* Commonwealth). Thus, C.C.—G. 246, indicates that part of these documents classified under the coding G. 246; C.C. 2037, indicates page 2037 in the Calendar.
2. C.A.M. Calendar of the Proceedings of the Committee for the Advance of Money (*temp.* Commonwealth). Thus, C.A.M. 1334, indicates page 1334 in the Calendar.
3. S.P. Calendar of State Papers Domestic (Charles I). Thus S.P. 437 (67) indicates volume 437 document 67. The reference S.P., Vol. 495 is specially noteworthy; Vol. 495 is a printed book, containing the names of some 3750 convicted Recusants, arranged alphabetically.
4. H.L.J. *Journal of the House of Lords*. Where the word 'definite' is added in brackets, this indicates that the knight in question is *himself* described as a Recusant. Thus H.L.J. 1624 (definite) indicates a man described as a Recusant in a position of trust in the *Journal of the House of Lords*, May 20, 1624, pages 394-6. H.L.J.—without the word 'definite'—indicates that the knight is accused of having a Recusant wife or children.
5. C. 203. This is a Public Record Office Coding. This document is a roll of 'Certificates of Estates sequestered

for Popish Recusancy 1650.' It contains some 1800 names, classified by counties.

6. Cath. Ap. The *Catholique Apology*, by the Earl of Castle-maine, containing a list of Catholic officers killed in the Civil War.
7. Nalson. Nalson's *Collection of Affairs of State*, Vol. 2, pp. 662-3. A note of proceedings in the House of Lords 1641. The House considers a 'List of Prime Papists which the House of Commons desired to be secured.' This is a particularly important document, giving as it does the names of the most active Catholic leaders. The same list is given in the Lords' Journal under date November 20, 1641.
8. Southcote. 'The Notebook of John Southcote, D.D.,' printed in Catholic Record Society, Miscellany, Vol. I.
9. Collector 1639. In 1639, the Catholics organised a financial contribution to assist the King. A Collector was appointed for each county, and the names are printed in a parliamentary pamphlet of 1641. These names are also worthy of special note, since the collectors must have been active and leading Catholics.
10. Privy Council. The printed records of the proceedings of the Privy Council.
11. Popish Royal Favourite. A pamphlet by William Prynne, the well-known Puritan contraversialist, printed in 1643. It contains, *inter alia*, a list of Catholics to whom the King had granted Letters of Protection, under the Royal Signet, from the Recusancy Laws.
12. 1628 Parliamentary List. In 1628, the Commons drew up a list of suspected Catholics in official positions. The document is printed in the Historical Manuscripts Commission report on the Portland MSS. (Vol. I, p. 1)
13. Middlesex Sessions. The Middlesex Sessions Records contain the names of a large number of persons indicted for Recusancy.
14. Foley. 'Records of the English Province of the Society of Jesus.'

## LIST OF CATHOLIC KNIGHTS AND BARONETS. 1624-1654

Name.	Authorities.	Date of Creation.	County.
1. Sir John Andrews, Bart.	C.C. 1884	—	Northants
2. Sir William Andrews	C.C. -G. 246-7	1618	Northants
3. Sir John Arundel	C.C.-G. 247	1644	Cornwall
4. Sir William Arundel	C.C. 1795	—	Wilts
5. Sir Thomas Ashfield	C.A.M. 1334; C.C. 2258	—	Bucks
6. Sir Arthur Aston	C.C.-G. 254 (101)	1640	Cheshire
7. Sir Walter Aston	Mathew, <i>Catholicism in England</i> , p. 71	1603	Staffs
8. Sir Henry Audley	S.P. 437 (67)	1623	Suffolk
9. Sir William Aubrey	H.L.J. 1624 (definite)	1603	Brecknock
10. Sir Alexander Barlow	Brit. Mus. MS. 34,765; Nalson	1603	Lancs
11. Sir Edward Barrett	C.C.-G. 254 (101)	1645	Worcester
12. Sir John Beaumont	S.P. 437 (67)	—	Warwick
13. Sir Thomas Beaumont	C.C.-G. 247 and G. 254 (101)	1603	Leicester
14. Sir Henry Bedingfield	C.C.-G. 247; S.P. 437 (67); H.L.J. 1624	1604	Norfolk
15. Sir George Benion	C.C.-G. 254 (101)	1642	Essex
16. Sir Hugh Biston	H.L.J. 1624	1604	Cheshire
17. Sir Ralph Blakiston	C.C.-G. 244	1630	Yorks
18. Sir William Blakiston	C.C. (Surtees, 1905, p. 122)	1617	Durham
19. Sir Charles Blount	C.C. 2245	1600	Oxon
20. Sir Walter Blunt	C. 203; C.C.-G. 254 (101); Cath. Ap.	—	Salop
21. Sir Arthur Brett	Albion, <i>Charles I and the Court of Rome</i> , p. 154	—	—
22. Sir Robert Brett	C.C. 1644	1604	Somerset
23. Sir Basil Brooke	S.P. 495; Nalson; C.C. 2231; Collector 1639	1617	Salop

Name.	Authorities.	Date of Creation.	County.
24. Sir Robert Brooke	S.P. 495	1615	—
25. Sir Anthony Browne	H.L.J. 1624 (definite)	1603	Norfolk
26. Sir George Browne	Privy Council S.P.	1626; 1591	Berks
27. Sir Henry Browne	S.P. 345 (74); <i>Popish Royal Favourite</i>	—	Oxford
28. Sir Henry Bruce	S.P. 495	—	—
29. Sir Thomas Brudenall	H.L.J. 1624	1612	Northants
30. Sir Anthony Buggs	Middlesex Southcote	Sessions; 1618	—
31. Sir George Calvert	Nalson	1617	Hants
32. Sir John Cansfield	C. 203; Cath. Ap.	1644	Yorks
33. Sir Edward Carey	C.C.—G. 207 and G. 247; Collector 1639	1628	Devon
34. Sir William Carnaby	C.C.—G. 259	1619	Northum- berland
35. Sir Henry Carvell	H.L.J. 1624 (definite)	1620	Norfolk
36. Sir John Caryll	S.P. 348 (61); Collector 1639	1603	Sussex
37. Sir Edward Charlton	C.C. (Surtees, 1905, p. 122); Cath. Ap.	—	Northum- berland
38. Sir Robert Charnock	Collector 1639	1619	Beds
39. Sir George Chaworth	Foley, Vol. 5, p. 496	1608	Notts
40. Sir John Clavering	Cath. Ap.; Foley, Series 12, p. 647	1614	Northants
41. Sir Cuthbert Clifton	S.P. 8(92) and 178 (40)	1617	Lancs
42. Sir Thomas Clifton	<i>Plundered Ministers</i> , p. 59	—	Lancs
43. Sir Henry Compton	1628 Parliamentary List; C.C. 78	1603	Sussex
44. Sir Henry Compton	C.C.—G. 247	—	Wilts
45. Sir Thomas Compton	H.L.J. 1624 (definite)	1603	Warwick

Name.	Authorities.	Date of Creation.	County.
46. Sir Richard Conquest	S.P. 294 (11)	1603	Beds
47. Sir Henry Constable	<i>Popish Royal Favourite</i>	1604	Yorks
48. Sir Phillip Constable	C. 203 ; C.C.-G. 254 (101)	1603	Yorks
49. Sir John Conway	Middlesex Sessions ; H.L.J. 1624	1604	Flint
50. Sir Ralph Conyers	H.L.J. 1624 ; Middlesex Sessions ; Collector	1617	Durham
51. Sir Robert Cotton	Ellis's Letters, Vol. 3 (2nd Series), p. 256	1603	Hunts
52. Sir William Courtney	S.P. 39 (72) ; H.L.J. 1624 (definite)	1626	Devon
53. Sir William Courtney	C.C.-G. 247	1644	Hants
54. Sir Urban Crofts	Southcote	—	—
55. Sir Jordan Crosland	C.C 1698	1642	Yorks
56. Sir John Curpeper	C.C.-G. 254 (101)	1621	Warwick
57. Sir Henry Curwen	C.C. 3182 and 3188	—	Cumberland
58. Sir George Dalston	C.C.-G. 247	1607	Westmor- land
59. Sir William Dalston	C.C.-G. 247	1641	Westmor- land
60. Sir William Davenant	Mathew, <i>Catholicism in England</i>	1643	—
61. Sir John Digby	Cath. Ap.	1635	—
62. Sir Kenelme Digby	C.C.-G. 247 ; S.P. 495 ; Nalson	1623	Leicester
63. Sir Robert Dudley	Southcote	1603	Durham
64. Sir Francis Eastley	S.P. 495	1632	Warwick
65. Sir Ralph Ellerker	S.P. 178 (40) ; C.C.	1603	Yorks
66. Sir Thomas Elliot	S.P. 495	1615	—
67. Sir William Eluish	Southcote	1617	Yorks
68. Sir Francis Englefield	C. 203 ; S.P. 437 (67)	1622	Wilts.

Name.	Authorities.	Date of Creation.	County.
69. Sir Francis Englefield, Jun.	C.C.—G. 247; S.P. 10 (54); Collector 1639	—	Leicester
70. Sir William Euers	S.P. 495	1633	—
71. Sir Richard Farmer	Collector 1639	1603	Oxford
72. Sir William Fenwicke	C.C.—G. 254 (101); E. 101/630/4; Collector 1639	1617	Northumberland
73. Sir John Fitzherbert	Bede Camm, p. 68	1624	—
74. Sir Richard Fleetwood	C.C.—G. 247; S.P. 10 (21); S.P. 495; Nalson	—	Staffs
75. Sir Thomas Fleetwood	C.C. 3300; C. 203	1617	Staffs
76. Sir Richard Forster	Catholic Record Society, Mis. V, p. 38	—	—
77. Sir William Foster	Middlesex Sessions	1603	—
78. Sir John Fortescue	C.C.—G. 254 (101); C. 203	1641	Bucks
79. Sir Nicholas Fortescue	C.C. 2217; S.P. 495; Southcote	1619	—
80. Sir Henry Gage	Foley Records S.J.	1644	—
81. Sir John Gage	S.P. 495; S.P. 13 (17); S.P. 39 (72); H.L.J. 1624 (definite)	—	Sussex
82. Sir Thomas Gage	C.C.—G. 254 (101); S.P. 23 (26)	—	Sussex
83. Sir Thomas Gascoigne	C.C. 2314; C. 203; Collector 1639	—	Yorks
84. Sir Thomas Gerrard	S.P. 8 (92); S.P. 151 (13); H.L.J. 1624 (definite)	1628	Lancs
85. Sir William Gerrard	S.P. 495; Nalson; Collector 1639	—	Lancs
86. Sir Henry Gifford	Nalson	—	—
87. Sir Arthur Gray	S.P. 495	1617	Northumberland
88. Sir Roger Gray	S.P. 495	1617	Northumberland

Name.	Authorities.	Date of Creation.	County.
89. Sir Alexander Gordinge (Gordon)	S.P. 495 ; Nalson.	— —	
90. Sir Edward Goulding	C.C.—G. 257	—	Notts
91. Sir Henry Guilford	S.P. 495	—	Kent
92. Sir Thomas Haggerston	C.C. 2558	—	Durham
93. Sir John Hall	C.C.—G. 247	1632	Gloucester
94. Sir John Hall	S.P. 12 (30), 1624	H.L.J. 1603	Hants
95. Sir Cuthbert Halsell	1628 Parliamentary Lists ; S.P.	1599	Lancs
96. Sir Henry Hastinge	S.P. 10 (54)	1603	Leicester
97. Sir Thomas Hawkins	S.P. 495	1618	Kent
98. Sir Francis Hayward	S.P. 495	— —	
99. Sir John Hayles	C.C.—G. 247	1625	Gloucester
100. Sir George Heanage	C.C. 1365 ; S.P.	1607	Lincs
101. Sir Percy Herbert	C. 203 ; Nalson ; C.C. ; Collector 1639	1622	Montgomery
102. Sir William Herbert	1628 Parliamentary List	1603	Montgomery
103. Sir Francis Hildsley	S.P. 495 ; S.P. 229 (131)	1603	Middlesex
104. Sir Robert Hodson	Middlesex Sessions ; E. 101/630/4	— —	
105. Sir Richard Houghton	1628 Parliamentary Lists	—	Lancs
106. Sir Charles Howard	C. 203 ; C.C.	1639	Northum- berland
107. Sir Francis Howard	S.P. 73 (12) ; H.L.J. 1624 (definite)	1604	Surrey
108. Sir Francis Howard	C.C.—G. 247 ; Collector 1639	—	Cumberland
109. Sir William Howard	S.P. 495	1636	Yorks

Name.	Authorities.	Date of Creation.	County.
110. Sir Robert Huddlestone	Recusant Rolls ; Foley, Vol. 5, p. 586	—	Essex
111. Sir Philip Hun- gate	<i>Lords' Journal</i> , 580 ; Collector 1639	—	Yorks
112. Sir William Hungate	Bede Camm, p. 282	—	—
113. Sir Henry Hunloke	Parliamentary 1680	Lists 1642	Derby
114. Sir John le Hunt	S.P. 495	1611	Leicester
115. Sir Gilbert Ireland	S.P. 8 (92) ; 1624 (definite)	H.L.J. 1617	Lancs
116. Sir Charles Jones	H.L.J. 1624	1609	Monmouth
117. Sir George Kempe	S.P. 495	1626	Essex
118. Sir Philip Knevelt	S.P. 495 ; H.L.J. 1624	—	Norfolk
119. Sir Francis Lacon	Middlesex Sessions ; H.L.J. 1624 (definite)	1599	Salop
120. Sir Robert Lacy	S.P. 495	1618	—
121. Sir Thomas Lake	Southcote	1617	Middlesex
122. Sir Thomas Lamplugh	S.P. 495 ; H.L.J. 1624	1615	Cumberland
123. Sir Richard Lashford	C.C. 3179 ; C. 203	1623	Surrey
124. Sir Marmaduke Langdale	Nicholas papers	1627	Yorks
125. Sir Thomas Leeds	Southcote	1603	Suffolk
126. Sir Edward Lentall	Middlesex Sessions	1608	—
127. Sir Nicholas Lewis	Nalson	—	—
128. Sir Lewis Lewknor	S.P. 495 ; H.L.J. 1624 (definite) ; Southcote	1603	Middlesex
129. Sir Thomas Longueville	Parliamentary 1680	Lists Chas. I—	—
130. Sir John Longworth	Foley, <i>Pilgrim Book</i> , p. 610	1628	—
131. Sir Edmund Lowell	S.P. 11 (38)	1619	Surrey
132. Sir Robert Lyme (or Lynce)	Nalson	—	—



	Name.	Authorities.	Date of Creation.	County.
133.	Sir Edward Mandfield	C.C.—G. 246 ; C. 203 ; S.P. 332 (59) ; Col- lector 1639	1604	Bucks
134.	Sir Charles Manners	Middlesex Sessions	—	—
135.	Sir Francis Mannock	C.C.—G. 247 ; C. 203 ; S.P. 437 (67), Col- lector 1639	—	Suffolk
136.	Sir Griffith Markham	Southcote	—	—
137.	Sir William Massey	C.C.—G. 246 (37) ; H.L.J. 1624	1617	Cheshire
138.	Sir Toby Mathew	Southcote	1623	—
139.	Sir Roger Martin	C. 203 ; Privy Council 1626 ; Collector 1639	1625	Suffolk
140.	Sir Henry Merry	S.P. 39 (72) ; S.P. 10 (54) ; S.P. 178 (40)	1621	Leicester
141.	Sir Francis Metcalf	Middlesex Sessions ; H.L.J. 1624	1618	Lincs
142.	Sir Jordan Methame	Foley, <i>Diary and Pilgrim Book</i>	1642	—
143.	Sir Thomas Methane	Parliamentary 1628	Lists 1603	Yorks
144.	Sir Robert Mexfield	S.P. 73 (12)	—	London
145.	Sir John Middleton	<i>Lords' Journal</i> , p. 580 ; Cath. Ap.	1642	Yorks
146.	Sir Richard Minshall	S.P. 495 ; Southcote	1626	Cheshire
147.	Sir Vivian Molyneux	<i>Cavalier's notebook</i> (ed. Gibson), p. 192	1639	Lancs
148.	Sir Thomas Monson	S.P. 229 (131)	—	Middlesex
149.	Sir William Monson	S.P. 495 ; Nalson	1622	Kent
150.	Sir Walter Montague	S.P. 437 (531)	—	—
151.	Sir Anthony Morgan	C.C. 1898 ; C.A.M. 893	1642	Northants
152.	Sir Edward Morgan	C.C. 2311 ; C.C.—G. 254 (101)	—	Monmouth

Name.	Authorities.	Date of Creation.	County.
153. Sir Philip Morgan	C. 203	—	Glamorgan
154. Sir John Mostyn	Foley	—	Flint.
155. Sir William Mouteenth	S.P. 495 ; Nalson	—	—
156. Sir Richard Mullineux	Parliamentary 1628	Lists 1613	Lancs
157. Sir Edward Musgrave	Parliamentary 1628	Lists 1604	Cumberland
158. Sir Henry Mynne	H.L.J. 1624	1609	Rutland
159. Sir Thomas Neville	S.P. 23 (26)	1616	—
160. Sir Edward Nicholas	C. 203	1641	Hants
161. Sir William Norris	S.P. 178 (40) ; H.L.J. 1624	1603	Lancs
162. Sir Walter Norton	Middlesex Sessions	—	Norfolk
163. Sir Edward Osbaldeston	Catholic Record Society, Vol. 4	—	Lancs
164. Sir ? Osither	Foley	—	—
165. Sir Edward Parham	Middlesex Sessions	1603	Somerset
166. Sir Henry Parker	C.C. 2278	—	—
167. Sir George Parkins	S.P. 10 (57) ; H.L.J. 1624	1603	Notts
168. Sir John Penruddock	C.C.-G. 255 ; C. 203	1642	Middlesex
169. Sir Thomas Penruddock	H.L.J. 1624	1603	Middlesex
170. Sir Richard Persall	Foley, Vol. 5, p. 599	—	—
171. Sir William Persall	C.C.-G. 247 ; S.P. 229 (3)	1627	Staffs
172. Sir George Petre	S.P. 72 (48) ; Southcote	1603	London
173. Sir John Philpott	S.P. 12 (30) ; H.L.J. (definite)	1603	Hants
174. Sir Edward Plumpton	Cath. Ap.; Peacock's <i>Yorkshire Catholics</i>	1603	Yorks
175. Sir William Powell	H.L.J. 1624 (definite)	1619	Staffs
176. Sir John Preston	C.A.M. 827	—	Lancs
177. Sir John Preston, Jun.	C.A.M. 827	—	Lancs
178. Sir Edward Prinn	S.P. 495	—	—

	Name.	Authorities.	Date of Creation.	County.
179.	Sir Francis Radcliffe	S.P. 495	1627	Northum- berland
180.	Sir Edward Ratcliffe	C.C.—G. 246 and 247 ; Cath. Ap.; Collector 1639	—	Cumberland
181.	Sir John Ratcliffe	Parliamentary 1680	Lists 1645	—
182.	Sir Edward Rich	S.P. 495	—	Durham
183.	Sir Thomas Riddell	S.P. 522 (52); H.L.J. 1624	—	Northum- berland
184.	Sir Thomas Riddell	C.C.2037	1638	Durham
185.	Sir William Riddell	C.C. 2037	1633	—
186.	Sir Robert Rookwood	S.P. 178 (43); Nalson	1624	Suffolk
187.	Sir Anthony Roper	Camden Society, 1866, p. 66	1603	Kent
188.	Sir William Roper	S.P. 13 (18); Southcote	1603	Kent
189.	Sir Thomas Russell	Brit. Mus. MS. 34, 765 ; H.L.J. 1624 (definite)	1603	Worcester
190.	Sir Nicholas Sanders	H.L.J. 1624	—	Surrey
191.	Sir William Saunders	Collector 1639	1608	Northants
192.	Sir Thomas Savage	H.L.J. 1624 (definite)	1621	Cheshire
193.	Sir William Selby	H.L.J. 1624	1603	Northum- berland
194.	Sir Charles Shelley	C.C.—G. 254 (101)	—	Sussex
195.	Sir John Shelley	S.P. 437 (67), H.L.J. 1624 (definite); Col- lector 1639	1612	Sussex
196.	Sir William Shelley	S.P. 437 (67)	1636	Sussex
197.	Sir Anthony Shirley	Southcote	—	—
198.	Sir Henry Shirley	S.P. 10 (54)	—	Hunts
199.	Sir Thomas Shirley	C.C.—G. 247; C. 203 ; S.P. 489 (42)	1622	Hunts
200.	Sir Thomas Shirley	C.C. 2380	1645	Sussex

Name.	Authorities.	Date of Creation.	County.
201. Sir George Simondes	Middlesex Sessions	1604	—
202. Sir Henry Slingsby	Cath. Ap.	1602	Yorks
203. Sir Charles Smith	C.C.—G. 247; C. 203; S.P. 437 (67); S.P. 495; Nalson	1619	Warwick
204. Sir Francis Smith	S.P. 10 (54)	—	Leicester
205. Sir John Smith	C.C. 2947; C. 203	1618	Surrey
206. Sir John Smith	<i>Memoirs of Prince Rupert</i> , (E. Warburton), Vol. I, p. 318	1642	Warwick
207. Sir Thomas Smith	C.C.—G. 247	1627	Leicester
208. Sir Charles Somerset	C. 203; C.A.M. 1218; Nalson; Collector 1639	1610	Monmouth
209. Sir John Somerset	C.A.M. 895	1632	Gloucester
210. Sir Thomas Somerset	C.A.M. 1235; H.L.J. 1624 (definite)	1605	Gloucester
211. Sir John Southcote	Parliamentary 1680	Lists 1645	Essex
212. Sir William Standley	Southcote	—	—
213. Sir Robert Stapleton	S.P.	1642	Yorks
214. Sir Francis Stonors	H.L.J. 1624 (definite) Southcote	—	Oxford
215. Sir William Stourton	S.P. 495; S.P. 11 (38)	1616	Surrey
216. Sir Henry Studyes	Foley, Vol. 2, p. 426	—	Essex
217. Sir Edward Sulyard	C. 203; C.C. 1759; Collector 1639	1618	Suffolk
218. Sir Thomas Swinburne	C.C.; Parliamentary List 1628	1625	Northum- berland
219. Sir John Symons	S.P. 495; C.C. 1851; Nalson	1623	Oxford
220. Sir John Talbott	S.P. 151 (13); Nalson	1617	Lancs
221. Sir John Tasbrough	H.L.J. 1624	1603	Norfolk
222. Sir Benjamin Tichbourne	C. 203	1618	Hants

	Name.	Authorities.	Date of Creation.	County.
223.	Sir Richard Tichbourne	H.L.J. 1624	1603	Hants
224.	Sir Thomas Timperley	C.C.—G. 254 (101); Privy Council 1626	1618	Sussex
225.	Sir John Thimelby	C. 203; S.P. 178 (40); S.P. 495; Nalson; Collector 1639	1624	Lincs
226.	Sir Nicholas Thornton	Cath. Ap.; <i>An exact Collection</i> , p. 662	—	Northum- berland
227.	Sir Robert Thorold	Douay Diaries, Vol. 2, p. 524; 1680 Lists	1641	Lincs
228.	Sir Robert Throckmorton	C.C.—G. 246	—	Bucks
229.	Sir Henry Torlingham	C.A.M. 977	—	Suffolk
230.	Sir John Townsend	H.L.J. 1624	1603	Hereford
231.	Sir Cecil Trafford	C. 203; S.P. 23 (26) Nalson; Collector 1639	1617	Lancs
232.	Sir Lewis Tresham	Middlesex Sessions	1612	—
233.	Sir William Tresham	C.C.—G. 247	1613	Northants
234.	Sir Troyles Turberville	Cath. Ap.	—	—
235.	Sir Thomas Tyldesley	Cath. Ap.; <i>Plundered Ministers</i> , p. 13	1616	Lancs
236.	Sir Hercules Underhill	C.A.M. 1223	1617	Warwick
237.	Sir Anthony Vandyke	S.P. 495	1632	—
238.	Sir Peter Vanlore	S.P. 495	1621	—
239.	Sir Walter Vavasour	S.P. 495; C.C. 2229; Collector 1639	—	Yorks
240.	Sir Edward Waldegrave	C.C. 1858	Chas.I	Norfolk
241.	Sir Thomas Walmesley	Cath. Record Soc. Vol. 36, p. 304	1617	Lancs
242.	Sir Robert Walsh	Parliamentary 1680 Lists	1642	—
243.	Sir John Webb	C. 203; C.C.—G. 247; S.P. 12 (72)	1604	Wilts

Name.	Authorities.	Date of Creation.	County.
244. Sir John Weld	Foley, Series 12, p. 112	—	—
245. Sir Richard Weston	C.C.—G. 254 (101); Privy Council 1626	1622	Surrey
246. Sir Edward Widdrington	C. 203; C.C.; Cath Ap.	—	Northum- berland
247. Sir Henry Widdrington	S.P. 522 (52)	1603	Northum- berland
248. Sir William Widdrington	Cath. Ap.	1632	—
249. Sir John Wigmore	Collector 1639	—	Hereford
250. Sir Francis Willoughby	Collector 1639	—	Derby
251. Sir Francis Windebanke	The well-known Secre- tary of State	1632	—
252. Sir George Winter	C.C. 2124	1641	Worcester
253. Sir John Winter	S.P. 495; S.P. 339 (93); Nalson; Cath. Ap.; Collector 1639	1624	Gloucester
254. Sir Thomas Wiseman	H.L.J. 1624 (definite)	1604	Essex
255. Sir William Wrey	H.L.J. 1624	1603	Cornwall
256. Sir Marmaduke Wyvell	H.L.J. 1624	1617	Yorks
257. Sir Edward Yates	Southcote	—	Berks
258. Sir John Yate	C. 203; C.C.	1629	Oxford
259. Sir William Yelverton	Middlesex Sessions; C.A.M.	1620	Norfolk
260. Sir Andrew Young	C.C. (Surtees 1905, p. 68)	—	Durham
261. The Earl of Carnarvon		1642	—
262. Lord Stuart D'Aubigny		1642	—

It will be observed that these names have been collected from a very large number of diverse contemporary sources. There is no list of prominent Catholics at this period which purports or claims to be comprehensive.

In the circumstances it is all the more surprising to be able to find the names of such a very large number of Catholic knights. For when it is remembered that knighthood was an honour conferred on a very small and restricted class of very wealthy men, a total of 262 Catholics is very large indeed.

It must also be very clearly appreciated that 262 is a *minimum* figure, for, lacking anything even remotely approaching a contemporary comprehensive list, it is quite impossible to hope to trace the names of all the Catholic knights. The most prolific sources of information are the State Papers and official documents, and these contain, for the most part, the names of convicted Recusants and other Recusants, who, though not convicted, were well known to be such. The large body of less steadfast Catholics—the non-communicants, for example, do not normally appear in the official records. When the nature and purpose of most of the official documents in question are considered, the reason for these omissions will be apparent. To take some examples: in 1625 it was ordered that Recusants should be disarmed, but the order was only very partially and incompletely carried out, for the official records show that only a comparatively few Catholics were, in point of fact, subjected to this indignity. Now, it is surely beyond argument that the few so selected would be the most prominent and well-known Catholics, or those considered, for other reasons, to be especially dangerous. It therefore follows that the great majority of the Catholic gentry would not be mentioned in these records.

Again, other important sources are various official lists of convicted Recusants. Even here, the records are only fragmentary, and it has already been shown that the convicted Recusants were only a small fraction of the Catholic body.

Yet again, consider the record of the estates seques-

tered under the Commonwealth. A contemporary document gives a list of some 2000 persons whose estates were sequestered for popish Recusancy; the smallness of this number shows clearly that the penalty of sequestration was only applied to a specially selected few—once again, therefore, these records contain only the names of a comparatively few Catholics, who were particularly prominent.

Similar arguments apply to the lists of Catholics holding public office (who were comparatively few), to Nalson's list of prime Papists, and to almost all the available sources of information. There is no record, in the official documents, of the many quiet and unobtrusive Catholics who kept in the background; and who outwardly occasionally conformed to the Established Church. The list of 262 Catholic knights cannot therefore represent anything like the full number.

That all the 262 persons named in this list were in fact Catholics is thoroughly well established, except in a very few cases. To begin with, of the 262, no fewer than 198 names have been taken from official documents in which the individuals are specifically described as either Recusants or Papists—for the most part as Recusants. This figure (198) does not include the names of those who in the Parliamentary petitions of 1624 and 1628 are accused merely of having Recusant wives or children; only those described as themselves Recusants are here taken into account. Thus, more than three-quarters of the names rest upon the most solid and substantial authority possible. In only 16 cases out of the 262, is the contemporary evidence limited to the Recusancy of wife or children, and in only 4 cases are we dependent alone upon the sub-contemporary evidence of the *Catholique Apology*. There is no special reason to doubt the authenticity of Castlemaine's list, but it must in fairness be remembered that the *Catholique Apology*



was a piece of propaganda, and we cannot be certain that its author was always strictly accurate. In 9 cases, we are dependent upon Southcote alone, and in 5 cases upon the appearance of a name among the lists of the collectors for the Catholic contribution in 1639. These two sources can hardly be regarded as unreliable evidence of Catholicity.

It will be seen that there are no serious grounds for questioning the substantial accuracy of the list of Catholic knights and baronets.

The most important step of all is to determine what proportion of the total number of knights this list of 262 names represents.

The question is not an easy one to determine, first, because the list is taken from a large number of sources, covering a range of 30 years, and it is impossible to determine with absolute accuracy the total number of knights, Catholic or Protestant, living at any one time. According to Metcalfe,<sup>1</sup> the total number of knights created by James I, after deducting Scottish, Irish, and foreign knights, amounted to 2338; the total number created by Charles I, making similar deductions, amounted to 782. These figures do not include Englishmen who were knighted while on the King's service in Ireland, but the number of these was small. It is not claimed that these figures are accurate to within one or two per cent, for it is very easy, for example, to miss some of the foreign names included in Metcalfe's list. Moreover, it seems that occasionally Metcalfe included the same name twice. Small margins of error, however, in a calculation of this kind, are of small consequence. Substantially, the figures are a correct summary of Metcalfe's work.

The first fact which emerges from a comparison of the list of Catholic knights with Metcalfe's book is that no

<sup>1</sup> W. C. Metcalfe, F.S.A., *A Book of Knights*, 1885.

fewer than seventy-four Catholic names are nowhere to be found in Metcalfe. A partial explanation is that some of the Catholics were not knights, but baronets, for it is not always possible to distinguish between the two, both carrying the title 'Sir.' This explanation cannot, however, account for the whole discrepancy, because, in the first place, many baronets had also received knighthood, and should therefore appear in a complete list of knights; and because, in the second place, the total number of baronets was very small, compared with the total number of knights. According to one contemporary document, there were only two hundred and ninety baronets in the whole country at the death of James I in 1625. Other factors which make it difficult to link up the Catholic list with Metcalfe's book are variations of spelling and errors of transcription. In the seventeenth century, extraordinary variations of spelling are to be found, and nowhere was the inconsistency more marked than in the case of surnames. For example, two well-known family names are variously spelt as :

Symons.	Carrell.
Symonds.	Caryll.
Symondes.	Carol.
Simons.	Carrill.
Simonds.	

The name Gerrard is sometimes spelt Garrett, or even Jarrett; we can identify Cansfield and Campsfield, Blunt and Blount, Benion and Binnion, Mandfield and Mansfield. Examples could be multiplied indefinitely. It is quite clear that the task of identification is not always an easy one.

Errors of transcription, also, are bound to occur. No doubt I have made mistakes here and there in deciphering difficult manuscripts, and printed sources

seem occasionally to be at fault: in the Middlesex Sessions Records, we find Sir Edward Lentall and Sir Edward Lentax, who are probably the same person. Nor is there any guarantee that Metcalfe's work is free from error. The work of deciphering some of the more difficult seventeenth-century documents is such that mistakes are bound to occur occasionally. But, even after allowing due weight to these factors, it still seems fairly certain that Metcalfe's records were incomplete; Metcalfe himself did not indeed make any claims to finality.

Of the 262 names, only 188 are to be found in Metcalfe's list of creations, and they may be analysed as follows:

Created by Elizabeth	.	.	.	5
„ „ James I	.	.	.	125
„ „ Charles I	.	.	.	58
				<hr/>
Total	.	.	.	188

At the end of this chapter there will be found a further list of Catholic knights taken mainly from the State Papers of the reign of James I, but the sources of information are much more meagre and scanty than they are for the reign of Charles, and I have been able to discover only 61 additional names. Of these 61 names, 35 appear in Metcalfe's list of the creations of James I.

We thus have a record of 125 plus 35, that is 160 Catholic knights whose names appear in Metcalfe's list of 2338; the Catholic proportion is about 7 per cent. Of the 782 knights created by Charles I, 58 appear in the Catholic list, that is about  $7\frac{1}{2}$  per cent.

It must be repeated that the real strength of the Catholics was much greater than this; Metcalfe's book includes many Catholic family names, in addition to those appearing in the above list, which has been confined (with only three exceptions) to individuals who

are explicitly named as Catholics in contemporary records. But there can be no reasonable doubt that men like Sir George Carey, a son of the leading Catholic gentleman in Devonshire,<sup>1</sup> or Sir Charles Dallison,<sup>2</sup> two of whose daughters were nuns, were themselves Catholics. Both these names appear in Metcalfe's list of the creations of Charles I. We might add without much risk of error Sir George Middleton, whose wife was a convicted Recusant, Sir Edward Stradling, whose family had been prominent Catholics in Elizabethan times, and whose son appears in the parliamentary lists of Papists in 1680, and Sir Henry Stradling of the same family; the names of Tankred, Grimes, Bellasis, Curzon, Wingfield all appear in the 1680 lists of Papists or among the Catholics who registered their estates between 1715 and 1720, and all these families are represented among the knights created by Charles I. Here already are ten more knights, all appearing in Metcalfe's book, of whose Catholic sympathies there can be little doubt, which would bring the Catholic proportion up to nearly 9 per cent. Other Catholic family names represented in the creations of Charles I are Girlington, Talbot, Eyre, Palmes, Aston, to mention only a few family names which are to be found in later Catholic records. Moreover, the names of many ladies (wives of knights) may be observed among lists of Recusants, but unfortunately I kept no complete record of these. Had I done so, it would probably have been possible to show that many other knights in Metcalfe's list of the creations of Charles I had Recusant wives. For example, among the Recusants indicted at the Middlesex Sessions, in the reign of Charles I, appear Ladies Gardner, Knowles,

<sup>1</sup> Sir George's own son registered his estate as a Papist in 1715.

<sup>2</sup> Sir Robert Dallison, presumably the son of Sir Charles, appears in the list of Papists of 1680.

Ostan, Sidenham, Skinner, and Wootton ; the Sessions Records for the reign of James I yield the names of some twelve more ladies ; some, at least, of their husbands no doubt appear in Metcalfe's book. The Pilgrim Book of the English College at Rome shows that Sir Francis Fayne, Sir Walter Pye, and Sir Thomas Hopper, all of whom appear in Metcalfe (under Charles I), received at one time or another the hospitality of the College ; this does not, of course, prove that they were practising Catholics, but it certainly suggests that they were of Catholic sympathies. A careful and detailed study of family histories would no doubt show that names such as these represent the large body of Catholics who took no part in public affairs, and remained unobtrusively in the background, some of them probably outwardly conforming to the Established Church. These examples are sufficient to show that the real strength of the Catholics under Charles I was considerably greater than  $7\frac{1}{2}$  per cent. No better example of the ubiquity of the Catholics could be found than the remarkable case of Sir Henry Spiller, the Exchequer officer responsible for the collection of the Recusancy fines, who was actually himself a 'Church Papist.'

The Catholic proportion of the creations of James I appears to be slightly lower, viz. 7 per cent, but, properly understood, this result proves that the Catholics were definitely more numerous under James I than they were under Charles I. There are two reasons for this assertion. First, the sources of information for the reign of James I are comparatively scanty ; a study of the list of knights shows that it was the period of the Civil War that produced the great bulk of the records from which the names are taken. From 1640 onwards, more Recusants were convicted than ever before, while the records of the sequestered estates are a mine of information, without previous parallel. Considering that a large proportion

of the knights created by James I must have been dead long before 1640, it is surprising to find that the ascertained Catholic percentage of the creations of James is only slightly less than that of the creations of Charles; the obvious inference is that, had the records for the reign of James been at all comparable with those of the reign of Charles, a much higher proportion of Catholic knights would have been found in the earlier reign. A second and conclusive proof of this is the following: of the 58 Catholic knights appearing among the creations of Charles I, only 28 are actually described as *Recusants* (as distinct from Papists), that is about  $3\frac{1}{2}$  per cent. Of the 160 Catholic knights among the creations of James, more than 100, or about  $4\frac{1}{2}$  per cent, are described as Recusants; in other words, a *higher* proportion of Recusants or uncompromising Catholics can be established for the reign of James than for that of Charles, in spite of the fact that the most prolific records are documents of the later reign.

Beyond doubt, the Catholic body declined in numbers, as the century advanced, despite the relatively tolerant regime of 1620 to 1640.

From this fact, it follows that the proportion of Catholic knights *living* at any given moment under Charles I must have been higher than the Catholic proportion of those *created* by Charles, there being more Catholics among the older generation than among the younger. Here is yet another reason for concluding that the Catholics under Charles I formed more than  $7\frac{1}{2}$  per cent of the gentry; 10 per cent would be the lowest defensible estimate, and 20 per cent (interpreting the term 'Catholic' in the widest possible sense) might not be too high.

SUPPLEMENTARY LIST OF CATHOLIC KNIGHTS AND BARONETS  
1603-1624

Name.	Authorities.	Date of Creation.	County.
1. Sir Ralph Babthorpe	Peacock's Yorks. Caths.	1603	Yorks
2. Sir William Babthorpe	Peacock's Yorks. Caths.	—	Yorks
3. Sir Robert Bassett	S.P. 65 (95)	—	—
4. Sir Austin Belson	Middlesex Sessions	—	—
5. Sir William Berwick	S.P. 108 (9)	1604	Suffolk
6. Sir Thomas Blakiston	S.P. 81 (54)	1615	Durham
7. Sir Edward Blount	S.P. 118 (107)	1599	Worcester
8. Sir John Bowles	S.P. 23 (37)	1596	—
9. Sir Henry Bretton	S.P. 119 (83)	1617	Surrey
10. Sir John Carrill	S.P. 118 (62)	1591	Sussex
11. Sir John Carol	S.P. 49 (45)	—	Hants
12. Sir Thomas Carrill	S.P. 118 (62)	1603	Sussex
13. Sir Edward Carvell	S.P. 117 (59)	1603	Norfolk
14. Sir John Claxton	S.P. 81 (54)	1603	Yorks
15. Sir George Cotton	Middlesex Sessions	1603	Cambridge
16. Sir Thomas Crathorne	Middlesex Sessions	—	—
17. Sir John Digby	S.P. 118 (110)	—	Bucks
18. Sir Edward Dives	S.P. 65 (8)	—	—
19. Sir Robert Dollman	S.P. 53 (5)	1604	Yorks
20. Sir John Dormer	S.P. 118 (110)	1603	Bucks
21. Sir Francis Duckett	Surtees Society, 1877, p. 423	1603	—
22. Sir Richard Edgcombe	S.P. 40 (47)	1603	Cornwall
23. Sir William Elvis	S.P. 118 (108)	1615	—
24. Sir Thomas Fairfax	Peacock's Yorks. Caths.	1603	Yorks
25. Sir William Gascoigne	Peacock's Yorks. Caths.	1599	Yorks
26. Sir Walter Gifford	S.P. 39 (12)	—	Staffs
27. Sir Bernard Grenville	S.P. 40 (4)	1608	Cornwall
28. Sir William Grey	S.P. 74 (31)	1603	Norfolk
29. Sir Rice Griffin	S.P. 43 (95)	1604	Middlesex

Name.	Authorities.	Date of Creation.	County.
30. Sir Walter Harcourt	Brit. Mus. MS. 34,765	1591	Oxford
31. Sir Thomas Holt	Middlesex Sessions	1603	Cheshire
32. Sir Henry James	S.P. 118 (62)	1603	Kent
33. Sir Garrett Kempe	Middlesex Sessions	—	—
34. Sir William Kennitt	Notestein, Vol. 3, p. 262	1617	Durham
35. Sir Joseph Leedes	<i>Commons Journal</i> , Vol. 1, p. 516	—	Wilts.
36. Sir Francis Lovell	S.P. 115 (51)	1603	Norfolk
37. Sir Thomas Manners	Peacock's Yorks. Caths.	1570	Yorks
38. Sir John Morley	S.P. 118 (62)	1603	Sussex
39. Sir George Palmes	Lansdowne MS. 153; Peacock	1603	Yorks
40. Sir George Peckham	S.P. 124 (101)	1617	—
41. Sir Edward Phippes	Middlesex Sessions	1603	—
42. Sir George Rawley	S.P. 39 (101)	1603	Warwick
43. Sir Thomas Reresby	Middlesex Sessions; Peacock	1598	Yorks
44. Sir Thomas Rokesby	S.P. 74 (31); Peacock	—	Yorks
45. Sir Christopher Roper	Lansdowne MS. 153; Middlesex Sessions	—	Kent
46. Sir George Sandes	Middlesex Sessions	—	—
47. Sir William Sans	Middlesex Sessions	1608	—
48. Sir George Speke	S.P. 34 (47)	1603	Somerset
49. Sir Hugh Speke	Brit. Mus. MS. 34,765	—	—
50. Sir Edward Stanley	Dodd's Church History	1586	Sussex
51. Sir Anthony Standen	Middlesex Sessions	1599	—
52. Sir Stephen Tempest	Peacock	1603	Yorks
53. Sir Robert Tirwhit	Dodd's Church History	—	Lincs
54. Sir John Whitbrooke	S.P. 118 (62)	1604	Salop
55. Sir Richard White	S.P. 66 (44)	1603	Hants
56. Sir William Windsor	Brit. Mus. MS. 34,765	1603	Bucks
57. Sir Edward Winter	Middlesex Sessions	—	—



Name.	Authorities.	Date of Creation.	County.
58. Sir Ralph Wiseman	S.P. 50 (60)	1603	Essex
59 Sir Robert Wiseman	S.P. 197 (1)	—	—
60. Sir William Wiseman	Lansdowne MS. 153	1604	Essex
61. Sir John York	S.P. 50 (62)	1603	Yorks

## CHAPTER IX

### THE CATHOLICS IN THE CIVIL WAR

**N**O attempt has been made in this book to write a connected history of the Catholics, but, as far as possible, some chronological order has been preserved. The ebb and flow of Catholic political fortunes is the background to the decline in numbers which continued throughout the century. We have seen that the defeat of the Spanish Armada which was immediately preceded by the introduction of the crushing fines for Recusancy, and the Gunpowder Plot were turning points in the process of the disintegration of the Catholic tradition. A period of comparative quiescence was followed by the vigorous and almost aggressive revival of political activity which coincided with the tolerant policy pursued by James I in his last years. A temporary phase of repression during the first two or three years of the reign of Charles I was followed by a progressive relaxation of the Recusancy laws.

An anonymous writer, possibly the French Minister at the English Court, gives us an interesting account of the religious divisions in England at this time. 'Thus England was divided into Protestants and Catholicks. But many Protestants, who pretended that the Church of England was not sufficiently reformed, refused to submit to her Government, and formed a third party, called Puritans. These parties prevail still. That of the Puritans is most powerful, consisting of some Bishops, the greatest part of the gentry, and almost all the common

people. The Church of England has on her side the King, the greatest part of the nobility and Bishops, and the two Universities. Though the Catholicks are not so numerous as the Church of England men and the Puritans, yet they make a considerable part of the State, consisting of some noblemen, powerful by their riches and alliances, and a great number of the common people.<sup>1</sup>

It is clear that the writer regarded the Catholics as the smallest of the three parties, but he does not seem to think that the margin was enormous. 'A considerable part of the State' does not suggest an insignificant minority.

In the civil wars, the Catholics were the most active and unswerving supporters of the King. Catholic support, in one way a very practical advantage, nevertheless had its drawbacks, for it provided the Parliamentarians with a powerful lever against the King. Nothing was easier than to inflame Protestant feeling against a King who favoured the Papists, and the wildest stories found ready listeners. For example, there was an absurd rumour in Northamptonshire in 1633 that the Papists were about to rise; upon enquiry, the story seems to have arisen from a tale told by a small boy about the delivery of armour to the house of Lady Digby. Imaginary plots by the Jesuits were as common as blackberries. Even the King was accused of conspiring with the Papists to cut all the Protestants' throats. It was whispered that the Papists were secretly training in underground cellars, but the limit of absurdity was reached when it was rumoured that the Papists were going to blow up the Thames. The intensity of the hatred against the Catholics may be judged from the speech of Major-General Boteler in Parliament in 1657,

<sup>1</sup> *An Important Discourse concerning the State of Religion in England and the Reconciliation with Rome.*

the cold calmness of which shows more venom than the most hysterical outbursts: 'I grant that to an Englishman, an oath to accuse a man's self ought not to be put, but I look upon them as persons otherwise than Englishmen. I look upon them as enemies.'<sup>1</sup>

The religious quarrel is the key to the true nature of the Civil War. The Papists were the real enemy, in the minds of those who supported the Parliament most strongly. With monotonous reiteration, nearly every declaration and proclamation of the Parliament held up the Papists as the true authors of the war. 'Whereas great forces of Papists and other ill-affected persons are now in actual war against the King, Parliament and the Kingdom etc.' 'The Lords and Commons now in Parliament assembled being certainly informed that Papists and other wicked and ill-affected persons have traitorously combined together, etc,' and so on.

Religious hatred was an excellent weapon in the war of propaganda, and the Parliamentarians used it to best advantage, but the fact remains that the line of cleavage was very largely a religious one. The very geography of the war points to the fact, for it was in the north and west, the area controlled by the King, that the great bulk of the Catholics were to be found, and the Popish army of the Puritan imagination had a very solid foundation in fact. We have already noticed that, according to Castlemaine, two-fifths of the officers killed upon the Royal side were Catholics. The Catholic element seems to have been exceptionally strong in the northern army, under the command of the Earl of Newcastle. A letter written from Ipswich on December 27, 1642, describes Colonel Goring's landing at Newcastle a few weeks earlier. 'Yesterday here came in two ships from Newcastle, who bring certain news, that Colonel Goring with 10,000 arms, 20 pieces of ordnance, 20,000 pounds,

<sup>1</sup> Diary of Thomas Burton, M.P., under date May 29, 1657.

and old Commanders to the number of 80, with many horse for service, waggons, etc., are here landed; he hath brought over with him a standard from the Queen, which is to be advanced in the Head of the Lord of Newcastle's army, the which is now called the Catholike army, and well it may, *there being six or seven thousand known papists and recusants serving therein*, a fearful thing, and likely to prove more formidable to this kingdom than any other forces elsewhere.<sup>1</sup>

In a letter of Lord Fairfax, written about the same time and printed in the same volume, the total strength of the Earl of Newcastle's army was said to be 8000 men.<sup>2</sup> If these figures are correct, three-quarters of this army was composed of Catholics.

In the first months of the war, the King attempted to steal the Parliamentarians' thunder by forbidding Recusants to serve in his armies, but this prohibition did not damp the enthusiasm of the Catholics. In one of the printed declarations of the Parliament it was alleged that 'the better to qualify their persons for this present service (i.e. in the royal army), many heretofore constant recusants do now resort to Church, and take the oaths of Supremacy and Allegiance.'<sup>3</sup> The Earl Rivers was mentioned as a specific example of this. But it soon became evident that the King could not afford to do without the Catholics, and the pretence was given up; as early as September 27, 1642, the King wrote to Sir William Gerrard and other Lancashire Catholic gentlemen, pointedly styling them as Recusants, but commanding them to arm themselves in his service. This official recognition was no doubt the price exacted by the most zealous Catholics, in return for their support.

<sup>1</sup> *An Exact Collection of all Remonstrances, Declarations, Votes, Orders, Proclamations between King Charles and the Parliament from December, 1641, to March, 1642*, p. 813.

<sup>2</sup> *Ibid.*, p. 799.

<sup>3</sup> *Ibid.*, p. 574.

In the areas controlled by the King, it seems that the Catholic religion was openly practised. As had happened in the past, the cessation or slackening of persecution showed once again how strong was the attachment to the old faith. An astonishing picture is painted by the Parliamentarian, Lord Fairfax, in a letter to the Speaker of the House of Lords, dated June 26, 1642, and read in both Houses of Parliament. 'Among the prisoners taken (in Yorkshire) a great number are Papists, and indeed the strength of the enemies will be found to consist much of Papists and popishly affected; the Earl of Newcastle granting his commissions for raising men to papists for the most part; I have heard of late of commissions granted to 12 recusants of those parts, whose names I send enclosed, and it is not to be doubted he walks the same ways in other places as well as here, which courses have so advanced popery as I hear that in York, where many recusants are settled, Mass is ordinarily said in every street, and such affronts offered to the Protestants and their ministry as few dare resort to Church; and in other parts of the country, I am informed that for many miles together, the religious ministry are all either fled or imprisoned; which persecutions, if they are not timely repressed, will extirpe or much depress the Protestant religion in these parts.'<sup>1</sup>

Another writer described the position in the simple sentence: 'Tell them that the Pope rules in peace here in Northumberland, no prosecution of priest nor papist.'<sup>2</sup>

A certain Colonel Thomas Morgan, in 1645, wrote of the capture of Hereford by the Parliamentarians: 'We already have in our custody 120 Lords, Knights and gentlemen, officers in commission, which are to be sent

<sup>1</sup> Ibid., p. 902.

<sup>2</sup> Ibid., p. 651.

to Gloucester. The most of them are Papists. By this, the Pope's nest in Hereford is spoiled.'<sup>1</sup>

The defeat of the King was the heaviest blow to Catholic hopes since the Gunpowder Plot. Persecution was renewed, Catholic estates were sequestered. They suffered both for Delinquency and Recusancy. Nevertheless, their lot under the Commonwealth was not quite as bad as might have been expected, and there were even negotiations between the Government, represented by Fairfax, and the Catholic leaders for establishing a *modus vivendi*. The Catholics, however, undoubtedly underwent greater hardships than any other class of the community ; it is noteworthy that the only massacres which marred the Civil War occurred in places where the Parliamentarians defeated garrisons composed mainly of Catholics.

<sup>1</sup> Hist. Man. Com., Portland MSS. Vol. 2.

## CHAPTER X

### THE PAPISTS OF 1680

WITH the restoration of Charles II, Catholic hopes were high again, but they were, in the main, disappointed. Great things were expected of the new king ; he owed his life to the loyalty of a few Catholics after the battle of Worcester, and it was known that he was personally sympathetic to the Catholic faith. And, in the first flush of enthusiasm, when the king rode through the London streets on May 29, amid scenes of wild rejoicing, everything seemed possible.

Some form of toleration, at the very least, was fully expected even by competent foreign observers. In 1661, a committee of prominent Catholics met at Arundel House, and drew up a petition for the mitigation of the Penal Laws. On July 29, 1661, the Venetian ambassador wrote that 'it seems that Parliament had some thought of discussing whether, for the establishment of universal quiet, it would not be better to grant entire liberty of conscience to all, as in France, to profess any religion, without distinction.' The Venetian speaks frequently of the opposition of the Lord Chancellor (Clarendon) to the project, which was, of course, defeated. The immediate cause of the breakdown appears to have been a proposal that toleration should not be extended to the Jesuits. Charles II himself did everything possible, reminding the House that he owed much to the Catholics for their generous support during his exile. Even this



plea fell on deaf ears, and in July, 1663, three years after the Restoration, the Cavalier Parliament followed the path of its predecessors by passing an Act for the enforcement of the Recusancy laws. At this moment, the seeds of the secret treaty of Dover were planted; open action having failed, secret intrigues followed.

The decade following the Restoration was none the less a time of relative tranquillity for the Catholics; it was not until the failure of the Dover treaty and the passing of the Test Act in 1673 that the clouds began to gather ominously. That year marks another milestone in the decline of Catholicism. The change of atmosphere can be seen in many ways; for example, between 1660 and 1673, the *Journal of the House of Lords* frequently records orders of the House forbidding proceedings for Recusancy against Catholic peers, but from 1673 onwards these orders cease. In 1678 the Parliamentary Test became law, and the Catholic peers were excluded from the House of Lords. Large numbers of Catholics had been forced to resign from the public service in 1673, for the Test Act required an explicit denial of the doctrine of transubstantiation. In 1678 the long-gathering storm broke with appalling violence; the Popish Plot was loose.

We cannot here follow the tortuous course of those hysterical years. For our present purpose, the significance of the plot is that it produced what is by far the most comprehensive record of the Catholic gentry in the seventeenth century. The Parliamentary Lists of Papists in 1680 have already been noticed in the chapter on Recusancy statistics; these lists include the names of approximately 1192 Catholic gentlemen, apart from some two hundred names which appear in a list for London. Many of the names in the section for London are repeated under various county headings. The total of 1192 may be analysed according to rank as follows:—

Peers	.	.	.	.	.	14
Baronets	.	.	.	.	.	61
Knights	.	.	.	.	.	25
Esquires	.	.	.	.	.	297
Gentlemen	.	.	.	.	.	795

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1192

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Although these lists are unrivalled in their scope and extent, it is very important to recognise that they are very far from being complete. Only 14 peers are mentioned, of whom 4 held Scottish and Irish titles, leaving 10 English peers; yet it is known that there were at least 23 English Catholic peers at this time. As to the baronets, 61 appear in the lists, but I have been able to trace the names of 18 more Catholic baronets who are not mentioned. As to the knights, I have not attempted to compile a complete list for this period, but I have remarked, from time to time, the names of many Catholic knights who do not appear in the lists. We may reasonably assume that the lists are also incomplete as far as the lesser gentry are concerned. This lack of completeness is particularly pronounced in the case of certain counties. Thus, Cambridge does not appear at all, while for a number of counties the manuscripts are endorsed as containing the names of prominent and important Papists only; the list for Oxfordshire, to take an extreme case, contains only two names, although a generation later (1715-20) more than twenty Oxford Catholic gentlemen registered their names and the value of their estates under an Act of Parliament requiring them to do so. If there were twenty Catholic gentlemen in Oxfordshire as late as 1715, there must have been a substantially larger number in 1680.

All possible tests show that the lists of 1680 are far from being a complete record of the Catholic gentry;

it is all the more astonishing to find such a very large number of names recorded.

It must be borne in mind that the lists are lists of *Papists*, not of Recusants; Papists were those who were commonly and widely reputed to be of definitely Catholic sympathies, while the Recusants were the less numerous body of Catholics who refused to conform to the Established Church. For the most part the earlier records deal with Recusants only, and are therefore quite inadequate as a guide to the real strength of the Catholic body.

The full significance of the lists of 1680 may be seen by a comparison with the classified population estimates of Gregory King, the famous statistician of the late seventeenth century.

	List of Papists 1680.	Gregory King's Popu- lation Estimates, 1692.
Peers . . .	14	160
Baronets . . .	61	800
Knights . . .	25	600
Esquires . . .	297	3000
Gentlemen . . .	795	12,000
	<hr/>	<hr/>
	1,192	16,560
	<hr/>	<hr/>

Taking the 1680 lists as they stand, the Catholic gentry are about  $7\frac{1}{4}$  per cent of the total number, as estimated by Gregory King. Allowing for the incompleteness of the lists, the true proportion can hardly be less than 10 per cent, and was very possibly even higher. Taking the list class by class, it is known that the Catholic peers numbered at least 23, which is one-seventh of the total number; the baronets, adding the 18 Catholic names which are not included in the lists, numbered 79, or almost exactly 10 per cent of the total;

the number of knights is rather small, being only 4 per cent, but many more names should be added,<sup>1</sup> and the true percentage must be considerably higher. The esquires, on the other hand, amount to about 10 per cent of the total number, even taking the lists as they stand; allowing for the incompleteness of the lists, once again, the true proportion would be higher still. The lesser gentry are a little less than 7 per cent of the whole, but it is probable, on general grounds, that the smaller Catholic gentry are even less adequately represented than those of higher standing; the purpose of the lists was to provide a record of those Papists who were especially dangerous or prominent, and one may guess that more care was taken in listing the more wealthy and therefore more influential Catholics.

It may be noticed that the knights and baronets are much less numerous than those of the reign of Charles I; this is mainly due to the fact that James I had created an enormous number of knights; the scale of his creations was quite without precedent, and was not followed by his successors.

The lists of 1680 establish beyond reasonable doubt that fully one-tenth of the gentry must have been Catholic at that time. Whether this proportion held good for the common people is another matter; the question is discussed below. In any event, the social and political influence of the Catholic party, and the place it occupied in the minds of those who busied themselves with affairs of state, are to be measured by the numerical strength of the Catholic gentry, rather than by the total number of Catholics of all classes.

In 1687 King James II ordered an enquiry into the dispositions of the country gentlemen as to the repeal

<sup>1</sup> At least fourteen more Catholic knights are to be found in the Middlesex Sessions Records for this period, and in Duckett's *Penal Laws and Test Act*. (See post.)

of the Penal Laws. The enquiry took the form of a questionnaire under three heads :

- (1) Whether the individual, if elected to Parliament, would vote in favour of repeal.
- (2) Would he support a candidate who was in favour of toleration ?
- (3) Would he live peaceably with his non-conforming neighbours ?

The records of the replies are not preserved in full, but those parts which survive have been published in Sir George Duckett's *Penal Laws and Test Act* (1882). I have not made a thorough analysis of this book, but, according to Mr. Belloc, as many as one-sixth of the gentlemen who answered the questionnaire were Catholics. Mr. Belloc gives examples, thus in Staffordshire, 9 out of 47 are Catholics ; in Hampshire 11 out of 68, and in Essex 8 out of 57.<sup>1</sup> In Duckett's book some gentlemen are specifically described as Catholics, while others are marked with a cross. Duckett explains that those so marked were ' chiefly Catholics, on whom the King could rely.' Among those marked with a cross we find such names as Sir Villiers Charnock, Sir Richard Browne, Sir Richard Wiseman—all representatives of families which appear in lists of Catholics and Recusants in the earlier part of the century, though they are not mentioned in the lists of 1680. The truth probably is that men such as these were not open Recusants or active Catholics, but belonged to the large class of those whose sympathies still lay on the Catholic side.

Duckett's book deals only with the questionnaire addressed to potential members of the House of Commons. It seems that the members of the House of Lords were sounded in the same fashion ; the replies of

<sup>1</sup> H. Belloc, *James II*, Note 1.

the peers are summarised in a document in the collection of Sir James Mackintosh, headed 'A list of voters for and against repeal of the Penal Laws 1687.'<sup>1</sup> This document, which was drawn up in the early part of the nineteenth century, appears to rely on three separate sources of information :

1. A document in the French archives.
2. A manuscript of Lord Willoughby (presumably the Lord Willoughby of 1687) among the Portland MSS.
3. Another document among the Portland MSS., by an anonymous writer.

The list of voters is arranged in three parallel columns, one column for each of the three sources of information. For the most part, the three authorities are in agreement, but there are a few curious discrepancies ; in the case of six peers, the Earls of Bristol, Sussex, and Bath, and Lords Jermyn, Hollis, and Cromwell, there is direct contradiction, and these names appear as voting both for and against, according to different authorities.

Of the voters in favour of repeal, those who were Catholics are marked as such.

The three lists may be summarised as follows :—

	French archives.	Lord Willoughby.	Anonymous.
In favour of repeal :			
Catholics	23	21	21
Others	27	29	30
	<hr style="width: 20%; margin: 0 auto;"/>	<hr style="width: 20%; margin: 0 auto;"/>	<hr style="width: 20%; margin: 0 auto;"/>
	50	50	51
Against repeal	67	69	74
Doubtful	19	16	8
	<hr style="width: 20%; margin: 0 auto;"/>	<hr style="width: 20%; margin: 0 auto;"/>	<hr style="width: 20%; margin: 0 auto;"/>
	136	135	133
	<hr style="width: 20%; margin: 0 auto;"/>	<hr style="width: 20%; margin: 0 auto;"/>	<hr style="width: 20%; margin: 0 auto;"/>

<sup>1</sup> Add. MSS. 34,526, p. 33.

This summary does not include the bishops, of whom the three authorities give only 4, 4, and 5, out of 24, 25, 25 respectively as being in favour of repeal.

Those marked as doubtful must be presumed to have been against repeal; they were not bold enough to oppose the King openly. It is remarkable enough to find that well over one-third of the temporal peers were in favour of the repeal of the Penal Laws.

It is still more remarkable to find that according to a pamphlet printed in 1715,<sup>1</sup> as many as 149 members of the House of Commons (that is, about one-quarter of the House) voted against making the Prince and Princess of Orange King and Queen; the names are given. While, according to the same pamphlet, in 1702, when the Hanoverian succession was debated, the motion in favour was carried by only one vote, there being 118 in favour of the House of Hanover, and 117 against.

All these figures show how closely fought was the battle. Among the non-Catholic peers in favour of repeal, we find men who had at one time been Catholics—the Duke of Beaufort and the Earl of Bristol—and it is interesting to notice that the names of three more of those in favour of repeal are to be found a generation earlier in the pilgrim Book of the English College at Rome—Lords Berkely, Willoughby, and Craven.

Though the hospitality of the College was not confined to Catholics, it seems very likely that those who went there must have been at least vaguely sympathetic to Catholicism. It is hard to imagine the genuinely Protestant Englishman of the seventeenth century visiting and dining with the hated seminary priests. The names on the Pilgrim Book show that a very large proportion of

<sup>1</sup> 'A collection of White and Black Lists, or a view of those gentlemen who have given their votes in Parliament for and against the Protestant religion . . . ever since the Glorious Revolution to the happy accession of King George.'

the nobility and gentry were to be found in this lukewarm or at least neutral belt. Among the nobility, the visitors to the College during the reign of Charles I include the Earls of Westmorland, Banbury, Stanhope, Lords Sherwood and Coventry, besides the three peers already mentioned; we find also sons and brothers of the Earls of Holland, Northampton, Devon, Thanet, and Pembroke, of Lords Falkland, Wigton, Zouch, Chichester, and Bolingbroke.

Summing up, the enquiry of 1687 showed a decisive majority both of the gentry and of the peers against repeal, but it also showed that the Catholics and those who were not ill-disposed to Catholicism were quite one-third of the upper classes.



## CHAPTER XI

### THE EIGHTEENTH CENTURY

IN 1715, the first year of the reign of George I, there was passed an 'Act to oblige Papists to Register their names and Real Estates.' The returns made under this Act were forwarded by the local authorities to the Commissioners for the Forfeited Estates, and the full details are preserved in the Public Record Office. These Registers were studied some fifty years ago by Canon Estcourt and Mr. John Payne, and the names and the values of all the estates contained therein were published, in 1885, under the title *The English Catholic Nonjurors of 1715*. By correlating these figures with various estimates of the total value of the whole land of the country and certain estimates of population, it is possible to determine, with approximate accuracy, (*a*) the proportion of land owned by Catholics, (*b*) the Catholic proportion of the population, and (*c*) the distribution of Catholics by counties. The object of the registration was to provide the basis of assessment for a new tax on Catholics. Two-thirds of the estates of convicted Recusants had, since the reign of Elizabeth, been technically forfeit to the Crown, but this law had never been fully enforced. It was now proposed to impose an annual tax of £100,000 in lieu of forfeiture. This renewed severity is certainly due to the part played by Catholics in the Jacobite rising of 1715, but, although the returns of the Catholic estates were laid before the House of Commons in 1719, no steps appear to have

been taken until 1723. In that year there was passed an 'Act for Granting an Aid to His Majesty by laying a tax on Papists.' It is interesting to note that the measure passed the House of Commons by the narrow majority of 187 to 154. The tax was imposed for one year only; it never became an annual tax. Moreover, the full £100,000 was never collected. The total amount realised was only £63,013, and after 1733 all attempts to collect arrears were abandoned.<sup>1</sup>

An account of the total rentals of the Catholic estates, together with other details, is preserved in the Public Record Office.<sup>2</sup> This account gives an analysis of the rentals by counties, and shows the proportion of the tax to be borne by each county. The apportionment shown in this document is identical with that given in an account presented to the House of Commons in 1725.<sup>3</sup>

The following is a summary of the original document in the Public Record Office :

Amount of yearly Rental.	Fines paid by Leasehold and Copyhold tenants.	Annuities and other rents the same are subject to.	Mortgages and other Incumbrances the same are charged with.
£384,950/6/6 $\frac{3}{4}$	£459,161/7/3 $\frac{3}{4}$	£49,218/18/5 $\frac{3}{4}$	£584,876/11/7 $\frac{1}{2}$

The total annual rentals, amounting to £384,950, formed the basis of the tax. There is also in the Public Record Office a hand-written volume, compiled by D. H. Hart, F.S.A., in 1880, which bears the title: *A Calendar of the names of those persons whose estates were registered under the provisions of the Acts of Parliament of the first and ninth years of the reign of George I, obliging Papists to register their names and real estates.* This Calendar contains some 384 names, and is certainly incomplete, but the point to notice is that it contains

<sup>1</sup> Postlethwaite, *History of the Public Revenue* (1759).

<sup>2</sup> Treasury Document CCXXVII (6).

<sup>3</sup> *House of Commons Journal*, March 8, 1725.

many names which are not found in Estcourt and Payne's abstract of the documents lodged with the Commissioners for the Forfeited Estates. Copies of some original depositions are printed in an appendix to this Calendar, and, in every case, the date of deposition is given as 1723, that is, three or four years later than the date of the Treasury Document referred to above. The position appears to be that many Catholics had failed to comply with the Act of 1715, and a further Act (which also applied to Scotland) was passed in 1723. In other words, an attempt appears to have been made to secure the registration<sup>1</sup> of those estates which had escaped registration in the period 1715-19. If this is the case, what is the revised total of the Catholic rentals? No revised summary seems to exist in the Public Record Office, but there is an anonymous and undated document in the British Museum, entitled *The Present State of Popery in England*,<sup>2</sup> from which the following passage is taken: '... The Papists in the year 1718 registered upwards of 3000 estates; ... they amounted to £413,234 per annum.' This is about £28,000 higher than the figure given in the Treasury summary; moreover, Estcourt and Payne's book contains *less* than 3000 names. In view of the fact that a second Act, similar in its terms to the Act of 1715, was passed in 1723, it seems probable that the higher figure of £413,234 represents the final totals of the registrations.

Before comparing the Catholic rentals with the total land values of the country, it is necessary to examine the basis of the valuation. A study of the evidence shows that the registered rentals by no means represented the full value of the land owned by Catholics. In the first

<sup>1</sup> It is quite clear that the register was never fully completed, since the estates of the Earl of Shrewsbury, who was actually a Catholic priest, were not registered.

<sup>2</sup> Additional MSS. 4459 (15).

place, the annual rents paid by copyholders and leaseholders were certainly less than the full competitive rent. The rents paid by copyholders were fixed by custom, though the landlord was at least partly compensated by the periodic fines, payable on the admission of a new tenant. A capital sum paid at the commencement of a lease operates to reduce the annual rental below the full competitive rent. It is clear that the annual rentals returned by Catholics did not include any fines or capital sums paid by copyholders and leaseholders, since the latter are separately stated. In order to arrive at the true annual value of the Catholic estates, some substantial sum must therefore be added to the registered rentals. Exactly how much should be added it is difficult to say. There is one piece of evidence on the point, which will be considered below. The total returns of fines paid by leasehold and copyhold tenants amount to a sum larger than the annual rentals, and it might appear, at first sight, that the total of £549,161 represents the fines paid in a single year. This, however, is extremely improbable. The terms of the Act make it clear that the copyhold and leasehold fines included in the returns present the original fines (whenever paid) on all leaseholds and copyholds then current. The relevant passage in the Act runs: 'And if the same [i.e. the lands] shall be let upon lease, then by whom such lease was made, what yearly or other rent is reserved thereupon, and what fine or sum of money was paid for such lease thereof.'

Secondly, the annual rentals did not include the value of the lands occupied by the proprietors. The value of these must have been very large indeed. In the case of the smaller landowners, the lands let to tenants might be the smaller part of the estates. Moreover, the lands of the small freeholders, the yeomen, are not included. And the yeomen, at this date, may have owned nearly

half the cultivated land of the country. That the registered rentals did not include the value of the lands occupied by the proprietors nor fines paid by leasehold or copyhold tenants is abundantly clear from the following passages.

1. Preface to Estcourt and Payne, *The English Catholic Non-jurors of 1715* :

‘ . . . an estate, when tenanted by the person registering it, was merely returned as “in own possession” or as “not set forth,” so that the estimate of its value was shirked altogether, while the money statements, for the most part, only represent the annual rental of any portion of the estate let to a tenant.’

2. Letter<sup>1</sup> of Lord Carteret (then Minister for Foreign Affairs of the Southern Department) to Lords Polwarth and Whitworth, dated November 19, 1722 :

‘ . . . it being understood that those registered contained only the lands farmed out, without reckoning the value of parks, woods, and policies which the proprietors did not farm out, nor the profits of life-rents drawn by the proprietors which were more considerable than the reserved rents of the said lands, and it was only the reserved rents which were registered.’

3. Extract<sup>2</sup> from *The Present State of Popery in England* :

‘ . . . For, though, in the year 1718, they neither set forth their estates in demesne, or lands unlet in their own possession, nor the great fines of their manors . . . ’

Finally, it is more than probable that some Catholics succeeded in evading registration, even after the Act of 1723, which seems to have been intended to bring into the net those who had previously escaped. It is a matter

<sup>1</sup> Historical Manuscripts Commission, Polwarth MSS.

<sup>2</sup> British Museum, Add. MSS. 4459 (15).

of common knowledge that, even in our own day, a number of people succeed in evading taxation, in spite of the highly developed organization of the Revenue authorities. In the eighteenth century, the machinery of the State did not function with the regularity and thoroughness with which it does to-day. For generations, many Catholics evaded the Penal Laws by vesting their property in Protestant friends and relations. This device was certainly practised in 1715-20. James Slaughter, the Accountant-General to the Forfeited Estates Commissioners, writes from Preston on March 29, 1717, to the Commissioners in London, as follows :

‘ We see here by our Public Account, that the Papists have petitioned the House for a prolongation of time for their registering. What their plea may be, I don’t pretend to guess at, but I do assure they are providing in all these parts for stripping their lands of all timber, plowing up their green swards, etc., and impoverishing the whole for the present benefit, and are all now conveying their estates into trustees’ hands, under pretence of purchase on purpose to defeat the Act, for till now, they had no notion the Government was in earnest.’<sup>1</sup>

It is therefore evident that the registered rentals fall short of the true total annual value of Catholic lands, for three reasons :

1. The fact that the annual rents paid by copyholders and leaseholders were less than the full competitive rent of their holdings.

2. The fact that the value of lands occupied by the proprietors are not included in the registered rentals.

3. The reasonable certainty that some successful evasion was practised.

<sup>1</sup> Public Record Office. Forfeited Estates MSS. S.54. (Quoted by Estcourt and Payne.)

Before we attempt to fix the true value of the Catholic lands, it is necessary to ascertain, if possible, the annual value of the whole lands of the country. The value of the Catholic lands is only significant for the present purpose, when it is expressed as a percentage of the value of all the lands. In this matter we are mainly dependent upon estimates, but the convergence of a number of estimates enables us to determine a figure, which, though subject to a margin of error, cannot be very wide of the mark. The first and most obvious sources of information are the Land Tax Assessments. The total Land Tax Assessments at this time fluctuated between £9 millions and £9½ millions, but these figures cannot be taken at their face value. In the first place, the Land Tax, though mainly assessed upon land, was also assessed upon personal property. Gregory King, the famous statistician of the late Stuart period, considered that £8 millions out of a total of £9 millions was assessed upon land, but he was also of the opinion that land was under-assessed and estimates total land values at £12 millions.<sup>1</sup> In taking the view that land was under-assessed, he is entirely supported by other contemporary and later estimates.

His contemporary, Sir William Petty, also places total land values<sup>2</sup> at £12 millions. Later estimates are as follows :

1. Mullhall's *Dictionary of Statistics* gives £12½ millions as the total land values in 1750, but to this £2 millions must probably be added to include buildings.

2. From a pamphlet of 1746, we may deduce an estimate of £18½ millions.<sup>3</sup>

<sup>1</sup> *Natural and Political Observation on the Condition of England* (1696).

<sup>2</sup> The expression 'land' values includes the value of buildings.

<sup>3</sup> *An essay on the inequality of our Present Taxes*, Brit. Mus. T.1623 (2).

3. From a pamphlet of 1750, £14 millions.<sup>1</sup>

4. From a pamphlet of 1754, £18½ millions.<sup>2</sup>

It will be seen that the estimates for the mid-eighteenth century vary from £14 millions to £18½ millions. If we take £16 millions as a working hypothesis, we have a figure for *c.* 1750 which is £4 millions higher than King's and Petty's estimates for *c.* 1692. It is, of course, possible that the value of land had increased in this proportion during the intervening sixty years, and the two figures are not therefore inconsistent. On this view, the value of lands in 1715–20 must be placed at somewhat more than £12 millions. But, since 1715–20 is nearer to 1692 than 1750, the correct figure should be nearer £13 millions than £15 millions. It would not be unreasonable to accept King's and Petty's estimates as holding good for 1715, since the improvements in methods of agriculture, which would account for an increase in land values, did not make very much progress until the century was well advanced. £13 millions may therefore reasonably be taken as the annual value of all the lands of the country for 1715–20 with little risk of serious under-estimate.

The estimates that have been quoted can only refer

<sup>1</sup> *Some considerations, etc.* (1750), Brit. Mus. T.13 (7): '... in countries moderately taxed, Land Tax generally amounts to 2s. 8d. in the £ at 4s. rate.'

<sup>2</sup> *Remarks, etc.* D. Nicholls (1754), Brit. Mus. 1138, a. 5: '... reassessment would double the yield.' It is not certain whether these estimates assume that the existing total assessment of £9–£9½ millions applied to land only, or whether they assume that certain personal property is included. It is certain that in 1692 some personal property was included, but, according to Dowell and other authorities, personal property gradually dropped out of assessment, and the tax came to be levied on land alone. If these mid-eighteenth-century estimates were meant to include a small proportion of personal property, the calculations for the value of lands and buildings alone would have to be placed at £1 million lower. But, to avoid the risk of under-estimate, this possibility has been disregarded.



to the rack-rent, or full competitive rent of the lands. If there is any doubt on this point, the following passage from Sir William Petty's writings makes it clear :

'The first way we propose is to excize the very land itself in kinde ; that is, to cut out of the whole 25 millions [acres] which are said to be in England and Wales, as much land in specie as thereof the Rack-rent would be £2 millions, viz., about 4 million acres, which is about a sixth part of the whole.'<sup>1</sup>

We have thus two figures upon which to base an estimate of the proportion of the land owned by Catholics—£13 millions for the full annual rental of all lands, and £413,000 for the registered Catholic rentals. It remains to enquire what sum must be added to the latter for lands occupied by the proprietors, and for the difference between leasehold and copyhold rents and rack-rents, in order to obtain a figure for Catholic rentals which is properly comparable with the total. There is one very valuable piece of evidence on this point—the letter of Lord Carteret quoted above. The following is the relevant passage :

' . . . it being understood that those registered contained only the lands farmed out, without reckoning the value of parks, woods, and policies which the proprietors did not farm out, nor the profits of life-rents drawn by the proprietors, which were more considerable than the reserved rents of the said lands, and it was only the reserved rents which were registered. . . . If all the lands of the Catholics had been registered, which they are not, the revenue could never have been less than £400,000 yearly ; and without exaggeration, we could easily add one-third more to that sum, because if the rest of the lands of the Kingdom had been similarly registered, the sum would not rise to two-thirds of the value of what the whole lands of the Kingdom bear.'

<sup>1</sup> *Economic Writings of Sir William Petty*, ed. C. H. Hull.

It is clear from the context of the letter that ' what the whole lands of the Kingdom bear ' means the Land Tax Assessment, which, as we have seen, was £9-9½ millions, or, if, according to King's calculation, we exclude personal property, £8 millions. Carteret states, in effect, that the total value for all the lands of the kingdom, valued on the same basis as the Catholic estates, would be either a little under or a little over £6 millions. It will be observed that this is less than half the full annual value of all land. If Carteret's estimate is correct, the registered rentals of the Catholic estates must also be less than half of the full value. The full value of the Catholic estates on this calculation must be placed at £895,000, which is nearly 7 per cent (6.9 per cent to be exact) of the whole land of the country. It is possible, however, that Carteret exaggerated. The purpose of his letter was to convince the Catholic European Powers that the English Catholics were not harshly treated, and he would therefore have a motive in placing the value of the Catholic estates as high as possible, since this would show the burden of the tax as relatively light. But on the other hand, as we have seen, the lands occupied by the Catholic gentry were not valued in the registration of 1715-20. Moreover, the small freeholders owned a large proportion of the land, and the lands of the small Catholic freeholders, which may have been very considerable, are not included in the registered rentals. Finally, the difference between the rack-rent and the annual rent of copyholdings and leaseholdings may have been very great. The full value of all Catholic lands may, therefore, very easily have been more than double the amount of the registered rentals. The registered Catholic rentals (£413,000) are 3.2 per cent of the total value (£13 millions), and the true proportion must therefore be between 3.2 per cent and 6.9 per cent. The mean between the two is approximately 5 per cent.

On this evidence alone, it would be reasonable to conclude that 5 per cent of the gentry in 1715-20 were Catholic, but the proportion of at least 5 per cent for land values is strikingly confirmed by a study of numbers, as distinct from values. Estcourt and Payne's abstract of the Forfeited Estates documents in the Public Record Office contains the names and descriptions of the Catholics who registered their estates.

The following is an analysis of Estcourt and Payne's abstract :

Peers (of whom two hold Scottish titles)	. . . . .	12	
Baronets	. . . . .	36	
Knights	. . . . .	3	
Esquires	. . . . .	227	
Gentlemen	. . . . .	536	
		—	814
Dowager Peeresses	. . . . .	10	
Females (registering a rental of £75 and over)	. . . . .	163	
		—	173
Others	. . . . .		981
			—
			1968
			—

There are also about 750 other names (not described as gentlemen) for which no land values are given.

It will be seen that there are 814 persons of or above the rank of gentleman (excluding females). There are also 173 females who register substantial estates. It would not be unreasonable to regard some of the women as representative of Catholic households and tenants. The registration took place immediately after the failure of the Jacobite rising of 1715, in which many Catholic gentlemen lost their lives or fled overseas, and a very large proportion of the women mentioned are described

as widows. Moreover, Estcourt and Payne's abstracts do not appear to be quite complete. The sum total of the value of the estates which appear in their book amounts to £377,359, as against a total of £384,950 in the Treasury summary, to which must be added the value of estates registered in 1723. It will be seen that the figure of 814 Catholic gentlemen is a minimum figure. The true number probably approaches 1000.

Gregory King's statistics include a classified estimate of the total population. The relevant details are as follows :

Temporal Lords	.	.	.	160
Spiritual Lords	.	.	.	26
Baronets	.	.	.	800
Knights	.	.	.	600
Esquires	.	.	.	3,000
Gentlemen	.	.	.	12,000
				<hr/>
				16,586
				<hr/>

Gregory King therefore estimates the total number of gentlemen in England and Wales at 16,586. The Catholic gentlemen number at least 814, which is 4.9 per cent of the total. But, as indicated above, the actual number of Catholic gentlemen must have been somewhat greater, and the correct figure must be over 5 per cent. It is difficult to assess the reliability of Gregory King's statistics, but they are considered by economists to be reasonably accurate in most respects. He estimates the total population of England and Wales at  $5\frac{1}{2}$  million persons, and this figure is generally believed to be correct, within a relatively small margin of possible error. The computation of the numbers of the gentry should have been an easier matter, and should therefore be more reliable. In any event, the convergence of the Catholic percentages for numbers and values is remark-

able, and places the matter beyond reasonable doubt. Even if either calculation, taken separately, were open to criticism, the similarity of results must be more than a coincidence.

It is evident from these calculations that there must have been a very rapid decline in Catholic numbers between 1680 and 1720. The persecution of the Catholics during the hysteria of the Popish Plot must have had its effect, but that was after all a transitory terror. The flight of James II in 1688 marked the real end of Catholic hopes; the abortive rising of 1715 finally killed what little remained. It is to this loss of all hope that the decline in Catholic numbers must be attributed. How many men will submit more or less cheerfully to present dangers and difficulties, provided only that there is a prospect of relief in the future? With their most determined opponents securely in possession of power, large numbers of the defeated and weary Catholics gave up the struggle, and at last conformed to the Established Church.

There is one aspect of the registrations of 1715-20 which is very peculiar. If Gregory King's estimates of the national income are correct, there can be no doubt that the Catholic gentry were more wealthy than those of their class as a whole. The average income ascribed by Gregory King to knights, esquires, and gentlemen combined is £327 per annum. The average registered rental of the Catholic knights, esquires, and gentlemen of 1715-20 is £265 per annum, but this is much less than their total income. As noted above, the registered rentals did not include copyhold and leasehold fines, nor the annual value of the lands occupied by the proprietors. Moreover, the income arising from land is greater than the annual value (which is here taken to mean the rent at which land is let to a tenant). The gross income arising from land must be sufficient to

enable the tenant to pay the rent, and to support himself and his family as well. The income arising from lands occupied by the proprietors must therefore be greater than the 'annual value' of those lands. Indeed, the presumption of modern income-tax law is that the income is roughly double the annual value. The average total income of the Catholic gentlemen of 1715-20 may easily have amounted to £400 or £500 per annum, which is a good deal higher than Gregory King's figure of £327. It might be urged that the term 'gentleman' as used in the registers of 1715-20 applied to a more restricted and wealthier social class than it did as used by Gregory King. If this is so, for purposes of comparison, the number of Catholic gentlemen must have been higher than the figure taken from the registers, and the Catholic gentry would therefore be more than 5 per cent of the total number.

This explanation of the discrepancy does not, however, appear to be the most likely one. In the first place, the registers of 1715-20 are not limited to the gentry; they include representatives of all classes. If no members of the lower classes had been registered, it might have been argued that only the more important and prominent gentry were required to register their names and estates, but this is certainly not the case. In the second place, the average income ascribed by Gregory King to baronets is £880 per annum, while the average registered rentals of Catholic baronets is £1309 per annum, and their total income must therefore have been, say, £1500 per annum. Similarly, according to King, the average income of peers was £2800 per annum, while the average registered rental of the Catholic peers amounts to £3665. It is therefore clear that the average income of the Catholic gentry was higher than the general level, as estimated by King, and this not merely for the plain 'gentlemen,' but also for peers and baronets. In

the case of peers and baronets, no difficulty of definition arises. The fact that the average income of the Catholic gentlemen appears to have been higher than the average income ascribed by Gregory King to gentlemen is thus no evidence that the term is used in different senses in King's statistics and the Catholic registers. On the contrary, the evidence suggests that the term is used in the same sense in both cases.

There are only two possible explanations of the disparity between the figures; either that the Catholic gentry were wealthier than the members of their class as a whole; or that King under-estimated the general level of incomes. If the first explanation is the correct one, the conclusion is that, since the Catholic gentry were at least 5 per cent of the whole, in numbers, the Catholics must have owned more than 5 per cent of the land of the country. On the other hand, if King under-estimated the general level of incomes, the calculation of 5 per cent for Catholic land values remains unimpaired.

The view that the term 'gentleman' is used in the same sense in Gregory King's statistics and in the Catholic registers of 1715-20 is borne out by the fact that the proportion between the number of (*a*) baronets and (*b*) knights, esquires, and gentlemen is much the same in Gregory King's statistics and in the Catholic registers.

The evidence of the registered estates, it is true, does not relate to the mass of the people. The influence of the gentry, however, over their tenants and dependants was, at this time, still very great, and, for the most part, the principle *cujus regio, ejus religio* must be the key to the allegiance of the common people. This is borne out by countless local records. William Blundell, for example, of Crosby, in Lancashire, writes that not a single Protestant tenant is to be found on his estate. The assumption that the percentage of Catholic gentry

is an index for the whole population can be tested by an extremely valuable piece of evidence, which, though perhaps not so completely reliable as the evidence from the registered estates, is still of very great importance. Taken in conjunction with a *priori* case for supposing a gentleman's tenants and dependants to be of his religion, it is of first-rate importance.

Joseph Berington, a Catholic priest, writes in 1781 as follows :<sup>1</sup>

'By the returns lately given in the House of Lords, it appears that the actual number of Catholics in England and Wales amounts to 69,376.<sup>2</sup> I had before fixed it at 60,000, and, considering how very uncertain all such returns must be from various causes, perhaps my calculation was not erroneous. . . . We have at this day but 7 peers, 22 baronets, and about 150 landed gentlemen.'

It will be observed that Berington, in 1781, only claims 150 Catholic gentlemen, exclusive of peers and baronets, as against 766 knights, esquires, and gentlemen in the registers of 1715-20. If Berington used the term 'gentleman' to cover the same social class as that covered by the registration, this would suggest that the Catholics had by 1781 declined to only one-fifth of their strength in 1715-20. And since the total Catholic population at the later date was about 70,000, the inference would be that they numbered five times 70,000 in 1715-20, which is 350,000, or about 6 per cent of the whole population. This calculation is very attractive, but unfortunately the assumption upon which it is based does not appear to be correct; the assumption that Berington's 'gentlemen' cover the same social class as the 'gentlemen' of 1715-20.

<sup>1</sup> *The State and Behaviour of the English Catholics*. Other passages from Berington support the view that the tenants and dependants of a landholder were of his religion.

<sup>2</sup> This figure is confirmed in Hansard.



In the first place Berington says of his 150 gentlemen: 'the greatest part have not, on an average, more than £1000 a year in landed property.' This figure is much higher than the calculation of £400 to £500 per annum for the Catholic gentlemen of 1715-20. It is true, of course, that agricultural methods improved very rapidly in the latter half of the eighteenth century, and that the productivity of the land, and therefore the income arising from it, was greatly increased. But, even allowing for this, and allowing for some small rise in prices, it hardly seems likely that the average income of the landed gentry was more than doubled between 1715 and 1781. This would lead to the conclusion that Berington only included the wealthier and more important Catholic gentlemen in his estimate, and we should be forced to admit that Berington's figure of 150 would not be properly comparable with the figure of 814 gentlemen in 1715. Such a conclusion is supported by a comparison between the ratios of the numbers of (a) baronets and (b) knights, esquires, and gentlemen at the two dates. In 1715 the Catholic baronets number 36, and the lesser gentry 766, while in 1781 the Catholic baronets are given, by Berington, as 22, and the lesser gentry as only 150. It will be observed that the proportion of baronets is relatively much higher in Berington's estimates than in the earlier figures, and it seems certain that Berington did not include a substantial number of the less wealthy gentry in his estimate.

To sum up, it is hardly fair to argue that the Catholic population in 1715-20 may be obtained by multiplying the 1781 returns of Catholic population by the ratio between the number of gentlemen in 1715 and the number of gentlemen in 1781 (as given by Berington). Some smaller multiple must be adopted, since it is fairly clear that Berington's figure is too low for purposes of valid comparison. If we were to take the relative

numbers of Catholic baronets at the two dates as our guide, it would seem that the Catholics in 1781 had sunk to less than two-thirds of their strength in 1751-20. If there were 70,000 Catholics in 1781, there would, on this assumption, have been about 115,000 Catholics in 1751-20, which is little more than 2 per cent of the population. If the Catholic gentry were 5 per cent of the whole at this date, it would appear that they influenced, on the whole, only about one half of their dependents.

It will be noticed that this calculation is supported and confirmed by the statement of the agent of the Vicars-Apostolic that there were 100,000 Catholics in England in 1696.<sup>1</sup> These 100,000 must, however, have been practising Catholics, and we may be certain that there were at least as many more Church Papists. For that matter, we cannot be sure that all those who registered their estates were themselves practising Catholics; many who might compromise as far as to go to the Protestant Church may well have been unable to stomach the oaths prescribed by the Act of 1715. The 'tax on Papists' applied to those who refused to subscribe to declarations that the deposing power of the Popes was 'heretical and damnable,' and that the worship of the Church of Rome was idolatrous. Such oaths must have imposed a greater burden on a Catholic conscience than attendance at a Protestant church.

Even as late as the reign of George I, the Catholics, reduced in numbers as they were, still appeared as a potential menace in the eyes of many of their countrymen. An appreciation of the condition of the Catholics, which seems to have been written soon after 1720, shows this very clearly. The document is entitled 'The present State of Popery in England.'<sup>2</sup> and is as follows:

'In the year 1688, according to calculations delivered

<sup>1</sup> See Chapter 6.

<sup>2</sup> Brit. Mus. Add. MSS. 4459 (15).

to King James II on the 3rd of May, it appears that there were no more than 13,856 Papists (I suppose men that were housekeepers, and able to bear arms) which perchance was very short of their real numbers, and so reported out of a political view to allay the fears of Protestants, then justly apprehended from a Popish king : yet if we consider that the Papists in the year 1718 registered upwards of 3000 estates ; their continual generation among themselves ; their indefatigable zeal and industry in making converts, and particularly their intermarriage with Protestants in which they always stipulate that one-half of their offspring shall be educated in the Romish religion, and, in consequence, in detestation of our Church and rebellion to our state, we must look upon that party to have been greatly increased under the late mild administrations, and to be in a condition to oppose the laws, which now they dare outface and trample upon. Especially if we survey their great wealth and credit. For, though in the year 1718 they neither set forth their estates in demesne or lands unlet in their own possession, nor the great fines of their manors, nor their money in foreign banks, nor what they have lent upon mortgages, they amounted to £413,234 per annum. So that, if we could add all they secreted, they must arise to at least £1,500,000 per annum. Are not these men therefore to be looked upon as formidable and capable of giving the state at least much uneasiness ?

The reference to the statement of Catholic numbers in 1688 is interesting ; the original is probably lost, for King James took most of his papers with him when he fled to France. It is significant that such an (apparently) shrewd critic as the writer of *The Present State of Popery* did not take such a low figure at all seriously. It seems that another enquiry into Catholic numbers was made a few years later, under William III, for an anonymous

writer states that William III 'ordered an exact account to be taken of the conformists, nonconformists, and papists in England . . . and the account was found to stand thus: 179 conformists to one papist, besides dissenters.'<sup>1</sup> The writer adds that King William caused these figures to be prepared 'to gratify the fears of those about him, who were continually possessing him with the dangers of Popery.' The proportion 179 or more to one implies a Catholic population of only 25,000, but the motive for under-statement is evident from the above comment.

There is also a document in the British Museum which gives the number of Papists in each diocese of England and Wales in 1708, the total being 26,191.<sup>2</sup> The statistician, Sir William Petty, writing in 1690, estimated 25,000 Papists in England and Wales.<sup>3</sup> These very low estimates are manifestly absurd; the comments of the writers of *The Present State of Popery* and of the 'Letter to William Pulteney,' show that on both sides there seems to have been a wish to minimise the real number of Catholics. We also have a valuable criticism of estimates of this kind in the speech of the Bishop of Chester in the House of Lords in 1781.<sup>4</sup>

The document of 1708 shows the number of Catholics in each ecclesiastical diocese, and the number for the diocese of Chester is given as 9125. The Bishop of Chester in 1781 referred to a calculation of the Catholics in the diocese, made in the year 1717, from which it appeared that the number was 10,308. The figures are sufficiently close for our purpose. The Bishop has left some notes of his speech on the matter, which are given

<sup>1</sup> 'A letter to William Pulteney, occasioned by a Bill depending in the House of Commons for raising £100,000 upon the Roman Catholics.' (1723.)

<sup>2</sup> Egerton MSS. 921.

<sup>3</sup> Economic writings of Sir William Petty, ed. C. H. Hull.

<sup>4</sup> Hansard, Mar. 19, 1781.

in Hansard, and the following passage refers to the calculation of 1717 :

‘I undertook to prove that his [Lord Ferrer’s] statement of the number of Catholics in the diocese of Chester in the year 1717 was extremely erroneous, having been taken only from very inaccurate returns to Bishop Gaskell’s visitational enquiries, and not from any parliamentary survey, which alone could be depended upon; that two such surveys had lately been taken of the number of Papists in England and Wales, one in 1767, the other in 1780.’

And again: ‘Though he had every reason to depend upon that calculation which was made in 1767, and also upon that subsequently formed in 1780, yet he had various motives for disputing the accuracy or authenticity of the first estimation, made in 1717, which he believed to be very vague and uncertain. . . . The Catholics were a decreasing rather than an increasing quantity.’

The Bishop’s arguments were sufficiently convincing to induce Lord Ferrers to withdraw a motion which the Bishop of Chester opposed.

Even without the positive evidence to the contrary which has been discussed throughout this book, such a criticism would be sufficient to shake all faith in these very low estimates of Catholic numbers.

One other estimate which stands by itself must be noted. A certain George Berkely, writing to the Earl of Egmont in 1716, states that ‘the number of Papists in England is 70,000.’<sup>1</sup> There is no indication of his reasons for this estimate, and no great importance can be attached to it.

It is not until 1767 that the first really reliable census of Catholics was made, and it was shortly followed by that of 1780. There is no reason to doubt the substantial

<sup>1</sup> Hist. Man. Com., Egmont MSS.

accuracy of these calculations, for by this time the heat and dust of the wars of religion were fading into history. The Popish Terror was a thing of the past, and in the comfortable security of the Augustan age, there were no strong motives for falsifying Catholic numbers. According to the later return, the Catholics numbered 69,376, which was only about 1 per cent of the population at this date. We have travelled a long way from the Civil War, when two-fifths of the fallen Royalist officers were Catholics, when (it was said) 15,000 Recusants were indicted in Amounderness, when the Mass was publicly celebrated in the City of York and the Pope ruled in peace in Northumberland. Prince Charles Edward had no Popish army to follow him in 1745 as his great-grandfather had had a hundred years before; only the gallant handful of the Manchester regiment were found to show that the tradition still survived.

The rapid decline in Catholic numbers during the eighteenth century is vividly described by Berington in *The State and Behaviour of the English Catholics*.

‘The truth is, within the present century, we have most rapidly decreased. Many congregations have entirely disappeared in different parts; and in one district alone, with which I am acquainted, 8 out of 13 are come to nothing. . . . When a family of distinction fails, as there seldom continues any convenience either for prayers or instructions, the neighbouring Catholics soon fall away; and when a priest is still maintained, the example of the lord is wanting to encourage the lower classes particularly to the practice of their religion. . . . In one year alone, we have by the defection of the two mentioned gentlemen (Lord Teynham and Sir Thomas Gascoigne) lost more than we have gained by proselytes since the revolution.’

## CHAPTER XII

### THE GEOGRAPHICAL DISTRIBUTION

**T**HE main strength of the Catholics was in the northern and western half of the country. The outstanding characteristic of all Recusancy statistics is the overwhelming preponderance of Lancashire. A speaker in the House of Commons in 1641 said that in Lancashire and Yorkshire there were more Papists than in all the other counties put together. Though an exaggeration, there was a very solid foundation of truth in this statement. The extreme northern counties, Northumberland and Durham in particular, were always strongly Catholic, but nowhere do we find such a concentration as in Lancashire. In the west, Monmouth and Hereford were Catholic strongholds—witness the Hereford disturbance in 1605, and, long after, the evidence of depositions of 1680; we have seen Hereford nicknamed ‘the Pope’s nest.’

There are one or two curious exceptions to the broad outline of the distribution. In Cheshire, though next-door to Lancashire on the one hand, and to Staffordshire (which had a strong Catholic element) on the other—in Cheshire there were very few Catholics. There is at least, no evidence of large Catholic numbers. By way of contrast, the Catholics were surprisingly strong in Hampshire and Sussex, which always figure prominently in the Recusancy returns. Many important Catholic families were to be found in these counties. The most solidly Protestant areas seem to have been first the belt

of country stretching north from London through Hertfordshire, Bedford, Huntingdon, and Cambridge, and secondly, curiously enough, the peninsula of Devon and Cornwall. One very effective way of illustrating the distribution of Catholicism is to compare the Catholic rentals for each county, according to the registrations of 1715-20, with the Land Tax Assessments. Such a calculation will have no claims to precision, for the Land Tax Assessments, being notoriously inequitable, are not an accurate guide to the distribution of land values. Nevertheless, the broad lines of the distribution emerge. The following table shows the Catholic land values (adjusted as described in the previous chapter) expressed as a percentage of the Land Tax Assessments.<sup>1</sup> The counties are arranged in descending order.

	<i>per cent.</i>
1. Lancashire . . . . .	35
2. Durham and . . . . .	} 20
3. Northumberland . . . . .	
4. Stafford . . . . .	20
5. Cumberland and Westmorland . . . . .	18
6. Yorkshire . . . . .	15
7. Nottingham . . . . .	11
8. Monmouth . . . . .	11
9. Warwick . . . . .	10
10. Shropshire . . . . .	8
11. Sussex . . . . .	8
12. Derby . . . . .	8
13. Worcester . . . . .	8
14. Oxford . . . . .	8
15. Hereford . . . . .	7
16. Leicester . . . . .	7
17. Lincoln . . . . .	7
18. Northampton and Rutland . . . . .	7
19. Cheshire . . . . .	5

<sup>1</sup> As given in the *House of Commons Journal*, Feb. 29, 1700.



	<i>per cent.</i>
20. Berkshire . . . . .	4
21. Norfolk . . . . .	4
22. Hampshire . . . . .	4
23. Gloucester . . . . .	4
24. Suffolk . . . . .	4
25. Dorset . . . . .	4
26. Bucks . . . . .	3
27. Wiltshire . . . . .	3
28. Essex . . . . .	3
29. Kent . . . . .	2
30. Surrey . . . . .	2
31. London, Middlesex, and West- minster . . . . .	2
32. Somerset . . . . .	1
33. Huntingdon . . . . .	1
34. Bedford . . . . .	Less than 1
35. Cambridge . . . . .	" " 1
36. Cornwall . . . . .	" " 1
37. Devon . . . . .	" " 1
38. Hertford . . . . .	" " 1
39. Wales . . . . .	4½

A second method of arranging the counties in order of Catholic strength is the following. The 'composite total' of Recusancy convictions may be compared with the population of each county, based upon the numbers of houses, which have been taken from the table prepared by John Houghton in 1692.<sup>1</sup>

The calculation is rough and ready; I have taken only half the number of Recusants in each county, on the assumption that, since both men and women (but not children) were convicted, half the number of convictions will represent the number of convicted households. If anything, this is an under-estimate, for fre-

<sup>1</sup> Cobbett, *Parliamentary History*, Vol. V, Appendix X.

quently the husband alone, or the wife alone, was convicted. I have then expressed the convicted Recusant households as so many per thousand of all houses. I have made one alteration in the 'composite total,' substituting 9000 convictions (4500 households) for Lancashire, in place of 5496 convictions in the 'composite total.' I have based the 9000 convictions on the Recusant Roll of the 17th year of Charles I.

The table is incomplete, as several counties are missing from the 'composite total' of convictions, and I have omitted London. The result of this calculation is as follows :

*Number of Convicted Recusant Households per thousand.*

1. Monmouth	.	.	.	.	117
2. Lancashire	.	.	.	.	112
3. Durham	.	.	.	.	31
4. Hereford	.	.	.	.	25
5. Warwick	.	.	.	.	23
6. Sussex	.	.	.	.	22
7. Yorks	.	.	.	.	20
8. Northumberland	.	.	.	.	20
9. Hants	.	.	.	.	18
10. Staffs	.	.	.	.	14
11. Worcester	.	.	.	.	13
12. Shropshire	.	.	.	.	12
13. Oxford	.	.	.	.	12
14. Leicester	.	.	.	.	11
15. Berkshire	.	.	.	.	11
16. Bucks	.	.	.	.	9
17. Suffolk	.	.	.	.	7
18. Norfolk	.	.	.	.	5
19. Dorset	.	.	.	.	5
20. Northants	.	.	.	.	4
21. Bedford	.	.	.	.	4
22. Kent	.	.	.	.	4
23. Somerset	.	.	.	.	4

24. Cornwall	.	.	.	.	3
25. Hunts	.	.	.	.	3
26. Wilts.	.	.	.	.	3
27. Essex	.	.	.	.	3
28. Surrey	.	.	.	.	2
29. Devon	.	.	.	.	2
30. Gloucester	.	.	.	.	1
31. Cambridge	.	.	.	.	1
32. Herts	.	.	.	Less than	1

Comparing the two tables, we see that in the matter of Recusancy convictions Monmouth actually takes the lead from Lancashire. Hereford also rises from fifteenth to fourth place; Yorkshire and Northumberland (7 and 8) are a little lower down than we should expect; the first table hardly does justice to Hampshire, but in the second table Hampshire ranks ninth. Variations of this kind are only to be expected in such calculations, but, in general, the two tables confirm each other very well.

Thus, if we divide the two tables into equal halves, higher and lower, we find that Northampton is the only county out of nineteen in the higher half of the first table which is relegated to the lower half of the second, while, of sixteen in the higher half of the second table, only three, Hampshire, Berkshire, and Bucks sink to the second half in the first table. Closer agreement than this could hardly be expected.

With regard to the first table, based on the registrations of 1715-20, it is rather surprising to find Stafford with the highest percentage, apart from Lancashire, but this is confirmed by Berington's statement in 1781. He writes: 'After London, by far the greatest number is in Lancashire. In Staffordshire are a good many, and in the northern counties of York, Durham, and Northumberland.' It is a small point, but interesting in that it shows the internal consistency of the evidence.

The table given above shows that in twenty counties the Catholic proportion is above the average of 5 per cent, while in the remaining twenty it is below it. With the single exception of Sussex, all the counties with a proportion above the average lie to the north of a line drawn from the Bristol Channel to the Wash, while all the counties with less than the average percentage lie, without exception, south of this line. The line is not absolutely regular, since Gloucester lies on the southern but Oxford on the northern side. But, with the exception of Sussex, the line of cleavage divides the country into two compact areas. The Catholic percentage in the counties to the north of the line is 10.97, while in the counties to the south it is only 2.69. Catholics were therefore more than four times as strong in the northern and western half than they were in the southern and eastern half of the country. Moreover, the line of demarcation is sharp. There is no gradual shading off. The counties lying immediately on the northern side of the line are Monmouth, Hereford, Worcester, Warwick, Oxford, Northampton, and Lincoln. The adjacent counties on the southern side are Gloucester, Wiltshire, Berkshire, Buckingham, Bedford, Huntingdon, Cambridge, and Norfolk. In the first group of counties, the Catholic percentage in 1715-20 is 7.5; but in the neighbouring group, south of the line from the Bristol Channel to the Wash, it is only 3.1. There is an even sharper contrast between Bedford, Huntingdon, and Cambridge, on the one hand, where the Catholic proportion is less than 1 per cent, and, on the other hand, their immediate neighbours, Northampton, Rutland, and Lincoln, where the Catholic proportion is 7 per cent. The line from the Bristol Channel to the Wash is therefore no vague or arbitrary boundary, but represents a clear and definite cleavage.

## CHAPTER XIII

### CONCLUSION

**W**HEN Elizabeth came to the throne a strong majority of the English people were opposed to the new religion. Even among the gentry, who had most to gain by it, only a minority were in favour of the change. The passage of the reforming legislation in 1559 was only made possible by the fact that in both Houses of Parliament the scales were loaded against the Catholics; in the Commons by the presence of a decisive (though not precisely known) number of Government nominees, and by the accident of the geographical distribution of membership; in the Lords by the absence of many bishops and the creation or revival of five Protestant peerages. Even then, a large minority of the Commons and a majority of the Lords were found at first to be on the Catholic side, and only by the exercise of strong pressure did the Government finally achieve its object.

Contemporary opinions, and the surviving fragments of official enquiries combine to show that in the first half of the reign a majority of the people remained attached to the Catholic faith. The two years 1587 and 1588 constitute a decisive turning-point. In less than twenty months, the Catholic cause was shattered by three successive blows; first, the Queen of Scots, upon whom Catholic hopes had been centered, was put to death; secondly, the new and crushing financial penalties for Recusancy were introduced; and thirdly, the

Spanish Armada was utterly routed. From this time onwards the Elizabethan persecution entered on its most intense phase. Defeat in the political sphere, and intense persecution combined to drive the Catholics underground. At no time after 1587 do we find any evidence that the Catholics remained a majority of the people; the most optimistic estimates at the turn of the century were that the nation was equally divided.

But, while it is evident that between 1587 and the accession of James I in 1603, the Catholics rapidly diminished in numbers, there is an extraordinary contrast between the Diocesan Return of Recusants in 1603 and the statistics of 1572. We cannot believe that in thirty years the Catholics had sunk from a majority of the nation to an insignificant handful of a few thousand. Equally remarkable is the contrast between the Diocesan Return and the many contemporary estimates that the Catholics were still, in 1603, a third or more of the nation. The only reasonable explanation is that the era of persecution had succeeded in driving the Catholics underground; the contrast between the handful of officially earmarked Recusants and the belief of contemporaries that nearly half the country was Catholic at heart is the measure of this success.

Under James I the Catholics gradually diminished. But such incidents as the Hereford outbreak show that they were by no means reduced to an insignificant minority. Towards the end of the reign, the more tolerant policy of the Government encouraged the Catholics to emerge from their concealment. The debates in the House of Commons in 1621 show with what alarm the Protestants regarded the indications of large Catholic numbers on all sides. The Catholics were even beginning to claim their share in politics and administration, and we find the names of more than eighty Catholics on the Commission of the Peace;

elaborate precautions, however, were taken to exclude them from the House of Commons ; the presence of a handful of Catholic names in the list of members shows that the precaution was not without cause, Catholic public opinion was sufficiently strong to influence the Catholic peers to abstain from the Church service at the opening of Parliament.

In the Civil War the Catholics were the firmest supporters of the King. In 1639 they had contributed financially to the Scottish expedition ; two-fifths of the Royalist officers killed were Catholics, and the northern army under the command of the Duke of Newcastle seems to have been almost entirely composed of Catholics. With the relaxation of persecution, Mass was openly celebrated in the districts under the King's control. None the less, the list of knights shows that there were fewer Catholics among the younger generation.

Recusancy statistics show that the number of convictions mounted rapidly as the reign of James I proceeded, a paradoxical consequence of the milder administration. The meeting of the Long Parliament was the signal for a great drive against the Catholics, and Recusancy convictions reached unprecedented figures. In or about 1641 the number of convicted Recusants seems to have been between 25,000 and 30,000, but the number must be doubled, to allow for children. There is ample evidence which shows that only a minority of Recusants were convicted as such, while Catholics who outwardly conformed were not liable to conviction. Catholic ecclesiastical and other estimates suggest a Recusant population of about 200,000, or about 5 per cent of the whole. With regard to the less open Catholics, these seem to have been more numerous than the Recusants. It is to be noted that of forty-eight knights and baronets named as Papists (a wider term than 'Recusant') in 1680, only five seem to have been

convicted Recusants. This proportion suggests that the Catholics of all kinds were not less than one-eighth of the population. This calculation is supported by certain accounts of sequestered estates under the Commonwealth.

By far the best test of Catholic numbers is the long list of Catholic peers, knights, and baronets. Under Charles I, more than one-fifth of the peers were Catholic; with regard to the knights and baronets, a Catholic proportion of  $7\frac{1}{2}$  per cent can be established conclusively, but the real proportion must necessarily have been much higher, for the large numbers of knights and baronets makes it impossible to trace all the Catholic names. It is, however, possible to add to the list the names of several knights who were almost certainly Catholic, and in this way to bring the minimum Catholic proportion up to 10 per cent. The Parliamentary Lists of Papists point to a similar proportion, and these lists cover a wider field, including as they do gentlemen and esquires, besides those of higher rank. The Enquiry of 1687 suggests an even larger Catholic proportion.

Taking the evidence as a whole, the Catholics cannot have been less than 10 per cent of the population under Charles I and Charles II, and it is extremely probable that allowing for those of all degrees of sympathy, they were more numerous still.

The Pilgrim Book of the English College at Rome shows that many gentlemen and noblemen who were not openly Catholic were not ill-disposed to the Catholic religion, while the Enquiries of 1687 show that one-third of the nobility and gentry were in favour of toleration.

After the fall of James II, the Catholics dwindled rapidly, and the registrations of 1715-20 point to a proportion of only 5 per cent. By 1781 they seem to have numbered only 70,000, little more than 1 per cent of the nation.



The Catholic gentry at this time appear, however, to have been more wealthy on the average, than most of those in the same social spheres.

Geographically, the Catholics were strongest in the north and west; Lancashire was the great stronghold of Catholicism, and next in importance are Durham and Northumberland in the north, and Monmouth and Hereford in the west; in the south, Sussex and Hampshire were more Catholic than the surrounding districts.

The fines for Recusancy, though in theory ruinous, were in practice less onerous than commonly believed, except in a few hard cases. Evasion, either total or partial, was the rule rather than the exception, and very few seem to have suffered the full penalties prescribed by law. Of the sums actually paid by the Catholics, only a quarter (or some such fraction) seems to have reached the Exchequer of James I. This was due in part, no doubt, to defalcations, but very largely to the practice of granting Recusants' forfeitures to courtiers. This practice seems to have been discontinued under Charles I, and the Exchequer receipts were nearly trebled. An increase in the number of convictions was offset by a more lenient exaction of the penalties.

In the long story of the Catholic decline, the position of the Crown is a very curious one. With each successive monarch, the policy of the Crown became increasingly favourable to Catholicism, but by a tragic irony, the monarchy became progressively weaker, and progressively less able to intervene effectively.

The whole force of the powerful Tudor monarchy was directed against the Catholics. James I, in his later years, was slowly and cautiously feeling his way towards a very modified form of toleration, but was unwilling to take risks. Had the Declaration of Indulgence been made by James I instead of by Charles II, the Catholics

might have been strong enough to see that it was made effective. Charles I was more open in his policy of toleration than James had been, but his position was becoming increasingly insecure, and his favour to the Catholics contributed to his downfall. Charles II (who himself died a Catholic) embarked on a still more ambitious programme of toleration, but by this time the monarchy was so weakened that his opponents' answer was the Test Act and the persecution during the Popish Plot. Finally, James II, an open Catholic, made the last and greatest effort, and was driven from the throne.



## APPENDIX I

### THE NUMBER OF PRIESTS IN ENGLAND UNDER THE STUARTS

ACCORDING to a speaker in the House of Commons in 1625, there were 1060 Catholic priests in England in the year 1622. Major Hay, in *The Jesuits and the Popish Plot*, quotes two letters, according to which there were more than 1000 priests in the country in the reign of Charles II.<sup>1</sup> There are thus three independent statements, all of which place the number of priests in the England of the Stuarts at rather more than 1000. This may be compared with the Diocesan Return of 1603, according to which the total number of Anglican ministers was 8679. The proportion is thus approximately one priest to eight ministers of the Church of England. Here is further support for the calculation that the Catholics were at least one-tenth of the population. This argument cannot, however, be pressed too far, since it would be rash to assume that both priest and parson had charge of equally numerous flocks. Another estimate is that of Alexander Holt, agent of the English Secular clergy in Rome; he wrote, in 1670, that there were 800 priests in England. This estimate possibly refers to secular priests only. As late as 1716, George Berkeley wrote that there were 700 Catholic priests in England.

<sup>1</sup> Con. to Barberini, 1661; Fr. Andrew Magee, 1676. (Quoted by M. V. Hay, *The Jesuits and the Popish Plot*, p. 81.)

## APPENDIX II

### THE SUBSIDY ACTS OF 1628 AND 1641 AND THE TREATMENT OF CONFORMED RECUSANTS

**T**HE passage of the Act of 1628 (3 Car. I, Cap. 8) which imposed a poll tax of eightpence for each subsidy on the poorer Recusants is as follows :

‘ . . . and every Popish Recusant convict or which before the time of the assessment of the several subsidies by this Act granted shall be a Popish Recusant Convict, and being of the age of seventeen years, or which being of the age of one and twenty years hath not received the Holy Communion within one year then last past shall pay to and for every of the said several subsidies eight pence for every poll.’

It would perhaps seem from this that even non-communicants who had not been convicted for Recusancy were liable to the tax, but the phraseology is obscure. Does the opening phrase ‘Every Popish Recusant convict’ govern the whole clause, or does each ‘or which’ introduce a different category of persons? If the opening phrase does govern the whole clause, the meaning of the Act would be that all Recusants who had not received the Protestant Communion within one year were liable. There is support for this view in the fact that by the Act of 1606, a Recusant who conformed to the Established Church was obliged to receive the Communion once a year, under penalty of £20 for the first offence, £40 for the second offence, and so on. It may be that the intention of the Act of 1628 was to impose the tax on convicted Recusants who had conformed, but who had failed to comply with the Act of 1606.

The subsidy rolls themselves are not very helpful; in the case, for example, of Amounderness, the Poll Tax Lists are

headed 'Recusants,' but in the case of Staffordshire, the caption is 'for not having received the Communion.'

It is to be noted that the law was not satisfied with a former Recusant's attendance at church ; he was obliged to go further, and receive the Protestant Communion. It is a curious fact that the law did not in every respect encourage the Recusants to conform, for in the House of Commons in 1621, a speaker urged that 'the £10 Exchequer Fee payable by a conformed recusant before admission to Church should be remitted.'<sup>1</sup>

<sup>1</sup> *Proceedings and Debates in the House of Commons, 1620-21*, by Sir Edward Nicholas (Oxford, 1766), Vol. 2, p. 25.

### APPENDIX III

#### SIR HENRY SPILLER'S SPEECH ON THE RECUSANTS' REVENUE

(*Proceedings and Debates of the House of Commons 1620-21*, by Sir Edward Nicholas, edited by Thomas Tyrwhitt, Vol. 1. p. 91.)

**I**N the first and second years of the King [James I] there was no process went forth against any Recusants; but in the third and fourth, Commissions were granted to the Lords to nominate and rate the value and prices of Recusants' estates (for a reason of State best known to His Majesty) and these Lords had power to raise or diminish the Rates of the Revenue of Recusants' estates, and grant leases of their estates to papists and others, as they thought fit. And that in 7 Jac. [1609-10], when the Lords took the composition, the value was raised to £11,000. That the King did assign to divers of his servants His Majesty's two parts of the revenue and estate of Recusants; and to one man 2 Recusants; to another 4 Recusants; to others 20 Recusants; and to others 50 Recusants; and that whereas there was due to His Majesty two parts of the three of the Recusants' estates, His Majesty out of grace commanded that there should be taken but a third part; and that from grants of the estates of some particular Recusants, His Majesty came to grant his interests and two parts of Recusants' estates in whole shires.

Since 1 Jac. [1603-04], there are so many Papists conformed as the King's two parts of their estates amounted to £7000, and by the death of others whose children are conformable, the King's revenue is in this decreased more than £4000 per annum. And further, there is decreased by discharge out of His Majesty's grace £10,000, and were bestowed on servants £3000 per annum.

That His Majesty, understanding that the number of Recusants increased, was pleased hereon to grant forth a Commission to enquire the cause of it; and it was certified to His Majesty by the Commissioners that all or the most part of His Majesty's Revenues out of papists were granted by patents.'



## APPENDIX IV

### EXCHEQUER ACCOUNT OF RECUSANTS' FINES, FROM MICHAELMAS 1594 TO MARCH 10, 1595<sup>1</sup>

‘THE names of the Recusants with the severall somes of money paid into the Receipt since Michaelmas last.’

	£	s.	d.		£	s.	d.
John Whitmore . . . . .	7	13	11	Richard White . . . . .	3	6	8
Thomas More . . . . .	5	0	2	William Fawkenor . . . . .	27	13	3
Henry Carew . . . . .	5	18	6	Walter Hildesley . . . . .	1	3	4
Humphrey Packington . . . . .	13	6	8	Robert Lovell . . . . .	16	13	4
Elizabeth Pudsey . . . . .	20	0	0	Richard Lloyd . . . . .	3	6	8
John Middlemore . . . . .	9	3	0	Henry Everard . . . . .	16	19	8
Edward Townsende . . . . .	1	8	0	Anne Mayne . . . . .	3	6	8
John Bedingfield . . . . .	7	13	4	Humphrey Bedingfield . . . . .	2	10	0
Henry Wells . . . . .	3	6	8	Robert Knight . . . . .	8	12	6
Lady Cecilia Storer . . . . .	9	2	2	Anne Mayne . . . . .	1	0	0
Edward Yelverton . . . . .	5	0	0	Thomas Gawin . . . . .	14	2	3
Francis Gatacre . . . . .	12	6	8	William Mannock . . . . .	11	8	4
William Haddock . . . . .	11	14	4	William Gerrard . . . . .	9	17	8
Martha Braybrooke . . . . .	1	1	2	John Codington . . . . .	4	8	11
Margaret Holden . . . . .	0	16	8	Eva Yaxley . . . . .	1	11	8
Anthony Pickeringe . . . . .	0	12	0	Anne Mannock . . . . .	5	0	0
Robert Knight . . . . .	0	6	8	John Giffard . . . . .	22	12	8
Thomas Tindall . . . . .	1	13	4	William Griffith . . . . .	5	18	11
Michael Hare . . . . .	140	0	0	Walter Blunt . . . . .	1	15	0
Mary Scott . . . . .	6	13	4	Robert Getter . . . . .	19	18	1
Norton Greene . . . . .	6	12	10	William Crofte . . . . .	3	17	3
William Fawkenor . . . . .	38	2	0	Henry Manfield . . . . .	68	3	2
Dorothy Hunter . . . . .	1	6	8	✓ Roger Martin . . . . .	38	11	5
Richard Fenton . . . . .	2	9	3	Edward Bannister . . . . .	27	15	7

<sup>1</sup> Harleian MS. 7042, pp. 211-12. A document of the Lord Keeper Puckering.

	£	s.	d.		£	s.	d.
Edward Bannister .	39	2	0	John Palmer .	13	6	8
Richard Warreford .	5	6	8	John Dawes .	1	14	6
Alice Clifton .	4	16	10	Edward Tarleton .	4	0	0
Henry Cooke .	16	0	0	Edward Ives .	1	0	0
John Daniel .	15	0	0	Robert Grey .	11	8	10
John Daniel .	3	6	8	Thomas Pritchard .	0	3	4
John Daniel .	2	0	0	Edward Marvin .	5	2	3
Ambrose Jermin .	12	0	0	John Seaborneham .	8	6	8
Nicholas Bolin .	0	13	5	Edward Gest .	3	13	4
Robert Rookwood .	51	7	3	Katherine Anslow .	13	4	6
Stephen Vachell .	9	3	3	Richard Clark .	2	3	4
Richard Greene .	18	3	10	Humphrey Beding-			
Thomas Crowley .	7	4	8	field .	18	2	2
Edward Church .	2	0	0	Elizabeth Beding-			
Edward Ridsen .	7	5	2	field .	6	13	4
Henry Carville .	31	13	5	William Burgoine .	3	12	9
Henry Karville .	4	5	5	John Sayer .	120	0	0
Katherine Radcliff .	3	6	8	John Waldronde .	6	13	4
Mary Waterton .	22	1	8	Walter Norton .	18	6	8
Thomas Leedes .	5	19	2	Robert Downes .	49	10	4
Margaret Scrope .	8	13	3	Robert Bowes .	1	4	4
William Calverley .	1	0	0	Thomas and Benja-			
Margaret Davenport	6	13	4	min Stockwith .	0	8	4
J. & T. Ingelby .	8	16	8	Edward Rookwood	120	0	0
Jane Butler .	8	0	0	Elizabeth Dunne .	9	0	0
James Digby .	9	1	0	Thomas Pounce .	38	1	8
Robert Grey .	59	4	0	William Blundell .	5	13	4
Robert Grey .	4	0	0	Richard Bannister .	3	2	4
Thomas and Benja-				Walter Ildesley .	0	6	8
min Stockwith .	0	11	4	Gilbert Wells .	35	18	0
Margaret Scroope .	8	13	3	John Shelley .	8	2	8
Edward East .	2	0	0	Thomas and Benja-			
Richard Owen .	32	17	10	min Stockwith .	0	6	4
Thomas Wilford .	34	1	6	William Hesketh .	2	10	0
Ferdinand Paris .	120	0	0	Silvester H—— .	7	5	4
John Westby .	38	18	1	Henry Gathwayte .	0	13	4
Francis Parkins .	10	9	11	Richard Hill .	2	6	8
George Willoughby	10	0	0	Nicholas Wolfe .	7	15	8
John Yaxley .	10	0	0	John Morley .	8	1	8
John Townley .	140	0	0	Elizabeth Tirwhitt .	10	0	0
Hugh Ligon .	1	6	8	John Allot .	21	13	0
Francis Radcliff .	6	16	8	Elizabeth Tirwhitt .	3	6	8

	£	s.	d.		£	s.	d.
John Morley .	21	0	1	John Talbot .	120	0	0
John Thimelby .	25	13	4	Edward Easte .	9	17	9
Katherine Radcliff .	2	4	5	William Tucker .	2	5	0
John Ashborneham	5	0	0	Anne Rouse .	30	0	0
Alice Clifton <i>et al.</i> .	25	0	8	Anthony Uvdale .	3	6	8
John Thimebly .	19	19	8	Walter and Margaret			
John Gage .	140	0	0	Hildesley .	2	6	8
Henry Hulbert .	1	6	8	John Talbot .	9	3	4
Walter Whitehall .	2	10	0	Thomas Pounds .	51	0	6
Jane Boose .	3	6	8	Hugh Ligon .	1	6	8
Edward Sulyard .	140	0	0	Robert Ball and 17			
William Stephenson .	1	13	5	others .	52	7	8
George Catterick .	23	17	10				
John Arundell .	120	0	0		£3323	1	10
George Cotton .	140	0	0				
Robert Apprice .	120	0	0				
Sir Thomas Tresham	140	0	0				
Thomas Throckmor-							
ton . . . . .	140	0	0				

NOTE.—£3323 1s. 10d. is the total as given in the document. The correct total appears to be £3339 4s. 11d.

‘ There is, as I think, much more money rising by Recusants, which is still paid to the Sheriffs of the counties, and so passed in the particular accounts of the Pipe Office, yet pleased your Lordship to say that order should be taken with Mr. Vaughan that all money growing thereby should be particularly paid to the Receipt, which performed, your Lordship may always know from me the certainty thereof, according to this certificate.’

## APPENDIX TO CHAPTER VI

### THE RELIGIOUS CENSUS OF 1676

**T**HIS survey would not be complete without some reference to the enquiry undertaken by the Bishops of England and Wales in 1676. In this year, the clergy were instructed to prepare returns showing, *inter alia*, the number of Papists in each parish. The original manuscripts of these returns are at present scattered between the Lambeth MSS., the Salt MSS. in the William Salt Library, Stafford, and the Tanner MSS. in the Bodleian.<sup>1</sup>

The total number of Papists for the province of Canterbury according to the results of this enquiry is given as 11,871.<sup>2</sup>

No one appears to have ascertained the total for the province of York, which included the most strongly Catholic part of the country.

Dr. Richards states that Wales accounts for 1122 Papists, which leaves 10,749 Papists in the English part of the province of Canterbury. Compare this with the 11,920 Recusancy convictions recorded in John Pulford's return of 1641; Pulford's return, moreover, covers only twenty-nine counties, and does not include the counties of Stafford, Derby, Nottingham, and Lincoln, all, or at least a large part of which, fell within the province of Canterbury. It seems highly probable that only well-known Recusants (and very possibly only convicted Recusants) were included in the answers to the Bishops' enquiry in 1676. If this view is correct, the enquiry of 1676 is entirely valueless as a guide to the total number of Catholics.

<sup>1</sup> For this information I am indebted to Dr. Thomas Richards, who discusses the matter in the volume published by the Cymmrodorion Society for 1927.

<sup>2</sup> Cymmrodorion Society volume for 1927, p. 11. Pollock gives the figure as 11,870 (*The Popish Plot*, p. 176).

The point may be amplified by considering the particular case of Monmouth. According to Dr. Richards the returns of 1676 give the total number of Papists in this county as 541; compare 1400 convictions in Monmouth, according to Pulford's return of 1641. Dr. Richards also gives the number of Papists in each parish of Monmouth (p. 83). Certain of these figures may be compared with a broadside printed in 1680, entitled 'An abstract of several examinations taken upon oath in Monmouth & Hereford.'<sup>1</sup> Among other matters, this broadside contains statements of the number of popish Recusants in three Monmouth parishes. The following table shows how the returns of 1676 compare with the depositions of 1680:

Parish.	Number of Papists, according to the return of 1676.	Number of Popish Recusants according to depositions of 1680.
Llanarth	50	80
Penrose	35 } 75 }	120
Llantilio Gressery		
	160	200

It is quite evident that the returns of 1676 did not include all Recusants, let alone all Catholics. In the case of Llanarth, the disparity is even greater than the above figures indicate, for the exact words of the broadside are: 'Mr. Thomas Watkins, vicar of the parish of Llanarth, says there are *above* fourscore reputed recusants within his parish, besides children and servants.' It is therefore clear that the total number of Recusants in Llanarth must have been considerably more than eighty.

The parish of Dingestow provides another illuminating comparison. According to the return of 1676 there were only ten Papists in Dingestow, yet the following passage from the broadside of 1680 tells a very different story. 'In Treowen, which is distant about a quarter mile from the parish

<sup>1</sup> A volume of tracts containing this pamphlet may be found in the Guildhall Library, London.

church of Dingestow, to which church, as he is informed, there do not resort above 15 or 20 persons, or thereabouts, when there do resort to the house of the said Lady Jones (i.e. for mass) three score or thereabouts.’

The broadside gives us a similar picture of Abergavenny. ‘In Abergavenny, he hath credibly heard that 100 had gone out of the said chapel (i.e. from mass) when not forty have gone out of the great church; that the said chapel is situate in a public street and doth front the street.’

In the light of this information the enquiry of 1676 cannot be taken very seriously. Indeed, the passages relating to Dingestow and Abergavenny suggest that in certain districts, at least, Monmouth was predominantly Catholic.

Another description in similar terms is worth noting. In 1666 a Parliamentary Committee was appointed to enquire into the increase in Popery. According to an account of the evidence presented to this committee,<sup>1</sup> ‘Mr. Ash, minister of Cluppel, in Surrey, informs that, being at Cofield, in Leicestershire,<sup>2</sup> last summer, he saw a great resort on Sunday to Cofield House, the house of a papist, and asking some that were going thither, what the occasion of their resort thither was, they told him they were going to mass, and that one Mr. Robinson, a priest, did say mass. Mr. Ash did likewise inform that he thought the number of those that went thither to mass that Sunday was as great as that of the protestants that went to the parish church.’

It is not difficult to find reasons for the deliberate understatement of Catholic numbers; it has already been suggested above that for a vicar to admit the existence of a large number of Catholics in his parish was a confession of failure. An additional reason for concealment may have been the pressure exercised by prominent and influential local Catholics. In the broadside of 1680 several witnesses testify to the difficulty of enforcing the Penal Laws in the face of influential Catholic opposition. This influence may very possibly have been used,

<sup>1</sup> From a contemporary pamphlet, *London's Flames*, p. 10.

<sup>2</sup> According to another account the county is given as Lancashire. ‘Leicestershire’ is probably a printer’s error.

in certain districts, to compel the local clergy to understate Catholic numbers. In many cases, be it noted, Catholic squires held the patronage of the parish church.

In some cases, the Victoria County History gives particulars of the census of 1676. The following figures may be noted :—

Northampton	.	.	.	.	102	Papists.
Derby	.	.	.	.	588	„
Hants .	.	.	.	.	846	„
Lincoln	.	.	.	.	1244	„
London	.	.	.	.	2069	„

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