

ART. XX.—*The Dalston Transcript of 1589-1590.* By the
REV. JAMES WILSON, M.A., Vicar of Dalston.
Communicated at Appleby, July 3rd, 1890.

IN the year 1887 the attention of the Carlisle Diocesan Conference was directed to the desirability of completing “ the duplicate copies of our church registers in the Bishop’s Registry,” with the result that a committee was appointed “ to consider the whole question of parish registers and to report to the next Conference.”

In making their report, the committee divided “ the duplicate copies or transcripts of registers, as they are more properly called, now in the Bishop’s Registry, into two classes,” viz. transcripts made “ prior to the passing of Rose’s Act (52 Geo. iii. c. 146) which came in force in 1813 ” which are on *paper*, and transcripts made since 1813 which are on *parchment*. On the present condition of the paper transcripts the report says :—

These transcripts under the Canon law are of great value and have been at different times the turning point in important suits at law. Those belonging to the ancient Diocese of Carlisle, which with few exceptions are extant from about the time of the Restoration, are at present well kept in proper cupboards, and tied up in brown paper bundles.

But the most important feature of the report is the recommendation that certain measures should be taken to make these transcripts more accessible, and less liable to injury or accident.

The committee are of opinion that it would be a most valuable undertaking, if in the case of each parish, its patron, leading proprietors, or other persons interested, would cause to be mounted and bound the loose sheets which constitute these ancient records, after the manner
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in which the transcripts of the parishes of Newton Reigny, and of Lanercost have been treated. They would then become more generally accessible, and more easily handled; the sheets could not get out of consecutive order, or into wrong bundles.*

Pursuant to this report of the committee, which was adopted by the Diocesan Conference of 1888, I received in the November of that year the following communication from the Bishop of the Diocese:—

With reference to the recommendation of the committee on parish registers on page 8 of the Conference report, I shall be happy to bear the expense of mounting and binding the transcripts of the Dalston Registers, if you on your part look after the process. Perhaps you would communicate with Mr. Mounsey on the subject.

It is not necessary to say that I hailed his Lordship's offer with pleasure and took steps at once to have his wishes carried out. I made application to our courteous Registrar who put me in possession of a bundle of loose papers of all shapes and sizes which I brought home for examination. They did not cause much trouble as I found them in excellent order, and almost ready to put into the hands of the binder.

These transcripts cover a period, with few omissions, from 1666 to 1812. There is not much to be gleaned in the way of local information, except the bare record of baptisms, marriages, and burials: the only variation is certain presentments for the usual offences, in 1678, 1681 and 1692. But the chief feature of the bundle is a solitary transcript, worn, water-stained, dilapidated and almost illegible, bearing date 1589-1590, which, as far as contemporary knowledge goes, is unique in our Bishop's Registry. It is apparently in the handwriting of Thomas

* Carlisle Diocesan Report for 1888, pp. 8-9.

Nicholson,

Nicholson,* the vicar † (1586-1594), who signs his name in two places and it is witnessed by six of the parishioners, doubtless churchwardens ‡ each of them making "his marke."

The first sight of this document stimulated my curiosity, as its form and condition seemed to evidence more vicissitudes than any of its fellows. It was neatly folded like a lamp-spill and must have remained in that shape for generations, as when opened out it was ready to fall into a dozen strips and looked as shattered as the colours of some crack regiment which had passed through many campaigns. The character of the writing hastened my eyes to the heading of the paper, where I read:—

The names of all those that have bene b...ed w^hin the pishe of Dalston from the xth of Julie in the yeare of God 1589 unto this xxxi of Julie in the year of God 1590.

* Joseph Nicolson, who wrote the account of Dalston for N. & B's *History of Cumberland and Westmorland*, spells this name "Nicolson" like his own; it may have been from the known or fancied reason of kinship. In the register as well as in the transcript it is spelt as above. Another vicar William Nicolson (1727-30) was the historian's elder brother; both sons of John Nicolson, of Hawksdale Hall, and buried with other members of this family, on the south side of Dalston Chancel, where a mural tablet records the particulars.

† The commencement of his vicariate is thus noted in the register:—

Baptismes noted by Syr Thomas
Nicolson a primo eius ingressu in
hanc vicariam post obitu Edgar
quis fuit 13 Septemb 1586

His burial is recorded under the date 1594 "Octobris 19 Thomas Nicolson vicar."

It will be seen that there is a slight error (errors of this kind are numerous) in the county histories which give 1596, arising no doubt from a note further down the page of the register:—

Burialls noted by Mr. Robert
Collier vicar of Dalston
post Nicholson defunctu
1596

There was usually an interregnum of a year or two between successive vicars, the Bishop's chaplains undertaking the charge. Is it true that they were licensed to the vicar, acting in the double capacity of curates of Dalston and chaplains of Rose?

‡ The traditional number of churchwardens for the parish of Dalston is still six, that is, one for each township. The incumbent has not the luxury of nominating any of them; they are all elected in vestry by the parishioners. This has been the custom from time immemorial.

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It did not take much reflection to convince me that I had unearthed an interesting document, which might turn out, as far as this diocese was concerned, to be an important discovery.

In the first place, it is a transcript which must have been made from the original paper register * ordered in 1538 by Thomas Cromwell, King Henry's minister, but superseded † in 1597 by the parchment books now in the parish chest. The earlier entries in the first volume of these parchment registers are copied from the same source and agree substantially with the transcript in question. It stands alone: it has no predecessor: it has no successor till 1666. How it has escaped when those of the succeeding seventy-six years have perished, and where it came from, when the diocesan registry was overhauled and arranged, one cannot tell; at all events, its existence is certain, but to explain why so early a transcript should ever exist at all—*hic labor, hoc opus*.

Writers on parish registers seem to think that transcripts were originated by the canon ‡ of 1603, or at the very earliest by the Elizabethan injunction of 1597. For instance in an article on the preservation of parish registers in the *Standard* newspaper (Dec 27th, 1888), it was stated that

The parish registers, as an institution, date from about 1538, and the transcripts were *first* ordered in 1597.

This is the commonly received opinion, gathered no doubt from the well-known text-books, on the history of "Parish

*The injunction is found, among other places, in Bp. Burnet's *Collection of Records*, vol. i. pt. 2, pp. 274-9, Oxford edition, 1816.

† The mandate of 1597 was voted by the Canterbury convocation, sanctioned by the Queen in council, and made applicable *utrique Provinciae, tam Cantuariensi quam Eboracensi*. The change from paper (*ex veteribus libris cartaceis*) to parchment (*libri ad hunc usum destinati ex pergamento sumptibus parochianorum in posterum conficiantur*) is emphasized in the last article (Sparrow's *Collection of Articles &c.*, p. 256, black letter edition, 1684).

‡ Canon 70, which embodies this particular of the 1597 injunction.

Registers

Registers in England," by Southerden Burn and Chester Waters, who give no hint that such a practice existed prior to 1597. But it is quite evident that the current opinion is open to review: the Dalston document is proof positive against it, and shows in one instance at least that the custom of sending in transcripts at the Bishop's visitation was in force in this diocese some ten years before the injunction of 1597 was formulated by the Canterbury clergy.

Since the discovery of the Dalston transcript the Rev. H. Whitehead writes to me :—

There is another piece of evidence that in this diocese copies of the registers were exhibited at the visitations, even before 1597. It occurs in the old *paper* registers of Holme Cultram, which has the following entry :—" Here endeth all the burials wth hapened in this pishe 1586. Registered by me Edward Mandeville cleri. This copy of these christenings, burials, and weddings exhibited in to the court at Espatyre the xix of July, 1587." This, you see, is in support of your opinion that what you showed me at Mr. Mounsey's office is a veritable transcript, perhaps the sole survivor of a lot of ancient transcripts no longer extant.

But I am not dependent on the testimony of one witness, or the custom of one diocese. In order to make out a stronger case against the 1597 limit, I shall put in the box Mr. J. M. Cowper, well known to be interested in these matters; who wrote to the *Standard* at the close of the year 1888 to rebut the statements which have been just quoted from that newspaper :—

The writer of the article seems to imply that no transcripts were made prior to 1597. According to my experience they generally date back to between 1560 and 1570. I have one before me now dated 1559, and the series to which it belongs is nearly perfect until we approach the troublous times preceding the Commonwealth. From about 1640 to the Restoration, no transcripts* were made as far as I have been able to ascertain. It is hardly possible to place too high a value
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on these transcripts. That mentioned above belongs to a parish whose first register begins in 1634. With the aid of the transcripts I shall issue the volume practically complete from 1559. Of course there was an earlier volume, but it is lost, owing to the neglect of the clergy, some may say who are not aware into what hands the parish registers fell when Cromwell was in power. Sometimes the "minister" was the sworn "register," sometimes the parish publican, and some times the books were in the keeping of the clerk of the Peace for the county. Under these circumstances it is not to be wondered at that many of our earlier registers are missing.

We have to deal, then, with the palmary fact that transcripts were an institution in England, and that the bishop of Carlisle required them to be sent in at his visitation before the Elizabethan mandate of 1597. How came the custom to be observed in this diocese, or any diocese without some authoritative sanction to compel it?

The history of the parish register is plain enough; it originated in the monastic custom of keeping chronicles and chartularies, and when Henry VIII plundered the monasteries, Cromwell transferred † the institution to the parish churches and made what was hitherto only an intermittent custom into a compulsory law. As the parish register sprung naturally out of the monastic chronicle, it seems likely enough that transcripts grew gradually out of the increasing value attached, as time went on, to the

* It is interesting to note that in the Carlisle Registry duplicates of parish registers exist for the period of the Usurpation e.g. Lowther 1645-1660, and Clifton 1644-1665. The Lowther documents consist of two sheets of paper written on both sides in the same hand and covering the period in question. The second sheet only is subscribed thus:—This is a true copy of the register at Lowther.

William Smith, Ministr *ibid.*
 John Wilkinson, }
 John Powley, } Churchwardens.
 Tho. Smith, }
 Chi. Warkman, }

The practice of Lowther and Clifton is enough to show that the omissions during the troubles were made up after the Restoration probably by the insistence of the Bishop. It is clear, then, that the earlier transcripts of this diocese did not perish under "the curse of Cromwell," as they must have been in existence in 1660. Else why start making duplicates from the year 1644?

† Burn's first chapter "of the origin of parish registers" should be consulted in order to appreciate the difference between parish registers and the chronicles, and obituaries kept in monasteries, (*Parish Registers in England*, pp. 1-16).

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parish register. This conjecture will appear sufficiently reasonable if we collate the different injunctions issued to the clergy from 1538, when registers were instituted, till 1603, when transcripts were regulated by canon law. Though a digression of this kind would be foreign to my present purpose, it may not be considered out of place if I instance one example. In 1597, when the transcripts receive definitive recognition, the register, *quorum permagnus usus est*, is required to be kept not merely in "one sure coffer with two locks and keys" as provided by the injunctions of Edward VI in 1547, *sed in cista publica eaque trifariam obserata reservandum putamus*.* Thus it will be seen that as the value of the parish records became more apparent, greater precaution was taken for their proper custody and preservation. That the idea of transcripts was "in the air," if not actually on *terra firma*, may be gathered from the fact that a Bill was before Parliament † in 1562-3, for the purpose of creating Diocesan Registries, where duplicates of the parish books might be kept—a project which marks a distinct advance in the precaution exercised to preserve the register by assuming the necessity of the transcript. Upon the significance of this abortive Bill, Mr. Whitehead says:—

This Bill, though it never became law, serves to show that the project of requiring transcripts of registers to be sent to the Bishops was no new idea in 1597, when it took a prominent place in the constitution then made by the Canterbury Convocation and afterwards approved by the Queen in Council. Moreover the fact of the injunction originating with convocation shows that the Bishops and Clergy, at all events of the province of Canterbury, were of their own accord fully impressed with a sense of the use and value of the proposed transcripts.

With this statement in mind and fortified with the experi-

* Sparrow's *Collection of Articles &c.*, p. 256.

† Burn's *History*, p. 20.

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ence of Mr. Cowper as referred to above, we must look in the first instance to the province of Canterbury for some indication of their existence. Nothing rises in view, as far as I can learn, till 1569, when archbishop Parker makes by commission his metropolitical visitation in consequence of letters from the council as "things began to look black and cloudy upon the realm." In this visitation the *eureka* of our search is contained.

XIII Item. Whether your ministers keepe their registers well, and do present the copy of them once every yeare by indenture to the ordinary or his officers. And teache the articles of the fayth and the tenne commaundementes and the Lorde's prayer, as is prescribed them in the catechisme.*

Having thus traced the transcripts to the diocese of Canterbury to find them in full swing in 1569, we have a step or two further to go. When do we find them in the northern province, and how were they introduced into the diocese of Carlisle? In order to answer these questions we must turn to the career of Edmund Grindal, a distinguished Cumbrian, who became bishop of London in 1560, the year after Parker was raised to the primatial see of Canterbury. During the ten years they remained neighbouring prelates in London an intimacy sprung up between them which was not broken off when Grindal was translated to York in 1570. "About August this year" (1571) says Strype "the Archbishop of Canterbury had some business with his brother our archbishop. For being old friends and fellow-commissioners in ecclesiastical matters, this distance brake not off their friendship ;

* Cardwell's *Documentary Annals* Vol. i. p. 358, where the visitation articles are given *literatim et verbatim* out of the register of archbishop Parker. Strype mentions the visitation but omits the articles. The above article ought to be compared with the similar article of 1560 where the archbishop makes no allusion to the existence of transcripts :—

Item. Whether your ministers keep their registers well. Teach you the articles of the Faith and the Ten commandments, and the Lord's prayer.

The articles of the 1560 visitation are found in Strype's *Parker*, Book ii, Appendix xi, p. 19, folio edition, 1711.

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now hsent to him a book * of articles and discipline, seasonable for his intended visitation." These articles Grindal did not use in their entirety, some of them in his judgment incurring *Premunire*, † not having been "ratified by her majesty's royal assent *in scriptis*:" he preferred to formulate injunctions of his own according to the necessities and requirements of his province.

In May 1571 he commenced "his metropolitcal visitation of the province of York as well to the clergye as to the laytye of the same province." Amongst the articles of this visitation, twenty-five in number, we find that transcripts of the parish registers were enjoined :

16 Item. Ye shall keep well the registers of all weddings, burials, and christenings within your parish, according to the order prescribed in the Queen's Majesty's injunctions and shall present a copy of them every year once, by indenture, to the ordinary or his officers. ‡

It was customary at this period for the archbishop to have a closer connection with his province than he claims to have in modern days. Before Parker began his visitation in 1560, he inhibited all his suffragans from visiting that year as ordinary, at the same time commissioning them to visit *vice & auctoritate Reverendissimi Patris Archiepiscopi Cantuariensis*, that the same articles might be delivered simultaneously in every diocese of his province. That Grindal adopted at York the procedure with which he was familiar in London, we have every reason to believe. In that case he would require bishop Barnes to visit the diocese of Carlisle under his commission and to enforce his injunctions.

* The well-known *Liber quorundam Canonum discipline* of 1571, drawn up by Parker, and subscribed by the bishops of the southern province. It is found in Sparrow's *Collection* p. 223.

† Strype's *Grindal* p. 166, folio edition 1710.

‡ Remains of Abp. Grindal p. 325, Parker Society. It may be noted that the *Parker Society* gives Grindal's injunctions *in extenso*; Strype and Cardwell only in fragments and omitting the required article.

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In the absence of direct documentary proof, what circumstantial evidence have we that the destructive hand of Grindal may be traced in the religious life and ceremonial of this diocese? If the York injunctions were put in force with the accustomed energy of their author, so drastic and so protestant were they that in a diocese like Carlisle, "ignorant and lawless, and replenished with papists," we may well expect some notices of their application and results. Without apology I shall subpoena the Rev. H. Whitehead again, and seek my "findings" in the direction he indicates:—

Bishop Barnes had been chancellor of York and retained* his chancellorship for a year after his appointment in 1570 to the See of Carlisle: in which year Grindal who had been bishop of London, became archbishop of York, and at once issued a number of injunctions to his own diocese. One of Grindal's injunctions was an order in 1571 to substitute "decent communion cups," for "massing chalices" (Cripp's *Old English Plate*, 3rd edition, p. 159). We know that Barnes sent a similar injunction in 1571 to the churchwardens of Crosthwaite (Whellan, p. 334): and from the number of communion cups of that date remaining in this diocese, it may be inferred that he issued injunctions of a like kind throughout the diocese (Church Plate in Carlisle diocese, p. 194).

But the acts of bishop Barnes were not confined to this department alone: his general method of procedure bears a close resemblance to that of Grindal, not only in its hostility to "massing chalices" but to "all other relics and monuments of superstition and idolatry," which were to "be utterly defaced, broken, and destroyed."† A cursory comparison of cause and effect will satisfy the most

* Barnes had a weakness for holding what he had got. Grindal, who did not relish his pluralism, writes to archbishop Parker in 1575 and implores him to help him to stop it. This is what he says:—

"The bishop of Carlisle hath *in commendam* a benefice of my patronage, named Stokesley, till the first of August next: if he makes suit to have his *commendam* renewed, I pray your grace stay for Stokesley. It is a market town, and hath been very evil served ever sith he had it. I would place a preacher to be resident upon it" (Grindal, p. 354, Parker Society).

† Remains of Abp. Grindal, p. 136.

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incredulous that the havoc* in Crosthwaite vestry can only be explained by the enforcement of the York injunctions: Barnes bent the bow but Grindal provided the bolt. Besides, bishop Barnes "held the first recorded visitation of the cathedral,† under the statutes of Henry VIII" where he admonished those of the petty canons who were suspected of papistical proclivities; "he also enjoins a newly-appointed *theologiae prelector* to preach *ad clericum* every year, as well as at other times": this is exactly what Grindal was doing at the same time in York. The effect of the various articles of Grindal's injunctions to the clergy, to the laity, and to the cathedral, may be traced in some portion of this diocese: so much so, indeed, that one is forced to the conclusion that bishop Barnes was visiting under his commission and carrying out his mandates. The archbishop was the moving spirit of the ecclesiastical commission sent by the Queen to put down papism in the north: and it is not likely that the diocese of Carlisle should be overlooked so soon after the Dacre raid of 1569.

I confess that I am not satisfied with my account of the origin of transcripts; the most I can expect for it is that it may suggest further inquiry. It would be better if we could lay our finger on a synodal, order of convocation, or royal decree of much earlier date than 1597, which some may consider necessary to explain the action of the two most famous of Elizabethan primates in requiring them. On the other hand, if transcripts came into existence after the Topseian fashion, not by the creation of some supreme authority, but by natural growth from their inevitable surroundings, what I have stated may be taken as a sufficient explanation. At all events, we have got

* Whellan's *History of Cumberland*, pp. 334-5.

† S.P.C.K. *History of the Diocese of Carlisle*, p. 126. Compare Grindal's injunctions "unto the Deane and Chapter of the cathedrall church of Yorke" (Remains of Abp. Grindal, pp. 146-153).

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behind the Dalston document in showing that the York injunctions of 1571, which required transcripts, were operative in the diocese of Carlisle—a fact which is sufficient to explain the existence of the institution in after years. The Dalston transcript is one of singular interest, and if it happens to be a solitary survival of transcripts made before 1597 in the ancient diocese of Carlisle, the parish of Dalston is to be congratulated on having supplied it.
