

CHURCH Court – This ecclesiastical court dealt with maintaining spiritual discipline in the village and can best be explained by the following extract-

Stillington Prebendal Peculiar Court

Laurence Sterne. The Early and Middle Years by Arthur H. Cash printed by Methuen

Spiritual jurisdiction was invested in Stillington Prebendal Peculiar Court, a tiny ecclesiastical court. There are no records of Stillington visitations for the first six years of Sterne's incumbency. The Prebendary, Mr. Levett, probably never came in person. Then for two years after Levett's death, the prebend was traded about among wealthy churchmen. Later records suggest that during these years Sterne and his neighbour, the Rev Richard Moseley of Wiggington, presided. James Worsley, rector of Stonegrave, who became the prebendary (*of Stillington*) in 1750, was a man who took his clerical duties seriously. He usually visited personally, and he faithfully turned his records to the dean and chapter, as he was supposed to. (Minster Library: C3a These loose papers are the only records of the court. One is impressed with Worsley because, although he came from a powerful family, he seems never to have used the church for selfish purposes. During one of the years Sterne presided, 1755, William Johnson and Jane Nelson were presented for "the Crime of fornication together, they since being married". Their penance is signed by Sterne.

One case is of particular interest, the trial of Jane Harbottle, a poor woman, probably the village idiot (first discovered by CURTIS, 47-48, with the exception of the Jury Book, the documents used by Cash are at the Minster Library: BB 23, and the Dean and Chapter Abstract Book, 1739-1774). We know something about her from the parish registers. In 1744 Sterne baptised "Tamar, the Bastard Child of Jane Harbottle" In 1749 it was Johnathan Bastard Child of Jane Harbottle & Ths Wood born – Feb 23" This ill-starred infant was buried in August 1751. In 1752 was born "Esther Bastard Child of Jane Harbottle" The father of this last child was alleged to be Robert Jepson, one of the leading yeoman farmers of the village, married and the father of a considerable family. The situation could no longer be tolerated, and the next year the churchwardens presented both Jane and Jepson:

July ye 3 1753

No more presentments but these as folous

We Hearby present Robert Jepson married man for the Crime of adultery by begetting a Bastard Child upon Jane Harbottle and we accordingly present the said Jane Harbottle for the Crime of Fornycation. The Sade Jane Harbotle has Had three bastards and all by mared men.

Jane pleaded guilty before Mr. Worsley. She was sent to York to pay her fine and to pick up a printed penance. The sheet survives with Sterne's certification on it that Jane did her penance, bare – headed, bare – footed, white sheet, wand and all, on 8 September. "Whereas I Good people forgetting my Duty to Almighty God, have committed the Detestable Sin of Fornication with Robert Jepson a Mary'd Man' etc.

An entry in the *Jury Book* of the following spring shows that the parish set aside £5.1s.0d for the use of Robert Jibson Childe by botil.... Per week 7 pence. * . Obviously the parish officers had not prevailed upon Jepson to support the child. He was cited to specifically to appear at the next visitation. Sterne read the process in church on 21 July 1754; and Ben Camsell, a church warden swore an affidavit, witnessed by Sterne, that he had personally served the citation on Jepson. Because Mr. Worsley could not get to the visitation, held the next day, Sterne presided. Jepson failed to appear, and there was nothing to do but to excommunicate him. A full year was allowed to pass before Mr. Worsley sent an order to complete the excommunication. Jepson was denounced in Stillington Church, as Sterne's note attests, on 31st August 1755.

Someone perhaps Sterne or Worsley or both, seems to have urged Jepson to make a defence, but he did nothing before his accuser died. Jane Harbottle, "Spinster" died at Stillington in September 1758, leaving her two surviving children on the parish. On 14 February 1760, Jepson finally acted: his lawyer appeared before Mr. Stables of the superior spiritual court of the dean and chapter and alleg'd that his client was not Guilty of the Crime of Adultery for which he stood presented in the said prebendal Court and desired him to be Dismiss'd & referred to Law which the Commissary Decreed". Jepson was received back into the parish. Within two years he was elected overseer of the poor, and in 1760 he was elected to the Jury. It is unthinkable that he could have won these honours without the support of the church. Probably it had been apparent to all that he was not guilty of fathering Jane Harbottle's bastard.

Jane herself had been treated kindly by the whole community. She had not been haled into the spiritual church until her third child. Once accused she was given every consideration. On that day in 1753 when she walked into York to get her penance, she carried in her pocket a note from Sterne to the registrar: which read,

Mr. Clough

The bearer is the poor woman who was presented at Stillington Visitation; and has left her child to go and get these said Penances, which I & Mr. Moseley talked so much about. She is as poor as a Church Mouse & cannot absolutely raise a Shilling to save her Life. So pray let her have the Penance – and so far as the Stamps, I will take care to discharge – If not above 3 or 4 Shillings.-

Yrs L. Sterne

PS,

Pray dispatch her, that she may not have a 2d Journey as she has a Child to leave -----

The church could be merciful. At the bottom of the presentation is a note in Mr. Clough's hand: "On Mr. Sterne certifying her poverty she only paid 4d for the penance, which was ret'd with a Certificate in due performance."

* Note by Grahame Richardson

I hold a photocopy of the Poor Accounts for 1755 and later years showing monthly payments to "Jane bottle"
of 2s 4d (28 pence). Indeed payments to a Margret HarBottell were being made through to September 1760.