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UNIVERSITY OF SOUTHAMPTON

FACULTY OF HUMANITIES

English

**Community Conflict in Early- Modern South- West England:
Provincial Libels and their Performance Contexts**

by

Clare Louise Egan

Thesis for the degree of Doctor of Philosophy

December 2014

UNIVERSITY OF SOUTHAMPTON

ABSTRACT

FACULTY OF HUMANITIES

English

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COMMUNITY CONFLICT IN EARLY- MODERN SOUTH WEST ENGLAND: PROVINCIAL LIBELS AND THEIR PERFORMANCE CONTEXTS

Clare Louise Egan

With a particular emphasis on Devon, this thesis examines cases of early-modern libel as performances devised and enacted in the provincial communities of South-West England. In particular, it focuses on the Star Chamber records of libel from the counties of Devon, Cornwall, Dorset and Somerset during the reign of James I between 1603 and 1625. Whilst the performance-nature of libel has previously been acknowledged, there has not been any full scale analysis of early-modern provincial libels in terms of performance. This thesis argues that it was the performance of libel which made it a growing concern to those in authority and that provincial libel should be viewed in terms of a spectrum of performance. It also critically considers the view of this kind of libel that is currently implied by the selected publication of libel cases in the Records of Early English Drama volumes.

The thesis includes an exploration of the uses of space and place by performance-based libel through the mapping of a sample of cases from Devon onto their contemporary landscape. The roles of women as spectators and engineers of libel performances are also examined, and this, in turn, necessitates careful consideration of the nature and limitations of the records through which accounts of provincial libel are received. Finally, the thesis applies literary analysis to the contents of those performance-based libels which used texts, in verse or prose, to defame their targets. From this analysis emerge features which can begin to define a genre of performance-based textual libel characterised by a distinctive authorial voice and a complex system of generic association.

The study of the offence of libel at a local level in the South-West counties of England reveals sophisticated uses of performance in early-modern communal conflicts from all levels of society during a period of wider cultural, social and political change.

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DECLARATION OF AUTHORSHIP

I, Clare Egan, declare that this thesis and the work presented in it are my own and has been generated by me as the result of my own original research.

Community Conflict in Early- Modern South West England:

Provincial Libels and their Performance Contexts

I confirm that:

1. This work was done wholly or mainly while in candidature for a research degree at this University;
2. Where any part of this thesis has previously been submitted for a degree or any other qualification at this University or any other institution, this has been clearly stated;
3. Where I have consulted the published work of others, this is always clearly attributed;
4. Where I have quoted from the work of others, the source is always given. With the exception of such quotations, this thesis is entirely my own work;
5. I have acknowledged all main sources of help;
6. Where the thesis is based on work done by myself jointly with others, I have made clear exactly what was done by others and what I have contributed myself;
7. Parts of this work have been accepted for publication as: "Now fearing neither friend nor foe, to the worldes view these verses goe": Mapping Libel Performance in Early-Modern Devon', *Medieval English Theatre* (forthcoming volume).

Signed:.....

Date:.....

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Chapter 1:

1.1 Somerset: A Case Study in Reading Early- Modern Community Conflict

This study aims to investigate early-modern community conflict on a local level in the South-West counties of England. In doing so it will endeavour in this first chapter to demonstrate the essentially performative nature of communal identities and relationships; it will examine some of the types of conflict common during this period, but then will focus more specifically on the offence of libel. It will look at how libels were enacted and what effect this had upon the local community, as well as considering how and why the performance of community conflict may have been of concern to those in authority. It should be noted that this study focuses both on the performative display of identity in a communal setting, such as in instances where a libeller assumed a certain identity through his or her public behaviour which modified communal relations, and, more broadly, events which can be seen as performances in the sense that they make a message public to a communal audience via verses, symbols, actions or a combination of all of these elements. Although these two aspects, performative behaviour and the performance nature of libels, are closely related to one another, they differ subtly in that performative behaviour demands a different kind of interpretation from a spectator than, for example, the reading aloud, or performance, of a verse in public. This study will consider these different kinds of libel in relation to a spectrum of performance in chapter two. The study will also include chapters on the forms that libel performances took, their uses of place and space, the roles that women played in them and the generic characteristics of those libels involving verses. It will also consider, on a wider scale, whether the suppression of traditional games and play as part of imposed reformation, throughout the Tudor and Stuart periods, is related to the specific nature and form which these later community conflicts assume.

One of the most well-known recent studies of a sixteenth-century provincial community is Eamon Duffy's *The Voices of Morebath*, which takes a small, remote village located on the southern edge of Exmoor, and examines the impact of reformation and religious upheaval throughout the Tudor period

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on the community and its complex identity. Duffy's work gives us a rare glimpse into the everyday roles and responsibilities of individuals within the community, describing how so small a group resulted in an 'intense, even perhaps at times claustrophobic' experience of communal life.¹ Duffy points out that people at all levels of the social scale experienced both parochial and manorial obligations but that:

This was not merry England [...] friction was as notable a feature of this intensely communal life as harmony. The quest for unity and peace, at Morebath as everywhere else in Tudor England, was an ideal eagerly pursued because often lacking.²

This observation implies that community conflict, in particular how it was displayed and resolved, was a crucial part of communal identity. Just as the pageants, processions, traditional games, and religious events of this period and earlier have been seen as public displays of community which at once demonstrated a shared identity and constructed it,³ so instances of conflict may be seen as having sought to define the identity of the community by highlighting the social norms that were being transgressed. Community conflicts used the local community as an audience who were minutely aware of the circumstances of that microcosmic society, and in their various reactions, be it laughter, disgust or shock, we begin to see the complex rules and relationships which governed the types of community on display in these public events. As Adam Fox says, libels 'might [...] be a powerful articulation of popular opinions and sensibilities, the communal expression of a sense of justice'.⁴

Duffy acknowledges the frequency with which conflicts occurred at this level, the attempt from above to control these conflicts, and their significance within community life. These facts coupled with the large body of work that focuses on communal displays of religious and civic drama, I believe, should

¹ Eamon Duffy, *The Voices of Morebath: Reformation and Rebellion in an English Village* (London: Yale University Press, 2001), p. 5.

² Duffy, *Voices of Morebath*, p. 7.

³ John J McGavin, 'Performing Communities: Civic Religious Drama', in *The Oxford Handbook of Medieval Literature in English*, ed. by Greg Walker and Elaine Treharne (Oxford: Oxford University Press Inc., 2010), pp. 200–18.

⁴ Adam Fox, *Oral and Literate Culture in England 1500–1700* (New York: Oxford University Press Inc., 2000), p. 329.

combine to produce an approach which looks at the performed aspects of provincial community conflicts. These events should be seen not only in terms of their social implications, but also as theatrical performances of community identity. Before addressing these larger themes, however, it is necessary to introduce some examples of how conflicts can be seen to demonstrate the performance-nature of communal life. We need to look at what form conflicts within small communities took; where and when they took place; what their physical properties were; who was involved; and how, if at all, they were resolved. In doing so I will show the types of question these events raise and the matrix of critical thinking which should be applied to each example in order to identify trends, contrasts and themes. In studying community conflict at this level of society, a systematic approach is required; in this chapter I will begin by using the county of Somerset to give an overview of the common causes and forms of conflict and look at two particular cases in detail to demonstrate contrasting uses of common elements. I will then go on to look specifically at libel cases, firstly addressing the nature of the court in which these cases were tried and secondly examining libel conflicts from South-West England as performances. However, a brief note should first be made regarding the sources used and their relation to the theatrical moment of conflict. For libel cases in the counties of Dorset, Cornwall and Somerset I will be using the Records of Early English Drama volumes to collate information and accounts of community conflict but for the county of Devon, on which this thesis is focused, I will also be consulting the Star Chamber records for libel offences. It should be remembered that these records are written accounts of events that depended heavily upon oral communication; the majority are court records which take the form of bills of complaint addressed to the court of Star Chamber when issues of local conflict required the involvement of higher authority. As written records designed for a court environment they are, at times, over-exaggerated, over-zealous, and formulaic; they would have been composed some time after the event; and by people with an obvious agenda. In this sense we should be wary of the information they give regarding details such as the extent of damage to the victim, for example. However, in their detailing of the actual events which characterize the conflict they give us good insight into the circumstance of libel offences; they give names, locations, dates and times, and they often directly quote libellous texts involved in the case. In addition, numerous versions of the same event survive in the form of

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answers from various defendants and records of witness examinations, which can be used together to ascertain something close to the actual sequence of events. Furthermore, multiple versions of an event show that different interpretations were easily formed of the actions involved in the conflict depending on who it was within the community that was witnessing and relating them. These court records, read in the right way, can show the nature of community conflict and, more importantly, how it was performed and spectated but one must always remember that the records were written for a different purpose from that for which we use them, and they are simply the last traces of a complex process of transmission.

Duffy uses the Morebath parish accounts, which are rare for their detail and completeness, kept by one meticulous parish priest between 1520 and 1574. When addressing the accounting days held annually for the various stores of Morebath, Duffy shows 'just how completely the written text of the accounts at Morebath was conceived as a script for performance' and sees these events as:

Formal exercises in the construction of community, opportunities for the parish to confront its values and measure the performance of its members, and for the priest to weave round his parishioners a loose rhetorical web designed to school them in the virtues of community.⁵

This close and subtle reading of his source allows Duffy to reveal the nature of the relationship between text and event, something which I will address later, but it also argues for the inherently performative nature of early-modern community. This example shows that there was an existing tradition of demonstrating community through public performance in provincial England which was already established by the early sixteenth century. It is no wonder, then, that cases of conflict, these events which shaped the relationships and identity of a community, were also performed publicly in specific communal spaces with deliberately planned contents.

Libels, whether visual, oral or textual, were one of the most common kinds of community conflict throughout the country during this period, often taking sexual deviation and social status as their overt subjects.⁶ Other

⁵ Duffy, p. 44–45.

⁶ Adam Fox, 'Ballads, Libels and Popular Ridicule in Jacobean England', *Past and Present*, 145 (1994), 47–83.

examples of types of conflict taken, for example, from the county of Somerset during the late sixteenth- and early seventeenth-centuries include fraudulent Churchales, riotous gatherings, the erection of unsanctioned Maypoles, bull and bear baiting, dancing or gaming on the Sabbath and holy days and absence from divine service as their main causes. Most cases contained some kind of public confrontation or humiliation carried out in a communal and visible space within the town and then some attempt to disseminate abroad, either by written or published text or by singing or reading aloud, the contents of a libel on the bad reputation of the subjects. As becomes evident, these conflicts had strong oral, textual and theatrical elements and raise many questions about the nature of provincial communities and their use of performance. Two Somerset examples in particular can be used to highlight some of the themes of community conflicts that are crucial to this study; their comparison also demonstrates how these themes could be varied according to the specific aims of those co-ordinating the events.

The first example took place in Berkley, a small village on the eastern border of Somerset, where in 1611/12 a bill of complaint was written on behalf of William Swarfe, yeoman of Berkley, and Roger Craye, yeoman of Beckington (a nearby village), accusing John Heskins and Richard Gerratt (among others) both of Beckington, of conspiring to ruin the reputation of Swarfe and Craye by having 'verie maliciouslie falslie and vntruelie detracted sclaundered, and ill reported' them 'as well in priuate as publique speeches'.⁷ Heskins and Gerratt, supposedly realising that this had not been as effective as they wished, then conspired to 'devise write divulge and disperse abroad some scandalous obscene and scurrilous libell' (*REED: Soms.*, p. 35) against Swarfe and Craye. The complainants maintained that, the guilty parties still not being satisfied, they then also went into the common town field of Berkley and proceeded to cut the hair from the mane, tail, head, and ears of William Swarfe's expensive mare which was at pasture there; they fastened 'a payre of great hornes vpon the head of the said mare'; attached to it the written libel in the form of a letter, rolled up and sealed with wax; and 'with great laughter and derision [...] lead about the said mare in open and publick places and waies of passage and

⁷*The Records of Early English Drama: Somerset*, ed. by James Stokes and Robert J. Alexander, 2 vols (Canada: University of Toronto Press, 1996), I, p. 34. Subsequent references are to this edition, to volume one unless stated otherwise, and are given in parentheses.

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trauell to the view and sight of about a hundred persons' (*REED: Soms.*, pp. 32, 36). The bill goes on to claim that Heskins and Gerratt went to great ends to spread the libel abroad by singing and reading it in taverns and alehouses, by taking the written copies to many dwelling houses and by sending copies made to look like letters 'vnto diuerse places within your said Realme of England' (*REED: Soms.*, p. 37). The text of the libel itself is included in full in the bill and takes the form of a summons, addressed to Swarfe, Craye and others, to appear at a mock court of which they are described as 'foremen and the principall of a lurie of Cuckoldes' (*REED: Soms.*, p. 36). As well as the bill of complaint, the answer of Gerratt also forms part of the extant Star Chamber records for this case.⁸ This answer claims that some details set forth in the bill of complaint were false — such as the value of the mare, the actual damage done and the presence of horns. It also gives great insight into part of the dissemination of the libel and the role of Gerratt in this, which is valuable for the knowledge it can give us of possible contemporary publishing methods. Gerratt's answer claims that he was on the business of his mistress early in the morning when he came upon Swarfe's mare in the common field, complete with libel, and that he accidentally took the writing but, being unable to read, he carried it still sealed to his master's house where 'one in the howse which could reade written hand tooke the writing from this defendand and opening the seale reade som parte of it in this defendants hearing' (*REED: Soms.*, p. 38). Gerratt claims that he then left the libel at his master's house for Swarfe to collect and did not publish it abroad. This part of the answer shows that written texts of libels were read aloud to overcome illiteracy and that this obstacle inevitably meant that libels received a wider audience than simply the person who discovered them. It also shows that the roles of master and servant were influential in these cases since the presence of the text in the house of Gerratt's master was seen by the bill of complaint as a form of publication, even though it is quite possible that the master knew nothing of the text. This example is one of a growing number of libel offences, both oral and textual, which were becoming increasingly common in this part of the country and elsewhere during the early-modern period.

⁸ The answer text gives a variant spelling of Gerratt's name as 'lerard' but this can be identified as the same person.

The second example which differs from the first in its cause and manifestation is from Skilgate, a village on the south-western edge of Somerset; it also takes the form of a bill of complaint submitted to the court of Star Chamber in 1592, but it complains of riotous behaviour rather than libel. The bill of complaint in *Sydenham v. Sydenham* is lengthy and clearly developed from an underlying feud entailing many causes for dispute. The case began with Roger Sydenham, gentleman, the ranger of Axmoor forest in charge of keeping and maintaining the queen's 'game of Redd deare' (*REED: Soms.*, p. 212), who accused Humfry Sydenham, esquire, chief among others, of taking great spoils of her majesty's red deer. Roger Sydenham reported this to Sir John Poyntz, knight and chief forester, and the two submitted a bill of complaint against Humfry. Subpoena was granted against the defendants which they 'contemptuously disobeyed' (*REED: Soms.*, p. 213), joining forces with another group and agreeing upon a counter-bill of complaint against Roger Sydenham and other men who were involved in Roger's original bill as attorneys and solicitors. In order to fund this 'vntrew devised and conspired' counter-bill Humfry and his accomplices held a Churchale 'without any license or authority in the name of some poore man and as thoughe it ware to relieve him' (*REED: Soms.*, p. 213). They put the ale itself in the church house of the parish of Skilgate, sent messages to 'neare aboute sixtene or seaventene parishe Churches neare vnto Skilgate' (*REED: Soms.*, p. 214) and caused many people to come and drink and spend their money, which then went to the maintenance of the fake bill. Humfry Sydenham, described now as 'Captaine of a certaine band of trained souldiers' (*REED: Soms.*, p. 214), also summoned his men, without warrant, who then appeared, furnished with weapons, at the Churchale participating 'for feare of their Captaines displeasure' (*REED: Soms.*, p. 214). After several more of these Ales occurred variously in Skilgate, Dulverton and Taunton, including one instance where divine service was deliberately interrupted and the church bells rung, it is alleged that part of the group went to the Strand, near Temple Bar in London. This group then supposedly joined with more 'riotous persons', foremost one Rattenbury, who lay in wait for Roger Sydenham, who was then staying at a nearby Inn, where the group agreed to 'mayheme wound or spoile', 'stabb and kill' and 'to have assaulted' him (*REED: Soms.*, p. 216). The ambush is said to have failed and so the group sent Rattenbury to Sydenham's chamber around nine o' clock at night to 'challenge him to the fielde and appoint a place to fight with him'

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where the whole riotous group would ambush and kill him (*REED: Soms.*, p. 216). Rattenbury, however, failed to inflame the sensible Roger Sydenham, who refused to fight. The text then goes on to describe how part of this group, now around twenty-eight men, it is alleged, led by Edmond Horne, gathered together with weapons near Taunton on 7 June 1589, 'on which day there was a faire then kepte [...] and a great assembly of people there' (*REED: Soms.*, p. 217). They marched up and down the fair in 'riotous routeous and outrageous manner' taking bundles of wares and money from those at the fair, 'to the great disturbance terror and admiracion of all suche your maiesties subiectes as weare in the said faire' (*REED: Soms.*, p. 217). It is said that the men were not only able to take these goods and money because they were armed, but also because they claimed false authority: 'vnder color of a certenne pretended title [...] vnto the Baylywicke of the said liberties of Taunton' (*REED: Soms.*, p. 217). This authority failed, however, when the real bailiff of the liberties of Taunton and other special bailiffs appeared in order to arrest the offenders on outstanding warrants. Horner and his men escaped by force so that 'the said warrantes remained vnexecuted to the dangerous evill example of all the people there present' (*REED: Soms.*, p. 218). Still not satisfied, it is said, Horne and his gang, now apparently numbering about forty men, gathered on the night of the same day about eleven o' clock and went riotously and furnished with weapons to the house of a local bear keeper and demanded a bear-baiting. The bear keeper refused on the grounds that 'it was not fitt tyme to beate beares at that season of the night' so the rioters assaulted him, broke down his door and taking the bear they 'carryed him thoroughe the Streates' (*REED: Soms.*, p. 218). Along the way they made a huge amount of noise and beat on the doors of houses, waking the inhabitants, so that many 'weare so terrefyed that they weare like to haue ben driven out of theire wittes and fallen madd' (*REED: Soms.*, p. 218). The rioters then drove the bear to the open market place in Taunton, it now being between twelve and one at night; for three hours they proceeded to bait the bear loose and even let it run into nearby houses, to the great danger of the people of the town. The bill contains many elements of what appears to be an ongoing conflict and has many implications not just for the community of Skilgate, where it was begun, but also for those of neighbouring small villages and the more significant community of the town of Taunton.

These two examples show the wide range of different events that occurred in the community conflicts of early-modern provincial England but they can also be used to raise some common themes which feature in each individual case to greater or lesser extents depending on the specific aims of the libellers. Perhaps most importantly, in all cases of this kind there is a great emphasis placed upon the distinction between public and private aspects of conflict. For example, in the Berkley case, when the libellous material was spoken, the record described it being 'as well in priuate as publique speeches' and as done 'somewhat Covertlie' (*REED: Soms.*, pp. 34–35). Again, when the libel was committed to writing, emphasis was placed on the danger of it being spread abroad both in public, 'by reading singing repeating and often reiterating the same at Tavernes, Alehouses drinkings and other meetings, and geving forth Coppies therof', but also in private, 'by secret Casting and priuate Conveying of the same Coppies into the dwelling houses of diuerse and sondrie persons [...] as likewise by folding and wrapping vp diuerse Coppies therof in the forme and likenes of letters' (*REED: Soms.*, p. 37). When Heskins and Gerratt defaced Swarfe's mare, they cut her hair, fixed the libel and a pair of horns to her head in the common field of Berkley and then 'lead about the said mare in open and publick places and waies of passage and trauell to the view and sight of aboue a hundred persons' (*REED: Soms.*, p. 36). These conflicts rely upon a public element in order to cause the offence that they intend. The humiliation of a person needs an audience to have meaning. An insult in private is measurably less offensive than a public attack, precisely because when done in front of others, the target is openly injured and needs to be seen to retaliate; this is especially true in cases where reputation is at stake. This may be one of the reasons that the texts emphasise the public nature of events; but what also becomes evident is the importance of spectators, who, by their presence, turn these events into theatrical performances with a specific target audience, the community. In the Berkley case the bill itself also makes public those private grievances, such as the covert practice of taking libels into homes and disguising them as letters, in order to further the complainants' case against the defendants. This adds another audience, that of the court, and makes public the deviant and secret means of injury to try to trump the initial performance of humiliation in front of one's neighbours. The case from Skilgate also contains very public events such as the Churchale, the disruption of the fair, and the open bear baiting in the town, all of which have

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large audiences that were deliberately targeted to give the demonstrations meaning. Again, private dealings, previously unknown, are made public, such as the planned ambush and challenge in London, the falsity of the motives for the Churchales and the initial offence of poaching, in order to vindicate the victims' claims. Both the public and private elements in these cases, and the distinctions made between the two, are important areas of study. They raise questions such as: who were the audience, why were they chosen and how did they react to what they were witnessing?

In addition to the public nature of early-modern community conflicts such as those outlined above, the particular location and type of space in which they were performed was significant. There may have been a degree to which locations were chosen to suit the social status and communal role of the person or people they targeted. For example, the targets of the Berkley case were yeomen of a small village and so Heskins and Gerratt set the scene of their humiliation in the common field in Berkley. This location put Swarfe's horse alongside the horses of other men from the village; Swarfe's mare, shaved and adorned with libel and horns, would have stood out amongst those other men's horses, publicly and graphically denoting the difference between him, as a cuckold, and his fellow townsmen. The defendants then led the mare in public places and 'waies of passage and trauell'; this was again a deliberate choice of location. Heskins and Gerratt's main aim was to spread the bad reputation of Swarfe and the others named in the libel text as cuckolds abroad and so they paraded the mare on routes frequented by travellers who would, no doubt, have commented upon the unusual sight on their return home. This location would have ensured the widespread dissemination of the libel message. The Skilgate organisers also used specific locations for dramatic effect. When the Churchales were occurring, in one specific instance the men organising the fraudulent event stationed a boy on the hill outside Skilgate to watch out for the crowds from other villages coming for the Ale. The men themselves were placed in the church so that when the companies appeared, the boy could run to the church

That he might bring intelligence of their commyng to the said [...] confederates being then in the said Church of Skilgate at the time of the divine service of purpose that [...] they would cause the divine

service to be surceased and the belles to be runge out.

(*REED: Soms.*, p. 215)

This plan being in place, when the boy spied the companies, he ran into the church, where the Curate was at the beginning of preaching the homily to the gathered parishioners, and:

Cried out with a lowed voice they are comme they are comme Mr Langham Ringe out the bells wherevpon presentely the said Roberte Langham commanded the Curate to surcease service, and caused the bells of the parishe Church there to be runge out [...] to the great dishonour of almighty god and contempte of your maiesties laws and disturbance of the said devine service, and to the greate admyracion and evill example of all the people there presente.

(*REED: Soms.*, p. 215)

This precisely planned and timed display of public disorder used its location specifically for two effects. Firstly, it ensured that the whole community would be present and ready to listen to a moral lesson given by the priest; in other words there was a specific, captive audience. Secondly, the location in a church where service was taking place with bells present meant that the maximum disruption of community tradition and order could be achieved. Other elements of the Skilgate conflict used location to great effect: the riot in Taunton would have been nowhere near as disruptive if there had not been a fair in progress at the time. The presence of the produce sellers allowed the rioters to assume false authority and again provided a specific audience — as did the bear-baiting: this processed through the streets and ended in the open market place, which was bordered by domestic dwellings. It is not a coincidence that the market place was chosen to hold the loose bear-baiting, since it was a space that would normally have been an organised centre for commerce and the place where the bailiff's authority would have been most publicly demonstrated. This was the place in which the action was most subversive and chaotic. It may also be significant that the targets of these disruptions were of higher rank than in the Berkley case. Roger Sydenham was described as a gentleman and Sir John Poyntz as 'knighte', both were in her majesty's employ as foresters and Sydenham at least was a bailiff too. The actions took place in church, during divine service, at the local fair and in the marketplace; these disruptions all targeted forms of organised and regulated

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event and, in doing so, aim to challenge established authority. In these ways instances of community conflict were deliberately placed in or around the town for maximum impact among their target audience, to reflect the status of the victim and to disrupt communal life as far as possible.

Just as the use of space was significant for the staging of conflicts, so was the time at which these events took place; there was a deliberate difference between conflicts enacted at night and those performed during the day. In the case from Berkley, Gerratt claimed that he woke up early to go about his mistress's business and found Swarfe's mare at pasture bearing the libel text and horns already. We can never know whether this claim is true or merely an alibi but, if it was the case, it would seem that the defacing of the horse was done either under cover of night or late in the evening; the bill describes it as having been done 'somewhat Covertlie', and this must have been the case at least partly to allow for ambiguity as to who was responsible. In the Skilgate case, however, the staging of the bear-baiting procession at night allowed for maximum disruption not only because it woke the townspeople up but also because it was specifically described as 'not fitt tyme to beate beares at that season of the night' (*REED: Soms.*, p. 218). The time of night perhaps also allowed the bear-baiting to be carried out without any serious injury, as there undoubtedly would have been if the streets and market place had been filled with people during the day. Did the timing of these actions affect the seriousness or significance of the event? And what effect did the time of day or night have on the audience's interpretation of and reaction to these events?

As well as location and time, the physical objects or theatrical props that these events employed should also be considered. David Cressy has remarked upon the use of animals in common send-ups of religious rituals in this period, which 'can be seen as part of a pattern of irreligious or mock-religious behaviour that reflected the continuing conflict between popular and official culture'.⁹ In cases of community conflict, which were often caused by differences in opinion over traditions and culture, there is a great deal of evidence of the use of animals to degrade and mock the victim. However, other objects were often used such as horns, hides, letters, costumes, weapons,

⁹ David Cressy, *Travesties and Transgressions in Tudor and Stuart England* (Oxford: Oxford University Press, 2000), p. 171.

wheelbarrows and so on. We might ask why they were used, what their significance was and what common themes occur?

In addition to the settings, audiences and objects used, it is important to look at the people that were involved in the action of these events, to look at the roles played by men and women, and the social relationships that were called into question, such as that of master and servant. Community conflicts often arose from disputes between those with authority and those without, but the relationships between those causing disorder and those targeted by it are far more complex than just that of servant against master. For example, in the Skilgate case when Horne and his men appeared with weapons at the fair in Taunton they feigned authority as bailiffs and exploited their assumed power by simply taking what they wanted, until the real bailiffs and Justices of Peace, whom the rioters had been mocking, arrived to challenge them. This might seem to be a case of the low rising up against those in authority; however, earlier on in the bill we are told that Humfry Sydenham, the principal defendant, was an 'esquier'. Sydenham used his role as captain of the local soldiers when he summoned them falsely and pressured them to spend their money on ale 'for feare of their Captaines displeasure' (*REED: Soms.*, p. 214), the proceeds of which were going, not to the poor, but to sustain their captain's false bill of complaint. Here is a much more complex set of relationships employed to further community conflict; soldiers and inhabitants become involved in the case at their superiors' command. Humfry Sydenham was targeting Roger Sydenham and Sir John Poyntz, who were on the same social level as him, in retaliation for their earlier act of reporting him for poaching the Queen's deer. Humfry Sydenham exploited the relationship between masters and servants in this case, causing his men to become involved perhaps out of loyalty but more likely simply out of fear of incurring his displeasure. In the Berkley case, there is also a relationship between master and servant which is brought to light in Gerratt's defence text and has implications for the dissemination of the libel, but in this case the role of the mistress is also intriguing. Gerratt said that he was on his mistress's business to provide an alibi for his presence in the common field in the first place; but he also claimed that because he could not read, he took the libellous text back to his master's house, where it was read in his hearing and then left there. This may be what the original bill is referring to when it complains that libels in the form of letters were taken to the houses of Swarfe's neighbours and

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acquaintances in order to spread his bad reputation. Whether Gerratt was telling the truth or not, it is revealing of the wider society in which libels existed that the master became involved in the case through the actions of his servant who was in turn acting on the command of his mistress. Even if, as may well be the case, Gerratt's master was not present when the libel was read or was not even aware of its presence in his house, he is assumed to be part of the wider audience for the libel and this extends the damage done to Swarfe. The case also suggests that women were involved, if indirectly, in the dissemination of libels, something which requires further investigation. There are other cases in Somerset where masters were claimed, by servants, to have sanctioned a traditional act which had come to be disallowed – for example, in the case of Bawdrip, 1585, where Nicholas Shewn and Richard Marner were taken to the local court for bringing a Maypole into the town at Whitsontide. In their defence they claim that Lord Poulett gave them the authority to do it (*REED: Soms.*, p. 32). This implication of the masters in the acts of their servants and, conversely, the involvement of lower ranks out of loyalty to or fear of their masters is a fascinating element of community conflict, as are the added complications which gender relations and hierarchies contributed to communal conflicts of this period. These issues give us glimpses of the roles that men of status or authority were expected to play in community disputes both by the local community and by the authorities on a national level. They can also reveal the different roles that men and women played in community conflicts in turn uncovering more of the everyday life experiences of early-modern women than has previously been appreciated, particularly their involvement in the performance of communal identities.

Many historians have made a particular study of libel, which was said to be 'a growing dangerous and enormous offence in this age', since 'therof there haue bin manie affrayes of late Committed' (*REED: Soms.*, p. 37).¹⁰ The

¹⁰ See in particular Alastair Bellany, 'Singing Libel in Early Stuart England: The Case of the Staines Fiddlers, 1627', *Huntington Library Quarterly*, 69 (2006), 177–94; 'Early Stuart Libels: An Edition of Poetry from Manuscript Sources', ed. by Alastair Bellany and Andrew McRae, in *Early Modern Literary Studies*, Series I (2005), <<http://purl.oclc.org/emls/texts/libels/>>; Fox, 'Ballads'; Fox, *Oral and Literate Culture*; Martin Ingram, 'Ridings, Rough Music and Mocking Rhymes in Early Modern England', in *Popular Culture in Early Modern England*, ed. by Barry Reay (London: Routledge, 1988), pp. 166–97; Andrew McRae, 'Reading Libels: An Introduction', *Huntington Library Quarterly*, 69 (2006), 1–14; David Underdown, *Fire From Heaven: Life in an English Town in the Seventeenth Century* (London: Fontana Press, 1993);

libels that are the focus of this study are provincial examples from the South-West counties of England (Devon, Dorset, Cornwall and Somerset) – in particular they are not the literary court libels that were prevalent during the period, nor are they those common in London which took current political affairs as their main target. The libels studied here were local disputes by nature, firmly rooted in the conflicts existing in local communities, but they were now being tried at a national level. Libel was very much an emergent and evolving crime during the period and was clearly a phenomenon which concerned those in authority. The two Somerset cases considered in this opening section demonstrate that community conflicts of the early-modern period should be seen as complex theatrical events through which communal identities and hierarchies were publicly negotiated. These events were performances which employed varying levels of theatricality and were located in carefully selected ‘theatres’ for action with specific audiences in mind. They used oral communication, texts, physical objects, town and field locations, different times of day or night and the distinctions between public and private display to achieve their desired effect. These conflicts also reveal how crucial performance was to aspects of early-modern daily life such as the relationships between masters and servants, the competition between trades and the different roles of men and women. One of the central aims of this study is to consider what it was about the early-modern period that made performance so effective as a medium for the manifestation of conflict; however, in considering the significance of performance to the community conflicts of early-modern England the contemporary context of religious change must also be acknowledged. The impact of the Reformation which reshaped the religious and cultural practices of Tudor England and resulted in an extended period of unrest can be traced through to these early-modern conflicts between puritans and the more traditionally minded groups. One of the wider aims of this study is to begin some consideration of what the relationship might have been between this long period of controversy surrounding how religion was publicly displayed and the form that early-modern local community conflicts took; although, because of the regional nature and limited time period covered by this study, any answers relating to this last line of enquiry can be suggestions only.

David Underdown, *Revel, Riot, and Rebellion: Popular Politics and Culture in England, 1603–1660* (Oxford: Oxford University Press, 1985).

1.2 The Court of Star Chamber and the Offence of Libel

The number of libel cases brought to the court of Star Chamber from all over England rose dramatically during the late sixteenth and early seventeenth centuries, with people from all levels of society being involved in many ways. Early-modern libel involved both oral and textual components which, more often than not, proved to be only one element in much more complex conflicts that set large groups within communities against each other. The phenomenon of libel with performed elements took provincial disputes which were highly localised and specific to their community, and placed them at a national level, trying them in front of an important crown court. Adam Fox, in fact, describes this as the sign of a society that 'was at once intensely disparate and localized, yet at the same time constantly centralizing and moving in the directions of incorporation and nationality'.¹ What Barbara Palmer has shown in her analysis of travelling players in this period, and what I believe can benefit any analysis of small communities in early-modern England, is that we should move away from thinking of provincial England as isolated and insular, and begin to acknowledge the network of communication and high level of mobility that was actually in place.² The increasingly litigious nature of early-modern society from the Reformation onwards should also be highlighted here. Something which, significantly, Lorna Hutson argues is connected with developments in Renaissance drama; she describes how 'the growth of popular litigiousness and general law-mindedness' in 'ordinary people' resulted in 'the investigative procedures of the common law acquiring new cultural centrality and moral exemplarity'. Hutson traces the influence of this 'shift in cultural sensibility' on the theatre of the period. What is perhaps most significant here is that the offence of libel not only provides evidence of the general tendency of ordinary people to participate in and exploit legal procedures but also demonstrates their use of aspects of performance in doing so. If the 'socially pervasive' nature of people's awareness of legal practices influenced Renaissance

¹ Fox, 'Ballads', p. 82.

² Barbara D. Palmer, 'Early Modern Mobility: Players, Payments, and Patrons', *Shakespeare Quarterly*, 56 (2005), 259–305.

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dramatists then perhaps the penchant of the general population for using performance techniques in enacting their conflicts was too.³

In his comprehensive survey of libel cases, Fox explains that whilst libel had once been a subject for ecclesiastical courts, it was redefined as a criminal rather than a moral offence during the late sixteenth century. He shows that because of 'a series of precedential cases' and new legislation the court of Star Chamber became the natural place for libel cases to be tried during the Jacobean period.⁴ As researchers we can be very grateful that this happened because it has meant that the Star Chamber records for this period contain many fascinating cases of local dispute and give access to the popular creativity of the provincial communities of seventeenth-century England. Before examining the libel cases themselves this chapter will look briefly at the court of Star Chamber in order to clarify the nature of libel offences during this period and the context for which the bills of complaint were created.

Many legal historians have attempted to recreate the reality of procedure in the court of Star Chamber, particularly in the years in which it flourished at the end of Elizabeth I's reign and throughout that of James I, aiming to dismantle the mythology with which it has come to be associated.⁵ Tales of torture and unbridled monarchical prerogative have been linked to the court since its abolition in 1641; however, Barnes believes that this was a picture built up by Whig historians 'infuriated' by the 'readiness with which Star Chamber extended the common law in criminal cases'.⁶ The court was also the origin of much contemporary discussion because of its function as an important and authoritative legislative body during the period. The reason for this authority came chiefly from the Privy Council status of its judges:

The court of Star Chamber was simply a special Wednesday and Friday session of the Privy Council. The difference between the ordinary meetings of the Privy Council and the court of Star Chamber was not a

³ All references above from: Lorna Hutson, *The Invention of Suspicion: Law and Mimesis in Shakespeare and Renaissance Drama* (Oxford: Oxford University Press, 2007), pp. 1–11.

⁴ Fox, 'Ballads', p. 55.

⁵ Thomas G. Barnes, 'Star Chamber Mythology', *The American Journal of Legal History*, 5 (1961), 1–11.

⁶ Barnes, 'Mythology', p. 4.

difference of men, but a difference of time and place of sitting, of procedure, and above all of functions.⁷

For the purpose of this study the jurisdiction of Star Chamber in cases of defamation only will be examined in detail, but it is worth pointing out the high status held by the court and its judges, and that generally cases heard there fell under the two broad categories of 'cases of breach of public order' and 'cases of violation of royal commands'.⁸ Libel cases fell into the first of these two areas and although some scholars have seen them as 'a less tangible form of disorder', it is clear that this 'was a period of libels' as there is significant contemporary evidence to show that they were becoming much more frequent at this juncture.⁹ This evidence of a large and growing number of what were predominantly provincial libel cases being brought to one of the highest courts of government shows that to the people of the period, defamation was not any less significant a form of public disorder than, for example, rioting or challenging to duels. If libels seem to us to pose less of a threat to public order, it is perhaps because they have not been truly understood in their performative context.¹⁰ It is this context and, more importantly, its presence in the minds of those legislating and presiding over libel cases in the court of Star Chamber during the early-modern period which will be examined here.

The move of libels to the court of Star Chamber from ecclesiastical courts once they had been redefined as a criminal rather than a moral offence had certain consequences which followed from the different powers of the courts.¹¹ Holdsworth notes that ecclesiastical courts did not award damages to injured parties and so common law and Star Chamber courts, which did, came to be more regularly used. He also outlines the differences in the treatment of libels between common law and Star Chamber: common law was only concerned with damage done 'to the person defamed' and so held that publication to a third party was required, that truth was a defence, that the

⁷ Edward P. Cheyney, 'The Court of Star Chamber', *The American Historical Review*, 18.4 (1913), 727–50 (p. 728).

⁸ Cheyney, 'Star Chamber', p. 733.

⁹ Cheyney, 'Star Chamber', p. 734, and for general evidence of frequency see Fox, 'Ballads', p. 55.

¹⁰ Bellany, 'Singing Libel', p. 179.

¹¹ Fox, 'Ballads', pp. 54–55.

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offence died with the person and that there was no difference between written and spoken defamation.¹² However, defamation increasingly affected the peace of the country and most viewed the common law treatment of libel cases as 'inadequate'.¹³ Fox points out that because of the perceived inadequacy of common law legislation 'Star Chamber, thereafter, became a natural forum for their redress'.¹⁴ Holdsworth also notes that Star Chamber and the Privy Council were instrumental in the control of 'the printing, publication, and importation of books', and that in consequence of this 'the Star Chamber, from an early date, assumed jurisdiction over all cases in which its rules as to the manner of publishing, and as to the matter published were infringed'.¹⁵ This encompassed libels, and it has been little emphasized in recent scholarship that this aspect of control over what was published, and particularly in what manner, was fundamental to the interest of Star Chamber both in hearing libel cases and in reshaping the legislation surrounding defamation. This link between libels and publication in Star Chamber demonstrates that at the time the means of communicating libels to third parties was one of the central issues of the offence and suggests that we should now view these libel cases in the light of how they were performed.

It is necessary briefly to outline the procedure of the court of Star Chamber here in order to view the bills of complaint in the context of the audience for which they were written and to make their form, content, and purpose more understandable. Cases appearing in Star Chamber were either those of public concern 'introduced by the attorney-general' or those concerning private individuals who were represented by counsel.¹⁶ The plaintiff would have a bill of complaint written up and would present it before the court; the bill 'must be written on parchment, signed by counsel, and filed with the clerk. It must allege only offenses properly punishable by the Court of Star Chamber and only such as the complainant held himself ready to prove'.¹⁷ A writ of subpoena then summoned the defendant to appear at court or, later in the period, just before the clerk of the court, where he would 'see and copy the

¹² W. S. Holdsworth, *A History of English Law*, 7 vols (London: Methuen and Co, Ltd., 1903-1924), V, pp. 206-07.

¹³ Holdsworth, *History*, p. 207.

¹⁴ Fox, 'Ballads', p. 55.

¹⁵ Holdsworth, *History*, V, p. 208.

¹⁶ Cheyney, 'Star Chamber', p. 737.

¹⁷ Cheyney, 'Star Chamber', p. 737.

charge against him, and within eight days he must file an answer to it, confessing its truth, demurring it, or denying it'.¹⁸ Once the defendant had made his answer, the plaintiff or his counsel made up a set of interrogatories to be put to the defendant by an examiner in private. The defendant had no knowledge beforehand of the interrogatories to be asked and he was not allowed advice from his counsel when answering them. His answers were recorded by the examiner and he had to sign the written record when the examination was over. These answers were then seen by the complainant who

Might if he wished put in a reply or a "replication" to this answer; the defendant was then allowed to draw up a "rejoinder" to this replication, and indeed a "surrejoinder", "rebuttal", and "surrebuttal" were provided for, though these last processes at the time of the greatest activity of the court had long become antiquated.¹⁹

Witnesses would then be examined, again in private and under oath, and the proceedings of the examination would be written down for the court. This 'concluded the formulation of the case' and it would then be called up, when time and precedence allowed, by the Lord Chancellor to be brought before the court.²⁰ When its allotted day came, the defendant would be present; the clerk of the court would open the case, reading the documents associated with it, 'counsel [then] also spoke in prosecution and defense, and answered such questions as were put to them by the judges of the court'.²¹ Legal historians have established that this was a court which followed strict practices in administering justice thereby dispelling myths as to its secrecy and irregularity, which Cheyney suggests originated with practices such as examining the defendants and witnesses in private, rather than in court.²² This distinction between public and private elements of court procedure in Star Chamber is significant; in respect of their very public elements the court cases in themselves became a performance for everybody involved, yet the court chose

¹⁸ A demurrer is 'a pleading which, admitting for the moment the facts as stated in the opponent's pleading, denies that he is legally entitled to relief, and thus stops the action until this point be determined by the court'. "Demurrer, n.1". OED Online, Oxford University Press, <<http://www.oed.com/view/Entry/49890?rskey=yLntt8&result=1&isAdvanced=false>> (Updated December 2011) [Accessed: 6 March 2012]. Cheyney, 'Star Chamber', p. 738.

¹⁹ Cheyney, 'Star Chamber', p. 738.

²⁰ Cheyney, 'Star Chamber', p. 738.

²¹ Cheyney, 'Star Chamber', p. 739.

²² Cheyney, 'Star Chamber', p. 738.

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to keep significant parts of the cases private, thereby manipulating the appearance of the case to the spectators and enhancing the public elements as a special performance. As Cheyney outlines, the court of Star Chamber's sessions were opened to the general public;

The situation of the Star Chamber itself on the extreme edge of the group of Westminster buildings gave ready access to it to all, except for the control exercised by the usher of the chamber. We hear of that official receiving profitable fees for providing convenient seats or standing-room for young noblemen and gentlemen "which flock thither in great abundance when causes of weight are there heard and determined".²³

This description shows that these sessions attracted significant audiences; there was enough public interest and awareness to draw crowds to Star Chamber cases and, in more interesting examples, men of high status would pay to be comfortably placed. The presence of an audience highlights the spectacle and performance characteristic of the court. Furthermore, officials presiding over the court were aware of the effectiveness of performing on this public stage and used it to their advantage: 'like almost all the great lawyers and judges of the reigns of James I and Charles I, a large measure of Coke's fame as an advocate at the bar came from an active [...] practice in Star Chamber'.²⁴ Such public performance could generate fame and reputation and the dramatic creation of authority can be seen in the way that the court conducted its sessions.

The presiding officer of the court was the Lord Chancellor and no other councillors or officials were allowed to enter the court until he was present. Once the Lord Chancellor was there, all entered the court; 'the great seal and the chancellor's mace were carried before him [and] he wore his hat even when he spoke in court, though all other councillors removed theirs'.²⁵ The Lord Chancellor appeared accompanied by all of the outward symbols of his status and station and in doing so he publicly displayed his authority, which also reinforced the authority of the court. This was further signified by the

²³ Cheyney, 'Star Chamber', p. 731.

²⁴ Barnes, 'Mythology', p. 5.

²⁵ Cheyney, 'Star Chamber', p. 730.

representation of monarchical power which was present in Star Chamber: although royal attendance was very rare, ‘the royal arms and a vacant chair with the mace and purse lying before it [...] attested the theoretical presence of the king or queen and the dignity of the court as clothed with all the sovereign’s power’.²⁶ This dramatic empty chair, surrounded by the trappings of a monarch, one imagines would be striking to the audience present and function as a continual reminder that the king or queen’s authority was being used to administer justice in this court. In fact this use of a monarch’s empty chair to symbolise their presence and authority is a well-established tradition, which is demonstrated particularly starkly in the St. George’s day celebrations of 1507 given by Sir Rhys ap Thomas at Carew Castle. When the assembled nobles gathered for dinner, the king’s empty chair was served with meat and wine whilst music played and Sir Rhys and the Bishop stood on either side of it. After a short passage of time the plate was moved to the sideboard for the waiters and the king’s chair was turned around. This indicated ‘the King’s Service being finished’, so Sir Rhys and the Bishop returned to their chairs and ‘every man [was] at liberty to put on his hatt’.²⁷ The monarchs and councillors of the early-modern period were adept when it came to public displays of position and authority and they used these public performances to establish and consolidate their status;²⁸ their appearances at the court of Star Chamber can be seen as another instance of this performance called for by the presence of a public audience. The Star Chamber was thus a place where men performed their status, built their reputation through that performance, and publicly enacted the hierarchical power of the kingdom through the use of key objects as elements of a stage set, such as the empty throne. This also established the Star Chamber as a performance space in which the damaged status of complainants, in libel cases, could be restored.

Adam Fox points out on several occasions that libel texts were by nature transient and that the only ones that do survive, that we can still read now, are those that were taken to court by someone who found them offensive, because

²⁶ Cheyney, ‘Star Chamber’, p. 730.

²⁷ ‘Sir Rhys Ap Thomas of Carew; 1507; *The Life of Sir Rhys ap Thomas*’, in *The Records of Early English Drama: Wales*, ed. by D. Klausner (Toronto: University of Toronto Press, 2005), pp. 256–67 (p. 261).

²⁸ Kevin Sharpe, *Image Wars: Promoting Kings and Commonwealths in England, 1603–1660* (London: Yale University Press, 2010), pp. 89–123.

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that person was required to produce a written copy of the libel as evidence.²⁹ At first glance it might seem ironic to us that those who were sufficiently offended to take their cases to court have, in reality, perpetuated the libel for many years beyond their own by leaving a written copy for us to read. However, by looking at the court context of their bills of complaint complete with libel text, it can be suggested that complainants found in the Star Chamber an effective mode of performance that succeeded in discrediting the libeller and his publication of that libel in the local community. The Star Chamber offered a style of performance guaranteed to divest the libel of its original performance qualities and force it to be replayed in a theatre and in a style which emphasised gravity rather than levity and hierarchical rather than community power. Cheyney describes the court of Star Chamber as 'a formal and orderly assemblage' where 'all speeches made were in restrained and sober language and in the midst of the profound silence of all present except the speaker'.³⁰ This could not be further from the original performances of libel in the community, which, as will be demonstrated later, are described in the bills of complaint as being delivered with animation, often occasioning laughter, commentary and merriment, and were as far from being conveyed in 'restrained' or 'sober' language as they could possibly be. Cheyney uses two examples of cases in Star Chamber to demonstrate his point. The first example comes from a case of 1632:

Even when, in the midst of the session of April 27 [...] some mice came from behind the king's arms and one of them, after running along a beam dropped on the back of Lord Chief Justice Richardson, the incident, so tempting to careless risibility, only served to point a reference in the speech of the archbishop to the human vermin he was just sentencing to fine and punishment.³¹

The second example given is from a case heard in June 1602:

Certain ridiculous matter inserted by the plaintiff in his appeal moved the court to momentary laughter. The lord keeper said, "Although it be goode to be merrye some time, and this be St. Barnabas' daye, the

²⁹ Fox, *Oral and Literate Culture*, p. 304.

³⁰ Cheyney, 'Star Chamber', p. 730.

³¹ Cheyney, 'Star Chamber', p. 730.

longest daye in the year, yet let us not spende the whole day in this place with wordes to no purpose", and so they returned to work.³²

Cheyney also points out that this was in stark contrast to other courts of the period in which judges were 'often noisy, hectoring, coarse-grained and foul-mouthed'.³³ What these examples serve to demonstrate is that material presented in Star Chamber, no matter how amusing, was not to be laughed at. In terms of libel cases this control over audience reception was crucial; for men attempting to have libellers punished and their own blemished reputations cleansed, the ability to frame libel texts with reports of the libellers' own faults and misdemeanours and then have the libel texts read to a silent, unresponding and disapproving audience removed the reception that would have originally given the libel its significance amongst the complainant's community. Alastair Bellany relates that at one particularly famous trial in which three fiddlers were accused of seditious libel, 'Attorney General Sir Robert Heath circulated written copies of the offending songs to the assembled lords of the council, thus avoiding the awkwardness of reading the libels aloud in open court'.³⁴ Here the court had completely detached the libel from its performance context in order to reverse its original effect. Removing the reaction of spectators at court changed libels into false and criminal texts so that the complainants' reputations could be reclaimed. For us, this change in performance context at court, and the importance of it to officials at that court, shows that the context and circumstances of the original performance in the community were the root cause of the offence and were the specific issue at hand in need of punishment and control. The fact that it was the public performance of libel which was being censored in Star Chamber at this period is also evident in the means of punishment administered there and the reputation for publicly displayed justice that the court had acquired amongst contemporaries. Barnes suggests that Star Chamber's procedure closely resembled 'our traditional [...] standard of justice, that justice be not only done but that it also be seen to be done'.³⁵ The public nature of Star Chamber's sessions and punishments served as an example to others. Cheyney notes:

³² Cheyney, 'Star Chamber', p. 730.

³³ Cheyney, 'Star Chamber', p. 731.

³⁴ Bellany, 'Singing Libel', p. 177.

³⁵ Barnes, 'Mythology', p. 6.

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When the queen [Elizabeth I] wished to have the misdemeanors of Archbishop Grindal brought to the attention of the public, it is declared that he is to appear and answer thereunto in that public place. When the councillors think certain scandalous speeches that have been reported to them should be punished openly for the sake of example, they send the matter to Star Chamber [...] Sir John Smythe complains that he has been brought "into a public audience in the Star Chamber", when he might fairly have anticipated that his case would have been considered in some more private way.³⁶

Not only did contemporary officials recognise the effectiveness of an appearance at Star Chamber in setting an example for the public, but those who were tried there saw the damage that a public trial at Star Chamber might do. In the case of Sir John Smythe, there was a distinction made between this public audience and a private one; we are told he might 'fairly have anticipated' the latter option. In terms of libel cases we are told that scandalous speeches, for the example of others, were directed to Star Chamber and it was a scandalous speech that sent Smythe there,³⁷ so perhaps his status was what meant he might have 'fairly' hoped for a private trial. However, the nature of his case must have weighed more heavily than his standing and his words clearly needed to be seen publicly as seditious. This is a clear indication that libel cases in particular relied on the public nature of the Star Chamber for their effective redress. Barnes says that

A favorite punishment, and in the conditions of the day a most needful and effective one, was to have the convict publicly confess his crime either at the local assizes or quarter sessions (if the case had considerable local import) or before all the courts in Westminster Hall (if the case involved contempt of court or abuse of legal procedure).³⁸

With libel cases, this public confession would be particularly apt as the punishment would directly counter the crime. It is significant that if a case was of local importance then the audience witnessing the confession was a local

³⁶ Cheyney, 'Star Chamber', p. 731.

³⁷ Artemis Gause, 'Smythe, Sir John (1533/4–1607)', in *Oxford Dictionary of National Biography* (Oxford University Press, 2008) <<http://www.oxforddnb.com/view/article/25832>> [accessed 6 March 2012].

³⁸ Barnes, 'Mythology', p. 7.

one, whereas those involving court transgressions were confessed at Westminster Hall: this demonstrates the importance of the audience in translating the oral performance of libel into the oral performance of confession. In the libel cases which will be examined in this study, all of them were of importance in their local communities specifically because they involved those communities as audiences to their libel performances. It becomes evident that this performance aspect of libelling was what caused the offence when we see that the court's idea of a fitting punishment, and deterrent to future offenders, was to force a public admission by the guilty party, to his original audience, that he was at fault and had committed a crime. Other types of punishment that the court also employed included monetary fines, whipping, pillorying, and in more serious cases the nailing to a post or cutting off of offenders' ears.³⁹ Bellany also describes how in 1627 a group of Staines fiddlers were punished for performing libellous songs by being fined a large amount of money, subjected to the 'explicitly derogatory penalties of whip and pillory' both in Cheapside (the usual site for this public punishment) and in their home towns, and finally forced to ride from Westminster to Cheapside 'with their faces to the horses' tails' in a combination of the sentiment of their libel whose refrain was 'the cleane contrary way' and the mocking ritual of the charivari.⁴⁰ All of these punishments were public by nature, but in the latter example we can see clearly that the public performance of punishment deliberately reflected the original performance of libel. It used a popular form of communal mocking to send an exemplary message directly to those communities who would have witnessed the libel in the first place.

There is further evidence that the performance of libel was the main cause for concern in the court in contemporary treatises concerning Star Chamber which include debates among officials as to what constituted the publication of libels. These debates were carried out alongside discussion of the definitions of libel given in the treatises and shows that publication of libels was what officials of Star Chamber were targeting. This legitimizes the study of the bills of complaint in terms of performance. When discussing the differences between the Star Chamber and the common law courts over their

³⁹ Fox, *Oral and Literate Culture*, p. 326.

⁴⁰ Bellany, 'Singing Libel', p. 183.

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treatment of libel, Holdsworth explains that the crucial difference was 'the view which the Star Chamber entertained of the nature of the offence of libel'.⁴¹ This difference resulted in the Star Chamber maintaining, in contrast to common law courts, that truth was no defence, that sending a defamatory letter was itself a form of publication, and that the libel could still be prosecuted if the libelled person was dead. Crucially, Holdsworth points out that in Star Chamber 'the writer and contriver, and, if it was published, the publisher could be punished', but that 'what amounted to publication was perhaps not quite clear at this period'.⁴² On this point there appears to have been a difference of opinion between two of the most well-known writers on and officials of Star Chamber at the time. William Hudson (c.1577–1635) was a barrister whose practice was mainly in the court of Star Chamber, where he worked for twenty five years.⁴³ His 'Treatise of the Court of Star Chamber' is one of the most important sources for information about the court, its procedure and jurisdiction including examples of precedential cases from Hudson's vast experience. The Attorney-General, Sir Edward Coke (1552–1634) was also a prolific publisher of cases heard in Star Chamber and his numerous volumes give his opinion on matters of precedence.⁴⁴ On the subject of publication, Coke states in reference to a case from 1611:

If one reads a libel that is no publication of it, or if he hears it read it is no publication of it, for before he reads or hears it, he cannot know it to be a libel; or if he hears or reads it, and laughs at it, it is no publication of it; but if after he has read or heard it, he repeats it or any part of it in the hearing of others, or after that he knows it to be a libel, he reads it to others, that it is an unlawful publication of it; or if he writes a copy of it, and does not publish it to others, it is no publication of the libel [...] But it is great evidence that he published it, when he, knowing it to be a libel, writes a copy of it.⁴⁵

In his treatise Hudson writes:

⁴¹ Holdsworth, *History*, V, p. 210.

⁴² Holdsworth, *History*, V, p. 210.

⁴³ Holdsworth, *History*, V, p. 164.

⁴⁴ Allen D. Boyer, 'Coke, Sir Edward (1552–1634)', in *Oxford Dictionary of National Biography* (Oxford University Press, 2009)

<<http://www.oxforddnb.com/view/article/5826>> [accessed 6 March 2012].

⁴⁵ Holdsworth, *History*, V, p. 210.

The *publishers* of libels are as severely punished as the *makers*; therefore it is usually said, that it were a punishment to a libeller if no man would publish it. Therefore, to hear it sung or read, and to laugh at it, and to make merriment with it, hath ever been held a publication in law.⁴⁶

In Coke's opinion one can read or hear read a libel and even laugh at it without that being publication if one did not know it to be libellous at first, but once the text has been read or heard, then to re-read it, or any part of it, to others is publication; if the person knows that the text is a libel and then reads it to others, he is publishing it. This very precise description specifies 'unlawful publication' when the person, knowing it to be libellous, repeats it. But it allows the reader and audience to laugh at the text in the first instance of reading or hearing. Here the act of publishing originates in the intent of the reader when, once he knows it to be libellous, he actively reads it to others; but it does also rely upon a third party to be the audience. Even if a copy is written it is not publication if he does not 'publish' it to others, although Coke does admit that to have a written copy is strong evidence that the text has been made known to others. This acknowledgement suggests that the accepted function of a written copy may have been to act as a script for performance. Hudson, on the other hand, defines publication according to audience reception: if it is being sung or read and those hearing it laugh or make merriment with the content, then the libel has been published. In Hudson's view the act of performance and audience reaction determines publication and it is publication that the Star Chamber is concerned with controlling. Both of these opinions involve an audience, with one emphasizing the role and intent of the performer and the other the reaction of the audience, and although they do differ in their opinions, this difference shows that contemporary theory on the punishment of libels at Star Chamber was most concerned with how libels were performed and received. Hudson's assertion that 'it is usually said, that it were a punishment to a libeller if no man would

⁴⁶ William Hudson, 'Treatise of the Court of Star Chamber', in *Collectanea Juridica*, ed. by F. Hargrave, 2 vols (London: E. and R. Brooke, 1791–1792), II, pp. 1–240 (p. 102). The above printed edition is used here for ease of access but is a corrupt version of the text, derived from two later manuscripts. However, the sections quoted in this thesis have been checked for matching content against the manuscript copy of Hudson's treatise held at The National Archives dating from c. 1621 (London, The National Archives, STAC 12/1).

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publish it'⁴⁷ means that by targeting the publishers of libels, the court was punishing those that would write them because they relied upon the libel being published abroad for it to have significance; it was the means of publication that the Star Chamber officials were punishing and legislating against.

It is important to establish that this issue of publication was central to the punishment of libels in terms of the actual offence believed to have been suffered by the victim, and was the reason that cases were so appropriate for the court of Star Chamber rather than elsewhere. Hudson explains that one of the errors over libel legislation that has been corrected by Star Chamber is that 'it is not a libel if it be true'.⁴⁸ In elaborating on this point he says that the reason libels are punished is because they 'intend to raise the breach of the peace' and, no matter who the subject, whether a 'common strumpet' or an 'honest woman', a true libel is more dangerous to that peace because 'as the woman said she would never grieve to have been told of her red nose if she had not one indeed'.⁴⁹ Hudson asserts here that 'it hath ever been agreed, that it is not the matter but the manner which is punishable' and that is why the truth is not a defence.⁵⁰ Later in the text Hudson repeats this view but he further qualifies it:

I desire to observe one difference, which standeth with the rules of law and reason, and which, under favour, I have ever conceived to be just, That upon the speaking of words, although they be against a great person, the defendant may justify them as true [...] But if he put the scandal in writing, it is then past any justification, for then the manner is examinable and not the matter.⁵¹

Holdsworth remarks that this second distinction between spoken and written libels was 'somewhat inconsistent' because the court did punish spoken words, but points out that Hudson 'may have represented truly enough an inconsistency in the practice of the court'.⁵² What is important is the repeated assertion of Hudson that it is the 'manner' and not the 'matter' that Star Chamber is concerned with punishing. In the 1627 case of the Staines fiddlers,

⁴⁷ Hudson, 'Treatise', p. 102.

⁴⁸ Hudson, 'Treatise', p. 102.

⁴⁹ Hudson, 'Treatise', pp. 102–103.

⁵⁰ Hudson, 'Treatise', p. 102.

⁵¹ Hudson, 'Treatise', p. 104.

⁵² Holdsworth, *History*, V, p. 211.

Bellany also notes that Attorney General Heath condemned the seditious songs as ‘not only “scandalous for the matter” but also “base & barbarous” in their “forme”’.⁵³ Hudson says that if the question is whether the libel is true or false, then in Star Chamber ‘the defendant in that case ought to plead a justification, and demur in law; but if he pleads not guilty, the question is gone whether it be a libel or not’.⁵⁴ In other words the Star Chamber is not the right place to determine whether a text is true or false, libellous or not. When heard in Star Chamber the manner of libelling was what was at issue, and consequently, what was punishable. It can be said, then, that the reason libel cases were being so frequently taken to Star Chamber at this period was because in their manner they were unlicensed performances that breached the peace of the general public in their local communities. In light of this, libel cases and their texts should be analysed and thought of as instances of community performance.

Hudson’s description of what constitutes a libel is particularly insightful on the kinds of libel that qualified for trial in the eyes of the court. He explains:

Libels are of several kinds; either by scoffing at the person of another in rhyme [...] or by the personating him, thereby to make him ridiculous; or by setting up horns at his gate, or picturing him or discribing him; or by writing of some base or defamatory letter, and publishing the same to others, or some scurvy love-letter to himself, whereby it is not likely but he should be provoked to break the peace; or to publish disgraceful or false speeches against any eminent man or public officer.⁵⁵

Hudson’s list is very specific in its language. Close attention to this language shows that all of the manners of libel set forth here share common themes. For example, the word ‘personating’ describes an action which is, by its nature, dramatic; it entails the performance of assuming somebody else’s character which relies upon a third party for effect. In a similar way the word ‘scoffing’ describes an action that is very obviously designed to get a reaction from those listening because it undermines someone who should be given respect. Next on the list of libel types are setting up horns at a person’s gate, picturing

⁵³ Bellany, ‘Singing Libel’, p. 182.

⁵⁴ Hudson, ‘Treatise’, p. 102.

⁵⁵ Hudson, ‘Treatise’, p. 100.

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someone or describing him. Setting up horns at a person's gate is an especially public use of a symbol that a contemporary audience would immediately recognize as undermining the target. 'Picturing' or 'describing' a person assigns a specific set of qualities or character to them, through graphic representation, which is at the mercy of the describer and implies an audience that this graphic account is given to. The language used by Hudson implies a very deliberate and calculated method of using performance to create a ridiculous caricature of the person being libelled. The vocabulary used supports the idea that the 'manner' in which libelling took place at this period was an established mode of dramatic performance and that it was this that caused offence. Hudson's list also involves writing letters with defamatory content and publishing them to others, and publishing false speeches against those in authority. It is worth noting that all of these modes are public performances in the sense that they rely for effectiveness on being put into the public sphere and on being understood by a specific audience. This particular manner of libel performance, as described by an important official of Star Chamber, should be at the heart of any examination of libelling in early-modern provincial England because it is this manner which is being punished.

1.3 The Performance of Libel in the Community

Libel and slander cases have received considerable attention from historians who have viewed them as giving insight into the everyday lives of the people in a way that is difficult to find in other sources of national scope. Whilst the performance nature of provincial libelling has been highlighted by existing scholarship, more attention might profitably be paid to the way in which these libels functioned as performances and their uses of physical space in performance terms. Historians, most notably Adam Fox, have used provincial libels to demonstrate the significant crossover which existed between oral and literate cultures in the lives of the people at the lowest levels of society during the early-modern period. Fox shows that libelling was common across England and that its use of both visual and textual elements meant it had a more damaging effect in communities where literacy levels were

still relatively low.¹ Further, Andrew McRae has pointed out 'the importance of situating libels within literary history', demonstrating that libels did have a place in the contemporary literary scene.² However, McRae's work analyses well-known examples of libels at court, such as those surrounding Lady Penelope Rich: libels with high status targets and contemporary political relevance, which he says were at this period considered 'a recognized feature of literary and political culture'.³ McRae's work on political libels with Alastair Bellany, and indeed Bellany's own work, also focuses on elevated examples which comment on issues of national political scope, which are different to the popular provincial cases examined here.⁴ Early studies of popular culture, such as those by C. J. Sisson and Martin Ingram, began literary or performance orientated discussions of provincial libel; these studies placed libels amongst other events central to popular culture, like the May Game or charivari and they also pointed out some of the similarities between provincial libels and drama on the London stage.⁵ However, subsequent scholarship does not seem to have taken up these discussions regarding the performance of libels to their full extent. Whilst recent scholars have signalled the significance of performance in provincial libelling, this has not been their central concern. Fox acknowledges that there is now a need to 'move the history of popular literature beyond the study of form and content and towards the analysis of performance and reception'; he says, when talking of ballads, that performance context 'is something usually lost' to those studying them.⁶ Bellany describes how important performance was to instances of sung libel, but concedes that historians have been 'reluctant' to analyse them in this light.⁷ This scholarship emphasises the significance of performance context to libels and their surrounding genres and yet no full scale analysis of early-modern provincial libel in terms of performance has been undertaken. With the inclusion of major

¹ Fox, *Oral and Literate Culture*.

² McRae, 'Reading Libels', p. 2.

³ McRae, 'Reading Libels', p. 1.

⁴ See *Early Stuart Libels*, ed. by Bellany and McRae, but also Bellany, 'Singing Libel'.

⁵ See C. J. Sisson, *Lost Plays of Shakespeare's Age* (Cambridge: Cambridge University Press, 1936); C. J. Sisson, 'Shakespeare Quartos as Prompt-Copies with Some Account of Cholmeley's Players and a New Shakespeare Allusion', *The Review of English Studies*, 18 (1942), 129-43; Martin Ingram, 'Ridings, Rough Music and the "Reform of Popular Culture" in Early Modern England', *Past and Present*, 105 (1984), 79-113; Ingram, in *Popular Culture*.

⁶ Fox, *Oral and Literate Culture*, pp. 302 and 317.

⁷ Bellany, 'Singing Libel', p. 178.

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libel cases in the more recently published volumes of REED this move towards defining a genre of performance-based provincial libel has become ever more achievable and so is all the more pressing.

Although some libel texts are less learned and of more basic composition than others, there needs to be further examination on a case-by-case basis which acknowledges, firstly, the wide variation of authorship, style, language and composition which can give real insight into communities of the period and how they publicly performed their identities; and which, secondly, places these texts within their specific contexts in order to examine their function. Furthermore, any similarities of language or phrase could tell us how widespread and commonly recognised these libels might have been in neighbouring towns or counties and would support the notion that communities at this period could extend beyond town and even county boundaries. There may also be an extent to which we can begin to build up a sense of a genre of provincial libel based on images, phrases or common language which were used by writers and recognised by audiences of libel as belonging to this mode of expression.⁸ This study will examine the literary qualities of popular libel texts in a later chapter, but it is first necessary to analyse the performance contexts of libels in their initial community settings to determine the significance of their performed nature.

For the South-West region of England between 1603 and 1625 there are many extant records of libel cases, all of which have varying numbers of libel texts associated with them. In my research I have used the Records of Early English Drama volumes for Somerset, Dorset and Cornwall as sources to examine the cases of conflict which involve libel or slander in any form. The REED volumes for Devon and Gloucestershire were also consulted but did not include the same types of case; this may be the consequence of changing local editorial priorities as the REED project developed. Therefore, although it is regrettably beyond the scope of this study to consult the Gloucestershire records, my work on the Star Chamber records for the county of Devon will follow. The intention of this thesis is to focus on the libel cases of Devon and use the REED material from Dorset, Cornwall and Somerset to act as a context

⁸ Peter Burke attempts to do this for popular or traditional forms of expression. Peter Burke, *Popular Culture in Early Modern Europe* (London: Temple Smith Ltd., 1978), pp. 116–47.

for them; however, whilst doing this, the thesis will also use the evidence from Devon as a way of reflecting on REED's selection of material. From the extant Devon material, I focused particularly on cases that included performed aspects or theatrical events and that included numerous people on both sides and can therefore be seen as truly communal conflicts.⁹

Descriptions of the initial performance contexts of the libels from Dorset, Cornwall and Somerset can be found in the bills of complaint featured in the REED volumes, and these provide insight into the function of the written copies of textual libel and the specific ways in which communal identity was enacted. Most bills of complaint contain formulaic phrases describing libellers 'repeating singing and vttering diuers verses and partes therof' in order to 'vnlawfully publishe and reade the said Libell'.¹⁰ These phrases do not necessarily mean that libels were actually published in printed format, rather that they were made known in public. The phrases are so general that they do not even actually mean that libels were sung in all cases which include this description, just that they were recited in public in some manner. One of the few texts which most probably was designed to have been sung was the first libel from the case of *Hole v. White, Wells*, which was written by William Gamage and entitled 'My Loving Friends' but this can only be said because of the presence of its refrain. However, even this text was said to have been delivered differently in one instance. Sisson describes how Williams, the author of the second libel text, having heard Gamage's verses, then performed them:

Tiderlegh found Williams something of an actor, when he once repeated memoriter to him Gamage's poem "which speech he deliuered with the action of his foote and hand, much like a player, which moved this deponent to thinke that the said verses had been parte of some play".¹¹

⁹ See appendices A and B for full texts of all libellous poems from Dorset and Cornwall, and Somerset respectively. In all cases I have taken the texts from the bills of complaint presented in *Star Chamber* retaining spelling and punctuation given there, but have recreated line and stanza breaks obscured by the bills' tendency to recount the libels as part of their prose format.

¹⁰ *The Records of Early English Drama: Dorset & Cornwall*, ed. by R. C. Hays and C. E. McGee, S. L. Joyce and E. S. Newlyn (Canada: University of Toronto Press Inc., 1999), p. 156. Subsequent references to bills of complaint in Dorset and Cornwall are to this edition and are given in parentheses.

¹¹ Sisson, *Lost Plays*, p. 176.

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As well as illustrating Williams' penchant for acting, this shows that the text, when read aloud, was dramatic in nature and had the potential to be used in different ways to suit performance circumstances. Fox argues that texts needed to be read aloud because of low levels of literacy;¹² but although this is an important factor in oral transmission, there is more to it than that. In the case of *Miller v. Maries, Bridport*, we are given two descriptions of the means and location of dissemination. Firstly, on 3 February 1608 William Maries, the principal defendant,

Came into the Shopp of one Thomas Chard Mercer in Bridport aforesaid and then and there in the presence of diuers Inhabitantes of the said Towne, by the abettement aduise and procurement of the rest of the said confederates did vnlawfully publishe and reade the said Libell in the presence and hearing of a greate number of your Maiesties loving subiectes then and there presente.

(REED: Dorset, p. 156)

Maries, in one of the shops of Bridport, encouraged by his fellow conspirators and surrounded by an audience of the local community, read the libel from his written copy. Furthermore, it is alleged that on the same day John Lea, another defendant, read the libel in public and then took it to John Abbott who, an hour or so later, also

Came into the Shop where Your said Subiecte Angell Churchill and the said Lea were [...] and the said Abbott did then and there vnlawfully reade and publish the same Libell openly in the shop in the presence and hearing of diuers persons and smyled as hee was reading it, and did well like and allow therof.

(REED: Dorset, p. 157)

This description of Abbott reading the libel on the same day in a shop with others present, including one of the men libelled in the text, and smiling and enjoying it while doing so, is further confirmation that these texts were meant to be performed like speeches in stage-plays to an audience. When analysing the texts of both the Bridport and a very similar case involving three lengthy libels from Dorchester, it is clear that they were not meant to be memorised in

¹² Fox, *Oral and Literate Culture*, p. 317.

full. They are so packed with names and complex phrases, and so long that they would have been a huge undertaking to learn by heart, but they do lend themselves to oration; they pose questions, are written as narratives and with a little skill could be read in a very humorous way. Both bills of complaint also emphasise the pains defendants went to in order to keep copies about their person in many instances, despite being asked by authority figures to hand them over, presumably so that they were prepared should an apt occasion arise for performance. These details show that written copies were used like play scripts or prompts and were crucial for the survival of compositions too complex to remember and reliant upon a specific audience for significance.

In the Dorchester case, Matthew Chubb, the principal defendant was accused of frequently reciting the three libel texts, which attacked certain puritan members of the community, in public; for instance on 18 October 1607 it was said that Chubb did,

To divers and sundrye persons of his acquaintance and familiaritye report and read the said infamouse libell, at which tyme the said Iohn White [complainant] being in presence and beyng by the said Mathewe Chubbe informed that the same Lybell was written against him and some doctrine of his.

(*REED: Dorset*, p. 176)

White then asked Chubb to give him the text so that he might suppress it, which Chubb refused to do. He then proceeded, 'the more to dispyght' White, to 'publish and Reade the same him selfe with lowde voyce' (*REED: Dorset*, p. 176). Chubb is elsewhere accused of reading one of the libels in the street at the Market Cross to a large audience. These are again instances of performance with especial emphasis given to how the texts were read; with a smile, in a loud voice, with commentary as to who is referred to where. It is important to allow for exaggeration in bills of complaint but it is significant that the type of reading given was also used as a method of defence. In Bridport, Dorset, Abbott described how one of the complainants, Angel Churchill, was trying to set him up to get revenge by persuading Abbott to read the libel aloud. Abbott's defence was that he 'dyd take the said paper in his hand [from Churchill], and turned his face from the said Churchill and Bagge, and read about fyve, or sixe lynes of the same to himself inwardly or softlye, and not otherwise' (*REED Dorset*, p. 166). This is confirmation that

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there was a certain accepted way to perform a text like this which included eye contact, a loud voice, to be read in full and without full reliance on the paper; as a performance on a stage. In the Dorchester case, Chubb also claimed to have read the libels only to himself and only as part of his professional duty as a bailiff and not for the purpose of spreading them in public. This evidence shows that the written texts of libels were used as scripts and were part of a recognised mode of performance in public, which fits well into the performative character of community life in England during the early seventeenth century. It also shows that performance both created and displayed a collective identity which became familiar through communal issues being repeatedly acted out within the community.

As well as the libel cases which describe the performance of one or more lengthy verse in public, there are cases that centre on shorter libel texts that often take the form of letters or mock court summons. These formats do not necessarily suit themselves to oration in front of an audience, dramatically staged, as performance scripts; however, through the bills of complaint they can still be seen to have played a crucial part in the performance of libel. For example, in a case from Launcells, 1612, in which Richard Painter and Marie Wise complained of being libelled by a local group of 'lewd loose and disordered persons' (*REED: Cornwall*, p. 486), it was alleged that the group did

Fould and wrappe vp the said libell soe contrived and made in manner as aforesaid in the forme and likenes of a letter and did indorse the same and directe it to yor subiecte Marie Wise with this superscription vpon the backe side thereof vizt To her loving frend Marie Wise deliuer this with as much speed as maie be spedd.

(*REED: Cornwall*, p. 488)

Having been folded and directed, however, the libel was not merely sent or delivered as a letter would normally be. It was given to John Yeo the younger who, it was alleged, under instruction from the other defendants, went to 'a Certaine watermill neer vnto Launcells' where he knew Marie Wise to be (*REED: Cornwall*, p. 488). After 'Cuninglie insinuating himself into her Companie', John Yeo requested that Marie lend him her horse to ride home (*REED: Cornwall*, p. 488). The horse obtained, Yeo was said to have ridden it

Vnto a Certaine stile in the waie to Launcells aforesaid where he knew that yor said subiecte Marie must needes passe from the said Mill; And there alighting [...] did then and there leaue the said horse tyed to the said stile and the said libell so folded vp in the manner of a letter [...] to the open view of all such passengers as had occasion to goe that waie to the great and manifest disgrace discredit and reproche of yor said subiectes.

(*REED: Cornwall, p. 488*)

The letter itself and its libellous contents were folded with only the subscription on show; it is not the actual written contents that are complained of here as in previous cases where the reading of the words causes the offence. In this case it is the medium itself and the implications it so obviously held for anyone viewing it, along with its being placed on Marie's horse at a stile in the main passage way to be seen by all, which caused unrest. Through the fashioning of the text the communication becomes self-conscious and the letter is turned into a performance object. In a similar way, the Berkley example of 1611/12 involved a sealed mock court summons along with a pair of horns being attached to the target's horse, the mane and tail of which had been cut, and which was then led through the streets and passageways of the village. The writing, again, was not the source of offence in itself, but the public nature of being summoned to a court of cuckoldes for the entire village to see. These texts were not scripts or memory aids like the others but they were instrumental props in the performance of defamation; without them the acts would have little meaning, but with them they became public enactments of actions normally done in relative secrecy within a community. By making private documents the source of public performance, community conflict was caused.

In these two cases, the plaintiffs were complaining not so much about the content and authorship as about the circumstances of performance and the means of spreading the libel abroad. To look at this from another perspective, it can be said that it was in part because libels had become an unlicensed type of performance in this period that they were of such concern to those in authority and were so frequently taken to the high-status, public arena of the

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court of Star Chamber.¹³ To explore this further, the accusations made in the bills of complaint can be analysed in greater depth. Many of these bills make a distinction between the initial substance of the libel and its being made into a rhyme or verse. In Fowey in 1614, a libel was made which was too obscene to be repeated in court and so only its outline was given in the bill. The text then says: 'the which saide moste scandalous disgracefull and infamous libell, in substance and effect as aforesaide but amplified and aggrauated with vniust and odious contumelious and spightfull Circumstances [was] sett fourth and expressed' (*REED: Cornwall*, p. 480). Here, clearly, the circumstances of the libel being spread were the issue and in this case those circumstances were that it was read and sung at many 'generall Sessions of your Maiesties peace' and other places. But before this could be done the defendants 'caused [it] [...] to bee turned out of prose into Rymes & verses', and to be

Sett downe both in paper and in parchment, in many & sundry Coppyes and transcriptes of mere intent & purpose to scatter disperse divulge & publishe the same into as many hands and places & vnto the notice of as many persons as they coulde.

(*REED: Cornwall*, p. 480)

This conversion into verse was evidently thought to make the text more suitable for performance than it would have been if left in prose. It was the action of changing it into verse that caused the offence of libel; these were the odious circumstances and they enabled the text to be accessed by a much wider audience. It may then also be the case that the Star Chamber's method of representing libel verses in prose form in bills of complaint was also part of that body's overwriting of past odious performances with a new solemn and disinfectant practice.

In Jacobstow in 1617 a group of defendants 'did further maliciouslie and vnlawfullie Conclude and agree together after they had raised and diuulged such false and forged matters of Infamie and reproach as aforesaid to reduce the same into riding Rimes in the nature of a Libell' (*REED: Cornwall*, p. 482). They did this specifically so that it 'might take deper roote and impression in the myndes of the Common and vulgar sorte of people within the said parish' (*REED: Cornwall*, p. 482) and thereby cause the most harm to reputation. The

¹³ Cheyney, 'Star Chamber', pp. 727–50.

offence here again was specifically that the accusations were put into rhymes and that this was done because they would then have the greatest effect on the largest number of people. The bill from a case in Compton Pauncefoot, 1605, also details how, once the defendants had come up with libels, they did 'cause the same by Rymers & other idle and evill disposed persons to bee sunge read & repeated' (*REED: Soms.*, p. 82), and the bill says that on several occasions the libels were delivered 'by descriptions & circumlocutions' (*REED: Soms.*, p. 81). Allowing for bias as to the characters of the defendants, the cases all accuse those involved of making a libellous claim into a rhyme or verse so that it can be dispersed to the largest audience possible, and they refer to the same type of recognised performance that has been identified in the Wells, Bridport and Dorchester cases. These cases involve complaints not against outright or direct challenges and name-calling; they are taking issue firstly with the conversion of a defamatory accusation into a genre that can then be performed, and secondly with the details of when, where and by whom this performance was staged.

This is even further supported by a phrase found in a large number of bills of complaint which describes how defendants 'vnlawfully and maliciously plot conspire practise, confederate and agree togethether amongst them selues [...] *how & by what meanes*, they might caste an imputacion of Infamy and disgrace vppon your sayd subiecte[s]' (Perman v. Bromley, Bath, *REED: Soms.*, p. 23–24, my emphasis). This common phrase demonstrates that it was not only the creation of a rumour that was being punished, but the coming together of people to decide what form they would put this rumour in and how best to achieve the biggest audience possible. A pair of cases of particular interest in this aspect is that of Best v. Frowd and Best v. Traske which took place in Frome, 1608, where two bills of complaint were made to Star Chamber by Mr Best. The first bill complained that the defendant Frowd and his conspirators assaulted Best in the street over land and tenements that had lately been bought from Frowd by Best. In the second bill, Best complained that John Traske had written a libel about the event in the previous bill placing 'the imputacion of Knavery vppon your said subject' (*REED: Soms.*, p. 123). The bill emphasised that Traske then 'did delyver a copy of the said libell vnto the said Richard ffrowd which the said ffrowd did publish and <...>ing abrode to his consort' (*REED: Soms.*, p. 123). Again, there is a sense that the real offence

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here was that Traske gave a copy to Frowd who then performed it and this is made explicit later in the bill when it states:

Which offences your said subject did for a good space conceale and geve connivance till of late the said Iohn Traske beinge made acquainted by divers of your said subjectes freindes with his said imputacion libellinge and publicacon in forme aforesaid, that he should beware such ill courses to scandall your said subject by libellinge defamacion and derogacion from your said subjectes good name and fame made answeare that the same his libell was but an Epigram and did passe but for an Epigram from him the said Traske.

(*REED: Soms.*, p. 123-24)

This extract shows that Best did not feel the need to complain of the situation to Star Chamber until the libel had been performed by Frowd, his friends began talking of it and Traske publicly called it an epigram. This tells us that Best and his friends took issue with Traske's giving the text to Frowd, which they described as 'ill courses to scandall'; it was the circumstances of performance of defamation rather than the fact of its creation. It is also crucial that once the text had been read aloud by Frowd to his consort, Best felt that Traske was wrong in calling it an epigram, and took him to Star Chamber because it was now a libel. The fact that Traske said it was an epigram meant that he believed an epigram to be acceptable. In a similar way, in the case of *Condytt v. Chubb*, from Dorchester, Dorset, Adyn's defence was centred upon his claim that the texts were not libels but pamphlets or invectives. All of these genres are predominantly written or printed and for personal consumption and the fact that they are used as a means of defence confirms that it was the performance element of libels that was thought punishable.

In the Wells case this is made even more explicit and we are given a reason why authorities would want to suppress these performances. When describing the offences, the bill relates that the defendants 'Acted not only many disordered Maygames Morice daunces longe Daunces men in weamens apparall new deuised lordes and ladyes and Churchales, but further acted very prophane & vnseemly showes' (*REED: Soms.*, p. 262). This passage emphasises that not only did they engage in traditional forms of merrymaking, but that they also acted other shows – the point being that these satirical libellous shows were unlicensed types of performance and so needed to be suppressed.

This text also makes explicit that it was not the May game or Churchale that was particularly problematic, but that they were 'disordered' or 'new deuised'. Here we see that new or unestablished and unlicensed performances were the fuel for the many cases of libel in the court of Star Chamber. This is also supported by Gamage's attempt, in his verse, to associate and even amalgamate the libellous pageants with those of the traditional May procession as a means of defence (see Appendix B, p. 257, l. 137).

This chapter has demonstrated that libels, as examples of community conflict from provincial England in the early-modern period cover a wide variety of elements, causes and courses, with each one being specific to its individual location and community. However, it also shows that there were similarities across these cases, such as using particular locations, performance techniques and verse styles, which were widely used by libellers and recognised by their audiences. In these similar elements which were adapted to suit each instance of conflict we can begin to see the characteristics of a particular mode or 'manner' of expression of communal unrest which was specific to the provincial communities of this period. The most striking aspect of this manner is its theatrical and dramatic nature, which defines these instances of conflict as performances which enact communal identity whilst excluding their targets from that identity. Furthermore, this chapter shows that it was the performance element of conflicts at this period which made them offensive and meant that they posed real danger to the general peace of the country because it was their nature as performances which made them so effective in creating divisions within communities.

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2.1 The Star Chamber Libel Records of Devon 1603–1625

In the previous chapter I argued that the libel cases in the REED volumes for Dorset, Cornwall and Somerset relied on performance to cause offence in provincial communities. This performance element was also shown to be chief amongst the concerns held by those in authority regarding libel, and this goes towards explaining why there was such a large number of provincial libel cases brought to trial in the court of Star Chamber. However, the inherent selectiveness of the REED volumes means that the libel cases which are published there give only a limited view of the offence of libel in the communities of early-modern South-West England. As we will see, the principles of REED selection in these volumes were not exactly correlated with what would have been a performance in practice, but seem to be restricted to performances which are scripted also. My work on the Star Chamber records for Devon libel, therefore, offers a corrective to this in-built selectiveness by discussing the whole range of libel cases including those which did not use performance to libel.

There are twenty three cases in the surviving Devon records for the period which are indexed under the offence of libel. The features that arise most prominently from this body of material are the wide variety of elements of performance that are used and the different extents to which they are employed. In light of this variation in performance level, all provincial libel can be placed on a spectrum of performance which ranges from those cases which are wholly unperformed to those which rely on many aspects of performance. Of the twenty three cases from Devon only two can be said not to have used any aspect of public performance; these cases centred upon land disputes. What is significant is that the majority of cases do engage with performance on some level and, of this majority, roughly half could be said to be reliant on performance elements. Performance thus provides a useful way of establishing the spectrum of libel for the early-modern communities in Devon. This chapter will go on to look more closely at the different levels of performance found in this county, in

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order to give a broader sense of the offence of libel at this period, but also to begin to define the boundaries of a body of material that can be said to constitute the 'performance-based libel' which is the focus of this work. Before doing this, however, it is necessary to give brief summaries of the Devon libel cases, so that the content of the cases is familiar before they are discussed in relation to each other and to their place on the spectrum of performance. In the summaries that follow, I have already begun to distinguish between those cases that do not include any performance aspects and those that, to a greater or lesser extent, do rely on elements of performance.

2.2 Summary of Devon Libel Cases

Main Cases:¹

1. TNA STAC 8/130/12 Edwards v. Woolton 1604 – The records for this case are more substantial and detailed than for any other case in the Devon Libel material. The action of the libel was located in Exeter, the biggest city of the county and the people involved were of high status. The dispute arose from the medical treatment of Sir William Courteney the Younger by Thomas Edwards, after which Courteney died. Another doctor from Exeter, named John Woolton, who was briefly involved in Courteney's treatment then accused Edwards of malpractice. Woolton was said to have written a libel in the form of a letter which was sent to Thomas Edwards, who had claimed to be a doctor but whom many people believed to have been only an apothecary. The letter itself is given in the bill of complaint and is a lengthy one; it recounts a confrontation between Edwards and Woolton, and then launches into an attack on Edwards and his practice. It is a prose libel which displays learning and is written for an audience beyond its target alone. The letter was sent to Edwards, after which both Edwards himself and Woolton caused the letter to be read out by various people in many places; most frequently it was read out in the houses of the local gentry. The records include numerous interrogation questions and examinations of perpetrators and witnesses.

2. TNA STAC 8/177/9 Hawkins v. Jobson 1606 – Richard Hawkins was the Vice Admiral of Devon until he was challenged by the defendants of this case, the libel took place in and around Plymouth and its port. Hawkins was defamed by the defendants Jobson, Burrage and Grymes who made a case to the Admiralty that Hawkins had helped pirates. They then went to Hawkin's house, threatened him and bribed pirates and servants to testify against him. Jobson, Burrage and Grymes then took a chest of sugar, by force, which Hawkins had previously confiscated from a pirate ship and locked in a house in Orston. The defendants then carried the chest back to Plymouth by boat, pursued by Hawkins in his own boat who commanded them to give it back, at which point Burrage, to an audience of a hundred,

¹ All reference numbers for Devon libel material are to records in London, The National Archives, STAC 8 and are given in short reference format hereafter.

stood on the chest, drew his sword and made several cries or 'Oyes' (described as imitating royal proclamations). The cries announced that Hawkins had no power and that he and his men should be taken by force. These 'Oyes' were done as the boat left Orston and were repeated when it arrived at Plymouth in front of a large audience, which included the Mayor of the town.

3. TNA STAC 8/193/21 *Knolles v. Hasell* 1609 – This case is based around an initial confrontation in Axminster, in which Hasell and some others were gathered with Knolles, the vicar of Axminster. Hasell, Knolles and Cole were conversing when Hasell threatened a member of the community with whom he had a business deal. Hasell's threats were made with many exclamatory curses and oaths, for which Knolles reproached him for being ungodly and uncharitable. Knolles claimed that this set up an enmity between the two which resulted in Hasell and others making a libel against him. The libel is given in the bill; it is a verse libel that opens with a reference to this former confrontation and its language and tone is aggressive and threatening throughout. Hasell and his company were said to have made copies of the libel which they scattered around Axminster and which they also read out in the open market place and elsewhere.

4. TNA STAC 8/196/29 *Luccas v. Knolles* 1609² – Luccas was accused in the previous case (8/193/21) of helping to make the libel that targeted Knolles but then filed his own complaint claiming that Knolles had written a libel and made it into a letter which he then had delivered to Luccas' house. When the letter was delivered to Luccas' house he was out but his son, Luccas the younger, took delivery of the letter and was persuaded by the messenger, Langdon, to open it and read the libel aloud. Upon Luccas the elder's return he left the house with the libel and Knolles was said to have stopped Luccas in the street and tried to make him read it aloud, which Luccas refused to do insisting, instead, that he would place the libel into the hands of a constable or Justice of the Peace. Knolles resolved to accompany him and once the libel was handed over to the JP, Knolles asked to see the

² In the STAC records for this case the name 'Knowle' is used but this clearly refers to the same person as the complainant 'Knolles' from the case of *Knolles v. Hasell* outlined above. For clarity, the spelling of 'Knowle' has been silently normalised to 'Knolles' throughout the study.

contents. The JP agreed and Knolles, upon looking at the libel, claimed that he could not read the hand writing but that he knew that Luccas' son could. Luccas' son was then called to read out the libel at the house of Langdon, the original messenger, in front of an audience which included Knolles, the JP, Luccas the elder and some other of Knolles' acquaintance. Knolles was then said to have used this instance to accuse father and son of libel performance. Although the previous case (8/193/21) does not allude to this incident of performance in its bill of complaint, the records do include some interrogatories and examinations which ask whether the boy had knowledge of the text, and whether he had rehearsed it in his father's house.

5. TNA STAC 8/221/9 Neck v. Read 1617 – Roger Neck was a yeoman from Kings Nympton, north Devon, who was responsible for keeping and dressing the garden at Whitehall. Neck had recently married the daughter of a merchant from nearby South Molton. This marriage must have been a good one for Neck as the bill of complaint stresses that his new wife's father had been the Mayor of South Molton and that they had a good living. The defendants Read, Rock and Furse then made a libel about Neck which is given in full in the bill. The libel is written in verse, but is addressed in the form of a letter; it reads like a moral lesson, drawing on common knowledge and proverbs to defame Neck. Read, Rock and Furse were said to have read the libel in scoffing and disgraceful manner to their neighbours and the local inhabitants, and then afterwards sealed it up and left it in the highway for others to take up and view.

6. TNA STAC 8/253/18 Reade v. Peter 1611 – In this case a libel was made by John Peter alias Richards and Andrew Hobbes against Robert Reade and his wife, Alice. Reade was a clothier of the town of Tiverton and Peter was a Fuller; the case also stresses the trade of the man who was said to have cuckolded Reade so the issue may have underlying trade disputes at heart. The libel said that Alice had been seen at her door with another man, Leonard Farmer, whilst her husband was away. The bill describes the existence of a libel in rhyme, but notes that it could not be reproduced as the defendants went to great lengths to withhold copies of it from the complainant so that he could not sue for damages. The libel was said to have been performed for many people, both in public and private. Peter and Hobbes were also accused of setting up a pair of horns tied together with

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shoemaker's straps at the complainant's door which indicated the trade of the man seen at Alice's door. Throughout this document, where the horns are described, the original description of a pair of horns tied together with leather straps, has been crossed out and replaced with the description 'shoemaker's threads'; the device clearly had a very specific meaning. The horns were removed from the door by someone other than the defendants and complainants and after this, whenever Peter and Hobbes saw Reade in the street they would point and make horn signs at him with their fingers.

7. TNA STAC 8/254/24 Roupe v. Fortescue (before 1606) - No bill of complaint exists for this case, but from the subsequent case (8/254/26) and the interrogation questions that do survive, there seems to have been three main events complained of. Firstly, the assault by Roger Fleshman, William Richards and Nicholas Fortescue of a boy named Robert Tarring (one of Roupe's servants) whom they terrified by impersonating a dog. Secondly, the proclamation by Richards (on behalf of Edmund Fortescue and his wife), in the church yard during or after divine service, that he would pay anyone who could give him news of Richard Roupe and his daughter, who had been absent from church for a fortnight; this was done to a large audience. Thirdly, a libel written on four knaves of playing cards and fixed to Richard Roupe's door which called Richard Roupe a cuckold, his son a quarreller, another son a saucy fool, and another kinsman a laughing fool. Answers from the examination of Richards give more details and variations on events and interrogatory questions give us possible details of the particular playing cards used in the libel. William Felton's examination also says that Roupe was heard confessing that another libel was written in his hand and cast on the path from Fortescue's house to the church. The background to this case, which took place in East Allington, appears to have been the marriage of Richard Roupe to a local woman, by which he gained higher social status. Edmund Fortescue, esquire, took a dislike to this and so targeted Roupe and his family in various ways.

8. TNA STAC 8/254/26 Roupe v. Fortescue 1615 - The bill of complaint in this case begins by describing the libel from the previous case and from there it describes a fight in an alehouse between John Fortescue and William Roupe (both sons of the previous defendant and complainant respectively). The defendants Fortescue and Langley were accused of assaulting and

trying to murder Roupe after which Langley fled and went into hiding. Then there were a series of disputes over church seats: William Roupe's father had acquired an ancient pew through marriage and then built two new pews to accommodate his family. Fortescue disliked this acquisition of social status and so he, along with others, tore down the new seats during or just before divine service, which displaced the Roupes. On 25 December 1613, in church, Fortescue spat at Roupe and tried to trip him over at the door of the chancel. On 4 July 1614, Fortescue made his servant sit in the chancel seat adopted by Roupe and spat on and insulted Roupe in the porch after service, in the view of all of the parishioners. Fortescue and another defendant named Sweete were also said to have assaulted Roupe and then filed a certificate against Roupe's parents saying that they had lived incontinently before they were married, which was proclaimed in the churchyard. Fortescue was also said to have set up a pair of rams horns on a staff in the highway between Richard Roupe's house and the church.

9. TNA STAC 8/304/12 White v. Gower 1610 – In this case, a written libel and challenge was sent to George White, a gentleman living in Crediton, from Richard Gower, of nearby Cheriton Fitzpaine, to try to provoke White to fight in the field with Gower. White publicly refused the challenge when it was delivered to his house by a messenger, and so Gower, having received the libellous challenge back from White, performed it in a local gentleman's house to a select, high status, audience who were said to have disliked White already. Gower then spread the libel round the town, but carefully, so that White could not get a copy of it or know the specific contents so that he could not prosecute Gower for it. Gower repeatedly challenged White and eventually got a pistol, rapier and dagger and a privy coat which he wore about his person constantly around the town, even wearing them to church. Gower then frequently waited for White near his house and in passage ways, in order to shoot him declaring to anybody passing by that he had nearly killed White at their last meeting.

10. TNA STAC 8/239/11 Pulton v. Prowse 1608 – John Pulton was a minister at Hittesleigh, Prowse and others entered a law suit against him to get costs and damages which he complained of as false. The defendants were then said to have forged or tampered with an arrest warrant for Pulton and entered the church during divine service and arrested him; they dragged

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him out of his seat and out of the church to a nearby house where they locked him in a room for a day and a night, only going in occasionally and sitting on him. They then walked him, bound by the hands, and still dressed in his robes from the church service, the more to shame him, all the way to Oakhampton and put him in prison for eight days. Prowse and others are also accused of filing a false petition against Pulton to the Archdeacon of Exeter concerning the taking of church goods and the repeated election of the same church wardens and sidemen. This case does not include the performance of a premeditated libel in the community but it is an example of a more performative way of defaming someone than just saying bad things about them and employs the recognisable ceremony of procession.

Secondary Cases:

1. TNA STAC 8/17/9 Attorney General v. Closse 1609 – George Closse was accused of preaching an invective instead of a sermon at the cathedral church of St. Peter in Exeter on 8 August 1603, to a large congregation including the Justices of Assize. This invective libelled the judges, laws and courts of England claiming that they were corrupt. A brief summary of the contents of the sermon is given in the bill of complaint. Sir Edward Coke, the Attorney General, complained of this to the court of Common Pleas in 1604 but the answer that Closse entered into the court in response to Coke's bill is what is complained of here, because it included a written version of the sermon and further libels against the law and judges. This case is theatrical in character in that it is carried out in a public space, with an audience, but it is a sermon; it is part of an already established genre and does not treat the same sort of deep-seated *community* conflict that I am focusing on. Instead, it targets an abstract: the law and courts. The disputes in this case were also carried over into two more cases involving Closse (8/33/8 and 8/49/3), but neither adds any further material relevant to this study.

2. TNA STAC 8/229/1 Peter v. Bolles 1604 – Thomas Bolles was accused of acting as an attorney for two men simultaneously who were suing each other; Bolles was said to have taken money from both and kept it when his trickery was discovered. He was also accused of filing numerous false suites and forging warrants. Thomas Peter gave bail for one of the men involved in the case described above, but then got caught up in the case with Bolles

suing him for larger amounts of money in various ways. Bolles employed men to tell people that Peter was a false knave, a baggage knave, a cosening knave and a bad attorney. These men also arranged for friends and clients of Peter to come to one of their houses and drink ale, whilst they told them the same things to defame Peter. This case serves as a good contrast to performance-based libels because it does not employ performance in order to defame Peter.

3. TNA STAC 8/305/13 *White v. Moore* 1620 – In this case, Anthony Moore and others were accused of writing a libellous letter which said that White had two wives both living. They were said to have published the same, in order to do White out of trade, to many people. Moore then took the letter to the Earl of Bath and convinced him that it was true, for which White was then brought to the local sessions to answer for it. The bill of complaint lacks the detail of what was written in the letter and does not give any specifics of performance but may be useful to contrast with the high status case of *Edwards vs. Woolton* which goes much deeper into a letter and its performance contexts.

4. TNA STAC 8/204/23 *Lang v. Burgess* 1620 – This case involved a list of libellous articles which, although the list is not given in the bill of complaint, was said to have been read out in market towns. Burgess and his company then accused Lang of stealing a sheep by taking it and binding it and putting it in a corner. This bill is extremely descriptive throughout, but it still does not give a performance context for the libellous articles although the use of the sheep as a symbol does rely more on the spectator for interpretation.

5. TNA STAC 8/100/7 *Chawner v. Speccott* 1609 – In this case another set of libellous articles was written about John Chawner by John Speccott and others. The list was read out and then exhibited at a local assizes. Chawner was accused of saying that someone was bankrupt (the tense of the speech is emphasized) who is not now bankrupt, but he says the witnesses in the case were bribed and therefore guilty of perjury. These articles are read out in public but only as a means of establishing a rumour so that they could be used in a false court case.

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6. TNA STAC 8/231/28 Please v. White 1616 – George White was accused of making a list of articles as a libel against Thomas Please; the articles are given in full in the bill of complaint and are very lengthy. White and others were said to have presented them at courts and elsewhere and then got people of high status to sign their names to the document, so that they were believed in court. Again the articles do use public display but only as an environment for developing a false court case.

7. TNA STAC 8/240/4 Page v. Smith 1617 – In this case, Elizabeth Page, a widow who complained on her and her sons behalf, accused John Smith and others of having broken into and entered her tenement and then waited, armed, in the back house for two days to provoke her and her son into attacking them. This did not work so the defendants came out crying and pretending to have been assaulted. Smith and others then spread word of the incident around the parish, so that many people believed that Page and her son had assaulted them. The defendants then indicted Page, her son, and some others at the court of assizes at Exeter for the assault and for rioting. Page complained that this was perjury. This case does use public display but only to form the basis of a rumour which is later turned into a court case.

Discounted Cases:

1. TNA STAC 8/33/8 Attorney General v. Closse 1621 – This case was a continuation of prosecution against Closse for general unrest and spreading lies about the court and court processes. I have discounted this case because it does not include performance and because this issue is not one of *community* conflict.

2. TNA STAC 8/49/3 Browne v. Close 1609 – Closse was accused of destroying a bastard child he had got Jane Beaton pregnant with, and was indicted to the local assizes for it. Closse claimed that Browne (who was a Justice of the Peace for the parish) bribed a false witness to stand against him in the case. Closse was accused of forging a letter from the false witness to Browne thanking him for money and favours and agreeing to testify against Closse. Browne complained of this letter as a libel against him written by Closse. I have discounted this case because it does not include any obvious instance of the performance of community conflict and

appears to be an instance of forged documents produced to prolong and complicate court processes.

3. TNA STAC 8/95/7 Cotton v. Helyar 1617 - William Helyar, a member of the corporation of the cathedral church of St. Peter in Exeter, was accused by the rest of the dean and chapter of forging documents, seals and acts for his own monetary gain. He was said to have got certain people who worked for him elected into positions within the parish against the wills of the rest of the corporation. Helyar was also accused of filing false law suits against the other corporation members and he wrote a libellous letter which was sent to one of their meetings and read out. I have discounted this case because it does not include the performance of a libel except the libellous letter which is not publicly performed and is only one small part of a much larger assault on the corporation.

4. TNA STAC 8/255/29 Sheryn v. Pinsent 1614 - Prior to this case Henry Sheryn had owned four acres of land which he had rented out but had then received back. Robert Pinsent and others disputed his ownership of the land and so they broke into it and removed all of the crops, leaving an animal in there to destroy the rest of them. They also got a warrant for good behaviour against Sheryn from a Justice of the Peace of a remote parish so that they could arrest and detain Sheryn, as they knew that he was already in trouble over debt. They came, fully armed, to his house at night and accused him of stealing but Sheryn was then away from home at the time. The defendants later gave out in speeches that when Sheryn returned they would pull his house down over him. I have decided not to use this case as there is no material to suggest that performance was employed.

5. TNA STAC 8/264/9 Starkey v. Eastmond 1608 - Could not be viewed at The National Archives.

6. TNA STAC 8/301/28 White v. Carewe 1613 - This case involved a dispute over a land tenement which three generations of White men had leased (the latest was a young boy hence his widowed mother was complaining on his behalf) but which was continually disputed due to a forged deed of feoffment which was owned by John Carewe. Carewe told people that he would keep trying to get the land back until he had it and went on to threaten all tenants on the land. I have decided not to use this case because

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it is another land dispute whose libellous aspect is forged documents used in court, rather than performed libel texts.

2.3 The Spectrum of Libel Performance

The cases described in chapter one allow a sharper focus on what constituted libel performance in the early-modern context: it could involve, for example, the oral dissemination of a text by reading aloud to an audience. The act of reading a libel text was variously accompanied by significant gestures, done in a particular manner and sometimes even assumed the format of a ceremonial genre, such as a royal proclamation. In these libel cases, a text is read in a dramatic way and draws on the prior familiarity (with associated genres) and contextual knowledge of an audience to perform a libel. The message of a libel could also be performed through visual signifiers; some were traditional such as pairs of horns, and some were everyday objects, such as playing cards, a sugar chest, letters or weapons, whose libellous message became apparent through being placed in significant locations or associated with an written or oral message or an action. These actions could also take the form of reminding the victim of the libel later, for example through making the horns sign subsequently. These visual signifiers, perhaps more so than in cases of purely oral dissemination, necessitate the interpretation of spectators to decode them. A libel could also be performed through an action done to a person who was thereby libelled in the presence of an audience. This type of libel also used ceremonial genres and the familiarity of the community with them, to defame a person through performance. The key to the performance-nature of all of these forms of libel is that the community became spectators; libel performance relied on the prior knowledge of the communal audience for a message to have significance and, consequently, to cause offence to the person targeted. In all forms of performed libel space and time were crucial to performance and this use of space and time also relied on a spectator for significance. By placing a libel in a particular public space in the town, the message of the libel became associated with actions performed in the same place in the past, through the memory of the spectator. The libel performance itself was then also located within the community and would be remembered by spectators even after the event through its association with the place. Similarly, the timing of a performance could affect the message of a libel; the proclamation of a reward to be given for information on the whereabouts of the person libelled, done outside a church during

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divine service and shortly after the Gunpowder Plot was interpreted by those in authority (and presumably by the spectators of the proclamations) as an accusation of heresy because absence from church at that specific time might have indicated involvement in a plot or sympathy with Catholics (see *Roupe v. Fortescue*, TNA STAC 8/254/24).

Performance in provincial communities, then, involved the use of visual signification, oral dissemination or an action done to a person carried out or placed in a publicly significant space and at a particular time to an audience made up of the community which drew on their everyday experiences and knowledge of associated genres. But, as becomes evident when reading the summaries of the broad range of cases from Devon, each individual libel case could use all of these aspects of performance or it could use only some of them or, in fact, it might not use any of them at all and in this sense the cases can be said to sit on a spectrum of performance. We can then ask: where are the boundaries of 'performance-based' libel and how can we distinguish them from those cases that do not use performance to libel? Perhaps the best way to answer these questions is to look for the spectators of libel performance and to determine, where possible, what their role is in each case. Starting with those cases from the extant Devon material which do not use performance at all it is possible to work through the performance spectrum and distinguish those performance-based libels which the rest of this work will focus on. There are two libel cases in the Devon material which do not appear to use any aspect of performance: *Sheryn v. Pinsent* (TNA STAC 8/255/29) and *White v. Carewe* (TNA STAC 8/301/28). Both of these cases were disputes over land ownership. In the case of *Sheryn vs. Pinsent* the defendants procured an arrest warrant against the complainant in order to detain him and they caused damage to the land in question. In the case of *White v. Carewe* a forged deed was repeatedly used as evidence in court cases aimed at reclaiming the land whose ownership was in dispute. Neither of these cases relied on the witnessing, by community spectators, of a libel message in performance terms, to defame their targets. Instead they used forged documents to accuse the landowners and then involved local courts and authorities to further the dispute; there were no communal audiences to the libellous accusations. These cases are important in establishing that libels which did

use performance were making a conscious choice and it is significant that unperformed libels are in the minority.

In addition to the libels which were unperformed, there are a group of cases in the Devon material which could be said to use elements of public performance in the process of libelling, but which should be distinguished from those which directly employed performance to libel. This group includes three cases in which lists of libellous articles were read, shown or distributed in public and then used as the basis for court cases in which the targets were falsely accused of the offences contained in the articles (these cases are *Please v. White*, TNA STAC 8/231/28, *Chawner v. Speccott*, TNA STAC 8/100/7, and *Lang v. Burgess*, TNA STAC 8/204/23). The case of *White v. Moore* (TNA STAC 8/305/13) also falls into this group; in this case Moore and others were accused of writing a libellous letter, which said that White had two wives both living, which they then showed to many people including some men of high status who they convinced to sign their names to it. The letter was then taken to the Earl of Bath who, convinced that it was true, summoned White to the next local sessions to be tried for the offence. The other case which makes up this group is that of *Page v. Smith* (TNA STAC 8/240/4) in which Smith and his group of accomplices, all armed, hid in the outhouse of the widow Elizabeth Page and her son and then emerged crying and pretending to have been assaulted. Word of the 'assault' spread and Smith and his company then accused Page, her son and some others of assault and rioting and they were indicted at the next local assizes at Exeter and put on trial. All of these cases included an instance of public performance; they use the public as witnesses to an action in order to be able to prove its truth in the future. The difference between this and performed libel is that these instances of public performance are done so that a rumour can be established which can then be developed into a court case. If we look at the role of the people witnessing the reading of the lists of articles, or the letter or seeing what might have been an assault, their reaction is not what is important. Significantly, none of the bills of complaint in these cases goes into any detail in describing the specific circumstances or manner in which the public reading or assault was carried out, or what the audience reaction to it was. When this lack of detail is compared, firstly with the overly descriptive nature of this type of document and secondly, with the attentive description of situation, manner and

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audience reaction given in the bill of a performance-based libel like that of Bridport in the previous chapter, for example, it is clear that the reading of the lists of articles or the pretended assault was not where the offence of libel was caused. What the bills of complaint in this group of Devon libels do focus on are the consequent libellous court cases which have been enabled by instances of public performance. Whether the audience to the articles believed what they saw or heard or not was unimportant, the aim was merely to create rumour by doing something in public; in this instance the community were not spectators to a libel, they were just witnesses for future legal verification of whether an event happened or not. In a similar way to which those Devon cases which are unperformed used forged documents to dispute land ownership, these cases use rumour and, indeed, forged documents in the form of articles to make libellous accusations in court. If we compare the role of the witnessing public in these cases to that of a spectator to a performance-based libel, the difference is marked; these witnesses are not called upon to judge the content of the libel; we do not hear of them being directly addressed or having their prior knowledge or experience called upon to interpret the situation; they are near-silent witnesses. Instead the public presence of a rumour is used as a basis for a court case in which a judge, not the community, must decide the truth or falsity of the accusations and which is then deemed by the complainants in these cases to be libellous because it is a court case caused by false information.

The distinction between these public cases and those from the extant Devon material which I would call 'performance-based' libels becomes clear when we compare the case of Page vs. Smith in which Page was libellously charged in a local court with assault after Smith and his men made it appear that this had happened, with the case of Pulton v. Prowse (TNA STAC 8/239/11). In the case of Pulton v. Prowse, Pulton the local vicar, was arrested whilst saying divine service, dragged out of the church and processed in his religious dress with his hands bound, to the prison some miles distant at Oakhampton. In the case of Page v. Smith the pretended assault became rumour and this enabled Smith to take Page to court, which she objected to. In contrast, in the case of Pulton v. Prowse the assault on Pulton became a performed libel in itself because it was done in the church, during divine service, with an audience present and used that audience's

knowledge of another ceremonial genre: that of the procession. The presence of the community, gathered in a significant space and at a particular time, with their knowledge of the ceremonial importance of processions was what made the arrest of the vicar libellous because he was defamed in their eyes. The evidence of the vicar's status and profession, provided by his dress, in the degrading version of a procession was done deliberately and with an envisaged spectator in mind and it is the presence of the spectator which meant that this action caused the offence of libel. This can be seen as performed libel when compared to the public assault or, indeed, the reading of articles, because those acts were a means to an end (that end being a court case) whereas in *Pulton v. Prowse* the action itself was libellous because of its defamation of the vicar's character in the eyes of the community.

So far it has been established that there are libels in the extant Devon material which were not performed, also that there were those which used public actions but only to form the basis for developing a court case and so they cannot be said to have constituted libel performances, rather that they carried out an action in public to instigate future legal proceedings. In contrast, the treatment of the vicar relied on the spectator, their knowledge of alternative ceremonial genres, and a significant place in order to defame the target. With this case we have moved along the spectrum into 'performance-based' libel; but within this category there is still a wide variety in the type and level of performance used. Before discussing these different types of performance-based libel, though, there are a group of interrelated libel cases in the Devon material which involve performance, but which will not be examined here. The three cases involving George Crosse (TNA STAC 8/17/9, TNA STAC 8/49/3 and TNA STAC 8/33/8) were brought against Crosse by men of authority; twice by the Attorney General, and once by a Justice of the Peace called Thomas Browne all for preaching an invective instead of a sermon at the Cathedral Church of St. Peter in Exeter which libelled the law, the court system and the people involved with them. Whilst preaching to a church full of people could be seen as a performance, the sermon is an established genre in itself and is different to the performed libels which I am focusing on. The case was also not one of *community* conflict; it was an attack by one man on an abstract: the law. For these reasons I have discounted the three cases in the Devon records that

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relate to George Closse. It is worth noting, however, that this was a large, ongoing and significant dispute in terms of libel in Devon and it did use performance of a kind to cause offence. This supports the idea that performance was central to early-modern libelling – even if the target was not a community member.

As we move along the spectrum of Devon libels to the performance-based end, then, there are many means used to perform libels and some are more theatrical than others. If we look back to the description of what constituted communal performance, we can find cases in the Devon libel material which match elements of that description. For example, there are Devon libel cases which centre on the oral dissemination of a text. In order to highlight the performance nature of these cases they can be contrasted to the example given in the case of *Peter v. Bolles* (TNA STAC 8/229/1). *Peter v. Bolles* involved many misdemeanours on the part of Bolles particularly in relation to his job as an attorney, in which he tricked men into giving him money, forged documents and filed false law suits. One element of this case was that Bolles got some of his associates to tell people that Peter was a false knave, baggage knave, cozening knave and so on. Here defaming someone was telling individuals that the person was bad; this is not the premeditated reading of a carefully constructed text, in public and in a specific manner. Crucially, there was not a body of spectators asked to judge the information and we are not given a description of the circumstances or reactions of individuals. This case shows that just calling someone names may be libellous but is not performance and it sits in contrast to cases in which this occurs, showing that where performance was employed it was done so knowingly and as a deliberate choice. In comparison to the case of *Peter v. Bolles*, that of *Neck v. Read* (TNA STAC 8/221/9) which was sparked by the marriage of Roger Neck to the daughter of a well-to-do merchant from the nearby town of South Molton, involved the reading of a libellous verse written in the form of a letter by the defendants. All three defendants were said to have read the verse 'in the presence of diverse of the Neighbours and inhabitantes thereaboutes in scoffing and disgracefull manner of your Subiect his wief and their friendes

in publique'.¹ This reading of the text had an audience made up of the local community and was done in a certain manner; it was the reading itself in this context which disgraced Neck and his wife. Moreover, the contents of the libel are proverbial, conversational and make reference to things that were supposed to be common knowledge among the imagined spectators. The location, content and manner of this oral dissemination demonstrate that it was a deliberately performance-based libel. Another case in which the oral dissemination of a textual libel employed performance is that of *Knolles v. Hasell* (TNA STAC 8/193/21). This conflict was triggered by a conversation held by Hasell, Cole and Knolles, who was the vicar of Axminster, in which Hasell accused one of his business partners of cheating him and Cole pointed out that he was mistaken. Hasell's response was to curse and blaspheme and in reaction to this Knolles reproved him for his 'furious vnreverent and vncharitable words and execrations' willing him to 'repent [...] of his said speeches'.² Hasell, along with many others, it is said, then created a libel against Knolles in retaliation to his reproaches. We are given the text of the verse libel in the bill of complaint; it is very threatening and written in a directly confrontational manner. The bill then describes how the group made many copies of the libel and placed them around Axminster, shortly after which they

Did [^]read⁷ publishe and make knowen vnto diuers Inhabitanes of Axmister aforesaid and others bothe in the publique and open market of Axmister, and elsewhere in their private meetings and Conventicles disportinge themselues with their said false base and odious inventions.³

Here we have multiple readings of the libel, one in the public market place of the town to an audience of the local community and others with whom the readers, and perhaps by association the audiences, may have been acquainted, but who could have carried the claims of the libel beyond the town. This is an instance of oral dissemination of a textual libel which uses public performance to cause offence. There also survive in the extant material for this case many of the interrogation questions to be posed to

¹ TNA STAC 8/221/9, m. 2.

² TNA STAC 8/193/21, m. 12.

³ TNA STAC 8/193/21, m. 12.

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witnesses and defendants as part of the court process, along with the answers given by some of them in their examinations. Of particular interest are the questions posed to the son of one of the defendants: Peter Luccas. In the interrogatories Peter Luccas the younger was asked where, when and how often he had read the libel aloud and, specifically, whether he had been able to read it at first sight or whether he had learned to read it off by heart, with the help of adults, by reciting it and being prompted if he missed any words out. He was also asked what people's reactions to his reading it aloud were; whether they laughed at it and said 'it was a matter of good sport'.⁴ These questions show that it was the elements of performance surrounding the reading of this text, the prior knowledge and rehearsal of it, the reading it from memory, the age and manner of the person reading it and the spectators' reaction to that reading, that caused offence here. These details, highlighted in interrogation questions, show that these elements were also what most concerned those in authority. Here we are being given more detailed evidence of the use of performance than in the case of *Neck v. Read*, where we only have a brief description of a public performance, because in *Knolles v. Hasell* we have other elements of performance displayed: rehearsal, audience reaction, a deliberately chosen performer.

The case of *Knolles v. Hasell* also caused a further libel case to be initiated, that of *Luccas v. Knolles* (TNA STAC 8/196/29). In this case the complainant was Peter Luccas the elder, father of the boy interrogated as part of the previous case, and this second case demonstrates that instances of oral dissemination of libel texts also used significant places in order to give their performances meaning. In *Luccas v. Knolles*, Luccas the elder accused Knolles of having written a libel which targeted himself, Knolles was then said to have had it delivered as a letter to Luccas' house when Luccas was out so that Luccas' son would answer the door and take the letter. The messenger, Langdon, supposedly sent by Knolles with the letter was said to have persuaded Luccas the younger to open the letter and read the libel. Luccas the elder then claimed that, having arrived home to discover the libel, he was on his way to take it to the nearest local constable when he was intercepted by Knolles, who tried to make him read it in the street. Luccas refused to do so and so both men went to the constable's house

⁴ TNA STAC 8/193/21, m. 6.

together. Knolles then asked the constable if he could see the contents of the libel but, having been given the text, he feigned an inability to read the writing, remarking that he knew Luccas' son was able to read it. So Knolles summoned Luccas' son to appear at the house of the original messenger, Langdon, later that day and there, in front of Luccas the elder, Knolles himself, the constable and others that Knolles had gathered, the boy read the text. Luccas the elder claimed that this event constituted Knolles deliberately framing him and his son so that Knolles could accuse them of libel (as per the *Knolles v. Hasell* case). What the details of this case tell us are firstly, that the oral dissemination of a textual libel used performance elements such as prior knowledge and rehearsal of a text and the presence of a particular audience, secondly, that place was used to make the performance of a libel significant, and thirdly, that people would go to considerable lengths to engineer occasions of performance. For example, Knolles waited until Luccas the elder emerged from his house carrying the libel text before he asked him to read it out; Knolles was trying to engineer a reading of the libel in the street in order to use it against Luccas as libel. Knolles also summoned Luccas' son to a house other than the constable's, he arranged his own audience and made the boy read the libel in the street outside the house of the original messenger, to frame him and his father for libel. The implication is that if the reading of the text had been done at the house of the constable, it would have been classed as a reporting of the libel to authority; when it was done outside somebody else's house it was a libel performance. The three cases of *Neck v. Read*, *Knolles v. Hasell*, and *Luccas v. Knolles*, then, demonstrate that there were libel cases which used performance in the oral dissemination of a text and that some also required a specific place to give their performances meaning. Another case which relied on the space in which it was read out, and particularly, the social and communal context of those involved in the case, to constitute libel performance was that of *Edwards v. Woolton* (TNA STAC 8/130/12). This was a very high status and important case in terms of Devon libel and has a large amount of extant material relating to it. The majority of the material is made up of lists of interrogatory questions and examination answers of numerous witnesses and defendants. The case involved a doctor, called Doctor Woolton, who was said to have written a libel in the form of a letter against Thomas Edwards, who also claimed to be a doctor, but who most

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people believed was only an apothecary. Woolton sent the letter to Edwards and it was then said that Woolton gave other members of the community copies of the text who, along with Woolton, were said to have read them out. The dissemination done by Woolton was only said to have been to individuals, but those he had given copies to were said to have read them in various places including a shop and at the dinner table. Additionally, Edwards himself was said to have read out the letter to people gathered in his own house and then immediately afterwards to have read out a response to the letter which he had written himself. The people he read these to were reported to have been shocked at the initial letter from Woolton. The interrogatory material which surrounded this case emphasised the appropriate conduct of a doctor; specifically, it said that letters between two doctors and between the doctor and their patients should have been confidential. Although the performance circumstances of this case are different to those of the previous three oral dissemination performances, because in this case they are not read out in public places to large audiences, when the context of a letter between doctors which should have been kept confidential is considered, the fact that it was read out at all becomes significant. That a professional and confidential letter is read aloud to anybody who is not the addressee makes the act a performance because it creates spectators who were called upon to recognise the circumstances and judge the morality of the parties involved. If we also look at the places in which it was read, in Edward's house, in the houses of other local gentry whom Edward's was treating, at the dinner table of another Doctor's house, in an apothecary's shop, and even at a sickbed, we can see that they are all places in which doctors lived and worked. So then the place of reading coupled with the transgressive nature of reading aloud a letter sent from one doctor to another means that this oral dissemination of a text was a deliberate performance relying on specific spaces, social context and professional standards for its significance. This case can also be seen in contrast to an element of the case of *Cotton v. Helyar* (TNA STAC 8/95/7). As a whole the case revolved around William Helyar's numerous misdeeds for personal gain against the corporation of the cathedral church of St. Peter's in Exeter, of which he was a member. A more minor element of the case was that Helyar wrote a libellous letter about the corporation and had it sent to one of their meetings. In contrast to Woolton's, this letter falls

outside of the realms of performance-based libel because it was not read to anyone except those targeted by it, nor was it read in a public or significant place. The social and professional relevance both of place and literary form which were employed to make the letter in *Edwards v. Woolton* libel through performance to informed spectators is absent in *Cotton v. Helyar*.

In the extant Devon material there are also oral disseminations of libels which rely on other aspects of performance alongside those elements such as rehearsal, the presence of spectators, the use of space and social context which have already been identified. For example, the case of *Hawkins v. Jobson* (TNA STAC 8/177/9), in which Jobson and his men took a chest of sugar by force which had been confiscated by Hawkins whilst he still held his position as Vice Admiral of the port, employed many elements of performance. In order to libel Hawkins, the defendants took the stolen sugar onto their boat where one of them stood on the sugar chest, drew his sword and shouted several cries or 'oyes', which are highlighted by the bill of complaint as mimicking royal proclamations, in which he told the audience that they should take Hawkins and his men because Hawkins had no real power. The sugar chest itself will be discussed later but here we have the oral dissemination of a libel which relies on its spectators, and which draws upon the knowledge that those spectators have of other ceremonial genres, here the form of a royal proclamation, in order for the message of the libel to be authoritative and offensive. This use of another performance-based genre is coupled with a specific space, that of Jobson's boat on both its exit from Orston harbour and its entry into Plymouth harbour, to add meaning to the proclamations because those locations were specifically where the power that Hawkins had, and that Jobson and his men were trying to take away, was enacted on a daily basis. Amongst other elements which will be discussed later, this case uses the presence of an audience, a specific space and an association with another ceremonial genre in the oral dissemination of a libel. Another such libel case in the Devon material, *Roupe v. Fortescue* (TNA STAC 8/254/24), used the form of a royal proclamation in a significant place and at a particular time in order to disseminate an oral libel by performance. In the earlier case of *Roupe v. Fortescue* one of the defendants was said to have made several 'oyes' in the churchyard of East Allington whilst service was in progress which meant that a large audience made up of the community was gathered there. The

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defendant, Richards, proclaimed that he would pay anyone who could give him news of the complainant Richard Roupe and his daughter, Honor, because the two had been absent from church for a fortnight. The form of this message made the call sound like a royal proclamation, which along with the church location and the temporal proximity of the cries to the Gunpowder plot, turned this into a very serious accusation against Roupe and his daughter. This use of ceremonial genre, place and time is a characteristic feature of performance-based libel and utilises the knowledge of the communal audience for its effect.

The case of *White v. Gower* (TNA STAC 8/304/12) similarly involved the oral dissemination of a libellous challenge which was read aloud to local gentlemen, but it also involved another element of performance. Gower first sent his libellous challenge to White, who refused it by sending it back unopened, and so Gower then read the text to multiple audiences, but after this, Gower further performed his message by going about the town armed with many weapons and wearing a privy coat for protection in public places. Gower wore the privy coat and took the numerous weapons with him everywhere, including to church, and made a point of remarking to anyone passing by that he was waiting for White and had only just missed killing him last time they had met. The behaviour of Gower uses elements of theatricality in order to perform a certain identity; in this way, the action of Gower is performative and should be seen as subtly different to instances of performed libel. Therefore the spectrum of libel performance should be said to run through various types of performance to self-performance or performative actions. This case centred on the performance of a libellous challenge but its message was communicated further by the performative behaviour of Gower himself. Here we have a transgression of accepted social appearance and behaviour used to further perform a libel. The case of *White v. Gower*, along with all of the cases above of orally disseminated libel texts discussed above, relied on the presence of an audience in a specific space and in this way can be classed as performance-based libels; some of them, though, vary in the aspects of and extent to which they employ the oral performance of a text, with some relying more on the significance of space than others, and some using social and behavioural context to add meaning to their performances.

The cases of *Hawkins v. Jobson* and *White v. Gower* also demonstrate another type of performance alongside the oral dissemination of a text: that of using visual signifiers which rely upon the interpretation of the spectator. The type of performance-based libel which uses visual signifiers appears to be more overtly theatrical because the message is more dramatically, visually represented, but also because they always rely on space, time and contextual knowledge for significance; they require spectator interpretation and sometimes even occasion the direct involvement of those spectators. The kinds of visual signifiers used by Devon libels varied greatly according to the specifics of each case. For example, some cases used traditional and instantly recognisable signs such as pairs of horns which had long been used to represent a cuckold. In the later case of *Roupe v. Fortescue* (TNA STAC 8/254/26) John Fortescue was accused, among many other things, of having

Vppon a Sunday morning ^r caused & procured' a payre of Rams horns to be fixed & sett vpp fastned vppon a staffe in the pathwaie of your saide Subiectes father in which he vsed to goe towards the said Church of Eastallington aforesaid to heare devine service.⁵

This traditional visual signifier would have been easily interpreted by the local community as symbolizing a man having been cuckolded, and the bill of complaint maintains that it was offensive to Richard Roupe because of its location, in the pathway which he used to get to the church, and because of the timing of its placement there, on a Sunday morning. In fact, John Fortescue's defence also demonstrates the importance of space and time in constituting the meaning of a visual signifier; he claims that Roupe cannot complain of being libelled by the horns because 'the said pathe wherin he ^r the said Complenant' supposeth the said hornes to be sett vp, ys both a Church path and a markt way for many others besides the said Complainantes father'.⁶ In this type of performance-based libel, the visual signifier, place and time combine to create a libel in the eyes of an informed spectator who can decode all three elements, although the defence claimed that it was unspecific. Another case in the Devon material used the same

⁵ TNA STAC 8/254/26, m. 3.

⁶ TNA STAC 8/254/26, m. 2.

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traditional sign, the pair of horns, but added its own modification to them to make the visual signifier more specific in its libelling of its targets. In *Reade v. Peter* (TNA STAC 8/253/18), it was said that John Peter and his accomplice Andrew Hobbes did

Aboute the Eveninge [...] fix & fasten one greate payre of hornes With
^`Shoamakers threads [a]` [a strapp of leather] ^`tyed` about each
horne vpon the streate doore or outter most doore of Your subiectes
howse in Tyverton aforesaid next vnto and in the face & Vyew of the
open streete and heigh Way.⁷

The description of this visual signifier is very specific and has obviously been deliberately made to be so; throughout the document, wherever it is described, the phrase 'strapp of leather' or 'Leather strapps' has been crossed out and the more specific 'shoemakers threads' has been inserted above the line.⁸ The fact that the leather strap that was wrapped around the horns belonged to a shoemaker was significant because Peter and Hobbes claimed they had seen Reade's wife Alice at the door of their house with the local shoemaker and their libel saw this as evidence that she was cuckolding Reade. The placing of the horns and straps on the door of Reade's house, the same place where Alice was seen with the shoemaker, was also done deliberately to give the signifier its meaning; it also meant that it would be seen by the greatest amount of people possible, as the bill of complaint shows when it emphatically describes the public nature of the door. The time at which the libel was placed on the door is also mentioned in the bill of complaint; it was done in the evening. This was perhaps to ensure that it would not be taken down immediately or to ensure that as many people as possible saw it. The bill of complaint then also goes on to describe another element which was added to visual signifiers to give them further meaning: Peter and Hobbes 'did Lykwise then and there fasten and Nayle Vpp one Writinge in paper Conteyninge a most obscene scurrilous and infamous Libell against your subiectes said Wife vpon the said doore neere vnto the said hornes'.⁹ This shows firstly, that the oral dissemination of a text, such as those in cases already examined, could work in conjunction with a visual

⁷ TNA STAC 8/253/18, m. 4.

⁸ TNA STAC 8/253/18, m. 4.

⁹ TNA STAC 8/253/18, m. 4.

signifier such as this one, and secondly, that the text as a physical object could become a part of a visual signifier and add meaning to it. This text perhaps also occasioned the involvement of a spectator beyond viewing and interpreting it; were they perhaps actively involved in reading these texts either alone or in groups? The bill in this case describes that the horns were taken down after a short time, but that neither the defendants nor the complainants had done so; perhaps a spectator judged the libel as inappropriate and actively took it down. This involvement of the spectator in the libel through a detailed visual signifier combined with a text and set up in a significant place and time constitutes an overtly theatrical performance-based libel.

Performance-based libels which used visual signifiers did not only use traditional signs, though; they also used a wide range of everyday objects which acquired meaning from the space, the time and the social context they were placed in and also sometimes from an oral or written message which accompanied them. For example, in the earlier case of *Roupe v. Fortescue* (TNA STAC 8/254/24) the libel was 'enclosed and made vpp in ffower knaues of playing Cardes' which termed Richard Roupe an 'olde Cuckowe', his son William Roupe 'a quarrellour', Richard Roupe, one of his other sons, 'a sawcie foole' and George Smith, a kinsman and servant of Richard Roupe, 'a Lawghinge foole', all of which was directed with the superscription 'to the generacion of Asses giue theise'.¹⁰ This libel was fastened to the door of Roupe's house, at night time, by a servant of the Fortescues. In the interrogation questions, we can see that those in authority were even concerned over the suit of the playing cards: 'were not twoe of them knaues of diamondes and one other a knave of Clubbes and one other a knave of hartes doe you knowe or ^have heard'.¹¹ Here we have an everyday object in a pack of cards from which have been deliberately picked four knaves with suits to match the accusations written, either on the cards or on an accompanying piece of paper (it is unclear which), against the targets and which become a performed libel by being placed, along with the written explanation, in a significant place, on the outermost door of the targets house so that it can be seen by the

¹⁰ TNA STAC 8/254/26, m. 3.

¹¹ TNA STAC 8/254/24, m. 2.

community who become spectators called upon to interpret the meaning of the visual signifier. In a similar way, the sugar chest in the case of *Hawkins v. Jobson* (TNA STAC 8/177/9) discussed earlier, was used as a visual signifier of the power that Jobson and his men had taken away from Hawkins in the act of breaking into the safe house and carrying it back on their boat to Plymouth. The chest was a commodity confiscated on the grounds of piracy by Hawkins as Vice Admiral, and by taking it and standing on it in the performance of a mock royal proclamation, Jobson and his men were visually undermining Hawkins' power and claiming authority for themselves. The extra presence that standing on the chest might have given the performer was perhaps another reason for its use in the scene. In this case, therefore we have an oral performance of an associated ceremonial genre combined with a visually signified performance both of which rely on space, time and social context to have a specific meaning which libelled a member of the community. The case of *White v. Gower* (TNA STAC 8/304/12) which has been discussed earlier also used a combination of an orally disseminated textual libel and a performative display of behaviour to libel its target, and the weapons and privy coat involved can be seen as visual signifiers of a performative behaviour which constituted libel. The weapons also gained their significance in relation to space because the fact that Gower brought numerous loaded weapons to church made the behaviour stand out as an obvious challenge to White in the eyes of anybody present. Another everyday object which was used as a visual signifier to perform libel was the letter as a physical object, (rather than as a text). In the case of *Neck v. Read* (TNA STAC 8/221/9) the libel text was performed orally but it was also directed as a letter and once it had been read out it was 'sealed vpp' and left 'in the Common Way for any that should passe to take vpp and view the same'.¹² This letter then acted as a visual signifier of the message of the libel, as an object associated with the oral performance, and placed the onus on the spectator not just to look at it but to actively take it up and view it, through its placement in a public highway. It is possible that the letter would then be taken to the person to whom it was addressed and the libel itself would be further disseminated.¹³ The use of

¹² TNA STAC 8/221/9, m. 2.

¹³ In the cases of *Knolles v. Hasell* and *Luccas v. Knolles*, Luccas the younger claimed that the letter was delivered to him muddied and torn because the

the letter as a visual signifier of libel can also be found in the case of *Luccas v. Knolles* (TNA STAC 8/196/29) where the letter's presence as an object in Luccas' house and his carrying it in the street were used against him. In a similar way, the dress of the vicar in the case of *Pulton v. Prowse* (TNA STAC 8/239/11) was used as a visual signifier of his status and profession so that his procession to the prison became an act which signified his defamation by degrading him and therefore constituted libel. In the extant Devon material there are many libel cases which used a wide variety of visual signifiers employing space, time and communal context, often combined with an oral or written message, in order to perform libel to specific community spectators.

Libel in early-modern Devon can be placed on a spectrum of performance from the minority which were unperformed, through many types of performance to self-performance and performative actions. Across the spectrum, there is a large amount of variety in terms of performance used in each individual case. Even those cases which fall in the performance-based category vary in levels of theatricality and in the elements of performance which they rely on most heavily. Some cases included many elements of performance, such as *Hawkins v. Jobson* (TNA STAC 8/177/9) which performed an oral libel and included a visual signifier of that libel both of which were done at a significant place, at a certain time in front of an audience whose knowledge and experience were called upon to understand the libel. As did the case of *Reade v. Peter* (TNA STAC 8/253/18), with its horns bound by shoemaker's threads and its libel text, both fixed up to the complainant's door for all to see. However, some cases employed only some elements of performance in order to libel; *Knolles v. Hasell* (TNA STAC 8/193/21) used an oral performance of a libel text; and the case of *Roupe v. Fortescue* (TNA STAC 8/254/24) relied on a visual signifier put in the right place. This variation in the elements of performance used and the level to which they were exploited is what constitutes the spectrum of libel performance; its overwhelming message is

messenger had found it on the street and delivered it to the person it was addressed to (TNA STAC 8/193/21, m. 2). In cases from elsewhere in South-West England there have also been accounts of people finding letters and them turning out to be libels, see the case of *Condytt v. Chubbe*, Dorchester, Dorset, for example.

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that the people creating and receiving these libels were very familiar with performance, that they had their own concept of what constituted performance and they were adept at choosing and using elements of it to cause offence amongst their communities.

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3.1 Place and Space in Libel Performance

The previous chapter touched upon the significance of place and space to early-modern performance-based libel. Of particular insight to this area is the case of *Luccas v. Knolles* (TNA STAC 8/196/29) which, although described earlier, is worthwhile briefly revisiting now for its deliberate use of place in the engineering of a libel performance. The case of *Luccas v. Knolles* involved Luccas claiming to have been framed for libel by Knolles. A pair of letters, one directed to Luccas the elder and another which libelled Knolles, were delivered to Luccas' house by Langdon, one of Knolles' men, and were received and allegedly read aloud at the door by Luccas' son (Luccas the younger). After Luccas the elder had taken the libel to the house of the local Justice of the Peace, Knolles was said to have engineered another libel performance by Luccas the younger outside Langdon's house to an audience he had assembled including Luccas the elder and the Justice. There are two further details from the records of this case which demonstrate how crucial location was to performance. Firstly, Luccas the younger claimed, in his defence, that he read the letter directed to his father on the doorstep in front of Langdon, but that 'for that he could not well read' the other letter libelling Knolles, 'he this defendant went into his fathers hall to read the same alone'.¹ Secondly, the interrogatory and examination material reveal that the libels were also taken to Justice Drake's house the next day where the boy again read them out to an audience of the same people. These details highlight how crucial the place of performance was in engineering a libel; it is clear that reading a libel on a doorstep in the presence of the deliverer was different and more dangerous than reading it inside the house and alone. But, more importantly, Knolles did not have Luccas the younger read the libel at the house of the constable when he first saw it. Instead, he brought all involved to Langdon's house for it to be read aloud. In contrast to the instance of the letter being read at the house of Justice Drake the next day, it was the performance at Langdon's house which Luccas the elder specified as Knolles setting him up in order to accuse him of libel. The same person reading the same text to a similar audience the next

¹ TNA STAC 8/193/21, m. 2.

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day is interpreted differently because of its new location. When the libel was read at Langdon's house or indeed to Langdon at Luccas' door the performance was linked to the libel's original discovery, delivery and dissemination and was seen as being done in order to defame Knolles in the eyes of a communal audience. This case demonstrates that location was key in constructing and publishing a libel by performance, because a performance could be differently interpreted depending on the place in which it was done.

The case of Luccas v. Knolles also brings to light one of the crucial communal performance spaces in early-modern libelling and also in wider community life which has not previously received enough attention: the doorway as viewed from the street. This, along with other significant spaces in performance-based libel such as the church, the street, the market place, the harbour and gentlemen's houses, will be examined further in this chapter. It will explore, at a county-wide level, the geographical location of libels in relation to their contemporary landscape to demonstrate the awareness that early-modern libellers had of their environment and its potential for widespread dissemination of information and the spatial representation of communal conflict. This chapter will also explore, on a more local level, the deliberate choice of communal space for performance in individual cases to show how libellers used the memories and associations of their spectators to perform libels. It will further show that within the communal spaces chosen by performance-based libels, areas which signalled the liminal space between the public and private spheres were specifically pin-pointed because of their symbolic resonance with a number of the conflictual issues implicit in libel, resonances which are specific to each individual case.² The borderline between public and private spheres which the locations of libel occupied was also closely mirrored in the practice of using the letter form to libel. The social implications of letter writing, the letter as a material object and the sealing and delivery of letters were all exploited by libellers in performance-based libels

² Spatial liminality has a particular significance in these cases and their uses of it will be explored in depth, but some recent works on the topic in general are: Tim Fitzpatrick, *Playwright, Space and Place in Early Modern Performance* (Farnham: Ashgate, 2011); Tim Fitzpatrick, 'Space, Doors and Places in Early Modern English Staging', *Theatre Notebook*, 63 (2009), 2–19; *Thresholds of Medieval Visual Culture: Liminal Spaces*, ed. by Elina Gertsman and Jill Stevenson (Woodbridge: The Boydell Press, 2012); and Monica Matei-Chesnoiu, *Early Modern Drama and the Eastern European Elsewhere: Representations of Liminal Locality in Shakespeare and his Contemporaries* (Madison: Fairleigh Dickinson University Press, 2009).

because of their position on the borderline between private and public, the physical and geographical links their delivery could establish and the reaction they necessitated in their recipients. The letter as a material object and its relationship to performance space will be considered in this chapter. At both a county-wide and local level the use of place and space in the performance of libels during this period reveals that the people devising these performances had at the front of their minds an envisaged spectator, familiar with the local landscape and society and with the ability to interpret the relationship between location and libel message.

Recent studies have shown that to think of the provinces of late Tudor and early-modern England as isolated and cut off from the sophistication of London is misguided. Ian Cooper demonstrates that Devon, in particular, was closely tied by established news networks to London in relaying crucial information from the ports to the capital.³ Cooper also shows that those with wealth, status and authority in the county frequently communicated important news and information amongst themselves and that surviving letters even 'indicate a much more widespread circulation of information [...] throughout the lower echelons of Devon society'.⁴ Sally-Beth MacLean has also shown that in Devon, locally patronized performance troupes travelled round the county on well-established routes,⁵ and more generally, Barbara Palmer has shown that drama in early-modern England was more mobile than we might at first assume.⁶ Early-modern libel can be seen to take advantage of the known mobility of other performance genres and of established routes of travel; these libel performances seem to have envisaged a travelling spectatorship or a word of mouth report which spread along the travel network beyond the initial local spectacle. The public and mobile aspect of provincial libel is most clearly demonstrated by mapping instances of libel from the extant Devon material onto a map of their contemporary landscape. Figure 1 is a map of Devon with the roads of medieval and renaissance England compiled from various

³ Ian Cooper, "Intelligences dayly broughte hither to the marchants from sundry ports": News Networks in Late-Elizabethan Devon', *Lives and Letters*, 4 (2012), 36–57.

⁴ Cooper, 'News Networks', p. 54.

⁵ Sally-Beth MacLean, 'The Southwest Entertains: Exeter and Local Performance', in *Bring Furth the Pagants: Essays in Early English Drama Presented to Alexandra F. Johnston*, ed. by David N. Klausner and Karen Sawyer Marsalek (Toronto: University of Toronto Press, 2007), pp. 58–76.

⁶ Palmer, 'Early Modern Mobility', pp. 259–305.

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resources by the REED Patrons and Performances website marked in red, and the locations of early-modern performance-based libels marked by crosses. The most striking feature of the map is that it reveals that the majority of performance-based libels in Devon were located on or near main roads and travel routes which passed into and out of Devon and connected the city of Exeter with the surrounding towns and neighbouring counties. Instances of libel from towns and cities such as Exeter, Tiverton, Axminster, Plymouth, South Molton, and Crediton which, when read in isolation as cases tried separately in the national court of Star Chamber can seem to have very little geographical relationship, are shown, when placed on a map of the county, to be linked by the contemporary road network.⁷

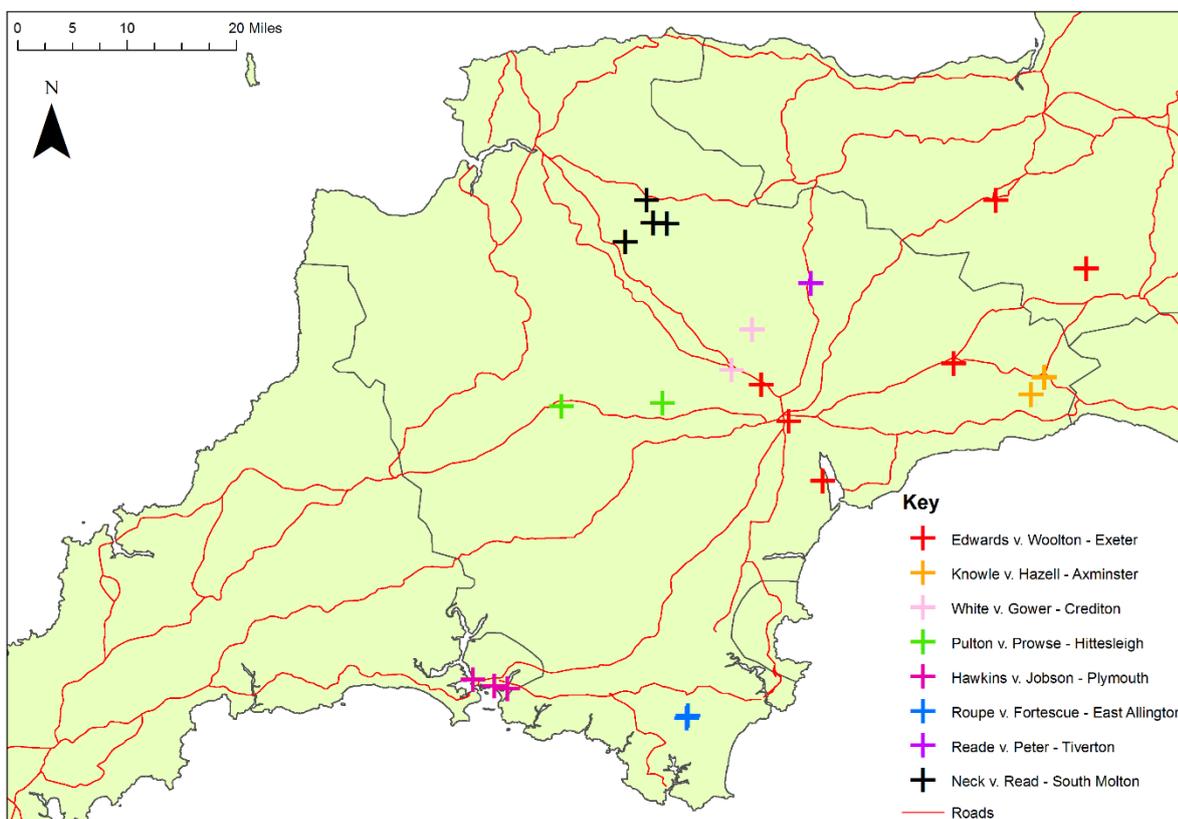


Figure 1 - Map of Devon Libel with the performance venues for ten libel cases in eight general locations marked alongside the

⁷ This and the other maps included in this chapter have been produced by the GIS mapping resource created for my 'Mapping Libel Performance in Early-Modern Devon' project. The project was funded by a grant from the Digital Humanities Hub at the University of Southampton and the mapping resource was created through collaboration with Philip Riris from the Archaeology department at Southampton. The project also benefited from the generous contribution of the road data by Sally-Beth MacLean and Byron Moldofsky from the REED *Patrons and Performances* website.

contemporary road network (Road data courtesy of *REED: Patrons and Performances*
<<http://link.library.utoronto.ca/reed/index.cfm>>).

It is important to remember that the view we have of the trend of libel is dictated by the records that survive to us and that events happening in large towns or cities with well-established trade connections would have been more likely to have been recorded in the first place and survive in the second, than would events that occurred in smaller villages. This might be claimed as the reason for the pattern of libel that appears on the Devon map: that only those libels which occurred in major towns survive in the records so that if there were libels which used performance but did not bear any relation to the county's road network, those examples would be less likely to be reported and would therefore not survive today. However, this argument is refuted by the cases which took place in East Allington and Hittesleigh, the locations of the libel cases of *Roupe v. Fortescue* (TNA STAC 8/254/24 and TNA STAC 8/254/26) and *Pulton v. Prowse* (TNA STAC 8/239/11) respectively. Both places were small villages not directly situated on any main road or travel route, yet the libel cases associated with them survive, in fact East Allington was the location for two heavily performance-based libel cases spanning almost a decade. In the case of *Pulton v. Prowse* the local vicar was pulled out of the parish church of Hittesleigh and paraded, still wearing his robes, to the jail in Okehampton, eight miles away. This case originated in a small village set back away from any main road, but in the shame-walk of its target it still used the closest major travel route, the road into Okehampton, to perform part of the action of the libel. Although it ended at the jail in the town of Okehampton, its centre of operations was the small village of Hittesleigh which was then linked to a public road by the marching of the vicar along it to jail. In the two cases of *Roupe v. Fortescue*, East Allington was another small village which was not close to a contemporary road and in this case, in contrast to the case of *Pulton v. Prowse*, the libellers did not travel to the closest road to stage their libel. However, the case did use its local geography in significant ways which will be explored in greater depth later in the chapter. What these two cases signal is that it is not the case that only libels which were performed in towns and cities were recorded and so only those cases survive to create the pattern of libel location found in Devon. They show, rather, that early-modern libellers deliberately exploited their geographical location by using towns, cities, and,

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most significantly, road networks to achieve the widest dissemination possible for their libel messages on a county-wide level.

As well as using county-wide road networks, the use of locally significant geographical locations in libel performances also demonstrates that libel makers saw place as a performance tool to be exploited and that they envisaged their initial spectators as people who could see or hear a libel in a certain place and use their knowledge to interpret the link between their local geography and the libel message. This would suggest that whilst widespread dissemination was important in that it threatened the target with a loss of reputation outside his local community as well as within it, the imagined spectator according to a libeller was one who knew the local area and the people within it. These initial spectators would presumably then spread the libel message further; as did the later authorities when they punished libellers.⁸ Local places and the streets connecting them were firstly used as a physical embodiment of the links between opposing parties which were at the heart of each community conflict. For example, the use of local geography in the case of *Neck v. Read* (TNA STAC 8/221/9) demonstrates the deliberate linking of significant local places in spatially representing a libel (see figure two below).

⁸For example in the case of Lansdowne MS 620 ff 50-51, transcribed by Jessica Freeman for the forthcoming *REED: Middlesex* volume, which shows that London libellers of the Duke of Buckingham in 1628 were punished at locations which would ensure dissemination of the report of punishment: 'for *quod* Richardson cheife iustice of the common please that sentence may spread it selfe from Ware into the North & through Staines come to them in ye west' (f.51).

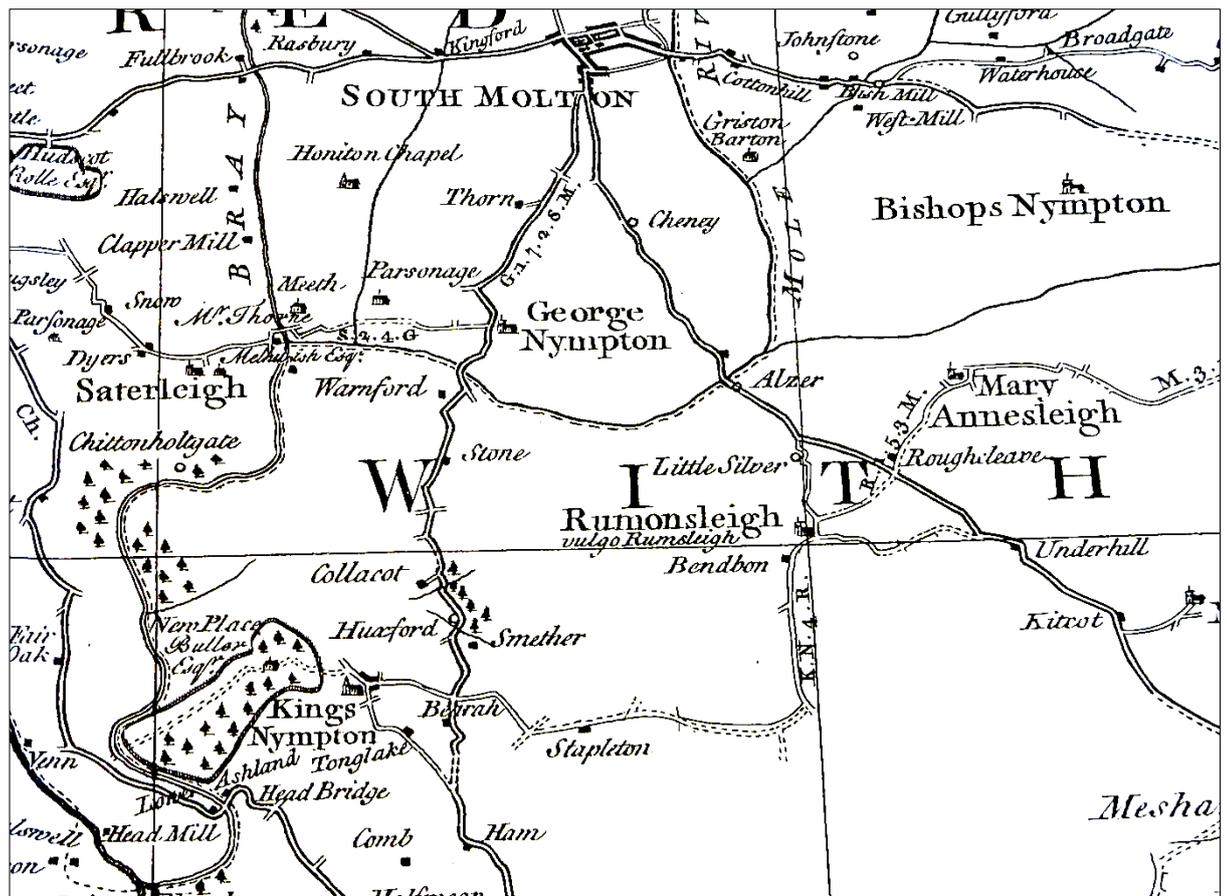


Figure 2 - Detailed Map of South Molton and surrounding area from Benjamin Donn, *A Map of the County of Devon 1765*, ed. by W. L. D. Ravenhill (London: Percy Lund, Humphries and Co. Ltd., 1965).

In this libel case Read and his accomplices targeted Neck with the libel written in the form of a letter because he had recently married

The daughter of a Marchaunte of Southmolton in the Countie of devon of good parentage and honest Conversacion amonge the inhabitantes there, your Subiectes said wyves father having beene Maiour of the said Towne of Southmolton And your said Subiect having good livinge to the valew of above fforty poundes per anum where he hath and still doth live in good accompte and regarde amongst his Neighbours there.⁹

The bill of complaint notes that Neck was originally from King's Nympton (shown in the bottom left hand corner of the map in figure two), but that through his marriage he had risen to a comfortable living in South Molton

⁹ TNA STAC 8/221/9, m. 2.

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(located at the centre of the top edge of figure two). The bill also tells us that Edmund Read was from Mary Annesleigh (on the right hand side of figure two). The three locations of King's Nympton, Mary Annesleigh and South Molton, as shown on the map in figure two, make up the three corners of a triangle joined by public streets. South Molton sat at the top of this triangle and had the main road from Barnstaple in the west to Bampton in the east running straight through it. The libel text in this case was first performed by Read to an audience of local inhabitants, it was then sealed and placed in the 'Common Way' for others to 'take vpp and view the same' and bore the direction 'To his loving friend Mr Roger Neck att Alswear Mills in the parish of Marleight give these with speed'.¹⁰ Alswear Mills ('Alzer' on the map in figure two), presumably the new residence of Mr Neck, sat in the middle of the triangle on the road between Mary Annesleigh and South Molton and on the boundary between the hundreds of South Molton and Witherington, the latter of which included both Mary Annesleigh and King's Nympton. The direction of this letter and its placement in the highway would have brought to the attention of any audience that knew the local area the fact that the local highways linked King's Nympton, South Molton and Mary Annesleigh, just as the three locations were linked in the accusation being made in the libel – that Neck had risen beyond his station through his recent marriage. The letter's destination on the boundary between areas of civic administration must also have related to the status of Neck's new father-in-law as mayor of South Molton, but it also highlights the fact that Neck was being defamed and pushed out of his community by his neighbours. In this case the local geography was exploited to add a physical dimension to the representation of the libel's message.

Along with the local geography, this case used a letter and the process of its delivery as part of its physical dramatization of the links created by libel, a practice which appears to have been common in early-modern libelling. Recent scholarship has focused increasing attention on early-modern letter writing by questioning how private a letter could really be during this period, the cultural and social functions of letters, letters as material objects, their use on stage, and also how they functioned in libel cases.¹¹ Gary Schneider

¹⁰ TNA STAC 8/221/9, m. 2.

¹¹ Recent influential studies include: James Daybell, *The Material Letter: Manuscript Letters and the Culture and Practices of Letter-Writing in Early Modern England, 1580-*

suggests that letters were used in libel cases for various reasons including their 'documentary character' and 'relative permanence' (as opposed to the transience of oral communication), the fact that their 'paratextual and nontextual elements' could be 'managed' by their writers and because they offered a nonviolent alternative to the 'more aggressive face-to-face conflict' of duelling, something which James I and his government were trying to eradicate.¹² In my opinion, this last suggestion seems to over-simplify the choice of the letter form by a libeller; there are more subtle readings of why libellers used letters than that they were merely trying to avoid the violence of a duel.¹³ However, Schneider's other suggestions are more interesting and the case of *Neck v. Read* is a clear example of an instance of the 'nontextual elements of letters' being 'purposefully managed' by a libeller.¹⁴ The sealing and delivery of a letter makes a physical connection between people and places, and it is also, by its very nature, a public act with a socially conditioned response; it therefore provides a fitting physical performance of the process of libel. In *Read's* case the reliance on an anonymous passer-by finding the letter and taking it to its addressee adds another dimension to the use of a letter to libel as it signals a deliberate attempt to engage an imagined spectator in that process and reveals the expectation that such a person would come along.

Another Devon case in which the delivery of a letter is employed to libellous effect is that of *Luccas v. Knolles*, as we have already seen. Langdon claimed that his maid had found the letter in the street which was described as 'much toren & durtyed as yf yt haf Lyen in the durt'.¹⁵ Langdon took the letter to Luccas' house because it was directed to him. Here we have an account of what might have happened in the case of *Neck v. Read* after the letter was dropped in the street. The case of *White v. Gower* (TNA STAC 8/304/12) also employed letter delivery in the performance of a libel; we are told that Gower sent messengers bearing a libellous challenge sealed in the form of a letter to

1635 (Basingstoke: Palgrave Macmillan, 2012); Gary Schneider, *The Culture Of Epistolarity: Vernacular Letters And Letter Writing In Early Modern England, 1500-1700* (Delaware: University Of Delaware, 2005); and Alan Stewart, *Shakespeare's Letters* (Oxford: Oxford University Press, 2008).

¹² Gary Schneider, 'Libellous Letters in Elizabethan and Early Stuart England', *Modern Philology*, 105 (2008), 475-509 (pp. 476 and 500-01).

¹³ In the cases of *Edwards v. Woolton* (TNA STAC 8/130/12) and *White v. Gower* (TNA STAC 8/304/12), and indeed many other cases, the presence of a libellous letter did not stop those involved from confronting each other violently.

¹⁴ Schneider, 'Libellous Letters', p. 476.

¹⁵ TNA STAC 8/193/21, m. 2.

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George White's house three times. Each time the messenger and challenge were refused and returned directly to Gower. This process established a link between the small village of Cheriton Fitzpaine (where Gower lived) and the larger town of Crediton (home to White), which sat on one of the main travel routes between Exeter and Barnstaple, through the physical journey of the messenger, just as the libel established a challenge between the two men. Gower then used these streets later to publicly perform his identity as challenger by waiting, fully armed and dressed in a privy coat, for White to appear so that he could murder him; Gower's use of the street to display himself as a challenger recalls the initial challenge letter and its delivery which linked the two men and which would have been remembered by a spectator familiar with the conflict.

More generally, physical acts performed in specific locations were used symbolically to represent the messages of libel. In the case of *Pulton v. Prowse* (TNA STAC 8/239/11) the physical walking of the priest from his church through the streets to the jail in order to shame him physically represents the downward journey of his honour and reputation. In the later case of *Roupe v. Fortescue*, the ram's horns placed in the street which connected Roupe's house with the church, physically represented the shame that the libeller's wanted him to feel in having gained his status in the church through his marriage. A similar type of public journey was used by the libellers in *Hawkins v. Jobson* (TNA STAC 8/177/9). Although they used boats and waterways, rather than streets, the defendants' taking of previously confiscated goods from Orston where they were being held back to the port of Plymouth, the site of their original confiscation, was a physical journey that echoed the power the libellers were seizing from Hawkins in the act of libel. The use of boats and harbours here, instead of common highways, shows the nuanced understanding that these people had of the significance of certain places in the lives of particular people. All of these cases used significant places in their local geography to stage their libels and employed public acts such as letter delivery and physical journeys to 'beat the bounds' which connected them. The libels used these locations and journeys to establish links between the key individuals involved in each case and to represent physically the social mobility which the process of libel both commented on and endeavoured to influence. All of this was done for a specific kind of spectator: those who knew their surrounding landscape and knew the social relationships which were signified by it.

However, the performance spaces used by early-modern libel were not only used to establish and dramatize the links that libels made between those they involved; they also used communal spaces which acted as public manifestations of the identity of the libel target. In so doing, libels took a space already known to the community, which formed their audience, and exploited the associations that the space already had in the minds of the spectators in order to libel their targets. In turn, the libel performance became associated with the space in that spectator's mind and would have been remembered each subsequent time the space was encountered, ensuring the continuation of the libel message even after its initial performance, thus making it a very real danger to anybody's reputation. In terms of community drama, libels' use of communal outdoor spaces draws on the traditions of public ceremonies and processions which used city spaces to establish and cement social structures.¹⁶ One of the closest parallels to libels in their use of communal spaces as performance stages can be found in medieval guild plays, the most famous of which was York's Corpus Christi cycle. Many scholars have seen the use of important locations in the city for staging early civic and religious drama as physically and spatially representing the power struggles of the institutions working in those cities. Anne Higgins emphasises the role of processions in city life in creating 'a dramatic and sophisticated demotic of space and movement, one that expressed the common identity of citizens within the bounds, as well as the hierarchies that ordered them'.¹⁷ In their use of movement to connect places, libels can be seen to act in a similar way, but, further to this, both Higgins and Janet Hill agree that using familiar communal locations involved the audience more closely with the action: 'the streets, houses, churches, and markets [of York] were employed in a specific, sophisticated, and concrete anachronism in order to bring home to the spectators the figural sense of the play's representation of history'.¹⁸ Hill stresses the importance of direct or open address between the actors and the audience in achieving this, but also insists that familiar places, costumes and properties meant that 'these plays constrained the playgoers to see their own lives on stage'; guild drama, she says, 'staged its audiences as themselves [...]

¹⁶ Anne Higgins, 'Streets and Markets', in *A New History of Early English Drama*, ed. by John D. Cox and David Scott Kastan (New York: Columbia University Press, 1997), pp. 77-92 (p. 78).

¹⁷ Higgins, 'Streets', p. 78.

¹⁸ Higgins, 'Streets', p. 89.

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by making sure that its stages belonged to the playgoers'.¹⁹ In a very similar way, early-modern libels used familiar spaces to locate their messages in the everyday lives of their audiences; they encouraged spectators to see the message of the libel as functioning within the existing community and to judge those it targeted according to their own social norms. For example, in their everyday lives, the spectators of the libel performed in Plymouth by Humphrey Jobson would have seen Richard Hawkins carrying out his duties as Vice Admiral in and about Plymouth harbour on a daily basis. Therefore, when the defendants wished to defame him they did so in the very arena where his public identity was most manifest. When those spectators saw Hawkins defamed by a mock royal proclamation in that location they related it to their everyday lives. In turn the identity of Hawkins and his relationship to them in the local hierarchy were adjusted. This use of space made performance-based libel particularly effective in defaming a person because their degraded status would have been succinctly and irreversibly conveyed to spectators who had long been adept at reading hierarchy in the ways that ceremonies, processions and plays used their communal spaces.

In other instances of libel from the extant Devon material space was used in similar ways. Cases which made accusations of domestic transgression or social climbing through marriage located their libel performances at the doorways of the targets' houses, for example in *Read v. Peter* (TNA STAC 8/253/18) and *Roupe v. Fortescue* (TNA STAC 8/254/24 and TNA STAC 8/254/26). In these cases the house door served as the physical public location in which the identity of the target was represented. *Roupe v. Fortescue*, along with the case of *Pulton v. Prowse* (TNA STAC 8/239/11), also used the church as a performance space because this was where both Roupe and Pulton most commonly publicly enacted their status or profession. During this period and in fact long before, the congregation were seated in church according to their status; it was a place where the community was used to seeing hierarchy performed in spatial terms. John Wasson also emphasises the frequency with which churches were used for staging local drama.²⁰

¹⁹ Janet Hill, *Stages and Playgoers: From Guild Plays to Shakespeare* (Montreal: McGill-Queen's University Press, 2002), pp. 18–19.

²⁰ John Wasson, 'The English Church as Theatrical Space', in *A New History of Early English Drama*, ed. by John D. Cox and David Scott Kastan (New York: Columbia University Press, 1997), pp. 25–37.

Performance in church was not unfamiliar to the early-modern congregation especially that which related to status – hence the use of the church as a space in which to perform a libel which aimed to degrade its target. The performance of a libel in church used a place already associated with the public performance of identity and status in the eyes of the spectatorial congregation. The use of church space is most distinctly demonstrated in the case of Pulton v. Prowse which used Hittesleigh church as its central location. The church at Hittesleigh exists relatively unchanged today and its interior still bears witness to the physical performance of status by the early-modern community of the parish: throughout the church there are monuments and plaques dedicated to past ministers and church wardens; one prominent box pew bears a carving which reads, ‘this was built at the cost of Thomas Fvrse of Easte Chvrche Gentleman: 1619’; and even Pulton himself still lies buried inside the church (see figure three below).



Figure 3 - The Altar of Hittesleigh Church with Pulton’s grave stone in the foreground (photograph author’s own).

This space represents a material record of the history and identity of the community of Hittesleigh. Pulton’s grave stone, in particular, is significant; it consists of two square stones inscribed with the names of Pulton and his wife, lying either side of a long rectangular stone carved with an elaborate cross.

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This large construction is situated in the most prominent place within the church: right in front of the altar, in full view of any seated congregation. Both the size and location of Pulton's grave stone demonstrate that the minister was a person whose identity continued to be performed in death just as it had been humiliatingly performed in his life by being dragged out of his church and marched to Okehampton jail. With this grave stone, the church space has been manipulated to display Pulton's identity as a prominent and important figure in the local community. It is fascinating to think that just as the defamation of Pulton survives to us in the performance of a libel recorded by the court of Star Chamber, so too does this grave stone survive as an attempt to re-perform and reinstate Pulton's status; the church space continually reminds us of how important and effective public performance was, and still is, to the identities of members of the early-modern community. In each of the instances of performance involving Pulton which survive to us today, he was the focus of other people's performing of their views and loyalties, whether these were in defiance or support of the local status quo; in this can be seen the potency of performance for the provincial communities of early-modern England for constructing identity and the nuanced understanding which they clearly had of the role that space could play in those performances.

In the case of *Knolles v. Hasell* (TNA STAC 8/193/21) the significance of the space used is slightly different to that of the case of *Pulton v. Prowse*. Instead of defaming Knolles in a church as we might assume they would have done given that he was a vicar, the defendants chose the market place in Axminster to perform their libel. Anne Higgins gives a possible explanation for this in her analysis of the use of the market square called the Pavement as the final location for the York cycle:

The Pavement [...] was an ancient broad space, the centre of the city's commerce. From time out of mind it had been where traitors were executed, drunks pilloried, rogues whipped, kings and queens proclaimed [...] it is clear this market was well suited to play a crucial role in the last performance of the Last Judgement episode. Where

better to proclaim judgement and to exact punishment after separating the saved from the damned?²¹

This idea of the market place as an ancient location for the public administering of justice makes it a fitting place to stage the Last Judgement. If we look particularly at the contents of the libel in the case of *Knolles v. Hasell*, we find a possible parallel in the choice of location. Hasell's libel is particularly aggressive and violent in its tone throughout, but especially so towards the end:

Thou art a cutise, Cockescombe Viper, vicar of Hell,
 The gallows groanes to beare thy bones; which will befitt thee well.
 To whome I committ thee in this Resolution,
 To doe all I can for thy execution;
 ffor I would be thy hangman were it in my power,
 Thou should not tarry longe noe not an hower;
 I would say more but I fall to deeds;
 as thou shalt feele and he shall see whoe soe these verses reeds.

(Appendix C, p. 265, ll. 41-48)

If the market place of Axminster was, like that of York, the location for public proclamations, judgements and punishments, then Hasell's judgement and declaration that Knolles should hang would gain a physical dimension by association if it was performed in the market place where spectators would have viewed similar punishments previously. Axminster's Market Square (used for markets from 1210-1834) is said to have included a building called the Market House, where the meat market was held, which also contained the Guildhall and the town stocks.²² Whether there was a gallows here or not, the Market Square would have been associated with some forms of public punishment in the eyes of spectators during the period. In this case the space chosen for performance was not a public location which represented the identity of the target, but it was carefully chosen for the memories and associations that an audience would bring to it and for its relevance to the message of the libel. In all of these cases, the communal spaces chosen for

²¹ Higgins, 'Streets', p. 89.

²² 'The Regent Hall (Market Square)', *Open Plaques* <<http://openplaques.org/plaques/11825>> [accessed 21 October 2014].

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performance-based libels used the function of those spaces in the everyday lives of spectators in order to perform, and so emend, the identity of a member of the community; they staged the communal audience to themselves. Implicitly they also did this by iterating the customary roles of members of the community in a new type of performance, and making them complicit witnesses in the claims of the libel. This would have triggered active involvement from the spectator in judging the libel's contents in the context of their daily lives. Both Anne Higgins and Janet Hill comment that once drama moved from outdoor, communal spaces into indoor, privately owned theatres, it lost this spatial significance:

The open public areas of English towns, the spaces where freemen and foreigners lived and worked, no longer echoed with outdoor performances of plays that told townspeople in crucial ways who they were and marked out their liberty. With the rise of performance in privately owned, not public, spaces, the rough equality of citizens in the streets of their own city, watching a play produced and largely performed by their neighbours, was lost forever.²³

Although the contents of early-modern libels were different from those of the plays staged in medieval towns, it is possible that in the ways in which they performed the identities of their communities in familiar public spaces, we can see that the type of performances Higgins describes were not lost forever; they lived on in the expression of communal conflicts in provincial England.

All of the performance-based libels in the Devon material share another common feature in the nature of the spaces they were performed in: liminality. Within the various communal spaces that libels chose as their performance locations, their devisers pin-pointed places which signified boundaries and borderlines; in particular they marked the border between the public identities of those they targeted and their private lives. Doorways were the most common choice in symbolising this, whether at the entrance to somebody's house or to the church, or even the door to the chancel inside the church, but the entrance to and exit from harbours, used in *Hawkins v. Jobson*, also made the same statement. In those cases which we have seen using journeys to link people and places, such as *Pulton v. Prowse* and *Roupe v. Fortescue*, the

²³ Higgins, 'Streets', p. 91.

journey from one place to another was intrinsically liminal, but also symbolically so representing the movement from one social status to another. In the cases which used letters to highlight these links, such as *White v. Gower*, *Neck v. Read* and *Luccas v. Knolles*, those letters occasioned the meeting of public and private in their moments of issue and receipt. The spatial liminality of these performance-based libels served as a physical representation of the fact that the act of libel only worked in defaming somebody because it deliberately crossed the boundaries between the public and private lives of its targets. Libels made public that which should be private and affected not only the public and private spheres of the target in doing so, but also affected the public identity of the community it sought to regulate.

Theories of what constituted the 'public' and 'private' spheres of early-modern people are numerous and ever-changing; some theories designate the private sphere as existing within the domestic familial home and others conceive of it as located in a person's own consciousness; some see the moment of distinction between the two as originating at the Reformation and others with the rise of the bourgeoisie.²⁴ There is not space enough, and it is not the aim of this work, to go into the theories which have come to be associated with these spheres here, but for the purposes of this study, the public and private spheres of early-modern people are seen in a literal way; the study works on the distinction that these people had parts of their lives which were kept behind doors – which were private – and had other parts of their lives which they lived in the view of the rest of their community and in which they all, on some level, assumed and performed certain public identities. One thing that most recent explorations of the public and private spheres agree on is that the boundaries and intersections between the two are where scholarly attention should focus because these were the places where each sphere influenced and defined the other. These studies also agree that literature of all kinds can be seen as having a 'boundary-penetrating, liminal existence'.²⁵ In discussing early-modern novels, Paula Backscheider says: 'novels make the private public, and they explore, model, how the public impacts on the

²⁴ *The Intersections of the Public and Private Spheres in Early Modern England*, ed. by Paula Backscheider and Timothy Dykstal (London: Frank Cass and Co. Ltd., 1996).

²⁵ Paula Backscheider, 'Introduction', in *The Intersections of the Public and Private Spheres in Early Modern England*, ed. by Paula Backscheider and Timothy Dykstal (London: Frank Cass and Co. Ltd., 1996), pp. 1–21 (p. 17).

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private'.²⁶ This, as will be shown, was also true of performance-based libels in both their content and their physical locations.

There is one type of performance location that has not been mentioned yet and to which separate attention must be given because its definition as a public space needs explanation – the gentleman's house. This location is different from the others; it is not an open, outdoor, communal space, but one that is indoors, privately owned and away from the gaze of any passer by. However, those cases which use rooms inside gentlemen's houses to perform their libels can also be seen to be located on the borderline between the public and private lives of those people that they involve. The cases which involve performance in gentlemen's houses are *Edwards v. Woolton* (TNA STAC 8/130/12), *White v. Gower* (TNA STAC 8/304/12) and, as we have seen, *Luccas v. Knolles* (TNA STAC 8/196/29). In the case of *Luccas v. Knolles* the performance in Justice Drake's house was done in order to report the incident to authority. Here the gentleman who owns the house holds a public official role and so, it would appear, some of the rooms in his house represented a place where the grievances of the community could be heard; in this way they can also be seen as places which play a part in public life.

In the case of *Edwards v. Woolton* the use of gentlemen's houses as performance locations is much more subtle and varied than in other Devon libel cases which used indoor venues; this is no doubt due to the high status nature of those involved. The libel letter sent by Dr Woolton to Thomas Edwards was read out to numerous audiences on many different occasions in a large number of different places and all of these performance variations functioned in separate ways. Some of these instances can be seen as similar to the public performances that we encounter in other libel cases: the letter was read out in several apothecaries' shops; at an inn in Honiton; and was delivered to Edwards in St. George's Lane in the middle of Exeter. All of the above named places – although the shops and inn were still technically indoors – can be seen as obviously public spaces where trade occurred and people continually came and went. They are more familiar locations for libel performance and were used by the lower status individuals involved in the case in order to comment on Edwards' previous trade as an apothecary. These instances are, in this

²⁶ Backscheider, 'Introduction', p. 17.

respect, different from the other performances of the letter which took place in the houses of many of the high status men of the county and in the houses of the complainant and the defendant. The level of detail that the records for this case include can tell us a great deal about the public and private boundary when it comes to the lives and residences of gentlemen. As most of this detail is given when the accused was at pains to show that the letter was shown in more private circumstances, it is necessary to start by pin-pointing those locations designated as private within gentlemen's houses. One description, in particular, of an instance when Dr Woolton showed the letter to Thomas Hinson, esquire, demonstrates that there was a clear distinction made between public and private rooms in high status houses. Hinson described how, whilst he was at Woolton's house in Exeter, he had asked Woolton about the letter: 'who [Woolton] caryed ^him this deponent' [...] out of the place where company was into another Rome, and there priuat-lye shewed [...] ^vnto this deponent' what he had wrytten'.²⁷ Both Hinson and Woolton himself clearly thought that looking at or discussing the letter in the 'place where company was' would have been a public act, whereas moving to another room kept the contents of the libel private between the two men. The room in Woolton's house that was deemed private is not named, but in Edwards' house it can be argued that his study was used in a similar way to Woolton's private room. Edwards was said to have 'shewed vnto [...] the said Mr Amerydith [Edward Amerydith, gentleman] there in his Studye twoe Lettres, the one wrytten by Iohn Woolton defendaunt vnto the Complainant, and theother the Complainantes aunswaere to the said Lettre'.²⁸ This space can be seen as representing a private one to Edwards for several reasons: on this occasion he only shows the letters rather than reading them out (which he does on most of the other occasions at which he was said to communicate the letters) and here Edwards only shows one person instead of the usual, more numerous audiences. The study is also shown to be a private room through two other descriptions given to us by the records: firstly, Thomas Flea, an apothecary of Exeter and someone with whom Edwards was on good terms with given that Flea lent Edwards a servant to accompany Edwards when he went to confront Woolton, describes how he,

²⁷ TNA STAC 8/130/12, m. 71.

²⁸ TNA STAC 8/130/12, m. 36.

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Comyng into the Complainantes Studye, did see the said Complainant Wrappinge vppe or sealinge a Lettre which the said Complainant saide was an aunswere to be sent to Mr Woltons Lettre but the Contentes thereof he neither sawe nor harde.²⁹

Edwards, as can be seen from the numerous other times and places in which he published the letter contents, was not against sharing the libel and the letter he had written in reply on other occasions. However, he chose not to read or show the letter to Flea when he happened to interrupt the writing of it in Edwards' study. This location was not one which Edwards felt could be used for performance. Secondly, the court records, in describing the normal process for becoming a licenced doctor, also reveal the private status of the study. In an interrogatory question about Edwards' licence to practise medicine, witnesses from the College of Physicians were asked: 'was he [Edwards] examined Publicklye; and in such place as is Commonly vsed for such examination? or was he secretlye examyned in any studye, or Pryvate Roome, or Chamber?'³⁰ This designation of studies, chambers and private rooms as locations where secret examinations could take place supports the idea that on those occasions where Woolton's libel was shown in private rooms and studies, the people involved felt that this was a private transaction and not a public performance. Another instance where the specific room of viewing was named in this case was when Edwards showed the letter from Woolton to Sir William Courtenay the elder at Powderham, his home; this was done in Courtenay's chamber to him alone and at his request presemably because it related to Courtenay's recently deceased son. Again, we can see that the chamber was a private space within the house because this instance was not a performance but served as the communication of a grievance between the victim of a libel and the father of his patient.

In contrast, when the libellous letter was read out in the houses of other high status men such as Sir Henry Thynne, Sir Amias Bampfield, Sir Henry Roll and Sir George Speake we are not told which room the reading occurred in but we do hear that there were numerous people present, forming the audience, and we are often given details of the manner of reading and the reaction of the spectators. These readings must have taken place in the rooms 'where

²⁹ TNA STAC 8/130/12, m. 35.

³⁰ TNA STAC 8/130/12, m. 83.

company was' and so they act as performances in the public spaces within gentlemen's houses. The court records give clues as to the function of one of these rooms through the accusation made against Woolton that he had made common 'table talk' of the libel. One of the interrogation questions outlines this occasion in much more performance-orientated terms than the private instances described previously:

Did not the said Wolton at any tyme reade or shewe the Coppie of a slaundersous lettre or libell by him Written to the Complainante, did not he reade ytt in scoffinge & ridiculous mannour to you or in your hearinge whoe Was els then in presence and what tyme of the daie was ytt soe reade or published, was ytt not at Dinner or supper Declare the same, and the tyme place and persons that then were presente.³¹

To those in authority the reading of a libel at the dinner table to a group of people constituted publication; this instance, along with the readings of the libel in company at gentlemen's houses, can be distinguished from the three private communications in studies, chambers and private rooms described earlier. Reading a libel at the table or in rooms 'where company was' can be seen as performances which used spaces inside of the gentleman's house that were commonly accepted as part of the public sphere of those moving within them.

In general, the roles of wealthy men in their communities, their large households which contained many servants made up from the local community³² and their use of their houses for entertainment purposes (sometimes public performances)³³ meant that these indoor spaces were indeed public and can therefore be seen as an extension of the more obviously public, outdoor communal spaces used by other libel cases. They offered to the libeller a means of selecting a particular audience, and a high status one; in the case of *White v. Gower* this was done so that White could not get hold of a copy of the libel for his bill of complaint. This may seem to go against the idea of a gentleman's house as an arena for reporting offences, but Gower was said

³¹ TNA STAC 8/130/12, m. 55.

³² In fact, in the case of *Edwards v. Woolton* the records describe servants that were coming into and going out of the rooms as being part of the audience present when the libel was being read out on several different occasions.

³³ Palmer, 'Early Modern Mobility', pp. 271–72.

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to have selected his gentlemen carefully, picking those who already disliked White and so would keep the libel contents from him.

In the case of *Edwards v. Woolton*, the use of gentlemen's houses also has further significance because of the profession of both the defendant and complainant; as doctors to high status men their workplace was in these men's houses. For a doctor, a gentleman's house was a space in which he performed his public identity, not to mention his business, and so it would have been the most fitting place to have performed a libel, particularly one which strove to exclude him from the realms of doctors and gentlemen and return him to the sphere of a mere apothecary. Both Woolton and Edwards can be seen to exploit the performance spaces available in gentlemen's houses for their own ends and they also both used liminal locations to do this. It has been demonstrated that the rooms where company gathered in high status houses were seen as part of a gentleman's public life and that spaces such as his study and his chamber (along with other private rooms) were understood to be more confidential, private arenas. However, in a specific set of circumstances particular to this case, a person's chamber could temporarily, and of necessity, be accessed and become part of his or her public life: during sickness. In the many accounts of sickness which we receive as part of the records for this case, we learn that during periods of illness, patients were visited by friends to wish them well, by doctors and apothecaries to heal them, by numerous servants to attend to their needs and by extended family; all of which were described as coming into the chamber where the patient lay sick. The chamber, then, which during health was reserved as a private room, during illness was intruded upon by public life and, thus, became a liminal space. Woolton used this as a performance location for his libel against Edwards, as Robert Michell (a public notary of the town of Exeter) described:

He this Deponent [Michell] (beinge att the house of George Cotten gentleman within the Church yard of the Cittye of Exeter) did see such a kind of Lettre [...] in the handes of the said Iohn Woolton: which said Lettre the said Iohn Woolton did partely reade in the presence and hearinge of this Deponent [...] and present att the readinge of the same Lettre by the said Woolton in the Chamber Where the same was so read, the wyfe of the said George Cotten beinge then sicke as this Deponent nowe remembreth, and others passinge in & out [...] [Woolton] did reade

parte of the said Lettre as aforesaide in scoffinge & rydiculous manner against the said Thomas Edwardes.³⁴

Here Woolton was using the liminal space most pertinent to Edwards' public identity and profession in order to redefine that identity in the eyes of his high status patients. However, Edwards also used this type of performance space and its liminality to try to reassert his status and undermine Woolton's professional conduct. Before Woolton sent the libel letter, Edwards was employed in the treatment of Sir William Courtenay the younger, who had travelled from Taunton to Exeter in order to receive treatment from Edwards. During that treatment Courtenay took a turn for the worse and Edwards was said to have left him, there being little hope of his recovery, to go and treat the Earl of Bath in Tavistock over thirty miles away. During Edwards' absence Dr Woolton and Dr Norris were sent for to treat the worsening Courtenay. Woolton was said to have disapproved of Edwards' violent methods of treatment and so Woolton had Courtenay moved to the 'more wholesome ayre' of Mr Philip Lowman's house, where they claimed he began to gain strength and recover.³⁵ On his return, Edwards tried and succeeded in regaining the cure of Courtenay and it was at this point that the quarrel between Woolton and Edwards came to the surface with Woolton accusing Edwards of malpractice and Edwards confronting Woolton on the highway between Exeter and Lowman's house in Newton St. Cyres. This was the highway meeting referred to in Woolton's libel as Edwards' 'Sawcye and Malapert greetinge me one the way' (Appendix C, p. 267). Once the libel had been sent and it began to be published abroad, Edwards then took it to Philip Lowman's house and in the chamber where Sir William Courtenay the younger lay sick Edwards read the contents of Woolton's letter to Sir William Courtenay the younger, his father Sir William Courtenay the elder, Philip Lowman (gentleman), Arthur Hart (gentleman), Hugh Dorman (gentleman) and John Saunders (an apothecary's servant treating the patient). It might seem strange that Edwards would publish something which libelled him to such a high status audience, one of whose treatment he had just resumed. However, if the location is taken into account, it is easier to suggest Edwards' motivations. In going to the place where Woolton had moved Courtenay to, taking his high status audience into the liminal space where Courtenay lay still

³⁴ TNA STAC 8/130/12, m. 25.

³⁵ TNA STAC 8/130/12, m. 17.

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sick (and whilst he was being treated, by John Saunders' account), and himself reading a libel, the manner of which reading he could then control, which had been written by the doctor who had moved the patient, Edwards was trying to undermine Woolton's professional identity. He was saying to the gentlemen present that the person they were entrusting with the life of their friend or son was no better than a common libeller; Edwards was re-performing his own trustworthiness as a professional physician and out-performing Woolton's attempt to undermine him, all in the liminal space between the public and private lives of Courtenay and his associates. Overall, the performances of the libel in the case of *Edwards v. Woolton* made use of a wide range of public outdoor spaces, public indoor rooms, private places in high status houses and the liminal spaces between public and private inside those houses. What this case demonstrates is that the significance of performance space varies according to the circumstances of those involved in each case and that in the lives of high status men, their houses contained both public spaces and private rooms. Furthermore, the actual location used inside a gentleman's house could alter the significance of information communicated there and those involved in performing libels exploited the boundaries between public and private for their own ends.

Libel performances which used outdoor spaces within the community also employed liminal spaces in the domestic sphere. For example in the case of *Reade v. Peter* (TNA STAC 8/253/18), the libel, a pair of horns tied together with shoemaker's leathers, was put up on the door of Reade's house. The doorway of a residence was the place where the domestic relations which existed inside the private world of the house physically met with the public space of the street; this was the precise location which came to represent the relationships inside to the people on the outside. In various other popular customs, the doorway as viewed from the street was the focus for comments from the community relating to domestic relationships; charivaris or skimmington rides often began or ended at the house of those they ridiculed and horns were commonly put up in front of target's houses and brushing the threshold of the offender was also a frequently included element.³⁶ Although he does not highlight the location of charivaris, Martin Ingram observes of

³⁶ *Popular Culture in Early Modern England*, ed. by Barry Reay (London: Routledge, 1988).

them that they 'demonstrated a contrast between the hidden and the manifest, the private and the public: destroyers of privacy, they asserted the validity of a system of collective values which were stronger than the vagaries of individuals'.³⁷ Their use of the doorway as viewed from the street echoes this. Laura Gowing in her work on the effect of libel on women's honour similarly notes that 'as public performances or documents, libels were designed to publicise dishonouring secrets, imagining or elaborating on complex episodes of sexual dishonour and stressing, in particular, the gaps between public status and private shame'.³⁸ Early-modern performance-based libels can be seen to use space in a way which mirrors this movement of information from private to public. In Reade's case, the libel placed on his door represented a specific previous occasion on which Peter claimed to have seen,

One Leonard ffarmer of Tyverton aforesaid (in the absence of Your said subiect [Reade]) present With the said Alice Your subiectes said Wife in the entry of Your said subiectes howse in Tyverton aforesaid in very suspicious Manner, the doore of the same howse beinge then half shutt.³⁹

Here we can clearly see that people watched and noted things that happened at doorways; furthermore, they made assumptions based on what they saw as to the division of the private and public in the domestic relationships carried on inside the house and, in Peter's case, these inferences and assumptions were then publicly broadcast by the placement of a libel on the same door. This shows that the doorway as viewed from the street was a place where public identity was constructed and performed precisely because it was the place where public and private met. Peter's libel was put on the border between the public and private lives of Reade and his wife to signify the fact that his message was a penetration of the private sphere by the public one in order to reveal the private shame to the public community.

The earlier case of *Roupe v. Fortescue* used this space in the same way by placing the libel constructed of playing cards with messages written on them on the door of Roupe's house, Nutcomb. But the later case of *Roupe v.*

³⁷ Ingram, in *Past and Present*, p. 99.

³⁸ Laura Gowing, 'Women, Status and the Popular Culture of Dishonour', *Transactions of the Royal Historical Society*, 6 (1996), 225–34 (p. 227).

³⁹ TNA STAC 8/253/18, m. 4.

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Fortescue also used the church of East Allington as one of its performance spaces. As has been previously discussed, Roupe's ancient seat in the church and his building of two new pews to seat his family and household served as public symbols of his relatively newly acquired status and it was in this arena where his public identity was most visually signified to the rest of the community. The use of the church for the performance of status has already been discussed, but what was significant about the use of church space in the second of the Roupe v. Fortescue cases was its pin-pointing of liminal areas within the church itself. Once Fortescue and his accomplices had broken up Roupe's pews in the church, the family had nowhere to sit and so they 'did sitt in the Chauncell of the said Church'.⁴⁰ This would if anything have given the Roupes greater prominence and it was clearly disliked by Fortescue. In reaction, Fortescue physically abused Roupe:

John ffortescue sittinge in the saide Chauncell in tyme of devine service spite after your saide Subiect [Roupe] as he was passinge by him & imeadiatlle after devine service the saide John ffortescue stoode in the dore of the saide Chancell awaitinge the Cominge forth of your said Subiect & as your saide Subiect was passinge forth by him he the saide John ffortescue stroke at your siade Subiect with his legge of purpose to haue overturned him in the said Church.⁴¹

On another occasion, John Fortescue and others, just after divine service,

Came forth into the Porch of the saide Church Armed with theirre daggers and as your Subiect passed by the said John ffortescue did againe spitt on the face of your Subiect [...] & in most vile & vnciuill manner Rayled & reviled both your saide Subiect & his said ffather with verie scandalous & approbrious termes in publike before most of the parishioners there.⁴²

These events specifically used the journey of Roupe through the chancel, his passing through the chancel door and his exit from the church as the liminal places where they defamed him through spitting, tripping and mocking words. The bill of complaint emphasised the public nature of these places and as

⁴⁰ TNA STAC 8/254/26, m. 3.

⁴¹ TNA STAC 8/254/26, m. 3.

⁴² TNA STAC 8/254/26, m. 3.

performance spaces they must have served as focal points for the congregation; the chancel door when they were all gathered inside, and the church door when they were all outside after service. Further to this, the use of church doorways, which recalled the playing cards libel that was placed on Roupe's house door, was surely not lost on an audience made up of the local community who would have seen that libel when it was pinned on Roupe's house door and remembered it when they saw him ridiculed at the doorways of their church. These subtle uses of liminality in church and domestic spaces in the performance of libels reveal a sophisticated understanding of performance space and its significance in representing intersections between the public and private spheres in both those constructing libels and those for which they were constructed.

Another type of performance-based libel which drew attention to liminal spaces was that which used the letter form. As has been demonstrated previously, the delivery of a letter established physical connections between libelled and libeller, but letters were also most commonly received on the doorstep. The case of *White v. Gower* (TNA STAC 8/304/12) demonstrates the public performance nature of a letter at its issue and receipt and the location of this on the doorstep of the recipient. When White received the libellous challenge in the form of a letter from Gower's messenger he,

Demaunded the bringer [...] thereof from whome it came and the same messenger then aunswered [...] that it came from the saide Richard Gouer and that it contayned matter of provocation and was indeed a challenge sente from the saide Gouer [...] wherevppon your saide subiect [...] did presently redeliuer the same libell & challenge back agayne vnto the saide messenger and straightly willed the saide messenger to returne it agayne [...] by reason whereof and because your said subiect did neuer throughly reade and peruse the same [...] your saide subiect cannot herein certaynely sett downe the verie wordes thereof.⁴³

All that White could do, for the purposes of proof in court, was to put forward the messenger who had 'affirmed that it was a challenge and that the same

⁴³ TNA STAC 8/304/12, m. 12.

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Gouer had read the same in his and others hearings'.⁴⁴ There are several things to note here. Firstly, when White received the letter he demanded to know its contents and on hearing that they were a libellous challenge, he immediately sent the letter back without reading it, even though this severely hampered his later libel case in court. White must have done this so that he was in no way seen to have accepted the challenge, but this would only have been effective if people were watching him do it. If there had been nobody there watching the delivery then it would only have been necessary to be seen to refuse the challenge in Gower's eyes, in which case why not read the contents or even make a copy of them before returning them to Gower? White's very swift and deliberate refusal could only have been for the benefit of those watching him receive the letter – his neighbours, turned spectators, watching White perform his identity as a peace-loving member of the community on the spot where his private and public lives met and were threatened by the contents of the libel. The letter-as-libel occasions a performance by its target on receipt and it does this, most often, at the doorway of that target performance can be used to redefine the target's public identity. The second thing to note in the above quotations from White's bill of complaint is the fact that Gower had read the contents of his libel letter to the messenger and others before he had sealed and sent it. This tells us that the creation and issue of letters could also occasion performance, just as the receipt did, but it also highlights another crucial aspect of the letter form when it was used to libel: that it too embodied both the public and private spheres of its recipients because it contained private information sealed within it, but those contents were public before it was sealed, were represented in public when it was delivered, and were again made public when it was opened. There is some scholarly debate over just how private early-modern letters ever were, especially in comparison to the level of privacy we now associate with letters because of the postal system, but at the very least, early-modern letters could represent a notionally private form of communication, even if they were read by others, because they 'draw attention to the relationships that are forged and maintained' by their transaction from a *specific* sender to a *specific* recipient.⁴⁵ Alan Stewart has highlighted Shakespeare's stage representations of letters and the processes of writing, sealing and delivery which accompanied

⁴⁴ TNA STAC 8/304/12, m. 12.

⁴⁵ Stewart, *Shakespeare's Letters*, pp. 10–11 and 32.

them and he emphasises Shakespeare's letters as material objects rather than texts: 'these objects contain texts, certainly, but the message they convey is not primarily about that text, but about from whom they come, to whom they go, and how they make that journey'.⁴⁶ In libel cases, I would argue, the text was equally important because it carried the actual libel message which, more often than not, was written in verse and meant to be publicly performed, but libellous letters did also function, as Stewart highlights, as material objects making journeys between people. What was inside a letter was at least notionally private, and this was signified by its being sealed, and yet the letter as a material object could be seen by anyone from the outside, especially in its delivery where both the sender and recipient could be identified; the libel letter, as a material object, can be seen as occupying the same kind of liminal space as a doorway – it was an object in which private relationships came into contact with the public sphere. The nature of a libel was to take private information and make it public – what better form through which to do that than a letter which is immediately recognisable as containing private information, but which can be seen from the outside in public and which offers so many opportunities for the public performance of its content. The liminality of libel letters thus worked on two levels: firstly, by reading out, in public, the contents of a letter, private information is made public and the borders of both spheres have been crossed; secondly, by sealing and delivering a letter, the public/private liminality signified by that letter is performed in its journey from public (its initial composition and reading out) to private (when sealed) to public again (when it is opened upon delivery). One of the most intriguing examples of this use of the letter for its occupation of the public/private boundary in the extant Devon material is that of *Luccas v. Knolles*. In this case the letter sent by Knolles to Luccas in order to frame him contained two libels: one which libelled Knolles himself in order to frame Luccas and one which libelled Luccas. The letter which libelled Knolles was sealed up and placed inside the letter libelling Luccas which was then sealed up itself and so contained within it another sealed letter. Here we have two levels of public and private. This libel is a complicated one but if the process of letter delivery and receipt is followed, the significance of this libel letter becomes clearer. The two letters were found in the street by Langdon and because the outermost one

⁴⁶ Stewart, *Shakespeare's Letters*, p. 23.

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was directed to Luccas the elder, it was taken to his house. Upon its receipt the first letter was opened and read but the second was not. If we stop the action here, the letter to Luccas has been used as a means to place the libel against Knolles in Luccas' possession but it does not incriminate Knolles because he was not publicly seen to be the sender. Now Luccas the younger has in his possession a sealed letter directed to Knolles which contains a libel and he is seen publicly at the doorway to his father's house with that letter in the presence of a messenger; he has been framed. This use of the public viewing of a private letter is a deliberate exploitation of the liminality of the form and the performances it occasions.

In many libel cases, the delivery of a letter to its target at their doorstep signalled the return of the letter to the public sphere; the recipient, upon being given the letter, either opened it and simply reacted to it, or assumed that those watching him receive the letter already knew what the contents were and so felt that he must be seen to react in a certain way. The second of these alternatives can be seen in the case of *Edwards v. Woolton* (TNA STAC 8/130/12): Edwards was given the libellous letter written and sent by Woolton in the street instead of at his house, by mistake. Upon reading the letter Edwards grew angry and drew his dagger to attack the messenger. Edwards must have presumed that the messenger and perhaps people around them in the street knew what the contents were and would expect him to react angrily; otherwise, surely, he could have saved face and just taken the letter and gone away without letting on. The fact that Edwards assumes this, points out the ambiguity of the private or public nature of a letter's contents on its receipt and the event shows how subtly a libellous letter could operate in making somebody publicly perform a role. The liminality of a letter between public and private, and the transgression of the boundary between these two spheres by making the contents of a letter public are even more pertinent in the case of *Edwards v. Woolton* because of the social perception that letters between doctors should have been confidential. This libel's contents centred on Edwards' professional (mis)conduct as a doctor; in choosing to send a letter to Edwards containing a libel, Woolton must have realised that in order to complain of the libel and retaliate, Edwards would have to make it public and so would show himself to be guilty of another form of dubious professionalism. This letter between doctors being made public was such an obvious professional transgression that it could also signify to the community

that the public identity of Edwards was not in line with his private dealings, just as something which from the outside appeared to be a letter between doctors but that actually turned out to be a libel could be seen as a shocking misalignment of public appearance and private reality.

In all of these cases, then, the performance spaces chosen by libel-makers were liminal; they represented the place where public identities and private lives met and were constructed. Those that used letters engineered performances in those liminal spaces, but also used a form which represented the borderline between public and private information. What all of the uses of geographical place, communal space and physical objects explored in this chapter show is that the people devising early-modern libels had a nuanced understanding of the role that space could play in performing identity and were adept at navigating the boundaries between the public and private spheres in order to effect change within their communities. Not only did they understand these subtleties, they envisaged an audience of spectators made up of their local communities who could decode and understand them too.

Chapter 4:

4.1 The Roles of Women in Libel Performance

'And vnto whome have you so read or published the same? Or procured yt to be published' (Interrogation question to be administered to Mrs Mary Norris, *Edwards v. Woolton TNA STAC 8/130/12*, m. 14).

Women's experience of life in early-modern England has been the subject of increasing scholarly attention in recent times.¹ From a woman's experience of family life and her role in the community to her political and religious engagement, her alliances, involvement in criminal activity and the courts, and her literary output, scholars have attempted to elucidate all aspects of female life during this significant period in English history in an effort to balance out the vast body of previous work which has focused on male activity and relations. It is widely acknowledged that the bias in earlier scholarship towards early-modern man was largely due to the lack of evidence of women's lives in conventional records; something which reflects the fact that in legal, political and economical terms early-modern women were not autonomous, being the property of either father or husband and living in a patriarchal society.² However, recent work has discovered

¹ See for example: Bernard Capp, *When Gossips Meet: Women, Family and Neighbourhood in Early Modern England* (Oxford: Oxford University Press, 2004); Michelle Dowd, *Women's Work in Early Modern English Literature and Culture* (New York: Palgrave Macmillan, 2009); Anthony Fletcher, *Gender, Sex and Subordination in England 1500–1800* (London: Yale University Press, 1995); *Maids and Mistresses, Cousins and Queens: Women's Alliances in Early Modern England*, ed. by Susan Frye and Karen Robertson (New York: Oxford University Press, 1999); Katharine Gillespie, *Domesticity and Dissent in the Seventeenth Century: English Women's Writing and the Public Sphere* (New York: Cambridge University Press, 2004); Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford: Oxford University Press, 1996); Laura Gowing, *Common Bodies: Women, Touch and Power in Seventeenth-Century England* (Cambridge: Yale University Press, 2003); Lorna Hutson, *The Usurer's Daughter: Male Friendship and Fictions of Women in Sixteenth-Century England* (London: Routledge, 1994); *Women, Crime and the Courts in Early Modern England*, ed. by Jennifer Kermode and Garthine Walker (London: UCL Press Limited, 1994); Sara Mendelson and Patricia Crawford, *Women in Early Modern England 1550–1720* (Oxford: Oxford University Press, 1998); Garthine Walker, *Crime, Gender and Social Order in Early Modern England* (Cambridge: Cambridge University Press, 2003); and Susan Wiseman, *Conspiracy and Virtue: Women, Writing and Politics in Seventeenth-Century England* (Oxford: Oxford University Press, 2006).

² Mendelson and Crawford, *Women*, p. 9.

evidence of female experience in old and new sources alike and, whilst most allow that careful and contextualised reading of this material is necessary, we can now begin to appreciate the truly diverse and complex experiences which formed the lives and identities of early-modern women.³ In light of this development in early-modern research, it is important to ask what roles, if any, women played in libel and, in particular for this study, what their relationship was to the performance aspects of libel in provincial communities. Another key point for consideration here will be whether and to what extent the records we have of libel and the male-dominated court of Star Chamber which produced them might affect the view we have of women in early-modern libelling. This is crucial in determining how far we can accurately reconstruct women's roles in libel when we receive accounts of them at the hands of men of the court. As Laura Gowing points out: 'what legal records contain [...] is the imperfect transcript of an exchange laden with imbalances of power, secrets, hidden agendas and meanings we can only partly recover'.⁴ With this in mind, this study will explore what insights can be recovered as to women's part in performed libel in early-modern communities through careful and close reading of the Devon records whilst acknowledging that this may still be only a limited or partial view of the whole.

The most obvious starting point for any study touching early-modern women is surely to point out their life-long position as inferiors, oppressed by the dominant patriarchal mind-set of early-modern society. Bernard Capp begins *When Gossips Meet* by describing England during the early-modern period as patriarchal in the 'sense that its political, social, economic, religious, and cultural life was dominated by men'.⁵ Gowing similarly outlines just how all-pervading the concept of patriarchy was when she states that 'the subordination of women to men was fundamental to

³ For access to new manuscript sources in particular see 'The Perdita Project' <http://web.warwick.ac.uk/english/perdita/html/> [accessed 13 November 2014]. But see also: Capp, *When Gossips Meet*, p. 2; Gowing, *Common Bodies*; and Mendelson and Crawford, *Women*.

⁴ Gowing, *Common Bodies*, p. 14. But for methodological problems of the study of early-modern women see also: Capp, *When Gossips Meet*, p. 2; Fletcher, *Gender, Sex and Subordination*, p. xxi; and Mendelson and Crawford, *Women*, pp. 9–11.

⁵ Capp, *When Gossips Meet*, p. 1.

social, spiritual and familial structures'.⁶ Other recent scholarly works have outlined the reasons why women were viewed as 'the weaker vessel' in early-modern England: they suggest a combination of the concept of Eve's creation from and for Adam and her role in tempting him to original sin, the idea that 'households were microcosms of the state', and the notion that women's bodies were mysterious and 'sexually unstable' which led to an 'identification of unchaste women with disorder'.⁷ These works have traced the foundations for the subordination of women in sources such as conduct manuals, sermons, medical discourses and the terminology of legal processes.⁸ This view of women's subjection to patriarchal regulation would suggest that when it came to libel, women's involvement would be as the targets or victims of libel texts and performances which sought to regulate communal norms by exposing the unchaste female to the rest of the community.⁹ It would also follow that a woman in this society would have little autonomy in the court process, relying on her husband for representation, and would have little independent authority in the community to restore a damaged reputation which was the result of being singled out for domestic scandal. There is certainly some evidence from the extant Devon records which would support this as being the lot of women involved in libel. In particular, when one looks at the lists of complainants and defendants in the indexes for libel in the court of Star Chamber originating in Devon, perhaps unsurprisingly, there is a significant lack of female names. Of the 23 cases of libel from Devon listed in the Star Chamber records two of the main named complainants were women and no women at all appear as the main defendants in a case. In the two cases where women were the main complainants, those women were both widows who sued on the behalf of their young sons. The cases of Elizabeth Page v. John Smith (TNA STAC 8/240/4) and Alice White v. John Carewe (TNA STAC 8/301/28) were both predominantly disputes over land ownership in which groups of men attempted to take or claim land belonging to the widows and

⁶ Gowing, *Common Bodies*, p. 5.

⁷ Antonia Fraser, *The Weaker Vessel: Woman's Lot in Seventeenth-Century England* (London: Weidenfeld & Nicolson Limited, 1984); Gowing, *Common Bodies*, pp. 12–15; and Mendelson and Crawford, *Women*, p. 204.

⁸ Fletcher, *Gender, Sex and Subordination*, pp. 3–83; Mendelson and Crawford, *Women*, pp. 15–74; and Capp, *When Gossips Meet*, pp. 5–6 and 26–68.

⁹ Gowing, 'Women'.

their families. As was described earlier, in the case of Elizabeth Page the defendants broke into Page's tenement in order to claim it and then pretended to have been assaulted by her and her son. The defendants later accused Page and her son both in the community and at the local assizes for assault and rioting; Page complained that these accusations were libellous. In Alice White's case, after the defendants had broken into the land many times and had continuously intimidated the family and anyone associated with White and the land, White chiefly complained to the Star Chamber that the use of a forged document by Carewe, who had produced it repeatedly to claim ownership of the land, was libellous. These two cases along with the absence of other female names in the list of complainants shed some light as to the relationship of early-modern women to libel and its prosecution.

Firstly, both Page and White were widows; this appears to have been the only point in a woman's life at which she gained legal autonomy but even then these two women were only complaining on behalf of their sons and were forced to do so because their position clearly exposed them and their families to loss of property at the hands of the community. Secondly, these two cases are not based around chastity or marital transgressions even though such cases do exist in the records; the fact that those cases which took issue with female morality do not have female complainants highlights just how reliant on her husband an early-modern woman was for representation and the enormous extent to which a wife's reputation was defined by and directly impacted upon that of her husband. Thirdly, these two cases concerning widows and their sons' land entitlements were almost entirely lacking in the elements of performance; *White v. Carewe* was at the unperformed end of the spectrum and *Page v. Smith*, whilst it did use elements of public display, only did so as the basis for future court actions and so cannot be grouped with the performance-based cases. They need to be distinguished from those cases which sought to regulate communal norms. This latter group tended not to target widows but were instead aimed at married or single women who were accused of transgressing according to the accepted moral standards. In those situations the married or single women clearly had very little means to redress the situation they were put in by libel. All of these points support the idea that women's most obvious role in performance-based libel was to be the subject of libels of a

sexual or domestic nature with the only access to legal recompense being through their husbands or fathers.

The case of *Miller v. Maries* (TNA STAC 8/214/2) from outside of Devon in Bridport, Dorset, reveals how under-represented women were in the legal process for libel generally; despite eighteen full lines of a thirty-five line verse being solely about the involvement of a group of women in the suspected illicit Puritan gatherings that were the subject of the conflict, the women targeted were named nowhere in the bill of complaint and no description of the injustice done to them was given (see Appendix A, pp. 217–18, ll. 9–26). Instead the bill refers only to the men complaining about the libel text and the outrage they felt as a result of the text's publication. In this case the bill of complaint would suggest that women were targeted for illicit goings-on in order to damage their husband's reputations further, and those women received no attention as individuals from the patriarchal legal system. To return to Devon, the case of *Reade v. Peter* (TNA STAC 8/253/18), which took place in Tiverton, 1611, appears at face value to have been a 'typical' case of a married woman being directly targeted for marital transgression by a male member of the community who sought to regulate female behaviour using performance to publicly shame her. Alice Reade was alleged to have had 'some Lewde and vngodly dealinge' with a local man named Leonard Farmer because she was seen with Farmer, whilst her husband was away, 'in the entry of Your said subiectes [Robert Reade] howse [...] in very suspitious Manner, the doore of the same howse beinge then half shutt'.¹⁰ This sort of circumstance presented a common problem for women in early-modern society; here Alice's body was at the centre not just of family relations but of 'community and national order' too because whilst women were deliberately confined to the private, domestic sphere of the household in order to 'seal off the [female] body's threatening openness', 'the walls of the household were as much a threat to order as a safeguard of it'.¹¹ Confining Alice to the marital home preserved domestic and communal order most of the time but the secrecy and mystery that this afforded meant that when she was seen with the door 'half shutt' in the presence of another man her behaviour needed to be admonished in a

¹⁰ TNA STAC 8/253/18, m. 4.

¹¹ Gowing, *Common Bodies*, pp. 29 and 33.

public and performed way to maintain the patriarchal hierarchy of the community. The case of *Reade v. Peter* demonstrates that one aspect of women's roles in early-modern performed libel certainly was to be the target for accusations of moral transgression by men in order to maintain society's norms and we should not overlook this as a key to understanding some of the life experiences of women functioning within that society. Whilst the damage done to Alice herself by this libel was mentioned in the bill of complaint, unlike that of the *Bridport* case, her husband was still the main complainant and the court process was focused on compensating him for what he had suffered. This highlights the place of women in performed libel in legal terms as the property of her husband and therefore reliant on him; however, it does also show that Alice's behaviour had a real effect on her husband's public identity.

So far women have been considered as the targets of libel and so they fall on the complainant's side of these disputes, but it is also worth noting that in the case of *Reade v. Peter* no women took part in the libel performance itself or were named amongst the defendants. This libel was carried out by men: John Peter and his apprentice turned accomplice Andrew Hobbes. In the case of *Reade v. Peter* the reason for this may seem obvious given the nature of the accusation being made, but the fact that no women appear on the list of principal defendants in the twenty three libel cases in the extant Devon records would suggest that women did not perform libels; that when they were involved in performed libels, it was as the targets of male offenders seeking to reinforce patriarchal communal order. Cases such as *Reade v. Peter*, *Miller v. Maries* and the many other cases in which female sexual conduct was of central concern demonstrate this.

However, the records of one particular Devon case raise questions as to whether this apparent absence of female defendants was wholly due to their absence from performance or whether it may be due in part to the male-dominated legal process and its attitudes towards women's roles in libel and society at large. In the first place, women would be unlikely to appear as principal defendants in any case given their position of dependence upon male relations; where they were involved in libel as defendants women were named after their husbands so his name would

always have been first preventing her from being the principal defendant. However, when we look to the longer lists of all named defendants associated with each case in the bills of complaint for the ten performance-based libel cases from Devon there are still only three female defendants compared to the forty four male defendants.¹² These three women were Mary Norris, the wife of John Norris a doctor involved in the case of *Edwards v. Woolton* (Exeter, TNA STAC 8/130/12), Marie Fortescue, the wife of Edmund Fortescue, in the case of *Roupe v. Fortescue* (East Allington, TNA STAC 8/254/24) both of whose roles will be examined in more detail later, and Anne Hasell, wife of Baptiste Hasell who was the principal defendant in the case of *Knolles v. Hasell* (Axminster, TNA STAC 8/193/21). In the case of Anne Hasell, the first time that the bill of complaint gives a list of the defendant's names it describes the situation thus: 'Baptiste Hasell hath maliciously ioyned and confederated himselfe with Peter Lucas Iohn Hore Richard Everett Iohn Waye Iohn Northerne Thomas Langdon Iohn Vye and Peter Luccas the Younger [...] to vexe and disgrace your said Subiect [Knolles]'.¹³ Anne's name was not included here, whereas the next iteration of the list of defendants reads: 'Baptiste Hasell ^ and Anne his wife' Peter Luccas the elder Iohn Hore Richard Everett Iohn Waye Iohn Northerne Thomas Langdon Iohn Vye and Peter Luccas the younger'.¹⁴ Anne Hasell's name appeared the second and third times that the bill lists the defendants but she was inserted above the line, after the male names had been written, almost as an afterthought. By the very end of the bill, in its summing up paragraph, Anne was included in the list of defendants at the time of writing rather than as an insertion above the line. This scribal detail could be seen to reveal something about the place of and concern over women in the legal proceedings surrounding libel (and hence the records) of the court of Star Chamber. The fact that Anne was included in the end list shows that she was not simply inserted into the whole bill at a later date because her part in the libel was not known or suspected when the bill was first written. Therefore her absence from the first list and addition as insertion to the

¹² Numbers estimated due to lack of bill of complaint in TNA STAC 8/254/24. Although the bill of complaint is missing it seems highly likely that Marie Fortescue would have been a defendant as will become evident through later examination of her role in the case.

¹³ TNA STAC 8/193/21, m. 12.

¹⁴ TNA STAC 8/193/21, m. 12.

second and third lists must be either the result of a forgetful scribe or an inherent practice which betrays the lack of primary concern over women's involvement in libel on the part of the men working for the court and so, presumably, those in authority. This detail may indicate that the list of male defendants was compiled first and foremost and any women involved could be added alongside their husbands as a secondary concern. It must be acknowledged that this could be a one-off scribal mistake; however, the fact that it was repeated more than once in the document and not corrected in every instance would suggest otherwise. Content from some of the interrogation questions used in the case of *Edwards v. Woolton* (Exeter, TNA STAC 8/130/12) can also be seen to support the argument that women's roles in libel were considered as a secondary concern to those in authority, particularly the interrogation questions regarding Mary Norris' involvement in the libel. Although Mary Norris, unlike Anne Hasell, did appear in all lists of defendants in her own right, this and the detail with which her actions were examined was most probably due to the high status nature of the case. However, the attitude of the authorities to her role still suggests that she was of less concern to the court than those of the male defendants particularly in the differences in interrogation questions and examination answers. On the whole, interrogatory questions extant in the Star Chamber records for libel are direct in naming men they believe to be responsible and are generally very leading as to the answer they want, for example:

14. Item did not you heare the saide Roberte Waller one of the Defendantes repeate the saide scandalous Libell or parte thereof in your presence, did he not ieste, deride, or deprave the Complainante, and deliuer yt in scoffinge and vnseeminge manner, shewe the same.¹⁵

Similarly explicit and leading questions from the same document outlined the involvement of Christopher Hunt, Arthur Wilmot and John Woolton all male defendants in the case. However, when it came to questions regarding the involvement of Mary Norris, the female defendant, there was only one question relating to her role, she was not specifically named and was placed

¹⁵ TNA STAC 8/130/12, m. 42.

alongside her husband and her involvement was queried only as a contributing factor in another male defendant's actions:

6. Item did not Iohn Combe one of the saide Defendantes (sometymes servaunte to Iohn Norrys (one other of the Defendantes), shewe vnto you a Cotype of the saide Lettre or libell, and did not he tell you that his Master or Mistris willed & requyred him to publishe and shewe it to as manye as he coulde, to disgrace the complainante, or vse anye Wordes or speeches to that or the like effecte or shew the same?¹⁶

Here Mary's role is only questioned in passing for its effect on the involvement of other male defendants. In the separate set of interrogatory questions specifically put to the servant John Combe alone, neither Mary nor her husband are mentioned, the question simply asking how Combe got the copy, and yet Combe's answers tell us that Mary Norris was actually very actively and independently involved in instigating the performance of the libel by Combe. The interrogation questions, then, betray the attitude of the court that women's involvement in libel was not a primary concern.

The apparent lack of women named in the Devon records as a whole on the surface suggests that they did not perform libels and that their role was as passive targets of patriarchal oppression; however, when women do appear in the records, close reading shows that it is the records themselves and the attitudes of those compiling them which obscure the other roles that women may have played. This lack of concern over women's part in libel was perhaps because those women were not directly performing libels (and as I have argued earlier it was the actual performance which concerned those in authority) and because women were not legally autonomous unless they were widows. This acknowledgement, though, should prompt a reconsideration of whether women's only role in performed libels was as victims of male accusations of unchaste behaviour because there *are* women in the records even if those records make them appear to have been less significant. Analysing women's part in libel requires a different approach to reading the records. For example, there are clues in the

¹⁶ TNA STAC 8/130/12, m. 42.

documentary wording: where a record reads 'master or mistris' or names a man and then says 'and his wife [...] or either of them' it should be understood that the records are actually indicating the action of a woman or at the very least equal responsibility between husband and wife for the action named.¹⁷ If there was any level on which the husband was primarily responsible then the wife's name would not appear at all; whereas if it was the woman who had acted her husband would be named for legal reasons rather than for his actual involvement.

Using this approach, this study will go on to explore what roles women played in the Devon cases which feature female intervention in libel performance, moving from the previous discussion of women as victims or targets to look at their roles as communally authoritative engineers of libel performance, with the aim of demonstrating that women's place in early-modern provincial communities and their relationship to the performance of libels was much more complex than it might at first appear. Libel disputes were far from just being men publicly shaming women for sexual transgressions in order to maintain patriarchal oppression. Yes, some did do this and yes, the society within which early-modern libels functioned was patriarchal. But libels, as will be demonstrated, also publicly enacted conflicts between women of differing statuses and family alliances as much as they did for conflicts that existed between men or between men and women. If we look back to the case of *Reade v. Peter* (Tiverton, TNA STAC 8/253/18), the dispute did seem to attack Alice and her conduct but it can also be seen as a conflict between men that incorporated trade as well as gender relations; John Peter was a fuller and he and his apprentice Andrew Hobbes were ridiculing Robert Reade, a clothier, through his wife's alleged dealings with a local shoemaker. The bill of complaint stresses that the libel device of a pair of horns was specifically tied together with shoemaker's leathers and takes time to explain that this signalled that 'Leonard ffarmor beinge a shoemaker had by some vnlawfull Meetinge With the said Alice given Your said subiect the hornes & [Leather strapps] ^shoemakers threades' to tye them together out of his owne occupacion'.¹⁸ These details show that male status, identity and trade relations were all being negotiated

¹⁷ TNA STAC 8/254/24, m. 2.

¹⁸ TNA STAC 8/253/18, m. 4.

and regulated by this performance just as much, if not more so, as female conduct was being targeted. It was Farmer who gave the horns to Reade and traditionally, whilst charivaris were instigated by female behaviour, they were carried out for what a wife's behaviour said about her husband's status and identity. The fact that Alice's public behaviour could have so much of an impact on her husband's status also reveals a certain level of responsibility and authority carried by married women in their communities because they had to be seen to perform the role of a wife. The fact that those cases which appeared to target and blame women for immoral behaviour can be seen at the same time equally to target male conduct shows that libels dealt with complex gender relationships in which women had their own, important parts to perform rather than libels simply being oppressive tools of patriarchal order. In cases where the social climbing of men through marriage to higher status women was at issue, this negotiation of complex gender relations which affected both male and female identity within the community can be seen even more clearly. In the case of Neck v. Read (South Molton, TNA STAC 8/221/9), Neck's marriage to his new wife was at issue but the libel letter does not include any mention of her at all, instead it focuses on the faults of Neck himself. In contrast, the earlier case of Roupe v. Fortescue (East Allington, TNA STAC 8/254/24), whilst it did contain elements in which male defendants attacked male complainants for their recent social rise, also contained events which reveal that women engineered public performances which targeted other women and which targeted whole family units for their recent social rise (which will be discussed more fully later on). What the three case outlines of Reade v. Peter, Neck v. Read and Roupe v. Fortescue should emphasize is that provincial, performance-based libel was not simply men oppressing women who had little to no say in community hierarchy; it was a complex negotiation of the identities of both genders and the relationships between them through performance in which women had their own particular role to play. These cases also show that we should be wary of generalising when it comes to gender roles across cases which shared similar causes such as social mobility or marital infidelity; the balance of authority in each case depended on the community and circumstances in which it was performed.

Before outlining and examining the ways in which women were directly involved in the performance of libels it needs to be established that

one of the most important ways in which women were included in those performances was as spectators; any audience made up of the local community must have included its female members. Mary Wack certainly argues that this was the case in medieval Chester when the mystery plays were staged.¹⁹ The Chester wives also sponsored the play of the Assumption, and while not acting they would certainly have had a prominent presence.²⁰ James Stokes also argues for the importance of women as spectators of medieval to renaissance drama more generally.²¹ The minute detail in which the case of *Edwards v. Woolton* (Exeter, TNA STAC 8/130/12) was investigated due to the high status of some of the people involved gives us a glimpse of this female spectator. Although she is perhaps less evident in the records of the rest of the Devon libels, this can again be attributed to the legal process and subsequent records which in most cases besides that of *Edwards v. Woolton* do not appear to have included examinations or interrogations of many female witnesses on the whole. Of those other cases, we can say with some certainty that the audiences in the cases of *Roupe v. Fortescue* (East Allington, TNA STAC 8/254/24 and TNA STAC 8/254/26) and *Pulton v. Prowse* (Hittesleigh, TNA STAC 8/239/11) which were mostly performed in churches during services would have included female spectators although their records do not explicitly state this. The general term that libels were performed 'amongst greate assemblies of people' was common to most bills of complaint and must encompass both sexes.²² In a rare, more specific instance amongst the rest of the Devon libel records, the case of *Knolles v. Hasell* (Axminster, TNA STAC 8/193/21) named one Ellen Wilmott amongst others as 'present and in hearing of the syd libell' when the same was read aloud, which audience was said to 'laugh at the same' and 'say it was a matter of good sport'.²³ By far the most numerous and detailed descriptions we have of women as

¹⁹ Mary Wack, 'Women, Work, and Plays in an English Medieval Town', in *Maids and Mistresses, Cousins and Queens: Women's Alliances in Early Modern England*, ed. by Susan Frye and Karen Robertson (New York: Oxford University Press, 1999), pp. 33–51 (p. 38).

²⁰ Denise Ryan, 'Women, Sponsorship and the Early Civic Stage: Chester's Worshipful Wives and the Lost *Assumption* Play', *Research Opportunities in Renaissance Drama*, 40 (2001), 149–75.

²¹ James Stokes, 'Women and Mimesis in Medieval and Renaissance Somerset (and Beyond)', *Comparative Drama*, 27 (1993), 176–96.

²² TNA STAC 8/253/18, m. 4.

²³ TNA STAC 8/193/21, m. 6.

spectators, though, come from the records of *Edwards v. Woolton*. When Christopher Hunt, one of the defendants in the case, read the libellous letter allegedly sent by John Woolton to Thomas Edwards aloud in his shop, his wife was reported to be present in the audience.²⁴ Another occasion on which the libellous letter was read out was described by Mrs Joan West, the wife of a merchant from Exeter, and included numerous female spectators:

Shee this Deponent was present in the house of one Robert Ellycott of Exeter, and there did see a Lettre of which the said Robert Ellicott did read some parte of the beginninge thereof in the presence [...] of the said Ellycottes Wyfe, and of this Deponent, & of one Susann Bodleighe [...] and as shee nowe remembreth the Whole Contentes [...] were read att that tyme & place by one William Bodleighe Esquier.²⁵

Here is a female spectator describing the reading of a libel by two men to a group of women. Elsewhere in the records Mrs Elizabeth Richardson, the wife of another Exeter merchant, deposed that she had heard about the delivery and contents of the libellous letter.²⁶ Mrs Joan Wilmote, wife of a cobbler from Exeter, also explained how

One Edward Amerydith gentleman beinge in the house of this Deponent in Exeter their told in this Deponentes hearinge, that he havinge bynn before that tyme att one Mr Edwardes the Complainantes house in Exeter, the Complainant had shewed vnto him [...] twoe Lettres, the one wrytten by Iohn Woolton defendaunt vnto the Complainant, and thother the Complainantes aunswaere.²⁷

Whilst the examples of Mrs Richardson and Mrs Wilmote do not describe women directly spectating the performance of a libel text they do indicate that they made up a part of the wider audience for the libel's message in the community after the initial performance of the text and that their relations or acquaintances made a point of telling them about these performances. So women were present at libel performances and were included in the

²⁴ TNA STAC 8/130/12, m. 25.

²⁵ TNA STAC 8/130/12, m. 48.

²⁶ TNA STAC 8/130/12, m. 36.

²⁷ TNA STAC 8/130/12, m. 36.

spreading of the libel's message; there is also evidence that far from just being passive or silent onlookers, the women of Exeter and the surrounding area can be seen to have formed their own opinions as to the contents of the libel text and to have acted upon those judgements. For example Mrs Mary Norris, the wife of Dr John Norris (both of whom were defendants in the case), answered the accusation made against her that she had had copies of the libel text made and spread by stating that upon hearing the text it had

Seemed to the understanding of this defendaunt to contayne butt matter of iest and to be laughed att, being also mixed with some fewe sharp reprehensions of the saide Complaynautes boldnes for vsurping the name and practiz of a doctor of Phisyck, Wheareas his breeding vpp hath benn but a Apothecarie.²⁸

Mary Norris was acquainted with the contents of the libellous letter and had formed her own opinion of its contents; just as any male spectator would have, Mary judged the contents against her knowledge of Edward's public identity and reacted accordingly. In her answer to the court she was using this as a defence by saying that she had judged the contents not to be libellous but, as we have seen many times in the answers of male defendants, this was a common line of defence and still shows a female spectator called upon to interpret the contents of a textual libel. Mary was a spectator who clearly understood the point that this libel text was making about Edwards' professional status, judged the validity of that point against her own experience and acted according to her opinion. Mrs Norris was closely involved with this case through her husband having been one of the doctors who attended Sir William Courtenay the younger in his sickness alongside both Woolton and Edwards. However, the records show that she was not the only woman actively contributing to the libel text's circulation. In the deposition of Bernarde Pearse, an Exeter apothecary, we are given this description:

This Deponent hearinge that Iohn Woolton one of the Defendantes had Written a Lettre to the Complainant of which the Companie then

²⁸ TNA STAC 8/130/12, m. 20.

present talkinge seemed to be sorrowfull that such a Lettre should be written, Then this Deponent beinge Desirous to see the same Desired one Mrs Elizabeth Hull that he mighte haue and reade the same: who was vnwillinge to graunte yt, but vppon this Deponentes farther request she did [...] afterwarde send a writtinge to this Deponent which he thinketh was the said Lettre.²⁹

Mrs Elizabeth Hull, who is mentioned nowhere else in the records of this case, was amongst company who had heard the libel text read aloud, judged its contents and were discussing it at a later date. Hull seems to have been reluctant to share the libel text, of which she had a copy, at that time and this may have been due to the judgement made by this company that it was a 'sorrowfull' affair, quite the opposite to Mary Norris' opinion, but Hull did indeed share the contents with Pearse later anyway. This instance and the others in this case demonstrate that women made up a significant part of the community who acted as the spectators of libel; that they were involved in the interpretation and judgement of the contents of libel performances; and that they participated in the community's reception of and reaction to those libel performances. This was an important role because the performance of a libel relied on its envisaged spectators in order to affect its target's reputation and regulate the norms of the community. We must consciously make room for early-modern women amongst the community of spectators viewing libels because they, just as much as men, must have been present in the minds of libellers when they envisaged their audiences.

The records show, then, that women were spectators of libel performances and that their behaviour was the subject for libels which aimed to regulate gender relations and domestic arrangements. But what about their direct involvement in instigating libel performances as defendants? There is very little evidence to suggest that women actually performed libels; however, Mary Norris' and, to a lesser extent, Elizabeth Hull's involvement in the *Edwards v. Woolton* case, which was very similar to women's roles in other Devon libel cases, reveals that whilst women were not performing libels themselves, they were engineering the performance of

²⁹ TNA STAC 8/130/12, m. 37.

those libels. The fact that women can be seen to be involved in the 'behind the scenes' management of libel performance in the records of Devon provincial libel supports recent arguments that the place of women in early-modern English communities was more complex than has been previously allowed for. Recent scholarly work has also acknowledged that whilst early-modern society was patriarchal, it was a patriarchy which was 'contested', 'fluid' and based on 'convention rather than law'; they agree upon 'the existence of a widespread sense of anxiety about gender relations among Tudor and Stuart Englishmen'.³⁰ Bernard Capp says that within this patriarchal society, women 'found ways to limit, evade, or accommodate male domination, both by their own efforts and by harnessing the support of their female friends'.³¹ Mendelson and Crawford similarly stress the importance of female alliances and what they term 'female culture' as 'one of the primary modes of women's agency, both in their own lives and as a means of influencing the larger society'.³² They also point out the often-forgotten reality that 'women were not an isolated group; they always had diverse kinds of relationships to men'.³³ Generally, most recent work agrees that women did, in fact, have their own visible and significant place in the public scene of their communities.³⁴ In particular, Laura Gowing notes that more rural communities, being more fixed and stable, had a 'strong sense of parochial responsibility' with 'a well-established network of married women who considered themselves custodians of morality'. The key to the authority women held in their communities was, Gowing argues, their stage of life: 'marriage gave women rights and status'. Gowing states that the public position and 'social authority' held by married women was based on the knowledge and experience gained through that marriage and that widows also shared this authority through experience. Single women or maids, however, were 'manifestly vulnerable in reputation' and therefore their chastity was under constant scrutiny from the married and widowed

³⁰ Fletcher, *Gender, Sex and Subordination*, p. xix and Capp, *When Gossips Meet*, pp. 1–2 and 20.

³¹ Capp, *When Gossips Meet*, p. 2.

³² Mendelson and Crawford, *Women*, p. 13.

³³ Mendelson and Crawford, *Women*, p. 203.

³⁴ Fletcher, *Gender, Sex and Subordination*, p. 256; Mendelson and Crawford, *Women*, p. 215; and Capp, *When Gossips Meet*, pp. 59–60.

faction as well as the community in general.³⁵ Women in early-modern communities, as much as men (if in different capacities) had specific public identities which they had to perform publicly; these identities were hierarchical giving married women authority over maids and female reputations were 'volatile and hotly defended'.³⁶ James Stokes' earlier work also says that whilst 'there persists a general inclination to think of women as having had at best a peripheral place in the development of the English dramatic tradition', in actuality 'women's contributions to early dramatic history in England need to be seen as much more significant than has hitherto been acknowledged or understood'.³⁷ Stokes demonstrates that medieval and renaissance women were heavily involved in guild drama, parish entertainments and liturgical drama, that there were some itinerant female entertainers and that women were also the 'entrepreneurs, sponsors, and patrons of entertainment'.³⁸ If women were actively involved in other kinds of performance just as men were, then it follows that they would have been as adept at interpreting and using performance in their everyday lives and particularly in enacting their conflicts. Here we have the basis for understanding why and in what context early-modern women involved themselves in libel performance; if their honour or reputation in the community prevented them from performing libels themselves, it clearly motivated them and gave them the tools necessary to engineer libel performances in a bid to maintain or defend their place in the hierarchy of female authority and the wider community.

Female hierarchy and the defence by a woman of public status through the management of libel performance is most clearly demonstrated in the earlier of the two cases of *Roupe v. Fortescue* (East Allington, TNA STAC 8/254/24). The bill of complaint for this case does not survive and the records consist mainly of the interrogation questions, examination and answer of William Richards, the servant of Edmund Fortescue, both of whom were defendants in the case. However, the main points of complaint appear to have been the assault of a boy named Robert Tarring who worked for the complainant Roupe by the defendants William Richards, Roger Fleshman and

³⁵ All references above to Gowing, *Common Bodies*, pp. 46–74.

³⁶ Gowing, *Common Bodies*, p. 15.

³⁷ Stokes, 'Women and Mimesis', p. 176.

³⁸ Stokes, 'Women and Mimesis', pp. 176–79.

Chapter 4

Nicholas Fortescue, a mock proclamation made by Richards in the churchyard just after service which requested information on the absence of Roupe and his daughter from church for over a fortnight, and a libel attached to the door of Roupe's house by Fleshman and Richards which was made up of four knaves of playing cards with writing on them. The examination of William Richards contains evidence of the role that Mrs Marie Fortescue, the wife of Edmund Fortescue, played in engineering the performance of the libel. Richards describes his going to the churchyard immediately after Morning Prayer and making 'two or Three Oyes' to a large audience of parishioners proclaiming 'That if anie man could tell this defendante enie newes of Richard Roupe & Honor Roupe his daughter then he should haue sixe pence for his Labor'.³⁹ He then went on to add that 'this defendantes mistris ^being ye wife of mr Edmund ffortescue' willed this defendant [to] so ^to call ^ & inquire for the said Complainant & his daughter to make a iest of it'.⁴⁰ He claimed, in other words, that Marie Fortescue, the wife of the principal defendant and one of the most high status men in East Allington, coordinated the performance of a libellous mock proclamation using one of their household servants. The libel specifically targeted the reputation of the unmarried daughter of the complainant Richard Roupe. The libel case as a whole and, indeed, the later case involving the sons of Richard Roupe and Edmund Fortescue centre around the marriage of Roupe to a local woman by which he gained considerable status, property and church pews. What this tells us about Mrs Roupe is that she was a woman who had fairly recently made the transition from an eligible maid with 'a decent portion' to a married woman with her own household and presumably a certain amount of social status in the community.⁴¹ Just as the upward mobility of Richard Roupe appears to have troubled the Fortescues, both father and son, the fact that the status and property Mrs Roupe's family entitled her to was now bolstered by her new authority as a married woman made Marie Fortescue feel threatened. Marie Fortescue was attempting to bring the reputation of a recently married woman into question in the community by publicly highlighting the absence

³⁹ TNA STAC 8/254/24, m. 1.

⁴⁰ TNA STAC 8/254/24, m. 1.

⁴¹ Fraser, *Weaker Vessel*, p. 10. For the significance of church space and pew seating hierarchies to women's public identities see Capp, *When Gossips Meet*, pp. 54–55 and 188, and Fletcher, *Gender, Sex and Subordination*, p. 265.

of her husband and daughter from church. In Marie Fortescue's engineering of a publicly performed libel which used the form of a proclamation to claim authority, targeted the reputation of the vulnerable female offspring of the Roupe's recent marriage, and did so in the churchyard to a large audience, we can see that female hierarchy and public status was being negotiated through performance.

As has been discussed previously in chapter three, the boundaries of domestic space were crucial in the performance of public identities. However, as both Mendelson and Crawford's and Fletcher's works stress that the doorway was a space habitually occupied by women and seen by many as 'their rightful place as housewives and villagers', there may be a case for arguing that this space, unlike the others discussed in chapter three, was a gender specific one.⁴² There is also evidence that it was Marie Fortescue who targeted Mrs Roupe here too. In Richards' answer to the third interrogation question regarding the playing cards element of the libel which had been placed on the door of Roupe's house he described how:

Roger ffleshman did [...] fixe & sett vpp vpon the said
 ^Complainantes^ dore fowre knaves of plaieng cardes but what
 manner of knaves the same were this defendand cannot certenly say
 nor doth knoe what was written vpon the said 4. knaves but
 something was written vpon them the which the said ffleshman did
 write ^And further saieth that^ as this defendand vnderstandeth ^&
 hath heard by the reporte of the said fflesheman^ [but by whose
 commandement or privitie the and the defendand hath heard that]
 ^this defendantes said mistris^ the wife of the said Mr Edmund:
 ffortescue was privie to that which was written vpon the said knaves
 [And further] But whether the same was done to disgrace the said
 Complainant his wife & children or not [...] he cannot depose.⁴³

Richards and Fleshman, it would seem, had been tasked with writing a certain message on the playing cards and fixing them on Roupe's door which message Marie Fortescue was named as 'privie to'. The records are

⁴² Mendelson and Crawford, *Women*, p. 208 and Fletcher, *Gender, Sex and Subordination*, p. 261.

⁴³ TNA STAC 8/254/24, m. 1.

again somewhat elusive; we cannot say for certain that this libel was done solely at Marie's commandment, only that she knew what was written on it. However, the deletion that precedes Richards' admission of Marie's knowledge shows that this information was given as a direct answer to the specific part of the interrogation question which asked: 'by whom was the same soe written and by whose devise Comandement or privitie'.⁴⁴ In other words, Richards believed that his mistress's knowledge of the message written on the cards was information which answered the question of who had devised and directed the libel. When this is put together with the role we know Marie played in the proclamations element of the libel, from the fact that the cards element was in part executed by the same servant and the absence of any other names, such as Marie's husband, being accused of its direction it appears highly likely that Marie also engineered the content, assembly and performance of the playing cards element of this libel. Both the interrogation questions and Richards' answer also specifically name the targets of this element of as 'the Complainant his wife & Children'.⁴⁵

Although Richards claims he did not know whether the aim was to disgrace them or not, the playing cards libel was an attack on the whole family unit placed on the outward face of their domestic space. It is worth remembering here that the inclusion of a man's wife in the records was significant in indicating their role because unless she was actively involved or specifically targeted she would not appear at all, whilst when she was mentioned her husband's name always accompanied hers whether he had been involved directly or just by association with her. The specific, repeated naming of Richard Roupe's wife and children as direct targets and Marie's role in creating the libel suggest that this element and, in fact, nearly the entire dispute in this earlier case between the Roupe and Fortescue families was at heart the negotiation and regulation of female status and hierarchy in the community. A married woman with an established public place was attacking the newly cemented status of another recently married woman and her vulnerable maiden daughter. Whilst the libel was not directly performed by a woman, its performance-based elements were probably devised by and executed at the command of a woman. This shows the

⁴⁴ TNA STAC 8/254/24, m. 2.

⁴⁵ TNA STAC 8/254/24, m. 1 and m. 2.

deliberate planning of libel as performance and the potential for women to be involved. Although operating behind the scenes, they appear as adept as their male equivalents at using performance to enact their conflicts over public status.

Another case from the Devon records in which women played similar roles to that of Marie Fortescue in the coordination of performance-based libels is that of *Edwards v. Woolton* (Exeter, TNA STAC 8/130/12). As has been seen through looking at women's roles as spectators of libel, the women of Exeter were heavily involved in the reception and circulation of the libellous letter allegedly sent by Dr Woolton to Mr Edwards throughout their community; there are numerous depositions describing female members of that community who kept a copy of the letter and who sent it or showed it to others both at the request of partially-informed enquirers and of their own accord. One of the best documented performance-based examples of this was the part played by Mrs Mary Norris, herself named as a defendant in the case and the husband of Dr John Norris the physician who worked with both Edwards and Woolton in the treatment of Sir William Courtenay the younger. In Mary Norris's examination she described how she actively involved herself in the case:

This deponent sayth that hearinge that Doctor Woolton had written a letter vnto the saide Complaynant which is the supposed libell as she thinketh shee sent vnto the siade Doctor Woolton for a cotype of the saide letter, which was sent to her by one of the servantes of the saide Doctor Woolton accordingelie.⁴⁶

Having got herself this copy of the letter she engaged Richard Chubb, a clerk of Exeter, to copy out the same at her house. After this was done, Mary Norris set about publicising the letter's contents: 'the saide defendaunte [...] was content to suffer the same [letter] to bee reade by any of her frindes which would request the same'.⁴⁷ Not satisfied with just showing the letter to those who had already heard about it, Mary Norris gave a copy of it to John Coombe, an apothecary and one of Dr Norris's servants, who then took the letter to many places in and around Exeter

⁴⁶ TNA STAC 8/130/12, m. 17.

⁴⁷ TNA STAC 8/130/12, m. 20.

including apothecary's shops and the house of Philip Lowman where Courtenay was staying on Dr Woolton's recommendation. One deponent, Thomas Flea, another apothecary, described how when Coombe brought the letter to his shop where it was read out publicly Coombe 'did saye to this Deponent that his Mystres Mistris Norrys did will him to publishe the same'.⁴⁸ Some interrogatory questions also indicate that Coombe was not the only man that Mary Norris used in this way:

Doe you knowe that one Iohn Shorte had any coppie of the said Lettre [...] was the said coppue deliuered vnto him the said Iohn Shorte by mistris mary norris one of the defendants? yf yea? Did the said Mistris Norris Deliver the same vnto him the said Iohn Shorte to thintent & purpose that he should publishe the same.⁴⁹

All of these details show that Mary Norris was playing a very similar role to Marie Fortescue in the offence of libel; although she did not devise the content, Norris took it upon herself to get the libellous letter, have it copied and use her acquaintance and servants to perform the libel in specifically chosen locations which would have contained certain audiences to hear the message. Of these places the apothecary's shop and Lowman's house are the most significant because here Mary Norris targeted two specific and distinct groups for her audiences. The first was made up of the tradesmen with which the libel sought to associate Edwards (the message of which was that Edwards was not a doctor but an apothecary who should know his place and stick to it) and their customers in apothecaries shops. The second audience was made up of the high status people who had immediately witnessed Edwards's supposed medical malpractice in Courtenay's treatment which took place at Lowman's house. In her coordination of the performance of this libel text Mary Norris was making a statement to the mercantile community of Exeter about the relative statuses of the professions of doctor and apothecary, her husband being a member of the former group. She was deliberately using performance to cement her husband's and so her own status in the community through which she was also regulating the hierarchies of trade in the city of Exeter.

⁴⁸ TNA STAC 8/130/12, m. 25.

⁴⁹ TNA STAC 8/130/12, m. 56.

Another woman who was involved in the manipulation of the performance elements of libel in the case of *Edwards v. Woolton* was Mrs Edwards, the wife of the complainant. Although she played a different role to that of Mrs Norris in that she did not directly bring about any public performance of the letter itself, Mrs Edwards used her position as a wife to influence the public performance of her husband's and her own status. The defendant John Woolton along with others who gave depositions described Mrs Edwards' involvement in the case:

Vppon [...] Readinge the saide letter in his [Thomas Edwards] owne house before some of his famylie there was a speach as this deponent [John Woolton] beleeveth by some of their meanes that this deponent had written a letter vnto the saide complaynante which letter caused the saide complaynante and his wiefe to bee verie angrie with this deponente [...] in so muche that as this deponent hath heard the saide complaynantes wyefe was soe angrie that she marveiled that the saide complaynante her husband had not vsed violence vpon this deponent when he mett this deponent vpon the high waye by throweing him of his horse or such like violent meanes.⁵⁰

Not only was Mrs Edwards so incensed by the letter contents that she endeavoured to influence her husband's public reaction to meeting John Woolton but her outrage was also common knowledge amongst the community. Mrs Edwards wanted to be seen and heard to be protecting her husband's, and so her own, reputation. John Woolton's deposition described another way in which Mrs Edwards may have sought to influence the conduct of those around her:

The saide complaynante or his wiefe [...] as this deponent beleveth did not so kepe secrett the saide letter but that by there meanes dyverse persons did take notice thereof in the daye of the deliverye of this deponentes saide letter [...] besydes the saide complaynantes famylie whereby as this deponent thinketh the saide Mistris Marye

⁵⁰ TNA STAC 8/130/12, m. 17.

Norris one of the nowe defendantes did or might take notyce of such a letter delyvered to the complaynante from this deponent.⁵¹

This is a very vague statement and it must be born in mind, one made by the principal defendant John Woolton who was trying to exonerate himself; however, what it hints at is that Mrs Edwards drew the attention of the rest of the community to the fact that the libellous letter sent by Woolton to her husband was being delivered. One of the people whose attention was drawn to this was Mary Norris whose subsequent widespread publication of the libel has already been outlined. Mrs Edwards appears to have been using the public performance of a letter delivery to instigate the wider knowledge of its existence. But why would she want the delivery of the libel to be common knowledge? And if she did, why not show it to others herself or employ a servant to publish it like Mrs Norris did? One explanation may be that, as it appears to have been the case that Mr Edwards had indeed only been an apothecary for the majority of his career, Mrs Edwards needed to make public note of this letter *as a libel* rather than a professionally permissible admonition in order to protect her husband's newly claimed status as a doctor. In other words, Mrs Edwards manipulated Mrs Norris, the wife of another doctor, into having the libel text performed to make the case of libel against Woolton and company stronger because she realised that if Mary Norris knew of the letter she would have it publicly performed to try to protect her own status as a doctor's wife. This interpretation is supported by Thomas Edwards' own actions upon receiving the letter; there are numerous descriptions of his reading the contents of the letter from Woolton to specific audiences in such a way as to elicit the reaction of shock at Woolton's conduct. On these occasions Edwards also then read an answer to Woolton's letter which he had written himself, thereby setting the record straight to the audiences he had gathered. Both Edwards and his wife, then, were using performance to publicly assume the role of victims of a cruel and shameful libel so that they were able firstly to submit their bill of complaint to Star Chamber but secondly, and more importantly, so that they could fashion themselves as wronged members of the higher status circle of doctors rather than as a family of apothecary status claiming to be otherwise but put in their place by a letter from their betters. A statement

⁵¹ TNA STAC 8/130/12, m. 17.

reported to have been made by Henry Elliot an apothecary who was accused of working for Woolton to spread the libellous letter is very telling of the significance of this case in these trade status terms. Elliot allegedly said

Mearelye that whosoeuer the suit fell out he would Loose nothinge by ytt, for yf ytt past against the defendantes he would then become a phisitian and yf it fell out against the complainant then he should haue his Costes.⁵²

If Edwards had lost then Woolton would have paid Elliot for his services in spreading the libel text but if Edwards won Elliot jokes he would be no worse off because he would have been able to claim he was a doctor instead of working as an apothecary. This statement emphasizes that some people believed Edwards' suit against Woolton was part of a strategy to secure his position as a doctor when in actuality he had been an apothecary. Mrs Edwards' publicising of the letter delivery to people including someone whom she must have known would promote its performance could also be seen as an attempt to further the case in her and her husband's favour. Just as Marie Fortescue used her position as a married woman to bring about libel performances which shamed another woman who had tried to assume a new public status, both Mrs Edwards and Mrs Norris played their own parts in the public performance of Woolton's letter to make statements about their own and their husbands' positions in the community.

It is also possible that Anne Hasell played a similar role to Marie Fortescue and Mary Norris in the libel performance at issue in the case of *Knolles v. Hasell* (Axminster, TNA STAC 8/193/21) but here the records are again much less detailed. As has been outlined, Anne was included (if inconsistently) in the list of defendants alongside her husband; however, they made separate answers to the charges laid against them. Baptiste Hasell's answer was given in one document alongside the answers of Peter Luccas, John Hoare, John Vye and John Waye, whereas Anne Hasell's answer, in a completely separate document, appears with the answers of John Northerne and Richard Everarite. In other instances where women did

⁵² TNA STAC 8/130/12, m. 45.

submit answers they did so jointly with their husbands.⁵³ The reason for the difference in Anne Hasell's case is unclear but it appears to have been that she and Baptiste were answering slightly different charges. Baptiste Hasell and the others included in his answer claimed that they were not guilty of 'anie the Combinations iniuryes Wronges vnlawfull deusing contriving or publishing of the Lybell' whereas the other group which included Anne Hasell denied 'the vnlawfull Inuencion framynge, Contryvinge and Castinge of Coppies of the Slanderouse, Infamousse, and Iniuriouse lybell'.⁵⁴ These charges are by no means easy to distinguish but the one to which Anne answered does not place the same emphasis on the initial 'combinations' and wrongs that Baptiste was answering and does include the spreading of copies of the libel which Baptiste was not accused of. There is no way to know for certain exactly what Anne Hasell's individual role in the libel actually was but when the inclusion of 'castinge of coppies' in the charges against her is considered and is placed alongside the parts that other women have been seen to play in engineering libel performance, it is possible to suggest that she too played a similar role to Mrs Fortescue and Mrs Norris. Taken together those Devon libel cases in which women do feature show the nature of women's involvement in libel performance: although for the sake of their reputations they did not perform libels themselves, they did coordinate the performances that the records describe in order to influence communal hierarchies and in so doing made public statements as to their own statuses and identities. This detailed level of performance engineering highlights the deliberate nature of libels as performances and shows that early-modern women were as capable as men of using and interpreting performance in their daily lives.

Having established that women did play an active role in the engineering of performance libels, the case of *Roupe v. Fortescue* and its similarities to other cases involving women can be used to raise some important points about how these women achieved the performances they did. The first similarity which emerges as crucial to the ability of women to engineer performed libels is their use of male servants as performers. In the

⁵³ For example Mrs Norris in *Edwards v. Woolton* (TNA TAC 8/130/12, m. 17 and m. 20) and Mrs Chubb in *Condytt v. Chubbe, Dorchester* (*REED: Dorset*, pp. 184–91) submit joint answers with their husbands.

⁵⁴ TNA STAC 8/193/21, m. 7 and m. 11.

case of *Roupe v. Fortescue* (East Allington, TNA STAC 8/254/24), Marie Fortescue used the authority she had over William Richards, always referred to as the servant of her husband, to command him to go and proclaim the absence of Honor and Richard Roupe in the churchyard. It is significant that it was only as a married woman that Marie Fortescue gained this authority over a household and its servants; it was a wife's job to maintain the house and all who lived there. Gowing notes particularly that 'once women were married their houses were intimately identified with their honour. Good reputations came from honest houses; bad ones came from ill-behaved servants, children or lodgers'.⁵⁵ If this is applied to the context of Marie Fortescue's crafting of the churchyard proclamations the message intended for her spectators becomes clear: when a member of the community saw Richards making the proclamations, they would presumably have known that Marie, as the wife of Fortescue and so manager of their domestic affairs, had sent him. They would then see this as the obedient servant of a socially significant married woman proclaiming the news that the unmarried maid Honor Roupe had been absent from church for a fortnight. In turn the criticism of the behaviour of one of Mrs Roupe's children would reflect badly upon her household and therefore her honour; one wonders also if the girl's name gave the message a further, comic edge. In using a servant to actually perform the libel Marie was attempting to maintain her own reputation as a moral woman, escape any direct punishment in the court for performing a libel and also assert her own identity as a married woman in control of a household to the rest of the community. This was a nuanced piece of stage management which through performance was designed to ensure the continuation of the established female hierarchy by undermining the reputation of the recently married Mrs Roupe. Not only were women engineering libels with the resources they had to hand in servants but those resources in themselves publicly performed an important part of those women's identities.⁵⁶

In the case of *Edwards v. Woolton* (Exeter, TNA STAC 8/130/12), Mrs Norris can be seen to have engineered the performance of the libellous

⁵⁵ Gowing, *Common Bodies*, p. 59.

⁵⁶ For more detailed study in this area see R. C. Richardson, *Household Servants in Early Modern England* (Manchester: Manchester University Press, 2010).

letter sent between Edwards and Woolton using the authority she had over servants through marriage. As has been described previously servants were the means by which Mrs Norris got a copy of the libel letter from Dr Woolton's house and her instructions to the servant John Coombe occasioned the performance of the libel in the apothecary's shops and at the house of Philip Lowman. Here, as in the case of *Roupe v. Fortescue*, Mrs Norris used her status as a married woman and the authority it gave her over a household of servants to have a libel performed. In doing so she, like Mrs Fortescue, publicly performed her status by making the community ever-aware that she had control over a household. Mary Norris was also using performance to affect community relations on a trade level too. This case took place in Exeter, a busy and important city, and many of the people it involved were professionals and tradesmen: merchants, apothecaries and doctors. Bernard Capp describes how mercantile women were very much involved in their husband's businesses and Mrs Norris' involvement in this libel performance highlights this.⁵⁷ Not only did she use a servant to assert her own place in the community as a married woman but she also used a servant who worked for her husband the doctor as an apothecary. By commanding Coombe to publish a libel which targeted an apothecary risen beyond his station especially in the shops of local apothecaries, Mary Norris was demonstrating the status and authority her husband and so she herself through marriage had as belonging to the class of doctors. This would not have been possible had she not had access to and authority over servants as a result of her marriage. The female hierarchies of maid, wife and widow directly affected an early-modern woman's ability to engineer libel performances and through this engineering a woman could in turn influence the female identities which formed those hierarchies.

In the case of *Reade v. Peter* (Tiverton, TNA STAC 8/253/18), a woman also used the authority gained through marriage to manipulate her public identity but in this case it was authority over another person's servant. In the answer of John Peter, defendant in the case, the conduct of Alice Reade following the placement of the horns and shoemaker's leathers libel on her household door was described:

⁵⁷ Capp, *When Gossips Meet*, p. 42.

This defendant [John Peter] [...] sayth that [...] Andrewe Hobbes thother defendant in the said Informacion named (beinge the servante and apprentice of this defendant) was by the meanes of the complainants wief & one other woman (as this defendant hath hearde) secretly Kepte away one nighte from this defendant And therby [...] was enticed to say or affirme that he this defendant had Cawsed the hornes in the informacion named to be sett vppe at the complainants doore And was [...] profered fyve shillinges & promised by the complainants Wief or some on her behalf [...] that he should never lack yf he would accuse this defendant of that facte.⁵⁸

Alice, aided by another woman, used her authority as a married woman in order to try to engineer a public accusation of John Peter. Unlike Mrs Fortescue and Mrs Norris, however, Alice was not using her and her husband's servants, instead she tried to manipulate Peter's own servant to implicate his master. In the eyes of spectators this public accusation of Peter for libelling by his own apprentice would have appeared to undermine Peter's authority over his household and trade affairs which in turn would have had some effect on his apparent right to judge and criticise the domestic conduct of others, such as Robert and Alice Reade, through libel. The fact that Alice was willing to pay, and maintain payment in the future, for Hobbes' performance shows how important it was to her attempt to repair her and her husband's reputation both by undermining Peter in the eyes of the community and by allowing the Reades the grounds to submit a complaint in Star Chamber against him. The conduct of Alice Reade demonstrates that married women did have authority in the community which extended to servants who were not part of their own households, even if those servants may have needed some persuasion to do the woman's bidding publicly when it would go against their own master. It also shows that early-modern women were very aware of the publicly performed aspects of the status and authority of the people in their communities – Alice evidently knew how to engineer a situation which would weaken Peter's own authority and so go some way to restoring her own. Alice Reade's conduct in this case along with that of Mrs Edwards in the case of *Edwards v. Woolton* affirm that early-modern women used the engineering

⁵⁸ TNA STAC 8/253/18, m. 3.

of performance as a defence against libellous attacks in a similar way to those women who engineered the performance of libels themselves. In their roles as engineers, although they were not performing libels themselves, early-modern women can be seen to have used their relative positions within the community and the provisions these entitled them to in order to influence their immediate societies. Through their use of servants not only were these women able to have libels performed to try to change the structures of their communities but in doing so they were also performing a large part of their own identities as married women with moral authority in those communities.

Another similarity between performed libel cases involving women was the use of networks of communication which were embedded in the communal lives of early-modern women and which were exploited in various ways to achieve performances of libel. These types of communal female relationships are the subject of Frye and Robertson's collection of essays *Maids and Mistresses, Cousins and Queens: Women's Alliances in Early Modern England* in which they describe how their 'examination of the alliances in which historical women and female characters located their identity is designed to demonstrate how important such relationships were to early modern conceptions of community'.⁵⁹ The evidence in the records of performed libels for communal alliances or networks between women which sought to shape the norms of those communities emphasises the centrality of female alliances to community life; something which Bernard Capp also emphasises when he describes that 'every parish, neighbourhood, and street concealed a patchwork of [...] [female] networks based on factors such as occupation, kinship, status, age, and values'.⁶⁰ The fact that those female networks were used to engineer libels as public performances also highlights just how crucial performance was in conceptualizing community not only for the men involved but equally so for the identities of early-modern women. The female networks of communication which contributed to libel performances appear to have been mostly based around family connections with mothers, daughters and sisters circulating information particularly after marriage had placed a female relation in a new household;

⁵⁹ Frye and Robertson, *Maids and Mistresses*, p. 4.

⁶⁰ Capp, *When Gossips Meet*, p. 185.

as Frye and Robertson point out, 'women in early modern England had few institutional structures beyond the family to guarantee continuity of connection'.⁶¹ But these networks were not only confined to blood relations; as newly married women established new households their networks expanded to include new connections and even the relationship of mistress and maidservant formed a type of communication network. When it came to conflicts, as Frye and Robertson acknowledge, 'contention or competition rarely occurred among women who were strangers to one another', and this is particularly important to bear in mind when analysing the roles that women's alliances played in the performance of libel.⁶² Just as a performance of libel which targeted a man, for example in the cases of *Hawkins v. Jobson* (Plymouth, TNA STAC 8/177/9) or *White v. Gower* (Crediton, TNA STAC 8/304/12), would call to a spectator's mind that man's status, trade relations and position in the community, so I would argue a libel which passed comment on the reputation of a woman would recall to the spectator her status, married or single, family identity and the alliances she had with other female members of the community. Communities would have been aware of these female alliances because as networks of communication they were maintained chiefly by letters delivered publicly. As has been examined previously in relation to libels' use of space and place in performance, the publicly performed aspect of letter deliveries was used to add a physical dimension to the links connecting those involved in libels. When female roles in libel are analysed the use of the letter form gains further significance for its denotation of certain alliances. Paul Salzman and James Daybell have both described how 'women were actively involved in letter-writing' during the seventeenth century and the recurring use of letters in libels, in particular their delivery by servants which we have seen played a crucial part in the performance of female identity, must suggest an involved and active role for women in early-modern performed libel.⁶³

In the case of *Miller v. Maries* (Bridport, Dorset, TNA STAC 8/214/2), one of the texts gives a description of the kind of network of female

⁶¹ Frye and Robertson, *Maids and Mistresses*, p. 5.

⁶² Frye and Robertson, *Maids and Mistresses*, p. 5.

⁶³ Paul Salzman, *Reading Early Modern Women's Writing* (Oxford: Oxford University Press, 2006), p. 24; James Daybell, ed., *Early Modern Women's Letter Writing, 1450-1700* (Basingstoke: Palgrave Macmillan, 2001), p. 3.

alliances and communications which must have played a part in many of Devon's performance-based libels. Having spent the first eight lines calling all of the men that the libel targets to one of their alleged Puritan gatherings, the verse continues:

Doe not forgett our sisters deare; for they with vs must pray,
And sing a Psalme before they preache, therfore make noe delaye.
Lett Baylyes wife call Beniamins, Alice Wade she will attende,
And Whettams wives to Akermans they forth with speede will sende;
In any case let Buckerelles trulls with Mris Mullins mayde
Call Ostelers wiefe for they will shedd greate store of teares tis saide,
Nell Merrifeild calle Angells wife two sisters passinge brave;
With Balstons wife and many more whose company wee crave.
Proude Agnes Mris Paynes fyne mayde for marriage she doth looke
Because shee hath bestowed some coste, to buy a faire newe booke.
Remember likewise speedily to send for Iohn Wads wife,
For shee is calld with Moore tis saide to leade an honest life.

(Appendix A, pp. 217–18, ll. 9–20)

This detailed description of the communications network which existed amongst part of the female population of Bridport shows not only that networks of alliance between women existed but that they were publicly recognised by the rest of the community. In this case it was the network of communication between these women which was used to implicate them in the allegedly lewd meetings held by a certain section of the community. The Bridport libel verse also reinforces the importance of the relative hierarchical statuses of wife, widow and maid in these alliances. For example all of the women included in the first four lines shown above were married women communicating with each other, setting them out as the most important members of the group. In the second four lines above and degraded by the derogatory term 'trulls' are Buckerell's twin daughters and 'Mrs Mullins mayde'; these are the women with less authority and so more vulnerable reputations. Where another maid is mentioned, 'Proude Agnes', her reputation is also called into question specifically because she has very publicly appeared to be actively searching for marriage. This network is being described in terms of the relative domestic status of the women it included. Then Nell Merrifeild and 'Angells wife' are said to call for each

other and they are described as ‘two sisters passing brave’; here the women’s identities are defined by the family relationships which dictate their communication networks. Finally, the last woman mentioned, John Wad’s wife, is called upon, ironically, to ‘leade an honest life’. The language of this description emphasises just how important female networks of communication were in signifying the statuses and identities of women in early-modern communities, how public those networks were in their nature and how they could be used in turn in libel performances to damage the reputations that they signified.

In the Bridport case female communications networks were the focus for the libel verse itself. However, in the case of *Roupe v. Fortescue* (East Allington, TNA STAC 8/254/24), they can be glimpsed at work in the formulation of the libel performance. The records are again elusive but in the differences between interrogation questions asked and examination answers given certain aspects of female interaction in community life are revealed. After being asked about the churchyard proclamations that he had made regarding Richard and Honor Roupe’s absence from service, William Richards was asked: ‘was the same soe donne by the privitie of your said master or mistres And for what entente was the same soe donne by you or them’.⁶⁴ In answer to this set of questions Richards describes how his mistress, Marie Fortescue, had told him to do it in jest but Richards then went on to add: ‘but this defendantes said Mother was not acquainted with the doing thereof nor was privie to this defendantes knowledge that he this defendant meant or intended to doe the same’.⁶⁵ This description hints at a possible alliance between Marie Fortescue and Richards’ mother in the engineering of the proclamations libel. In adding the assertion that his mother knew nothing about the proclamations before they were performed when the interrogation questions made no mention of her at all, Richards revealed either that his mother had been involved in the engineering of the libel with Marie Fortescue, or that she was rumoured (whether accurately or not) to have been involved, or, indeed, that Richards himself believed that people who had seen or heard the libel would assume that his mother must have had a hand in it. Whichever of the above was the case with Mrs

⁶⁴ TNA STAC 8/254/24, m. 2.

⁶⁵ TNA STAC 8/254/24, m. 1.

Richards, this information shows that female alliances were employed in things like the engineering of libel performances frequently enough for people to suspect Mrs Richards' involvement even if in fact she played no part. This addition also shows that to the spectators of libel the female networks behind these performances would have been signified by the person performing and so must have had a direct bearing on the message being expressed.

The case of *Edwards v. Woolton* (Exeter, TNA STAC 8/130/12) has already been shown to involve many women who engineered libel performances or circulated libel contents through letters. The fact that the women of Exeter did spread the libel and not only amongst themselves but also to their male acquaintance too emphasises that existing communications networks were an important means by which women engaged more generally in libel performance. One aspect of the case of *Miller v. Maries* (Bridport, Dorset, TNA STAC 8/214/2) further demonstrates how these existing communications networks could be exploited to achieve libel performance. In the answer of John Abbott, one of the defendants in the case, Abbott described how he had allegedly been set up by the complainants who found that his apprentice had a copy of the libel. Abbott explained that:

Yt is true [^]'thatt' abowte the tyme aforesaid, one paper written with verses, or rymes [...] was delyvered vnto one Iohn Lea, one other deffendant, this defendantes apprentyce being abowte the age of Sixteene or seaventeene yeres, as he tolde this deffendant by one Marye wyllyams, wief of Iohn Willyams of Bridporte aforesaide whoe intreated the said Lea as hee said to readd the same paper or verses, shee thinkinge as hee said, as the said Lea alsoe saide that yt had ben a lettre sent vnto her, from her daughter, then and yet dwellinge att or neere London but vppon hearing some Parte thereof, yt not falling out, to bee soe, shee left the same with the said Lea.

(*REED: Dorset*, p. 165)

The means of communication between female relations, the letter, was exploited in order to have a libel read aloud in a certain place. It is unclear whether this was knowingly done by Mrs Williams or whether the libel was made by somebody else to look like a letter from her daughter but it shows

that the levels of literacy amongst women meant that they frequently had to make the contents of their correspondence known to others by having them read aloud to them. This might explain why female networks of communication were used by men and women in having libels performed: both because they were by nature a semi-private means of communication which occasioned a certain type of performance and also because some women evidently relied upon their being read aloud to overcome illiteracy.⁶⁶ The reading aloud of a letter could widen its audience to other family members, servants, apprentices and, in the case of *Miller v. Maries*, masters (John Abbott) and those it referred to (complainants Churchill and Bagge). Just as in the cases where women were using servants to directly engineer libel performances, the networks of communication between women which were so embedded in community life can be seen as the iceberg to the tip that was the actual libel performance; as such they would have been ever-present by association in the minds of any spectator watching that performance. These networks and their public nature also show that performance played a large part in the everyday lives and identities of early-modern women which, when more fully appreciated, should provide the context for understanding their subtle and deliberate manipulation of performance in libels.

The records that survive to us are at times frustratingly elusive when it comes to the roles that women played in performance-based libel and it must be acknowledged that due to the patriarchal nature of early-modern society and its legal system, the full extent or influence of female involvement in libel performances will probably never be known. However, through close reading coupled with a fuller contextual understanding of the female experience in early-modern society some of the parts women played in provincial, performance-based libel have been brought to light. Although they did not perform libels themselves, early-modern women did engineer the performance of libels and they did so using the tools that were available to them in their specific stations of life such as their authority as wives over households and servants and the networks of communication that signified

⁶⁶ The interrogatory questions in the case of *Edwards v. Woolton* ask on two occasions whether the reason for Mary Norris' taking the letter to one John Shorte was because she could not read the same herself (TNA STAC 8/130/12, m. 24 and m. 56).

their female alliances. Furthermore, when they were the targets of libels they used similar methods to engineer public performances to try to protect their reputations. Perhaps most significantly, women also made up an important part of the informed group of libel spectators in the community and were crucial to the interpretation and subsequent reception of the libels they witnessed. The varied roles which women have been shown to have played in libel performance demonstrate that their identities and statuses in the community were being negotiated, regulated and cemented by each other as well as by men and that they were just as important and hotly contested as were the reputations and alliances of men; libel performances affected the norms of the whole community and its gender relations in the fullest sense. By revealing some of the circumstances in which women managed libel performances what is most strikingly affirmed is that these libels were deliberately planned and heavily loaded *performances* engineered with a particular, informed set of spectators, both male and female, in mind.

Chapter 5:

5.1 The Voice of Libel: Texts in Context

Previously, this study has focused primarily on the libel cases from the county of Devon approaching them as a distinct body of material with all cases taken together to form a spectrum of performance and display a wide variety of theatrical characteristics. However, this chapter will consider one type of libel case from this performance spectrum: those cases which used texts in performance as their medium for causing offence. At the textually-reliant end of the performance spectrum there are three cases from the extant Devon material which were communicated by the reading aloud of a text (two written in verse and one in prose) in prominent places: *Edwards v. Woolton*, Exeter (TNA STAC 8/130/12), *Knolles v. Hasell*, Axminster (TNA STAC 8/193/21), and *Neck v. Read*, South Molton (TNA STAC 8/221/9). Although it is important to remember that they are a selection from a larger body of material which did use text to a lesser degree for example including one or two words for the clarification of symbolic devices, the three cases with extant verses will be the main focus from the Devon material in this chapter, the aim of which is to apply literary analysis to libel texts in order to establish their characteristic features. The chapter will include libel texts from the surrounding South-West counties of Dorset, Cornwall and Somerset in conjunction with the Devon texts to try to establish whether there could be said to be a genre of textual libel in the South-West region. The libel cases from Dorset, Cornwall and Somerset which relied on the reading aloud of texts in order to libel their targets are taken from the *Records of Early English Drama* volumes for each county. The chapter will explore, in particular, the distinctive 'voice' of textual libel, its allusions to authorial identity, some of the literary techniques used to further the allusive quality of the verses, its use of imagery relating to doubleness and the presence of a language of place in textual libels. Applying literary analysis to these libel texts raises questions as to their relationships with contemporary literature and drama. Although it is not within the scope of this study to answer these questions exhaustively or to definitively establish the influence of the many genres of contemporary literature and popular culture on provincial, performance-based libels, what can be examined is the extent to which textual libels relied on the association of their texts with a wealth of other genres. This

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generic association was a feature used by libellers to give their verses a distinctive, allusive voice which spoke to an informed spectator to involve them in the deciphering of inventive libels as an active, enjoyable process; in this way textual libels can be seen as the meeting point between performance and play.

The literary features of provincial libel texts and their relationship to contemporary literature require investigation here for two reasons. Firstly, although other research has focused on this type of libel, their literary features have generally been overlooked. Whilst Adam Fox concurs with Martin Ingram's earlier study in the view that many libel texts were 'artistically speaking, of poor quality' some of whose 'rhyme, metre and invention broke down in ludicrous fashion', Ingram does acknowledge that 'some had real force, and a wealth of imagery and allusion'.¹ Ingram's work suggests, although tentatively, that libels 'are best considered a separate genre of mockery', which he says is perhaps most closely linked generically to the Broadside Ballad, and this link is investigated further by Fox.² Andrew McRae's recent publication *Literature, Satire and the Early Stuart State* approaches early seventeenth-century libel from a literary viewpoint to very productive ends but his focus is on only one kind of libel, the high status, politically motivated kind, despite his claim to 'consider as broadly as possible the practices of libelling, and the qualities and functions of verse libels'.³ McRae's work demonstrates how productive a literary analysis of one aspect of libel can be and therefore establishes the importance of applying this critical approach to other types of textual libel. However, there is a need for sharper differentiation between what can actually be seen as very different kinds of style and content in actions which fall under the common term 'libel'; in particular political and manuscript libels should be seen as a separate (although related) genre from provincial, performance-based libels. It is my hope that this study will establish the characteristics of this provincial, performance-based libel to the extent to which it can begin to be recognised as a distinct creative genre and be compared to other forms of cultural event, literary and otherwise.

¹ Ingram, in *Popular Culture*, p. 180.

² Ingram, in *Popular Culture*, p. 180; Fox, *Oral and Literate Culture*, p. 324.

³ Andrew McRae, *Literature, Satire and the Early Stuart State* (New York: Cambridge University Press, 2004), p. 25.

The literary analysis of provincial libel texts is also necessary because their literary character is very much a part of their suitability for performance; these libel texts were tailored to suit a specific audience who evidently expected a certain type of performance content which was entertaining and topical because of its reference to and interplay with other literary and dramatic genres. Furthermore, it is only by analysing the literary content of libel texts and exploring their associated genres that a certain, perhaps surprising, level of knowledge and familiarity with a plethora of literary material is revealed in the provincial communities of early-modern South-West England. And not only were they familiar with these sources, as audiences they required in their own expressions of community conflict the recycling of familiar sources to create new performances that were both rooted in specific community settings and yet also interacted with the wider cultural production in society.

Before a literary analysis of performance-based libel texts can be made, however, it must be acknowledged that the process is not without problems; what can be said about the form and content of this kind of libel verse is limited by the performance-nature of the offence in its initial community setting. As has been stressed elsewhere in this study, the records we have of provincial libel performances were not only subject to personal bias and manipulated for the purposes of the participants' self-preservation but they are a product of a patriarchal legal system with specific concerns about what threatened the peace of the realm and therefore what aspects of libel to investigate and punish. When it comes to the libel texts themselves, the bills of complaint give the contents word for word where possible but even if accuracy of exact content was the primary concern of the courts (which one suspects it was not) these bills can at best be seen as imperfect transcripts of temporally distant events, the exact wording of which would most probably have varied slightly each time they were performed or recapitulated outside of performance. Evidence from bills of complaint suggests that where no copy of the verses could be gained, the texts' contents were only summarised, but even if the complainants and authorities could use a written copy as the source for their bill, this copy would have acted initially as a script for what were partially extemporized performances. Therefore, whilst in many cases we do have fixed, written versions of these libel texts, we must be aware that the way in which they functioned prior to their involvement in the court process did not

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place emphasis on fixed written texts for individual reading but on public performances. These performances were based around a core body of material but they must have in part at least been unique to each circumstance in which they were enacted depending on variables such as the audience, the performer, the place and the date.

One of the most obvious effects that the court process had on the libel texts is that in most cases (although not all) where verses were given in full, the bills of complaint removed any line or stanza breaks merely giving the texts as part of the bill's prose. To the court it was the existence of the verses, the accusations they made and the performance circumstances which were most important. However, to an audience hearing a verse read aloud, the line and stanza breaks denoted by the speech rhythms and rhyme words were a crucial part of the entertainment value of the performance. In my quotations of verses from the records I have restored the lineation of texts to what seems the appropriate form.⁴ Another limitation occurs in those cases where complainants were unable to provide any copy of the verse contents to include in their bills of complaint: in these cases the verses no longer exist. There are also bills of complaint in which the contents of libel texts were not repeated because they were deemed too rude for repetition in the court, for example in the cases of *Perman v. Bromley, Bath* (TNA STAC 8/237/26) and *Adams v. Gilbert, Compton Pauncefoot* (TNA STAC 8/43/3). These gaps in the recording of libel texts must be acknowledged particularly when attempting to make observations as to generic characteristics; however, in cases where the text is not given in full we are given an overview of its content. Based on the details provided in such cases, there is no reason to suspect that the missing texts were in any way radically different in content to those for which we do have the full contents. In fact, these cases show that there was a recognisable genre of provincial, performance-based textual libel to the extent that although it did

⁴ Of all of the libel cases involving texts from Devon, Dorset, Cornwall and Somerset only the three texts from the case of *Condytt v. Chubbe, Dorchester* (TNA STAC 8/94/17), the two texts from the case of *Hole v. White, Wells* (TNA STAC 8/161/1), and the single text from the case of *Robins v. Vosse, Whitstone* (TNA STAC 8/246/13), are given with their original line and stanza breaks intact. Any line and stanza breaks given for other texts are my interpretation. Full versions of all extant texts with line and stanza breaks restored can be found in appendices A–C of this work. Any punctuation given in the verses in these appendices is transcription of what appeared in the original records. In some quotations contained in this chapter punctuation has been added for clarity, however, where this is the case it is noted alongside the given quote.

weaken a case not to be able to recount specific verses, without them complainants still submitted bills with the expectation that by the report of a libel text's existence and cause, those in authority would understand the type of text they were referring to.

Whilst there are gaps in these records, we do have a body of texts which both complainants and those in authority thought it necessary to include in their bills of complaint and to which literary analysis can be applied. Of the seventeen textual libel cases from Devon, Dorset, Cornwall and Somerset which in total have twenty-nine distinct libel texts associated with them, only two were not written in verse. Those two texts featured in the case of *Edwards v. Woolton, Exeter* (TNA STAC 8/130/12), where Dr Woolton wrote a very long letter in prose libelling Mr Edwards the apothecary-turned-physician and in the case of *Abington v. Beaton, Over Compton, Dorset* (TNA STAC 8/42/4), in which three tenants of the manor of Over Compton wrote a letter to their lord attacking his character flaws and his recent conduct in the enclosing of common lands. The prose letters differ from the main body of material considered here but they nevertheless have their own literary and performance features and were clearly not intended to be read by their addressees alone. The literary characteristics of these two cases will be explored later but by far the most common form for libel texts to take was verse.

The other two textual libel cases from Devon, beside that of *Edwards v. Woolton*, are those of *Neck v. Read, South Molton* (TNA STAC 8/221/9), and *Knolles v. Hasell, Axminster* (TNA STAC 8/193/21). The text in the case of *Neck v. Read* comprised a thirty-four line long passage of verse in the form of a letter which libelled a local man for his recent marriage and consequent social mobility. In the case of *Knolles v. Hasell*, the text featured was fifty-four lines of verse in rhyming couplets which attacked the local minister for his general conduct. As well as the prose letter, the *Over Compton* case also included another verse text written in the form of a set of mock commandments. Dorset's other extant textual libels include two separate cases involving five distinct verse texts varying between thirty and eighty lines in length; all of these texts are based around the form of poulter's measure or riding rhymes with each adapting the form in slightly different ways and with varying degrees of success (*Condytt v. Chubbe, Dorchester*, TNA STAC 8/94/17 and *Miller v. Maries, Bridport*, TNA STAC 8/214/2). The other textual

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libel cases from Dorset involved a lengthy verse which bears resemblance to traditional hunting ballads (Salter v. Cowper, Lyme Regis, TNA STAC 8/258/15) and two relatively short verse texts from one case written in Skeltonics (Gordon v. Auncell, Melbury Osmond, TNA STAC 8/153/29). Cornwall's four textual libel cases each had one associated verse text some of whose prosody proves fairly difficult to recreate and the content of which is particularly rude in places. In the case of Robins v. Vosse, Whitstone (TNA STAC 8/246/13), the twenty-three line verse does use rhyme and metre for effect but cannot be said to have any regularity or over-riding organisation of metre, stanza length or rhyme scheme. In the case of Painter v. Yeo, Launcells (TNA STAC 8/236/29), the rhythms are again difficult to ascertain but the thirty-three line passage of verse employs rhyming couplets throughout. The other two verse texts from Cornwall appear to have more recognisable styles with one verse consisting of sections in Rime Couée interspersed with longer lines in rhyming couplets (Stawell v. Mapowder, Jacobstow, TNA STAC 8/27/10) styles both reminiscent of morality plays and the Tudor interludes. The other verse from the Cornwall records was composed in regular fourteeners (Lawry v. Dier, St Columb Major, TNA STAC 8/202/30). Amongst the textual libels from Somerset there are two verse texts associated with one of the most notorious cases from the whole of South-West England: that of Hole v. White, Wells (TNA STAC 8/161/1). One of these verses, written by William Gamage, is thirty-five stanzas long each stanza consisting of four lines and a refrain in rhyming couplets and the other verse, written by the gentleman William Williams, is of more 'learned' construction which has been commented on previously by literary scholars.⁵ This text shows that whilst a region's texts may have identifiable textual features, more elite styles can still be found in specific circumstances. The texts from the cases of Craye v. Heskins, Berkley (TNA STAC 8/92/10), and Perman v. Bromley, Bath (TNA STAC 8/237/26), share similar line lengths and regular iambic metre both being written in rhyming couplets, although the text from the Berkley case takes the form of a mock court summons whilst the Bath text is just verse and is not given in full because of the rudeness of its contents. The verse we have from the case of Best v. Traske, Frome (TNA STAC

⁵ See Sisson, *Lost Plays* and Ingram, in *Popular Culture*, pp.180–81. William Williams' verse is actually something quite different to the other provincial, performance-based libel texts, being a high level literary construction and so will not be considered fully here as it does not share many of the features that the other textual libels do.

8/61/27), is also incomplete although what is given appears to be two six-line stanzas written in iambic pentameter following a rhyme scheme of ABABCC, the form of which bears the most resemblance to the type of verse satire which entitled each of its sections as 'epigrams' and in fact the libel's author designates his verse an epigram in his defence.⁶ This verse is undoubtedly linked to at least one of the verse texts from the earlier, nearby case of *Adams v. Gilbert, Compton Pouncefoot* (TNA STAC 8/43/3), which had seven separate verse texts associated with it, each of which targeted a different person and some of which are incomplete or missing altogether probably due to rude content. One of the lines from the first of these seven texts was replicated almost exactly in the verse from the *Frome* case and the two texts also follow the same rhyme scheme and target men from the same profession. The other six verses from the *Compton Pouncefoot* case are all short texts with varying prosody and rhyme schemes which attack their targets by likening them to various biblical, classical and historical figures.

The libellous texts considered here employed many literary techniques for their effectiveness in performance; these included repetition, lists, groups of three, alliteration and internal rhyme. While such devices enabled the author to point up certain aspects of their messages, they contributed to a style which gave the impression of oral extemporisation but which exploited literary techniques for the dramatic shifts and emphases that they could bring to verses when they were performed. Being written compositions they could make their points in a planned and hard-hitting way, but they seemed to be extemporized and conversational and would have consequently shown off the apparent skill of the performer and have been more pleasing to an audience. All of the techniques listed above contributed to the distinctive style of authorial voice which characterised these texts but the most striking aspect of this voice was its dialogic and conversational tone.

Libel verses achieved this style in several ways, one of which was that they all included some form of direct address aimed at their targets. Some verses did this with less overt or at least more sly aggression than others,

⁶ See for example Samuel Rowlands' verse satires such as 'The Letting of Humours Blood in the Head-Vaine' (1600) and 'Tis Merrie When Gossips Meete' (1602). Samuel Rowlands, *The Complete Works of Samuel Rowlands 1598-1628*, 2 vols (New York: Johnson Reprint Corporation, 1966) I.

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offering gently mocking suggestions in tones of false friendliness or advice, for example in the case of *Craye v. Heskins, Berkley* (TNA STAC 8/92/10), where the libel verse was directly addressed to Mr Swarfe (complainant) in the form of a mock court summons but written in an ostensibly friendly tone. The verse opened: ‘William Swarfe I hartelie Comend your Mare’ and continued later ‘William Swarfe I am to Lett yow vnderstand | To warne the courte out of hand’ (Appendix B, p. 246, l. 1 and ll. 6–7). The author of the verse associated with the case of *Neck v. Read, South Molton* (TNA STAC 8/221/9), offered this advice to his victim:

But Ile advise thee yf thou feele yt smart
be ruld by me and playe not the fooles parte,
but eyther for to amend thy lief haue care,
or ellse like a packhorse thou an Asses burthen still shalt beare.

(Appendix C, pp. 266–67, ll. 30–33)

This verse is also written in the form of a letter which, like that of the mock court summons in the *Berkley* case, openly associates it with a type of dialogic communication with an established genre of event in the public scene. The verse allegedly performed in Axminster from the case of *Knolles v. Hasell* (TNA STAC 8/193/12) developed this element of authorial voice by being much more confrontational in its address, stating:

And this to thee I sweare proud, paultrye prieste; ffor all thy mariage
ma< *king*>
Ile sturre thy nest and bringe thee to a shakinge,
Thou art a cutise, Cockescombe viper, vicar of Hell,
The gallowes groanes to beare thy bones; which will befitt thee well.
To whome I committ thee in this Resolution,
To doe all I can for thy execution;
ffor I would be thy hangman were it in my power,
Thou should not tarry longe noe not an hower.

(Appendix C, pp. 264–65, ll. 39–46)

In this text can be seen the integration of conversational idioms and rhythms into verse – this is a pretended conversation in which the last line reflects vivid speech. These uses of direct address which begin or continue a supposed

dialogue between libeller and libelled mean that the verses perform oral confrontations.

Libel texts not only spoke directly to their targets, but they also directly addressed their audiences in order to involve them in dialogue, thus asking them to bear witness to the truth or falsity of the statement being made. In the case of *Salter v. Cowper, Lyme Regis* (TNA STAC 8/258/15), the verse opened:

Give eare a while, and listen vnto this newes I shall you tell,
of a long meeching fellow which in the Towne of Lyme doth dwell.
his name in breeff I will you tell, with two syllables you may it spell.

(Appendix A, p. 229, ll. 4–6)

This opening was phrased in the style of an orally communicated narrative and one can hear the potential for real performance through the verse; it asked an audience to listen and hear the story being told rather than read it and it shifted the emphasis onto them in the spelling of the target's name. The verse from the case of *Neck v. Read, South Molton* (TNA STAC 8/221/9), went one step further than other texts, urging its audience to converse with the target of the libel, Neck, who lived at Alswear Mills:

Conferr with Mr Miller and desire him yf you cann,
To leave his T. F. T. [presumably = 'theft'] and Knavery and proove an
honest man,
Yf that you thincke the matter to be heard,
Knock him about the Noddle with a merchauntes Yeard,
And yf he bee riche and take the same in snuffe,
Tell him that his substance is but cheating stuffe,
And that the Jaye would hardly brooke the weather,
Yf every bird should take awaie his feather.

(Appendix C, p. 266, ll. 12–19)

This describes a hypothetical conversation couched in terms of proverbial and communal wisdom. After this section, the verse returns to directly addressing the target but by asking the audience to 'conferr' with Mr. Neck, to taunt and mock him, and to intimate that the rest of the community were aware of his faults, the author has involved them in a public dialogue focused on the libelled man; by putting words into the mouths of an imagined majority within the community, he forced the audience to consider their own understanding of

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the situation, perhaps persuading them to act upon it or at least mentally imagine that they were doing so, thus creating the assumption (whether accurately or not) that the whole community were on the side of the author and had already spotted the public signs of transgression in Neck.

In other cases the verses themselves acted as continuations of previous public oral confrontations which a local audience would at least have heard rumour of if not witnessed themselves. The opening lines of the verse from the case of *Knolles v. Hasell, Axminster* (TNA STAC 8/193/21), recall an event that was recorded in the bill of complaint as having triggered the feud between complainant and defendant in the first place:

Because before I was soe bold,
to touch the nose thats never cold [...]
That worke of mine I doe recall,
and send foorth this to sport withal.

(Appendix C, p. 263, ll. 1–2 and 5–6)

These lines make explicit the intention of the verse to be a part of the public performance of conflict by placing its beginning in a previous public confrontation and stating its purpose to ‘sport’ with that event, to re-perform and so act as a continuation of the previous dialogue. It goes on to threaten Knolles with the gallows, another very public means of performing punishment and the verse ends by anticipating future confrontation:

Yet this I wishe before I goe,
Seeke not farre my name to knowe;
ffor euey day in open place,
I meane to beard thee face to face.

(Appendix C, p. 265, ll. 49–52)

Just as it began in a previous confrontation, the verse ends with the threat of future face-to-face dialogue in public or ‘open’ places. This verse in its use of direct address and reference to confrontational dialogue past, present and future, real and imagined, firmly locates itself as functioning within the public sphere as a stylized performance of the spoken events which create and further conflict. The verses of other libel cases included variations on this re-performing of actual, past communal events. For example in the case of *Stawell v. Mapowder, Jacobstow* (TNA STAC 8/27/10), the verse contained

sections of direct speech outlining an imagined dialogue between members of an elevated group within the community based on a previous actual event in which the group had been placed in a certain high-status aisle of the parish church. The verse associated with the case of *Miller v. Maries*, Bridport (TNA STAC 8/214/2) playfully combined the familiar call to prayer used by the group of local puritans with a hue and cry call to signal alarm to the wider community. It thus re-performed an act of oral communication associated with the group whom the libel wished to target in such a way as to signal the illicit nature of that group's actions to the communal audience.

Another element of the distinctive authorial voice of libellous verses was that they often required some level of impersonation from their performers. This is perhaps most evident in one of the verses from the case of *Hole v. White, Wells* (TNA STAC 8/161/1). The main narrative voice of the verse written by the defendant William Gamage purports to be that of the principal target and complainant John Hole, who was libelled as a result of his attempts to suppress the traditional May Day pageants of Wells and about whom a mocking game named the 'holinge game' was devised. The verse, spoken from Hole's perspective, opened with this address to the community of Wells:

My loving frindes that loue to play
vse not my holynge game by day,
for in the night I take it best
when all the birdes are in their neast,
yett I doe lyve in quiett rest
and thinke my holinge game the best.

(Appendix B, pp. 249–50, ll. 1–6)

Here Hole was imagined as addressing those who ridiculed him as his friends whilst he was dictating to them how they must use their leisure time. In performance, this opening must have involved the impersonation of Hole by the performer and to an audience would have added to the humour of the verse by succinctly summing up Hole's meticulous law enforcing and hypocritical superiority complex. The next stanza of the verse runs:

And lovinge frindes I cannot chuse
but nowe leaue of all sportes to vse
save only paper yncke & pen

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to write the sportes of Welles May men.

(Appendix B, p. 250, ll. 7–10)

This verse emphasised that Hole was supressing the May celebrations but it may also indicate a switch from the narrative voice of Hole to that of an authorial speaker; William Gamage was supposed to have written the verse whilst he was in gaol and the claim in this stanza that the speaker cannot participate in any May sports except by writing this text suggests that the verse has switched to an authorial voice (*REED: Soms.*, II, pp. 936–37). The continued return of the refrain spoken, as in the first stanza, by the imagined voice of Hole though indicates repeated switches of speaker, which would have created a form of imagined dialogue between libeller and target. The textual libel cases from Dorset, Devon, Cornwall and Somerset, then, can be said to have a dialogic style which gave their verses the characteristics of oral performance. They also frequently included shifts both in the identity of the narrative voice as in the case of Hole v. White and the identity of the hearer as in the case of Knolles v. Hasell where the implied hearer shifts from the audience to the target. As performances scripted libels spoke directly to both their targets and their audiences but they also took previous and well known public confrontational conversations or events and recreated and built upon them in order to re-perform and so modify on-going communal conflicts. They also imagined hypothetical dialogues and hinted at future public confrontations; in doing so they signalled their purpose as conscious performances of public conflict and located their action as functioning within and modifying the public performative sphere of their communities. This repeated use of dialogue, real or imagined, impersonation and direct address combined to give libel texts a strong and recognisable voice that deliberately fitted the verses for public performance aimed at informed audiences with a desire for the humour involved in impersonation and witty, fast-paced dialogue.

Another feature shared by the majority of the libel texts from the South-West counties of England is their self-reflexive nature: they highlight both their existence as verses and the processes by which they were produced. In drawing attention to their textuality and means of construction, these verses reveal self-consciously literary authors who wish their audiences to see the verses in context: the reason for their existence; the physical act of writing

them; their entrance into the public sphere; the means by which they were spread; and their purpose and future. All of these aspects would be inevitably foregrounded by performance and, if anything, they serve to highlight the libel as a *performance event*. The most common form taken by this self-reflexivity is found in the verses which express their textuality in their opening and closing statements. For example, the text from the case of Painter v. Yeo, Launcells (TNA STAC 8/236/29), opened with the lines:

Scribibo Scribing omnibus vobis
 I thought it fitt to write vnto you all in a few tallis,
 that all of you must remember the mowheis pals.⁷

(Appendix A, p. 239, ll. 1–3)

The Latin opening is somewhat faulty but its sentiment is echoed by the meaning of the second line and its presence signals an attempt at a certain level of literary and learned versification. This opening highlights the effort that went into creating the text prior to its performance and emphasises its existence as a written text which recreates an actual event. The self-reflexive nature of the verse focuses an audience's attention on the fact of performance and the process which has led to it and makes them question who wrote the verse; when and how it was written; and who it was aimed at. We have already seen that the verse written by Gamage in the case of Hole v. White, Wells (TNA STAC 8/161/1), similarly recalls the process by which it was created, with 'paper yncke & pen'. The narrative voice further explains that it will 'recite | as fast as I with pen canne write' (Appendix B, p. 250, ll. 9 and 12–13). The verse connected with the case of Neck v. Read, South Molton (TNA STAC 8/221/9), similarly draws attention not only to its form but also to its desired function in the line 'Soe thou must thincke *perhapps* theise Satires stinge thee' and the closing couplet 'Now fearing neither friend nor foe, | To the worldes viewe these verses goe' (Appendix C, pp. 266–67, ll. 24 and 34–35). Here the verses are even personified and given their own agency beyond their construction and performance because they go to the view of the world by being delivered. This type of self-reflexive attention to the nature of the text and to its physical

⁷ The exact meaning of the term 'mowheis pals' is unclear, however, later reference to it suggests that it was a place, with 'pals' referring to 'pales' meaning a fence or boundary. This was another coded reference addressed to a local audience who would have recognised the place name and associated it with the recent events located there.

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production forces the spectator to be aware of the context in which its message operates; to consider the attending personal relationships, conflicts, skills and actions which led to its creation and the deliberate choice of its author to have written it for public performance. Consideration of a verse's context must have been crucial to the success of libel texts in carrying out their purpose because only by understanding who was involved and the nature of their grievance with each other would the audience be able to decipher the libel's message.

Along with these elements of self-reflexivity as to verse construction and text function, allusions were often made as to what the verses and the process of writing them could reveal about the author of each text. The verses frequently reflected on the audience's wish to decipher the author's identity through their verse and in some cases partial or coded anonymity was employed by the adoption of personas with various levels of transparency used in making libel messages public. Many of the libel texts from across the South-West counties of England were written in the style of letters, a form which in itself would immediately raise questions in a spectator's mind over the identity of the writer because its formal conventions necessitated the naming of an addressee, a destination for delivery and the signature of the writer. Of course these texts are literary creations with controversial if not dangerous contents and therefore a critical eye must be applied to any signature or claim to authorship within the texts, but the fact that they often did allude to the identity of an 'author', regardless of whether this was the 'true' author or not, means that responsibility for authorship was something which libellers wished to be at the forefront of an audience's mind. In cases where the letter format was chosen, some authors did sign a name which we can reasonably assume to be true, for example in the case of *Edwards v. Woolton, Exeter* (TNA STAC 8/130/12), which was done presumably to add weight, authority and meaning to the contents of the libel. In the case of *Abington v. Beaton, Over Compton* (TNA STAC 8/42/14), the letter form was also used and a signature was given at the end of it. However, the bill of complaint in this case tells us that the defendants Thomas and Francis Beaton, Richard Haim, Richard Byshop and John Clenche wrote the letter 'in the name of one Thomas loyce a person never hard of before' and made it look like it was 'supposed to be by him [Joyce] written vnto your said Subiect [Abington]' (*REED: Dorset*, p. 235–36). In using a name that was 'never hard of before' and which would therefore be unfamiliar

to a local audience, the actual writers asked their audiences consciously to question the identity of the narrative voice. Whatever conclusion they came to, the point is that the text deliberately caused its audience to consider the question of authorial identity. Some libellous letters did not give any name as a sign-off; one alternative was to conclude with the personification of the verse itself such as in the case of *Neck v. Read, South Molton* (TNA STAC 8/221/9).

Some textual libels which did not appear in letter form still adopted the practice of naming their alleged authors in their closing lines. For example, in the case of *Robins v. Vosse, Whitstone* (TNA STAC 8/246/13), where the verse ends:

This for the first part published
 The second follos then imparted
 <..> of march
 1619
 By me Mary Boborough.

(Appendix A, pp. 243–44, ll. 22–26)

The attribution here of the verse to a woman is unique among the South-West region's extant records and must have made a bold statement to any contemporary audience as to the reception of the text as it was thus a verse attacking female conduct which claimed to have been written by another woman. As a verse with a supposedly open admission of authorship by a woman this text was highly unusual (see chapter three on women's roles in libel) and its veracity must have been questioned by spectators, but whether the author was or was not Mary Boborough, her name being assigned to the verse would have affected the message that it contained in the eyes of the community. It is unclear as to whether this name was that of a specific person or represented a generic female character; the use of the term 'borough' in the surname may indicate that it was intended in the latter way, as would the inclusion of the generic name for a slovenly female, Margery Daw, in the body of the same libel text. If this was indeed used as a generic female pseudonym then its presence still claims the different authority inherent in a female attacking the conduct of another female; however, it also denies that authority by reducing female opinion to a false generic pseudonym.

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Many of the textual libels of South-West England employed even more complex layers of alleged authorial and narrative voice identity. For example in the case of *Painter v. Yeo*, Launcells (TNA STAC 8/236/29), the framing authorial voice prompts the audience to remember, 'Richard Penter and Marie Wise | when they were at yeo to the feast' (Appendix A, p. 239, ll. 4–5), but then shifts the responsibility for telling the tale away from itself in the lines:

But yf there [^]be[^] anie that are willing to know,
let them aske of dick Voller or els of Iohn Yeo;
and the will tell you in plaine tals,
that the found them two out by the mowheis pals.

(Appendix A, p. 239, ll. 8–11)

From then onwards, the story is related to the audience via the reported dialogue of Dick Voller and Dick Penter, the complainant. The verse concludes with the lines: 'If anie man aske how made this rime, | yt was Steven Cockrum in a drinkege time' (Appendix A, p. 240, ll. 32–33). It appears on the one hand that this verse was intended to appear at a glance as the unskilled relation of someone else's tale scribbled down in haste by Cockrum whilst drunk. Yet there is obviously some skill in this verse, in the self-conscious attention to decorum in its opening lines, its interplay between orality and textuality, its line of Latin at the beginning and the varying integration of a refrain phrase all of which indicate the actual author's ability and highlight the deliberate shifting of responsibility onto the people said to have communicated the tale orally. These multiple layers of authorial and narrative voice draw the audience's attention to the relationships between actual public event, oral storytelling and textual record. The verse pre-supposes that an audience will pay attention to authorial or narrative voice and speculate as to the identities of those responsible; in fact the line 'If anie man aske how made this rime' normalises this practice whilst prompting the audience to ask this kind of question. Similarly, the verse from the case of *Knolles v. Hasell*, Axminster (TNA STAC 8/193/21), normalises the practice of audience inquisitiveness as to authorial identity with the lines 'this I wishe before I goe, | seeke not farre my name to knowe' (Appendix C, p. 265, ll. 49–50).

Another libel text which anticipates its audience's inquisitive nature is from the case of *Miller v. Maries*, Bridport (TNA STAC 8/214/2). Ten lines

towards the end of the verse were given over to commenting allusively on the creator's identity, some of which run:

Such a winter as this I never sawe for mildnesse of the weather,
I wonder men should pay soe deere for shewes which bee of leather
And hee that did these verses make yf you did knowe his name
some shame hearof that he mighte take that he doth not the same.
And yet hee is a learned man as by this verse doth showe,
yet let hym doe al that he can the crew will not him knowe,
and yet he can the scriptuer Read, and alsoe vnderstand,
yet all the knowledge that hee haue, is out of godes owne hand.

(Appendix A, p. 220, ll. 31–38)

Here the narrative voice is speaking in the first person to begin with; however, when the author's identity is the subject the author is referred to in the third person and the audience is directly addressed. This section is concerned with consciously drawing an audience's attention to what the verse reveals about its author: that he is learned and yet it specifically emphasises this learning as god-given, as opposed to book learning, because in doing so it exposes the root of the conflict between the person creating the verse and the Puritan faction of the town who have excluded the author from certain communal religious practices. As with the other libel text examples, this self-conscious reference to authorship, purpose and verse production is designed to instigate, if not answer, questions in the minds of the spectators as to what it is that the verse reveals about its origins and function.

The elaborate and allusive nature of the majority of references to authorial identity in these texts further points to this being also one of the sources of humour and entertainment for an audience when it came to performance-based libels – that they were participating in the game or public play that was the performance of libel. In the case of *Adams v. Gilbert*, *Compton Pauncefoot* (TNA STAC 8/43/3), one of the texts associated with the case is not given in full but this short fragment is recounted:

Old mother wise borne by nature crafty,
to color this putes on the holy hood,
successively has children are so naughty,
that yeeven herself doeth hate the very brood.

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will you please her, her children then defame,
call them monsters shipfroath full of all evils,
or whatsoever may turne to their disgrace & shame,
spare not it likes her, call them very devills,
if the branches springing from your bloud <...>sa,
be you so bad, is the tree then good.

(Appendix B, p. 248, ll. 1–10)

On the face of it, this text makes a serious point about the morality of the parent being reflected through the actions of the children. However, the information given in the bill of complaint adds another dimension to this message: it states that the target of this text was one 'Mistris (*blank*) Gilbert mother to...Maurice Gilbert & Henry Gilbert', Maurice and Henry Gilbert being the principal defendants in the case and allegedly responsible for writing and publicising all of the texts including the sixth text against their own mother (*REED: Soms.*, p. 83). When the text is viewed in this performance context its message becomes much more humorous; the people responsible for the libel, even perhaps performing it, are the children of 'Old mother wise' and their very acts in composing and publicising a libel against their own mother constitute the 'naughty' behaviour of her 'brood' which in turn fulfils the statement made by the text that if they are so bad as to libel their own mother then how can the 'tree' from which they came be good. The humour of this text is created by its performance context and relies on the audience's existing awareness of social and familial relationships within the community. These circumstances show how crucial performance and the surrounding community context was to these textual libels but they also demonstrate that through these performances, spectators' attention was continually drawn to the contexts and processes by which libels were created, who created them and at whom they were targeted, placing the onus on an intelligent and informed spectator to decode and so appreciate their messages.

A further literary technique used in libel texts to allude to authorial identity and, in particular, the level of learning and skill possessed by the author was, surprisingly, the inclusion of lines or phrases of Latin. There are libel texts in which the Latin given is correct and included in order to distinguish the sophisticated education of the libeller from the lack of learning of the defendant, such as in the case of *Edwards v. Woolton, Exeter* (TNA STAC

8/130/12), where Dr Woolton, in libelling the complainant, Edwards, for his pretensions in pretending to be a physician, used Edward's inability to read Latin to ridicule him. However, there are also texts which include lines of 'false lattyn'; in these cases the education of portions of the audience was as much at issue as the learning of the author. The verse in the case of Painter v. Yeo, Launcells (TNA STAC 8/236/29), began with the lines: 'Scribibo Scribing omnibus vobis | I thought it fitt to write vnto you all in a few talls' (Appendix A, p. 239, ll. 1-2). The Latin in these lines is faulty in places; 'scribibo' could be a miss-spelling of 'scribo' or 'I write' or an erroneous future tense form for 'I will write' but wrongly conjugated; 'omnibus vobis' translates as 'to all of you'; and 'scribing' is just English. However, the English line which follows the Latin appears to echo its sense and so possibly served as a translation for the audience. With the inclusion of this Latin line the author of the text clearly wanted to make a statement but the fact that it is incorrect could either be because they did not have the learning to execute that statement properly or they deliberately miss-spelt it for effect. Either way, this author anticipated that at least part of the audience would not understand the content of the Latin line because they felt it necessary to repeat the opening message in English. If the author miss-spelt the Latin by accident, through lack of learning, then it would follow that they assumed the majority of the audience would not be educated enough for accuracy to matter. This is supported to some extent by the repetition of the meaning in English and its inclusion in this instance would have been to create the illusion of a certain level of learning in its author. However, it is possible and, more likely given the text's style, that this was a deliberate mistake designed to play with the audience's understanding and perhaps separate those in the audience who could spot it from those who could not. The last lines of the verse with their naming of a drunken narrative persona (unknown and unnamed anywhere else in the court proceedings) support the idea that this was a deliberate use of false Latin; the error in the opening line was designed to affirm and add to the suspect nature of the verse's drunken narrator. This explanation would mean that the verse contained more humour in its performance effect through the audience's reaction.

The libellous letter from the case of Abingdon v. Beaton, Over Compton (TNA STAC 8/42/14), also played on the fact that some of its spectators would not have been able to read Latin whilst others would and it appears to have

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used this to prompt the process of publishing the text. Written on the back of the letter and visible as a direction when the letter was sealed, was the Latin epitaph: 'ambitiosus honos opes turpisque voluptas Haec tria pro trina numine mundus habet', along with suggestion that it should be written over the target's door (Appendix A, p. 234).⁸ Instead of reading the text aloud publicly first, the defendants' were said to have 'lett the [letter] fall in the vpfeild at Compton aforesaid whereby yt was afterwarde bruted and published abroad' (*REED: Dorset*, p. 236). If understood, the epitaph would have communicated the core message of the libellous contents of the letter, but it was by no means certain and, in fact, very unlikely that the person or people who first came across it would be able to read Latin, if they could even read English.⁹ The Latin epitaph was a very obvious indication of the education of the libel's author and the high status of the person they were targeting; however, what this letter direction further appears to be doing is to ensure, upon the sealed letter being found, that it would be taken to somebody who could read Latin. This was a deliberate attempt to choreograph a sequence of events and to ensure the level of society at which the performance of the libel text would occur. The inclusion of Latin phrases in libel texts took a literary technique and used it not only for the implications it held for the identity of the authorial voice but also for the emphasis it would place on a spectator if the verses were performed to participate in interpreting the libel's core message. This, in turn, would reveal something about the identities of different groups within the community of spectators through their reactions to the performance.

The assumption made by these libel texts that their audiences would actively enquire as to authorial identity also fits into a much wider group of literary techniques which all involved elements of allusion. The literary techniques of rhetorical questions, puns and proverbs, were all variously employed by libellers to demand that an informed spectator would be involved in deciphering the hidden messages within them giving the verses a distinctive elusive quality. Where libel texts used rhetorical questions they required an audience to fill in the blanks for themselves, alluding to an answer but not

⁸ The proverbial Latin epitaph translates as: 'Ambitious honour, wealth and vile pleasure: the world holds these three as a three-fold divinity' (*REED: Dorset*, p. 236).

⁹ In the case of *Craye v. Heskins*, Berkley (TNA STAC 8/92/10), the defendant claimed in his defence that he took the libel to others only because he could not read what was written on it (*REED: Soms.*, p. 38).

explicitly stating it. The libellous letter from the case of *Edwards v. Woolton*, Exeter (TNA STAC 8/130/12), included many leading, rhetorical questions directed at the absent target. For example, it asked of Edwards, 'Canot you purge yourself of a little Chollar [?] But Sir what thincke you ys not a dragme or two of Opium an excellent medecine to provoke heauenlye sleepe what say you [?]' (Appendix C, p. 270, my punctuation). These are just a few of the many questions posed by the libel letter and they are phrased so as to suggest an obvious response from the imagined Edwards in the mind of the spectator; the obvious answer to 'canot you' is no, the immediate response to 'ys not...Opium...excellent' is yes. By addressing these deliberately suggestive questions to the absent target the spectator is being asked to imagine that target's response whilst being persuaded of what the response would be by the phrasing of those questions; the verse puts imagined words into the target's mouth without voicing them itself by actively involving its spectator and asking them to imagine the words of Edwards. Of course, these obvious answers ridicule and undermine Edwards by making him hypothetically acknowledge that he is too full of choler and that he cannot cure himself of it and admit that he uses suspect medicines which result in the death of his patients. The libel verse only alludes to this in its rhetorical questions; the humour comes from the spectator's ability to envisage the target, imagine his responses and understand the context to the extent that those expected answers can be recognised as ridiculous.

Textual libels also frequently included puns on the names of their targets. In a similar way to the use of rhetorical questions, this technique can be seen as typical of the type of humour that libel verses incorporated by locking up their messages in layers of allusion for spectators to unfold. In addition these puns could play on the possible double meanings of the victims' names in a way which also cleverly summed up the type of accusation being made by the libel text. In the case of *Condytt v. Chubbe*, Dorchester (TNA STAC 8/94/17), the puritan minister and preacher John White was the subject of the lines: 'O wretch and silly man yf white be thy skynne | yet blacke and defiled is thy soule within' (Appendix A, p. 227, ll. 15–16). In the same verse an incident of adultery attributed to Elizabeth, wife of John Condytt, is referred to in the lines: 'Example late on him god would shew noe doubt | Whose ffinger would haue stopt faire Condittes spoute' (Appendix A, p. 228, ll. 45–46). The name puns in this verse encapsulate the matter of the libel in a concise, targeted and

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humorous way; their linguistic doubleness reflects the hypocrisy of outward religious appearance as a cover for inward evil, giving an example of that evil in the lewd allusion to adultery which uses the target's names. The target's name also formed the basis of the pun central to the case of *Hole v. White, Wells* (TNA STAC 8/161/1), where the 'holing game', made by the defendants, played in the streets of Wells and referred to repeatedly in the refrain of Gamage's verse, not only made reference to the sexual misdemeanours alleged against Hole with one Mrs Yard a pairing which, fortuitously for the libellers, incorporated a transmutation of gender with the woman's name representing the male member, but it also, being itself a game bearing Hole's name, constituted a jibe at his unpopular suppression of traditional May sports branding him a hypocrite and a joke.

Another example, although a slightly more complex one, of this kind of characteristic word play based on the name of the target occurred in the case of *Best v. Traske, Frome* (TNA STAC 8/61/27), where the verse opened:

Best optime which for his skill
which he had studied for soe many yeares
with foolish sottes to worke his will.

(Appendix B, p. 249, ll. 1-3)

This opening line plays on the Latin word 'optime' used here as an epithet meaning best, to describe the subject whose surname was Best and here again the opening of the verse implies the authority of an educated background in the author and at least some of his hearers. The case of *Knolles v. Hasell, Axminster* (TNA STAC 8/193/21), also included the target's surname with lines which played upon the similarity between the surname 'Knolle' and the knell or 'knollinge' of a bell to signify death. The acknowledgement of the verse that it rehearses both the 'name and nature' of the target highlights the significance of names (both their presence and the puns made using them) in the libel process: its purpose was to perform and so modify a version of the target's identity by playing with their name in actuality and in terms of reputation. The verse in this case continued: 'His name is K: choose whether Knolle or knaue; | The firste his ffather he the last must haue' (Appendix C, p. 263, ll. 11-12). This text plays not only on the meanings of similar sounding words like Knolle/knollinge but also on spelling and sounds with the silent 'k' and 'n' sound allowing Knolles to be interchangeable with knave. Textual libels

characteristically used word play and name puns succinctly to express the issue at the core of the conflict and the identity of the intended target; the success of the text and its intended amusement depended on the ability of the spectator to decode their allusions as to the person and the fault or event referred to. These short but loaded phrases played with the identity of their targets and directly involved their audiences in the sport or game typical of this kind of early-modern, performance-based textual libel.

Proverbs, used to refer to the faults of the target and the lessons that should be learnt, were another common feature of libel texts. These proverbs functioned in a very similar way to the verses' use of puns associated with target's names: they required an informed spectator and engaged them in the deciphering of allusive common truths which were to be applied to the circumstances of the specific conflict at hand. The case of *Neck v. Read*, South Molton (TNA STAC 8/221/9), quoted the proverb 'tys well knowne a ticklishe beast hath Tricke | and the ould proverbe saieth a gald lade [= jade] kicke', referring to the target's reaction to its accusations by pointing out that only a person with a guilty conscience would react in that way (Appendix C, p. 266, ll. 28–29). The first libel from the case of *Gordon v. Auncell*, Melbury Osmond (TNA STAC 8/153/29), asserted that 'birdes of a vether will hold together' meaning that the husband and wife being targeted were as bad as each other in their pride and 'veneree' (Appendix A, p. 233, ll. 16 and 19). The text associated with the case of *Neck v. Read* also affirmed that 'the Jaye would hardly brooke the weather, | Yf every bird should take awaie his feather' to express the vulnerability of the target's inner 'substance' which was alleged to be 'but cheating stufte' once the community had been made aware of his faults (Appendix C, p. 266, ll. 17 and 18–19). Lawrence Manley outlines the key features of Renaissance and early-modern proverbs as a literary genre, explaining that

Proverbs are the voice of the people, on everyone's lips, and yet they are enigmatic; they are well known but obscure. The key to this paradox is that proverbs can sometimes be ethnospecific. They do not always belong

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to *the* people, but to peoples, to languages and cultures situated in specific place and time.¹⁰

The South-West provincial libels bear out the claim that proverbs could 'disclose the *ethos* of a culture', revealing the 'values, beliefs, and aspirations of a community'.¹¹ In terms of the use of proverbs in libel texts, the above is all the more true because a spectator not only had to unpick the hidden truth from the proverb, they then also had to apply it to the specific community conflict underlying the libel and explicate its relevance to the target specifically or the ongoing feud more generally. Through this added level of allusion created when proverbs were inserted into libel texts, those proverbs then affirmed the shared values of the people for whom and by whom they were both written and performed. Manley's description of the enigmatic nature of the proverb explains its aptness for use in libel verse; by wrapping up its intended message in a form which was familiar but highly allusive a libel text with an encrypted proverb necessitated an informed spectator who would actively involve themselves in the performance by deciphering that targeted message. The fact that these proverbs were, in theory, taken from oral tradition also supports the idea that verse libel texts functioned as scripts for performance – they had a constructed and textual element to them which would be particularly effective when performed. The use of rhetorical questions, puns and proverbs in libel texts contributed to the quality of allusiveness which libels strove to create in order to speak to an informed spectator and involve them in the public performance of libel texts. Furthermore, they gave the messages of the texts more authority by creating an affinity between the voice of the libel text and the community spectators.

Just as the use of stylistic features by libel texts involved an audience in the public game of libel performance, the body of imagery that the texts used to describe their targets played with the notion that there was a shared sphere of knowledge between author and spectator. This body of imagery most notable included references to objects and items of dress from the public scene and the characteristics and symbolic objects associated with certain trades. In particular, this framework of reference reflected the central concern

¹⁰ Lawrence Manley, *Literature and Culture in Early Modern London* (Cambridge: Cambridge University Press, 1995), p. 413.

¹¹ Manley, *Literature and Culture*, p. 413.

of composers and audiences with the potential social danger of inner vice being hidden by performative displays of identity and a shared interest in the detection of these vices in public display.

Part of the framework of imagery used by textual libels was supplied by those objects and items of dress which were already the means of performing identity in early-modern communities. This imagery was also used to introduce an element of doubleness to the suggested identities of the targets of libel. An object used frequently by libellers to exemplify the dichotomy of inward motivations and outward displays was the book; sometimes this referred to the Bible or a prayer book but it could also include secular books, and it was most often used in conjunction with accusations of pride, vanity and hypocrisy in the targets of libel. The first text associated with the case of *Miller v. Maries*, Bridport (TNA STAC 8/214/2), contained the lines: 'Proude Agnes Mrs Paynes fyne mayde for marriage she doth looke | because shee hath bestowed some coste, to buy a faire newe booke' (Appendix A, p. 218, ll. 17–18). This new, expensive book, most probably a prayer book, was described as being deliberately deployed to create a certain public identity. It was used by the libel as a representation of Agnes' pride and marked the difference between her public behaviour and her private character. The case of *Condytt v. Chubbe*, Dorchester (TNA STAC 8/94/17), which also targeted the puritan contingent of the town as the texts from the Bridport case did, similarly used a book, here the Bible, as the object which represented the hypocrisy of the puritans' outward display:

Ffor noe ones so symple that on yow doth looke
but knowes yat you liue contrary to your booke
yow carry your bible gods word to expound
and yet in all knavery yow dayly abound.

(Appendix A, p. 223, ll. 5–8)

To carry a Bible, the lines imply, would in most circumstances make those who looked upon you think that you lived by its teachings; yet the private behaviour of the puritans at their illicit meetings which the libel text 'revealed' meant that the carrying of a Bible was turned into a hypocritical and foolish act and, furthermore, was seen as a deliberate attempt to deceive the community. Book-carrying as an image was used by the libel to represent this public performativity as a cover for inner vice.

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Books of a secular origin were also used by textual libels to represent outward appearances as masking underlying truths. In the case of *Edwards v. Woolton*, Exeter (TNA STAC 8/130/12), Edwards, the complainant, was accused of borrowing some medical books from Christopher Hunt and not paying for or returning them. The books in question then featured in the libellous letter written by the defendant Woolton to encourage inferences about the moral character of Edwards:

Haue you well [...] recompenced him [Christopher Hunt] for your keepinge them [the books] so longe havinge so much profited in learninge by them by shewinge them onelie to all Commers and intreatinge others to Call you doctor wheareof you haue now taken so deepe an Impression That by lookinge on their Coveringes onelye you are become a Phisitioner Indeede Strong Imaginations they say bring fourth oftentimes straunge and monstrous effects.

(Appendix C, p. 268)

The text here notes the disparity between Edwards' outward display of identity, that he has the books which constitute the trappings of a doctor prominently displayed in his shop through which he can incite people to call him a doctor, and disguise his actual status as an apothecary who has no knowledge of the information inside the books. Here the doubleness of the accusation has its object correlation in the doubleness of a book; the difference between the cover of the book and its content is used to communicate the message that the libel target's public behaviour did not match his real character, that Edwards' covers were not representative of his intellectual capacities.

Textual libels also used items of clothing and shoes as metaphors for or symbols of actual vice covered by the appearance of virtue – again drawing on the doubleness of performative behaviour and the anxiety which surrounded the veracity of such performative statements.¹² In the case of *Condytt v. Chubbe*, Dorchester (TNA STAC 8/94/17), the second text describes the puritans' pride as being manifest in their excessive dress which, it says, included 'lardg Cambricke Ruffes' and 'laceing great store' (Appendix A, p. 223, l. 19). This text assumed that an audience would naturally make the

¹² Sumptuary Laws meant that clothing was the most conspicuous means of judging a person's wealth, status and profession.

connection between the clothing someone was wearing and their moral virtue or lack thereof. The statement the verse makes is that, despite seeming profound and morally upright, the excessive trappings of the puritans' dress, as the libel's author saw it, constituted a marker of their actual pride and vanity. The libel verse aimed at the local minister Knolles in the case of *Knolles v. Hasell, Axminster* (TNA STAC 8/193/21), similarly used items of clothing to represent the divergence of outward display and inner reality:

Knave Clarke knave Priest and knaves mor:
 his Co[^]a[^]te shrowdes many vnder Priestlye showe; [...]
 I scarce dare say Priest knaues they haue such benches,
 To nurse poore seelye slaues, but not their wenches;
 To them in favour of the smocke,
 they giue example to their flocke.

(Appendix C, pp. 263–64, ll. 11–12 and 17–20)

Knolles's coat was the public signifier of his profession as a priest and so was used here as the image of his priestly outward show under which he was said to hide the many actions which made him a knave. A few lines later the verse also alludes to Knolles's alleged incontinent living with his 'wenches' by referring to an item of their clothing which was normally hidden from public view: the smock. The priest's behaviour is conducted with a preference for women's undergarments, an image which directly opposes the outer cover of his priestly coat.

The text taken from the case of *Neck v. Read, South Molton* (TNA STAC 8/221/9), referred to shoes with a similar meaning to the Axminster text's use of cloaks or coats. It describes how

He thates [that is] night gald or hath Cornes on Tooes,
 Maie blame the Shoemaker and curse his shoes,
 But those that are acquainted with his faulte,
 Canne tell the reason wherefore he doth halte, [...]
 ffor yf thou weart from the disseases free,
 Then wouldest be quiett as some others bee.

(Appendix C, p. 266, ll. 20–23 and 26–27)

The ill-fitting or poorly made shoes are used here as a cover or excuse for the wearer's visible pain when in actual fact on the inside he was disease-ridden as

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a result of his bad behaviour and those who know of his behaviour could tell this despite his attempts to deceive. The audience here were being asked to analyse that public performative behaviour and appearance sceptically because those who 'knew' the truth could tell the real reason for the behaviour. All of the textual libels that used elements of dress, such as cloaks and coats, adornments like ruffs and lace, and shoes did so to accuse their targets of being deceitful and guilty of vices such as pride, knavery and sexual misconduct. This reveals anxiety in early-modern communities over the dangerous potential doubleness of public identities.

In a similar way, the trades carried out by early-modern people on a daily basis defined their public identities within their communities and could be exploited by the libeller. In terms of the performance of libel texts, the representation of trades and tradesmen could work in several ways: firstly, once a trade had become associated with a particular character flaw or vice, as they had begun to be in the literature of the period, then, for a libel text, the mention of even just the visible symbols relating to a certain trade would automatically communicate a message to the informed spectator. Secondly, by referring to an ostensibly generic tradesman as a stock character in a performance the libel text remained to a certain extent unspecific or ambiguous to an outsider whilst to a local, knowledgeable spectator a reference to a certain trade alone would specifically refer to the person or people who carried out that trade in their community, the libeller thus combining ambiguity with the sport and humour of their libel by making coded allusions which would carry precise messages to the intended spectators. Thirdly, this use of tradesmen as stock characters took the performative elements of public identity familiar to spectators from the public scene and re-performed them to cast aspersions on the dubious nature of those they targeted through representations of their failings in trade.

In the case of *Lawry v. Dier, St Columb Major* (TNA STAC 8/202/30), the verse made a vulgar joke from the fact that a carpenter came to try to fix the problem of its resident wench:

And then there came a Carpenter who thought sure with a Pyn,
to mend her floodgate and thereby to keepe her water in,
he tooke great Payne and wore his flesh and loked thin and pale,

but all his labor was in vayne he could not good at all.

(Appendix A, p. 241, ll. 13–16)

The next section of the verse continued the joke by asserting that ‘yf soone shee be not cured great Pynnes will beare greate price’ (Appendix A, p. 241, l. 21). Here the carpenter as a stock figure represented manual trade and hard labour with his trade symbol the pin and the text made its joke from the lewd association of the woman’s ‘floodgate’ with trade and commodity in the price of pins and its references elsewhere to the fact that she ‘sold away her Maydenhood and is become a wief’ and did ‘ope her neither purse’ (Appendix A, p. 241, ll. 12 and 18). The verse also furthered this joke by reversing the gender roles of the people involved by making the woman a tradesman through her sexuality and the man seem woman-like in the description of the carpenter’s labour which is suggestive of female birthing labour. The text plays on the expectations and experiences of its audience in using a recognisable stereotype from the world of trade; in the subversive word play surrounding those expectations the libel finds one of the main sources for its humour of comic inversion of spectator expectations.

One of the libel cases which focused heavily upon the trades of its targets was that of *Hole v. White, Wells* (TNA STAC 8/161/1). It notoriously included, alongside the traditional May Day pageants of the city, a set of mock pageants which involved men in costumes representing the trades of the group within the city who were being libelled. Gamage’s verse described these mock pageants, but the bill of complaint adds further detail as to how the targets were represented by their trades and what their impersonation was intended to mean. It recounts how Thomas Bison rode through Wells with ‘a Brush in the one hand & a hatt in the other’ with ‘other ould hattes hanginge att his girdle’ and shouting that his hats were better than Mr. Yard’s (*REED: Soms.*, p. 263). Bison was followed by a series of other pageants the first of these included a man dressed as a female spinster with a spinning wheel who proclaimed that she was spinning John Hole’s wool ‘therby endeavouring to abuse & disgrace [...] Iohn Hole [...] clothier’ (*REED: Soms.*, p. 263). The next pageant was said to feature a man on horseback dressed as a pewterer with a hammer and pewter pots which he beat on a plank he carried before him, when asked by the audience what he sold he replied that he had as good pewter as any in Mead’s shop ‘therby derydinge Hughe Mead [...] Pewterer’ (*REED: Soms.*, p. 263).

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Following the pewterer were two more disguised men both on one horse, carrying a pair of scales and 'an ould frayle with graines & other trashe in it' which they threw at the audience whilst saying that Humfrey Palmer had no such raisons in his shop 'therby scoffing [...] Humfrey P[al]mer [...] Grocer' (REED: *Soms.*, pp. 263–64). The last pageant was made up of two men riding face to face on one horse, one of which carried two bags of counters 'representinge an vserer' the other of which had a desk and standish before him 'representinge a scrivener' (REED: *Soms.*, p. 264). It was said that the final pageant

Signified that [...] because the said Pewterer Hatter Clothier & Grocer were not sufficient they <shold> haue noe money of him [the usurer] [...] whereby they [the libellers] scornefully insynuated to the whole multitude as it was indeed then signified by the said representacions That your subiect Iohn Hole & likewise the said Iohn yard beinge a haberdasher the said Hughe Mead beinge a Pewterer & the said Humfrey Palmer beinge a grocer were poore men & stood in need of money or that they would be glad to take vp money at vsery.

(REED: *Soms.*, p. 264)

The libellers here went to elaborate ends to represent each of the trades that their libel targets belonged to so that the specific public identity of each target was recognisable by his trade. The presence and speech of the usurer, when addressing the tradesmen figures which signified Yard, Hole, Mead and Palmer, implied that these men were poor, in need of financial backing and open to usury. The criticism aimed at the targets of this libel also focused again on the point where private behaviour diverged from public performance implying that tradesmen who seemed publicly to be successful were 'actually' in financial trouble and needed to deal with money lenders. Furthermore, the authority of the targets was ruined by being impersonated as part of the traditional May games which they had openly condemned. The mock pageants and their presence in the verse written by Gamage were successful because of the association of trade conduct in the public scene with the moral virtue of the tradesman's true character. It is also important to remember that this was not a trade dispute at heart; it was caused by differences in opinion over traditional recreations, something which was religiously and politically motivated in origin. The representation of these men through their trades was a deliberate

choice of the libellers. The body of imagery used in libel texts to re-perform the public personas of their targets, whether it was through references to trade-associated symbols or specific objects or items of clothing, created the notion of a shared sphere of knowledge between libellers and communal audiences. This imagery was often drawn from the day-to-day experiences of public life in the communities of early-modern England and centred upon the idea of doubleness in identity, in particular, the dichotomy between inner vice and the outer display of virtue.

The significance of place to libel performance has been discussed in detail in chapter two of this study but it is still of note that a characteristic stylistic feature of the textual libels considered here was to name the place, in most cases the town, in which the conflict and so the performance of the text was situated. Not only did these place names appear in the texts, they were also accompanied in the majority of cases by a strong sense of the author's and audience's shared occupation and possession of that place. The inclusion of place names and, more importantly, the communal identities and sense of possession which those names embodied, can be seen to make up a significant part of the language of libel. Some texts located their action within the first lines of their verse, for example in the case of *Miller v. Maries, Bridport* (TNA STAC 8/214/2), one of the verses begins: 'The puritans of Bridport Towne; I wonder what they meane' (Appendix A, p. 219, l. 1). The text associated with the case of *Salter v. Cowper, Lyme Regis* (TNA STAC 8/258/15), opens: 'That is to saye. Lyme Regis 1607:' (Appendix A, p. 228, l. 1). These are two of many examples, but the verses generally went beyond the simple naming of place; they also emphasised the possession of that place both by the author and by the section of the community who were the intended audience. In the case of *Hole v. White, Wells* (TNA STAC 8/161/1), Gamage's verse included descriptions which linked the audiences of the May games, and therefore the inhabitants of the Town and presumably the spectators of the libel, with a common opinion of these sports and with the place itself. It declared:

You virgins all of every sort
 who with your wealth maynteine the sport
 greeue not though some at it doe frowne
 they live not loved in our Towne.

(Appendix B, p. 251, ll. 22–25)

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The town 'belonged' to those who shared the same opinion of the traditional May sports as the author and their viewpoint is thereby legitimized; those who condemn it are 'not loved' by the apparently dominant communal identity expressed in both the May games themselves and the libel verse .

Other textual libels defined their town, its spectators and their opinions in relation to the "otherness" of the libel's target through the language of place by linking that target to places outside of the locality, such as London and the court or towns in other counties. For example, in the case of *Perman v. Bromley, Bath* (TNA STAC 8/237/26), Marie Perman, wife of the complainant, was targeted by a verse which began:

Of all the whoores that I have knowne,
ffrom Courte that came vnto our Towne,
Theres none compares with Muddy Mall,
That playes the whoore from springe to fall.

(Appendix B, p. 245, ll. 1–4)

Despite Peter and Marie Perman having been married and resident in Bath for fifteen years (*REED: Soms.*, p. 23), Marie was defined and degraded by the fact that she came to a town claimed as the shared possession of the author and spectators, bringing from court her alien, whorish ways; she was made to appear as 'other' to the collective community audience through references to place. In the case of *Gordon v. Auncell, Melbury Osmond* (TNA STAC 8/153/29), the target Elizabeth Francis, nicknamed 'Bes the beare', was similarly designated as 'other' to the communal audience and of low reputation in the lines: 'And well she may I tell you trues | be Maistres in London of the Stues' (Appendix A, p. 233, ll. 11–12). The verse connected to the case of *Salter v. Cowper, Lyme Regis* (TNA STAC 8/258/15), similarly used place names to emphasise the transgressive nature of the behaviour of the target, Salter, with phrases such as 'in dorsettshire his fellow did not dwell' (Appendix A, p. 229, l. 15). The verse also described the wide geographical area covered by the chase at the centre of the text in which Salter's 'ferret' hunted the 'Conney', which included Exmouth, Bridgwater, Salisbury and even nearly into Wales (Appendix A, pp. 228–32). Textual libels, then, used their own language of place to invoke a sense of identity for the collective audience which they addressed and to colour their targets and their behaviour as alien.

In their use of particular place names, these texts also demanded a spectator very much 'in the know'. Texts such as those from the case of *Miller v. Maries, Bridport* (TNA STAC 8/214/2), which referred to 'Arons howse' and 'Iohn Chards howse' (Appendix A, pp. 217–18, ll. 7 and 21), and the case of *Stawell v. Mapowder, Jacobstow* (TNA STAC 8/27/10), which located its action in 'Suttcott Ile' (a specific pew in the local church, Appendix A, p. 236, l. 13), could only have had significance to people who knew the locality and the other people who lived there. Not only did the texts' use of specific place names with specific associations require an informed spectator, they also referred to events that had happened previously in the course of the conflict or events still to come, in terms of their locations. See for example, the descriptions of the previous demonstrations of 'Wells' May men (*Hole v. White, Wells*, TNA STAC 8/161/1), the examples of bad behaviour on the part of alleged puritans 'as did appeere in towne of late' (*Miller v. Maries, Bridport*, TNA STAC 8/214/2, Appendix A, p. 219, l. 6) or which 'all this towne doe know' (*Condytt v. Chubbe, Dorchester*, Appendix A, p. 221, l. 12) and the intended future confrontation of the target by the author of the Axminster libel predicted as occurring 'euery day in open place' (*Knolles v. Hasell*, TNA STAC 8/193/21, Appendix C, p. 265, l. 51). These designations of place located the action of the libel text itself in the wider public scene of each particular town or city. This use of place names can be seen as another way in which the language of libel spoke directly to its intended spectators and engaged them in the public spectacle of decoding the messages contained in its performances.

Of all the characteristics that performance-based libel texts used to create their distinctive voice and form of spectator engagement, one of the most striking was their adoption of certain literary and formal features to allude to other genres in order to associate their messages with a spectator's perception of the specific genre alluded to. This manipulation of recognisable generic features from various textual, literary and dramatic traditions to create the most effective libel message was particularly powerful when performed; it implied an informed author and necessitated an equally informed spectator.

In the case of *Gordon v. Auncell, Melbury Osmond* (TNA STAC 8/153/29), the verses were written in Skeltonics with their two to three stresses per line, their use of alliteration, parallelism, and multiple rhymes which were extended over a varying number of lines. Anthony S. Edwards describes how Skelton's

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verse style was popular in early-modern England 'especially for polemic purposes' and demonstrates that, mostly due to George Puttenham's description of Skelton's satire as "'rayling and scoffery'", there was a general 'denigration of Skeltonic metre as the work of a "rude rayling rimer & all his doings ridiculous"'.¹³ Skelton and Skeltonics were also used in late sixteenth- and early seventeenth-century drama for their association with the 'low world of popular culture'.¹⁴ The use of this style in a libellous verse does not necessarily indicate that the inhabitants of a small town in Dorset were familiar with the works of Skelton or with its contemporary dramatic use, but it does suggest that this association of the particular style with low and comical content had become widely recognised and was part of the popular sphere of knowledge. The libel verses in this case were using the Skeltonic style because, by association, they added to the depiction of the target as guilty of comically excessive pride.

A similar use of prosodic style and its generic associations was made in the verse from the case of *Stawell v. Mapowder, Jacobstow* (TNA STAC 8/27/10). In this verse the speeches made by the targets impersonated in the verse were written in Rime Couée; this style was one taken from morality plays and Tudor interludes in which it had been frequently used when vice characters were speaking.¹⁵ This example may be part of the natural development of a literary prosody towards popular use, but the presence of this kind of prosody in the libel verse adds a further dimension to the ridiculing of the targets by generic association; the text accused its targets of vice in as subtle and normalising a way as the form that their speech took in a dramatic representation of their characters.

As well as the use of particular styles of prosody, libel texts used the features of a wide variety of popular literary genres for the associations they added to the libellous message. The verse from the case of *Salter v. Cowper, Lyme Regis* (TNA STAC 8/258/15), in its recounting of the chase narrative and

¹³ Anthony S. Edwards, *John Skelton* (London: Routledge, 1995), pp. 9–11.

¹⁴ Edwards, *Skelton*, p. 13.

¹⁵ See J. E. Bernard Jr., *The Prosody of the Tudor Interlude* (New Haven: Yale University Press, 1939) and John J. McGavin, 'The Dramatic Prosody of Sir David Lindsay', in *Of Lion and Of Unicorn: Essays on Anglo-Scottish Literary Relations in Honour of Professor John MacQueen*, ed. by R. D. S. Jack and Kevin McGinley (Edinburgh: Quadriga Publishing, 1993), pp. 39–66.

naming of places that its hunt narrative passed though bears resemblance to traditional hunting songs and it may have used this established genre to add comic effect to the bawdy premise of its entire verse: that Salter's pursuance of local women is likened to a ferret hunting a rabbit. This case also bears similarities in form to Broadside Ballads and news-sheets: the opening and closing lines of the libel verse stress that this was intended to be a two part narrative and one which was both oral and textual, for example.¹⁶ But the text in this case also mimicked the process by which ballads and news-sheets were commonly sold. When the libel text was read out the defendants also

Did [...] sett vpp, fixe, and fasten the same Libell [...] openlie vppon a boord vnder the Pillory then and yet standing in the most eminent, Conspicuous and open market place of your Towne aforesaid [Lyme Regis] to such an end and purpose as all sorts of people might then and there publiquely and openly behould, read, and peruse the same.

(REED: *Dorset*, p. 221)

The verse's closing signature of 'per me: A. B. C. D.' was written in italic display script and the most rude part of the verses, its recurring line ending in 'punt/cunt', was laid out with one word written on top of the other with a large bracket surrounding them both, a traditional way of marking rhymes in manuscript poetry and drama. Collectively, these details mean that the libel text itself was visually interesting and eye-catching and was posted up in a central and visible place whilst being read aloud by a performer who also emphasised the existence of a second part of the verse in an almost salesman-like way. Ballad sellers frequently went to provincial towns and in order to sell their printed ballads they would read part of the text aloud whilst showing the printed version which often bore images to make it visually interesting. Many ballads were written in two parts and sold separately with bawdy and satirical content in a lot of cases; this description is remarkably similar to the performance context suggested in the Lyme Regis libel.¹⁷ This association of the libel text with ballad selling drew upon a well established and easily recognisable performance circumstance in which cheap, popular literature of a

¹⁶ Fox, *Oral and Literate Culture*, pp. 317–18 associates this libel text with the 'familiar' format of a news-sheet.

¹⁷ Tessa Watt, *Cheap Print and Popular Piety 1550–1640* (Cambridge: Cambridge University Press, 1991), pp. 23–25.

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sensationalist and comedic sort was sold to make the story of its own target seem all the more notorious through its apparent print-worthy level of scandal and humour. Scholarly criticism has established the link between various libel texts and specific ballads or their associated songs so this connection does not need further emphasising but it is significant that textual libels were not only using the form and melodies of particular ballads, they were also using the performance elements of their distribution.¹⁸ This libel text also shares its imagery with a notorious series of pamphlets from the 1590's written by Robert Greene and known as the Coney-Catching pamphlets which in turn had their origin in criminal cant.¹⁹ In a further example of another literary genre used by a libel text for its association, the case of *Abingdon v. Beaton, Over Compton* (TNA STAC 8/42/14), included the suggested Latin epitaph examined previously. The association of this text with the learned and serious genre of the epitaph lent to the libel text an air of authority and made its message appear more like an educated expression of a commonly accepted truth than a libellous accusation of greed and vice.

Textual libel's specific use of imagery relating to the dangerous potential doubleness of public identity, for example through references to objects, items of clothing and the exterior trappings of particular trades, similarly drew on a range of literary and dramatic traditions. For example, the use of the book as a marker of the dichotomy between publicly performed virtue and private vice is a device common in the literature of the sixteenth century. Perhaps most famously, in Spenser's *Faerie Queene* the evil magician Archimago appeared to Redcross as an 'aged Sire' who 'by his belt his booke he hanging had'.²⁰ Archimago disguised as a hermit won the trust of Redcross and took him back to stay at his inn but then conjured false visions to tempt the knight into vice. The carrying of a book as a show of godliness was also part of a popular dramatic device for representing vice through the pretended clothing and trappings of the clerical profession, which had been used by reforming

¹⁸ Ingram, in *Popular Culture*, establishes the connection which is then followed up by Fox, *Oral and Literate Culture*.

¹⁹ L. H. Newcomb, 'Greene, Robert (*bap.* 1558, *d.* 1592)', in *Oxford Dictionary of National Biography* (Oxford University Press, 2004) <<http://www.oxforddnb.com/view/article/11418>> [accessed 2 May 2014]. Also see: *Coney Catchers and Bawdy Baskets: An Anthology of Elizabethan Low Life*, ed. by Gamini Salgado (Penguin, 1972).

²⁰ Edmund Spenser, *The Faerie Queene Book I*, ed. by P. C. Bayley (Oxford: Oxford University Press, 1966), p. 56.

dramatists since the early sixteenth century and was now being used in popular resistance to reform. As with the literary tradition of the deceitful character who carries a book, the covering of vice with virtue represented through items of dress was a common theme in the moral drama of the sixteenth century. As part of their characteristic generic association, these textual libels written by and for the provincial communities of early-modern England built upon the widespread knowledge of popular conceptions of these literary and dramatic traditions for the authority, veracity and familiarity they lent to the messages of their libels.

This exploitation of generic association can also be found in libels which used the trades of their targets to mark the difference between private vice and public virtue. For example, the libel verses from the cases of *Adams v. Gilbert*, *Compton Pouncefoot* (TNA STAC 8/43/3), and *Best v. Traske, Frome* (TNA STAC 8/61/27), two cases which were geographically and temporally close to one another, both targeted lawyers with London connections accusing them of knavery by referring to 'buckram bags'. The two cases share the line 'search bocrome bagges is there noe knavery in store' (*Best v. Traske*, Appendix B, p. 249, l. 9) with only a very slight variation.²¹ During the reigns of Elizabeth I and James I, buckram bags were so common an accoutrement of lawyers that "a buckram" meant a lawyer's bag and sometimes the lawyer himself, or his clerk'.²² Furthermore these distinctive buckram bags 'made their appearance on the Elizabethan stage' and in popular literature too: Thomas Nashe's *Pierce Penniless*, when searching for the devil in Westminster Hall because 'they say the Lawyers haue the Diuell and all', used the symbolic item of attire to refer to the lawyers themselves and as a distinguishing feature of status when he described how 'to Westminster hall I went, and made a search of Enquiry, from the blacke gown to the buckram bagge, if there were any such Sergeant, Bencher, Counsellor, Attorney, or Pettifogger, as *Signior Cornuto Diabolo*, With the good face'.²³ This description of a search for devilry in the gowns and buckram bags of lawyers and counsellors bears striking resemblance to the sentiments and language used in the libel verses. Furthermore, this association

²¹ *Adams v. Gilbert* has 'search <...>ram bagg noe knavery in store' (Appendix B, p. 247, l. 3).

²² Edmund B. V. Cliristian, *A Short History of Solicitors* (London: Reeves and Turner, 1896), pp. 56–57.

²³ Cliristian, *Solicitors*, p. 57; Thomas Nashe, *Pierce Penniless*, ed. by Stanley Wells (London: Edward Arnold Publishers Ltd., 1964), p. 30.

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of Lawyers with the devil or with vice in *Pierce Penniless* was one which was taken up and developed in early-modern satires such as for example Samuel Rowlands' *Looke to it: for, Ile Stabbe ye* published in 1604 which described 'Couetous Lawyers' through their dress and made direct reference to Nashe's work.²⁴ It appears likely that the satirical, literary and dramatic tradition which characterised lawyers as connected with vice through descriptions of their trade accessories was seized upon by the libellers who could relate this characterisation of lawyers to their own local contexts and further ridicule them by generic association. This again is just one specific example; however, the general use of the trappings of trade in libel texts can be seen to derive from a range of genres including satires, Broadside Ballads and pamphlets. It can also be found in literature of a higher social level such as the prose descriptions of 'characters' which were appended to and published as part of Thomas Overbury's *The Wife* after his murder and which were based on Joseph Hall's *Characters of Virtues and Vices* (1608).²⁵ This sort of taxonomy of virtues and vices, characters, stock figures and tradesmen was a common feature of popular culture in early-modern England and it is highly likely that a knowledge of this kind of cultural form fed into the stereotypes and trade figures which were used in textual libels. It could also be said though that the moral dramas of the sixteenth century which were concerned with vice and virtue contributed to this literature and to the textual libels and this feature may owe something to the traditions of medieval drama in which particular civic and trade guilds performed pageants through which they also performed their guild identities to the rest of their communities. There was also a collection of early-modern plays which were interested in the trades including for example *The Shoemaker's Holiday*, *Bartholomew Fair*, *Arden of Faversham* and *The Knight of the Burning Pestle*, which staged London tradesmen and their roles in society. The features of the libel texts which targeted trade exploited the traditions and trends in popular literature and drama through association thus placing their victims within a much wider area of social concern over recognising vice and virtue in a world where identity was

²⁴ Rowlands, 'Looke to it: for, Ile Stabbe ye', I, p. 10.

²⁵ John Considine, 'Overbury, Sir Thomas (*bap.* 1581, *d.* 1613)', in *Oxford Dictionary of National Biography* (Oxford University Press, 2004) <<http://www.oxforddnb.com/view/article/20966>> [accessed 4 May 2014].

constructed through everyday performance in the public, trade-dominated scene of communities up and down the country.

Generally, textual libels not only used features taken from literary and dramatic traditions for their generic associations, but they also adapted the features of events from everyday life such as court summons, commandments, proclamations and, as has been demonstrated previously, the delivery and receipt of letters. These forms were generally used for the authority that they lent to libel verses and for the transgressive associations they added to the targets' alleged behaviour. For example the case of *Abingdon v. Beaton, Over Compton* (TNA STAC 8/42/14), included a text written in the form of a set of mock commandments which exploited common knowledge of the biblical commandments to show just how transgressive the target's behaviour had been and based its humour both on writing this set of authoritative commandments for a gentleman and on converting biblical forms into low level verse. Another such text was the verse libel from the case of *Craye v. Heskins, Berkley* (TNA STAC 8/92/10). This text took the form of a mock court summons and incorporated aspects of this particular document and process into its verse, for example in the lines:

William Swarfe I am to Lett yow vnderstand
to warne the courte out of hand [...]
All yow that be here in this place
must Come to Hughe Cresse and shew your lease.

(Appendix B, p. 246, ll. 6–7 and 10–11)

The bill of complaint also described how the libel verse was sealed up and attached to Swarfe's mare to take part in the performance as a physical prop representing the summons to the court of cuckolds. Again the libel was using the association of authority and behavioural correction that a court summons had through adopting its style, its physical appearance and its delivery process to lend weight to the libel's message. It also used this association as a source of humour in the adaptation of a serious and recognisable process of law enforcement to the comic implementation of local social regulation over a matter which should have been private.

It is important for the overall aims of this study to note that performance-based libel's use of generic association extends beyond just the textual libels

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examined in this chapter. Cases that did not use texts to libel still appear to have inherited the visual symbols that they used from popular literature and current events to further associate their targets with knavery or vice. The first of the two cases between the Roupe and Fortescue families of East Allington centred on the device made up of four knaves of playing cards, each of which represented the particular folly of the individual targets. This first case occurred around 1605 and the later case, submitted to Star Chamber in 1615, opened its bill of complaint with a description of the playing card knaves' device from the earlier case. These dates and the resurrection of the knaves device as a trigger for the second conflict coincide with a particular set of satires by Samuel Rowlands which used the knaves of playing cards to satirise contemporary humours; the first of these satires became notorious at its initial publication and was widely popular when published in subsequent multiple versions. *A Mery Metinge, or, 'Tis Mery when Knaves Mete* (1600), along with another satire by Rowlands, was 'condemned by bishops Whitgift and Bancroft "for that they conteyne matters unfytt to be published: they to be burnt in the hall Kytchen [of the Stationers' Company]". The satires were burnt on 26 October 1600 and in the subsequent year 'twenty-nine booksellers were fined 2s. 6d. for buying these books'. However, 'the publicity which this state outrage generate[d] among the wider population seems to have worked to Rowlands's advantage, for *A Mery Metinge* (of which no original copy is extant) was reprinted as *The Knave of Clubbs* (1609)' and followed later by *The Knave of Hartes* (1613) and *The Knaves of Spades and Diamonds* (1613?).²⁶ The notoriety, repeated use of the knave motif and dates of initial publication and suppression together with those of their later reprinting of these satires strongly suggests that the libel in the case of Roupe v. Fortescue was created with an association to the first satire in mind and became relevant again with the reprints of the satires named after the four knaves. Another part of this libel case performed a set of mock proclamations in the local churchyard accusing the complainants of absence from church. Thus the libel had also been fashioned to recall the contemporary fears associated with the Gunpowder plot in the timing of its mock proclamations which supports the idea that the playing cards were also topical in their reference. This association

²⁶ All references above to Reavley Gair, 'Rowlands, Samuel (*fl.* 1598–1628)', in *Oxford Dictionary of National Biography* (Oxford University Press, 2004) <<http://www.oxforddnb.com/view/article/24218>> [accessed 2 May 2014].

of a performed libel with the imagery of infamous satires, the timing of treasonous plots and its renewed expression upon subsequent printing of the knaves verses indicates not only that libels beyond the purely textual kind exploited generic associations in the minds of their audiences but it also reveals an intertextuality and generic interplay which followed topical trends in literature connected with the current political and religious status to the minute. In this way libels could exploit awareness where it existed in their audiences of day-to-day developments in the events of the wider governance of their nation, the cultural expressions triggered by these developments and their own local contexts to communicate the full impact of their defamatory messages.

What all of these libels, textual and otherwise, were doing and what can be seen to be one of the most striking characteristic features of provincial performance-based libel, then, was to use the popular conception and purpose of a genre of their choice and incorporate those genres into their libels to associate their targets with the common perceptions of them thereby adding a further layer of meaning to their messages; they also produced humour by adapting those genres with their connected associations to libellous ends. In incorporating these genres into their messages not only did libels use literary and stylistic features, but they also employed the physical, visual or aural manifestations of their chosen genres from recognisable and familiar performance contexts, such as documents being delivered or ballads being read aloud or sung alongside a printed text, and adapted them to become part of the performance of libel. In doing this they exploited both the knowledge of genre in their audience and the central role of performance in the communication of those genres.

The features of the libel verses explored here can be seen to make up the distinctive 'voice' of textual libel and the particular relationship which it cultivated with its spectators. This voice employed an oral style of communication, directly addressing both its audience and its targets at different times. Libel verses also used reported speech and dialogue, were often confrontational in tone whether directly or under the guise of false friendliness and included a large quantity of imperatives. The authorial voices of these textual libels were commonly self-reflexive as to the construction and narrative of their verses which drew attention to the deliberately engineered

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nature of their performances and their contexts within both an ongoing conflict and the wider public scene. The voice of textual libel was also concerned with affecting a particular kind of translucent authorial anonymity; one which could be deciphered only by the intended spectatorship of members of the local community. Throughout the libel verses the identity of the authors of libels was a subject which it was assumed any audience would try to make assumptions about and so writing and performing libel texts can be seen as a kind of formative process for those author's identities as well as for the public personas of their targets. The type of authorial voice characteristic of textual libels strove to engage its audiences in deciphering the messages it was trying to communicate not only through allusion to authorial identity but also by including puns based around the names of its targets, using proverbs and lines of Latin and by referring to places, familiar and unfamiliar, which carried with them certain associations for an informed spectator. The voice of textual libel was one which created and normalised its own opinions or beliefs as those of the community and therefore the spectator; encouraged its audiences to join in with the game of libel which meant decoding its targeted messages; and one which spoke as part of an ongoing conflict played out in multiple performances in the public scenes of the cities, towns and villages of early-modern South-West England. One of the most striking features of early-modern, performance-based libel was the level of intertextuality and generic allusion which characterised it; this feature demonstrates the level of cultural awareness which existed in provincial communities as well as their subtle understanding of and familiarity with the techniques of performance in re-using these cultural products. What all of the textual libels considered here have in common is that the voice they used was employed deliberately to speak to a popular audience, to engage them through their own medium and to persuade them to actively engage with the message being communicated siding with the opinion and beliefs of that authorial voice in the performance of libel texts.

Chapter 6:

6.1 Concluding Reflections: Regional Trends and Performance-based Libel beyond the Records of Early English Drama Series

To investigate the use of performance in community conflict, this study selected the offence of libel as its focus and, in particular, libel cases from the South-West counties of England tried at the court of Star Chamber between 1603 and 1625 during the reign of James I. The dates were chosen firstly because the offence itself was legally redefined and conceptually changed by a series of high profile precedential cases at the end of the sixteenth century. These developments meant that the early seventeenth century saw a large increase in the number of libel cases tried in Star Chamber. More generally, though, this study looks at performance in local community conflicts at a time when national conflict was still a decade or more in the future, and when the forces of education, print, and inter-regional communications were discernible in local matters; during this period the local still appears to be the principal concern but the translation of local issues to the national court of Star Chamber as opposed to local church courts can be seen as one of the new forces tending towards the nationalisation of conflict. The study is limited to this date range secondly for practical reasons: the Star Chamber records which are one of the main sources for this study are grouped by monarch's reign with only the records for James I's reign having an existing, useable set of indexes. It is probable that the Star Chamber records from the reign of Elizabeth I contain a wealth of material which would inform and extend future study of performed libel. Of the Star Chamber records for the South-West counties of England, this study specifically focused on Devon's libel cases predominantly because of their absence from the Records of Early English Drama volume for that county. What emerged from the Devon records was a spectrum of performed libel with each case varying in the levels of theatricality which it employed and the study went on to look at one kind of libel case from this spectrum (libels with texts) in more depth to analyse the literary content and techniques of libel verse. It also used the textual libel cases included in the REED volumes for Dorset, Cornwall and Somerset in order to place the Devon

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textual libel cases in the wider context of their neighbouring counties. This chapter will continue the contextualisation of Devon libel with cases from the REED volumes. Its principal aim in doing so is to look critically and comparatively at what Devon's records reveal about the view of libel produced by the REED volumes, considering whether from a methodological point of view the picture of libel presented by REED is too narrow. The chapter will also consider what regional trends can be identified in performance-based libel in terms of texts, the roles of women and the use of place, whilst acknowledging that, at least in terms of the Dorset, Cornwall and Somerset records, this may still be only a partial view of the whole picture of performed libel. At this stage of study the total numbers of cases are small and so similarities are statistically less significant than a study of the country as a whole would permit but, nevertheless, in the material studied here, patterns do seem to emerge.

As a result of this study, it is possible to say of Devon libel tried at Star Chamber under James I that out of a total of twenty-three cases, only two were completely unperformed, seven can be seen as secondary cases because whilst they used publicly performative behaviour to initiate rumours they did not perform their libels, three related cases were performed but targeted the law as an abstract concept rather than being community conflicts, ten cases can be seen as performance-based and five of these involved texts.¹ However, when looking only at the records of libel in the REED volumes there are five cases included in the Dorset volume, six in the Cornwall volume and nine included in the Somerset volume all of which had some kind of text associated with them. As the information from Devon shows, there is potentially a whole spectrum of performed libel beyond the REED volumes for Dorset, Cornwall and Somerset; what the cases in the REED volumes represent is the equivalent only of the five textual libel cases from the Devon material. The inclusion of textual libels in REED represents a huge positive step in the accessibility and study of provincial libel without which this study would not have been able to cover as large an area geographically as it has done and any record set must by necessity be selective in the material it includes; however, as a result of this study and in order to see the full extent of the performed nature of provincial libel, a methodological shift may be necessary. The Star Chamber records for

¹ In the remaining case of the twenty-three the record could not be viewed at the National Archives.

libel in those counties, such as Devon and Gloucestershire, where the REED volumes were published early in REED's development need to be consulted and appended to the records – something which should become possible as the series moves towards digital production and digitises past volumes. In those counties for which the REED volumes already include textual libels the Star Chamber records may need to be revisited and reassessed in terms of the broader spectrum of performance.

Whilst acknowledging, then, that the view of libel in Dorset, Cornwall and Somerset given here is a selective one, patterns do appear in the performance-based libels from across the South-West region when it comes, firstly, to textual libel. Of the nine textual libel cases from Somerset, five included the exact contents of their texts in their bills of complaint with four additional cases in which complainants could not reproduce exact verse contents. In contrast, all five cases involving texts from Dorset reproduced the contents of those texts in their bills of complaint. In Devon, three of the five textual libel cases reproduced their texts' contents in their bills with two cases unable to do so and in Cornwall four of the six cases could provide text contents but two could not. Somerset had the highest number of cases which used texts to libel compared to the relatively consistently lower numbers of cases using texts from Dorset, Devon and Cornwall, but Somerset was also the county with the highest number of cases in which complainants could not reproduce text contents in their bills of complaint. Where reasons are given, libel texts were not included in bills for one of two reasons: either because the complainants could not obtain knowledge or a copy of the text itself, presumably due to more careful circulation on the part of the defendants, or because the contents were deemed too rude to be included. The differences in the numbers of bills which did not reproduce libel texts' contents coupled with the reasons given for their absence seem to suggest a variation in attitude towards text as a method of libel and towards libel text content across the four counties. In Somerset, the four cases which did not reproduce their libel texts also did not give explicit reasons for this; they summarised the contents of the texts in a line or two but either could not get a copy of the exact verses or did not think it was sufficiently important to do so. There are also two cases from Somerset where only part of the libel texts were given in the bill of complaint, apparently due to their rude content, something which does not happen in bills from the other three counties. In comparison, in the two Devon cases where texts could

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not be reproduced the bills of complaint do explain that this was because texts were unavailable to the complainants with the case of *White v. Gower* (Creditor, Devon, TNA STAC 8/304/12) describing that this was due to the deliberately selective publication of the text by the defendant which was said to have been spread in 'that Covert and cunning manner' meaning 'that your saide subiect could by noe meanes eyther get Copie of the saide libell [...] or learne the certayntie of the particulars thereof whereby he might be able to expresse the certaintye thereof in this or any other bill'.² Gower, the defendant, allegedly achieved this by ensuring

That the particular certayntie thereof is made knowne only to such as eyther are his [Gower's] owne verie freindes or els engage their credites not to discover the certayntie thereof to your saide subiect [White] but to many others the same is published and divulged only in generall termes.³

This was a deliberate strategy of the libeller to publish his text selectively and not allow the complainant to reproduce its contents exactly; this coupled with the other Devon case missing its libel text contents which gives similar reasons for its absence, suggests that libellers were more deliberate in their publication methods and that a slightly different emphasis was placed on the text contents in Devon libel than in Somerset where more complainants could not reproduce the contents but the bills did not feel it necessary to give any explanation as to why. In contrast again, in Cornwall, of the two cases that do not have extant texts, one bill states that the libel text is annexed but there is in fact no text accompanying the bill so this can be put down to a loss of material from the record rather than an inability to reproduce the text. In the other case, that of *Rashleigh v. Kendall* (Fowey, Cornwall, TNA STAC 8/249/4) the bill of complaint describes that the libel was:

Stuffed and cloyde vpp with many fowle immodest and vnciuell termes and speeches conteyning both in matter and manner divers grosse and filthy wordes, factes, attemptes & enterprises, vnfitt and vnseemely to bee heere att large expressed, thereby supposed to haue benn committed by your saide Subiect moste falsely purporting & conteyning

² TNA STAC 8/304/12, m. 12.

³ TNA STAC 8/304/12, m. 12.

in Substance and effect amonge many other things farr worse and
fowler then are fitt to be heere litterally sett downe.

(*REED: Cornwall*, p. 478)

The bill then goes on to summarise some of the accusations allegedly made by the text. This is a different reason from those given in the records from Devon for the absence of text contents and although it perhaps does not reveal any particular attitudes towards the importance of being able to include the specifics of a text in a bill of complaint, it does suggest that a stylistic feature of the Cornwall textual libels was their rudeness. This is borne out by the extant verses with particularly rude contents existing in the cases of *Lawry v. Dier* (St Columb Major, Cornwall, TNA STAC 8/202/30) and *Robins v. Vosse* (Whitstone, Cornwall, TNA STAC 8/246/13). This is not to say that especially rude libel texts were confined to Cornwall; one of the rudest verses is that associated with the case of *Salter v. Cowper* (Lyme Regis, Dorset, TNA STAC 8/258/15) and the example from *Perman v. Bromley* (Bath, Somerset, TNA STAC 8/237/26) was only partially reproduced due to its lewd content with the part that was given being sufficiently rude to make one wonder how bad the rest could have been. However, it appears that the Cornwall libel texts in general were ruder. In Dorset, there are no cases amongst those included in the REED volume which used text to libel but whose texts could not be reproduced in full in the bills of complaint. In itself this shows either that it was easier for complainants to obtain copies of libel contents because Dorset libellers were intent on more widespread audiences for their libel verses or that in cases of libel where the exact contents of texts could not be reproduced targets felt that they could not sue successfully in Star Chamber and so the records do not exist. Either way this suggests that in Dorset actual text contents were particularly important and there can thus be said to have been differences across the four counties in the emphasis placed on the actual contents of libel texts.

When the Dorset cases which have extant texts are considered, the centrality of text to libel in Dorset is supported and a further trend in textual libel for Dorset can also be identified: the use of multiple texts associated with single cases. In four out of the five textual libel cases with extant texts from Dorset, each case had multiple separate texts associated with them and in the one case which only has one extant text, that of *Salter v. Cowper* (Lyme Regis,

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Dorset, TNA STAC 8/258/15) the verse itself opens with the lines 'The first parte of Robert Salter hunting the Cunney and doo, | and shortlie I will the second parte shew' and closes with the prose lines:

I would haue sett forth some parte of Salters matcheuill feates Conning trickes and false dealing with manie other vile partes, but that paper is somewhat scant, but that you shall haue in the second parte with manie trickes and villaynes per me: A. B. C. D.

(Appendix A, pp. 228 and 232)

In this case, although the bill itself makes no mention of any other text and there is only one text extant, at the very least in the moment of performance the existence of another text to be read out at another time, whether real or not, was described and promised to spectators. This along with the other four cases which all had two or more separate texts associated with them makes a total of ten separate verses from five cases, a high number compared to the total of three verses one from each of the three cases with extant texts in Devon. Moving west, Cornwall's textual libels generally share Devon's method of only having single texts associated with each case with only one case out of six being a possible exception. In the case of *Robins v. Vosse* (Whitstone, Cornwall, TNA STAC 8/246/13) the verse ends with the lines 'This for the first part published | The second follos then imparted' (Appendix A, p. 243, ll. 22–23) although the bill of complaint does not make any reference to a second text. Moving north-east of Devon, the textual libels of Somerset include a mixture of both cases with single and multiple texts associated; Somerset has a total of eleven separate extant texts from just five cases. Significantly, the case of *Adams v. Gilbert* (Compton Pauncefoot, Somerset, TNA STAC 8/43/3) which is one of the earliest extant cases from this set of records in the four counties and which is located on the border between Somerset and Dorset, involved seven separate texts, six of which are extant. The case of *Hole v. White* (Somerset, TNA STAC 8/161/1) which took place in Wells less than twenty miles north of Compton Pauncefoot and the Dorset border and which occurred only a few years later than the Compton Pauncefoot case and in the same year as the big case from Dorchester, Dorset, also had multiple texts associated with it. The other three cases with extant texts from Somerset which took place further to the north of the county in Bath, Berkley and Frome all only used single texts to libel their targets. There appears, then, to be a

trend for multiple texts in Dorset and contiguous parts of Somerset in contrast to Devon and Cornwall's use of single texts in each case. It is important from a methodological viewpoint to note that the trend for using multiple libel texts in one case is not confined to Dorset but in fact extends beyond its border into the south of Somerset suggesting that trends in libel did not necessarily follow existing county or administrative boundaries. Textual libel (but perhaps also other kinds of performed libel) had its own regions or areas which developed their own characteristic features, rather than being regulated absolutely by institutional borders and boundaries. This is significant because it demonstrates that in analysing libel one should be aware of what was happening in a wider geographical area as opposed to isolating individual counties – using multiple REED volumes at once for example instead of just looking at them individually without relating them back to their surrounding geographical context.

The possible reasons for this development of regional differences in the existence of multiple or single libel texts for each individual case can begin to be explained by looking at the ways in which some cases used style both across multiple texts and within a single text for performance purposes. The case of *Adams v. Gilbert* (Compton Pouncefoot, Somerset, TNA STAC 8/43/3) is one of the earliest cases from the four counties for which there is an extant verse text and its use of multiple verses written in contrasting styles appears to have influenced the ways of using text to libel in the surrounding area. Each of the six separate extant texts associated with this case sought to defame a different target from amongst a group of people, each outlining the particular faults of that person by describing them as different figures from biblical or classical history. Each of these texts used their own individual rhyme scheme and prosody just as they libelled the characters of each distinct person; the different styles of the multiple texts seem to further distinguish the personas assigned to each individual target. The use of style to characterise individual targets distinctively, and the fact that a contemporary audience would have been alive to this use of stylistic features, is confirmed by the use of the same style from one of the Compton Pouncefoot texts by the sole libel verse from the case of *Best v. Traske* (Frome, Somerset, TNA STAC 8/61/27) just a few years later, for its association with the knavery of lawyers. One of the verses from the Compton Pouncefoot case targeted a local lawyer as did the Frome case and the two verses are not only linked by their use of the same rhyme

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scheme and prosody, but they also share two almost identical lines; the Compton Pouncefoot libel including the lines 'search <...>ram bagg noe knavery in store, | what a counsellor to then hange him' (Appendix B, p. 247, ll. 3–4), and the Frome libel bearing the lines 'what to be cosenned and a counsellor tow | search bocrome bagges is there noe knavery in store' (Appendix B, p. 249, ll. 8–9). This suggests that the Frome libeller was deliberately using specific elements of the Compton Pouncefoot text which had been used to characterise a lawyer as distinct from the other targets of the Compton Pouncefoot texts. Where the Compton Pouncefoot case's approach to textual libel was to have multiple texts written in distinct styles in order to caricature specific people within a group of targets, the Frome case took the style of one Compton Pouncefoot text and replicated it to associate its single verse and single target with another libellous event and a general message about the conduct of lawyers. It is also possible that the verse written by William Williams from the case of *Hole v. White* (Wells, Somerset, TNA STAC 8/161/1) was at least aware of if not influenced by the Compton Pouncefoot and Frome cases as the opening lines of the Williams verse again share the same rhyme scheme and prosody as the verses from Frome and Compton Pouncefoot and both the Wells and Frome bills of complaint specifically refer to their verses as epigrams.⁴ The Williams verse from Wells is a more learned creation than nearly all of the other libel texts across the four counties and after its initial twelve lines (in the same style as the Compton Pouncefoot and Frome examples) which are quite different in content to the rest of the verse, it moves to rhyming couplets. This change in style is also marked by a line taken from Marlowe's *Tamburlaine*.⁵ Without knowledge of the form of the other two cases Williams' opening twelve lines that do not appear to fit with the rest of the verse seem odd. However, if he was aware of the style trend in current regional libels then this might explain his initial use of the style, and his distinct move away from it to a more learned style (marked by the Marlowe allusion) is more understandable. It must be noted though that establishing a

⁴ For the Williams verse labelled as an epigram see *REED: Soms.*, p. 271 and for the Frome verse excused as an epigram see *REED: Soms.*, pp. 123–24. The two cases occur almost simultaneously with the libellous action of the Wells case taking place in May and June 1607 and the reading out of the libel verse from the Frome case happening in July and August of the same year but according to *REED: Soms.*, II, p. 710 Williams' verse was not written until September 1607.

⁵ As highlighted in *REED: Soms.*, II, p. 932.

direct connection between the Wells case and the Frome and Compton Pouncefoot cases is not possible as it is for the latter two cases with their shared lines and target occupations. Whether the Wells verse was directly influenced by these cases is less important here; what matters is that the Compton Pouncefoot case used multiple texts and their different stylistic features to distinguish between targets and the Frome case seems to have adopted this technique but in order to associate its verse with another libel case. Here we can see conscious decisions being made and trends appearing over the use of single or multiple texts across cases. The remaining two of the Somerset textual libel cases are both more northerly and later in date than the other three and although there is no evidence of them being aware of each other's existence, they do share a similar regular iambic metre and are written in rhyming couplets, which is also the style in which the verse by Gamage from the Wells case is written.

Another way of using multiple texts and stylistic features to libel can be seen in the Dorset textual libel cases; as has been stated, the Dorset cases used multiple texts and seem to have placed more emphasis on text content in their bills of complaint. In terms of style, the multiple separate texts from the Dorset cases tend to be characterised by a continuity of style across distinct texts. One clear example of this continuity of style to link separate verse texts is the case of *Miller v. Maries* (Bridport, Dorset, TNA STAC 8/214/2) in which the two separate libel texts were performed over several days by different men in strategic locations in and around Bridport town. The two verse texts were quite different in their content in that one named all of the local inhabitants that it suspected of participating in illicit local religious meetings in a mock hue and cry type call to gather together, whereas the other text did not name the people it targeted but referred to them as a group of puritans and attacked their general conduct in the town for its hypocrisy.⁶ However, the two verse texts shared the same prosody, both being written in rhyming fourteeners. It is possible that by performing one text which included the names of the targets and another text which outlined their faults but not their names over a short space of time and in close proximity to each other, the idea was that a spectator would witness one text in performance and then the other and it

⁶ And the bill of complaint emphasises the lack of names in the second verse (*REED: Dorset*, p. 159).

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would be up to them to connect the names with the accusations of each text and so understand the whole message of the libel – both who it targeted and why. This connection would have been made more obvious or natural by the two separate performances of texts sharing the same stylistic features of prosody and rhyme scheme. This same linking of two separate verse texts through prosody to communicate a larger message but spread across two performances might also be what the case of *Gordon v. Auncell* (Melbury Osmond, Dorset, TNA STAC 8/153/29) was attempting to do. The first text associated with the case targeted Edward Francis and his wife accusing them of pride and cuckoldry; the second text then expanded its scope to libel a group of the town's inhabitants but it only says that their example will lead them to hell rather than specifying for example pride as the specific vice and its last lines allude to the other text:

If you would know who they be
Look a little further and ther you shall see
The Parson and his Nurse
William Allen and his purse
Nedd ffraunces and his beares
Mr Gordon and his whores.

(Appendix A, pp. 233–34, ll. 7–12)

The suggestion to look a little further and the naming of Edward Francis allude to the other text and again the continuity of prosodic style (both are written in Skeltonics) would naturally remind a spectator who had heard both to associate the messages of the two. These two cases indicate a use of stylistically similar features across separate verse texts to communicate a bigger libellous message. This seems to have been a common practice in Dorset in particular and may have been influenced by the practice outlined above of the series of libellous cases which occurred earlier in the south of Somerset – all of the extant textual libels from Dorset are contemporary to or later than the cases of *Compton Pauncefoot*, *Frome* and *Wells*. This is not to say categorically that the authors of these various Dorset and Somerset libel texts explicitly copied parts of other libel texts (except in the cases of *Compton Pauncefoot* and *Frome*); it is to say that these general trends show that libel authors were deliberately choosing to libel in certain ways by using multiple or single texts and were aware of current stylistic fashions in textual libel. This in turn suggests the

existence of a generally accepted way to libel using texts which varied across larger geographical areas and may have developed according to regional tastes and the precedents established by libellous events.

Devon and Cornwall appear to have had their own general trends when it came to stylistic features and the use of single texts in each case. In Devon generally there are fewer textual libels than the other counties of South-West England and one of the three that do survive was written in prose, but the other two verses tend towards a general style of eight to ten stress iambic rhythms with line lengths varied for emphasis of content and both have single texts for each case written in rhyming couplets. As one moves west into Cornwall the extant verses from the textual libel cases are characterised by variation of prosody within single texts. For example in the case of *Stawell v. Mapowder* (Jacobstow, Cornwall, TNA STAC 8/27/10) the verse was written predominantly in Rime Couée but is interspersed with sections of longer lines (although the lengths vary). Overall, the inclusion of a variation of styles in single texts in the textual libel cases from Cornwall makes them feel more like dramatic texts than some of the other cases from further east. This is especially true of the Jacobstow text which is made up of a series of characters speaking. The textual libel cases from Cornwall seem more isolated because none of them share any common stylistic features other than the fact of variation, in comparison for example to the cases from Somerset or Dorset. Despite these regional variations, across all of the textual libels from South-West England can be seen a common approach to libel via text in that they always consciously used stylistic features to further the message of each individual libel in its performance context; whether by making the oral performance more lively or more varied through prosody, or by using it to distinguish verses about different targets from one another or indeed to associate separate texts about groups of people with other texts. These texts suggest awareness in both authors and audiences of other libellous events in the local area and the ways in which style could be used in single or multiple performances.

The fact that there can be said to be sub-regional variations in style, number of texts and emphasis on text content when it comes to textual libel means that as well as placing the textual libels that were the focus of chapter five into their wider context, it is important for this conclusion to consider the

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relationship of the other arguments made throughout this thesis regarding the full spectrum of performed libel in Devon to libel in the surrounding counties. Were the roles of women in Devon libel the same as those in Dorset, Cornwall and Somerset or not? Do libels across the four counties use place and space in similar ways? Were the causes or triggers of libel different according to location and what might this mean for libel's relationship to contemporary cultural change? Once again it is crucial to acknowledge that any comparison of Devon libel material to the libel cases from Dorset, Cornwall and Somerset used in this thesis and taken from the REED volumes is only a partial contextualisation because the cases in REED are a selection from a larger body of potentially relevant material; however, these samples of Dorset, Cornwall and Somerset libel can be productively used to begin to think about regional trends in libel performance in order to place Devon in its wider geographical and cultural context.

When it comes to regional trends in general cultural change, David Underdown's *Revel, Riot and Rebellion* gives particular insight into the particular situations in the counties of Somerset, Dorset and Wiltshire. Its central argument, that the predominant trade, economic developments and geographical situations of particular areas directly affected the rate of cultural change and resistance to it through conflict, suggests that the contents, causes and manifestations of libel might also vary according to regional differences. Underdown notes that 'widespread fears of a breakdown of familial order [...] were particularly rife in wood-pasture areas' and that as well as possibly being related to poverty and over-population, these fears

May perhaps be related to the fact that in these places women often made greater contributions to household income (from spinning and the marketing of dairy products) than was normally possible for the wives of open-field arable farmers, and have been more assertive in consequence.⁷

Underdown goes on to discuss the prevalence of communal limitation of this assertiveness through things such as skimmingtons and duckings for female transgressions but might there be a variation in women's involvement in libel outside of Devon? Do the points made in chapter four regarding women's roles

⁷ Underdown, *Revel*, p. 99.

in libels reported to the Star Chamber hold true for libel cases in the other South-West counties or are they unique to Devon? Before answering these questions, a qualification needs to be made to the purpose and arguments put forward in chapter four: the chapter does not represent a comprehensive overview of all communal disputes involving women that relate to slander. Because many cases which dealt with female reputation, marriage, sexual misconduct and female slander were tried in local church courts, as discussed particularly by Martin Ingram, the cases tried in Star Chamber represent only part of the whole view of female involvement in communal conflicts over reputation in early-modern England.⁸

The REED material for Dorset, Cornwall and Somerset provides support for my Devon-based claim that women were both the engineers and informed spectators of performed libels. For example in the case of *Condytt v. Chubbe* (Dorchester, Dorset, TNA STAC 8/94/17) descriptions were given of the wife of the principal defendant, Matthew Chubbe, engineering libel performances:

The said Margarett Chubb not onely shewed the same [libel] to some persons but did also tell and recompt the substance therof vnto these persons offering that if they or any friend of theirs would haue a Coppye therof they should haue yt.

(REED: *Dorset*, p. 174)

This is reminiscent of the roles played by Mrs Fortescue in the mock-proclamations of the case of *Roupe v. Fortescue* (East Allington, Devon, TNA STAC 8/254/24), and Mrs Norris in the letter circulation of *Edwards v. Woolton* (Exeter, Devon, TNA STAC 8/130/12): these women did not perform libels themselves but worked behind the scenes to have copies of the texts spread and read aloud.

In the case of *Hole v. White* (Wells, Somerset, TNA STAC 8/161/1) the sole female defendant amongst many male defendants, Thomasine White, was specifically named as being involved with an instance of dancing which took a riotous turn, for dressing children for the May games and for a servant of her husband's household being procured to play a drum at the May sports. She

⁸ See in particular Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987).

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was also included in the list of defendants who spread the libel text abroad. Apart from the dancing incident which appears to be slightly different, these background roles played by Thomasine are similar to the kind found in the Devon records. Thomasine also seems to have answered interrogatory questions relating to her role as a spectator to the libellous May pageants, this again supporting the conclusions drawn from the Devon records; however, in looking at her role as a spectator, another methodological point relating to REED's editorial practice is uncovered. The examination answer of Thomasine White is not given in full in the REED Somerset volume, parts of it only being summarised in the endnotes. This summary includes the description:

'Thomasine White admitted seeing the shows [pageants libelling Hole and company] but denied surmising any attempt to connect the four chief characters with the four opponents of the May games' (*REED: Soms.*, II, p. 934).

This information is intriguing and important for our understanding of the spectatorship of libellous performances because it shows that it was thought to be a valid defence to admit to seeing the shows but to claim not to have been the kind of active spectator who could decipher their meaning. This is a similar line of defence to cases where defendants claim to have found a libel text but to have been unable to read it; it demonstrates that libel performance demanded a specific, informed spectator to 'read' the meaning of the performance whether literally or in the sense of interpretation. As the Wells record shows, this spectator could be female; however, the Wells description of this female spectator does not appear in the REED volume and is therefore at risk of being overlooked. In the case of *Rashleigh v. Kendall* (Fowey, Cornwall, TNA STAC 8/249/4) the endnotes also describe parts of the bill which have been left out but which may give insight into women's roles in libel:

The omitted portion of the bill describes what means the confederates allegedly employed to induce as many 'of the Common people, as they coulde to belieue the saide false and scandalous libell to be true,' such as by publicly repeating the aspersions against the complainant at the assize and sessions of the peace in Cornwall, by directing petitions to officers of the court [...], by pointing out individuals in the streets of Fowey and loudly naming them 'Mr Rashleighes Bawdes' or whores, and by bribing, tricking, or coercing women to falsely accuse the complainant.

(*REED: Cornwall*, p. 597)

It also omits the part of the bill that describes how the defendant Thomas Kendall

Had contrived to bring one Sarah Lillicrapp to his house where, posing as a justice of the peace, he detained her for a day, threatened and bribed her into agreeing to testify to having committed adultery with the complainant, and then sent her home at night with his horse, saddle, and some money in reward.

(REED: Cornwall, p. 597)

The endnotes then also describe Kendall's explanation of this episode in his answer which was also omitted from the actual REED records and which gives quite a different account of Sarah's conduct. Although these events are not in themselves accounts of the actual performance of a libel text they may shed light on how women were used in constructing libellous accusations, of particular interest for a study of performance libel when they involve instances of public naming or women falsely accusing someone. As a records edition with a particular agenda REED must be selective as to what material it includes and although it does not give the actual records relating to these women's involvements it does summarise them. However, this practice shows that for studies such as this one it is necessary to go beyond the REED volumes. As chapter four highlighted, women's roles in libel are difficult to ascertain because of the way that the Star Chamber records selectively represent and describe their involvement and it is crucial that modern editions, in further selecting material from these documents, do not further obscure or confine to the margins the roles which women played in libel performances.

Other than supporting the arguments made in chapter four and showing that across the region, and not just in Devon, women were generally under-represented in the records and unlikely to perform libels themselves with their chief roles being as spectators and engineers of libel performances, this being particularly true of the records sample for Dorset and Somerset, the REED records do also show regional variations and do in some cases provide evidence of more direct involvement of women in libel and more concern over women's reputations. This is particularly true of Cornwall, but in Somerset also there are two cases in which female defendants were specifically named as taking part in riotous gatherings. The case of *Best v. Frowd* (Frome, Somerset, TNA STAC 8/48/16) describes the actions of the defendants:

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The said Stephen Cooke Thomas Allwood thelder and Elizabeth his wieffe Richard ffrowd and Iohan his wieffe Iohn Allwood and Anne his wiffe Thomas Allwood the younger and Alice Allwood [...] soe riotously Being assembled raigned vp and downe the groundes of your said Subiect [Best].

(*REED: Soms.*, p. 122)

The entire list is repeated again and it is described how, on another day, the defendants did

Most rioteouslie violentlie forcible and vnlawfullie [...] with rapiers daggeres stones & other vnlawfull weapons [...] encounter your said subiect and him then and there estopped and forbarred from entrie into his said landes and [...] in [the] [...] street [...] sett vppon and evill entreated chaseing your said subiect with stones from the premisses threatening to stabbe him.

(*REED: Soms.*, p. 122)

Further on in the bill, although the whole list of defendants is not given so it is unclear whether the women were directly involved, it is related that 'at which tymes [i.e the riots] the said riotous persons vsed manye prowde disdainfull contumelious and contemptuous speeches [...] and made rymes ^vpon' and against your said subiect and the same did libell abroad' (*REED: Soms.*, p. 122). It is impossible to know what actual part the female defendants played in this case but they were involved in specifically riotous gatherings at which libels were read, something which was not evident in the Devon records. In the case of *Hole v. White* (Wells, Somerset, TNA STAC 8/161/1) Thomasine White was also said to be involved in a riotous gathering in which the defendants were said to be 'armed with weapons ^and drumes' & [...] acted not only manye disordered Maygames Morice daunces ^longe Daunces men in weamens apparell new deuised lordes and ladyes and' Churchales, but further acted very prophane & vnseemely shewes & pastimes' (*REED: Soms.*, p. 262). In particular, when Constable Hole read the King's proclamation to try to stop these pastimes,

The said Thomasyn with other of the confederates then and there iustled your said Subiectt & compassed your Subiect <with> drumes <beaten in disgrace> of your Subiect' & then & there <with> strong

hand <riotouselie rescued> vagrant persons then <assembled that your subiect had apprehended [...] 'and then and there beate suche persons as then assisted your Subiect'.

(*REED: Soms.*, pp. 262–63)

Again it would appear that this is evidence of more active involvement of a female defendant in a riotous episode of a libel case than has previously been seen in the Devon records. Although it must be said that Thomasine, in her defence, claimed that she and other women with their husbands were merely dancing peacefully and that she did not 'thrust or lossle [=jostle]' the complainant but that she only said 'Master Constable I am at my owne doore and heere I will stand' (*REED: Soms.*, p. 282).

It is, however, in Cornwall that women's most distinct active involvement in libel performance and presence in the records appears. In the case of *Lawry v. Dier* (St Columb Major, Cornwall, TNA STAC 8/202/30) the libel centres around the status of Hugh Lawry, a carpenter, and his wife, the verse text itself consisting of a crude story about Mary's 'flood hatch' being 'broken' and her general sexual misconduct. This subject is not a new one but instead of the bill of complaint focusing on the damaged reputation of Hugh Lawry it goes into more detail as to how Mary was targeted by:

A most infamous, scurrilous, obscene and slaunderous libell or writing containing most filthy and reproachful Matter of slaunder and disgrace secretly ment and intended to and against both your said Subiectes, more especially against your said Subiect Mary by and vnder the name or description of a Wench, of a Mayden become a wief, and in and by the said libell supposed or intimated to lie at the said Towne of St Colombe.

(*REED: Cornwall*, pp. 510–11)

Two of the five defendants in this case were female and in a similar way to the Devon cases involving the Roupe and Fortescue women (TNA STAC 8/254/24 and TNA STAC 8/254/26), this can be seen to be an attack on female reputation articulated specifically in terms of the female hierarchy of wife, widow and maid. However, in this case, in contrast to the records of the Devon case, the bill of complaint explicitly pinpoints the offence as particularly touching female reputation in its highlighting of the terms used by the libel relating to female hierarchy.

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In the case of Painter v. Yeo (Launcells, Cornwall, TNA STAC 8/236/29) the records even contain, alongside the main complainant Richard Painter, yeoman, the complainant 'Marie wise of Launcells aforesaid single woman' without her being associated with a father or husband (*REED: Cornwall*, p. 486). In the case of Robins v. Vosse (Whitstone, Cornwall, TNA STAC 8/246/13) the sole complainant was 'your Highnes loyall and obedient subiect Grace Robins the natural daughter of Walter Robins and of Alice his wife of Whitstone' with the bill going on to describe how

The said parentes of your Highnes said subiect [...] haue not only to their great Charges bestoued great somes of monie in the honest Ciuile and vertuous Iducacion of your said subiect But allso haue now of late offered a great porcion of monie in marriage with your said subiect for her better advancement and preferment.

(*REED: Cornwall*, p. 524)

Grace Robins was still very much part of a patriarchal society dependant on her father and defined by her marital status and accompanying portion which were dictated by him. She was being libelled in similar terms and from the same social position and hierarchy as women all over South-West England. However, in this Cornwall case she appeared as the principal complainant and the bill of complaint was chiefly concerned with the damage done to her reputation rather than that of her husband or father. In the full lists of complainants for all six libel cases in the Cornwall REED volume, twelve were men and eight were female; a very high number of women compared to the Devon records where in ten cases there were ten male complainants and only one named female. The presence of women as complainants in the Cornish records suggests that female status, reputation and hierarchy was more vocally defended in the county of Cornwall and perhaps that women had more independence and 'assertiveness'⁹ in complaining over a damaged reputation here than elsewhere in the South-West region.

When we look to the full lists of defendants for the Cornwall libel records it can also be said that this assertive and vocal female role showed itself in the making and performing of libels. Of the defendants from the six Cornwall REED libel cases, twenty eight were male and eleven were female; in comparison, of

⁹ Underdown, *Revel*, p. 99.

the ten performance-based Devon libel cases there were forty four male defendants and only three female defendants named. Chapter four described how in Devon records a female defendant was nearly always named in association with her husband; however, in direct contrast, in the case of *Robins v. Vosse* (Whitstone, Cornwall, TNA STAC 8/246/13) the final list of defendants runs: ‘^Richard Vosse Degory Congdon’ [<...>] Esq Roger Gere Thomas Rowe Alexander Milton Iohn Cullacot the yonger, [Thomas Cosse] Iane Vosse [his wife] ^&’ Margaret Randall’ (REED: *Cornwall*, p. 526). Instead of the wife’s name being added as an afterthought as it appears to have been for example in the case of Anne Hasell in the records of *Knolles v. Hasell* (Axminster, Devon, TNA STAC 8/193/21), here Jane Vosse is named in her own right whilst her husband Thomas Vosse’s name and her relation to him have been crossed out. In the case of *Stawell v. Mapowder* (Jacobstow, Cornwall, TNA STAC 8/27/10) there is even evidence of women directly performing a libellous verse:

And the said Emanuell Mapowder Marie his wife Margaret ffetherstone and the said other vnknowne persons having so made Contrived and wrytten the said false and scandalous Rimes and verses [...] in the forme and Nature of a Libell as aforesaid, the said Marie Mapowder Margaret ffetherstone and the said other vnknowne persons by and with the privitie and Consente of the said Emanuell Mapowder most malitiouslie and vnlawfullie did saye singe repeate and publish the said [...] verses and libell to diuerse and sundrie persons.

(REED: *Cornwall*, p. 484)

The two women are then described as having had copies of the libel made and spread abroad in a similar way to that seen across the other South-West counties but the record is unique in alleging specifically that the women themselves albeit with the consent of one of their husbands publicly performed the libel verses. Overall, the records from the counties of Dorset, Somerset and Cornwall confirm that the engineering roles women played in Devon libel performance and their presence as informed spectators were not unique to that county, nor was their general under-representation and ambiguous position in the records, something which has perhaps even been furthered by selection criteria in modern research projects. However, the REED records do also show that women’s involvement in libel and its performance did vary

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according to region with Cornwall in particular having more women named and represented in the legal process, more obvious concern over female reputation in bills of complaint and more active roles for women as defendants in the performance of libel.

Chapter three of this study was concerned with the ways in which libel in Devon used space and place in performance and also encompassed the formation of a pilot resource for mapping libel performance locations using both modern and near-contemporary old maps. When it comes to situating the Devon libels within their wider geographical context, therefore, it is necessary to consider whether there are regional variations in the ways in which libellers conceptualized and employed place in their libel performances as there are for the ways they used text or the roles that women played. In looking at the REED libels from Dorset, Cornwall and Somerset, however, in contrast to other aspects of libel, it would appear that the ways in which libel performances used place was mostly consistent across the four counties. Their underlying drive was always to achieve the most widespread dissemination possible for their messages but, outside of Devon, they still also commonly used local streets and highways for their public nature as well as for the connections they made between significant people and the places they lived or worked in, the latter being achieved in most cases by letter deliveries throughout Dorset, Cornwall and Somerset as it was in Devon. To give a few examples, in the case of *Painter v. Yeo* (Launcells, Cornwall, TNA STAC 8/236/29) the libel text was folded and wrapped up like a letter with a superscription added to its outer face, it was attached to the female target's horse and the horse was then taken 'vnto a Certaine stile in the waie to Launcells' where the defendant did

Then and there leaue the said horse tyed to the said stile and the said libell soe folded vp in the manner of a letter as aforesaid and directed vnto yor said subiecte Marie with the said indorsement and superscripcion before mencioned to the open view of all such passengers as had occasion to goe that waie.

(*REED: Cornwall*, p. 488)

Similarly, in the case of *Craye v. Heskins* (Berkley, Somerset, TNA STAC 8/92/10) the text witten and styled in the form of a mock court summons was attached to the complainant's horse which was led about the local streets. Highways were used in both of these cases because they provided a large

audience but also because they were the normal arena for the delivery of letters or court summons connecting particular people.

Libel performances across Dorset, Cornwall, Somerset and Devon also all used communally significant public spaces chosen for their specific relationship to the identity of the person or people targeted and drew on the collective memory of the community as spectators. A particularly good example of the selection of place to suit the target, grievance and text content outside of Devon can be seen in the case of *Abington v. Beaton* (Over Compton, Dorset, TNA STAC 8/42/14) where a letter directed to the local Esquire libelling his excess of ambition, pride and wealth triggered by his recent unpopular enclosure of common lands was 'lett [...] fall in the vpfeild at Compton [...] whereby yt was afterwarde bruited and published abroad' (*REED: Dorset*, p. 237). Another libel verse from the same case was written in the form of mock commandments and this libel the defendants

Did most vnlawfully fix and fasten [...] vppon the Churche gate at Trent in your highness County of Somersett being one Mile from your said Subiects howse And [...] did allso send the same Libell [...] vnto your said Subiect by the said Iohn dier who pretended that he had taken it that morning betymes from the said Churche gate.

(REED: Dorset, p. 237)

These two libels were placed in the field and on the church gate known to the local inhabitants as the site firstly of the original grievance of enclosure of common lands and secondly as the place of conventional moral instruction and were specifically linked to the target as a landowner in the first text's location and by the delivery of the second text to his house. In the placement of libel texts in communally significant spaces, libellers across the four South-West counties also employed the importance of particular days to their local audiences; the libel in the case of *Salter v. Cowper* (Lyme Regis, Dorset, TNA STAC 8/258/15) was read aloud and posted up on a board under the pillory in the market place of Lyme Regis on market day for example. In the case of *Robins v. Vosse* (Whitstone, Cornwall, TNA STAC 8/246/13) a written copy of the libel text was placed on a pew in the church of Whitstone on Whitsunday.

As has been shown true of Devon libels, Dorset, Cornwall and Somerset libel performances also frequently used liminal spaces such as the church gate

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in Over Compton (Dorset) and the stile in Launcells (Cornwall). However, it is notable that in the Devon libel records of the ten performance-based cases four involve libellers fastening items to or reading libels aloud at the doorways of domestic dwellings whereas although there are one or two descriptions of letters or a summons being taken to specific houses in the REED volumes for Dorset, Cornwall and Somerset, and one instance of a riotous incident being located outside a particular house in the Wells case, there are no descriptions of symbols or libel devices being fixed to house doors in these other counties. Whilst this may be an indicator that the doorway of a target's domestic space was more significant to libel in Devon, it is also possible, and more probable given the nature of those libel devices fixed to house doors in Devon, that those cases which fixed things to house doors outside of Devon did not make it into the REED volumes because REED seems to have interpreted libel performance in a more narrowly textual way. It may be the case that there are performance-based libels which did not use text but which used the communally significant space of the domestic doorway that exist for other counties besides Devon but that do not appear in the REED volumes.

One other place which seems to mark Devon's records out as different from those of Dorset, Cornwall and Somerset is the inn, tavern or alehouse. Whereas the generic phrase that defendants 'did singe reade, repeate and publishe the same lybell in divers Tavernes Innes, Alehouses and other places of publique meetinges & resorte' (Perman v. Bromley, Bath, *REED: Soms.*, p. 24) or variations with the same sentiment are frequently included in the records for Dorset, Cornwall and Somerset there are very few instances from Devon which locate libel performances in inns or alehouses. It is difficult to tell whether this actually reflects a difference in libel performance location trends or whether its absence in Devon is more a product of variations in the process of recording libel. However, as the example given above shows, the phrases which specify inns and taverns as locations for performance were very general and formulaic and these alehouse readings were never described in any detail. In addition to this, there are no extant cases across the four counties in which an alehouse was the sole place of performance, the libels always also being read aloud first in other significant public places such as markets, streets and so on. In light of the above, I would suggest that rather than being a significant public performance space used by libellers from Dorset, Cornwall and Somerset but not from Devon, it is more likely that the kind of phrase which specified an inn

or alehouse reading was part of the general vocabulary of the records outside of Devon. These records perhaps included such phrases more to provide supporting evidence of defendants' knowledge of libel contents and general lack of respect for the reputations of their targets than for its significance as an instance of the public performance of libel.

Rather than there being trends in libels' use of space and place in performance according to geographical factors, it is more accurate to say that the status of the people involved in the libel disputes had an effect on the places chosen for performance, the distances covered by libels and the conceptualisation of space in libel cases. For example in the Devon records the high status of the men involved in the case of *Edwards v. Woolton* (Exeter, Devon, TNA STAC 8/130/12) means that there is more information extant because it was more thoroughly investigated by those in authority. However, the records do also show that there were many more instances of this libel being read aloud in varied locations (in particular involving specific spaces in gentlemen's houses as discussed in chapter three) and their dissemination also covered a much wider area, even reaching back from Devon into Somerset. This is in contrast to, for example, the case of *Reade v. Peter* (Tiverton, Devon, TNA STAC 8/253/18) which was a dispute between a clothier and a fuller (as opposed to involving high status doctors and their prestigious patients the Courteneyes). In this case we only have a few descriptions of performances all located in Tiverton. In the case of *Edwards v. Woolton* the treatment of the patient Sir William Courteney the younger was the trigger of the dispute between the two medical men and the records go into great detail as to the original journey made by Courteney from his residence in Somerset to his initial place of treatment in Exeter, dwelling particularly on whether he rode his horse or travelled in a carriage. This access to faster transport seems to mean that distances travelled in this case were conceptualised differently and *Edwards and Woolton* were also said to have confronted one another when they met on the highway whilst riding horses to and from Courteney's residence. It is also clear that the movement of the patient between different houses was done strategically by *Edwards and Woolton* as a mark of who was in charge of his care; therefore the fact that the libel reaches back along the lines of Courteney's original journey from Somerset is significant. Outside of Devon, there are also cases in which the more widespread dissemination of libels coincides with the status of those concerned: such as in the case of *Rashleigh*

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v. Kendall (Fowey, Cornwall, TNA STAC 8/249/4) where John Rashleigh, esquire, 'head of one of the wealthiest and most important families in the Fowey area' was libelled by Sir Anthony Rowse, knight, Ambrose Rowse, esquire, both justices of the peace for the county, Edward Hearle, esquire, and Thomas Kendall (formerly a justice) and the libel was said to have been distributed not only in Fowey but 'in divers and sundry places within your saide County of Cornewall devon, London and elsewhere within your Realme of Englande' (*REED: Cornwall*, pp. 480 and 596). A similarly wide-ranging dissemination was alleged in the case of Salter v. Cowper (Lyme Regis, Dorset, TNA STAC 8/258/15) where the complainant Robert Salter, gentleman and 'one of the Officers of your maiesties ffarmors of your highnes great Customes of England' was targeted by a libel performed in the locality but also sent as a letter 'into your City of London and other places' (*REED: Dorset*, p. 218 and 221). The verse in this case also named places as far away as Wales (as discussed in chapter five) when outlining the journey made by the 'ferret' pursuing the 'coney' and referred to travelling by cart, showing a similar approach to distance and travel as the Exeter case. These cases still represent targeted use of place according to the identity of the complainant; to effectively damage the reputation of a high status target holding an administrative office in London a libel needed to reach all those who knew them and particularly the central authorities for whom they worked. However, when talking of variations in libel and its performance it is worth noting that the use of place appears to have been generally consistent across geographical regions but was affected mostly in practical terms by the status of those involved.

The cases described above whose performance locations cross county boundaries also again highlight the fact that libel was not geographically confined by existing regional borders, just as trends in its contents were not, and in fact in terms of place libels deliberately crossed those boundaries to further the scale of the accusations being made and the damage being done to reputations. In looking at the significance of place to libel performance across the four counties the points raised demonstrate that resources, such as the pilot mapping project for libel in Devon created as part of this research, firstly should cover wider areas rather than individual counties in order to be useful and secondly are crucial to understanding how things like place, road

networks, journeys and existing borders were both conceptualised and used in performance by early-modern libellers.

To conclude, then, libel performances, as well as having common characteristics, also varied according to content, style, the gender of those involved and location depending both on the trends of the locality and the status and identity of targets. This alone demonstrates the subtlety and sophistication of the ways in which early-modern provincial communities were employing performance in their conflicts; it also argues for more wide ranging study of these libels as performances, which needs to encompass areas greater than individual counties and go beyond the textual libels featured in the REED volumes.

Finally, it remains to return to a consideration of the initial questions raised in chapter one as to whether libels and the form that they took were related to contemporary attempts to reform traditional modes of recreation. Chapter one specifically asked what the relationship was between the performance nature of this type of community conflict and the constant reformation of religious display and traditional leisure activities leading up to this period. As a result of the development of the study since its inception, this question in itself now requires some modification. It is almost impossible to say whether a type of communal conflict such as libel was a driver of wider cultural change or a product of it since these forces (conflict and change) are almost inextricable from one another and both have their own complex developments over vast expanses of time. If anything, what can firmly be concluded as to this question is that each had a certain influence on the other; cultural change affected libels and the form that they took and in turn the prevalence of and developments in libel performance drove further cultural change within and across provincial communities. What can also be concluded from looking at the triggers and underlying causes of the libel cases from across Dorset, Somerset, Devon and Cornwall studied here is that religious, political and economic changes specific to the early-modern period were spreading at varying rates and yet libel cases occurred across the whole region for a variety of reasons – cultural change and in particular the spread of Puritanism provided a convenient label for pre-existing communal conflicts, which were the manifestations of widespread unrest during this crucial period directly preceding the civil war. For example there are many more libel cases

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from the counties of Dorset and Somerset which were at least ostensibly triggered by the clash of Puritan factions in communities with those in favour of more traditional communal relations and festivities. In comparison, the libel cases from the counties of Devon and Cornwall do not explicitly name Puritan reform as a cause of conflict, with their libels appearing to be more concerned with trade relations, positions of local authority and, in Cornwall in particular, status through marriage and gender relations and hierarchies. However, these apparently different given causes are in actuality just different labels for the same thing; the Dorchester conflict over Puritan reform was inextricably linked to local positions of authority held by those involved although triggered by the arrival of a particularly vocal Puritan preacher; the Bridport case which took issue with Puritan attitudes and illicit meetings also divided those involved by trade relations and competition. Conversely, the Jacobstow case over local hierarchy and gender relations, although not affected explicitly by Puritanism, was played out in the local church and caused by the placement of newly wealthy community members in prominent pews. Puritan reform may have directly affected certain areas of the South-West region more than others and in those places it influenced the contents of libels. However, libel disputes that were formed and expressed in similar ways occurred in Cornwall just as they did in the areas of Dorset where Puritan reform had taken root. Therefore it would be more accurate to suggest that different local situations of cultural change provided convenient labels for libel cases which were, as an emergent and evolving offence, in themselves a topical form for the manifestation of pre-existing and ongoing underlying communal conflicts.

What is perhaps a more pertinent question when it comes to the wider social and cultural context of libel is whether libel performances can be viewed as the voice of the people providing evidence of the existence and development of multiple 'publics', or, conversely, whether they demonstrate the influence of high level cultural production on the lower levels of society in fact reflecting the extent to which political and religious change as dictated by central authorities affected the people.¹⁰ The complexity and subtleties of the libel material studied here should indicate that performance-based provincial libels demonstrate much more than just the influence of events and literary

¹⁰ I am grateful to discussions from the Publics and Participation Conference 2014, Birkbeck, London for stimulating thoughts on this subject.

production from the centre or the top on the masses at the bottom. Of course in answer to the question they do both; libels reveal what influence and effects a wealth of different literary genres from high circles, events of religious significance such as the Gunpowder plot and the instruments of political change and social control such as proclamations and court summons had on the lowest levels of society. However, the fact that these libels took different elements from all of these sources of influence and *re-performed* them, adapting and combining them to suit the individual libellous aims of each case, means that they can be seen as a more local product of the people. More accurately they should be seen as the voices of multiple peoples or 'publics' with their own often strongly voiced opinions the multiplicity of which in itself must have been instrumental in the development and escalation of social conflict in the period immediately preceding the civil war. For this reason, libels, as performances, require further study on a national scale and scholarly attention for the insights they can give as to the everyday experience of people from all levels of society of wider cultural, social and political change.

Appendices

Appendix A – Dorset and Cornwall Libel Texts

These libel texts are all taken from the bills of complaint for each case given in the Records of Early English Drama volume for Dorset and Cornwall (R. C Hays and C. E. McGee, S. L. Joyce and E. S. Newlyn eds., *The Records of Early English Drama: Dorset and Cornwall* (Canada: University of Toronto Press Inc., 1999)) page references for which are given in parentheses at the start of each set of verses. I have retained the spelling, capitalisation and punctuation of the texts as they appear in the REED volume. However, I have added lineation based on rhythmical characteristics in order to allow a modern reader to appreciate the verses as they would have sounded when read or heard by a contemporary audience of libel in a local community setting.

Dorset Libels:

Bridport 1613/14 – Miller v. Maries STAC 8/214/2 (REED: Dorset, pp. 154–67)

Libel 1:

Runne hosford runne lohn Chard make haste William Colfox make noe
staye,

for Miller with his trayne is gonne, make hast therfore I saie:

William Whettam calle Tom Merifeilde lohn Bishope and the rest,

for Baylye and the Angell bright with book are redy prest:

5 Sweete Beniamine (Camelion lite) make haste I do thee pray,

Iames Whettam Balston and Tom Shutt remember Harry Waye:

for Arons howse is fully fraught, with preachers in greate store,

Come quickly then delay noe tyme, make hast I say therfore:

Doe not forgett our sisters deare; for they with vs must pray,

10 and sing a Psalme before they preache, therfore make noe delaye.

Lett Baylyes wife call Beniamins, Alice Wade she will attende,

and Whettams wives to Akermans they forth with speede will sende;

Appendix A

In any case lett Buckerelles trulls with Mris Mullins mayde

Call Ostelers wiefe for they will shedd greate store of teares tis saide,

15 Nell Merrifeild calle Angells wife two sisters passinge brave;

with Balstons wife and many more whose company wee crave.

Proude Agnes Mris Paynes fyne mayde for marriage she doth looke

because shee hath bestowed some coste, to buy a faire newe booke.

Remember likewise speedily to send for Iohn Wads wife,

20 for shee is calld with Moore tis saide to leade an honest life:

At Iohn Chards howse you shall bee sure your Company to meete,

where they with salutations most kindly will you greete;

there Cheverell with Counsell grave instructions will give

And Aroun Cooke your Consciencs beinge wounded will relive:

25 When Arons rodd begins to budd, and yeldeth forth his blosome,

these minssinge dames doe think indede, for them tis good and
holesome.

The pride of flesh doth often swell his spiritt doth him move

and they with him incontinent will enterchange their love.

ffor he doth often walke abroade with them for recreation,

30 It is the only way for soothe for wenches of their fashion.

Hee is god wate a man of note with them to goe or ride,

his spiritt moves still to their loves at every tyme and tyde:

What shall I saye both night and day their lusts they will fulfil,

Therefore tis tyme to end this ryme and leaue them to their Will.

35 finis. Ignoro./

Libel 2:

The puritans of Bridporte Towne; I wonder what they meane
to gorge themselves soe full of zeall being out of Charity cleane:
I never yet saw one of them that will small faultes forgive;
but yf they haue the vpper hand they countes them selves a sheerve.

5 The lordes praier they forgett, they doe it not remember
as did appeere in towne of late, now in this last December.
A meane man can thou not entreate no not a Iustice of peace;
they shewe their malice what it is, and still it doth increase,
Yet now they haue a man in Towne: as some of them reporte
10 that he an ang^re^lle is full shewer wherfore they doe resorte,
aswell by night as by the day, for they will spare noe tyme
to haue the wordes that hee doth saye, and all to make a cryme;
I doe conffesse its verie good the word of god to heare,
soe that wee make good vse of it, and keepe our Conscience cleere.

15 But they soe full of Mallice bee, that all will not prevaile,
although the offence it bee but small, yet needes they must to gaylle;
Yet she had bine a woman knowne, and one of their owne minde,
and donne some matter worse then that, they would haue proved kinde:
There was of late as I did heere a matter did befalle
20 as more at large it will appeer it was in the new hall,
of some that shewed littell witt when they came forth of doore,
it seemes that they had neuer a whitt nor yet they bee but poore.

Appendix A

Though poore in wealth as I doe meane which is a thing most shewer,
Yet rich to godward may they bee, god graunte it may endewer.

25 An other matter beyond all this doth make mee much to wonder,
how that the cloths from saddele treeise is grone soe far a sounder.
Thire is one in towne haue made reporte although it was but evill,
his dearest frinde his father went the next way to the Divill,
one yonge man more which in this towne some hundred marke haue
spente,

30 in beer and alle and other thinges yet now hee doth repente,
such a winter as this I never sawe for mildnesse of the weather,
I wonder men should pay soe deere for shewes which bee of leather
And hee that did these verses make Yf you did knowe his name
some shame hearof that he mighte take that he doth not the same.

35 And yet hee is a learned man as by this verse doth showe,
yet let hym doe al that he can the crew will not him knowe,
and yet he can the scriptuer Read, and alsoe vnderstand,
yet all the knowledge that hee haue, is out of godes owne hand:
me thinke we shoulde not haue it so a new broome to take place;

40 to put the old broome out of date, beinge comely in the place.
The best of vs must haue an end and soe shall now my Ryme
god graunt that we may all amend to morowe in [the] morning be tyme:
Vbi inciperis nole luri melier ibi Ensines esse bonas.

Dorchester 1608 – Condytt v. Chubbe STAC 8/94/17 (REED: Dorset, pp. 173–98)

In this case, all three verses are given in the records in this exact layout, with original lineation preserved.

Libel 1:

- Tall sturdy Puritan knave for soe tearmed was thy name
 By playeres whome thou tearmest rogues to thy face spake ye same
 Thou saiedst by the statutes thou woulds affirme thy talle
 which when thou hadst brought them forth thou couldst not at all
- 5 Thie mynd is high thie purse is small god knowes it to be trew
 ffor were it not for other mens goodes thy state were of bad hue
 Yow Puritans count your selves the greatest of men of all
 But I trust in god ere longe to see all of yow to fall/
 Examples two already haue by god of late bynn shewne
- 10 By some of your greatest secte the lyke was neuer yet knowen
 The one to make yow the more playner to vnderstand & know
 is one Lawrence of Steepleton whome all this towne doe know
 who made himself the vprights man that lived now a daies
 & Comended much your deed in the beating downe stage playes
- 15 He has to fore most willing byn to lead a quiet lyfe
 That now the divell vrgeth him to lye with Condittes wife
 or else he sayes he neuer shall recouer his disease
 She hearinge this a horse did take & rode his mynd to please
 Is this the Puritans lyef that all of yow doe professe
- 20 Then all your pure lyves are nothing but dissemblinge as I gesse
 our savyour Christ foretold that false profettes should arise

Appendix A

that should make shewe of godlines but denie the lord Christe
ffor your face and Contenance doth shewe yow dissemblars are
and soe much doth my slender wytt of yow so much Compare
25 pray mr lacke pasty take it not in greef what I say
But rather giue me thanks yat would yow haue to leave your bad waies
The Schoolemaster yat was one of them yat stood on your side
scaped very hard that he had not bynn forced ye foole to ride
Some of your sect would not yat ringinge we should haue and vse
30 but other some more better then they will your wordes refuse/
And that soe much as he Rynginge doth so lyke & doth so loue
we wilbe thankfull vnto him as it doth vs behove
O god prosper longe our noble Kinge god send him long to raigene
And not to trust the Puritans nor yet the king of Spayne
35 Post scriptum in Pumbry this 24th of lune per me IA
Adyn yf this Come to thie handes behold and see
do thou not stand against stage plaiers nor Yet trew melody
ffor yf thou doest thou shalt be calld knave and foole
and so shall thy sonne in lawe chicke ye maister of the schoole

Libel 2:

Yow Puritans all wheresoeuer yow dwell
ymitateing your master the dyvell of hell
leaue of your devises the world to delude
least god from his blisse your soules do exclude

- 5 ffor noe ones so symple that on yow doth looke
 but knowes yat you liue contrary to your booke
 yow carry your bible gods word to expound
 and yet in all knavery yow dayly abound
 ffor envies hatred & malice great store
- 10 in noe creatures lyveinge I thinke is more
 as daylie by experience amongst vs we fynd
 to mischeef and hatred none more enclynd
 yea Covetousnes letchery and lijnge for gayne
 amongst yow puritans is not Counted vayne
- 15 but first with pride if I should beginn
 because it is knowne for a principall synne
 a question being asked where doth it abound
 then in the pure prelate yat seemes so profound
 ffor lardg Cambricke Ruffes and laceing great store
- 20 bestowed on apparell where doe we see more
 I name not french bodies that with whales bone are Made
 for puritans are to holy to meyntheyne that trade
 And many thinges more I could now haue spoke
 but yat some would say I did at them scoffe
- 25 which sure I doe not nor meane nothings soe
 yet who crosses their follyes is Counted a foe
 others there are that are knowne very well
 which for purenes of lyfe they say they excell

Appendix A

yea Sainctes of heaven already Chosen they bee
30 to iudge the good, and evill of euery degree
yea in this present life they lett not to maynteyne
that their deere frendes are damnd for lyueing vaine
And for their reward hell fire they haue gained
and thus Parkyns hath said yat his father hath obteynd
35 of his mother he stands doubtfull her to recall
but his sister he is sure shee will neuer fall
But yet for all this when he was forth gonne
the dyvell found his body at play all alone
and taught him to dance the dyvells rownd
40 I could wish he had Parkyns in that pownd
But what a Clowne is this & Rascall Scismatike knaue/
that will iudg his frends such vglie tormentes to haue/
A gracious turne were yt if god had so pleasde
that Cerberus in this world on his bones had ceasde
45 ffor example to others such Counterfaite mates
that will maynteyne Religeon with lyinge prates
yea this Scismaticke dogge and ympe of the dyvell
doth maynteyne that god is the author of evill
Such variety of Religeon amongst vs is vsed
50 that thus is the maiesty of god by them abused
I pray god in mercy forgyue vs our synne
and roote out theis presitions yat newe Religeon beginn

That flocke themselues in Corners both early and late
 each knaue makeinge choise of a whoare for his mate
 55 & thus vnder Coulor and cloake of good purytie
 all villany is Comitted in Corners of obscuritie
 In the Church on the sabboth what attention they shew
 yf the henn did butt see yt, it would make the cocke crow
 when their ghoastlie father to the seat doth repayre
 60 after him they flocke as it weare to a fayre
 And in such sort there they stand & witnes doe call
 that crosse in Baptisme he makes none att all
 but if it soe chance out of towne that [yee] 'he' bee
 then at devine service none if them shall yee see
 65 but after him they runne as pigges after a sowe
 detesting dyvine service appoynted vs now
 To saie they be traytors I hold it noe reason
 because traytors are they that Commytt treason
 But Rebels I will count them I thinke without blame
 70 bycause in disobeyinge the kynge they hold it no shame
 for what our kynge Commands that doe they denye
 yea praijnge kneeling & standing, all theis they defy
 All honest recreacions and mirrymentes they blame
 and are not theis Puritans? speake truth for shame
 75 But the spiritt doth them moue their professions to vse
 not only to the latten but the kinge to abuse

Appendix A

And thus doe I cease their follyes to vnfold
and leaue them to their master which makes them soe bold

To the execrable Companie [and pack] of Puritans and the
80 deepest desemblinge Anabaptistes of this tyme Enymies
to the kynge and state, Lett this I praie thee be
Delyuered with speed/

Libel 3:

To the Counterfait Company & packe of Puritans/

Haueinge my self heard a Sermon now of late
preached [by a] in Church by a puritan Prelate
I Could not well conteyne nor hold my penn still
least I should participate in the same ill
5 Though much absurd doctrine that sect hath sowen
which in all former adges hath bynn vnknowne
Yet the matter handled that tyme was so deepe
as the falshood of yt might moue men to weepe
The Saviour of the world Christ Iesus in person/
10 of his sacred death was broughte in question
How that he was not the Sauour of vs all
But of the elected which cann neuer fall
And how he suffred & did dy for none
but for his people and such as weare his owne

15 O wretch and silly man yf white be thy skynne
yet blacke and defiled is thy soule within
noe mortall man but the dyvell did devise
to cutt & curtaile Christes passion in this wise
ffor Christ our redeemer without all exception
20 for all mankind suffred his passion/
And when of his goodnes he dyed on the tree
his blood then extended to euey degree/
Such was his Maiestie love, and Charitie
as he would saue those that did him Crucify
25 yf soe he suffred to saue and sett all free
why the worlds savyour ought he not to be
Though all be not saued defect is not his
he performed his loue to giue vs all blisse
who therefore shall publish or holdeth not soe
30 worketh for hell fyre & is our lords foe
But what other fruyt may there be expected
ffrom theis Counterfaite bretheren elected
who wickedly doe hold and so doe professe
that god is the Author of all sinfullnes
35 who likewise affirme yat whatsoeuer chance
Christ is surely theirs and he will them advance/
gods deere children holy Saynctes they are they knowe well
& heaven is their heritage where they shall dwell

Appendix A

As for all other Saynctes that are dead & paste
40 what [they] haue they to do with them or for them to faste
Loe this they will presume because in holy wrytt
they find some authorities for their purpose fytt
but the conditions whereon those are grownded
neuer will they learne least they be confownded
45 Example late on him god would shew noe doubt
Whose ffinger would haue stopt faire Condittes spoute
for god would reveale their liues & manners rude
& shew with what falshood the world they delude
yet lyke most presumptuous and lyke peevish Elves
50 In all their misdeeds they lustefy themselues
and whosoeuer is not of their Sect a brother
is suer cast awaye and reckoned for none other
But from their false doctryne god keepe me & myne
and that to such errors wee neuer inclyne/

Lyme Regis 1608/9 – Salter v. Cowper STAC 8/258/15 (REED: Dorset, pp. 218–23)

That is to saye. Lyme Regis 1607:

The first parte of Robert Salter hunting the Cunney and doo,
and shortlie I will the second parte shew.

Give eare a while, and listen vnto this newes I shall you tell,

- 5 of a long meeching fellow which in the Towne of Lyme doth dwell.
his name in breeff I will you tell, with two syllables you may it spell.
A rope and halter spells Robin Salter,
he is so expert in hunting, in broking, in Cuning matchiuell feates,
in holding his purse from the poore,
- 10 in studying how to deceiue his neighbor or frend,
to make his frend sweare his selfe to the diuell to serue his turne,
and then he will geue him a shake,
as the masty Curr doth ouer the litle dogg till he quake
ffor hunting the hayre he did excell,
- 15 in dorsettshire his fellow did not dwell,
as his wife more playnelie Can tell,
with his grayhound he oftentimes walked abroad
about Portland Castle and diuers other places Eastward
he made his abode so that he so feircelie did hunt
- 20 till his firrett gott vnder a tuff very ruff into a burro called a punt/Cunt
But now this meeching hunter in Lyme doth dwell,
for polling and for baldery he onelie beares the bell, as manie Cann tell,
he firreted so long he made the Cunney about the knee to swell;
she boulded at potecary ley,
- 25 then by Salthouse she fledd away,
his firret so cruelly was bent,
the Cunney vppon the foote to hunt by the sent,
To a good harbour within two miles of Exmouth this cunney did hye,

Appendix A

but this firret did hunt after vppon the foote out of all Crye,
30 and there would not suffer the poore Cunney to lye,
but into the burro the firrett did goe,
and made the poore Cunney to boult the second tyme also.
Then the Cunney to Bridgewater went
and ouer into walls she had an intent,
35 but the firret did pursue her soe fast,
that she made a double and Came backe againe in hast;
Then throughe manie Coppes and villages this firret hunted her so fast,
that her great belly she was faine to Cast;
And after soe done, then this Cunney Could skipp and runne.
40 If this firret can hunt so well, through brambles and briers through
bushes and thornes,
then Potecary Ball and other Craftsmen take heed of the hornes
And after she had fetchd this long race,
she was glad to returne for succor into her old place,
but yet the firret now and then doth the Cunney espie
45 neere to burro where she doth lye;
At potecary ley the other day at eleven a Clocke at night this firret was
seene
a scratching the Cunney as I heare say her buttockes betweene,
But now Potecary ley ys well you doe watche;
this firret and Cunney together you may Catche;
50 ffor yf this firret be suffred vpon your ground still for to hunt,
he will make the Conney swell againe about the punt/cunt

for thereabouts he will scratch,
 till harme he doth Catche.
 you officers which take this hunting no scorne,
 55 keepe well this Conney out of your Corne,
 but specially frend Sampford take heed of the horne,
 your fences and marces stopp with some force
 for the firret will in at the porche;
 But now Ile tell you a wonder yf it be soe;
 60 I heare this Conney is turned into a fatt doo,
 for heare she goes tripping vp and downe vpon the toe,
 the truth it is soe,
 but neuer a strang dogg that will her Chase
 nor once to looke her in the face;
 65 but when Salters grayhound doth her espye,
 then she ys throughlie chast or else manie doe lye,
 and yf his firret haue any mind to hunt,
 he will not be quiet till he haue scratcht her by the Cunt.
 But if this Conney or doo, to Salisbury chauce to goe,
 70 the firret will hunt after the truth it is soe,
 but yf by the way they chauce to be spent
 a Cart will be prouided thus ys the intent.
 But gentleman Hassard I hold you in scorne,
 that will suffer the Cunney to Continew in your neighbors Corne,
 75 and in spending your money so foolishlie in vaine

Appendix A

for now the Cunney ys Come hither in spight of you againe.

weele send into walles for some pretty wretch,

that Cuningly this Cunney he may Catche, and so away her fetche,

for this firret and Cunney are growen in such fame,

80 that I feare they will be trobled with game;

But yf Salters firret be so exceeding hott in hunting the Cunney and doo
soe fatt

weele send newes to London what thinke you of that,

that he may haue hunting in some other platt,

for this Towne of Lyme ys too hott for him to dwell,

85 here Cannot a Conney stay for to sell,

but Salters firret will Catche her by the tayle,

before she cann Come to anie saile. finis.

I would haue sett forth some parte of Salters matcheuill feates
Connning trickes and false dealing with manie other vile partes, but
that paper is somewhat scant, but that you shall haue in the second
parte with manie trickes and villaynes per me: A. B. C. D.

Melbury Osmond 1622 – Gordon v. Auncell STAC 8/153/29 (REED: Dorset, pp. 225–30)

Libel 1:

ffraunces Nedd

with Acteons head

doth square vpp [and] and downe

his head beinge hye

5 he doth stye

to maister all the Towne

and Bes the beare

doth swell and swer

she will maister be

10 of all the wyves for hye degree/

And well she may I tell you trues

be Maistres in London of the Stues/

ffor pompe and pride she beares the bell

Shee is as proud as the devill of Hell

15 But her husband I might be

I would make her leave her veneree

The Country speech doth geather

the sole must hold with the over leather

And birdes of a vether will hold together.

Libel 2:

A badye knott

ther be god wott

in Melbury Towne doth dwell/

If wee tread

5 the pathes that they doe lead

it will bringe vs all to Hell.

If you would know who they be

Look a little further and ther you shall see/

Appendix A

The Parson and his Nurse

10 William Allen and his purse

Nedd ffraunces and his beares

Mr Gordon and his whores

Over Compton 1617/18 – Abington v. Beaton STAC 8/42/14 (REED: Dorset, pp. 231–38)

Libel 1:

Mr Abington

seeing you will not bestowe any thing vppon me for godes sake I pray keepe it and bestowe it vppon your Children and teache them a little more manner for it seemeth thoughe you ar a gentleman yow bring them vpp licke a sort of vnruely Rigges and vnnurtured squalls who ar better fedd then taught a great deale I haue seene manye mens Children of good Acount yet did I never see the licke vnruely and ill mannered Children of a gentlemans Children as yow ar/ I pray god yow be not so spareing of your money that yow send your sealfe and your Children to the devill for the loue of it; And even so geuing yow as manye thanks as your Curtesie Comethe vnto I leaue off to be further troblesome to my sealfe at this tyme Committing you to the tuicion of your Temptor and Rest youres in what I please

Thomas loyce

[on the back of which letter was written]

I haue seene Epethaphes written ouer the doores entering into gentlemens howses yt may be yow would haue one written over youres yf yow will I pray writt this which followethe for it is good to putt yow in mynd/ ambitiosus honos opes turpisque voluptas Haec tria pro trina numine mundus habet To his very worthye ffrind Mr Abinton at Compton be these deliuered I pray

Libel 2:

Heere be Andrew Abingtons Commaundementes

Thou shalt do no Right Nor thou shalt take no wronge

Thou shalt Catche what thou canst that thou shalt paie no man

Thou shalt Committ Adulterye

5 thou shalt beare false wittnes against thy neyghbor

Thou shalt Covett thy neighbors wief

thou shalt sell a hundred of sheepe to Henrye Hopkines

after thou shalt drawe the best of them

thou shalt sell thy oxen twice

10 thou shalt denye thye owne hand

Cornwall Libels:

Jacobstow 1617 – Stawell v. Mapowder STAC 8/27/10 (REED: Cornwall, pp. 481–85)

Quoth Mr Sheere,

I praye You give care,

and hearken vnto me,

I am placed full lowe,

5 as all you doe knowe,

a shame it is to see

but if you will,

now vse the Skill,

that I shall take in hand,

10 I will haue a place,

Appendix A

with a greater grace,
as you shall vnderstand,

Suttcott Ile,

will make me smile,

15 If I may come therein,

I doe not Doubt

but putt them out,

if I doe once beginne,

for they who sytt there,

20 they are so bare,

and of so lowe a degree

I dare to sweare,

they are so bare,

they will not wage Lawe with me,

25 I will haue my Chaire

placed fast by the wall

but I will not come vpp

vn'till the right order doe me call

Austine Midland was to a [<.>] greate Coste

30 and besides that he hath taken a greate cost

but who shall take this matter in hand,

but the lyping Master and lopyng man

vpp then Martyn Vyde arose

with his read nose

- 35 well dyed with Alehowse
Can give me my right
for I am kyn[<.>]e to a knight,
and will sytt there if I can
This is ill doon
- 40 said Iohn Heydon
for this ^'will' Cause much strife,
quoth the ould Squire
it is my desyre,
to sytt there by my wife,
- 45 Then after followed his fine daughter
somthing leged lyke an Auter
who if she should staye in the Churche too long
she will there shed her water,
but whether it be could or hott
- 50 Thomas Baglehole will bring her a Chamber Pott.
Then spake Iohn Iointe
as he was wonte
he had no money to spend,
quoth the ould Sir Harrie
- 55 the seate he will Carrie
and thou shalt beare the one end
The game is begun
said Iohn Collyn

Appendix A

and Spiller is sett vpp alofte

60 and his wife Cutt,

comes ietting vpp

well lyke a thing of nought.

Then followed after

her fine daughter

65 well leged lyke a Crane

said Mr Noy

though I seme Coye

yet I haue layen

with Your daughter lane.

70 lane Spiller is to London gone,

and gon she is awaye with her father,

but she hath made

a thred bare squire

yt had bene better

75 she had gone awaie rather.

Goe pick a Sallet

said lenkin Benalleck

though my wife be but a lade,

she shall Compare

80 with Spillers mare

for they be both of one Trade.

Sapience Hodge

weares her masteres badge
 and she must runne for a wager,
 85 she is a foule mare
 none for her doth Care,
 bycause she is a trayned souldior./

Launcells 1612 – Painter v. Yeo STAC 8/236/29 (REED: Cornwall, pp. 486–89)

Scribibo Scribing omnibus vobis
 I thought it fitt to write vnto you all in a few talls,
 that all of you must remember the mowheis pals;
 how Richard Penter and Marie Wise
 5 when they were at yeo to the feast;
 begin yf you will know the 29 of November,
 he proued himself a veri cometimber,
 But yf there [^]be[^] anie that are willing to know,
 let them aske of dick Voller or els of Iohn Yeo;
 10 and the will tell you in plaine tals,
 that the found them two out by the mowheis pals,
 the pals are bad and verie ferking
 but the ould abed but a litle gerking,
 Then saith dick Vowler and asked what they meane;
 15 then said dick Penter here is Charlamens weane,
 and where haue doun his mead they could not tell,
 then saith they she [^]is[^] gone downe indle the hill;

Appendix A

then saith dicke Penter let vs goe D<..>e
noe saith the you haue had a good chance
20 & when the had danced but once about the flore
Ther <..> Comes the mayd into the fore dore
& what the did there the Could not tell,
some saith the did ile some said the did well
But as I thinke the [<.>] mean'd noe harme
25 the said it was out against the barne
and thervpon he mad a breche
because her bodi he did not tiche,
& manie such as he doth vse such dealinges
it is as bad as any healinge
30 to bringe a maide in suche a fame
& not to giver the hole screame;
If anie man aske how made this rime,
yt was Steven Cockcrum in a drinkinge time.

St Columb Major 1615 – Lawry v. Dier STAC 8/202/30 (REED: Cornwall, pp. 510-12)

yf there be any Man that can tell me quickelye
a Medicyne for to Cure a wench that is greeued sore and sicklye,
let him Come at St Collomb Towne and there he shall haue newes,
where lyes this wench oppressed sore as it will make you muse,
5 the ground of this here is as I haue heard it spoken,

shee always doth bedue her sheates her flood hatch it is broken,
and the streame of it runneth through the brooke as shee lies sleeping,
her vilme was broken with a thrust for out her pisse doth flye,
which greef of hers to help full many hath assaide,
10 but all their labor was in vayne they could not cure the Mayd,
then shee thought on an other trick she needs would Change her lief,
shee sold away her Maydenhood and is become a wief,
and then there came a Carpenter who thought sure with a Pyn,
to mend her floodgate and thereby to kepe her water in,
15 he tooke great Payne and wore his flesh and loked thin and pale,
but all his labor was in vayne he could not good at all,
then out shee Cries most bitterly and still the tyme doth Curse,
that shee the Chamber pott should hold and ope her neither purse,
wherein dispaire entred and off the strapps rented,
20 which brooke her gate and spilde her state which runneth like a vent,
yf soone shee be not cured great Pynnes will beare greate price,
a greate Pyn for a Chamber pott because shee will not rise,
then shee a Mayde perforce must hire the Chamber pott to sett,
which still will stand her a greate Pynne els shee bedd must weatt,
25 but I haue heard her say of late such vertue is in myse,
they are very good for the disease so they be bake in pies,
first they must stripp away the skyn and afterwards them bake,
and for full three dayes after no other meate must take,
and then they must take the skins and heate them good and warme,

Appendix A

30 vppon a Chaffer dishe and coles least Cold should doe her harme,
and clapp some on her breast and some vppon her hall,
butt lett her put most parte of them vppon her what I call,
therefore all you good farmers when you doe turne your corne,
sauue vpp all the myse you catch for Mistris and bring downe vnto her
house,
35 it shalbe for your gayne for shee will content you for your cost and payne,
but if this will not serue a lack what shall I saye,
some other phisick lett take her greef for to allay,
if Phisick will not helpe then lett goe with speede,
and take some heare and sue her geare and bite away the threade, :.

Whitstone 1620 – Robins v. Vosse STAC 8/246/13 (REED: Cornwall, pp. 523–26)

The bill of complaint for this case gives the libel in this layout with lineation preserved.

Robins grace hath left her place

And as it did hap on the priestes bell she tooke a nap

but there she made no long staye

for with a Roule she meant to plaie.

5 And for the vse of her other thinge
on her finger he putts a Ringe.

That very Roule beshrew his poull
Keepes Robins grace and A Whore
He keepes Grace Robins and now no more.

10 Good my freinds behold him well
without he amend he is a saint for Hell
and he for wante of other fuell
makes Robins Grace his other Iuell.

But now there is hoape he will repent
15 for he loues mens wyues
And to whorish maides he doth assent
for as he did beginner
He meanes to end in Sodoms sinne.

Theres an end quoth Mariery daw
20 he that keepes a such a Whore
Can dispence with the Lawe

This for the first part published
The second follos then imparted

<..> of march

1619

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By me Mary Boborough

Appendix B – Somerset Libel Texts

These libel texts are all taken from the bills of complaint for each case given in the Records of Early English Drama volume for Somerset (James Stokes and Robert J. Alexander, eds., *The Records of Early English Drama: Somerset*, 2 vols (Canada: University of Toronto Press, 1996)) page references for which are given in parentheses at the start of each set of verses. I have retained the spelling, capitalisation and punctuation of the texts as they appear in the REED volume. However, I have added lineation based on rhythmical characteristics in order to allow a modern reader to appreciate the verses as they would have sounded when read or heard by a contemporary audience of libel in a local community setting.

Bath 1614/15 – Perman v. Bromley STAC 8/237/26 (REED: Soms., pp. 22–26)

The libel in this case is not given in full in the bill of complaint because the rest of it was deemed to rude to be included.

Of all the whoores that I have knowne,
 ffrom Courte that came vnto our Towne,
 Theres none compares with Muddy Mall,
 That playes the whoore from springe to fall:
 5 ffrom springe to fall was neuer see,
 A pockie lade worse than Marie,
 All honest woemen doe her scorne,
 because shee was a bastarde borne,
 A bastarde borne of Noble race,
 10 which makes her weare a brasen face,
 A brasen face of Opeall hue,

Appendix B

An arrant whoore fytt for a stewe,
Yf you have golde she showes her arsse,
yf you have none shee burnes your tarsse,
15 Shee keeps her selfe iuste like a puncke,
and layes ^her^ heeles agaynst a truncke,
Agaynst a truncke shee layes her feete,
And wipes her Cuntt with a fowle sheete

Berkley 1611/12 - Craye v. Heskins STAC 8/92/10 (REED: Soms., pp. 34-39)

William Swarfe I hartelie Comend your Mare,
taile she hath spended I praie take it for noe scorne,
for in her head there hanges a horne;
bycause your Mare is somewhat pied,
5 she is finelie trymmed for yow to bide;
William Swarfe I am to Lett yow vnderstand
to warne the courte out of hand,
William Swarfe headman, Roger Craye headman,
ffrauncis Lewis Headman, Thomas Maynatt headman
10 All yow that be here in this place
must Come to Hughe Cresse and shew your lease,
And soe I Comend to Thomas Butcher
and to Goodman Seild that old bawds
This be deliuered to William Swarfe

Compton Pauncefoot 1605 – Adams v. Gilbert STAC 8/43/3 (REED: Soms., pp. 81–83)

None of the libels in this case are given in full in the bill of complaint. A seventh verse also existed but this was not included in the records at all as it was deemed to rude to include.

Libel 1:

Lincox the Lawier they say is growne passinge poore,
 hath built a new house which threateneth to run from him,
 search <...>ram bagg noe knavery in store,
 what a counsellor to then hange him

5 Lincox your face is rechly beset with pearles,
 I would yt were, I wish it for your girles.

Libel 2:

smooth tongued Turtullus nobly carrieth himself in deth
 walketh & talketh accompanied with great preachers,
 how can he erre accompanied with such teachers,
 yet he iugles, cutts, breakes & shuffles, marry his zeale is knowne,

5 tis for poore need, & not for pure devotion,

Libel 3:

In Tarquinium, Atheist Blinco fraught with treachery,
 perswades Tarquin to papistry,
 & now to St Albons directly goes
 vppon his knees downe he falles

Appendix B

5 & ther out his spirite paules

Libel 4:

Alexander the great at thee I doe much wonder,
that havinge brought the white toothed blackmoore vnder,
subvert it not for brave actes fourth will thunder

Libel 5:

Hollus I heare bragges much of his pedigree,
since he first was linckt to nobility,
nay by St Mathew now you idle prate
was not your grandsire porter to the gate

Libel 6:

Old mother wise borne by nature crafty,
to color this putes on the holy hood,
successively has children are so naughty,
that yeeven herself doeth hate the very brood,
5 will you please her, her children then defame,
call them monsters shipfroath full of all evils,
or whatsoeuer may turne to their disgrace & shame,
spare not it likes her, call them very devills,
if the branches springinge from your bloud <...>sa,
10 be you so bad, is the tree then good

Frome 1608 – Best v. Traske STAC 8/61/27 (REED: *Soms.*, pp. 121–24)

Best optime which for his skill
 which he had studied for soe many yeares
 sought with foolish sottes to worke his will
 but now such fooles hath putt him in such feares
 5 that he is like to turne by weeping crosse
 doe what he can he shall receive the losse,
 alas poore foole it greives me now full sore
 what to be cosenned and a counsellor tow
 search bocrome bagges is there noe knavery in store
 10 well ever hereafter beware the clowted shoe
 by my consent bycause thou hast [p] plaid the foole
 putt on longe coates and goe againe to scoole

Wells 1607/8 – Hole v. White STAC 8/161/1 (REED: *Soms.*, pp. 261–74)

The following libels are transcribed from the bill of complaint in Hole v White, however, another text that gave the libels in their lineated form but with some content variations exists and was used as extra evidence in the case. See *REED: Soms.*, II, pp. 709–18 for the other versions of the texts and further discussion.

Libel 1:

‘My Loving friends’ or ‘William Gamage’s Idle Brains’

My lovinge frindes that loue to play
 vse not my holyngge game by day,

Appendix B

for in the night I take it best
when all the birdes are in their neast,
5 yett I doe lyve in quiett rest
and thinke my holinge game the best.

And lovinge frindes I cannot chuse
but nowe leaue of all sportes to vse
save only paper yncke & pen
10 to write the sportes of Welles May men.
yett I doe lyve &c.

which nowe in short I shall recite
as fast as I with pen canne write
& bringe the same vnto my mynd
15 you shall therin theis May games fynd
Yett I doe lyve &c.

Nowe first the Lorde of May came in
with all his men attending him
with true love knottes most fynely knitte
20 & euey thing most fyne & neat.
yett do I &c.

You virgins all of every sort

who with your wealth maynteine the sport
greeue not thoughe some at it doe frowne

25 they live not loved in our Towne:

Yett doe I &c.

The musicke in your dauncinge sport,
was ioye vnto the greater sort
that was to all suche great delight

30 that none would part out of their sight:

yett doe I &c.

The warlike Captaines stout & bould
came there their meetinges to behould
marchinge alonge with all their trayne

35 throughout the Towne & backe agayne:

yett doe I &c.

The gallant Pinner with good regard
came with his men as it was hard,
singinge a songe of Wakefield greene

40 & had great prayse where he was seene

yet doe I &c.

And Robbyn Hoodd was likewise seene

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with all his gallantes rayed in greene
theire arrowes were a longe Clothe yard

45 yf it be true as I haue heard.

yett doe I &c.

A sparked Calfe as I haue heard
was brought to shewe vnto theire Maye
but afterwarde was slayne in fight

50 for darkeninge of the way too light

yett doe I &c.

Drummes ffifes & trumpettes did sound a pace
the Countrey held that noe disgrace
vnto our towne to make resort

55 to heare the roringe Canon shott

yett doe I &c.

Our gallant mynded martiall trayne
did on the Crosse our sport maynteine,
& eeke St George did greatly grace

60 with thunderinge peeces in that place,

yett doe I &c.

Then did St George of Welles proceed

withall his knightes most brave indeed

theire Irishe footemen did attend

65 & all men did the same comend:

yet doe I &c.

Then came also two men in hayre

betwixt them bothe one Egge did beare

& eache of them a forked post

65 for to preserve that egge from lost.

yet doe I &c.

And were not theis well laden men

that bare one egge betwixt them then

vpon a Coulstaffe & two restes

70 to ease their shoulders when they liste.

yett doe I &c.

Ould grandam Bunche that filthy slutt

had in a pott one filthy gutt

& puddinges made as she went throughe

75 all the towne in a wheele barrowe

yet doe I &c.

Acteon from man converted was

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into an hart & soe did passe
along the streates & seene of all

80 & all him chast to see him fall.

yett doe I &c.

Dyana sometimes fayre & bright
with sixe nymphes clothed all in white
rode in a Coache in stately sort

85 as all men can the same report

yett doe I &c.

Likewise in white there were sixe men
which caryed Noath stately then
at worke & framinge of an Arke

90 which pleased all them which did it marke

yett doe I &c.

The Gyant & the Gyautesse
in lofty manner looked precise
one after the other by degree

95 which was most pleasaunt for to see

yet doe I &c.

ffoure gallant knightes two of a side

before the Egipt kinge did ryde
eight Irish footemen pages were
100 attendinge on the kinge most rare.
yett doe I &c.

The Egipt kinge in riche array
rode on a gallant steed that day
& carryed was his Queene soe riche
105 as never here was any suche
yett doe I &c.

Also there might many a man
haue seene the plate most stately then
brought in a pageant throughe the Towne
110 by eight in lawne with great renowne
yett doe I &c.

Then instantly vpon the same
came many there of worthy fame
to shewe their lovingnes in sight
115 as it appeared then that night
yett doe I &c.

Then presently ensued the meat

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three hundred dishes through the streat
vnto the place where there was spent

120 money largely to good intent
yett doe I &c.

This beinge done which here is said
all then repayre homewardes
made the fyrye Dragon lay in wayt

125 for to deuoure the princesse straight
yett doe I &c.

But I St George of Welles comend
& all his knightes that did attend
that wrought the dragons great decaye

130 & saved the prynces lyfe that day
yett doe I &c.

Our Citizens gallant grave & wise
came to our sport & sawe the prize
they did also the same frequent

135 enioyed therby in mynd content
yett doe I &c.

An other day a shewe was made

with tinckers & with men of trade
a hatter & a grocer then there
140 were seene on horsebacke sellinge ware
yett doe I &c.

Also a Spynner then did ryde
two vserers likewise all in pryde
that they their money would haue lend
145 but all in vayne & to noe end
yett doe I &c.

ffor they did lend it at suche rate
as would vndoe a man of state
noe man would deale at any hand
150 for feare of forfeitinge their bond
yett doe I &c.

All thinges here in eache degree
did please both towne & country
without offence at all to any
155 but was comended muche of many
yett doe I &c.

Nowe puddinge wyves haue lost their trade

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& hatters doe begynne to fade

the Spinners tournes are held in scorne

160 & vserers are hardly borne

yett doe I &c.

But I as duty byndes comend

& him I loved as my frind

who me soe well at Holes preferred

165 that nowe therfore I lye in warde

yett doe I &c.

Before theis Pageantes there did goe

by art a naked feathered boy

who in his hand a sword did beare

170 still makinge roome before them there

yett doe I &c.

Nowe for the gentles I will pray

which kept vs companye all the Maye

& never left vs to th'end

175 that god may ever those defende

yett god graunt that all may lyve in rest

with ioye to say my game is best:

Finis.

Libel 2:

Tell me fleshe: tutt noe, giue me the ffishe,
 the heatinge Oyster or the Spawne of Coddess,
 the Crudity of Lobsters is the dishe,
 that soe excelles all other fry by oddes

5 Thus mounsier Lechers secreat fishy sleight
 is but to stirre his fleshly appetite.

Softe who goes there? what P. and P. and P.
 Poxe, Puncke, and Puritane? the divill it is,
 ant may be soe for Sir sometimes wee see,

10 Poxe plagueth Puncke for Puritans amisse;
 well be it as t'will ile not precisely tell,
 but it me thinkes it iumpeth wonderous well.

What holla ho? yee pampered Asian lades,
 must men of note and worth be your comrades?

15 howe growes it? men more base then stinge and fleirt
 are thus become soe proud and malapert,
 shall every Rascall and vyle lobernoll

a Citties quintessence of witt controule
 stayninge the greatnes of his reputacion

20 with scurrile iestes in suche abusive fashion
 boldly reproveinge to the very face
 his secreat vices to his huge disgrace

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yf it be soe nay yf it must be soe

aucthority shall in his fullnes showe

25 his furious vigor of incensed wrath

vnsheathes it self mercy noe entraunce hathe

but what sterne Iustice giues and wodden stockes

canne mynister for suche rebellious folkes

neither regard of conscience nor of piety

30 noe nor the strict bond of a pure society

shall by heavens azure welkin once asswage

the smallest sparkell of my burninge rage

Tis not your horned horse ye hungry soules

nor the weake gambole of your pigeon holes

35 shall buckler yee nor any that manure it

canne fleshe composed of muddy earth endure it?

rather then ile beare soe vile ill suffringe thrall

ile spend my flatt cap pouche my hose and all.

Why? what care I to compasse my intent

40 much wealth be lost mucche time vpon't be spent,

in informacion trottinge to and fro,

to skud to veaze to hackney come & goe,

I value it not foure galiard friskin skippes

to spend heerein an hundred goulden Chippes

45 To reobtayne by it my credittes Wynninge

I hould not soe much as venyall synninge;

Thus talkinge (Campant) one of mad condicion
 standes nymbly vp made conge of lowe submission
 and said thy pride & stubborne insolence
 50 dothe meritte nought but scorninge & expence
 I'st possible that Capten Fa: ra: ra:
 Cameleon like is tourned Apostata
 by sweete St Iohane hee's like a felters hatte
 turnd wronge side outward, but Sir wott yee what?
 55 he dares not looke a pigmey in the face
 muche lesse a gya<..> or a dragons arse,
 Nay more then that he cannot brooke the noyse
 of flute or fyfe nor trumpettes stately voyce,
 nor canne he once abyde the stroke of drumme
 60 nor smoke of powder but the smocke of some
 A gunn quothe he handes of forbear
 for<.>eare his reas<.>ns good twill burne his lady ware
 hees growen so ympotent he cannot weild
 his launce nor pike nor scarce can beare his sheild
 65 but yett (potentiall) he can breake his speare
 on venus Darlinge with a full Careere

Appendix C – Devon Libel Texts

These libel texts are taken from the bills of complaint from the Star Chamber records for each case as they do not appear in the Records of Early English Drama volume for Devon. In transcribing them I have adopted the same editorial approach as that used by REED: minimal intervention. The spelling, capitalisation and punctuation of the manuscripts have been retained, but as with the texts for Dorset, Cornwall and Somerset I have added lineation.

Axminster 1609 – Knolles v. Hasell TNA STAC 8/193/21

Because before I was soe bold,
to touch the nose thats never cold;
Much I endure for that ill happe,
for never since I toucht the lappe;
5 That worke of mine I doe recall,
and send foorth this to sport withall;
That dyed in birth as thou kenst well,
this is the knollinge of the Bell;
Knolle is the subiect of my verse;
10 his name and nature I rehearse;
His name is K: choose whether Knolle or knave;
The firste his ffather he the last must haue;
Knave Clarke knave Priest and knaves mor:
his Co[^]a[^]te shrowdes many vnder Priestlye showe;
15 But with such reverence in this motion:
I doe respect their blacke devotion;
I scarce dare say Priest knaues they haue such benches,

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To nurse poore seelye slaues, but not their wenches;

To them in favour of the smocke,

20 they giue example to their flocke;

ffor in this kind of loue I tell thee more:

Our Priest will write and speakes ever for the arranst whore;

I will not spare him for he is turnd Phisition:

He thinckes to cure all soares by helpe of high Commission;

25 But heer belowe and eke about his banes surelye asked;

And in the ffirste the Angells say he shall be soundlye taxed;

He seekes, and sturres, and sues for malt and Millers tyes

But he shall haue a Turd and salt except the maltman lyes;

But though in Cure of soules he proue a very noddye;

30 Yet I confesse the woemen say, he passes for the boddye;

He thought to frett a friend, by Coseninge of his game;

But then he croste himselfe in purse and eke in name;

ffor that wilbe reveng'd to his reproach and shame;

Vntill the burds come home, not theis but the same.

35 This Asse is yet secure, and ofte in Pulpitt prates;

as yf he could indure the world and all mens hates;

But cause by this his xx ballinge still he breeds debate,

Ile make him curse his callinge, or to shaue his pate;

And this to thee I sweare proud, paultrye prieste; ffor all thy mariage
mak<ing>

40 Ile sturre thy nest and bringe thee to a shakinge,

Thou art a cutise, Cockescombe viper, vicar of Hell,
 The gallowes groanes to beare thy bones; which will befitt thee well.
 To whome I committ thee in this Resolution,
 To doe all I can for thy execution;
 45 ffor I would be thy hangman were it in my power,
 Thou should not tarry longe noe not an hower;
 I would say more but I fall to deeds;
 as thou shalt feele and he shall see whoe soe these verses reeds;
 Yet this I wishe before I goe,
 50 seeke not farre my name to knowe;
 ffor euery day in open place,
 I meane to beard thee face to face;
 Nor shew this to thy Lord, nor yet to Iustice Drake,
 Of bothe thou art abhord, of th'one for thothers sake.

South Molton 1617 – Neck v. Read TNA STAC 8/221/9

Sir
 Those ever buzing stinging flies,
 Those that of Ecchoes onely canne devise,
 A formall lye or else I dare be bolde,
 5 yf that the trueth I could warely vnfole,
 They are some lusting Villaines that did Corte
 puelaes odoriferous violet to some vnlawfull sporte,
 And finding her vnchaste to serve the turne

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his wicked harte with foule desires and lyes did burne,
10 Wherein because I will not goe astraye,
Nor swarve from trueth a Jote beside the way,
Conferr with Mr Miller and desire him yf you cann,
To leave his T. F. T. and Knavery and proove an honest man,
Yf that you thincke the matter to be heard,
15 Knock him about the Noddle with a merchauntes Yeard,
And yf he bee riche and take the same in snuffe,
Tell him that his substance is but cheating stuffe,
And that the Jaye would hardly brooke the weather,
Yf every bird should take awaie his feather,
20 And he thates night gald or hath Cornes on Tooes,
Maie blame the Shoemaker and curse his shoes,
But those that are acquainted with his faulte,
Canne tell the reason wherefore he doth halte,
Soe thou must thincke perhapps these Satires stinge thee
25 where only thy owne guiltinesse doth wringe thee
ffor yf thou weart from the diseases free,
Then wouldest be quiett as some others bee,
But tys well knowne a ticklishe beast hath Trickes
and the ould proverbe saieth a gald lade kickes,
30 But Ile advise thee yf thou feele yt smart
be ruld by me and playe not the fooles parte,
but eyther for to amend thy lief haue care,

or ellse like a packhorse thou an Asses burthen still shalt beare,

Now fearing neither friend nor foe,

35 To the worldes viewe these verses goe,

To his loving friend Mr Roger Neck att Alswear Milles in the parish of
Marleight give these with speed

Exeter 1604 – Edwards v. Woolton TNA STAC 8/130/12

There are two extant versions of the bill of complaint in the records for this case, both of which are in bad condition. The libel letter given below represents a combination of both bills; the majority of the text is taken from the first and more complete version of the bill with the sections given in italics in angle brackets being added from the second text.

Duo: dog turdo or: rather Tom_asso: Edofarto: I: W: Salem plurimum dicit Mr dog turdo I doe not for gett your Sawcye and Malapert greetinge me one the way And since that your impudent Comparatives with Mr norrice and my self for taxinge you and teachinge you your shamefull error Towards Sir William Courteney the yonger in Purginge him and [settinge] lettinge him b<..> bloud more often then was <thither needfull or you can make> iustifiable havinge beene hee tould mee by you others lett blouded on hundred Times within twelve moneths besides your Purgacon vomittes &c Are these your readings Are these & such like your practize of xxxvitie yeares whereby you prefer your self so far singular before vs Marry Sir you shall bee singular still for me ye al I Could wishe you for your honestnes sake to be and practisinge your black billes and your whight Cristalyne Pills you knowe what I meane Mr Trivett your master taught you not to goe beyond your Morter and Pestill nor would your Master Mr ffraunces Permitt you while he lived you weare servant to them both indeede about xxxtie yeares In all which tyme you attended the one in his shoppe And thother in your trade as an apothecary and so yet do keepe shoppe Sir your master Trivett was an honestman man and a good Cittizen and hadd good dragges in his shopp Haue you anie or will your Grocer trust you for any more knowe yee The other taught you your lyrrypoope that you ought not

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to minister soe much as a Clyster or open a vayne without his or the Counsell or lycence of a phisition Putt therefore I prairie you these thirtie yeares of your readinge & Practize of Phisicke in your purse or haue them on your fyle for Pothecarie ware to sett fourth your shopp now Sir to the other five yeares did you keepe Mr Huntes Bookes ffyve yeares and would neither restore them or pay him for them acording to your promise Sir that was a verie dishonest part yf you did soe I will not beleve you had them soe longe indeede I thincke you kept them three yeares and the money all so dew for them and att last when you hadd played many Bo_peepes with him you vnwillinglye delyvered them & hee willinglie receaued them and was gladd to haue them after longe suit in lawe Though to his great losse But (henc) hath he receaued them all yeat I pray you and haue you well rewarded and recompenced him for your keepinge them so longe havinge so much profited in learninge by them by shewinge them onelie to all Commers and intreatinge others to Call you doctor wheareof you haue now taken so deepe an Impression That by lookinge on their Coveringes onelye you are become a Phisitioner Indeede Stronge Imaginations they say bring fourth oftentimes straunge and monstrous effectes The other yeare I meane the last of the five for there was one yeare after Mr ffraunces died before Hunt bought his <.....> as you spent in rakinge and rubbinge vpp your ould shoppe billes wheareon and for lacke of learninge to reade better Phisicke you ground all your readinge knowledge and practize O keepe them Sir for Secrettes That when you Geve a Purge of ffortye Three score ffower score or an hundred Stookes you make all cleane with them So may you gett more creditt by their outward vsinge then by their inward practizinge ffor euerye Impostor Tincker or worke beggyuge Quack salver Can practize vppon a Phisitions Receipt or an ould wyves medecyne and yeat that maketh them no Phisitions Take hede you bee ^not^ one of them least you fall within the compasse of the statute against Roagnes which is a daungerous matter But rather keepe you to your Mortar and pestill and for your billes you may otherwise make a fire with them and burne them to asses whearof make salt which you (I know) can doe (beinge a perfitt Parlacelsion Eate that Sault with your meate and if therby you proue not A more Savery Phisition yeat you may heerafter happen to be a lesse Sawcye Apothcary Go ells you may pounce them this Cold wether to keepe you warme and itt may bee That some Squrt_essence may arrise from [some] them in the poundinge That may geve you a true savour, tast, effect of a perfitt doge turdo: or ells) by your <..> poundinge them you may make the world beleive

you haue great practize and great cures in hande) The reason for sooth whye
your mortar ringeth so, and you haue Cast awaie your ould noughtie drugges
and latelie furnished your shopp againe with such as bee newe and good,
which must bee presentlie prounded, Compounded and mynistred to
Thousands of your Patientes: O: you will say I knewe this tricke longe before
this time Bee itt so verylie I thincke you did Thus still you goe before mee, and
beyond mee (you say <page edge> in all Kinde of learninge: In all such
learninge [un] in deede you do and you say: you ar the better Phisition by
Odds, Sir her I saie It is better by Nodds And that you ar a notorious and as
brasen faced a Asse as was ever torned into Carrion: Ex abundautia Bilis et
Phlegmate what but fivee bare words only Sir and false lattyn But you said (O
Impudent face without blushing: Tis a badd Stumble That never horsed I say
Tis A Rancke lade that stumbleth, breaketh his knees: and (beinge spurred &
rayned Cannott rise againe: Like asse Sir you beinge told of your pann_brasse.
Could not make itt latten If One, or Two of our Gramer scollers of the third
forme had heard you they would haue taught you the virtues of the birch tree
and would haue made diversion att your buttockes of your rancke bloud from
your grosse head ffor makinge such a batterie vppon poore priscion: But you
will say you durst not alter or better your pann: brasse ffor feare of the lawe
against Transmutation of Mettalls: So: so: I percewe you play the shifter, and
geve mee the [shipp] slipp I pray god you do not so also to others well: Ile take
you so Because you are soe a brasen one: Noe latten one a slipp bearinge
ameare shewe an outward Colour, a face, an impudent face, onelie silvered you
say you will worcke with vs what meane you by that: wee ar no Shere grinders
wee ar noe mortar men we ar noe tynckeres we are noe mettaline men: you ar
a mettaline man indeede (wee graunt) And that abrasen one Or doe you mean
workinge for old clothes As bull the hangmane, Imposters, Quack salveres: you
knowe their fashions and momcter 'ciches' on do, or doe you meane in
skowringe of guttes: ffaw: wee cannot abide the smell of your workinge you
might gett great creditt amonge The tripe wives by that trade: yf you could
allsoe macke them fatt againe O Master Tog-turdo: had you that tricke: why:
you had the whole secreat and Magistery of your arte Then might you aske
worke for Tom Tyncker or Doctor Skowregutt: Nay: ffy: why frett you soe, what
neede you bee so collaricke man. Nay loke howe hee Chafeth like an
apothecary why Tom I was not soe angry when you Cald mee knaue: whearof
you soe much your vawntes Lord howe you ar moued:/ what? a ffoolosopher:

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the first degree of a ffy fit<..>_on and soe much out of patience why this will argue you to bee: asse it weare noe Phisition: But a very Mocmtot: mco dog turdo: what you that knowe soe many secrettes: which our Moderne Phisitions haue not yeat attained vnto you that knowe howe to geve pilles before Supper with the best and eate them allsoe your self like abeast you that can prepare <S.bm>, mercurye, Crude, Precipitate, Sublimate, Turbith, Minerall, Borax Cristaline, Ratsbane Vitryall, Brimston, Aqua fortis, and the rest to excellent purposes wheareby you can cure all men when you list Some in xxiiij howers. Some in Twelve. Some in Six. Some in two, and manie in lesse Can you make them alive againe allso when thay bee deade. by the singular opperacons of your excellent preparations Canot you purge yourself of a little Chollar But Sir what thincke you ys not a dragme or two of Opium an excellent medecine to provoke heauenlye sleepe what say you: well I say this for you in your praise ffor your medecines and their str<onge and> strange Operations & effectes: you may practize through<out> all Turkey and the East and west Indyes without feare of the statute of ffyve Powndes a moneth Or the hanginge lawe for killinge the kin<gs I> iedg People: ffor sure some Turkes Indyans, Bar<.....> or Barbasses there will <geve> you Countenance and for such your excellent giftes and rare experimentes so vniversall aboue all our <..... ..> wilbee vnto you a sufficient warrant I had thought to haue written much more in your praise But I doubt you will thincke mee to bee full of slattery yf I should wright all your comendable giftes at once Sir you say you ar a passinge good [phisition] phisition and then you knowe accordege to the Aphorisises of Hippocraties) which no doubt you haue throwlie reade) The humors are to bee <prepa>red before an exquisit purgation Lett this serve you therefore for a Preperation <this time> I pray you And I will take care for you ere longe to purge you throughlie In the meane season I wouldst <intreate> att your handes That)in your great knowledge of <.....> & varyetye of t<on>ges <you> will pardon my hoptographye beinge willinge to expresse my selfe In the best sustrain without fumes, I can begge the <10mm> <fitt language> that you knowe or can speake, And soe I rest Why start you Sir, I <doe not> say I arrest you: I say I rest myne owne more th<...> yours_____ Iohn Wolton

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