

**Writing Rogues: Cheap Print Representations of
Deviance in Early Modern London**

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ABSTRACT

The figure of the rogue, either as a trickster or a threat, gripped the early modern imagination. Through plays, pamphlets, proclamations and gossip about criminals, London dwellers were bombarded with information about rogues, all of which created the impression that London was swarming with such unsavoury characters. This thesis adopts an interdisciplinary approach to the study of pamphlets about rogues, combining the history of print culture and its methods with the social history of London and crime. This contrasts with previous treatments of this material: rogue literature has been used as background for the analysis of early modern plays, especially late sixteenth- and early seventeenth-century ones, by literary scholars, and has usually been dismissed by historians as entirely fictional.

My thesis focuses on cheap pamphlets about rogues from 1590 to 1670; this period saw a burst of publications about criminals, ranging from rogue discoveries to narratives of life and death and descriptions of prisons. Through these publications, the image of the rogue was modified, acquiring new connotations, such as the Cavalier, while at the same time retaining earlier ones, such as the trickster figure or the image of the prodigal son. These changes in the image of the rogue, while not challenging the consistency of his/her depiction, reflect the continuing importance of this figure in perceptions of crime.

The majority of these texts was published in London, was London-centric in its contents, and was advertised as news about crime in the metropolis. Consequently, this thesis explores the complexity of rogue pamphlets' interaction with the social world, their readers and perceptions about crime and morality. From the starting point of cheap print about roguery, this examination leads into broader discourses about deviance, urbanisation and the marketplace of print.

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DECLARATION

I declare that all material in this thesis is original and my own work, and that no material has previously been submitted for the award of a degree by this or any other university.

Eleni Liapi

Introduction

Upon a cheating Companion.

He that was borne out of a Bastard race,
Betwixt a beggar and a Gentleman,
A filthy Carkasse and an ougly face,
And plaies the foole before Maid Marian:

Can seeme as sober as a Millers Mare,
And can not blush at any villany:
In every Market shifteth for a share,
And sits himselfe for every company:

Hath all the Cards upon his fingers ends,
And keeps a knave in store for many a tricke.
Will be a traitor to his truest friends,
And lives not by the dead, but by the quicke.

Upon his Tombe what memory will passe?
Here lies the damnedst Rogue that ever was.¹

This epigram captures many of the cultural assumptions about the rogue in early modern England. According to Nicholas Breton, the worst kind of rogue is a ‘cheating companion’, an opportunist who haunts places where people congregate in order to ply his trade, or as it was commonly expressed in the early modern period, to ‘shift’. This rogue is portrayed as a criminal: he is a villain, he dissembles (‘plaies the foole’) and he cheats at cards. At the same time, Breton repeatedly evokes the idea of fellowship, using words such as ‘companion’, ‘company’, and ‘friends’. The rogue might be castigated for being a false companion, even a traitor, but it is clear that he is not viewed as a marginal figure. Breton’s observation that the rogue belongs to ‘a Bastard race, betwixt a beggar and a Gentleman’ accentuates the rogue’s ambiguity, showing that even his social status resists definition. As we will see, ‘rogue’ was a protean term

¹ Nicholas Breton, *Choice, chance, and change: or, Conceites in their colours* (1606), sig. I4r, Michael G. Brennan, ‘Breton, Nicholas (1554/5–c.1626),’ *Oxford Dictionary of National Biography*, eee online ed., ed. Lawrence Goldman, Oxford: OUP, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/3341> [accessed 30 April 2013].

which could signify various roles, including the beggar, the cheater, the outlaw, and even the prodigal son.

Because of its multivalence, the figure of the rogue, the quintessentially urban criminal,² fascinated early modern culture. In his/her various incarnations as trickster, victim of society or threat to it, the rogue can be found in a variety of early modern texts, from plays, ballads, romances and pamphlets, to moralizing tracts and sermons, proclamations and civic regulation. This thesis will provide a systematic examination of this figure and of rogue pamphlets, combining the history of the book with the history of crime and urban order.

Creating the Elizabethan Underworld

The study of the phenomenon of roguery and the rogue pamphlet started with a historical and literary category which appeared at the end of the nineteenth century but coalesced in the early twentieth century. A main characteristic of these treatments was that they moved between the domains of history and literature, revolving, as we will see, around ideas of ‘fact’ and ‘fiction’. The scholarship relating to rogues and low-life culture in early modern England was initially conceptualized as a way to add context to Shakespeare’s world or find the historical sources for the rogues featured in the period’s drama.

In the late nineteenth century, many literary scholars and editors exhibited an interest in dramatists and prose writers of the late Elizabethan and early Jacobean period, with the stated intention of finding Shakespeare’s predecessors. For this reason, editions of prose writers such as Robert Greene, Thomas Dekker and Samuel Rowlands were published.³ Especially in the case of Robert Greene, the emphasis on his connection to Shakespeare was well-attested, helped by Greene’s mention of an ‘upstart Crow’, widely viewed as an allusion to Shakespeare.⁴ Alexander Grosart, who edited Greene’s works, compared him

² There is debate about whether the term ‘rogue’ is necessarily connected with urban crime, but I will analyse the term at length in the next section.

³ Edward F. Rimbault (ed.), *The four knaves: a series of satirical tracts by Samuel Rowlands* (London: Percy Society, 1843); Alexander Balloch Grosart (ed.) *The life and complete works in prose and verse of Robert Greene, Volume I: Storojenko’s life of Robert Greene* (New York: Russell and Russell, 1964, first published 1881-6); Alexander Balloch Grosart (ed.), *The non-dramatic works of Thomas Dekker, Volume V* (New York: Russell, 1963, first published 1884).

⁴ Robert Greene, *Greenes, groats-vvorth of witte, bought with a million of repentance Describing the follie of youth, the falshoode of makeshifte flatterers, the miserie of the negligent, and*

to Shakespeare throughout his introduction, reproducing comments viewing Greene either as a ‘father of Shakespeare’ or ‘an early rival’.⁵ Grosart’s main interest in contextualizing Shakespeare’s work was characteristically articulated in the exclamation: ‘What indeed would we not give for the plays of Greene and others from whom Shakspeare “purloynde plumes”’.⁶

Rimbault and Grosart were aware of Greene’s, Dekker’s and Rowlands’ preoccupation with rogues and vagabonds or, as Edward Rimbault phrased it, with ‘the idle and vicious’.⁷ This was taken further in anthologies of rogue texts published during the same period and continuing into the first half of the twentieth century. Collections including *Rogues and Vagabonds of Shakespeare's Youth* (1880), *The Literature of Roguery* (1907), *Elizabethan Rogues and Vagabonds* (1913), and *The Elizabethan Underworld* (1930),⁸ brought together some of the rogue texts of the period, especially those written by the authors mentioned above. The first, *Rogues and Vagabonds of Shakespeare's Youth*, was edited by Frederick Furnivall, a Shakespearean scholar and the founder of many literary societies, including the Early English Text Society (1864), the Chaucer Society, the Ballad Society (1868), and the New Shakspeare Society (1873).⁹

Three things in particular stand out in these editions of the late nineteenth and early twentieth centuries: the first is the attempt to connect a wide range of writers to Shakespeare. The second point is that in the late nineteenth and early twentieth centuries, the disciplinary boundaries between history and literature

mischiefes of deceiuing courtezans. Written before his death, and published at his dyeing request (1592), sig. F1v.

⁵ Grosart (ed.) *The life and complete works in prose and verse of Robert Greene, Volume I: Storojenko's life of Robert Greene*, p. xvii.

⁶ *Ibid*, p. xv.

⁷ Rimbault (ed.), *The four knaves: a series of satirical tracts by Samuel Rowlands*, p. v; Grosart (ed.) *The life and complete works in prose and verse of Robert Greene, Volume I: Storojenko's life of Robert Greene*, pp. 33-34, Grosart (ed.); *The non-dramatic works of Thomas Dekker, Volume V*, p. xix.

⁸ Edward Viles and Frederick James Furnivall (eds.), *Rogues and Vagabonds of Shakespeare's Youth*, New Shakespeare Society Reprints, vol. 69 (London: N.Trübner, 1880); Frank Wadleigh Chandler, *The Literature of Roguery* (Cambridge: The Riverside Press, 1907), Frank Aydelotte, *Elizabethan rogues and vagabonds and their representation in contemporary literature*, Oxford Historical and Literary Studies, 1 (London: Clarendon Press, 1913); Arthur Valentine Judges, *The Elizabethan underworld: a collection of Tudor and early Stuart tracts and ballads telling of the lives and misdoings of vagabonds, thieves, rogues and cozeners, and giving some account of the operation of the criminal law* (London: G. Routledge and Sons, Ltd., 1930).

⁹ William S. Peterson, ‘Furnivall, Frederick James (1825–1910),’ in *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, May 2007, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/33298> [accessed 30 April 2013].

were more porous. Most of the scholars working with rogue texts had a literary background: Frederick Furnivall was an antiquarian and a Shakespearean scholar, Alexander Grosart a literary scholar,¹⁰ as was Frank Chandler, and Frank Aydelotte an educator. However, A.V. Judges was a social historian working in this period at the Department of History of the London School of Economics.¹¹ *The Elizabethan underworld* was even reviewed in the *Social Service Review*, with the reviewer, E. P. Dutton, stating that this work was particularly relevant to social workers, since it showed the ‘seamy side of the grandeur of the Elizabethan age’, a section of society ‘with which the social worker is concerned’.¹²

This leads us to the final point, possibly the more relevant to my investigation: the assumption that rogue texts depicted actual social phenomena.¹³ According to Nicholas Storojenko, Greene’s cony-catching pamphlets were realistic accounts of crime, based on Greene’s familiarity with ‘this suspicious class of society’.¹⁴ ‘Observation’ was a term used repeatedly in these books in order to describe the method rogue authors used to gather their material. Even Frank Aydelotte, who showed some scepticism about how far rogue pamphlets were ‘the result of real observation’, nonetheless claimed that Harman’s description of the rogues’ tricks was ‘well supported by outside evidence’ and even argued that ‘to reject the whole of conny-catching lore as fiction is...quite contrary to the evidence which we find outside the pamphlets themselves’.¹⁵

Chandler presented *The Literature of Roguery* as ‘a study of realism, for it investigates the role enacted in literary art by the observation of low-life’,

¹⁰ Arthur Sherbo, ‘Grosart, Alexander Balloch (1827–1899)’, *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. Lawrence Goldman, October 2006, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/11659> [accessed 10 May 2013], *The New York Times*, 18 December 1956, p. 31.

¹¹ Judges, *The Elizabethan underworld*, p. xiii.

¹² E. P. Dutton, review of *The Elizabethan Underworld* by A. V. Judges, *Social Service Review*, 5, No. 4 (1931), p. 677.

¹³ This has to do with a more general belief that literature reflected reality, see Furnivall’s comment for example: ‘I have never cared a bit for philology: my chief aim has been throughout to illustrate the social condition of the English people in the past’, Peterson, ‘Furnivall, Frederick James (1825–1910)’.

¹⁴ Grosart (ed.) *The life and complete works in prose and verse of Robert Greene, Volume I*, p. 34.

¹⁵ Aydelotte, *Elizabethan rogues and vagabonds*, pp. 2, 28, 77.

based on the intimate connection of the authors with their subject.¹⁶ Likewise, Judges viewed the texts in his anthology as a combination of ‘romantic fiction and close observation’, emphasising that rogue authors ‘did not invent their subject’.¹⁷ The terms used to describe authors of rogue tracts are characteristic of this tendency to emphasise empirical examination: Harman, the author of a seminal work on roguery was dubbed as a ‘keen inquiring Social Reformer’, and Greene as a ‘public Exposer’.¹⁸

Even though these scholars acknowledged that the authors of rogue texts reworked social phenomena and placed them in a literary setting, they still considered these texts as fairly accurate depictions of the organised underworld of Elizabethan times. In order to emphasise the ties between actual living conditions and the literary works which depicted them, Judges, Aydelotte and Viles and Furnivall introduced these early modern rogue texts with references to the legislative and social background.¹⁹ This scholarship, however dated, has introduced key terms and models which continue to shape the analysis and debates on rogue studies. As we will see, the terms ‘rogue pamphlet’ and ‘rogue literature’ have been prevalent in discussions on roguery. Moreover, they introduced the term ‘Elizabethan underworld’ which has been crucial in later studies of early modern urban criminality. Their influence is clear in Gamini Salgado’s *The Elizabethan Underworld*. Even though *The Elizabethan Underworld* was written in 1977, Salgado’s narrative of life in the lower stretches of Elizabethan society was wholly based on the rogue texts, accepting unquestioningly their validity as sources of historical investigation.²⁰

The works of Viles and Furnivall, Aydelotte and Judges created the idea of an ‘Elizabethan underworld’, a world which existed in parallel to and in antagonistic relation with the one inhabited by law-abiding citizens. This ‘underworld’ had ‘a language of its own and a large number of well-defined

¹⁶ Especially when it came to Robert Greene, whose statements that he had been part of London’s crime scene were taken for granted, Chandler, *The Literature of Roguery*, pp. vii, 93.

¹⁷ Judges, *The Elizabethan underworld*, p. xiii.

¹⁸ Viles and Furnivall (eds.), *Rogues and Vagabonds of Shakespeare's Youth*, p. vii.

¹⁹ This practice was continued in a more recent anthology: Arthur Kinney (ed.), *Rogues, vagabonds, and sturdy beggars: a new gallery of Tudor and early Stuart rogue literature exposing the lives, times, and cozening tricks of the Elizabethan underworld*, (Amherst: University of Massachusetts Press, 1990, originally published 1973).

²⁰ Gamini Salgado, *The Elizabethan Underworld* (London: J.M. Dent and Sons Ltd, 1977).

methods and traditions'.²¹ According to this interpretation, the typologies of rogues expounded a world of professionals with their own specialized practices and a distinct hierarchy, which mirrored or ridiculed that of respectable society. Judges, in particular, took the 'elaborate classifications' of the 'urban underworld' as historically accurate and described the rogue as 'a professional, a professor of one of the crafts or mysteries odious to all right thinkers of the commonwealth'.²²

Debunking the Elizabethan Underworld

In the 1960s and 1970s, when social historians turned to a version of history closer to the social sciences, the belief that there was an organised underworld as described in the rogue literature came under heavy fire.²³ Social historians in the 1970s turned away from the analysis of elite politics and courtly life in favour of a more holistic account of early modern society, partly as a result of the influence of the *Annales* school of thought. The *Annales* represented an attempt to write a total history, giving special emphasis to culture and society. In this period its members were also interested in quantitative social science. The other great influence in the shift of focus from elite political history to the analysis of lower-class and less-privileged groups was Marxism, which advocated a mode of 'history from below'. In order to gain access to information about more obscure social groups, social historians privileged the analysis of crime, since judicial records recorded one of the sites of encounter between different social types.

The emphasis on a historical analysis that is closer to social science than to literature is evident in Peter Laslett's dismissal of literary sources as primary sources for the sociological or historical examination of the past. According to Laslett, the 'sociological historian' should investigate non-literary data, and then turn to literary accounts 'for confirmation and for illustration'. One of the drawbacks identified by Laslett in using 'imaginative literature' was that it

²¹ Aydelotte, *Elizabethan rogues and vagabonds*, p. 1.

²² Judges, *The Elizabethan underworld*, pp. xxvi-xxvii.

²³ Georg G. Iggers, *Historiography in the twentieth century: from scientific objectivity to the postmodern challenge* (Hanover, NH: Wesleyan University Press, 1997).

tended to promote an elite worldview, thus it could be ‘systematically deceptive as to social reality’.²⁴ The same criticism was levelled more specifically against rogue pamphlets in the work of many social historians of the early modern period. A fair measure of social historians’ attitudes towards previous treatments of rogue pamphlets can be glimpsed from J.S. Cockburn’s review of Gãmini Salgado’s *The Elizabethan Underworld*.²⁵ In his review, Cockburn contrasted the attempts of social historians to ‘examine vagrancy and crime in this period and to bring some perspective to the literature of deviance’ using legal records, with Salgado’s work on the ‘anti-society’ of criminals, as depicted by rogue literature. Cockburn criticised Salgado’s exclusive use of literary sources for his research which resulted in a work where ‘anecdote replaces empirical enquiry’, a statement which privileged social history’s mode of research by using the language of empiricism.²⁶

Using manuscript records, especially records of law courts and examinations of vagrants, social historians such as A.L. Beier, Paul Slack, and James Sharpe argued that an organised underworld with a hierarchical structure was a literary fabrication, not a social phenomenon. Crime and vagrancy may have been rife in early modern England, but criminals were not organised in specialised gangs. Beier examined the claims of the literature of roguery, contrasting them with legal records, often examinations by the Justices of the Peace. Beier concluded that, even though there are occasional examples in other records of ‘the stereotyped qualities of the underworld’, in general ‘the literature’s taxonomy is superficial, its amusing stories trivial’.²⁷ Likewise, James Sharpe argued that London was exceptional in England in that it ‘possessed its underclass of criminals and prostitutes’, but he still did not think this underclass

²⁴ Peter Laslett, ‘The Wrong Way Through the Telescope: A Note on Literary Evidence in Sociology and in Historical Sociology’, *The British Journal of Sociology*, 27, No. 3, (1976), 319-342.

²⁵ J.S. Cockburn, review of *The Elizabethan Underworld* by Gãmini Salgado, *Journal of Social History*, 11, No. 4 (1978), 594-596.

²⁶ Similarly, but with less vehemence, the sociologist Roy Austin commented concerning *The Elizabethan Underworld* that ‘the reader should expect a literary approach, heavily dependent on literary sources, rather than a social scientific one’, Roy L. Austin, review of *The Elizabethan Underworld* by Gãmini Salgado, *Annals of the American Academy of Political and Social Science*, 436, (1978), 192-193.

²⁷ A. L. Beier, *Masterless Men: the vagrancy problem in England 1560-1640* (London: Methuen, 1985), pp. 123-145.

was equivalent to the levels of organisation implied in the afore-mentioned studies.²⁸

Their research led them to conclude that the function of rogue pamphlets was to marginalise the poor; thus, these texts were an expression of the ‘criminalization of the poor’ in early modern England, not a reflection of reality.²⁹ Paul Slack, examining records of vagrancy from 1598 to 1664, reasoned that the descriptions of vagrants in rogue literature were ‘the result of contemporary desires to define and perhaps to romanticize the vagrant phenomenon, to provide stereotypes in order to make the reality more explicable and more palatable’. Slack did not dismiss completely the possibility that ‘the picturesque or professional rogue’ existed, but he considered such cases as exceptions.³⁰ Slack, however, still used quotes from the rogue literature in order to provide examples for his arguments.

Built into this scholarship is the assumption that court records and statistical analysis can provide a less mediated entryway to early modern crime. What is sometimes obscured, however, is that court records too tell only part of the story and that they may reflect contemporary perceptions of crime rather than actual crime rates. Crime rates were prone to change depending on changes in public or judicial attitudes towards the prosecution of crime instead of actual changes in the incidence of crime, something acknowledged by Cockburn.³¹ Nonetheless, after this discrediting of rogue pamphlets as valid or even useful sources of evidence about the social conditions of early modern London, the pamphlets I study were for the most part ignored by historians and left to literary critics.

One of the few exceptions was John McMullan, a sociologist and criminologist who investigated the structural factors which made possible the existence of the ‘London underworld’. Analysing the rogue literature he concluded that ‘[t]he London underworld comprised criminals and ancillary

²⁸ A. L. Beier, ‘Vagrants and the Social Order in Elizabethan England,’ *Past and Present*, LXIV (1974), 1-29, J.A. Sharpe, *Early modern England: a social history, 1550-1760* (London: Edward Arnold, 1997), p. 86.

²⁹ J.A. Sharpe, ‘The History of Crime in Late Medieval and Early Modern England: A Review of the Field’, *Social History*, 7, No. 2 (1982), p. 194.

³⁰ Paul A. Slack, ‘Vagrants and Vagrancy in England, 1598-1664’, *Economic Hist. Rev.*, 2nd ser., XXVII (1974), 360-79.

³¹ J.S. Cockburn ‘The Nature and Incidence of Crime in England 1559-1625’, in J.S. Cockburn (ed.), *Crime in England 1550-1800* (London: Methuen, 1977), p. 51.

institutions. The criminal vocabulary preserved some of the trappings of organization: an elementary division of labour, a technology, protection, an embryonic apprenticeship system, and a rational mode of operation'.³² The use of the term 'underworld', the analysis of the criminal vocabulary (gleaned from rogue pamphlets) and the belief in the 'professionalization' of crime stands in sharp contrast to the previous scholarship on early modern crime.

One of the problems with McMullan's analysis, however, is his use of rogue pamphlets in order to get to the social reality of this period. When, for example, McMullan states that '[b]y the seventeenth century, military styles of address were common among organized criminals. References to captains of thieves with headquarters, divisions, ranks, badges, and soldiers were common', the source he is using is *The Devil's Cabinet Broke Open* (1658). However, McMullan does not attempt to assess the truthfulness of this source or whether it was characteristic of writings about rogues in the period.³³

In the 1980s, New Historicism's interest in social history and its practice of reading early modern texts in the context of power relations elicited a new interpretation of rogue pamphlets. New Historicism, as a school of thought in literary studies, highlighted the importance of historical context in the interpretation of literary texts, while at the same time viewing literary texts as a 'space where power relations are made visible'.³⁴ Consequently, New Historicism showed an interest in 'lowlife' literature as an articulation of power and as a site where subversion was generated in order to be contained. According to New Historicism, subversion was an integral part of literary texts, but it was only generated in order to be neutralized ('contained') and thus reinforce the dominant position.³⁵

³² John L. McMullan, 'Criminal Organization in Sixteenth and Seventeenth Century London', *Social Problems*, 29, No. 3 (1982), p. 317.

³³ John L. McMullan, 'Criminal Organization in Sixteenth and Seventeenth Century London', *Social Problems*, 29, No. 3 (1982), 311-323, p. 313. John L. McMullan, *The canting crew: London's criminal underworld, 1500-1700* (New Brunswick: Rutgers University Press, 1984), especially pp. 96-111.

³⁴ John Brannigan, *New Historicism and Cultural Materialism* (Basingstoke: Macmillan, 1998), p. 6.

³⁵ See for example Stephen Orgel, *The illusion of power: political theater in the English Renaissance* (Berkeley: University of California Press, 1975), Louis Adrian Montrose, "'Eliza, Queene of shepherdes,'" and the Pastoral of Power', *English Literary Renaissance*, 10, No. 2 (1980), 153-182, Stephen Greenblatt, *Shakespearean negotiations: the circulation of social*

Stephen Greenblatt, arguably the founding figure of New Historicism, analysed rogue pamphlets through the interpretative lens of the subversion-containment thesis. In his influential essay 'Invisible Bullets' he analysed texts of discovery, Thomas Hariot's *A briefe and true report of the new found land of Virginia* (1588), and Harman's *A caveat for commen cursetors* as well as Shakespeare's histories (especially *Henry IV*), in order to show that they were expressions of Renaissance power. Greenblatt argued that subversive elements existed in rogue pamphlets, such as the frequent claim that dissembling was not restricted to criminals, but a condition of social life. These subversive elements were, however, 'produced by and within the affirmations of order' and did not undermine it: 'the order is neither possible nor fully convincing without both the presence and perception of betrayal'.³⁶ According to Greenblatt, in Harman's and Shakespeare's texts 'actions that should have the effect of undermining authority turn out to be the props of that authority...moral values –justice, order, civility– are secured paradoxically through the apparent generation of their subversive contraries'.³⁷

Following Greenblatt's example, many literary critics have worked on the assumption that rogue pamphlets obscured the living conditions of the actual poor by presenting an imaginary underworld,³⁸ which was sometimes depicted as jovial and sometimes as sinister, but always with the intention to desensitize the readers to the pleas of the poor and to justify the repression of the lower orders. Greenblatt very graphically described how Harman expected his readers to agree with his viewpoint: 'To like reading about vagabonds is to hate them and to

energy in Renaissance England (Oxford: Clarendon Press, 1987). A contrasting viewpoint to New Historicism's dismissal of subversion in literary texts was articulated by Mikhail Bakhtin, who analysed the carnivalesque and termed the 'traditional folklore method of contrast' (inside-out, up-down) as 'positive negation', an opposition to the official world and all its prohibitions and limitations, M. M. Bakhtin, *Rabelais and his world* (Bloomington: Indiana University Press, 1984), pp. 403-412.

³⁶ Greenblatt, *Shakespearean negotiations*, pp. 50-52.

³⁷ *Ibid.*, p. 53.

³⁸ The term underworld is still used in some these studies, see for example, William C. Carroll, *Fat king, lean beggar: representations of poverty in the age of Shakespeare* (Ithaca: Cornell University Press, 1996), p. 37, Linda Woodbridge, *Vagrancy, homelessness, and English Renaissance literature* (Urbana: University of Illinois Press, 2001), pp. 51, 54, Mark Koch, 'The Desanctification of the Beggar in Rogue Pamphlets of the English Renaissance' in David G. Allen and Robert A. White (eds.) *The Work of Dissimilitude: Essays from the Sixth Citadel Conference on Medieval and Renaissance Literature* (Newark: University of Delaware Press, 1992), p. 95.

approve of their ruthless betrayal'.³⁹ New Historicism claimed that rogue pamphlets projected the fears generated by a transitory period onto the most vulnerable members of society and, as a consequence, functioned as a scapegoating technique, depicting the poor as rogues who cunningly exploited their position and their perceived weakness in order to steal, con and cheat their gullible and soft-hearted victims.⁴⁰

Even work on rogues not in the tradition of New Historicism has followed the same track, emphasising how rogue pamphlets acted as a way of othering or labelling the criminals they depicted. Literary scholars such as Linda Woodbridge, Patricia Fumerton, Michael Long, Mark Koch and (to a lesser extent) Steve Mentz have highlighted the role of rogue or cony-catching pamphlets in demonizing the rogues they described.⁴¹ For example, Michael Long has stated that '[t]he various conycatchers, bawds, foists and legions of other criminal types are not simply criticised for their outlawed activities but are effectively demonised'.⁴² Linda Woodbridge has claimed that 'some misrepresentation [of vagrants] appears to have an agenda. And even market-oriented rogue literature was at the very least convenient to those whose ends were served by scapegoating vagrants'.⁴³

This emphasis on scapegoating and 'othering' owed a lot to the media studies of the 1970s, which explored the ideological role of means of mass communication. In the 1960s the media came under scrutiny and criticism,

³⁹ Greenblatt, *Shakespearean negotiations*, p. 52.

⁴⁰ William C. Carroll, *Fat king, lean beggar: representations of poverty in the age of Shakespeare* (Ithaca: Cornell University Press, 1996)

⁴¹ Linda Woodbridge, *Vagrancy, homelessness, and English Renaissance literature* (Urbana: University of Illinois Press, 2001); Patricia Fumerton, 'Making Vagrancy (In)Visible: The Economics of Disguise in Early Modern Rogue Pamphlets', in Craig Dionne and Steve Mentz (eds.), *Rogues and early modern English culture*, (Ann Arbor: University of Michigan Press, 2004); Koch, 'The Desanctification of the Beggar in Rogue Pamphlets of the English Renaissance'; Michael Long, 'Transgression and Cultural Taboo: Constructing the Criminal in English Renaissance Rogue Literature', *Cahiers Elisabethains*, 54 (1998); 1-25, Steve Mentz, 'Magic Books: Cony-Catching and the Romance of Early Modern London', in Dionne and Mentz (eds.), *Rogues and Early Modern English Culture*, p. 252. Even Bryan Reynolds, *Becoming criminal: transversal performance and cultural dissidence in early modern England* (Baltimore: The Johns Hopkins University Press, 2002), is viewing rogues as people apart, even if his emphasis is on the fascination with the margins. The only exception is Adam Hansen, who follows a more Bakhtinian approach, see Adam Hansen, 'Realizing Rogues: Theory, Organization, Dialogue', *Ephemeris*, 4, No. 4 (2004), 328-346, Adam Hansen, "'Sin City and the Urban Condom': Rogues, Writing, and the Early Modern Urban Environment", in Dionne and Mentz (eds.), *Rogues and Early Modern English Culture*, 213-239. A more detailed account of these studies will be undertaken in chapter 3.

⁴² Long, 'Transgression and Cultural Taboo', p. 1.

⁴³ Woodbridge, *Vagrancy, homelessness, and English Renaissance literature*, p. 11.

especially about the way in which ‘events of a problematic nature were represented in the media’, as well as the media’s ideological role in society and their relationship to power. Following this line of criticism, 1970s sociology focused on the manufacture of news, and especially on how media coverage of subcultures helped define social problems and enemies of the social order.⁴⁴ In this, Stanley Cohen’s concept of the ‘moral panic’ proved highly influential: an episode ‘in which public anxieties, especially as expressed and orchestrated by the press and by government actions, serve to “amplify deviance” and to promote new measures for its control’.⁴⁵

Cohen distinguished between ‘commercial’ and ‘ideological’ exploitation: the media could exploit and distort specific events to create a great sense of alarm, either with the intention of bolstering their sales or in order to promote a particular viewpoint (tighter social control or other aims).⁴⁶ The concept of the moral panic was further developed by the Birmingham Centre for Contemporary Cultural Studies. With the application of neo-Marxist and Gramscian ideas, scholars associated with the Birmingham Centre (chief among them Stuart Hall) gave a more active role to elite social groups. According to this theoretical position, moral panics were orchestrated by elite social groups with the help of the media. The media whipped up anxiety aimed at subcultures which were depicted as dangerous and on the loose. By scapegoating these deviant groups, and presenting the authorities as the only ones capable of suppressing them, the dominant group’s hegemony was justified.⁴⁷

The idea of ‘moral panics’ is still current in early modern historiography and has acted as an interpretative framework for the treatment of roguery. Even though the terminology is rarely used, the main assumptions have remained, especially as they relate to the way subcultures are being treated by the media of the period. Thus, rogue pamphlets are viewed as creating a similar narrative,

⁴⁴ Stuart Hall, ‘Introduction to media studies at the Centre’, in Stuart Hall, Dorothy Hobson, Andrew Lowe and Paul Willis (eds.), *Culture, media, language: working papers in cultural studies, 1972-79* (London; Hutchinson; Birmingham, West Midlands: Centre for Contemporary Cultural Studies, University of Birmingham, 1980), p. 119.

⁴⁵ Stanley Cohen, *Folk devils and moral panics: the creation of the Mods and Rockers* (London: MacGibbon and Kee, 1972), quotation from David Lemmings, ‘Introduction: Law and Order, Moral Panics, and Early Modern England’, in David Lemmings and Claire Walker (eds.), *Moral panics, the media and the law in early modern England* (Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan, 2009), p. 17.

⁴⁶ Cohen, *Folk devils and moral panics*, p. 139.

⁴⁷ Lemmings, ‘Introduction: Law and Order, Moral Panics, and Early Modern England’, p. 17.

which includes ‘stigmatised outsiders’ (rogues and metonymically the poor), ‘repressive/control agents’ (the state, the judicial system), ‘media amplifiers’ (print trade) and ‘moral entrepreneurs’ (committed pamphleteers claiming a wish to reform society, such as Harman and Goodcole). The term ‘vagrant subculture’ is still used in recent studies, even if it is in order to discredit such a notion.⁴⁸ The fact that Judges’ anthology was published as part of the ‘Key Writings on Subcultures, 1535-1727’ series in 2002 shows that this interpretive stance is still prevalent in studies of rogue literature.⁴⁹

The turn towards the study of culture in historical studies provided new insights to the study of crime pamphlets, which makes the omission of rogue pamphlets from these investigations even more striking.⁵⁰ New cultural history has appropriated the anthropological definition of culture as a symbolic system, and, in particular, the methodology of the ‘thick description’ from Clifford Geertz; according to Geertz, a cultural event is an ‘acted document’, a text full of symbolisms which need to be deciphered.⁵¹ In addition, new cultural history was influenced by the idea of ‘power’ from the works of Michel Foucault and Marxist thinkers such as Antonio Gramsci and Louis Althusser. Gramsci’s concept of ‘hegemony’ was of prime importance to the development of this historical school, defined as ‘a cultural and ideological means whereby the dominant groups in society, including fundamentally but not exclusively the ruling class, maintain their dominance by securing the “spontaneous consent” of subordinate groups... by the negotiated construction of a political and ideological consensus which incorporates both dominant and dominated groups’.⁵² Even though this led to the analysis of crime pamphlets as one of the ‘cultural forms in

⁴⁸ Patricia Fumerton, ‘London’s Vagrant Economy: making space for “Low” subjectivity’, in Orlin Lena Cowen Orlin (ed.) *Material London, ca. 1600* (Philadelphia: University of Pennsylvania Press, 2000), p. 217.

⁴⁹ A. V. Judges, *The Elizabethan Underworld: A Collection of Tudor and Early Stuart Tracts and Ballads*, Key Writings on Subcultures, 1535-1727: Classics from the Underworld (London: Routledge, 2002).

⁵⁰ Aletta Biersack, *The New cultural history: essays* (Berkeley; London: University of California Press, 1989)

⁵¹ Clifford Geertz, *The interpretation of cultures: selected essays* (New York: Basic Books, 1973), p. 10. The following quotation aptly describes Geertz’s methodology: ‘Believing, with Max Weber, that man is an animal suspended in webs of significance he himself has spun, I take culture to be those webs, and that analysis of it to be therefore not an experimental science in search of law but an interpretative one in search of meaning’, *Ibid*, p. 5.

⁵² Dominic Strinati, *An Introduction to Theories of Popular Culture* (London: Routledge, 2004, 2nd edition), p. 153.

and through which political power expressed and reproduced itself”, especially in the case of executions or shaming rituals, rogue pamphlets (or at least the ones which are traditionally viewed as ‘rogue pamphlets’) were still ignored by most new cultural historians.⁵³ In the few exceptions to this general omission, the emphasis is still on the creation of an anti-image of conventional society.⁵⁴

Even the most recent addition to the critical field, *Rogues and Early Modern English Culture*, a multifaceted study of rogue pamphlets edited by Craig Dionne and Steve Mentz, follows some of the same assumptions as previous scholarship. This edited volume returns to the idea of the underworld and how its depiction could be used to scapegoat vagrants, claiming that much of the rogue literature ‘manufactured an imaginary criminal underworld for London’s growing metropolis, displacing dominant notions of social hierarchy and order onto the growing populations of homeless’ and that ‘these pamphlets reshaped the image of the unfortunate vagabond into a willing and stealthy member of a vast criminal network of organised guilds’.⁵⁵ Regardless of the editors’ claim that this volume goes beyond the ‘fact-or-fiction’ split, they emphasise that these were ‘fictional accounts’ producing an ‘imaginary underworld’.⁵⁶

This volume reflects some of the contradictions in the study of rogue pamphlets, and highlights the need to re-evaluate some of the main assumptions taken for granted in this scholarship. Firstly, in almost all of the above-mentioned studies, the debate focuses on the criminal underworld. The main recurring questions posed are whether or not the underworld depicted in these texts existed in reality and how its representation altered the ways in which vagrancy, crime and poverty were perceived. For example, Dionne and Mentz stress the need for

⁵³ Kevin Sharpe and Peter Lake (eds.), *Culture and Politics in Early Stuart England*, (Houndmills: Macmillan, 1994), p. 4. The distinction made between rogue pamphlets and crime pamphlets will be explained in Chapter 3.

⁵⁴ Paul Griffiths, *Lost Londons: change, crime, and control in the capital city, 1550-1660*, (Cambridge: Cambridge University Press, 2008), pp. 143-147, 177. Peter Lake, ‘From Troynouvant to Heliogabulus's Rome and Back: ‘order’ and its others in the London of John Stow’, in J. F. Merritt (ed.), *Imagining early modern London: perceptions and portrayals of the city from Stow to Strype, 1598-1720* (Cambridge: Cambridge University Press, 2001), 217-249. A more detailed description will follow in Chapter 3.

⁵⁵ Craig Dionne and Steve Mentz, ‘Introduction’ in Dionne and Mentz (eds.), *Rogues and early modern English culture*, p. 7.

⁵⁶ *Ibid.*, p. 11.

a ‘full examination of the discursive interplay of the underworld as a distinct cultural phenomenon’⁵⁷. This highlights a further problem relating to previous scholarship: its emphasis on a ‘canon’ of rogue literature, for the most part based on the texts included in *The Elizabethan Underworld*.

My thesis will show that the assumption that rogue pamphlets created an underworld is misplaced. As we will see, most scholars’ focus on a literary canon of roguery has served as a justification for the hypothesis that the ‘criminal underworld’ was a distinct (if fictional) phenomenon. This thesis will alter this picture, by showing that rogue pamphlets were part of a mass of cheap print publications which focused on the growth of London and the changes this effected on the mindset of its inhabitants. These publications often censured the abuses of other members of London society (merchants, usurers, gentlemen, even officers of the law) and included mentions of rogues and petty criminals as a part of society’s failings. Thus, rogue pamphlets, rather than creating an imaginary underworld, were embedded in discourses about broader issues. Using digital databases (particularly the Early English Books Online) I have been able to broaden the range of texts which can be described as ‘rogue pamphlets’.⁵⁸

My thesis also differs from previous accounts in paying attention to the production of rogue pamphlets, emphasising their place in the marketplace of print. This aspect’s omission in previous scholarship is striking, particularly in light of more recent studies on print culture and the history of the book, which have illustrated that the form and the circumstances of production affect the meaning of texts.⁵⁹ My thesis will illustrate that, through an investigation of the circumstances of production and the examination of rogue pamphlets as physical objects, it is possible to derive a more nuanced understanding of how rogue pamphlets were intended to be read and the possible reader responses to them. The following sections will explain how these issues will be addressed in my thesis.

⁵⁷ Dionne and Mentz, ‘Introduction’ in Dionne and Mentz (eds.), *Rogues and early modern English culture* p. 13

⁵⁸ This will be analysed further in Chapter 1.

⁵⁹ Alexandra Halasz, *The Marketplace of Print: pamphlets and the public sphere in early modern England* (Cambridge, New York: Cambridge University Press, 1997); Joad Raymond, *Pamphlets and Pamphleteering in Early Modern Britain*, (Cambridge: Cambridge University Press, 2003)

Searching for rogues: chronological and thematic selection of pamphlets

One of the major premises of this thesis is that, when examining pamphlets about rogues, a broader range (both thematically and chronologically) of cheap printed texts should be considered. Scholars tend to view rogue pamphlets, crime pamphlets, and highwaymen's lives as distinct categories which are rarely (if at all) examined together. Consequently, scholars such as Greenblatt, Woodbridge, Fumerton, Salgado and Bryan Reynolds, focus solely on rogue pamphlets, generally from the period between 1550 and 1620. On the other hand, historians such as Sharpe, Peter Lake and Beier have analysed crime pamphlets (often including murder, treason and robbery), while others (Lincoln B. Faller and Gillian Spraggs) have focused on highwaymen's lives.⁶⁰ This thesis, however, argues that a broader definition of the term rogue brings us closer to the way this term was conceptualized in early modern England. Such a broader definition allows for combining the types of texts used by the above-mentioned scholars in order to create a fuller picture of the cheap printed material which focused on the practices of rogues. In this section I will analyse the term 'rogue' and its various connotations in the period in order to illustrate how this reconsideration of the term has prompted me to explore the phenomenon of the rogue more broadly, in terms of both subject and time.

The mutability and multivalence of the term 'rogue' allowed it to be used in a variety of contexts, thus making it impossible to define accurately. In the pamphlets I have analysed, 'rogue' was often used to denote different types of criminal or even as a derogatory term. Some pamphlets used the term 'rogue' to describe vagrants, as in *The Belman of London* (1608), where Dekker described country rogues in these terms: 'this is the *Ragged Regiment*: Villaines they are by birth, *Varlets* by education, *Knaves* by profession, *Beggars* by the statute and

⁶⁰ Lincoln B. Faller, *Turned to account: the forms and functions of criminal biography in late seventeenth- and early eighteenth-century England* (Cambridge: Cambridge University Press, 1987), Gillian Spraggs, *Outlaws and highwaymen: the cult of the robber in England from the Middle Ages to the nineteenth century* (London: Pimlico, 2001). More details in Chapter 1.

Rogues by act of Parliament'.⁶¹ In his next pamphlet, however, Dekker used the term 'rogue' for urban cheaters, who changed gold to silver: 'It is a knot of Cheators but newly tyed, they are not yet a company... They have two or thrée names, (yet they are no *Romaines*, but errant Rogues)'.⁶² Greene, used the same term to denote a Curber, an urban criminal who used a hook to steal out of people's windows: 'It fortun'd of late that a Courber & his Warpe went walking in the dead of the night to spy out some window open for their purpose... the rogue he plyed his busines and lighted on a gowne'.⁶³

Robbers were often described as rogues: Hind, the highwayman, claimed that robbery would be sufficient to justify his being called a rogue: 'I wil make you call me Rogue for something: So Hind made him unty his greasy snapsack, where he found fifty pound in gold'.⁶⁴ In *Hannam's last farewell to the world* (1656), the author concludes his pamphlet about the burglar Hannam, stating 'Let Rogues and Thieves beware of Hannams END'.⁶⁵ In this context, it is extremely unlikely that the rogues were expected to be vagrants, because Hannam's end was execution, an unlikely fate for a vagrant. Merchants who cheated their customers could equally be characterized as rogues. In Greene's *A notable discovery of coosenage* (1591) a woman who was cheated by a collier challenged him: 'thou cosening rogue, quoth she, (speaking to the Collier) I will teach thee how thou shalt cosen me with thy false sakes'.⁶⁶

This profusion of meanings was apparent in other sources from the period. Judging by legislation and official documents the terms 'rogue' and 'vagrant' were used in overlapping ways to denote those who had no employment and could give no good account of their life. According to *An Order to be published and executed by the Lord Maior of the Citie of London* (1593), all persons wandering as beggars 'being whole and strong in body and able to work, having no lands or other means to get their living, should be taken as Rogues and

⁶¹ Thomas Dekker, *The belman of London* (1608), sig. Cv.

⁶² Thomas Dekker, *Lanthorne and candle-light. Or, The bell-mans second nights-walke* (1608), sig. K3r.

⁶³ Robert Greene, *The second part of conny-catching* (1592), sig. E3v.

⁶⁴ George Fidge, *The English Gusman; or The history of that unparallel'd thief James Hind* (1652), p. 28.

⁶⁵ Anonymous, *Hannam's last farewell to the world: being a full and true relation of the notorious life and shamfull death of Mr. Richard Hannam, the great robber of England; with the manner of his apprehension, examination, confession and speech made to the sheriffs a little before his execution in the round in Smithfield, in Tuesday the 17. of June, 1656* (1656), p. 14.

⁶⁶ Robert Greene, *A notable discovery of coosenage* (1591), sig. D3v.

Vagabonds'.⁶⁷ In this case, it is clear that rogues and vagabonds are considered as the same thing, namely sturdy beggars. *A proclamation for the due and speedy execution of the Statute against Rogues, Vagabonds, Idle, and dissolute persons* (1603) identified these groups of people as a threat ('they have swarmed and abounded everywhere'), and concluded that 'such incorrigible or dangerous Rogues should ...be banished'.⁶⁸

In official documents, however, rogues and vagabonds were not only conflated, but also connected with other illegal activities, such as stealing, pilfering and cheating ('shifting'), which brought them closer to the descriptions of rogues in rogue pamphlets. In a letter from 1596 addressed to the Middlesex Justices of Peace, the Privy Council complained that Provost Marshalls were not sufficiently active in driving away 'rogues and vagabonde persons', thus allowing 'those lewde and badd kind of people that lyve by prolinge (sic) and stealinge' to return to London.⁶⁹ This assumption was repeated in a 1625 proclamation: 'And for other wandering poore, Vagabonds, Rogues, and such like base and unruly people, which pester the high way, and make it their Trade or profession to live by begging, pilfering, or other unlawfull shifting'.⁷⁰

In these texts, rogues were not only conflated with vagrants, but also referred to as part of the poor. Most acts, proclamations or civic orders about vagrants tied the relief of the poor together with the punishment of rogues and vagabonds. This is evident in the 1630 'A further Proclamation for the suppressing and punishing of Rogues and Vagabonds, and Reliefe of the Poore', which first delineates measures for the relief of the impotent poor, while ordering the punishment of 'al Rogues and Vagabonds, who... shall bee found either

⁶⁷ England and Wales. Privy Council, *An order to be published and executed by the Lord Maior of the citie of London, and other officers in all places within three miles of the sayd citie, for auoyding of all kind of beggars that doe wander about contrary to the lawes and statutes of the realme* (1593).

⁶⁸ England and Wales Sovereign (1603-162: James I), *By the King. A proclamation for the due and speedy execution of the statute against rogues, vagabonds, idle, and dissolute persons* (1603).

⁶⁹ John Roche Dasent (ed.), *Acts of the Privy Council of England, New series*, Volume 26, 1596-97, pp. 23-24.

⁷⁰ England and Wales. Sovereign (1625-1649: Charles I), *By the King. A Proclamation for restraint of disorderly and unnecessary resort to the Court* (1625). See also John Roche Dasent (ed.), *Acts of the Privy Council of England, New series*, Volume 25, 1595-96, p. 330.

wandering, or begging'.⁷¹ The same tendency to distinguish between the 'worthy' poor and 'rogues and vagabonds' was reflected in metropolitan administration. In a letter to the Mayor and Aldermen in 1638 'with respect to the great number of wandering poor in the City', the Privy Council requested 'order to be taken for the relief of the poor according to the laws, that they might have no pretence to wander and beg, and for the punishment of the rogues and vagabonds'.⁷² What this suggests is that rogues and vagabonds were considered as part of the 'wandering poor', albeit the most troublesome part.

Outside legislative sources, the term had varying connotations. In *The London prodigall* (1605) a character calls another 'you cheating Roague, you cut-purse conicatcher', effectively lumping together different categories of urban criminals, such as cutpurses, cony-catchers (confidence tricksters) and cheaters (most often used for those cheating at cards or dice).⁷³ Thomas Scott used the term 'rogue' with a closer affinity to the legal definition, claiming that some 'like rogues, and vagabonds travaile without pasport' (pun possibly intended).⁷⁴ Dictionaries as well gave a diverse picture: *The interpreter* (1607), a dictionary of legal terms, claimed that rogue [written 'Roag (Rogus)'] 'signifieth with us an idle sturdie beggar'.⁷⁵ Finally, John Wilkins' *An essay towards a real character, and a philosophical language* (1668), defined the 'rogue' as 'begger' (as a noun), and as an adjective meaning 'wandering, vice, fraud (person)'.⁷⁶

Work on defamation has shown that in the period the word 'rogue' was used loosely and often derogatorily. According to Martin Ingram, in the secular courts of the late sixteenth century 'action was denied in cases where the victim was simply called "knaves", "villains", "forsworn rogues", or the like, on the extremely dubious grounds that such terms of abuse were of uncertain meaning

⁷¹ England and Wales. Sovereign (1625-1649: Charles I), *By the King. A further Proclamation for the suppressing and punishing of Rogues and Vagabonds, and Reliefe of the Poore* (1630).

⁷² Remembrancia, VIII. 212.

⁷³ William Shakespeare, *The London prodigall* (1605), sig. G2r.

⁷⁴ Thomas Scott, *The high-waies of God and the King Wherein all men ought to walke in holinesse here, to happinesse hereafter. Deliuered in two sermons preached at Thetford in Norfolke, anno 1620* (1623), sig. H1r-H2r.

⁷⁵ John Cowell, *The interpreter: or Booke containing the signification of vvords wherein is set forth the true meaning of all, or the most part of such words and termes, as are mentioned in the lawe vvriters, or statutes of this victorious and renowned kingdome, requiring any exposition or interpretation* (1607), sig. M2v. Claude Hollyband's *A Dictionary French and English* (1593) defined the French term 'rogue' as 'a presumptuous fellowe, arrogant', which might explain some of the variation in the usage of the term.

⁷⁶ John Wilkins, *An essay towards a real character, and a philosophical language* (1668).

and commonly uttered in passion or choler without any real intention of harming a person's reputation'.⁷⁷ The confusion of the term is shown clearly in the case of Ellen Allsop, who called a boy a 'base roague'. His mother indignantly exclaimed 'what does thou call my boy bastard'.⁷⁸ Similarly, Catherine Barnaby, when accused of being a scold, attacked those who had accused her by saying that 'she cannot be quiet for these roagues and Rascalls'.⁷⁹ All the above examples suggest that the term 'rogue' was a flexible term, which could be used in a variety of ways. The language of roguery was used widely and in differentiated ways, but always conveying a stigma of illegality to those it was attached.

Many scholars working on rogue texts have avoided using the term 'rogue' because it arguably conferred a fictional status on the subject. Woodbridge emphatically discounts the term 'rogue' as a 'highly prejudicial term' which connects vagrants and other poverty-stricken individuals to the figure of the 'genial rogue'. Woodbridge has argued that this term 'occludes important distinctions between destitute rural migrants and urban down-and-outs on the one hand, clever con artists on the other'.⁸⁰ As we have seen, such a clear distinction was not made in the early modern period, but Woodbridge considers the continual use of the term 'rogue' by scholars as an example of uncritically accepting the authority's rhetoric against vagrants. Likewise, Fumerton chooses the term 'unsettled' for the 'mobile but gainfully employed' poor, in order to distinguish them from the subjects of rogue pamphlets.⁸¹

These attempts to separate the poor, homeless and un- (or partly-) employed from urban rogues indicate an impulse (by these scholars) to limit the deviant status to a minority, while claiming that the rest were guilty of nothing else than being poor. This is closer to the legislators' attempts to distinguish

⁷⁷ Martin Ingram, *Church courts, sex and marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987), pp. 296-7.

⁷⁸ Laura Gowing, *Domestic dangers: women, words, and sex in early modern London* (Oxford: Clarendon Press, 1998), p. 116.

⁷⁹ Gowing, *Domestic dangers*, p. 123; Martin Ingram, "'Scolding Women Cucked or Washed": a crisis in gender relations in early modern England?', in Jenny Kermode and Garthine Walker, *Women, crime and the courts in early modern England* (Chapel Hill: University of North Carolina Press, 1994), pp 69-70.

⁸⁰ Woodbridge, *Vagrancy, homelessness, and English Renaissance literature*, pp. 28-29.

⁸¹ Patricia Fumerton, *Unsettled: the culture of mobility and the working poor in early modern England* (Chicago; London: University of Chicago Press, 2006), pp. xvi, 43-46.

between worthy poor and sturdy beggars than is usually recognised. In addition, both scholars choose alternative terms which were not used in the period. Finally, the term ‘vagrant’, which is usually viewed as less of a problem by scholars than ‘rogue’, did not denote a stable category either: Slack has stated that ‘vagrant and vagabond were emotive, elastic terms’, which could be used against ‘lower-class mobility of all kinds’. Someone who could not give an account of his/her life could be punished as a ‘vagrant’, something that might change if the magistrates found more information about the defendant.⁸²

My thesis, therefore, consciously opts for the term ‘rogue’ in order to describe various kinds of urban deviant behaviour with direct links to small-scale economic crime. The term ‘rogue’ has a clear connection to the trickster theme, which is one of the most characteristic aspects of rogue pamphlets and the main cohesive element between these texts.⁸³ Even the lives of highwaymen, whose crime involved a more direct approach to attaining money (accosting their victims on the highway, weapons drawn), were usually filled with stories of how they ‘cozened’ their victims, stories which usually were little different than the ones narrated in other pamphlets about rogues.⁸⁴ Furthermore, the trickster theme connects the representations of these criminals with earlier popular stories of trickery and deceit and complicates the consideration of rogues as either threats to or victims of society.

For this reason, my thesis uses a broader definition of the term ‘rogue’, including urban beggars, thieves, cutpurses, confidence tricksters and highwaymen, as long as their activities can be viewed as economic crime and contain an element of trickery. I include all pamphlets which claim to present the criminal practices of rogues in the metropolis, without trying to make them cohere to a single defining genre, such as ‘rogue pamphlets’ (where I use this term, it is in the context of this broader definition). As we will see in Chapter 1, all the texts I use had urban economic crime (of the kind associated with rogues)

⁸² Slack, ‘Vagrants and Vagrancy in England 1598-1664,’ p. 362. Even though the term ‘vagrant’ could not be used in indictments, since it was prohibited by law to attribute an illegal occupation to a suspect, pre-trial documents employed the term more liberally: Cockburn, ‘The Nature and Incidence of Crime in England’, p. 63.

⁸³ Adam Hansen, on the other hand, uses the term ‘rogue’ to emphasise the mobility of those criminals: “‘rogues’ are defined as those who enact what is considered deviant mobility”, Adam Hansen, ‘Realizing Rogues: Theory, Organization, Dialogue’, *Ephemera*, 4, No. 4 (2004), p. 333, <http://www.ephemeraweb.org/journal/4-4/4-4hansen.pdf> [accessed 4 March 2013].

⁸⁴ This will be discussed at length in Chapter 3.

as their primary focus; additionally, they followed some conventional ways of presenting their material, such as depicting rogues as tricksters, following the trope of the prodigal son and claiming to present news about criminals. This attempt to broaden the scope of the study of ‘rogue pamphlets’ has been made possible by new digital databases, particularly Early English Books Online (EEBO), which have increased access to previously inaccessible material.

My thesis does not follow Judges’ canon, but focuses on pamphlets relating to the practices of rogues, printed between 1590 and 1671.⁸⁵ In the choice of this chronological range I have followed my material: very few pamphlets about rogues were published before 1590. Copland’s *The hye way to the spyttell hous* (1535-6), Walker’s *A manifest detection of the moste vyle and detestable vse of diceplay* (1552), Harman’s *A caveat for common cursitors vulgarly called vagabonds* (1566) and Awdeley’s *The fraternitie of vacabondes* (1575) are the exceptions.⁸⁶ These, however dealt mostly with vagrants in the countryside (with the exception of Gilbert Walker’s pamphlet). In contrast, from the 1590s, the emphasis in rogue pamphlets shifts to rogues of the city, making consequent texts more relevant for the examination of urban crime.⁸⁷ As we have seen, rogues were depicted as either vagrants roaming the countryside, or as urban confidence tricksters and petty criminals. My interest lies with the urban dimension of the rogues’ activities, since this allows us to consider the broader issues of urbanization and the birth of the metropolis.

⁸⁵ A. L. Beier, for example, stops at 1640: Beier, *Masterless Men*.

⁸⁶ Robert Copland, *The hye way to the spyttell hous. Copland and the porter. Who so hath lust, or wyll leaue his thryft* (1536?); Gilbert Walker, *A manifest detection of the moste vyle and detestable vse of diceplay, and other practises lyke the same, a myrroure very necessary for all yonge gentilmen [and] others sodenly enabled by worldly abu[n]dace [sic], to loke in. Newly set forth for their behoufe* (1555); Thomas Harman, *A caueat for commen cursetors vylgarely called vagabones, set forth by Thomas Harman, esquier, for the vtilite and proffyt of hys naturall countrey. Newly agmented and imprinted Anno Domini. M.D.LXVII. Vewed, examined and allowed, according vnto the Queenes Maiestyes iniunctions* (1567); John Awdeley, *The fraternitie of vacabondes. As wel of ruflyng vacabondes, as of beggerly, of women as of men, of gyrles, as of boyes, with their proper names and qualities. With a description of the crafty company of cousoners and shifters. Wherunto also is adioyned the. xxv. orders of knaues, otherwyse called a quatern of kuaues [sic]. Confirmed for euer by Cocke Lorell* (1565). According to Judges and Kinney, the last one was published in 1561, however ESTC gives 1565 as its first publication date.

⁸⁷ To the extent that Paola Pugliatti distinguishes between rogue pamphlets-the earlier examples referring to vagrants- and conny-catching pamphlets, which depicted urban criminals, Paola Pugliatti, *Beggary and the theatre in early modern England* (Aldershot: Ashgate, 2003), pp. 125-131.

My end date coincides with the beginning of the printed *Proceedings of the Old Bailey*, which created a more systematic narrative of the crimes of those tried at the sessions of the Old Bailey. *The Proceedings of the King's Commission of the Peace and Oyer and Terminer, and Gaol-Delivery of Newgate, held for the City of London and the County of Middlesex, at Justice-Hall, in the Old Bailey* were published from 1678, and contained brief accounts of most (if not all) of the trials taking place at each session of the Old Bailey (eight times per year). They had to be approved by the mayor of London, thus making them a semi-official publication. Additionally, their authors attempted to employ an objective tone, in order to present them as neutral. These texts were, in some ways, a continuation of earlier material, since earlier pamphlets often included the trials of known criminals (and in one of Goodcole's pamphlets, even a selection of trials).⁸⁸ At the same time, they were a periodical form of crime pamphlet and one which had a clearer official function than the previous pamphlets. Stopping in the 1670s, consequently, seemed a logical step in order to provide an overview of printed material that predated the circulation of such a standardized form of crime pamphlet.

History of the book and social and cultural history of crime

This thesis brings together the history of the book and the cultural history of crime in an innovative way. As I have briefly noted, the cultural history of crime emphasises the value of representations of crime, in the form of either writings about crime or performances of punishment. Representations of crime are viewed as a means to propagate the power of the state (thus advancing hegemonic claims) or to publicize the views of different religious denominations.⁸⁹ What is more interesting for the purposes of this thesis is that

⁸⁸ Henry Goodcole, *Londons cry: ascended to God, and entred into the hearts, and eares of men for reuenge of bloodshedders, burglaiers, and vagabounds. Manifested the last sessions, holden at Iustice Hall in the old Baily the 9. 10. 11. 12. of December, Anno Dom. 1619. Likewise heerein is related, the courts legall proceedings, against the malefactors that were executed at Tiburne and about London, and the chieft offenders, there offences and confessions at large expressed* (1620). About the Proceedings, see Robert Shoemaker 'The Old Bailey Proceedings and the Representation of Crime and Criminal Justice in Eighteenth-Century London', *Journal of British Studies* 47 (2008), 559-580.

⁸⁹ Michel Foucault, *Discipline and punish: the birth of the prison* (New York: Vintage Books, 1995), pp. 65-67; James Sharpe, "'Last Dying Speeches': Religion, Ideology and Public

rhetoric about crime both facilitated the justification of the ruling classes' power but at the same time had to be negotiated with those below. According to scholars such as John Brewer and John Styles, the 'rule of law' was a common (and commonly accepted) rhetoric, promoting the idea that 'English law was the birthright of every citizen who...was subject not to the whim of a capricious individual but to a set of prescriptions that bound *all* members of the polity'.⁹⁰

In this way, the law could legitimate the hegemony of the upper echelons of society, since it made obedience to rules a matter of smooth social interaction rather than domination. Consequently, law in early modern England has been characterized as 'a powerful cement of society'.⁹¹ At the same time, law acted as a constraint on those in authority because magistrates were bound to uphold the law and could lose their legitimacy if they failed to do so (or at least appear to).⁹² In addition, knowledge of the law was widespread and the lower sorts were aware of how to use this language in order to advance their own goals.⁹³ Consequently, it was not uncommon to experience cases where there was a 'conflict between, on the one hand, statute law and its conventional enforcement- the law of those in authority- and, on the other, the people's own notions of justice or the legitimacy of certain illegal acts'.⁹⁴

Execution in Seventeenth-Century England', *Past and Present*, 107, no. 1 (1985), 144-167; Peter Lake and Michael Questier, "Agency, Appropriation and Rhetoric under the gallows: Puritans, Romanists and the State in Early Modern England", *Past and Present*, 153 (1996), 64-107; Peter Lake, 'Deeds against Nature: Cheap Print, Protestantism and Murder in Early Seventeenth Century England', in Sharpe and Lake (eds.), *Culture and Politics*, pp. 257-283; Peter Lake, 'Puritanism, arminianism and a Shropshire axe-murder', *Midland History*, 15 (1990) 37-64; Douglas Hay, Peter Linebaugh, E.P. Thompson, John G.Rule and Cal Winslow (eds.), *Albion's fatal tree: crime and society in eighteenth-century England* (London: A. Lane, 1975); Susan Dwyer Amussen, 'Punishment, Discipline and Power: The Social Meanings of Violence in Early Modern England', *Journal of British Studies*, 34 (1995), 1-34; Simon Devereaux and Paul Griffiths (eds.), *Penal practice and culture, 1500-1900: punishing the English* (New York: Palgrave Macmillan, 2003); Paul Griffiths, Adam Fox and Steve Hindle (eds.), *The experience of authority in Early Modern England* (Houndmills: Macmillan Press, 1996); Malcolm Gaskill, 'Reporting Murder: fiction in the archives in early modern England', *Social History*, 23, No. 1 (1998), 1-30.

⁹⁰ John Brewer and John Styles 'Introduction', in John Brewer and John Styles (eds.), *An ungovernable people: the English and their law in the seventeenth and eighteenth centuries*, (London: Hutchinson, 1980), p. 14

⁹¹ James Sharpe, 'People and the law', in Barry Reay (ed.), *Popular culture in seventeenth-century England* (London: Routledge, 1988, originally published 1985), p. 247.

⁹² Brewer and Styles, 'Introduction', in *An ungovernable people*, p. 14.

⁹³ Andy Wood, "'Poore men woll speke one daye': Plebeian languages of deference and defiance in England, c.1520-1640", in Tim Harris (ed.), *The politics of the excluded, c.1500-1850* (Basingstoke: Palgrave, 2001), 67-98.

⁹⁴ Brewer and Styles, 'Introduction', in *An ungovernable people*, p. 15.

In line with new cultural history, I accept that rogue pamphlets can be read as part of the available discourses about crime and thus were ideologically inflected. Following the insights of new cultural history further, I argue that rogue pamphlets did not merely articulate an idiom of obedience to the law, by presenting deviance as morally reprehensible and justifying punishment. They could also serve as a site of negotiation between alternative views about law and justice. As I will show in Chapter 3, in rogue pamphlets, criminal activities were often criticised, but equally, the failings of law enforcers were presented in graphic detail and condemned severely. This complicated view of rogue pamphlets suggests that they could be read as either justifications of law enforcement, or as criticisms of the authorities and their coercive mechanisms.

This emphasis on competing interpretations of the law is combined with a focus on the material traces of the pamphlets as a way of deciphering their meaning. The history of the book, I argue, can complicate our readings of these pamphlets. Robert Darnton has defined the history of the book as the ‘social and cultural history of communication by print’, and argued that it allows for an analysis of ‘how ideas were transmitted through print and how exposure to the printed word affected the thought and behaviour of mankind’.⁹⁵ Even though this definition relies mainly on ideas and intellectual history, it is still clear that to a great extent the history of the book combines linguistic analysis of the texts with cultural history’s preoccupation with the function of cultural artefacts. In addition, the history of the book shares the media studies dictum that ‘the medium is the message’, which is mediated through bibliographical research.

To explain: according to Roger Chartier and Robert Darnton (both cultural historians turning to the history of the book), the meaning of the text was revealed to be not a stable element, inherent in the text, but a product of the printing process which was influenced by all the agents involved in the ‘communication circuit’: the author, the publisher, the printer, the shipper, the bookseller and the reader.⁹⁶ Marshal McLuhan’s and Walter Ong’s insights about how the medium could affect the meaning have been particularly influential,

⁹⁵ Robert Darnton, *The kiss of Lamourette: reflections in cultural history* (London: Faber, 1990), p. 107.

⁹⁶ Darnton, *The kiss of Lamourette*, p. 111, see also Zachary Lesser, *Renaissance drama and the politics of publication: readings in the English book trade*, (Cambridge: Cambridge University Press, 2004); Helen Smith, *'Grossly material things': women and book production in early modern England*, (Oxford: Oxford University Press, 2012).

focusing especially on the importance of typography.⁹⁷ The history of the book has also been influenced by the poststructuralist critique of traditional literary studies, which claimed the ‘death of the author’, that is the rejection of the idea that the author’s intended meaning was the governing prism through which a text had to be read.⁹⁸

Bibliography has supplied the history of the book with the methodological tools by which to analyse the physical changes effected on texts and how these shaped the reception of those texts. According to Donald F. McKenzie, the physical form affects the meaning of the text and its audience by making different statements about the status of the specific book and how it is supposed to be read. McKenzie viewed the text ‘as a complex structure of meaning which embraces every detail of its formal and physical presentation in a specific historical context’.⁹⁹ In a related analysis, Roger Chartier has illustrated how the typographical format as well as associations with specific publishers could delineate the potential readerships of texts. By using the example of *La Bibliothèque Bleue*, Chartier argues that the format of these texts (many of which were originally classical or elite works) was what made them relevant to a more ‘popular’ audience: ‘what was contemporary to the reader was not the text but the print format, what was “popular” was not the works but the typographic medium that carried them’.¹⁰⁰

In my thesis, I follow the insights of the history of the book by focusing on the production of rogue texts and their place in London’s print trade.¹⁰¹ This, I argue, will shed more light on the circumstances of their production and, in consequence, on the ways these pamphlets were received. The fact that rogue pamphlets were part of cheap print publications in early modern London allows us to think further about how these pamphlets were viewed when compared with

⁹⁷ Marshall McLuhan, *The Gutenberg galaxy: the making of typographic man* (Toronto: University of Toronto Press, 1962), Walter J. Ong, *Orality and literacy: the technologizing of the word* (London: Methuen, 1982). See also D.F. McKenzie, *Making Meaning: Printers of the Mind and Other Essays (Studies in Print Culture and the History of the Book)*, Peter D. McDonald and Michael F. Suarez (eds.) (Amherst, Massachusetts: University of Massachusetts Press, 2002), 237-258.

⁹⁸ Roland Barthes, *Image, Music, Text*, translated by Stephen Heath (London: Fontana, 1977), pp. 142-48. Also, Michel Foucault, ‘What is an Author?’ in Josue V. Harari (ed.), *Textual strategies: perspectives in post-structuralist criticism* (London: Methuen, 1980), 141-160.

⁹⁹ McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 206.

¹⁰⁰ Roger Chartier, *The Cultural Uses of Print in Early Modern France*, translated by Lydia G. Cochrane (Princeton, N.J.: Princeton University Press, 1987), pp. 240- 252.

¹⁰¹ Halasz, *The Marketplace of Print*; Raymond, *Pamphlets and Pamphleteering*.

similar sorts of publications, such as news pamphlets, satires, chapbooks and romances. In addition, in the following chapters I will illustrate how the typographical idiom could reinforce the claims made in the pamphlets or even present alternative ways of conceptualizing them. Contrary to other scholars of rogue pamphlets, I have examined these publications in their original form (either through their scanned forms in EEBO or visiting the libraries which house them). The use of a particular illustration, font type, or marginal annotation can provide valuable insights into how the author or publisher intended these pamphlets to be read.

The function of the pamphlets about rogues

The dichotomy of fact-or-fiction has dominated scholarship on rogue pamphlets, with historians and literary critics (with few exceptions) considering these publications as unrealistic representations of contemporary crime and thus less significant than manuscript sources.¹⁰² This thesis argues that this is a very reductive way of viewing rogue pamphlets since it ignores the impact that representations of crime may have had on people's thoughts and actions, which is often greater than actual crime rates. I will analyse the important cultural work of these pamphlets by showing that their claims to be 'journalistic' accounts of metropolitan crime could be substantiated by the experiences of London's inhabitants. In addition, I will illustrate that the pamphlets were influential in shaping public opinion and that their treatment of deviance is evidence of engagement with ongoing debates about the effects of urbanisation and the birth of the metropolis.

From my point of view, the truthfulness of these accounts is not their most important aspect: what is more useful is whether these representations were considered true and thus influenced the way people thought and acted. Joy Wiltenburg, examining early modern murder pamphlets, has emphasised the cultural significance of sensationalist crime literature; she argues that their

¹⁰² See above. In addition, in the table of contents of *Beggary and Theatre in Early Modern England* the distinction between 'the facts' (vagrancy in Europe and legislation) and representations and literary appropriations. Pugliatti, *Beggary and Theatre in Early Modern England*.

emotional appeal and shock-seeking devices intended to elicit unanimity of response from their audience, subsequently reinforcing societal norms. Thus sensationalism actually enhanced their effect.¹⁰³ In a similar vein, J. M. Beattie has noted the impact that public perceptions had in shaping responses to crime. According to Beattie, new initiatives in law enforcement were shaped by ‘what contemporaries thought changes in the levels of indicted crime actually meant’.¹⁰⁴

The assumption that rogue pamphlets provided an unrealistic representation of crime has been partially modified by Paul Griffiths’ work on the records from London’s first house of correction for vagrants and other criminals (most of whom fell in the category of ‘rogue’), Bridewell. Investigating examinations in Bridewell’s courtbooks, Griffiths has found evidence of networking between criminals, including the existence of specialised vocabulary for aiding and abetting, or collective titles (possibly of crime rings), and the existence of some gangs. In addition, Griffiths has discovered ‘splashes of thieves’ cant in courtbooks’, and concluded that ‘there is real life in rogue writing’ and that ‘rogue writing struck chords out on London’s streets’.¹⁰⁵ Similarly, Adam Fox has provided an example of actual use of cant, the secret dialect spoken by criminals according to the pamphlets: in 1615-1616, John Newbolt, the governor of the Bridewell at Winchester in Hampshire interrogated various counterfeiters, pickpockets and others and made a glossary of 107 ‘canting words’, as he described them.¹⁰⁶ Research such as this complicates our understanding of the accuracy of such crime pamphlets, since it suggests that their accounts of crime were not unfounded.

There is enough overlap between reality and the pamphlets to suggest that rogue pamphlets were not necessarily dismissed out of hand as fictitious by contemporary audiences, and, on the contrary, could have been considered as news. News about criminals was one of the favourite topics of discussion in

¹⁰³ Wiltenburg, ‘True Crime: The Origins of Modern Sensationalism’, p. 1397.

¹⁰⁴ J. M. Beattie, *Policing and Punishment in London, 1660–1750: Urban Crime and the Limits of Terror* (Oxford: Oxford University Press, 2001), p. 45.

¹⁰⁵ Griffiths, *Lost Londons*, pp. 159-170. Griffiths, however, considers rogue literature as an untrustworthy source, see Chapter 3.

¹⁰⁶ Adam Fox, *Oral and literate culture in England, 1500-1700* (Oxford: Clarendon, 2000), p. 96. ‘Bridewell’ was the term used for houses of correction in general. However, in every instance I mention ‘Bridewell’ without qualifying, I refer to the one in London.

London, rendered more relevant because of the visibility of criminals in the metropolis. In a city where the operations of justice needed the participation of private individuals and executions were public, people could see vagrants being marched off to Bridewell to receive punishment and the trials of thieves and cheaters at the quarter sessions in the city. In addition, the trials of notorious highway robbers attracted crowds curious to learn what was going on.¹⁰⁷ All these occurrences acted as further stimuli to the publication of rogue pamphlets, since experiencing instances of crime could generate an interest in cheap print material about rogues. This was more pronounced in the case of well-known criminals. I will show in Chapter 5, for example, that news about the notorious highwayman James Hind was first circulated via oral channels and then through printed accounts (such as newsbooks and crime pamphlets).¹⁰⁸

Rogue pamphlets, however, did not merely attempt to cash in on the reading public's interest in criminal stories (even though I do not discount financial considerations as incentives for publication). On the contrary, I argue that these texts were complex discourses which could shape public opinion and propagate specific ideological positions. My thesis will illustrate how authors used stories about crime as a springboard in order to discuss broader issues, such as economic and social change, politics, and religion. Rogue pamphlets can be read as an appeal to the public since their form, linking tales about criminals with a jest-book structure and a cheap format, made them more accessible to a broader audience.¹⁰⁹ Thus, my thesis takes part in the discussions about the emergence of a public sphere in early modern England.

Peter Lake and Steve Pincus have argued that in the period between 1530 and 1630 the 'public sphere' was not a permanent feature of political life. Conversely, multiple short-lived public spheres came into existence when particular groups attempted to appeal to and mobilize various publics. This opening up of political issues to a broader public happened only on specific occasions because appeals to a public were not considered legitimate. According

¹⁰⁷ Generally about the interest in news and the formation of public opinion see Adam Fox, 'Rumour, news and popular political opinion in Elizabethan and early Stuart England', *The Historical Journal*, 40, No. 3, (1997), 597-620.

¹⁰⁸ A similar point about the information value of rogue pamphlets is made in Raymond, *Pamphlets and Pamphleteering*, pp. 113-121.

¹⁰⁹ This will be further analysed in Chapter 2.

to the upper sorts, politics was not intended for the masses (or the ‘many-headed monster’, a term used often in the period).¹¹⁰ Consequently, there was no intention to create a permanent ‘public sphere’ which would allow plebeians to engage in political discussion.¹¹¹ Lake is, nonetheless, aware that other methods of attempting to influence public opinion were often used, and reads crime and execution pamphlets as attempts to propagate different denominational positions and disseminate theological messages to broad sections of the population.¹¹²

To this effect, my thesis will explore how rogue pamphlets could serve as a vehicle for polemical writing, revealing them to be an accessible format through which to propound particular political viewpoints. This is more prevalent in the Civil War and Interregnum era, and will be analysed at length in Chapter 5. In addition, authors of rogue pamphlets attempted to instruct not only criminals but also other members of the commonwealth (such as spendthrift gentlemen or countrymen, unruly apprentices and servants) to avoid sin and to reform their manners in order to live according to Christian precepts.¹¹³ Finally, these texts could have the perhaps surprising function of providing criminals with a virtual or paper podium. Naturally, it cannot be verified whether a text was actually written by a criminal or even faithfully reproduced his or her words unless we corroborate the evidence from the pamphlets with other sources concerning the same criminal.¹¹⁴ However, even the illusion, sustained by some rogue pamphlets, that a criminal could address a larger audience, was important,

¹¹⁰ Christopher Hill, *Change and Continuity in Seventeenth-Century England* (London: Weidenfeld and Nicolson, 1974).

¹¹¹ Peter Lake and Steven C. A. Pincus, ‘Rethinking the public sphere in early modern England’ in Peter Lake and Steven C. A. Pincus (eds.), *The politics of the public sphere in early modern England*, (Manchester: Manchester University Press, 2007), 1-30. Reality, of course, was never that straightforward, and ordinary men and women could be vocal about politics, see, for example, Harris (ed.), *The politics of the excluded*, Ian Archer, ‘Popular politics in the sixteenth and early seventeenth centuries’, in Paul Griffiths and Mark S. R. Jenner (eds.), *Londinopolis: essays in the cultural and social history of early modern London* (Manchester: Manchester University Press, 2000), pp. 29-30. For other accounts of the public sphere in early modern England in dialogue with Jürgen Habermas, *The structural transformation of the public sphere: an inquiry into a category of bourgeois society* (Cambridge: Polity P, 1989), see Halasz, *The Marketplace of Print*; David Zaret, *Origins of democratic culture: printing, petitions, and the public sphere in early-modern England* (N.J.: Princeton University Press, 2000).

¹¹² See note 57 p. 14.

¹¹³ See Goodcole’s pamphlets, as well as Thomas Johnson, *A World of Wonders* (1595), where the moralistic impulse sounds particularly stringent.

¹¹⁴ See comments about James Turner in Chapter 6.

since it showed that criminals were not as marginalized in these pamphlets as has been suggested.¹¹⁵

The most important contribution of rogue pamphlets to broader debates about society, change, and morality was the way these texts engaged with the issue of change in London, and, subsequently, the development of urbanization as both a positive and a negative phenomenon. The question of deviance in the metropolis, which was represented in the rogue pamphlets, was integral to the way Londoners thought about and conceptualized their city. This question was inextricably bound with the way Londoners perceived the growth of the capital. Feelings of crisis as well as pride were common since London was ‘the capitall city of Christendome, a place of much honour and reputation, as well in respect of reverent Government, as sumptuous Building and Riches... the strength and ornament of this wel-governed Land’ but at the same time a place full of ‘Ordinaries, Dicing-houses, Bowling-allies, Brothel-houses’ and people ready to devour other’s riches.¹¹⁶ Even more poignantly, Thomas Lodge and Robert Greene criticised London in these terms:

O London, mayden of the mistresse Ile,
Wrapt in the foldes and swathing cloutes of shame:
In thee more sinnes then *Niniue* containes,
Contempt of God, dispight of reuerend age.
Neglect of law, desire to wrong the poore:
Corruption, whordome, drunkennesse, and pride¹¹⁷

The growth of London created concerns about order, morality, and the use of wealth which could be articulated using the language of deviance. This tendency to conceptualize growth in terms of deviance made the treatment of deviant behaviour in rogue pamphlets particularly important.

¹¹⁵ More about limited agency and ventriloquism in chapter 6.

¹¹⁶ Richard Johnson, *Looke on me London: I am an honest English-man, ripping up the bowels of mischiefe, luring in thy sub-urbs and precincts. Take heed the hangmans halter, and the beadles whip, will make the foole dance, and the knave to skip* (1613), sig. Br. See also Griffiths, *Lost Londons*, p. 9.

¹¹⁷ Thomas Lodge and Robert Greene, *A looking glasse for London and England. Made by Thomas Lodge Gentleman, and Robert Greene. In Artibus Magister* (1594), sig. I4v.

From 1590 to 1671 London was going through a process of quick transformation.¹¹⁸ Its population increased at an unprecedented rate, from 200,000 in 1600 to 375,000 in 1650, and 490,000 in 1700.¹¹⁹ The city became a magnet for England's population due to the concentration of administrative, trade, industrial, entertainment and educational facilities there.¹²⁰ The location of the royal court and Parliament, the courts of law and the concentration of most foreign and domestic trade as well as of the entertainment industry in London prompted many affluent people to travel there in order to conduct business, do their shopping, or enjoy the unique entertainment facilities that London had to offer.¹²¹ All these people required lodging and services, especially if they stayed for extended periods of time, a usual occurrence that elicited the development of the necessary infrastructures for their benefit. In addition, this increase in the concentration of wealth in London created a culture of conspicuous consumption, something which was often criticised by social commentators but also presented opportunities for criminals.¹²²

Urbanisation increased the demand for workforce in the capital and created employment opportunities for different sections of the population, from

¹¹⁸ This has created a broader debate among scholars about the stability or crisis of London in the sixteenth and seventeenth centuries. See A. L. Beier, 'Social Problems in Elizabethan London', *The Journal of Interdisciplinary History*, 9, No. 2 (1978), 203-221; M. J. Power, 'London and the Control of the Crisis of the 1590s', *History*, 70 (1985), 371-385; M. J. Power, 'A 'Crisis' Reconsidered: Social and Demographic Dislocation in London in the 1590s', *The London Journal*, 12, No. 2 (1986), 134-145; Frank Freeman Foster, *The politics of stability: a portrait of the rulers in Elizabethan London* (London: Royal Historical Society, 1977); Steve Lee Rappaport, *Worlds within worlds: structures of life in sixteenth-century London* (Cambridge; New York: Cambridge University Press, 1989); Valerie Pearl, 'Change and Stability in Seventeenth-century London', *The London Journal*, 5, No. 1 (1979), 3-34; Ian W. Archer, *The pursuit of stability: social relations in Elizabethan London* (Cambridge England; New York: Cambridge University Press, 1991). See also the criticism of the language of crisis in London studies in Mark S. R. Jenner and Paul Griffiths, 'Introduction', in Paul Griffiths and Mark S. R. Jenner (eds.), *Londinopolis*, p. 6.

¹¹⁹ Roger Finlay and Beatrice Shearer, 'Population growth and suburban expansion', in A. L. Beier and Roger Finlay (eds.), *London 1500-1700: the making of the metropolis* (London; New York: Longman, 1986), 35-57. Vanessa Harding has disagreed with Finlay's and Shearer's findings, arguing for a sharper peak in population in the late sixteenth century and late seventeenth, Vanessa Harding 'The Population of London, 1550-1700: a review of the published evidence', *The London Journal*, 15, No. 2 (1990), 111-128.

¹²⁰ F.J. Fisher, 'London as an engine of economic growth', in Peter Clark (ed.), *The Early modern town: a reader* (New York: Longman, 1976), 205-215.

¹²¹ Lena Cowen Orlin, 'Introduction', in Orlin (ed.), *Material London*, 1-13; F.J. Fisher, *London and the English economy, 1500-1700* (London: Hambledon Press, 1990); A. L. Beier and Roger Finlay (eds.), *London 1500-1700: the making of the metropolis* (London; New York: Longman, 1986); Roy Porter, *London: a social history* (London: Hamish Hamilton, 1994); Rappaport, *Worlds within worlds*.

¹²² David J. Baker, *On demand: writing for the market in early modern England* (Stanford: Stanford University Press, 2010), pp. 3-34.

civil servants, tradesmen, and craftsmen to wage earners. The added incentive of greater wages in London was tempting enough to convince a large part of the English population to try their luck in the capital, which subsequently led to the vast expansion of the suburbs with their own distinctive characteristics.¹²³ The West end, with the attractions of the court at Westminster and the Inns of Court, housed many of the civil servants, lawyers, peers and gentry. Financial and legal services were available in the City and Fleet Street.¹²⁴ In East London, the growth of specialist industries in the seventeenth century (shipbuilding in Poplar and Limehouse, founding in Whitechapel, textiles in Spitalfields) attracted poorer dwellers, many craftsmen and labourers.¹²⁵ Southwark, where most of the entertainment sector was concentrated, housed both many of the middling sorts and poorer people.¹²⁶

This geographical expansion of London gave birth to the idea of the 'metropolis', a term used in the 1636 Bills of Mortality to denote the extended built-up area between Stepney and Westminster.¹²⁷ This growth was a source of pride, something that can be seen in various writings of the period which praised the city for its riches, its population, and as a 'repository of honour, industry, piety and good government'.¹²⁸ Civic pageants, which in the early Elizabethan period followed the morality tradition, increasingly focused on commercial wealth in the seventeenth century.¹²⁹ At the same time, men like Robert Greene praised 'this famous citie', while deploring that London 'is pestered with the like [ie idle people], or rather worse kinde of people', meaning beggars and petty criminals.¹³⁰

London inhabitants had reason to feel this way. One of the biggest problems that the city faced was unchecked immigration, and the 'hordes of

¹²³ Jeremy Boulton, 'Wage Labour in seventeenth-century London', *The Economic History Review*, 49, No. 2 (1996), 268-290; Ian Archer, 'Material Londoners?', in Orlin (ed.), *Material London*, p. 176.

¹²⁴ John Schofield, 'The Topography and Buildings of London, ca. 1600', in Orlin (ed.) *Material London*, p. 297.

¹²⁵ Michael J. Power, 'The East London working community in the seventeenth century' in Penelope J. Corfield and Derek Keene (eds.), *Work in towns, 850-1850* (Leicester: Leicester University Press, 1990), 103-120.

¹²⁶ Jeremy Boulton, *Neighbourhood and society: a London suburb in the seventeenth century* (Cambridge: Cambridge University Press, 1987).

¹²⁷ Rosemary Weinstein, 'London at the outbreak of the Civil War', in Stephen Porter (ed.), *London and the Civil War* (Houndmills, Basingstoke: Macmillan Press, 1996), note 4, p. 43.

¹²⁸ Lake, 'From Troynouant to Heliogabulus's Rome and back'.

¹²⁹ Archer, 'Material Londoners?', p. 175.

¹³⁰ Robert Greene, *The third and last part of conny-catching* (1592), preface.

begging poor' and criminals. At least this was the image evoked in various official documents.¹³¹ Whilst a significant number of those who came to London were in search of employment, many were unable to find a job and had no other recourse but to beg in the streets.¹³² The great number of parishes and the possibility of hiding one's roots were probably viewed as further incentives for poor men and women to travel to London in search of poor relief. According to Griffiths, who has done extensive research on the rhetoric used by the ruling or administrative elites of London, 'for magistrates, vagrants, beggars and thieves were the root cause of the city's disorders'.¹³³ In periods of crisis, measures against vagrants were to be expected: after the riot of July 1595, for instance, the state took action to set up the office of the provost marshal in order to police 'unruly crowds made up of apprentices, beggars and vagabonds, and fraudulent returning soldiers'.¹³⁴

The problem of vagrants and urban criminals was articulated time and again because it was connected to many political, theological and broader moral issues which affected the metropolis. Politically, policing and poor relief were important issues that helped justify the urban ruling elite's position towards those above and below them. Policing made the presence of the ruling elite evident in the city and acted as an important justification of their power.¹³⁵ In order for law enforcement to succeed, the magistrates' perception of the law needed to coincide with that of the community because the application of the law depended to a great extent upon local officers and private initiative, in the arrest and

¹³¹ Mary Anne Everett Green (ed.), *Calendar of State Papers, Domestic Series, Elizabeth, 1591-1594*, SP 13/240, November 5 1591, p. 120; Mary Anne Everett Green (ed.), *Calendar of State Papers, Domestic Series, James I, 1619-1623*, SP 14/109, 10 July 1619, p. 60; SP 14/138, 5 February 1623, p. 487; Mary Anne Everett Green (ed.), *Calendar of State Papers, Domestic Series, James I, 1623-1625*, SP 14/155, 12 December 1623, p. 128. See more details in Chapter 3 and Chapter 5.

¹³² Griffiths, *Lost Londons*, pp. 27-28; A. L. Beier and Robert Finlay, 'Introduction: The significance of the metropolis', in Beier and Finlay, *London 1500-1700*, pp. 9-10.

¹³³ Griffiths, *Lost Londons*, p. 35.

¹³⁴ Mary Anne Everett Green (ed.) *Calendar of State Papers, Domestic Series, Elizabeth, 1595-1597*, SP 13/261 (1869), Undated, 1596, pp. 335-336; Power, 'A "Crisis" Reconsidered', p. 136.

¹³⁵ Ian Archer, *The pursuit of stability; Negotiating power in early modern society: order, hierarchy, and subordination in Britain and Ireland* (Cambridge: Cambridge University Press, 2001). James Sharpe has commented that in early modern England 'law was coming to replace religion as the ideological cement which held society together, but it would only prove effective as long as the masses believed in the rule of law': James A. Sharpe, *Crime in early modern England, 1550-1750* (London: Longman, 1999, 2nd edition), p. 18.

persecution of criminals.¹³⁶ Failures of law enforcement could not only imply the inability of the ruling elite, but a divergence between the law and the social sense of morality which could be even more detrimental.¹³⁷ Scholars have stressed the contested nature of justice in London. Ian Archer has argued that, while legal values ‘permeated popular culture’, ‘some of the commons had very different notions from their rulers about the practice of justice’, and resistance to law enforcement was a way of expressing this disagreement.¹³⁸

The City leaders also had to tread a fine line between autonomy and the need for royal support, proving to the monarch that they were able to deal with their own problems while requesting help and more resources.¹³⁹ This is evident in the written correspondence between the City fathers and the Crown, contained in the Remembrancia. In one example from 1595, the Lord Mayor sent a letter to the Lords of the Council, requesting their assistance in preventing the building of small tenements which would be used to house the begging poor.¹⁴⁰ On other occasions the civic authorities wanted to prove their efficiency; thus, in 1614, the Mayor sent a letter to the Lord Chamberlain detailing his actions since he had taken up the office of Mayor. From this letter it is evident that the poor and criminal were among his prime concerns: the Mayor ‘begann to free the streets of a swarme of Loose and idle vagrants’ and he ‘tooke an exacte survey of all the victuallinge howses and Alehowses’, as these were the breeding grounds of criminals. In addition, he planned next to ‘deale with the theevinge brokers or broggers, which are the receavers of all stolen goodes’ and with Inmates and divided houses.¹⁴¹

The importance attached to vagrancy and the resulting crime was evident in a letter sent to the civic authorities in the next year (19 June 1615). There, the Privy Council complained that ‘Although noe one service hath bene more seriouslie recommended unto you, by often addresses from this Boorde, then that

¹³⁶ See for example the abuse against officers of the law in Griffiths, *Lost Londons*, pp. 317-325. More generally, Malcolm Gaskill, *Crime and mentalities in early modern England* (New York: Cambridge University Press, 2000).

¹³⁷ Keith Wrightson, ‘Two concepts of order: Justices, constables and jurymen in seventeenth-century England’, in Brewer and Styles (eds.), *An ungovernable people*, 21-46.

¹³⁸ Archer, ‘Popular politics in the sixteenth and early seventeenth centuries’, in Griffiths and Jenner (eds.), *Londinopolis*, pp. 35-36.

¹³⁹ Archer, *The pursuit of stability*, pp. 33-39.

¹⁴⁰ Remembrancia, II. 102, 10th September, 1595.

¹⁴¹ Remembrancia, III. 159.

concerninge Rogues and vagrant Beggars’, there was no improvement, as is evidenced by ‘the Complaintes which are daielie made of continuall Robberies Burglaries and Pilferies donne in and aboute the Cities of London and Westminster and Borrough of Southwarke’.¹⁴² As a consequence, the failure to tackle the problem of vagrancy and petty crime was considered serious neglect on the part of the urban administration, and considerably harmed its image. This was evident in the Acts of the Privy Council, where the central administration often communicated their concerns about the problem of rogues and vagrants in London.¹⁴³

Rogue pamphlets, by criticising the selectivity of law enforcement and emphasising the differences between official justice and popular notions of morality and justice, could undermine the authorities’ justification of their power. This tendency is evident, for example, in the stories of highwaymen. Highwaymen narratives cast the criminal as a hero, following conventions from the Robin Hood tradition and emphasising how his actions were a form of social justice (when his victims were usurers, unfair merchants and other professions who were viewed as exploitative). This theme will be analysed further in subsequent chapters.

For preachers as well, the questions of vagrancy and crime were strewn with many pitfalls but at the same time opportunities. After the Reformation the most active preachers used the cause of the poor as a site of contest between themselves and the Catholics. Even though (or, perhaps, because) good works were not viewed as a prerequisite for salvation, Protestant preachers laid particular emphasis on the duty of charity towards the most vulnerable members of society.¹⁴⁴ Charity, however, was reserved for the ‘worthy poor’ (sick, elderly, widows and children) and did not extend to those who were (arguably) able to work. For those who lived by deceitful begging or those in the periphery of the law, the messages of Christianity could be hammered home by more explicit methods, such as the punishment of their sins in public view and exhortations to

¹⁴² Remembrancia, MISC MSS/363/21.

¹⁴³ John Roche Dasent (ed.), *Acts of the Privy Council of England, New series*, Volume 23, 1592, pp. 157-8, Volume 24, 1592-93, pp. 193-196, Volume 25, 1595-96, pp. 324, 330, Volume 26, 1596-97, pp. 23-24, Volume 29, 1598-99, pp. 128-9. More details in Chapter 3.

¹⁴⁴ Ian Archer, ‘The arts and acts of memorialisation in early modern London’, in J. F. Merritt (ed.), *Imagining early modern London*, p. 95.

bystanders to avoid such a fate.¹⁴⁵ In addition, last-minute ‘conversions’ of criminals, where those convicted accepted their fate as the result of their sinful living, gave preachers a great opportunity to dramatically illustrate the power of faith and redemption.¹⁴⁶

More importantly, however, rogue pamphlets articulated misgivings about the growth of London. A question often expressed in these texts was whether the advancement of trade and the subsequent increase in wealth, and, more broadly, the creation of a metropolis, were the root causes of all these problems. The same conflicting impulses existed in other texts commenting on the metropolis. The cultural background of moral economy still held sway in London: aldermen, it has been noted, frequently drew upon ‘the rhetoric of the commonweal of the City and the obligations on the wealthy that it imposed’.¹⁴⁷ At the same time, this notion was threatened by the advancement of trade and banking services and the subsequent accumulation of wealth in certain layers of society. Sins such as greed and pride were considered inherent in urban living and these were further cultivated by the capital’s growth.¹⁴⁸ John Stow complained about the destruction of the city by greed and Thomas Nashe criticised ‘*London thy heart is the hart of couetousnes, all charitie and compassion is cleane banished out of thee*’.¹⁴⁹

These ideas led authors of rogue pamphlets to suggest economic crime had its beginning at the urban society, with its tendency to create inequalities and to present very poor people with particularly tempting targets (in the words of Robert Greene ‘the pray makes the thiefe’).¹⁵⁰ In addition, the rogues’ deceitful ways reminded readers that deceit was the founding stone of most economic relations in London, or, as Nashe put it, ‘Deceit is that which aduanceth the

¹⁴⁵ This, at least, was the theory, because in practice many of those who broke the law belonged to the body of citizens, who were considered as neither poor nor marginalised. Susan Amussen, ‘Punishment, Discipline and Power’, 1-34; Devereaux and Griffiths (eds.), *Penal practice and culture*.

¹⁴⁶ Andrea Katherine McKenzie, *Tyburn's martyrs: execution in England, 1675-1775* (London: Hambledon Continuum 2007); Foucault, *Discipline and punish*, pp. 65-67; Sharpe, “‘Last Dying Speeches’”, 144-167. See Chapter 6 for a detailed analysis of conversion on the scaffold.

¹⁴⁷ Archer, *The pursuit of stability*, p. 75.

¹⁴⁸ Lake, ‘From Troynouant to Heliogabulus’s Rome and back’, p. 245.

¹⁴⁹ Thomas Nashe, *Christs teares ouer Ierusalem*, 1613, p. 110.

¹⁵⁰ Robert Greene, *The blacke bookes messenger* (1592), sig. C2v.

greater sorte of thy chiefest'.¹⁵¹ Amoral economic transactions (either by merchants cheating their customers, or by brokers and usurers) were often described in rogue pamphlets as a counterpart to rogues' activities. In such a context, it was easy for rogues to claim that their actions were not in any way exceptional but typical of the times and of the city: 'And what's not got by hell-bred Villanie?/ Conscience they talk on; conscience is free,/ Worst conscienc'd men, these times, best thrivers be'.¹⁵²

Chapters

The first part of this thesis is entitled '**Print Trade, Texts and Readers**', and analyses the place of the rogue pamphlets in the print trade, their audience, and their physical characteristics as well as the changes in their output. The first chapter delineates the corpus of texts that I am using in my research: pamphlets relating to rogues who were active in London, published from 1590-1670. It argues that these were hybrid texts which incorporated elements of jest book, sermon and journalistic writing. Their hybridity did not diminish their claims (as has been usually argued), but on the contrary was the main reason for their appeal and significance in the period under examination.

The texts are distinguished into different categories relating to their subject matter or method of narrative, such as Discoveries, Pleasant Tales, True Relations, Narratives of Life and Death, and Descriptions of Prisons. To a great extent, this thesis combines the analysis of what are more traditionally considered as 'rogue pamphlets', namely the cony-catching pamphlets of the late 16th and early 17th centuries, with more broadly defined crime pamphlets (bridging the gap between what is usually considered as the territory of literary critics and historians respectively). The common elements in all the pamphlets, such as the types of crime depicted and the methods of storytelling used, are highlighted. These similarities allow us to examine these texts as a diverse, but

¹⁵¹ J.F. Merritt, 'Introduction' in Merritt (ed.), *Imagining early modern London*, p. 3, Nashe, *Christs teares ouer Ierusalem*, p. 170.

¹⁵² J.S., *An excellent comedy, called, The Prince of Priggs revels: or, The practises of that grand thief Captain James Hind* (1651).

unified corpus. Finally, and adding a more quantitative aspect to this work, I analyse the chronological spread and trends over time of these publications.

The second chapter, **‘Rogues and cheap print’**, deals with the place of rogue pamphlets in the early modern print trade. It endeavours to disentangle the various agents in the ‘communication circuit’ focusing mostly on authors, printers, publishers and readers. In addition, this chapter analyses the main aspects of how cheap print of this kind was published, namely the paratextual elements (such as their prefatory material and printed marginalia), the writing style, and the material aspects. It also focuses on the circulation of these texts, in order to examine how these elements were tailored in such a way as to make the texts part of cheap print. Finally, this chapter examines the possibility that, at least in London, rogue pamphlets could potentially reach a more plebeian audience than is usually expected and thus be part of ‘popular print culture’.

The second part tests one of the main hypotheses of this thesis, that there was no fixed concept of ‘roguishness’ and that the idea of a criminal underworld existing in the rogue pamphlets or in contemporary thought is seriously overrated. This is done in two chapters, one relating to the pamphlets and other discourses about rogues which circulated in this period, and the other analysing trial records.

‘The “other” London: rogues, citizens and the negotiation of social change’ explores how pamphlets negotiated changes in London. It argues against the idea that these pamphlets functioned as a way of constructing the unruly ‘Other’ of the citizens (as was promulgated in the works of Greenblatt, Woodbridge, Lake, William Carroll and others). Examining the interaction of pamphlets with discourses produced by London civic bodies, and with plays, sermons and ballads, this chapter shows that rogue pamphlets were not unproblematic texts, as has been previously stated. The idea of ‘othering’ as a way of controlling subversion in rogue pamphlets tends to ignore some important elements of these texts, such as their critique of law enforcement and society as well as rogues in the pamphlets, and the trickster theme. This chapter finally incorporates rogue pamphlets in a broader discursive shift about the growing

urbanization and emergent capitalistic ethos, which gave rise to new discourses about wealth, consumption, poverty and morality.

Fact and Fiction? News and rogues on trial traces points of contact between the rogue pamphlets and the archival record, looking in particular at London judicial records (the Westminster Quarter Sessions and samples from the Middlesex Quarter Sessions and Bridewell records). The chapter suggests that the similarities between the depiction of rogues' practices in rogue pamphlets, examinations, and informations about rogues, constitutes indirect evidence that these pamphlets were read as news. The proximity of what was reported to what was acted out in the courts of law increased the value of the truth-claims of rogue pamphlets, since what they reported could be viewed as plausible. I develop this line of analysis by examining how actual criminals were depicted in both pamphlets and trial records. I argue that the perceived divergence between the two sets of sources has been exaggerated. In the same way that rogue pamphlets included elements that justified law enforcement, while others subverted it, in judicial records two stories emerge: one by the authorities, who attempted to present the suspects as a part of a threatening criminal network, and the other by the accused, who presented their actions as good fellowship.

The last part of this thesis uses case studies to highlight the divergent functions that rogue pamphlets could play and how they could be appropriated by different agents (even, occasionally, the criminals) for their own goals. Chapter 5 argues that rogue pamphlets should be included in the nascent public sphere of the 1640s and 1650s. Taking the example of the depiction of highwaymen and hectors (a kind of urban criminal spawned in the Civil War era), it shows how on the one hand current events influenced the cheap print representations of criminals, while on the other those representations were used as a vehicle for propaganda. The cheap print format of rogue pamphlets, as well as the popular traditions they drew from, made them ideal for the inconspicuous and wide dissemination of polemic.

My last chapter examines closely three pamphlet depictions of criminals' last words at their execution. It analyses the function of these pamphlets while at the same time attempting to detect traces of the criminals' performance at their

execution. While recognizing that there was a usual script which the criminal was expected (by the state and his audience) to follow and that the execution was geared towards the acceptance of guilt, this chapter argues that there was space for the criminal's agency. The exemplary value of the criminals' last words allowed them to work with and within the conventions of the gallows speech in order to produce a performance that could articulate their own position. Even though they generally did not speak in defiance of law enforcement (since for such an action they would need a different ideological script) they could to a certain extent appropriate the execution speech in a way that would make them seem more likeable (for example, using the prodigal son trope, or emphasising the fact that they were good neighbours and obedient subjects). If this performance was done successfully, and the criminal was not reviled by his audience, the main ideological function of the execution could be subverted.

PART 1: 'Print Trade, Texts and Readers'

Chapter 1: Corpus of texts

This chapter sets out the method used to identify and select the texts on which this thesis is based. In doing so, it will illustrate how a more expansive way of defining rogue pamphlets leads to a far more extensive corpus than has been used by the existing scholarship on rogue literature. This method of selection reflects the aim of examining rogue pamphlets through the lens of the history of the book and studies on the print trade and news publications. Consequently, this chapter will first provide an analysis of the five categories of cheap print publications about rogues based on their content. Following up on that, the second section will examine the chronological distribution of these pamphlets as well as the changes over time in their physical form (size, format, typeset and illustrations) and their content.

Rogue pamphlets have received extensive treatment by scholars, but at the same time there has been little consensus as to which texts fall into the category of 'rogue literature'. As we have seen in the Introduction, scholars such as Stephen Greenblatt, Linda Woodbridge, Patricia Fumerton, Gamini Salgado and Bryan Reynolds, as well as those writing in the important collection *Rogues and Early Modern English Culture*, have examined rogue pamphlets as a genre, focusing on a small selection of texts about urban tricksters and examining them as a literary development which complemented the drama of the Elizabethan and early Jacobean period.¹

Such analyses are based on two canon-setting edited volumes of printed pamphlets, *The Elizabethan Underworld*, edited by A.V. Judges, and *Rogues, vagabonds, & sturdy beggars*, edited by Arthur Kinney.² *The Elizabethan Underworld* was the more significant of the two, since, in Kinney's collection all the texts except Samuel Rid's *The Art of juggling* (1612) had appeared in Judges'

¹ Woodbridge, *Vagrancy, Homelessness, and English Renaissance Literature*; Fumerton, *Unsettled: the culture of mobility and the working poor in early modern England*; Greenblatt, *Shakespearean negotiations*; Salgado, *The Elizabethan Underworld*; Reynolds, *Becoming Criminal*. Reynolds adds John Taylor's texts as well as the two pamphlets about Ratsey.

² Judges (ed.), *The Elizabethan underworld*; Kinney (ed.), *Rogues, vagabonds, and sturdy beggars*.

collection. *The Elizabethan Underworld* included three of the earliest English printed texts about vagrants, Copland's *The Highway to the Spital-house* (1535-6), Awdeley's *The Fraternity of Vagabonds* (1561?) and Harman's *A Caveat for Common Cursitors* (1566), while the rest of the texts (fifteen in number) focused on crime in London between 1552 and 1626. This collection concentrates on texts by well-known literary figures of the Elizabethan period: five texts belonged to Robert Greene (a notorious author of romances, plays and other pamphlets), three to Thomas Dekker (playwright and pamphleteer), and one to Thomas Middleton (who was a well-known playwright).³ The rest of the texts were three discoveries of criminal practices, two ballads (one satirical and a dying ballad) and a prison text written by a highwayman.⁴

The texts from Judges' or Kinney's anthologies have been used as the primary sources for most of the analyses on rogue literature. This emphasis on a 'canon' of rogue literature imparted a sense of genre, echoing the interests of scholars from a literary background. Rogue pamphlets were treated as a way to contextualize early modern plays and romances; consequently, they were often analysed in conjunction with texts drawn from this kind of literature which featured rogues as prominent characters, such as Middleton's lowlife plays, Shakespeare's and Jonson's plays, and romances such as *The Unfortunate Traveller*, or *The English Rogue*.⁵ Due to the emphasis on the literary value of rogue pamphlets (even if they are considered 'low' literature) or on their literary context, their place in contemporary print culture is overlooked. One of the few exceptions to this impulse is Anna Bayman who, in her analysis of 'cony-catching' pamphlets, drew upon a larger selection of texts than the ones included in the anthologies, such as Taylor's lowlife texts and Samuel Rowlands'

³ Robert Greene, *A Notable Discovery of Cozenage* (1591); *The Second part of cony-catching* (1591); *The Third Part of Cony-Catching* (1592); *The blacke bookes messenger* (1592); *A disputation between a He-cony-catcher and a She-conny catcher* (1592). Thomas Dekker, *The Bellman of London* (1608); *Lantern and Candlelight* (1608); *O per se O* (1612). Thomas Middleton, *The Testament of Laurence Lucifer* (being a part of the *Black Book*, 1604). I've kept Judges' spelling here, not the original one.

⁴ Gilbert Walker, *A Manifest Detection of Dice-play* (1552); Samuel Rid, *Martin Markall, Beadle of Bridewell* (1610); William Fenner, *The Counter's Commonwealth* (1617); Luke Hutton, *Luke Hutton's Lamentation* (1596); James Gyffon, *The song of a Constable* (1626); Luke Hutton, *The Black Dog of Newgate* (c. 1596).

⁵ Steve Mentz, *Romance for sale in early modern England: the rise of prose fiction* (Aldershot: Ashgate, 2006); Reynolds, *Becoming Criminal*; Greenblatt, *Shakespearean negotiations*. Alternatively, rogue pamphlets were viewed as precursors to the novel, see J. Hunter, *Before novels: the cultural contexts of eighteenth-century English fiction* (New York; London: Norton, 1990).

pamphlets. Even though Bayman integrated them in early modern print culture and pamphleteering more specifically, she claimed that these texts belonged to a separate ‘cony-catching’ genre.⁶

This is striking, since an examination of texts about rogues in relation to a wider range of cheap print about London shows how both shared the same preoccupations (see Chapter 3). These texts were hybrid in form, incorporating various different elements found in satires, romances, news pamphlets and jest-books.⁷ Furthermore, they served similar functions as other kinds of cheap print, conveying information, entertainment, propaganda and moral commentary. It is characteristic that even the canon-defining anthology of Judges did not present one kind of rogue text. Even though the majority of texts in *The Elizabethan underworld* were discoveries of criminal practices, which is the rogue text most often analysed in scholarship, other kinds of rogue writings were included. These were narratives of life and death (*Black Books Messenger*), descriptions of prisons (*The black dog of Newgate*) and parodies (‘The Testament of Laurence Lucifer’, being part of the *Black Book*).⁸ This is an important counter-balance to the tendency of examining rogue pamphlets in isolation from other popular forms of cheap prose.

Social historians, such as James Sharpe, Peter Lake and A.L. Beier, as we have seen, tended to ignore most of the pamphlets reprinted in the two aforementioned collections, because these texts were considered fictional and thus not relevant to the scopes of investigation. Only A. L. Beier diverged from this approach, using examples from rogue literature in order to show how it reinforced the learned, dominant view that vagrants were a threat to society. Nonetheless, Beier likewise viewed rogue literature as fictional and thus only relevant as far as it advanced an anti-vagrant discourse.⁹ This distinction between different levels of truthfulness in these kinds of texts was maintained in Joad

⁶ Anna Bayman, ‘Rogues, Cony-catching and the Scribbling Crew’, *History Workshop*, 63 (2007), 1-17.

⁷ Some of these different elements have been occasionally touched upon by scholars, who have, however, utilized the catch-all category of ‘rogue literature’ to describe them. Steve Mentz, ‘Magic Books’; Linda Woodbridge, ‘Jest Books, the Literature of Roguery, and the Vagrant Poor in Renaissance England’, *English Literary Renaissance*, 33 (2003), 201–210.

⁸ Judges, *The Elizabethan underworld*.

⁹ Beier, *Masterless Men*, pp. 7, 123-145.

Raymond's work on pamphlets. Raymond viewed 'crime pamphlets' as a possible source of information, but separated cony-catching pamphlets from them and characterized the cony-catching ones as 'elaborate fictions'.¹⁰

At the same time, such scholarship used other crime publications which referred to specific instances of murder, witchcraft or robbery. While discounting the notion of a criminal underworld, these scholars were using crime pamphlets in their investigations of the ways in which crime in early modern England was used in order to propound different viewpoints, either belonging to the state or to other interest groups. James Sharpe, using pamphlets about the criminals' dying speeches, has examined how the hegemonic discourse of the state was incorporated in these cheap printed accounts, while Peter Lake investigated how crime pamphlets could be appropriated by Puritans in order to make their theological positions more appealing to a broader audience.¹¹

Even in the pamphlets they used, these historians habitually ignored their textuality, avoiding reading each pamphlet they used as a single entity, with its own specific aims and singular process of production. Since their main interest was to use these pamphlets in order to support more general statements about conflicting or prevalent discourses about crime, they opted for mining them for references.¹² This, however, meant that these works ignored other parts of the same pamphlets, where different views were incorporated, which could challenge the historians' main narrative (more details about this in chapter 6). In addition, this approach, like the previous one, is based on a very restrictive as well as arbitrary selection of texts. In addition, there is no discussion of the entirety of the extant printed material dealing primarily with rogues, while no reason is given as to why some texts have been privileged over others.

Consequently, this thesis will broaden the scope of investigation to include all pamphlets which take the criminal practices of rogues as their subject

¹⁰ Raymond, *Pamphlets and pamphleteering*, pp. 121, 239.

¹¹ Sharpe, "Last Dying Speeches", 144-167; Lake, 'From Troynouvant to Heliogabulus's Rome and back'; Peter Lake, 'Cheap Print, Protestantism and Murder in Early Seventeenth Century England', in Kevin Sharpe and Peter Lake (eds.), *Culture and Politics in Early Stuart England* (Houndmills: Macmillan, 1994).

¹² For instance, Sharpe, 'Last Dying Speeches'.

matter, effectively combining the types of texts used by literary scholars and social historians. This selection avoids the allusion to a specific body of texts (the ‘rogue pamphlets’- even though the term will still be used for convenience’s sake) and acknowledges that these texts were not a separate genre, but existed in dialogue with the rest of the pamphlet literature in this period. In order to do so, I did not limit my corpus of texts to the pamphlets included in Judges’ and Kinney’s anthologies, nor to the texts described in Chandler’s *The Literature of Roguery* (even though these are, naturally, included in my analysis, as long as they met the criteria of my selection),¹³ but used the keyword search opportunities afforded by the English Short Title Catalogue (ESTC) and the Early English Books Online (EEBO).

Both ESTC and EEBO allow for keyword title searches on all of the surviving printed material from 1590 to 1671. The terms chosen were ‘rogue’ and ‘cosenage’ (with their variant spellings as well) because both of them were used in the pamphlet literature and official documents to denote those who illegally appropriated another’s property by trickery or sleight of hand. These terms were used throughout the period under examination, while terms such as ‘conny-catcher’ were more time-specific: a title keyword search of the term ‘conny-catcher’ produced only 14 records, most of them belonging to Greene’s publications.¹⁴ In the ESTC title keyword searches, the term ‘rogue’ came up in 34 texts, while the term ‘cosenage’ did not appear at all. Keyword title searches on EEBO produced 70 records including the term ‘rogue’ and 11 containing ‘cosenage’. The vast difference in the number of results provided by ESTC and EEBO can be explained by the fact that EEBO permits full title-page searches, and not just the brief title. This is evident if we contrast, for example, ESTC’s entry of *A notable discovery of coosenage* (1591) with EEBO’s, which searches the full title-page.

¹³ Judges, *The Elizabethan underworld*; Kinney, *Rogues, vagabonds, and sturdy beggars*; Chandler, *The Literature of Roguery*.

¹⁴ Robert Greene, *The second part of conny-catching* (1591); *The defence of conny catching* (two editions 1592); *The second and last part of conny-catching* (1592); *The third and last part of conny-catching* (1592); *The blacke bookes messenger* (1592); *A disputation, betweene a hee conny-catcher, and a shee conny-catcher* (1592); and four editions of *Theeves falling out, true-men come by their goods* (1615, 1617, 1621, 1637). Three texts did not belong to Greene, but were clearly responding to his pamphlets: Thomas Harman, *The groundworke of conny-catching* (two editions 1592); Barnabe Rich, *Greenes newes both from heauen and hell* (1593). See Chapter 2 for more details.

Keyword title searches, however, have the disadvantage of being too narrow. Even in the texts found in the above-mentioned anthologies, their titles did not necessarily include either of the terms ‘rogue’ or ‘cosenage’. In addition, many of the texts found following this method were not relevant to my investigation. Taking the most obvious example, even though in EEBO 70 texts had the word ‘rogue’ in their title, only six of these could be considered as pamphlets relating to the practices of rogues in London, while 28 were proclamations relating to rogues and the rest either used the term derogatorily or were longer tracts relating to roguery, such as *The English rogue* (1671).¹⁵ Out of the 34 results from the ESTC keyword search ‘rogue’, none fell within these parameters.

It should be obvious that the problem with such keyword searches is that they do not produce a comprehensive list of the usages of these terms in early modern texts. Phil Withington in *Society in Early Modern England* faced a similar problem, in the section he devoted to keyword title searches. Withington searched the printed title-pages listed on ESTC for the keywords ‘society’ and ‘modern’ in order to show the importance attributed to these terms in Early Modern England.¹⁶ However, he received criticism for this method, since exclusive reliance on title-pages meant that other texts, in which the same keyword might be pivotal but not featured in the title, would be ignored.¹⁷ It is unsurprising that terms less common than the ones chosen by Withington would appear in fewer title-pages. For this reason, I decided to utilize EEBO’s search engine, which allows search in the whole body of the text, and not just the title.

We should also note here that EEBO-TCP (Text Creation Partnership) has not yet transcribed all the texts included in EEBO. Up to this point, 25,363 texts have been transcribed and TCP has embarked on the second phase of its programme, to transcribe 45,000 books and thus allow the full search of all

¹⁵ Richard Head, *The English rogue: continued in the life of Meriton Latroon, and other extravagants. Comprehending the most eminent cheats of both sexes. The fourth part. With the illustration of pictures to every chapter* (1671).

¹⁶ Phil Withington, *Society in Early Modern England: The Vernacular Origins of Some Powerful Ideas* (Cambridge: Polity Press, 2010).

¹⁷ Matt Phillpott, review of *Society in Early Modern England: The Vernacular Origins of Some Powerful Ideas*, (review no. 1011) URL: <http://www.history.ac.uk/reviews/review/1011> [accessed 24 April 2013]

unique first editions in the EEBO databases (according to the TCP website, at least 14,823 works have been thus far transcribed).¹⁸ If we consider that EEBO's collected works exceed 125,000, it is evident that full-text searches at this stage are in no way comprehensive. This caveat notwithstanding, these searches are still the best method to use in order not only to locate more texts dealing with the practices of rogues, but to acknowledge the frequent use of the term in different contexts and with different aims, thus illustrating how ubiquitous the term was in everyday usage.¹⁹

In a keyword search of all the printed works available online through EEBO, in the period 1590 until 1671 the word 'rogue' was mentioned in 988 records, while 'cosenage' appeared in 847 records. These mentions crop up in a wide variety of records, such as prose texts, plays, ballads and sermons. It is clear that the majority of the texts identified did not relate to my research interests, which revolved around cheap print about criminals. For this reason, a double process of selection was followed: all the texts were examined in terms of format, namely whether they could fit in the definition of 'cheap print' (according to Joad Raymond's definition, this involved printed texts less than twelve sheets long, so as to remain unbound).²⁰ The second criterion related to content: even though mentions of rogues and roguery appeared in a wide range of printed texts, I selected only those pamphlets which proclaimed that they were topical accounts of the activities of rogues in London.²¹

It should be evident that this selection does not claim to be all-encompassing. During my research, I expanded my corpus when a reference in my material alerted me to other relevant pamphlets, namely, searching for other pamphlets published about a specific criminal, or written by the same author, and even occasionally published by the same bookseller. Finally, some pamphlets were only found because they were bound together with pamphlets I was using. This was the case of *A Relation of the tryal and examination, of Collonel James*

¹⁸ Text Creation Partnership, <http://www.textcreationpartnership.org/tcp-eebo/> [accessed 24 April 2013].

¹⁹ For example in the Civil Wars, 'rogues' was a favourite term of abuse used by both Royalists and Parliamentarians against their opponents. See Chapter 5 for more details.

²⁰ Raymond, *Pamphlets and pamphleteering*, p. 82. A more detailed analysis of cheap print will be undertaken in Chapter 2.

²¹ My main focus is the pamphlets, not the ballads that related to rogues. Even though ballads are a more obvious format for cheap print, they tended to be far more formulaic in their depiction of criminals. See below.

Turner (1663),²² found bound together with other of James Turner's pamphlets in the Senate Library in London, but which does not appear in ESTC or Wing. It is reasonable to assume that other pamphlets may have been omitted, either because they were not transcribed in EEBO, or because they used different terms to describe the same practices. This selection, however, represents a significantly larger corpus of texts than other studies on this topic.

Through this process of selection, the corpus of this thesis numbers 124 extant editions of pamphlets about rogues in 80 years (including both original texts and reprints).²³ What this selection has ensured is that these pamphlets have enough similarities to warrant their examination as one body of works. Even though they represent a very heterogeneous grouping of texts, they do share some common characteristics, such as the existence of the trickster theme, the attempt (serious or not) to present their material as a reportage, as well as the similar practices described in most of them.

However, the most important element that links all these pamphlets is the fact that all of them described the experience of being a rogue; what was most usually depicted was how rogues lived their lives, how they talked, where they operated, and the methods they used to deceive their victims. In the biographies of specific criminals as well, the narrative followed the whole trajectory of a rogue's life, from their birth and upbringing to their arrest and execution. Some of these pamphlets reinforced the illusion that they depicted the lives of actual criminals by being written from a first-person perspective, but all of them presented the material available for readers to imagine the life of a rogue in early modern London.²⁴

²² Anonymous, *A Relation of the tryal and examination, of Collonel James Turner, John Turner, William Turner, Mary Turner, and Ely Turner, for felony, and burglary, committed at the house of Mr. Francis Tryan [sic], of London, merchant, January 7. 1663. Who was rob'd of money and jewels, to the value of about five thousand pounds. At the Sessions House in the Old Bailey, London, on the fifteenth and sixteenth dayes of January, 1663. Where the said James Turner was found guilty of the said felony, and burglary, John of the felony only, and the rest acquitted* (1663).

²³ See appendix 1 for a list of all the pamphlets.

²⁴ Without forgetting that there were other discourses about rogues available as well which could provide alternative (or sometimes very similar) readings of the lives of rogues.

Findings

Themes of pamphlets

In order to elucidate this corpus of texts, the texts are divided here in categories, according to their major theme. Even though those texts shared many common characteristics, it is possible to tentatively divide them into five categories. Based either on the way that the title-page framed the topic or on the content of these pamphlets, the five categories are ‘discoveries’, ‘pleasant tales’, ‘true relations’, narratives of life and death and descriptions of prisons. The aim of this section is to describe the different categories and the representative pamphlets respectively, in order to clarify what this corpus encompasses and highlight the main issues these pamphlets dealt with.

‘Discoveries’ were texts that purported to uncover the practices of rogues, usually by creating taxonomies of criminals and analysing their distinctive characteristics, as well as the methods they used in order to cheat or steal. Early examples of discoveries include Awdeley’s *The fraternity of vacabondes* (1565) and Harman’s *A caveat for commen cursetors vylgarely called vagabones* (1567), the latter of which influenced the pamphlets written by Robert Greene and Thomas Dekker. Even though most ‘discoveries’ were patterned after this generic structure, categorizing the different kinds of rogues and their practices, no pamphlet followed it exactly: some pamphlets, such as Greene’s cony-catching pamphlets, combined taxonomies of rogues with ‘merry tales’ of deceit (in a similar fashion to Harman’s tract), while some dealt exclusively with one type of crime, and attempted to lay open the tricks used by criminals such as card-sharps or highwaymen.²⁵

A lot of those pamphlets used the word ‘discovery’ on their title, possibly trying to emphasise the importance of their contents and the service they

²⁵ Cardsharps: Anonymous, *Mihil Mumchance* (1597); Anonymous, *Leather-more or Advice concerning Gaming* (1668); Anonymous, *The nicker nicked: or, The cheats of gaming discovered* (1669). Highwaymen: E.S., *The Discoverie of the knights of the post* (1597); John Clavell, *A Recantation of an Ill Led Life or A discoverie of the High-way Law* (1628); Anonymous, *A Notable and Pleasant History of the Famous Renowned Knights of the Blade* (1652); Anonymous, *The devils cabinet broke open: or A new discovery of the high-way thieves* (1657); Anonymous, *The Catterpillers of this Nation Anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c* (1659).

rendered to the commonwealth.²⁶ This tendency to combine information and titillation was taken to new levels with the series of pamphlets titled *The wandering whore*, by accompanying pornographic accounts of the practices of whores in London with catalogues of ‘crafty Bawds, Maiden-head sellers, Common Whores, Pick-pockets, Wanderers, Shop-lifters, Foylers, Whippers, Kid Nappers, Decoyes, Hectors, Pimps and Trappaners, and their usual Meetings’.²⁷ Even in these pamphlets however, the author sought to demonstrate how useful his pamphlet was, by adding at the end an advertisement to the ‘modest reader’:

Some libidinous wretches out of despight to the design of the publisher hereof, and affection to the wicked Actors, concerned in the List, have censured, condemned, insinuated, and suggested the intent hereof to be for propagating of whoreing, and tempting Customers to go amongst them, instead of destroying them: This the world may be assur’d of, that instead thereof, some of them like rats have remov’d for fear of ruine, others have chang’d their names, some thereby have been denied Licences and thrust out of their parishes, others have profered gratuities to be obliterated²⁸

This ambiguous statement could be intended more playfully than seriously. Nonetheless, it suggested that the claim that it was a serious attempt to discover criminals could be made with a degree of plausibility. In general, however, there was a serious attempt in discoveries to bolster their claims of truth and present these texts as authoritative accounts of lowlife practices.

This is one of the two largest categories, with 22 original titles, and the one with the most reprints (15 subsequent editions). The number of reprints probably stemmed from the fact that these pamphlets were generic, since they did not use the names of specific criminals or specific dates. Consequently, it was particularly easy for these pamphlets to be reprinted later, often repackaged

²⁶ See appendix 2 for a full list of titles per category. Also, this was a way to present their contents as news: see Chapter 4.

²⁷ Anonymous, *The wandering whore continued a dialogue between Magdalena a crafty bawd, Julietta an exquisite whore, Francion a lascivious gallant, and Gusman a pimping Hector* (1660-1663: 6 parts), titlepage.

²⁸ Anonymous, *The wandering whore continued a dialogue between Magdalena a crafty bawd, Julietta an exquisite whore, Francion a lascivious gallant, and Gusman a pimping Hector*, part 3 (1660), p. 15.

in order to appear as contemporary accounts. For example, Dekker's *Lanthorne and Candle-Light* went through eight editions from 1608 to 1648 by signposting in the title that there was new material to be read. In *O per se O* (1612), the title-page explains that this was an addition to the original, in which 'are discovered those villanies, which the Bell-man (because hee went i'th darke) could not see', and then goes on to briefly list the new material.²⁹ The other two editions *Villanies discovered by Lanthorne and Candle-light* (1616, 1620) mentioned the addition of a new canting song (1616) and 'other new conceits never before Printed' (1620).³⁰ The last editions of this pamphlet, titled *English Villanies*, highlighted their continuity with the previous pamphlets, by stating that it was 'six/seven/eight severall times Prest to Death by the Printers' (depending on the edition). Additionally, they advertised their novelty value, stating that they uncovered 'another Conspiracie of Abuses lately plotting together, to hurt the peace of the Kindome'.³¹

The second group can be categorized as 'pleasant tales', even though this is not necessarily how the authors or publishers presented these works. 'Merry tales', namely stories of how a rogue outsmarted his or her victims, or, more rarely, how the victims turned the tables on the rogue and tricked them, were often included in discoveries. In these cases, these tales served as examples for the types of criminals and practices analysed in those texts. The pamphlets in the second category eschewed the typologies of crimes and criminals and followed a

²⁹ Thomas Dekker, *O per se O. Or A new cryer of Lanthorne and candle-light. Being an addition, or lengthening, of the Bell-mans second night-walke. In which, are discouered those villanies, which the bell-man (because hee went i'th darke) could not see: now laid open to the world. Together with the shooting through the arme, vsed by counterfeit souldiers: the making of the great soare, (commonly called the great cleyme:) the mad-mens markes: their phrase of begging: the articles and oathes giuen to the fraternitie of roagues, vagabonds, and sturdy beggers at their meetings. And last of all, a new canting-song* (1612).

³⁰ Thomas Dekker, *Villanies discovered by lanthorne and candle-light, and the helpe of a new cryer called O per se O. Being an addition to the Belmans second night-walke: and a laying open to the world of those abuses, which the bel-man (because he went i'th darke) could not see. With canting songs neuer before printed* (1616, 1620).

³¹ Thomas Dekker, *English villanies six severall times prest to death by the printers; but (still reviving againe) are now the seventh time, (as at first) discovered by lanthorne and candle-light, and the helpe of a new cryer, called O-per-se-O: whose lowd voyce proclaimes to all that will heare him, another conspiracie of abuses lately plotting together, to hurt the peace of this kingdome; which the bell-man (because hee then went stumbling i'th darke) could never see, till now. And because a company of rogues, cunning canting gypsies, and all the scumme of our nation fight heere vnder their owne tattered colours: at the end is a canting dictionary, to teach their language: with canting songs* (1632).

jest-book structure, compiling tales of criminal activities, and usually presenting them as ‘merry tales’ or ‘witty jests’.

Since the texts included in this category used framing strategies which were less likely to be taken seriously, it is harder to view them as reportage. For example, *Kind-harts dreame* is a description of a dream in which four ghosts (Antony Now Now, Doctor Burcot, Robert Greene and Richard Tarlton) appeared to the narrator and in turn fulminated against the abuses that they considered most disturbing.³² In *Greenes newes from Heaven and Hell*, the narration follows Greene’s ghost to the afterlife. There, various funny incidents are described and the spirits of the dead narrate their stories, which closely resemble jest-book tales. Examples include a bricklayer who decided to forfeit paradise to avoid being with his wife any longer or a miller who attempted to commit adultery, only to end up (through a series of misunderstandings) being cuckolded by his wife.³³

‘True relations’, on the contrary, were usually marketed as accurate depictions of a specific crime. Pamphlets of this kind were published whenever a notorious criminal or a particularly spectacular felony seemed to catch the public’s attention. The first text of this kind (in my corpus) appeared at the beginning of seventeenth century, *The arraignment of Iohn Selman* (1612), but only four such pamphlets were printed before 1640. The number of ‘true relations’ doubled after 1640, following a similar pattern as the lives of criminals. This development can be explained by the increase of regular domestic newsbooks after 1640. Newsbooks dealt primarily with political events, but they included some information about criminals, often on their last page. These reports whetted the readers’ appetite for more detailed coverage which could be provided by ‘true relations’. These texts became standardized, and less detailed, with the appearance of the ‘Proceedings of the Old Bailey’ in the 1670s.

It seems likely that a primary motive behind the publication of such texts was the desire to capitalize on the interest generated by the trial of a particularly

³² Henry Chettle, *Kind-harts dreame. Conteyning fiue apparitions, with their inuectiues against abuses raining. Deliuered by seuerall ghosts vnto him to be publisht, after Piers Penillesse post had refused the carriage* (1593).

³³ Barnabe Rich, *Greenes newes both from heauen and hell. Prohibited the first for writing of bookes, and banished out of the last for displaying of conny-catchers* (1593), sig. D2v-D3r, F2v-G2.

notorious criminal. James Hind's case, for example, prompted the publication of fifteen pamphlets (three of which fit in the category of 'true relations'), as well as mentions in the newsbooks of the period.³⁴ A lesser claim to fame belonged to Colonel James Turner, whose trial generated six pamphlets, four of which were 'true relations'.³⁵ However, profit was not always the only motive; on the contrary, a particularly popular case could be used as a vehicle for the articulation of other, political or religious concerns. Examples include Goodcole's attempts to promote a puritan agenda through his pamphlets, or the appropriation of Hind's and other highwaymen's stories by dissident publishers.³⁶

Narratives of the life and death of criminals form the largest category of pamphlets, including 26 texts. These often combined elements from 'true relations' and 'pleasant tales', and their structure was, to a large extent, standardised. It included an introductory part about the criminal's childhood, a narrative of his or her actions (described as 'exploits', 'pranks' or 'conceits') and, if the criminal was unlucky enough to get caught, a description of the arrest, trial and execution. Lives of criminals began to appear with more frequency after the Civil War: before 1640 only 4 lives were published, whereas the period after 1640 saw the publication of 22 such pamphlets. This was related to the above-mentioned proliferation of newbooks; additionally, the general fears of unruliness and crime waves after the Civil War, as well as the celebration of bravery and a combat-oriented ethos elicited greater interest in highwaymen's lives.

An additional spur to the publications of the lives of highwaymen was the great interest in the highwayman Hind, and his name was evoked frequently in most of the lives of highwaymen appearing in the 1650s. The pamphlet *Hinds Elder Brother, or the master thief discovered* clearly tried to capitalise on Hind's fame, by claiming that Major Thomas Knowls was the 'master thief', since when he had met with Hind he managed to rob him, as well as referred to him

³⁴ Anonymous, *The True and Perfect Relation of the Taking of Captain James Hind* (1651); Anonymous, *The declaration of Captain James Hind* (1651); Anonymous, *The Trial of Captain James Hind on Friday last before the honourable court at the Sessions in the Old-Bayley* (1651). Chapter 5 includes a detailed analysis on Hind's pamphlets.

³⁵ See list in the appendix.

³⁶ Goodcole's strategic gloss over his pamphlets will be discussed at length in Chapter 6.

patronizingly as ‘younger Brother’. In order to emphasise the connection between this pamphlet and Hind’s, the printer used the same illustration as *Hind’s ramble*, which depicted two armed men on horseback. The only difference in the second pamphlet was that the two men depicted had captions identifying them as ‘Hind’ and ‘Knowls’ respectively.³⁷

Life and death narratives conventionally ended with the criminal’s dying speech, the last words he or she was allowed to say at the gallows, waiting for the execution.³⁸ Dying speeches were often included in the lives of criminals, or, more rarely, in true relations. In the period 1590-1670, out of 12 true relations, only 3 included a dying speech, while 11 out of the 29 lives of criminals included a dying speech. Some of these dying speeches were particularly brief, or formulaic, such as the one included in *The life of Deval* (1669): ‘Monsieur Deval, was carried from Newgate to the Place of Execution, where being come, he spake to this purpose; *That he had taken many mens money, and had been a very lewd Liver, and that he had justly deserved this end he was come to; And that as he hoped for forgiveness from God, so he desired forgiveness from all whom he had any wayes injured*’.³⁹

In the few occasions where free-standing dying speeches were published (two in number in my corpus), they were still meant as complementary publications to the lives of criminals. In the case of *The speech and confession of Mr. Richard Hannam* (1656) and *The speech and deportment of Col. Iames Turner at his execution in Leaden-Hall-street January 21. 1663* (1664), longer pamphlets existed which detailed more fully the actions and lives of these criminals. Arguably, the main reason for the publication of these shorter pamphlets was that publishers wished to maximize their gains by appealing to a less affluent audience. Alternatively, publishers could print a shorter version of an already published pamphlet in order to bypass licensing laws: *The speech and confession of Mr. Richard Hannam* (1656), for example, was published by George Horton, who didn’t have the license for the other pamphlets about Hannam.

³⁷ Anonymous, *Hinds Elder Brother, or the Master Thief Discovered. Being a Notable Pithy Relation of the Life of Major Thomas Knowls his many Exploits Escapes, and Witty Robberies* (1652), title-page; Fidge George, *Hind’s ramble, or, the description of his manner and course of life* (1651), title-page, p. 7.

³⁸ Example: E.S., *The witty rogue arraigned, condemned, and executed* (1656), pp. 46-47.

³⁹ Anonymous, *The life of Deval* (1669), p. 8.

Descriptions of prisons were texts often authored by a prisoner, which detailed the living conditions in prisons. Consequently, these provided a different angle to the experience of being a rogue in London, which was usually ignored in the other pamphlets about rogues.⁴⁰ The authors of these pamphlets, men like Luke Hutton (a highwayman who was related to the archbishop of York), William Fennor (a writer and entertainer), Geffray Minshull (a gentleman, student at Gray's Inn) and John Taylor (a waterman who became a popular poet), were more literate and often belonged to a more elevated social rank than the average criminal.⁴¹

However, their comments dovetailed with the very vocal protests of prisoners to London's local authorities. Prisoners were complaining almost every year to the Court of Aldermen about the conditions in prisons.⁴² In these texts a very bleak image of a jail emerges, where prisoners are abandoned without enough food or shelter, and forced to bribe their jailors in order to get even the most basic commodities. Even more alarmingly, it was expected that criminals would not be reformed in prison, but, on the contrary, that they would become more depraved and dangerous the more time they spent in prison.⁴³

Even though there are few texts included in this category (five), they were quite popular, since most of them were reprinted in various occasions. *The Blacke Dogge of Newgate* was reprinted twice in 1612 and 1638; *Certaine characters and Essayes of Prison and Prisoners* (1618) was reprinted three

⁴⁰ Jerome de Groot has stated that prison writings belong to a different sub-genre, but, as I will show, this misses the connection of the specific texts I am using with other writings about rogues. Jerome de Groot, 'Prison writing, writing prison in the 1640s and 1650s', *Huntington Library Quarterly*, 79, No. 2 (2009), p. 203.

⁴¹ Cathy Shrank, 'Hutton, Luke (d. 1598)', *Oxford Dictionary of National Biography*, eee online ed., ed. Lawrence Goldman, Oxford: OUP, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/14307> [accessed 26 April 2013]; Stephen Wright, 'Minshull, Geffray (bap. 1594, d. 1668)', *Oxford Dictionary of National Biography*, eee online ed., ed. Lawrence Goldman, Oxford: OUP, <http://www.oxforddnb.com/view/article/18814> [accessed April 26, 2013]; Bernard Capp, 'Taylor, John (1578–1653)', *Oxford Dictionary of National Biography*, eee online ed., ed. Lawrence Goldman, Oxford: OUP, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/27044> [accessed 5 May 2013]. Fennor was described by John Taylor as 'the companion of thieves and scoundrels', which might have been unfair: Judges, *The Elizabethan underworld*, p. 517.

⁴² See for example LMA Rep. 25, fos. 92, 238b, 279, Rep. 26, fos. 150b, 165, Rep. 45, fos. 488, 490, Rep. 46, fos. 132, 360, 457, 451b-458, Rep. 47, fos. 96b, 182b-186, Reps. 49, fo. 306, Rep. 53, fos. 28, 278, Rep. 54, fo. 76, Rep. 55, fos. 226, 231. More details in Chapter 3.

⁴³ Luke Hutton, *The Blacke Dogge of Newgate* (1596); John Taylor, *The praise and vertue of a Jayle* (1623).

times, twice in the same year as the original publication and once in 1638, which shows that there was some sustained interest in the subject. Finally, William Fennor's *The compters common-wealth* (1617) was reprinted twice, with different titles: *The miseries of a iaile* (1619), *A true description of the lawes, justice, and equity of a compter* (1629).

Finally, some cheap pamphlets did not fit in any of the above categories, but they dealt with the representations of rogues and often commented on other pamphlets included in the corpus. These include some satirical pamphlets, such as *The Blacke Booke* (1604), which was intended as an answer to *Pierce Penilesse*. At the same time, it interacted with pamphlets about rogues, since it made good on Greene's promise to write '*The blacke Booke*', another pamphlet discovery of rogues' practices (and jailors' abuses).⁴⁴ *The Blacke Booke* evoked a criminal underworld in the same terms as other rogue pamphlets: it described Lucifer's arrival in London and his visits to various criminal-infested bawdy houses and alehouses.⁴⁵ Middleton's satire was particularly biting when he had Lucifer dictate his will, in reality a criticism of London life. It is likely that *The Last Will and Testament of James Hynd, high-way lawyer* (1651) had *The Blacke Booke* as a model, because it also satirised, through the device of a will, the abuses of respectable society.⁴⁶

In addition, in the miscellaneous pamphlets are included two replies to other pamphlets in the corpus: *A Vindication of a distressed lady* (1663) was an answer to *The lavvyers clarke trappan'd by the crafty whore of Canterbury* (1663), refuting the accusations that Mary Maunders was a whore and a cheater.⁴⁷ *The ladies answer to that busie-body, who wrote the life and death of Du Vall* (1670) defended both the highwayman Du Vall and the ladies whose sympathy towards the robber was maligned by the author of *The memoirs of Monsieur Du Vall* (1670).⁴⁸

⁴⁴ Greene, *A Disputation, betweene a HeeConny-catcher, and a SheeConny-catcher*, sig. Dr.

⁴⁵ Thomas Middleton, *The blacke booke* (1604).

⁴⁶ Anonymous, *The Last Will and Testament of James Hynd, high-way lawyer* (1651).

⁴⁷ Anonymous, *A Vindication of a distressed lady in answer to a pernicious, scandalous, libellous pamphlet intituled The lavvyers clarke trappan'd by the crafty vvhore of Canterbury* (1663).

⁴⁸ Elizabeth Cellier, *The ladies answer to that busie-body, who wrote the life and death of Du Vall* (1670); Walter Pope, *The memoirs of Monsieur Du Vall* (1670).

Two pamphlets petitioning for a change in the way thieves were punished were included. These were deemed relevant because they showed other ways of treating petty criminals, thus helping put into perspective the ambivalent treatment that rogues usually received in pamphlets concerning them. Finally, texts which were not in prose, but were still conversant with the pamphlets about rogues were included, such as the playlet *An excellent comedy, called, The Prince of Priggs* (1651) and the poems *The night-raven* (1620) *An arrant thiefe* (1622), *To the memory of the most renowned Du-Vall: a Pindarick Ode* (1671).⁴⁹

This description of the different themes existing in rogue pamphlets has illustrated that there were differentiations in this selection and why it was necessary to categorize them in such a way. At the same time, it should be emphasised that it is more accurate to think of these categories as useful methodological tools, rather than completely segregated categories. Elements transmigrated between different categories; for example, many discoveries of rogues included stories of people being deceived by rogues, the lives of criminals as well as ‘true relations’ could include both such tales and dying speeches.⁵⁰ In the next section we will analyse more specifically the changes in the publication of these pamphlets.

⁴⁹ J.S., *An excellent comedy, called, The Prince of Priggs* (1651); Samuel Rowlands, *The night-raven* (1620); John Taylor, *An arrant thiefe* (1622); Samuel Butler, *To the memory of the most renowned Du-Vall: a Pindarick Ode* (1671).

⁵⁰ The title-page of B.W., *The Trappan trapt. Or The true relation of a cunning, cogging, confident, crafty, counterfeit, cosening and cheating knight, alias knave* (1657) claims that it is ‘a perfect relation of the Cheating or Trappaning courses, taken by the pretenders to worth and honourable employment’, p. 1.

Distribution and trends over time

A) Chronological spread of publications

Using the afore-mentioned method of selection, I have identified 124 extant editions of pamphlets about rogues in 80 years (including both original texts and reprints).⁵¹ This attests to a sustained interest in pamphlets of this kind, even though the appearance of such pamphlets was not equally spread in time, but peaked in specific times. As will be shown more analytically, the publication of rogue pamphlets was bolstered when these pamphlets were used for polemical purposes, or when social developments, such as London's growth or the fears of post-war crime, became an overriding concern. Before examining the chronological distribution of the pamphlets in my corpus, two caveats should be noted: the first relates to the survival of these pamphlets and the other to my decision to enumerate all extant editions, instead of focusing on the original ones exclusively.

About the former, it should be taken into account that these pamphlets were less likely to survive than other, bulkier works, due to their (perceived) low literary value and their ephemeral physical appearance. The small format (quarto or smaller) and the inexpensive production, especially the fact that they were stitched instead of bound, marked their low status. Consequently, this made them far less desirable to collectors, especially before 1640, when very few collectors were interested in such 'frivolous' printed materials.⁵² Likewise, this method of producing such ephemeral pamphlets minimized their chances of survival, since having no binding meant that they could easily perish or be dispersed. Pamphlets of such size and format were not produced to be retained, and many authors have commented on the fate of such pamphlets after they were read. A good example is Thomas Nashe, who (jokingly) admonished his readers to read his pages and 'If there be some better than other, he craves you would honor them in their

⁵¹ See appendix 1 for a list of all the pamphlets.

⁵² Alexandra Walsham, *Providence in early modern England* (Oxford; New York: Oxford University Press, 1999), p. 33; Raymond, *Pamphlets and Pamphleteering*, p. 5. Raymond also, however, gives examples of collectors who preserved small pamphlets, albeit often in bundles and without caring to copy the pamphlets' individual names in their inventories.

death so much, as to drie and kindle *Tobacco* with them...But as you love good fellowship and ames ace [sic], rather turne them to stop mustard-pots, than the Grocers shuld haue one patch of them to wrap mace in'.⁵³

Checking the Stationers Registers does not provide a definite picture of how many pamphlets about rogues were published either. Often there is no way of knowing if a title included in the Stationers Registers belongs to a pamphlet or a longer tract. To give an example, *The third and last part of conny-catching* (1592) and *The defence of conny catching* (1592) were both entered in the Stationers Registers as 'bookes'.⁵⁴ In addition, many pamphlets were not registered at all. During the period from 1590 to 1671, only ½ or 2/3 of all the extant titles printed were licensed.⁵⁵ Publishers would be less likely to enter small pamphlets, since licensing them was expensive compared to their low price; additionally, such small publications could more easily pass unnoticed by the Stationers Company.

I have deliberately chosen to enumerate all the extant editions, in order to show the quantity of cheap printed material about rogues that circulated each year in London. In addition, it has already been mentioned that many publishers attempted to present the reprints as original material, by changing the title-page, hiding the name of the author or advertising the additions made to the original pamphlet as important enough to warrant a reprint. This meant that some of the reprints could be considered as original material. A case in point is *The devils cabinet broke open* (1657), a reprint of *The Recantation of an ill led Life* (1628). *The Recantation* was a long poem written by the highwayman John Clavell, in order to thank the King for pardoning him in 1628. The publisher of *The devils cabinet broke open* had the earlier text transcribed into prose, and attributed to an anonymous criminal who was sentenced to transportation in 1657. The fact that the preface to the reader was signed 'From on Ship-board in the Downs,

⁵³ Thomas Nashe, *The unfortunat traueeller. Or, The life of Iacke Wilton* (1594), sig. A3v. Similarly, but less graphically, Nashe authorized his readers 'to stop mustard pots with my leaues if they will', Thomas Nashe, *The terrors of the night or, A discourse of apparitions* (1594), sig. A4r.

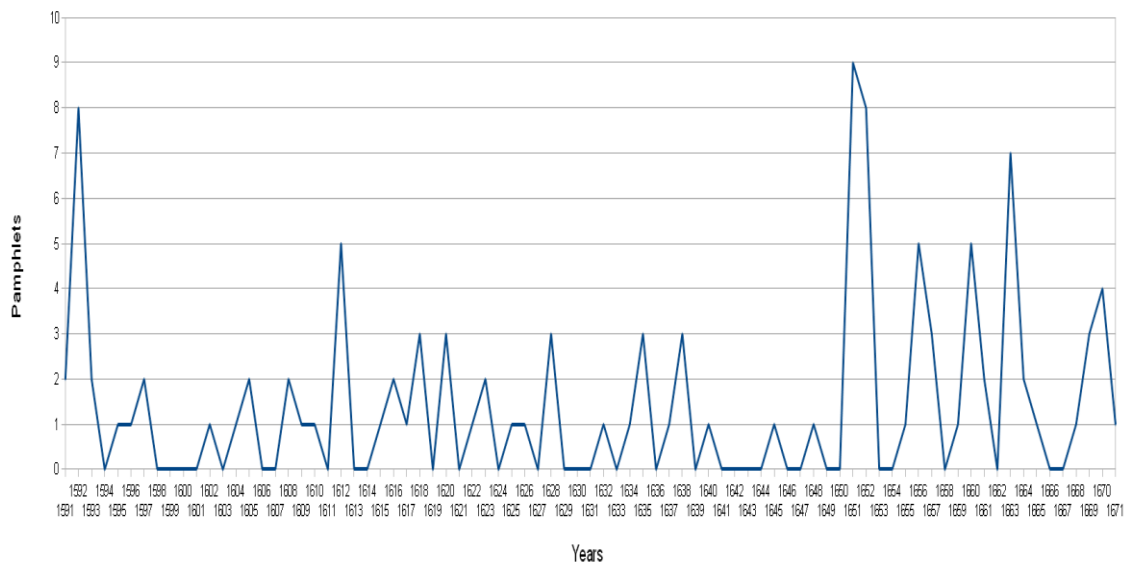
⁵⁴ Edward Arber (ed.), *A transcript of the registers of the Company of Stationers of London, 1554-1640 A.D., Volume 2* (London: Stationers' Company, 1875), pp. 284, 287.

⁵⁵ Raymond, *Pamphlets and Pamphleteering*, p. 70. See also McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 131.

September 20. 1657' created a false impression that this was a contemporaneous account, and not a text almost 30 years old.⁵⁶

The 124 editions of pamphlets about rogues between 1590-1671 amounts to approximately 1.5 pamphlets per year, but this is a somewhat misleading way to view it. There were variations in the numbers published each year, especially in the context of the general increase in printed titles after 1640 (or 1650 in our case). What is especially obvious if one looks at the graph about the distribution of pamphlets per year is that there were a few very noticeable peaks of production. These peaks often occurred when a case or a pamphlet left a striking impression in people's minds, thus creating an impetus of publications. These peaks were usually short-lived, dying off in the next few years. Publishers followed the logic of newspapers editors, who attempted to find the 'hottest' topic and produce as many relevant pamphlets as possible before the interest faded away.

Figure 1: Pamphlets per year



The first peak is the initial wave of cony-catching pamphlets in 1591-1592, which can be almost entirely attributed to Robert Greene. Nine out of the ten pamphlets published in this year were written by him; even though the tenth was a reprint of Harman's *A caueat for commen cursetors* (1567), it was re-titled

⁵⁶ Anonymous, *The devils cabinet broke open: or A new discovery of the high-way thieves* (1657), sig. A4v; Clavell, *A Recantation of an Ill Led Life* (1628).

as *The groundworke of conny-catching* in order to mirror Greene's pamphlets.⁵⁷ Greene managed to find a niche in the market for this kind of pamphlets, and the high output in one year can only be explained as an indication of consumers' interest in this style of writing. The fact that nine printers and booksellers were involved in publishing Greene's pamphlets shows that they were considered a good commercial venture.⁵⁸

However, it could be connected as well to a style of writing that was in vogue in the 1590s but especially in the first two decades of the seventeenth century. This kind of writing focused on the changes in London, particularly how increased wealth and consumerism corrupted the mores of Londoners. Examples of this tendency were Thomas Nashe's *Pierce Penilesse* (1592, same year as Greene's pamphlets), most of Thomas Dekker's pamphlets, Samuel Rowland's *Diogines' Lanthorne* (1607), and Thomas Middleton's plays about London and its underworld (one of which, *The Roaring Girl*, co-authored with Dekker, narrated the story of a real female rogue by the name of Mary Frith).⁵⁹

These texts all shared a profound interest in exploring the changes underway in London, both in a geographical, economic, social and moral sense. This affected the production of more lowlife pamphlets which peaked again (even though less spectacularly) in the beginning of the 1610s. This increase in the numbers of such pamphlets might have been assisted by the publication of Thomas Dekker's *Bellman of London* (1608) and *Lanthorne and Candle-light* (1608), whose popularity can be evidenced by the fact that they were reprinted regularly in the next thirty years. A further testament to their appeal is that publishers used strategies of connecting other pamphlets with them. For example, Greene's *A disputation between a hee conny-catcher and a shee conny-catcher*

⁵⁷ Thomas Harman, *The groundworke of conny-catching; the manner of their pedlers-French, and the meanes to vnderstand the same, with the cunning slights of the counterfeit cranke. Therein are handled the practises of the visiter, the fetches of the shifter and rufflar, the deceits of thei doxes, the deuises of priggers, the names of the base loytering losels, and the meanes of euery blacke-art mans shifts, with the reproofe of all their diuellish practises. Done by a justice of peace of great authoritie, who hath had the examining of diuers of them* (1592).

⁵⁸ Printers: John Wolfe, Thomas Scarlet, Abel Jeffes, John Danter. Booksellers: Thomas Nelson, William Wright, Thomas Gubbins, John Busbie, C. Burby.

⁵⁹ Nashe, *Pierce Penilesse his supplication to the diuell* (1592); Samuel Rowlands, *Diogines' Lanthorne* (1607); Gary Taylor and John Lavagnino (eds.), *Thomas Middleton. The collected works* (Oxford: Clarendon, 2007); Grosart (ed.), *The non-dramatic works of Thomas Dekker*; Paul Griffiths, 'Frith, Mary (1584x9–1659),' *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. Lawrence Goldman, January 2008, <http://www.oxforddnb.com/view/article/10189> [accessed 8 November 2011]. More details in Chapter 3.

was reprinted in 1615 as *Theeves falling out, true-men come by their goods: or, The belman wanted a clapper* (1615), thus (falsely) presenting it as a continuation of the Bellman's pamphlets.⁶⁰

In the next 20 years pamphlets about rogues continued to appear in small numbers, usually 1-2 per year, with the publishers of such tracts supplying the reading public with a combination of reprints of particularly popular pamphlets as well as new ones. In the 1640s, however, pamphlets about rogues all but disappear, with only five texts being published in this decade. Even though this might be due to issues of survival, it seems more likely to be dependent upon the sudden shift in readers' and, consequently, publishers' priorities. The marked increase of interest in war news and political tracts was a natural consequence of the great upheaval of life in the period of the Civil Wars. Furthermore, as D.F. McKenzie and Joad Raymond have shown, the supply of paper was not unlimited in England, especially since it was imported from continental Europe, thus making it particularly expensive.⁶¹ Consequently, the explosion of printed material relating to the political situation in England could only be possible if publishers privileged the publication of political tracts and war news at the expense of other, less topical (or less crucial for their readers' everyday lives), pamphlets.

The combination of political concerns and the publication of pamphlets about rogues proved far more successful in the 1650s, with the vast increase of pamphlets about highwaymen who were considered as Royalists or generally favourably disposed towards Charles II. Out of the 27 pamphlets about rogues printed in the 1650s, 19 related to highwaymen. As will be shown in Chapter Five, this was a combination of the fears of disbanded soldiers and general disorder due to the Civil War, and political exploitation of the notoriety of specific criminals, chief among them being James Hind. This shows the extent

⁶⁰ Greene, *A Disputation between a HeeConny-catcher and a SheeConny-catcher* (1592); Greene, *Theeves falling out, true-men come by their goods: or, The belman wanted a clapper. A peale of new villanies rung out; the sound being musicall to all gentlemen, lawyers, farmers, and all sorts of people that come up to the tearme: shewing that the villanies of leawd women excell those of men* (1615, 1617, 1621, 1637).

⁶¹ John Bidwell, 'French paper in English books', in John Barnard and Donald Francis McKenzie (eds.), *The Cambridge history of the book in Britain, vol. IV, 1557-1695* (Cambridge: Cambridge University Press, 2002), 583-601; Raymond, *Pamphlets and Pamphleteering*, pp. 72-73. Also, McKenzie, *Making Meaning*, McDonald and Suarez (eds.).

to which the publication of pamphlets about rogues was contingent on developments in the print trade as well as the political climate.

In the last two decades of my examination (from 1650 to 1671) a significant increase in the publication of pamphlets about rogues is evident. Between 1591 and 1640 63 or 64 editions were published: this amounted to an aggregate of approximately 1.2 pamphlets per year.⁶² On the contrary, from 1650 until 1671 61 or 63 pamphlets were printed, thus making it approximately 2.9 pamphlets per year. This difference is to be expected since the general trend of the print trade in the period after 1640 was for more but smaller pamphlets, a development that is mirrored in the production of pamphlets about rogues as will be illustrated in the next section.

In addition, it seems that best-selling pamphlets of the 1590s and early seventeenth century did not cross the 1650s divide; whereas until 1640 pamphlets such as *A disputation between a hee conny-catcher and a shee conny-catcher* (1592) and *Lanthorne and Candle-light* (1608) were reprinted regularly, they disappear after 1640 (with the exception of *English Villanies*, which was reprinted in 1648).⁶³ This might suggest a change in the way of writing about rogues. Nonetheless, it should be noted that a lot of similar stories crop up in later pamphlets, even if the pamphlets themselves are not reprinted. A good example of this practice is the pamphlet *The English Gusman* (1652), which included a story titled 'How Hind robbed a Gentleman in Yorkshire, and afterwards came to the Inn where he lay to sup with him'.⁶⁴ This was strikingly reminiscent of Ned Browne's boast 'I haue robbed a man in the morning, and come to the same Inne and bayted, yea and dynded with him the same day', in Greene's *Blacke Bookes Messenger* (1592).⁶⁵

However, the last thing that should be added about the final twenty years is that there were a couple of clusters of pamphlet production which had to do with three particularly interesting cases. The first related to Richard Hannam, a very successful burglar and escaped prisoner; or, at least, successful up to the

⁶² The small fluctuation in the number of pamphlets is because it is not clear whether Goodcole's *Heavens speedie hue and cry sent after lust and murther* (1635) had three reprints in the same year.

⁶³ Thomas Dekker, *English villanies, eight severall times prest to death by the printers* (1648).

⁶⁴ Fidge, *The English Gusman*, p. 26.

⁶⁵ Greene, *Blacke Bookes Messenger*, sig. B4v.

point when his luck ran out in 1656. The second cluster revolved around the case of Colonel James Turner, who was accused of organising a burglary against one of his clients in 1663 and 1664. Even though Turner was a lawyer, the title ‘Colonel’ was used by the publishers to emphasise his earlier participation in the Civil War, in an attempt to connect him to the pamphlets about highwaymen soldiers. Finally, a flurry of publications followed Claude du Vall, a (purportedly) French highwayman. His execution in 1669 caused a sensation for various reasons, one of them being the number of high-born ladies who attended it in sorrow.⁶⁶

B) Trends over time

The previous section has highlighted how pamphlet production relating to rogues fluctuated between 1591 and 1671. However, some significant changes took place in the form and contents of pamphlets about rogues as well. Some of these changes reflected new developments in the print trade; the changes in format, size and typeset evident in many news publications during the seventeenth century were imitated in pamphlets about rogues. This development, together with the shift away from general typologies of rogues towards reporting specific cases, indicates that rogue pamphlets should be examined in the context of printed news. Finally, other changes were connected to shifting concerns about criminals and the disruption of London’s everyday life that they created.

Though Margaret Spufford and Tessa Watt define cheap print formats as smaller than quarto (mainly octavo or quatordecimo), most of the pamphlets analysed in this thesis were in quarto format, with few exceptions: twelve octavo pamphlets, a single one page folio, *The ladies answer to that busie-body, who wrote the life and death of Du Vall* (1670), and one quatordecimo, *The life and death of Mrs. Mary Frith* (1662).⁶⁷ Even though this might suggest that rogue

⁶⁶ Pope Walter, *The memoirs of Monsieur Du Vall* (1670 3 or 4 editions in the same year); Elizabeth Cellier, *The ladies answer to that busie-body, who wrote the life and death of Du Vall* (1670); Butler, *To the memory of the most renowned Du-Vall: a Pindarick Ode* (1671). Even though both Pope’s and Butler’s pamphlets comment on the ladies’ reactions to the death of du Vall, Cellier’s broadside is an answer to the first one.

⁶⁷ Margaret Spufford, *Small books and pleasant histories: popular fiction and its readership in seventeenth-century England* (London: Methuen, 1981); Tessa Watt, *Cheap print and popular piety, 1550-1640* (Cambridge, Cambridge University Press, 1991), p. 1.

pamphlets were not as cheap as other publications, we should bear in mind that quarto was the format used for most news publications and it was still considered 'cheap print'.⁶⁸ The fact that pamphlets about rogues followed the conventions of news pamphlets (or news books) is more evident after 1640. Rogue pamphlets, similarly to news publications, continued to be printed in quarto, whereas other forms of 'popular' printed material were progressively printed in octavo after 1640.

Moreover, quarto was the format that was considered the most appropriate vehicle for printed prose oratory, suggesting that this was the format of choice for addressing a public.⁶⁹ A great number of the pamphlets I am examining indeed address a public, however defined, with the stated aim to inform, admonish and try to win the reader over to the writer's side. This was more explicit in pamphlets before 1650, when authors made more far-reaching claims about the importance of their pamphlets and tended to castigate those whom they considered liable to follow the same practices as the criminals described. The author of *A world of wonders* (1595), for example, stated in his preface that the criminal practices included in his pamphlet were meant 'as a pretious glasse to see the frailitie of man, to vein the wickednesse of this world, the end of mischiefs, the punishment of such greeuous enormities & such like that therby, other seing the same may refrain the like, and seeke to shunne such paths as lead to distruction'.⁷⁰ However, an attempt to persuade and admonish remained in later publications.⁷¹

A significant change in the size of the pamphlets took place after 1640, manifesting a shift from longer pamphlets to remarkably shorter ones. This again can be related to parallel developments in news pamphlets. Out of the 124 texts in this corpus, 53 fell between one and three sheets. From these 53 pamphlets, only 10 were published before 1640, and all of them were three sheets long. On the contrary, the majority of the 43 pamphlets published after 1640 was smaller than three sheets: 19 were one-sheet long and 15 two-sheet long. The same

⁶⁸ Raymond, *Pamphlets and Pamphleteering*, pp. 5-8. More about the popularity of pamphlets about rogues in the next chapter.

⁶⁹ Ibid, p. 383.

⁷⁰ Johnson, *A world of wonders* (1595), sig. A2v. See also the pamphlets by Greene, Dekker and Goodcole.

⁷¹ See for example Anonymous, *A Notable and Pleasant History of the Famous Renowned Knights of the Blade*, p. 14. More about this example in Chapter 5.

tendency is evident in the longer texts, which were between 4 and 12 sheets. These were predominantly published before 1640: 51 such pamphlets were published before the Civil War, whereas only 12 longer ones were printed after 1640. This dovetails with what is known about print production after the outbreak of the Civil War, when there was an increase in the number of titles produced as well as a trend to publish shorter quartos; this shows that in the case of pamphlets about rogues there was no increase in the number of printed sheets published after 1640, just a differentiation in the way they were used.⁷²

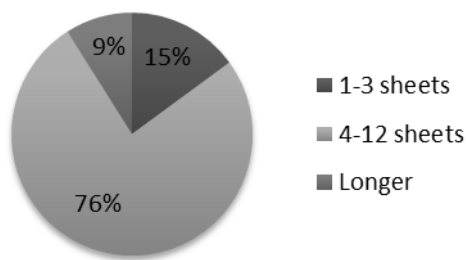


Figure 2: Size of pamphlets until 1640

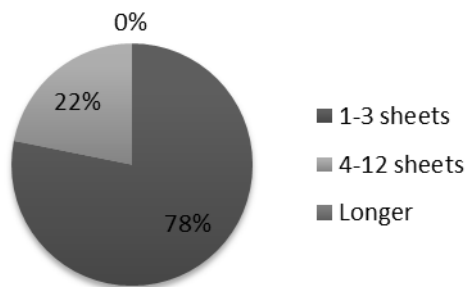


Figure 3: Size of pamphlets 1640-1671

In addition, pamphlets about rogues followed news pamphlets in another aspect of their physical appearance, the utilization of roman type after 1640. Even though most of these pamphlets were printed in black-letter in the late sixteenth and early seventeenth centuries, they progressively changed to roman.

⁷² Raymond, *Pamphlets and Pamphleteering*, p. 168; McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 145.

By the time of the Civil War almost no pamphlets in my corpus were printed in black-letter. Since most printing houses had switched to roman type by 1620, this might suggest a slower process of typographic transition than what is known for other sorts of pamphlet printing.⁷³ As we will see in Chapter 2, black-letter continued to be employed in some ballads after 1640, and this provides further evidence to support the argument that rogue pamphlets should not be grouped together with such kinds of cheap print.

Illustrations were few in general in pamphlets about rogues, if we exclude the title-page of the pamphlets. However, a significant change occurred after 1640 in this aspect as well: before 1640 a majority of the pamphlets had at least a woodcut on the title-page: 35 were illustrated, while 26 did not have any woodcuts. After 1640 the trend is reversed, and only 20 pamphlets bore any woodcuts, compared to 41 with no illustration. It is not clear why this change took place, but more research into woodcuts and their employment might produce some tentative answers.

The number of anonymous publications (in the pamphlets of my corpus) greatly increased over time as well, in the same way as other areas of the print trade. Whereas before 1640 only ten out of 63 editions were published anonymously, after the 1640 39 out of 60 editions were published without the author's name. Even though in 1642 the House of Commons decreed that every publication should include the name of the author, many authors ignored this and continued printing their works anonymously.⁷⁴ However, the great number of eponymously printed pamphlets before 1640 might be connected with the fact that a lot of those texts were by known authors, such as Robert Greene, Thomas Dekker, Thomas Middleton or Samuel Rowlands, whose names would have a 'brand-value' so as to justify putting them forward. For the same reason, pamphlets by known writers would be more likely to be collected, especially since before the Civil War there were fewer collectors of small pamphlets.

⁷³ Ibid, p. 74.

⁷⁴ McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 168

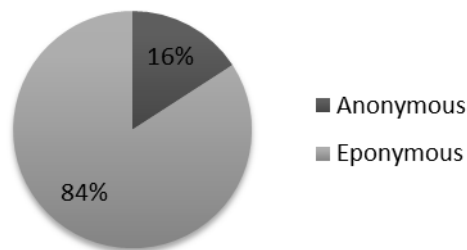


Figure 4: Publications 1590-1640

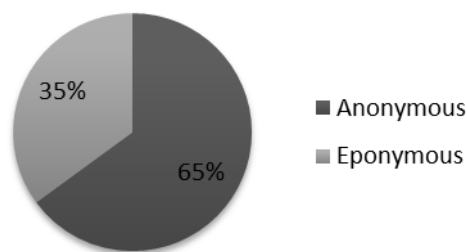


Figure 5: Publications 1640-1671

The way these pamphlets viewed London changed to a certain degree throughout the period 1590-1671. The initial rogue pamphlets (between 1550-1590) dealt with countryside vagrants, who attempted to exploit the kindness of others and either deceitfully gain alms, or outright rob them. By the 1590s, however, the main interest had shifted to London; even though vagrants were included in most accounts about rogues, their activities were now firmly placed in an urban setting.⁷⁵ This has been seen as such a dramatic change that some scholars have separated these pamphlets in rogue pamphlets (mostly before 1590) and cony-catching pamphlets, which appeared for the most part after

⁷⁵ This happened emblematically in the *Belman of London*, which begins with the narration of how the author went to the countryside and found country rogues there (effectively ransacking Harman's *A caveat for common cursitors*) and then went back to London to discover the abuses there, Dekker, *The Belman of London* (1608).

1590.⁷⁶ However, it is difficult to maintain such a rigid categorization, especially in view of the fact that there were very few pamphlets before 1590 to justify a classification as a different genre.

In the 1650s, London was still central in pamphlets about rogues, both as a locality of crime and as the place where people spent their ill-gotten gains or were seduced to a life of crime. This showed a continuity with previous pamphlets about rogues, even though some of the actual crimes described took place in different places around London, or even in other countries (highwaymen such as Hind, Hannam and Knowls are particularly apt examples). This, however, did not change the importance attributed to the metropolis, evident in pamphlets such as *A Notable and Pleasant History of the Famous Renowned Knights of the Blade* (1652), *The Catterpillers of this Nation anatomized* (1659) and the *Wandering Whore* series (c.1660).

A final development which can be traced in this period, was change in the most prevalent themes of pamphlets, namely from discoveries to ‘true relations’ and lives of criminals. Whereas before 1650 23 discoveries were published, after 1650 13 appeared (but six of them belonged to one serial publication, *The wandering whore*). On the contrary, after 1650 the increase of lives of criminals and ‘true relations’ shows an insistence on named cases: while before 1650 4 lives of criminals and 4 ‘true relations’ were printed, after 1650 the number of lives shot up to 22, and ‘true relations’ doubled. There is a sense that the reading public’s interest turned to more ‘journalistic’ styles of reporting criminal cases, because of the increase in news reporting, or it might be connected with a greater interest in individual cases, and not general typologies.

This chapter has presented how the corpus of this thesis was selected as well as the ways in which rogue pamphlets could be conceptualized in useful ways. The categorization of these pamphlets, based on their titles and their contents, is conducive to a more sophisticated understanding of these printed texts. Moreover, the chronological analysis of the publication of these pamphlets illustrates the sustained interest in rogues in the period, and, more to the point, in publishing cheap printed material about them. The sudden increases in the

⁷⁶ Pugliatti, *Beggary and the theatre in early modern England*, pp. 125-130; Bayman, ‘Rogues, Cony-catching and the Scribbling Crew’, 1-17.

production of rogue pamphlets and other trends over time- such as the increase in anonymous publications, the changes in format and contents- suggest that these pamphlets were responding to developments in the print trade as well as social or cultural changes. The next chapter will continue some of these lines of thought, by analysing the rogue pamphlets' place in the print trade.

Chapter 2: ‘Rogues, Readers and cheap print’

In 1618 John Harington published an epigram called *A Prophetie when Asses shall grow Elephants*, a thinly veiled critique of the changing mores of the English people:

When making harmful gunnes, unfruitfull glasses,
Shall quite consume our stately Oakes to ashes [...]

When Monopolies are giv'n of toyes and trashes[...]

When clergy romes to buy, sell, none abashes,
When fowle skins are made fair with new found washes,
When prints are set on work, with *Greens & Nashes*¹

A major part of Harington's critique relates to consumerism and the commodification of things which should not have a market value: trees are destroyed to produce 'unfruitful glasses', monopolies are given for trivial wares, the Church sells forgiveness and finally, printers produce texts by Greene and Nashe. These two authors were lumped together and viewed as emblematic of a particular kind of writing, both trivial and for the market: hence the emphasis on print and not writing. Robert Greene's name, in particular, came, for Harington and his contemporaries, to be a byword for writing for print, a trend that has subsequently coloured the way scholars of early modern history and literature view rogue pamphlets, as 'popular' and 'low'.

In a 1602 cony-catching pamphlet, Robert Greene's ghost appears certain that he has not been forgotten, claiming that he was 'not unknown...by my name, when my wrytings lately priviledged on every post hath given notice of my name unto infinite numbers of people'.² This quotation gives the impression that rogue pamphlets were widely known as well as highly visible in early modern London,

¹ John Harington, *The most elegant and witty epigrams of Sir Iohn Harington* (1618), sig. D5r.

² Rowlands, *Greenes ghost haunting conie-catchers* (1602), sig. A2v. This could be considered an exaggeration, but the fact that Rowlands thought that the use of Greene's name ten years after his death would be a good publishing strategy implies that Greene's claim to fame was not unfounded.

being posted on the corner-posts of booksellers' shops and thus as much a part of London's scenery as a product that was available to the reading public for browsing or purchase.³ This opens up the question of how popular rogue pamphlets were, but before pursuing this analysis, it will be useful to first understand how scholars have defined 'popularity' and 'popular culture' in this period, especially as it relates to print culture.

As I have already mentioned, a good example of such analyses is Robert Greene, considered an iconic 'popular' author.⁴ Most studies about Greene conflate 'popularity' with writing professionally, usually for an imagined 'vulgar' audience. Thus, Greene is often depicted as a 'popular writer' and a 'money-driven hack', a value judgement that equates the quality of Greene's writing with the status of his readers.⁵ Stephen Greenblatt equates Greene directly with his subject of writing, claiming that Greene 'had the morals and the manners of a thief' due to his practices of selling his plays (sometimes the same play to two companies). Additionally, Greenblatt accepts unquestioningly Harvey's judgement on Greene, that, when out of money, he resorted to 'impudent pamphleting, phantastical interluding, and desperate libeling'.⁶ Other scholars depict his readers as 'naïve and semi-literate', and often women.⁷ Sandra Clark notices how -in theory at least- Elizabethan pamphleteers had to court popularity, while losing their elite cultural value: 'popular taste was uncultivated, and for the writer who intended his work to satisfy it, there was little hope of prestige with popularity'.⁸

These comments reflect a tendency to view literature in terms of a binary between 'high' and 'low', identifying 'low' literature with a comic or 'artless'

³ Tiffany Stern, "'On each Wall / And Corner Post": Playbills, Title-pages, and Advertising in Early Modern London', *English Literary Renaissance*, 36 (2006), 57-85.

⁴ Grosart (ed.) *The life and complete works in prose and verse of Robert Greene, Volume I*.

⁵ Kirk Melnikoff and Edward Gieskes 'Introduction: re-imagining Robert Greene', in Kirk Melnikoff and Edward Gieskes (eds.), *Writing Robert Greene: essays on England's first notorious professional writer* (Aldershot: Ashgate 2008), p. 3. 'His real audience was the book buying public': Richard Helgerson, *Elizabethan Prodigals* (Berkeley; Los Angeles; London: University of California Press, 1976), p. 80. See also Charles Crupi, 'Greenes Life', reprinted in Kirk Melnikoff (ed.), *Robert Greene* (Farnham: Ashgate, 2011), p. 17.

⁶ Stephen Greenblatt, *Will in the world: how Shakespeare became Shakespeare* (London: Jonathan Cape, 2004), pp. 205-6. The second quotation is from Harvey, quoted by Greenblatt.

⁷ Lori Humphrey Newcomb, "'Social Things": The Production of Popular Culture in the Reception of Robert Greene's *Pandosto*', *ELH*, 61, No. 4 (1994), p. 758; Melnikoff and Gieskes 'Introduction: re-imagining Robert Greene', p. 4.

⁸ Sandra Clark, *The Elizabethan pamphleteers: popular moralistic pamphlets 1580-1640* (London: Athlone Press, 1983), p. 31.

literary style, which supposedly borrowed heavily from popular culture. This connection between a comic style and popular culture is celebrated in Bakhtin's work on Rabelais, which influenced many scholars of early modern prose in the 1980s and 90s. However, Bakhtin's positive appraisal of the comic and the carnivalesque has not necessarily been embraced in these studies.⁹ This has been, perhaps surprisingly, connected to the influence of Peter Burke's conception of 'popular culture'. Burke argues that 'popular culture' before 1500 was everyone's culture, but in the following three centuries the elites progressively abandoned popular culture, which was left to the lower classes.¹⁰ Even though Burke believed that, in the early modern period, the elites had not yet distanced themselves entirely from popular culture, other scholars have stressed an earlier polarization between popular and elite cultures; the case of rogue pamphlets is exemplary in this respect.

Rogue pamphlets were initially viewed as 'low' literary genres, and thus 'popular' in the sense that they were products of 'the people's' idiom, a continuation of the 'heroic outlaw' model evident in oral culture.¹¹ This view has been criticised by Linda Woodbridge and Garrett Sullivan, who argued that rogue literature was not 'popular', because it was not produced by 'the people'; on the contrary, it was a cultural product of authors who belonged to the 'propertied, settled classes', disseminated by specialist, respectable printers to a varied audience, among whom elite readers predominated.

⁹ Bakhtin, *Rabelais and his world*. See also Neil Rhodes, *Elizabethan grotesque* (London; Boston: Routledge and Kegan Paul, 1980); Neil Rhodes, 'Orality, Print and Popular Culture: Thomas Nashe and Marshall McLuhan' in Matthew Dimmock and Andrew Hadfield (eds.), *Literature and popular culture in early modern England* (Surrey: Ashgate, 2009); Michael D. Bristol, *Carnival and theater: plebeian culture and the structure of authority in Renaissance England* (New York: Methuen, 1985). However, other scholars have viewed the 'grotesque' as a negative aspect of literary production: Charles Nicholl viewed Thomas Nashe as a hack who chose to write for the popular press, because 'his genius was urban, lurid, grotesque and low', Charles Nicholl, *A cup of news: the life of Thomas Nashe* (London; Boston: Routledge and Kegan Paul, 1984), pp. 3-5.

¹⁰ Peter Burke, *Popular Culture in Early Modern Europe* (Farnham: Ashgate Pub. Co, 2009, 3rd edition), pp. 366-381. This definition has been criticised, but recently it was vindicated, in Dimmock and Hadfield (eds.), *Literature and popular culture in early modern England*, p. 7. This, however, presents a too linear process of polarization and it presents popular culture as static- see Tim Harris, 'Problematising Popular Culture', in Tim Harris (ed.), *Popular culture in England, c. 1500-1850* (Houndmills, Basingstoke: Macmillan, 1995), pp. 23-24.

¹¹ Peter Burke, *Popular Culture in Early Modern Europe*, pp. 220-225; Richard Head, *The English Rogue*, with a critical introduction by Michael Shinagel, (Boston: New Frontiers, 1961), p. iv.

Using Norbert Elias' concept of the 'civilizing process', Woodbridge and Sullivan maintain that from the sixteenth century, the elites tried to construct a 'popular culture' to act as the binary opposite of the 'accepted' and 'legitimized' culture, and thus help define it. In this process, not only rogue pamphlets, but ballads and jest-books as well, came to be seen as an embarrassment and were 'disowned by the elite and fathered upon the lower orders'.¹² In their effort to prove that rogue literature was not 'popular', however, Woodbridge and Sullivan make too firm a distinction between popular and elite culture and fail to take into account the interplay between the two, as well as the realities of the marketplace of print, which made possible the appropriation of printed material by a wide spectrum of readers.¹³

A more nuanced approach, albeit one that continues to betray some of the same assumptions has been followed by Lori Humphrey Newcomb (considering 'popular print culture' in more general terms). Newcomb argues against the binary model that divides the elite from the popular, but re-enacts this division as a strategy by the elites to segregate the reading public: 'the early modern effort to marginalize popular print culture responded to th[e] rapid diversification in the reading audience'.¹⁴ Following Roger Chartier, Newcomb states that 'the category we now recognize as "popular culture" was constituted socially, as a reclassification of early print forms that had originated within a "collective culture . . . from which the dominant classes or the various elites only slowly distanced themselves"'.¹⁵ This approach again emphasises that popular print (in which Newcomb includes works by Robert Greene and Samuel Rowlands, two authors of rogue pamphlets) was intended for a broad audience, but was

¹² Garrett Sullivan and Linda Woodbridge, 'Popular culture in print' in Arthur F. Kinney (ed.), *The Cambridge Companion to English Literature, 1500-1600* (Cambridge and New York: Cambridge University Press, 2000), pp. 265-286.

¹³ What is surprising is that Woodbridge and Sullivan use Roger Chartier as their main theoretical influence, given Chartier's emphasis on the co-existence and interaction of cultures in any given society, and the inutility of critical segregation: Roger Chartier, *The Cultural Uses of Print in Early Modern France*, pp. 3-5. For an interesting analysis of the interaction between popular and elite culture, see Fox, *Oral and Literate Culture in England, 1500-1700*. Michael Braddick reaches a similar conclusion to Woodbridge and Sullivan, claiming that cheap print 'reflected not what ordinary people thought, but what the better-educated believed they should think', Michael J. Braddick, 'England and Wales' in Joad Raymond (ed.), *The Oxford history of popular print culture: volume one: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011), p. 25.

¹⁴ Newcomb, "'Social Things'", note 5, p. 774. Quoting from Chartier, *The Cultural Uses of Print in Early Modern France*, p. 3.

¹⁵ *Ibid.*, p. 753.

constructed as ‘popular’ in order to differentiate it from other, more ‘learned’ works and their -ostensibly- elite audience.

Because of the problems associated with the terms ‘popular culture’, and ‘popularity’, more recent approaches to authors such as Greene and Nashe tend to circumvent these charged terms in favour of categories denoting professional engagement with the marketplace of print.¹⁶ Kirk Melnikoff and Edward Gieskes, the editors of a volume on Robert Greene, prefer the term ‘professional writer’, and explain it thus: ‘we do not only mean that Greene wrote for money rather than some hypothetical love of letters, but that his practice was structured by a distinctly “professional” space of cultural production’¹⁷ In the whole edited volume, popularity is mentioned very rarely and without the ideological connection with the lower orders.¹⁸

It must be clear by now that one of the most important issues with these approaches to the ‘popularity’ of cheap print is that the term ‘popular’ is taken to denote a variety of meanings, reflecting at times the authors’ status as professional writers, the employment of literary forms which are considered as ‘low’, or the assumption that a writer targeted, or identified with, an uneducated, often low-class audience.¹⁹ Since the late 1990s, another approach has been taken to defining ‘popularity’, especially when it refers to print culture: this views ‘popularity’ as a tactical move, as ‘a deliberate exploitation of publicity for political purposes’ (implying that it was not only possible but desirable as well to affect ‘the people’).²⁰

¹⁶ See also Joad Raymond’s misgivings about the use of the term ‘popular print culture’, even though, as we will see below, Raymond argues in favour of using ‘popularity’ as a strategy, Joad Raymond, ‘Introduction’, in Raymond (ed.), *The Oxford history of popular print culture*, p. 4.

¹⁷ Melnikoff and Gieskes ‘Introduction: re-imagining Robert Greene’, p. 13. They also used the term ‘first writer-by-trade’, p.24.

¹⁸ For example, Greene is described as ‘the most popular and prolific writer of Elizabethan printed fiction’, but here popular probably means ‘best-selling’, Steve Mentz, ‘Forming Greene: Theorizing the Early Modern Author in the *Groatsworth of Wit*’, in Melnikoff and Gieskes (eds.), *Writing Robert Greene*, p. 116.

¹⁹ See also Stephen Hilliard’s comments about Thomas Nashe. Hilliard argues that even though Nashe’s works did not please those above him in the social hierarchy, his audience was the ‘relatively uneducated reader’ of the ‘lower middle class’. Hilliard even goes as far as to state that Nashe’s deliberately scurrilous tone and his resort to invective meant that his ideal readers would be ‘the displaced young men of the city, perhaps a literally masterless man, disrespectful of authority and prone to disruptive behaviour’, Stephen S. Hilliard, *The singularity of Thomas Nashe* (Lincoln: University of Nebraska Press, 1986), pp. 9-10.

²⁰ Raymond, ‘Introduction’, in Raymond (ed.), *The Oxford history of popular print culture*, pp. 5-6.

This approach focuses on the Marprelate controversy, viewed as having created new ways of targeting a broad audience. According to Joseph Black, the Marprelate pamphlets were a bid to popularize Presbyterian agenda ‘through the use of fictional strategies, a racy, colloquial prose, anecdotes anchored in the everyday details of their readers’ lives, and a willingness to put into print the personal failings of individual bishops’.²¹ The anti-Martinist campaign targeted the same audience, by appropriating Martin’s polemical mode. Following in a similar vein, Peter Lake views writers who took part in the anti-Martinist campaign- especially Thomas Nashe- as popular hack writers, using Marprelate’s language and techniques in order to gain access to a socially mixed audience (‘popular’) and defeat Martin.²² The approach of viewing popularity as a strategy more than a status was followed by Michelle O’Callaghan, who has illustrated how John Taylor exploited his status as a ‘labouring-class poet’ in order to enhance his own image. In doing so, he constructed ‘a model of popular culture as part of his rhetorical and self-presentational strategies’.²³

Shifting through this material, it is evident that the ‘popular’ has been partially redeemed in the eyes of scholars, who, recently, have worked to avoid the binary of elite-popular. Anna Bayman has emphasised that ‘popular print draws our attention to the huge number of persons literate and interested enough to engage with cheap press, hardly learned, in many cases, and certainly not elite, but who constructed very different kinds of popular culture from that of “merry England”’.²⁴ Building on the strategic and politicised approach to popularity described above, and Bayman’s comment that ‘popular culture’ might be best analysed in the plural (as ‘cultures’), this chapter examines the question of how ‘popular’ rogue pamphlets were. I argue that rogue pamphlets were presented, by

²¹ Joseph L.Black (ed.), *Martin Marprelate tracts* (Cambridge: Cambridge University Press, 2008), pp. xxvii-xxviii. The Marprelate writing style will be discussed further in a following section.

²² Peter Lake with Michael Questier, *The Antichrist's lewd hat: Protestants, Papists and players in post-Reformation England* (New Haven; London: Yale University Press, 2002), pp. 521-538.

²³ Michelle O’Callaghan, “‘Thomas the Scholer’ versus ‘John the Sculler’: defining popular culture in the early seventeenth century”, in Dimmock and Hadfield (eds.), *Literature and popular culture in early modern England*, p. 56. Even though O’Callaghan does not note how this strategic use of ‘popularity’ could serve political aims, this was precisely what John Taylor did in his Civil War pamphlets, see Capp, ‘Taylor, John (1578–1653)’.

²⁴ Anna Bayman, ‘Printing, Learning and the Unlearned’, in Raymond (ed.), *The Oxford history of popular print culture*, p. 87.

authors and publishers, in such a way as to invite multiple readings. This was a strategy used in order to appeal to a broad audience, with the intention either of engaging with the public through the ‘paper stage’ of print, and hence propagating particular views, or of marking these pamphlets as a desirable commodity (without assuming that these intentions were mutually exclusive). Before methodically analysing the rogue pamphlets for evidence of their audience, it will be useful to set out first the approach I will follow.

Audience and 'lowly' readers

Estimating the possible audience for any kind of cheap print is fraught with difficulties, because most of the external evidence for readership, found in wills, probate inventories, library catalogues and autobiographical notes is not particularly illuminating. First of all, it tends to privilege elite or very literate middling readerships, since these people were more likely to leave records of this kind. Secondly, ephemeral printed material, if at all preserved, was rarely acknowledged in catalogues.²⁵ It is possible, however, by exploring how these pamphlets presented themselves, to show that rogue pamphlets were tailored in such a way as to be accessible to a broad range of readers, including the lower middling order and possibly part of the lower orders as well. I reach this conclusion through a detailed textual analysis, investigating the assumptions implicit in the address to the reader and the writing style used (avoiding learned markers and opting for simplicity in expression). In addition, I undertake bibliographic analysis of the typographical elements of these pamphlets (format, size, type, illustrations and title-pages) as well as the details of publication, making room for the agency of booksellers in the marketing of rogue pamphlets as ‘popular’.²⁶

This is in contrast with other explorations of these pamphlets, which often insist that they were a product of the elite designed to manufacture a ‘public

²⁵ Halasz, *The Marketplace of Print*, p. 9, Spufford, *Small books and pleasant histories*, pp. 48-49. First citation

²⁶ In this, I agree with D.F. McKenzie, who has argued that ‘there is no single undifferentiated class of readers, but only a great variety of individuals who bring different degrees of intelligence and sensitivity to their understanding of literature’, McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 205.

enemy' or distance themselves from 'popular' culture.²⁷ Other scholars, such as Craig Dionne and Steve Mentz, have argued that the intended targets for these works were the middling sort. According to them, aspects of the rogue pamphlets, such as the values they sought to promote, the anxieties they presented, and their function as 'urban guides', were particularly relevant to a middle-class audience living in London and struggling to create a distinct identity.²⁸ Similarly, Lori Humphrey Newcomb has argued that pamphlets from Greene and Rowlands 'fictionalized lower-class protagonists for an audience covering the middle of the social range, from the culturally aspirant to established gentleness'.²⁹

While I agree, to a certain extent, with those arguing for a more diverse readership based on the participation of these pamphlets in the marketplace of print, I argue that their insistence that the self-made middling audience read these narratives as threats (mirror-images of a society which is demonised exactly for reminding the 'upright' citizens that they do not differ from the underworld) is exaggerated. In this chapter I will show that the audiences for rogue pamphlets can be expanded to include more 'lowly' readers, ranging from the lower middling sort to the lower sort.³⁰ For the purposes of this thesis these social groups include artisans, labourers, journeymen, servants and apprentices. This definition combines skilled and unskilled labour, and thus does not include those that Keith Wrightson defines as the lower orders in towns, namely 'the mass of

²⁷ Woodbridge, *Vagrancy, homelessness, and English Renaissance literature*, p. 5. I explore further the view that rogue pamphlets functioned as scapegoating texts in the next chapter.

²⁸ Dionne and Mentz 'Introduction' in Dionne and Mentz (eds.), *Rogues and Early Modern English Culture*, p. 8. Karen Helfand Bix in the same volume provides similar arguments, Karen Helfand Bix, "'Masters of their occupation': Labor and Fellowship in the Conny-Catching Pamphlets' in Dionne and Mentz (eds.), *Rogues and Early Modern English Culture*, 171-192.

²⁹ Newcomb, "'Social Things'", p. 766.

³⁰ I do not exclude elite readers from the audience of these pamphlets. On the contrary, elite readers did not find it beneath them to acquire and even catalogue crime pamphlets. Even though most of the references come from sources after 1640, they are still indicative, such as Anthony Wood's comment in 1692 that Greene's works 'made much sport, and were valued among scholars, but since they have been most sold on ballad-monger's stalls': Lori Humphrey Newcomb, 'What is a Chapbook?' in Dimmock and Hadfield (eds.), *Literature and popular culture in early modern England*, p. 59. The appearance of a murder pamphlet in the inventory of Sir Thomas Cotton in the 1650s is also suggestive of elite interest in these publications: Jason Peacey, 'Sir Thomas Cotton's Consumption of News in 1650s England', *The Library: The Transactions of the Bibliographical Society*, 7, No. 1 (2006), 3-24, p.18. My main interest, however, is whether we can truly view these pamphlets as 'popular', both as a strategy by the authors and publishers and as a potential for multiple readings.

unskilled urban poor'.³¹ At the same time, it has the advantage of grouping together those who were often precariously employed, and liable to a sudden reversal of fortunes, which could bring them to the brink of poverty and render them dependent on charity.³²

Most of these social groups have usually been seen as excluded from the consumption of printed material, but high literacy rates in London facilitated wider access to print: the majority of tradesmen and craftsmen in London were literate and according to Margaret Spufford, even labourers were not excluded from literate culture, either going to school before they started working or learning how to read from their fellow workers.³³ In the latter point Spufford is in agreement with Thomas Laqueur, who insists that reading and writing skills were communicated by unlicensed schoolteachers and, more commonly, by family, friends or neighbours.³⁴ Roger Chartier has also stressed the 'typographical acculturation' of the urban population in the sixteenth and seventeenth centuries, as print became a part of everyday life in cities.³⁵ As Adam Fox has argued, the written word (which gained more impetus with the advent of print) permeated every aspect of early modern culture and spread its influence at every social level.³⁶ Finally, Alexandra Walsham has argued that the buying public was a small subset of the reading public, since it was common practice to borrow,

³¹ Keith Wrightson, *English society, 1580-1680* (London: Hutchinson, 1982), p. 147.

³² Not all apprentices can be easily categorized as belonging to the lower, or even middling orders: some were sons of gentry who were apprenticed to the more prestigious London Companies, see Archer, *The Pursuit of Stability*, p. 4. But 60% of the apprentices in London around 1600 did not complete their terms, so it is plausible to argue that many of them did belong to the lower orders, see Fumerton, 'Making Vagrancy (In)Visible'.

³³ Since children could begin school at the age of six and were unlikely to start working before the age of seven, Spufford assumes that they could have acquired reading skills by that time, even if they did not learn how to write. Spufford, *Small books and pleasant histories*, pp. 23-27, 32-33. Even though Spufford's evidence comes from mid-to-late seventeenth-century biographies, these narrated their early years, thus the early seventeenth century. In addition, even David Cressy, who offers a pessimistic estimation of literacy, finds literacy in London far more widespread: David Cressy, *Literacy and the social order: reading and writing in Tudor and Stuart England* (Cambridge: Cambridge University Press, 1980), pp. 145, 147.

³⁴ Thomas Laqueur, 'The Cultural Origins of Popular Literacy in England 1500-1850', *Oxford Review of Education*, 2, No. 3, History and Education. Part One (Oxford: Routledge 1976), 255-275.

³⁵ Chartier, *The cultural uses of print*, p. 159.

³⁶ Here, I draw on Chartier's definition of culture: 'ordinary, banal practices that express the way in which a community experiences and conceives of its relationships with the world, others, itself'. Roger Chartier, *The order of books: readers, authors and libraries in Europe between the fourteenth and eighteenth centuries*, translated by Lydia G. Cochrane, (Cambridge: Polity Press, 1994), p. ix; Fox, *Oral and Literate Culture*, pp. 41-45.

share, and exchange cheap print, or even for people to club together in order to buy cheap printed materials.³⁷

My investigation into the attempts by authors and publishers to manipulate the textual and material aspects of rogue pamphlets, in order to present them as 'popular' and, thus, relevant to a broad audience, fits in this context. This chapter contends that there are grounds to suggest that, from the first wave of rogue pamphlets in the 1590s until the 1670s, there was an effort to accommodate humbler readers, which gradually became more pronounced. If rogue pamphlets had indeed such a variegated audience, as this chapter sets out to illustrate, then they were part of 'popular culture', as long as it is not defined as the culture of the uneducated or poor.

One final comment about chronology: in most studies about print production in the sixteenth and seventeenth centuries, 1640 is the point where cheap print really comes into its own: D. F. McKenzie has argued that the 1640s extended readership by diversifying it, not increasing production. This happened, as we saw in the previous chapter, due to an increase in the number of titles, not in volume of sheets.³⁸ This explosion of printed material relating to the Civil War 'implied a wide class- and gender-varied readership', which was evidenced in the popular interest in news of political nature as well as the development of the chapbook genre, which was targeted at a 'humble' audience.³⁹ Rogue pamphlets, as we saw in Chapter 1, followed the same trend, multiplying in number while becoming shorter in length. These changes were not the only ones: after 1640 rogue pamphlets more clearly follow news pamphlets in their writing style and physical aspects, as we will see below. In every respect, rogue pamphlets published after 1640 can be easily characterized as 'popular', in the sense that they attempted to target a wide audience, including those from the lower echelons of society, in order to advance political agendas or to become more salable. At the same time, and as we will see, the writing style as well as the physical appearance of these texts did not change drastically after 1640. For

³⁷ Walsham, *Providence in early modern England*, p. 34.

³⁸ McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 145.

³⁹ Halasz, *The Marketplace of Print*, p. 11; Spufford, *Small books and pleasant histories*; Watt, *Cheap print and popular piety*; Raymond, 'Introduction' in Joad Raymond (ed.), *The Oxford history of popular print culture: volume one: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011), p. 8.

these reasons, even though consideration of post-1640 rogue pamphlets is included in the analysis, it does not form the major focus of this chapter.

Part 1: Evidence from the texts

Authors' attitudes towards writing for print

The initial wave of rogue pamphlets at the end of the sixteenth and beginning of the seventeenth centuries coincided with the emergence of the professional writer in England.⁴⁰ This has led many scholars to present rogue pamphlets as purely financial ventures. In this section, I analyse this position, highlighting the developments in the print trade which prompted authors to target a wider audience, while insisting that rogue pamphlets were not conceived exclusively as commodities. On the contrary, these pamphlets offered a way to engage with a public either in order to accrue fame (or notoriety) or to propagate political, religious or social viewpoints.⁴¹ I go on to examine how these pamphlets imagined their readers in their prefaces and how the authors opted for a traditional, entertaining and (for the most part) simpler writing style in order to accommodate a variety of readers. Throughout this part, the changes after 1640 will be addressed, especially relating to the anonymity of pamphlets and how this affected the role of the author in the shaping of the readership as well as how changes in the print trade after 1640 allowed for a more pronounced 'populist' style of writing.

It should be borne in mind, however, that this focus on the role of the author does not mean that the author's intention was the only criterion which defined how these pamphlets were packaged or read. In the second part of this chapter, I will also stress the role of the publisher and the printer in the way these

⁴⁰ At least this is how this development is perceived. Edwin Haviland Miller, *The professional writer in Elizabethan England: a study of nondramatic literature* (Cambridge; Massachusetts: Harvard University Press, 1959). This has been criticised, especially on the grounds of the vague definition of the term 'professional writer'; see for example M. A. Shaaber, review of *The professional writer in Elizabethan England: a study of nondramatic literature* by Edwin Haviland Miller, *Renaissance News*, 13, No. 1 (1960), pp. 38-40. More recent studies seem to have returned to the same narrative however, albeit with more nuance: Melnikoff and Gieskes (eds.), *Writing Robert Greene*.

⁴¹ See also Raymond, *Pamphlets and Pamphleteering*, p. 56.

pamphlets were shaped and marketed. What is important here is to highlight that writing for a broad audience was understood as a desirable thing, for reasons ranging from the financial to the ideological, and this led most authors to develop a tactical approach to popularity.

In the late sixteenth century, developments in consumption, the print trade and politics resulted in a change of attitudes towards works in print and a greater awareness that a wider readership was not only necessary for commercial purposes but also desirable if authors wished to make an impact. More specifically, the growth of population led to an increase in the demand for goods, which prompted the increasing specialization of domestic trade, not least in the entertainment sector.⁴² The development of a commercial book trade in England was a result of these changes, and benefited also from growing literacy rates, especially in the capital.⁴³ Even though the Stationers Company was regulated by the state, its members had enough independence to produce books based on their profitability, as long as they did not contain seditious material. Books became commodities sold in the marketplace, and this led to the emergence of the writer who wrote -primarily- for profit.⁴⁴

Writing for the printing press was open to writers who couldn't find patrons to support them; it enabled them to make a name for themselves, while at the same time providing them with a source of income.⁴⁵ Print gave writers the freedom to circulate their work, without the need to go through academic institutions or find a patron.⁴⁶ Most rogue pamphleteers were commercial writers and their works were commodities sold in the marketplace of print. Even though writers were paid once for each manuscript, their continued access to print

⁴² Baker, *On demand*, pp. 3-11.

⁴³ Cressy, *Literacy and the social order*, pp. 145, 147. Raymond, 'Introduction' in Joad Raymond (ed.), *The Oxford history of popular print culture: volume one: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011), p. 2. Joad Raymond estimates that in 1591 there were printed 2 books for each Londoner, a number which rose to six books by 1681, Raymond, *Pamphlets and Pamphleteering*, p. 90.

⁴⁴ Raymond, *Pamphlets and Pamphleteering*, pp. 11, 57-59. It is, however, difficult to assign motives to early modern writers.

⁴⁵ Alexandra Halasz, *The Marketplace of Print*, p. 98.

⁴⁶ Steve Mentz, 'Day labor: Thomas Nashe and the practice of prose in early modern England', in Naomi Conn Liebler (ed.), *Early Modern Prose Fiction. The cultural politics of reading* (London: Routledge, 2007), p. 19.

depended on the existence of a readership willing to pay again for their ‘wares’.⁴⁷ Dekker, in a self-conscious manner, admitted that for men with no income, writing was a profession: ‘he is not much to be condemned that (having no more Acres to live upon then those that lie in his head) is every hour hammering out one piece or other out of this rusty Iron Age’.⁴⁸

Thomas Nashe, who wrote repeatedly on the difficulties of writers in his time, admitted that ‘twise or thrise in a month when the bottome of my purse is turnd downeward, & my conduit of incke will no longer flowe for want of reparations... I prostitute my pen in hope of gaine’.⁴⁹ And Greene, on his deathbed, tried to excuse himself for his ‘lascivious Pamphleting’ (which more than likely included the cony-catching pamphlets), claiming that it was poverty that urged him to do so: ‘I craue pardon of you all, if I haue offended any of you with lascivious Pamphleting. Many things I haue wrote to get money, which I could otherwise wish to be supprest’.⁵⁰ This commercial consciousness was more explicitly stated by Chettle in *Kind-harts dreame* (1593), where the narrator fulminates against professional writers: ‘For such is the folly of this age, so witlesse, so audacious, that there are scarce so manye pedlers brag themselves to be printers because they have a bundel of ballads in their packe, as there be idiots that thinke themselves Artists, because they can English an obligation, or write a true staffe to the tune of fortune’.⁵¹ These quotations stress the necessity of turning to print in order to get financial remuneration, while at the same time exhibiting evident anxieties about doing so. Nonetheless, they should not necessarily be taken as sincere statements, but as a way of justifying the author’s use of the marketplace by framing other writers as unscrupulous and artless.

⁴⁷ Raymond, *Pamphlets and Pamphleteering*, pp. 58-59.

⁴⁸ Dekker, *Lanthorne and Candle-light or the bell-mans second night walke* (1608), sig. A2r.

⁴⁹ Thomas Nashe, *Have with you to Saffron-Walden* (1596), sig. E3v. Nashe, of course, is a very problematic figure, and it is almost impossible to define his attitude towards print. However, he was extremely important in the formation of the rogue pamphlets, as his style was a major influence in them, see Halasz, *The Marketplace of Print*, p. 88. In addition, *Pierce Penilesse* is mentioned often in rogue pamphlets: Greene refers to him in *A Disputation Betweene a HeeConny-catcher and a SheeCony-catcher, whether a Theefe or a Whoore, is most hurtful in Cousonage, to the Common-wealth* (1592). Chettle in *Kind-harts dreame. Conteyning five apparitions, with their invectiues against abuses raigning* (1593) claims that he only decided to publish the ghosts’ accounts ‘after Piers Penilesse post had refused the carriage’ and Dekker writes a pamphlet titled *Newes from hell brought by the Divells carrier* (1606) styled as a sequel to *Pierce Penilesse*.

⁵⁰ Robert Greene, *Greenes vision: written at the instant of his death. Conteyning a penitent passion for the folly of his pen* (1592), sig. A4r.

⁵¹ Chettle, *Kind-harts dreame*, sig. B1r.

The schema which charts a shift from dependence on a patron to dependence on readers can be misleading if it is imagined as an absolute break from past practices.⁵² In many cases patronage worked to complement the economy of print, as is evident in many pamphlets' introductions, where the dedication to a patron coexists with the preface 'to the Reader'.⁵³ But what is equally apparent is that writers did not need a patron in order to get published: of the thirty-four pamphlets between 1590-1640 that I have examined (counting only the original editions), only eight had dedications, suggesting that a dedication was not deemed necessary for the publication of a pamphlet.⁵⁴ Only three were dedicated to patrons who might have been aware of the dedication (and potentially willing to give a fee to the writer): *The art of juggling or legerdemaine* (1612), with a dedication to William Bubb, *Certaine characters and Essayes* (1618), to M. Mathew Mainwaring, and *An arrant thiefe* (1622), dedicated to Richard and George Hatton.

Some were dedicated to public figures active in the execution of justice, presumably because their authors wanted their texts to be received as part of a discourse about crime. Thus, *The Blacke Dogge of Newgate* (1596) was dedicated to Sir John Popham knight, lord chief Justice of England,⁵⁵ *Londons Cry* (1620) 'To the honorable descended and generous Knight Sir Edward Sackveile', Clavell's *The Recantation of an ill led Life* (1628) to most figures of the Court (the King, the Queen, all the ladies of the court, the members of Privy Council, Clavell's 'friends at the court') as well as the Judges of the King's Bench, the Chief Justice, the Kingdom's Justices of the Peace, his uncle 'Sir

⁵² Graham Parry, 'Patronage and the printing of learned works for the author', in Barnard and McKenzie (eds.), *The Cambridge history of the book in Britain, vol. IV, 1557-1695*, 174-188.

⁵³ We should not forget fact that economic reasons might lie behind the dedication, since the patron often paid a writer for dedicating the work to him. See Melnikoff and Gieskes 'Introduction: re-imagining Robert Greene', in Melnikoff and Gieskes (eds.), *Writing Robert Greene*, pp. 9-10.

⁵⁴ Hutton, *The Blacke Dogge of Newgate* (1596); Dekker, *Lanthorne and Candle-light* (1608); Samuel Rid, *The art of juggling* (1612); Geffray Mynshul, *Certaine Characters and Essayes of Prisons and Prisoners* (1618); Goodcole, *Londons Cry* (1620); Taylor, *An arrant thiefe* (1622); Taylor, *The praise and vertue of a Jayle* (1623); Clavell, *A Recantation of an Ill Led Life* (1628).

⁵⁵ Cathy Shrank thinks that this dedication was 'possibly in gratitude for Popham's successful intercession on Hutton's behalf when he was convicted on a capital charge in 1595': Cathy Shrank, 'Hutton, Luke (d. 1598)'. Given the tone of the pamphlet, which is highly critical of the execution of justice, Popham might have been included as a way to show that the pamphlet was intended as a serious contribution to discourses on crime.

William Clavell Kinght Banneret' and 'to all the grave, and learned Serjants and Counsellours at law, as a gesture of gratitude for his reprieve'.⁵⁶

All the other pamphlets were published without a dedicatory epistle. Dekker might call his pamphlets 'paper-monsters' that needed an 'armour of prooffe', meaning a patron, to face criticism, but he was able to publish *Newes from Hell* (1606) without one.⁵⁷ The convention of the dedicatory epistle was susceptible to satire as well, and John Taylor cleverly inverted it in his mock-dedication of *The praise and vertue of a Jayle, and Jaylers* to Robert Rugge. There Taylor playfully thanks Rugge for his gift of a barrel of eggs, and in requital 'this prison, and this hanging here I send'.⁵⁸

Anna Bayman claims that rogue writers started to self-consciously supplant moralizing impulses with 'funny', 'popular' and profitable material, in order to gain access to a broader readership, without feeling hindered by the 'stigma of print'.⁵⁹ This is a tenable position, but it draws too firm a line between pamphlets prior to and post-1590. I do not think that the early pamphlets were wholly successful in disguising the 'tension between moralizing tone and titillation', while, on the other hand, in all rogue pamphlets up to 1670, the moralizing tone remained constant, yet ambivalent.⁶⁰ It is nonetheless evident that readers were gradually becoming more important to rogue authors, who attempted to court them in a variety of ways.

⁵⁶ Clavell, *A Recantation of an Ill Led Life* (1628), sigs. A2r-B1v. This didn't stop him from having a preface 'to the Reader' as well.

⁵⁷ Not due to lack of effort: the preface of *Newes from Hell* (1606) was an attempt to persuade Sir John Hamden to be his patron, but his pamphlet was printed and he made money out of it regardless of Hamden's apparent denial. See Dekker, *Newes from Hell* (1606), sigs. A3r-A3v. He did the same in *Lanthorne and Candle-Light or the bell-mans second night walke* (1608), dedicating it to 'Maister Francis Mustian of Peckam', but admitting that the dedicatee had not agreed with him beforehand: 'IT may (happily) seeme strange unto you, that such an army of *Idle-words* should march into the open field of the world under the *Ensigne* of your *Name*, (you beeing not therewith made acquainted till now), sig. A2r.

⁵⁸ Taylor, *The praise and vertue of a Jayle, and Jaylers*, sigs. A3r-A3v.

⁵⁹ Bayman, 'Rogues, Cony-catching and the Scribbling Crew', 1-17. On the stigma of print, see Halasz, *The Marketplace of Print*, p. 87. The idea of the 'stigma of print' has been challenged by Steven W. May, 'Tudor Aristocrats and the mythical "stigma of print"', *Renaissance Papers*, 10 (1980), 11-18. Even though it is important to remember that objection, the number of excuses writers use cannot have been just rhetorical strategies.

⁶⁰ About cases of clear moralistic intent, see Goodcole, *Londons cry* (1620). On the other hand, even Harman's *A caveat for commen cursetors* (1567) included funny stories –see next chapter for detailed examples.

The realisation that readers mattered was connected only with economic considerations, but with an interest in appealing to a broader public. As we have already seen, the approval of the public came to be a factor in politics, at least on occasions where public figures or interest groups wished to bolster their position by appealing to the consensus of 'the people'. Of course, such appeals might have been a tactic meant to force the state or their opponents to take their arguments more seriously rather than inspired by a genuine desire to include others in the dialogue.⁶¹ In the sixteenth century, the appeal to a wide range of readers was connected with the religious debates sparked by the Reformation, which reached a high point with the Martin Marprelate controversy. The Marprelate tracts advocated a Presbyterian platform through the medium of cheap print, because their author (or authors) believed that the best way to force the authorities to take measures for religious reform was to make these pamphlets as public as possible.⁶²

The originality of these tracts lay not in their religious agenda, but their popularizing style: by combining colloquial prose, theatricality, linguistic, textual and typographic play and ad hominem attacks, the persona of Martin Marprelate appealed to a very broad audience.⁶³ Joseph Black has found suggestive evidence that the Marprelate tracts had a popular audience: almost all references by contemporaries remarked on their popularity among 'the vulgar' or 'the common sort' and there are some examples of popular reading from the records.⁶⁴ The success of the Marprelate tracts to create enough ruckus by being accessible to a broad audience led some of his opponents to appropriate his style in their counter-attacks against him.⁶⁵

His influence however was even more widespread, because his style was imitated by other writers in their attempts to engage with a wider audience,

⁶¹ Lake and Pincus, 'Rethinking the public sphere in early modern England' in Lake and Pincus (eds.), *The politics of the public sphere in early modern England*, 1-30.

⁶² Evelyn B. Tribble, *Margins and marginality: the printed page in early modern England* (Charlottesville: University Press of Virginia, 1993), pp. 104-107.

⁶³ According to Joad Raymond, the Marprelate tracts attacked individuals 'and documented their crimes with anecdotes', appropriating the jest-book form: Raymond, *Pamphlets and Pamphleteering*, p. 34. The use of the jest-book format, as we will see, was a characteristic of rogue pamphlets as well.

⁶⁴ Black (ed.), *Martin Marprelate tracts*, pp. xxvii-xxviii. See also Raymond, *Pamphlets and Pamphleteering*, pp. 27- 52; Keith Thomas, 'The place of laughter in Tudor and Stuart England', *Times Literary Supplement*, 22 (1977), 71-81.

⁶⁵ Notably Thomas Nashe and John Lily; see Raymond, *Pamphlets and pamphleteering*, pp. 47-49.

regardless of whether they aimed at making a profit or propagating their views, as I will try to show was the case with rogue pamphleteers.⁶⁶ In particular, writers were aware that ephemeral crime pamphlets could be used to advocate religious or political positions and three at least of the rogue pamphlets examined here seem to have had such an agenda.⁶⁷

The emphasis of the analysis rests on the accessibility of such texts to readers of a lower level of literacy. Based on what I have argued above, authors could indeed target a wider audience, even if sometimes they did not wish to acknowledge this intention. What is more important, however, is the possibility of plural readings of the rogue pamphlets, examining whether readers of different sophistication could extract different messages from them, thus having a reason as well as the ability to engage with them. This endeavour follows Roger Chartier's example in *The cultural uses of print in early modern France*, where he analyses six examples of the literature of roguery in the *Bibliothèque bleue*, showing that they could be read on different levels by various readers.⁶⁸

After 1640, things change significantly and the role of the author seems to lose its importance. Even though from 1637 legislation stating that the name of the author should be included (as well as the publisher and printer), most of the rogue pamphlets carried no author's name.⁶⁹ Of the 51 original pamphlets published after 1640, only 15 named the author.⁷⁰ Alexandra Halasz has argued that 'any authorial name creates a fiction of individual production', since it obscured other agents involved in the 'communication circuit'.⁷¹ Consequently, the role of the publisher became more significant, or at least more easily

⁶⁶ See Black (ed.), *The Martin Marprelate tracts*, pp. xxxii-xxxiii.

⁶⁷ Goodcole, *Londons Cry* (1620); Johnson, *A World of Wonders* (1595); Rich, *Greenes Newes both from heaven and hell* (1593). On attempts to use cheap print to indoctrinate the public in Protestantism, see Lake, 'Deeds against Nature', pp. 257-283.

⁶⁸ Chartier, *The Cultural Uses of Print in Early Modern France*, pp. 265-347.

⁶⁹ Joad Raymond, 'The development of the Book Trade in Britain', in Raymond (ed.), *The Oxford history of popular print culture*, p. 71.

⁷⁰ Additionally, two were pseudonymous: Peter Aretine, *Strange newes from Bartholomew-Fair, or, the wandring-whore discovered* (1661); Pietro Aretino, *The wandring-whores complaint for want of trading* (1663). Even though ESTC gives the following two pamphlets as having an author, this is not accurate: Anonymous, *The Humble Petition of James Hind* (1651); Hannam, Richard, *The speech and confession of Mr. Richard Hannam on Tuesday last in the rounds of Smithfield* (1656). These pamphlets may include material arguably delivered by the criminals, but the editorials are written in the third person.

⁷¹ Halasz, *The Marketplace of Print*, p. 68.

discerned after 1640; the case study of the pamphlets about James Hind in Chapter 5 will elucidate this point.

Prefaces

In prefaces authors imagined their audience and cast them in a role.⁷² In rogue pamphlets, prefaces often described their readers as ‘courteous’ or ‘gentle’ but this was a rhetorical strategy rather than an accurate estimation of the audience for these texts. Zachary Lesser, looking at plays’ prefaces maintains that they were a “‘publicity blurb” designed to appeal to those readers of plays who viewed themselves as more learned and witty than the rabble present at the theatre’.⁷³ Similarly, in many cases the authors of the rogue pamphlets deliberately addressed a limited sector of their readership in the preface, but at the same time left indications that they expected (or feared) that others would read them as well. Genette has suggested that the preface’s addressee could be a privileged reader, while other readers may be imagined, reading the text ‘over the shoulder’ of the one it was intended for.⁷⁴

Rogue pamphleteers continuously addressed their pamphlets to ‘the Curteous Reader’, ‘the Gentle Readers’, ‘the Gentlemen Readers’ and to the ‘gentle and benevolent Reader’.⁷⁵ The convention of the ‘letter to the reader’, with its links to the manuscript tradition, was a privileged site for such addresses: as Donald McKenzie has suggested, manuscript implied a circle of friends which was characterized by intellectual and social exclusivity.⁷⁶ This is probably the reason why prefaces were almost always cast in roman or italic type, while the rest of the text was usually cast in black-letter (until 1640 at least). As Arthur Marotti has stressed, roman or italic typesets were preferred for the

⁷² Walter J. Ong, ‘The Writer’s Audience Is Always a Fiction’, *PMLA*, 90, No. 1 (1975), pp. 9-12.

⁷³ Lesser, *Renaissance Drama and the Politics of Publication*, p.1.

⁷⁴ Gerard Genette, *Paratexts: thresholds of interpretation*, translated by Jane E. Lewin, foreword by Richard Macksey (Cambridge: Cambridge University Press, 1997), p. 194.

⁷⁵ Greene, *The Blacke Bookes Messenger*, sig. A3r; Rid, *The art of juggling or legerdemaine*, sig. A4v; S.R., *Martin Mark-all* (1610), sig. *2r; Hutton, *The Blacke Dogge of Newgate*, sig. A4r; Harman, *The groundworke of conny-catching*, sig. *; Chettle, *Kind-harts dreame*, sig. A3r; Johnson, *A world of wonders*, sig. A2r.

⁷⁶ McKenzie, *Printers of the mind*, McDonald and Suarez (eds.), p. 247.

representation of learned writing, so the choice to employ it in this particular part of the text seems deliberate.⁷⁷

It seems possible, however, that authors had other audiences in their mind as well, even if they would prefer not to acknowledge them. I argue that, even though authors usually addressed their peers in the prefaces, or at least attempted to stake their claims at learning, this was mostly a defensive mechanism in order to avoid censure for the ‘low’ subject matter of their pamphlets and the writing style they used. Although many rogue pamphlets were addressed ‘to the courteous’ or ‘gentle’ reader’, this did not necessarily mean that their audience consisted of gentlemen or elite readers.⁷⁸ This kind of phrasing could be a rhetorical flourish, if we are to judge by Thomas Nashe’s comment in *The Unfortunate Traveller*: ‘gentle readers (looke you be gentle now since I have cald you so)’.⁷⁹ In addition, Thomas Dekker somewhat indignantly, complains in the preface to *The Wonderfull Yeare* (1603) about the kind of readers he fears he might have: ‘[the Reader] must be honyed, and come-over with *Gentle Reader*, *Courteous Reader*, and *Learned Reader*, though he haue no more *Gentilitie* in him than *Adam* had (that was but a gardener) no more *Civilitie* than a *Tartar*, and No more *Learning* than the most errant *Stinkard*’.⁸⁰

Similarly, William Fennor addressed *The compters common-wealth* (1617) to ‘To all casheerd Captaines, heedlesse and headlesse young Gentle-men, especially elder brothers, forsaken Serving-men, Roaring-boyes, Broken-Citizens, Country-Clients, or any other of what art or fashion soever, that shall by chance, rather mischance, be unresistably encountred, and so become tenants ...within the Territories of this ensuing Common-wealth’, but began his preface calling all the above ‘Worthy Gentle-men’.⁸¹ It is clear that in this case, the title ‘gentlemen’ did not reflect the social status of Fennor’s expected audience. The same was true of *The Second part of cony-catching* (1591), which was addressed

⁷⁷ Arthur F. Marotti, *Manuscript, Print, and the English Renaissance Lyric* (Ithaca: Cornell University Press, 1995), p. 282. See Chapter 1 about the change to black-letter.

⁷⁸ Greene, *The Blacke Bookes Messenger*; R., *Martin Mark-all*.

⁷⁹ Quoted in Joan Pong Linton, ‘Counterfeiting sovereignty, mocking mastery: trickster poetics and the critique of romance in Nashe’s *Unfortunate Traveller*’, in Liebler (ed.), *Early Modern Prose Fiction*, p. 138.

⁸⁰ Thomas Dekker, *1603 The Wonderfull Yeare* (1603), sig. A3r.

⁸¹ William Fennor, *The compters common-wealth* (1617), sig. A3r.

‘To all yoong gentlemen, marchants, citizens, apprentices, yeomen, *and plaine countrey farmers*’, but still called all of them ‘Gentlemen’.⁸²

Nonetheless, the sophistication of the writing style in prefaces, the exhibition of eloquence, the use of Latin expressions and classical allusions shows that prefaces were often intended for elite readers –or at least this was the claim put forth by the authors. For example, the preface of *A notable discouery of coosenage* (1591) starts with a mention of Diogenes and goes on to comment that ‘None could decipher Tyranisme better than Arestippus, not that his nature was cruell, but that he was nurtured with Dionisius’.⁸³ This tendency to overt displays of learning is more clearly marked in earlier pamphlets, of the 1590s and 1610s, than later ones, however.⁸⁴ The assumption that writers targeted an elite audience in their prefaces is corroborated by the excuses writers use to justify their ‘base’ style. Even though the use of such language was deliberate on the part of the authors, they nonetheless justify it, by saying that it befitted their subject: Robert Greene claims that ‘I shewed no eloquent phrases, nor fine figurative conveyance in my first booke...not [wishing] to applie a high stile in a base subject’, Dekker emphasises that ‘such paynting is fit for monsters’ and Martin Mark-all laments the ‘loose stile and lame phrase’ he used.⁸⁵ Elite readers needed to be assured that the author is ‘one of their own’, even though other elements of the prefaces showed different intentions.

Many prefaces attempted to reconcile various kinds of readers, by using a ‘jesting’ or witty tone.⁸⁶ These winked at a more educated audience, but were framed in such a way as to include other readers. In *Martin Mark-all* (1610), the author begins: ‘Gentlemen, a Preface to a Pamphlet is as foolish as fancied, and

⁸² Greene, *The Second part of cony-catching* (1591), sig. *3r.

⁸³ Greene, *A notable discouery of coosenage* (1591), sig. A2v. See also Greene, *The Second part of cony-catching* (1591), sig. *3r, which begins with a mention of Scevola.

⁸⁴ Pamphlets such as Anonymous, *The life, apprehensio[n,] arraignment, and execution of Char[les] Covrtney* (1612); Goodcole, *Londons cry*; Anonymous, *The life and death of Griffin Flood informer* (1623); Mynshul, *Essayes and characters of a prison and prisoners* (1618) opted for a simple style, not using any of the markers of learned style. The latter pamphlet is interesting, because the dedication to Mathew Mainwaring includes many Latin phrases, which are not translated, but the preface to the Reader does not contain any.

⁸⁵ Greene, *The Second part of cony-catching*, sig. A3v; Dekker, *Lanthorne and Candle-light*, sig. A2v; R., *Martin Mark-all*, sig. A2.

⁸⁶ Zachary Lesser argues that wit connected plays with the wits of the Inns of Court, thus it was an element that accompanied elite publications: Lesser, *Renaissance Drama and the Politics of Publication*, pp. 2-3. In the next section I analyse how playfulness and wit could be characteristics of writing for non-elite readers.

verses (in laudem authoris) are farre worse then a Horse-courses commendation of a Smythfiled-Jade, the one too common, the other too frivolous'.⁸⁷ The contempt towards the medium of the pamphlet and the use of Latin, indicate appeasement of a learned audience. At the same time, the placement of Latin in brackets, as well as the colloquial (and topical) expression could have been gestures towards a simpler audience. Dekker also used topical allusions, which made his pamphlets easier to follow, at least for Londoners; *Lanthorne and Candle-light*'s preface reads 'So that the *Bel-man* (contrarie to his owne hopes,) seeing himselfe so strongly and strangely seconded by friends doth now bravely advance forward, in maine battalion. The day of encounter is appointed to be in this *Michaelmas Tearme*. The place, *Paules-Churh-yard, Fleetestreet*, and other parts of the Ciitie'.⁸⁸

Two of the clearest examples of a playful preface come, interestingly, from successive editions of a pamphlet: in *Mihil Mumchance* (1597), a reprint of Gilbert Walker's pamphlet, there is a second preface (the only original part of the pamphlet) which is lively and addressed to the '*Chiefe cheators in the gamning [sic] houses*'. There Mihil's authorial persona mockingly admonishes cardsharps to stop their practices; he finishes his address to them by saying 'thus leaving you to your empty purses, hard lodgings, and cold dinners, I bequeath you to a miserable life- Yours in all good fellowship till povertie, and then I leave you'.⁸⁹ In *Theeves falling out, true-men come by their goods* (1592), the preface was apparently adapted to the interests of the people, because it begins with a mention of news: 'Newes and greene bushes at taverns new set up; every man has his Penny to spend at a Pint in the one, and his Eare open to receive the sound of the other', and the narrator goes on to promise that his news will bring about the discovery of the abuses of those cheaters that frequent London, making his 'wares' highly relevant to his audience.⁹⁰ The latter is a sales pitch, arguably

⁸⁷ R., *Martin Mark-all*, sig. *2r.

⁸⁸ Dekker, *Lanthorne and Candle-light*, sig. A3r.

⁸⁹ Anonymous, *Mihil Mumchance, his discovery of the art of cheating in false dyce play* (1597), a reprint of Gilbert Walker's *A Manifest detection of the moste vyle and detestable use of diceplay* (1555).

⁹⁰ Greene, *Theeves falling out, true-men come by their goods: or, The belman wanted a clapper* (1615), a reprint of *A Disputation Betweene a HeeConny-catcher and a SheeConny-catcher* (1592).

aimed at attracting an audience which is imagined as not particularly well off (since they are positioned as alehouse patrons).

After 1640, prefaces become extremely simple, when they exist. As most pamphlets were anonymous, authors did not feel the need to advertise their learning. This is evident in prefaces such as the anonymous *The declaration of Captain James Hind* (1651), which addresses its readers as ‘Beloveed Countrey-men’, and employs a simple style.⁹¹ The few prefaces of eponymous pamphlets showed some of the same characteristics as earlier ones. The preface of *An excellent comedy, called, The Prince of Priggs* (1651) comments: ‘Pamphlets no Critick can more contemn then my self; however, it may please thousands of the vulgar (for whose sakes I am purposely plain and spongey) something there is here that will inform the wiser sort’.⁹² Similarly, George Fidge included ‘An advertisement to the Reader’: ‘Reader, thou wilt not finde this ensuing History set out, and garnish’d with a fine stile, and studied phrase; but (which is best of all) an ordinary Expression, a natural Story, and a pure Jest; That so the meanest may understand what they read, and not be perplexed with difficult words: I doubt not but upon perusal, Thou wilt find it pleasant and witty’.⁹³ Thus, pamphlets who had named authors, even after 1640 attempted to accommodate various audiences, advancing their claims to learning, but not going so far as to refuse to acknowledge (often indirectly) the existence of other readers.

In conclusion, prefaces were a site where the author engaged in dialogue with his peers, and some conventions had to be observed. Some of the rogue pamphleteers (especially the earlier ones), attempted to address a learned audience in the preface, advertising their learning and claiming that any ‘vulgar’ readers were either unwelcome or barely tolerated. The author’s excuses notwithstanding, prefaces were written in colloquial language, filled with topical examples, and often in an entertaining fashion, elements which could allow less learned readers to follow the narrative, even if they were not familiar with the

⁹¹ Anonymous, *The declaration of Captain James Hind* (1651). See also Anonymous, *The devils cabinet broke open* (1657), sigs. A2r, A3v.

⁹² S., *An excellent comedy, called, The Prince of Priggs* (1651), sig. A2r.

⁹³ Fidge, *The English Gusman* (1652), sig. A4v. See also Anonymous, *A Pill to Purge Melancholy: or merry newes from Newgate: wherein is set forth, the pleasant jests, witty conceits, and excellent couzenages, of Captain James Hind* (1652), p. 3.

conventions of preface writing. Anonymous pamphlets rarely had these kinds of prefaces, because there was no point in advertising the author's learning. This, as we have seen, was particularly evident in the post-1640 pamphlets, and it arguably made them more accessible to readers with lower literacy skills.

Writing style

Even though writers attempted in their prefaces to persuade readers that their works were part of literary culture, throughout their texts they made various populist gestures, suggesting a desire to accommodate more lowly readers. Rogue pamphleteers' employment of traditional narrative forms (such as jest-books) oral effects and playfulness and laughter, rendered their works accessible to readers of varying degrees of literacy. In these bids for popularity authors of rogue pamphlets emulated the style of the contributors to the Marprelate debate, which was self-consciously intended to appeal to a wider audience. As we have seen, both the Martinist side and the scurrilous part of the anti-Martinist campaign used colloquial language, attacks styled as jest-book anecdotes, and verbose prose style as populist gestures. This became a model for pamphleteering, and in the period 1580 to 1640, according to Joad Raymond, 'pamphleteers abandoned formal rhetorical structures and developed a range of plain modes adapted to polemic and reportage'.⁹⁴

The most common and simple narrative style rogue writers used was storytelling, borrowed from the jest-book genre.⁹⁵ Jest-books were compilations of short funny stories, following the formula of 'how x did y', such as 'How Skelton handled the Fryer that would needes lye with him in his Inne', 'How Scogin deceived the Skinner'.⁹⁶ As I will show in Chapter 3, tales of deceit were common in jest-books, and the combination of trickery and laughter not only

⁹⁴ Raymond, *Pamphlets and Pamphleteering*, p. 44.

⁹⁵ William Carew Hazlitt, *Shakespeare jest-books* (London: Willis and Sotheran, 1864); John Wardroper, *Jest upon jest: a selection from the jestbooks and collections of merry tales published from the reign of Richard III to George III* (London: Routledge and K. Paul, 1970).

⁹⁶ Anonymous, *Merie tales newly imprinted [and] made by Master Skelton Poet Laureat* (1567), sig. B3v; Anonymous, *The first and best part of Scoggins jests full of witty mirth and pelasant shifts, done by him in France, and other places: being a preservative against melancholy. Gathered by Andrew Boord, Doctor of Physicke* (1626), p. 6. Even though the latter was printed in 1626, it was first licensed in 1565-1566, which suggests that earlier editions of it existed: William Carew Hazlitt, *Shakespeare jest-books*, pp. 38-39.

greatly influenced the language of rogue pamphlets, but also their form. In rogue pamphlets, the different kinds of rogues and their techniques are described and then illustrated by the use of anecdotes.

Robert Greene set the tone, by uncovering the secrets of the many ‘Arts’ and ‘Laws’ practiced by various kinds of rogue. After each such ‘discovery’, he would add ‘a merry tale’ to show how different victims were almost invariably cheated out of their money by the devious cony-catchers. He used this technique to great effect in *Blacke Bookes Messenger* (1592), where the criminal narrator states ‘sith sorrow cannot helpe to saue me, let mee tell you a mery jeast how once I crosse bit a Maltman’.⁹⁷ This format was followed in most of Greene’s pamphlets, but most rogue writers narrated tales of deception according to this formula. Examples include ‘How a woman cosained a minister often groates’,⁹⁸ ‘How a cosoning Life stole a cloake out of a Scriueners shop’, ‘How a man was cosoned in the euening by buying a guilt spoone’,⁹⁹ ‘How Ratsey robd a Scholler of Cambridge, and causede him make an Oration to him in a Wood’,¹⁰⁰ ‘How he troubled an honest Ale-wife not farre from Cripplegate: and how finally she requited him’.¹⁰¹ The use of this traditional frame made rogue pamphlets more reader-friendly, since they were packaged in a familiar way and required less sophisticated reading skills.

This narrative style was far closer to the spoken word than other texts, using oral effects such as the employment of dialogue and direct speech in the narration. Walter Ong has emphasised that Tudor prose had a high level of ‘oral residue’, a tendency on the writers’ part to think of themselves more as orators and to write accordingly.¹⁰² Central characteristics of oral style are nonperiodic composition and loose episodic structure, both of which are evident in the rogue pamphlets. The following passage from William Fennor’s *The compters common-wealth* (1617), shows how non-periodic composition could work in a rogue pamphlet: ‘I, for his unexpected curtesie, not forgetting to give him the good time of the night, up with my sword scabbard and all, and tooke him a

⁹⁷ Greene, *Blacke Bookes Messenger* (1592), sig. B2r.

⁹⁸ Johnson, *A world of Wonders*, sig. A4v; Dekker, *The Belman of London*; Dekker, *Lanthorne and Candle-Light*; S., *The discoverie of the knights of the poste*; Anonymous, *The Life and Death of Griffin Flood Informer*.

⁹⁹ Rowlands, *Greene’s ghost haunting coniecatchers*, sig. C2v.

¹⁰⁰ Anonymous, *The life and death of Gamaliell Ratsey* (1605), sig. C.

¹⁰¹ Anonymous, *The life and death of Griffin Flood Informer* (1623), sig. A4v.

¹⁰² Ong, ‘The Writer’s Audience Is Always a Fiction’, 9-21.

sound knock o' rethwart [sic] the pate, that if the most head-strongst oxe that ever was sacrificed in Saint Nicholas Shambles, had received but halfe such a blow, it would have staggered him'.¹⁰³

Hutton, as well, used the same format, as can be seen in this example: '[a]gaine this is a generall rule to the Cunny-catcher, that when or where he meetes with such a one as hath beene at any time committed to Newgate, if that fellow haue good apparrell on his back, the Cunny-catcher taketh acquaintance of him and a quarte of Wine they must needes drinke, when the reckoning comes to paiment, the Cunny-catcher hath brought no money from home that day, so by the others drawing of his pursse to pay for the wine, he knoweth what lyming is in it, then if he have money, the Cunny-catcher is in hand with him for a bribe, some odde crowne or an Angell to drinke: if the man be in any fault, fearing the worst, he will not stand with him for a tryfle: if he be in no fault, perhaps he tels, in fayth you are deceived in me, I am not he you take me for, and so parteth and giveth him nothing'.¹⁰⁴

The tendency towards a more 'oral' form of writing was connected to the privileging of speech over writing, but it was also a way of targeting a wide audience.¹⁰⁵ This is a style of writing that would be more accessible to readers who had to oralize what they read, which according to Roger Chartier was the basic reading ability in this period.¹⁰⁶ An example of this oralization is mentioned in Martin Marprelate's *Epistle*, where he is criticising Bridges's style as being so long-winded that 'a man might also run out of breath, before he could come to a full point in your book'.¹⁰⁷ The illusion that rogue texts were meant to address the ears and not the eyes of the readers is emphasised in Rowlands'

¹⁰³ Fennor, *The compters common-wealth*, sig. Bv.

¹⁰⁴ Hutton, *The Blacke Dogge of Newgate: both pithie and profitable for all readers*, sigs. Ev-E2r.

¹⁰⁵ This was due, in part, to the phonocentrism of western culture, which privileged voice or speech over writing (since the presence of the speaker presumably provided a guarantee of the stability of meaning), Elizabeth D. Harvey, *Ventriloquized voices: feminist theory and English Renaissance texts* (London: Routledge, 1992), p. 56. Joad Raymond has noted that this did not apply to pamphlets, however: 'The ideal behind an oration was a speech act with a known authorship, a reliable, because legitimately fictional, text, and an authorial presence. A document was either public or private, the former frequently a printed text or pamphlet with less authorial 'presence' than a manuscript. Pamphlets were speech acts with doubtful or collective authorship, questionable accuracy, seditious intent, and no vocal guarantee', Joad Raymond, *The invention of the newspaper English newsbooks, 1641-1649* (Oxford: Clarendon, 2005), p. 287.

¹⁰⁶ Chartier, *The order of books*, p. 4.

¹⁰⁷ Quoted in Tribble, *Margins and marginality*, p. 111.

admonition to his readers to ‘set open your ears’, and in Dekker’s comment ‘the Bel-man of London...hereafter you shall *heare*’.¹⁰⁸

Playfulness and ‘jesting’ were also considered essential in works intended to draw a less literate audience. Chartier has argued that the rogue tracts in *La Bibliotheque Bleue* combined two cultural elements: the world of carnival and the learned tradition of burlesque (with its use of disapproved language and noble treatment of a lowly subject). This combination made these texts open to multiple potential readings, both from learned and less educated readers.¹⁰⁹ Many commentators in early modern England also stressed the usefulness of using laughter to appeal to the unlearned. Martin Marprelate realized that ‘the most part of men could not be gotten to read anything’ and the only way to draw them into reading his pamphlets was by jesting, because it was ‘the humors of men in these times (especialy of those that are in any place) to be given to mirth’.¹¹⁰ Even preachers employed jokes in sermons as a way of capturing the interest of their listeners as well as making their main arguments easier to understand. In the *Arte of Rhetorique* (1553), Wilson claimed that ‘preachers, must now and then plaie the fooles in the pulpite, to serve the tickle eares of their fleetyng audience, or els thei are like some tymes to preache to the bare walles, for though the spirite bee apte, and our will prone, yet our fleshe is so heauie, and humours so ouerwhelme vs, that wee cannot without refreshyng, long abide to heare any one thyng.’¹¹¹

In the 1650s, Marchamont Nedham recognized the need of using more playful language, in order to appeal to ‘the multitude’. When discussing his plan for *Mercurius Politicus*, Nedham stated: ‘the design of this pamphlet being to undeceive the people, it must be written in a jocular way, or else it will never be cried up: for those truths which the multitude regard not in a serious dress, being represented in pleasant popular airs, make music to the common sense’.¹¹²

¹⁰⁸ Rowlands, *Greenes ghost haunting conie-catchers*, sig. A4v; Dekker, *Lanthorne and Candle-light*, sig. H2v, emphasis mine.

¹⁰⁹ Chartier, *The cultural uses of print*, pp. 286-287.

¹¹⁰ Martin Marprelate, *Hay any Work for Cooper* (1589), p. 14.

¹¹¹ Thomas Wilson, *The arte of rhetorique, for the use of all suche as are studious of eloquence, sette forth in English* (1553), sig. A2v. See also Arnold Hunt, *The art of hearing: English preachers and their audiences, 1590-1640* (Cambridge: Cambridge University Press, 2010).

¹¹² Jason Peacey, ‘The Management of Civil War Newspapers: Auteurs, Entrepreneurs and Editorial Control’, *The Seventeenth Century*, 21, no. 1 (2006), p. 104.

Nedham had earlier commented in *Mercurius Britannicus*: ‘when all the serious Treatises would not draw the people off from their good liking to the Kings waies, I thought it the best to jeere them out of it’.¹¹³ Nedham’s comments, of course, were made after 1640, when most pamphlets (as we will see) courted public opinion more deliberately; nonetheless, they mirror earlier comments and are indicative of the view that playfulness was a populising gesture.

Rogue authors often resorted to playfulness, using to good effect fictive framing strategies, shifts of narrative voice and ironic personae. In *The Bellman of London* (1608), Dekker gets his information about rogues and their practices from the proprietor of an inn frequented by such types, while in the introduction to *Martin Mark-all*, the ‘Canting Caterpillars’ gather to put the Bellman on trial for uncovering their practices. In *Lanthorne and Candle-light* (1608), the narration is shared by the Spirit from Hell, who has come to London to get the criminals’ assistance in the Devil’s designs, and the Bellman of London, who wishes to uncover the practices of criminals.¹¹⁴ Finally, Cuthbert Cony-catcher is used as an ironic persona, in order to satirise contemporary society: even though he is the criminal, he turns the tables by presenting the ways in which members of ‘respectable’ society cheat and deceive, ways that might not be easy to prosecute, but are against contemporary morality nonetheless.

A combination of burlesque with popular humour is evident in Middleton’s *The blacke booke* (1604). The last part of this pamphlet is titled ‘The last Will and Testament of Lawrence Lucifer, the old Batchiler of Limbo. ALIAS, Dicke Devill-Barne, the griping Farmer of Kent’. This is a satirical tool, since Lucifer names as his inheritors various never-do-wells, and finishes with this: ‘Mihell Mony God Usurer, and Leonard Lavender Braker, or pawne-lender, I make you two my full Executors to the true disposing of all these my hellish intents, wealthy villanies, and most pernicious damnable Legacies.’¹¹⁵ The mock-will was a learned literary device, but the use of familiar names for the Devil, as well as the use of the trope that the usurer and the pawnbroker are Devil’s servants, were elements that would endear this pamphlet to an ‘unlearned’ audience.

¹¹³ *Mercurius Britannicus*, 46 (29 July-5 August 1644), p. 361.

¹¹⁴ Dekker, *Lanthorne and Candle-light*, sig. H2v.

¹¹⁵ Middleton, *The blacke booke*, sigs. E2r, F3r.

The same could be said for the use of simple humour in those pamphlets. This was particularly true in the examples used to illustrate tricks. In *Black Bookes Messenger* (1592), Ned Browne (the narrator and unrepentant cony-catcher) tells a story on the common theme of the trickster tricked: his wife was a prostitute who planned to sleep with a gentleman in order to steal his clothes and purse with the aid of a Curber (who used hooks to get items through the window). Unfortunately, the gentleman used his chamber pot in the night and placed it next to the window, so when the Curber tried to snatch his clothing, he ended up covered with the contents of the chamber pot.¹¹⁶ In another example, coming from *A world of wonders* (1595), the same theme of the trickster tricked is used to comic effect:

Not three yéeres passed, it chaunced that a certaine man traveling towards *North-hawton* meet with an other man in a solitarie place wheras was none other but them twaine, the one of them commaunded the other to stay and to deliver him his pursse for he wanted money, the other partie seemed willing, & said truly I haue but two shillinges, but seing it is so that thou wilt needs have it heere it is, and so gave it him & departed. This party who had they pursse went forward, and he that lost the purse séemed to goe forward an other way, but seeing opportunitie crossed over two or thrée closes or feildes till he came and met the other theefe againe, and then commaunding him to stay charged him to deliver his pursse for he was a goodfellow wanted mony, and lately robbed and now must and would have money.¹¹⁷

Sometimes authors went to great lengths to ensure that their readers could follow their train of thought; in *Greenes newes both from Heaven and Hell* (1593), the narrator draws a parallel between Heaven and a prince's court, but perhaps feeling that some of his readers might not be used to understanding metaphors, when he asks 'what, will you go to the Prince himself?' adds 'who in this place representeth God'.¹¹⁸ It seems quite likely that readers of higher sophistication would not have experienced any difficulty with deciphering this

¹¹⁶ Greene, *The Blacke Bookes Messenger*, sigs. D2v-D3r.

¹¹⁷ Johnson, *A world of wonders*, sig. B2v.

¹¹⁸ Rich, *Greenes newes both from Heaven and Hell*, sig. Fr.

metaphor without help, so Barnabe Rich probably was conscious of other readers as well, readers who would need the metaphors ‘spelled out’ for them.

As we have seen in this section, rogue pamphleteers patterned their writing style after the popularising Marprelate style, employing jests, simplifying their language and choosing an oral form of exposition. The sense that these characteristics were expected to make rogue pamphlets more accessible to a broad spectrum of readers is reinforced by examination of the prose style of the rogue pamphlets after 1640. In general, most of the post-1640 rogue pamphlets eschewed Latin and other learned markers, and employed a particularly simple prose style, either by using the jest book ‘how’ formula, or opting for a style of writing closer to reportage.¹¹⁹ Even though technically the choice to avoid Latin was a characteristic strategy of addressing unlearned readers, for the clarity of my argument, the use of Latin in rogue pamphlets is analysed separately in the next section.

Latin phrases and classical allusions

The use of Latin phrases and classical allusions creates a sense of paradox in the rogue pamphlets: in this period, Latin was the international language of scholars. In sixteenth and seventeenth century England, as throughout Europe, Latin was the language of the learned elite, which created a sense of community (and exclusivity) among humanists. The decision of educated authors to write in English instead was a demotic gesture, because they sacrificed their claims to higher learning in order to appeal to a broader audience.¹²⁰ Rogue writers’ inclusion of a few Latin phrases in their texts was an attempt on the part of the

¹¹⁹ Fidge, *Hind’s ramble* (1651); Anonymous, *A Second Discovery of Hind’s Exploits* (1651); Anonymous, *A Pill to Purge Melancholy: or merry newes from Newgate: wherein is set forth, the pleasant jests, witty conceits, and excellent couzenages, of Captain James Hind* (1652); Anonymous, *The wandring whore continued a dialogue between Magdalena a crafty bawd, Julietta an exquisite vvhore, Francion a lascivious gallant, and Gusman a pimping Hector* (1660); Anonymous, *The True and Perfect Relation of the Taking of Captain James Hind* (1651); Anonymous, *The English villain or the grand thief. Being a full relation of the desperate life, and deserved death of that most notable thief, and notorious robber, Richard Hanam* (1656); W., *The Trappan trapt. Or The true relation of a cunning, cogging, confident, crafty, counterfeit, cosening and cheating knight, alias knave*; Anonymous, *A true and impartial account of the arraignment, tryal, examination, confession and condemnation of Col. James Turner* (1664).

¹²⁰ Raymond, *Pamphlets and Pamphleteering*, p. 44.

writers to simultaneously exclude and include: as in their prefaces, writers were trying both to retain prestige and gain broader audience. While writing in a more accessible way, authors could retain some of their status by employing Latin phrases (and classical allusions) in an otherwise English work. They did so without sacrificing their bids to popularity, by keeping the number of Latin phrases to a minimum, translating most of them into English, and explaining the classical references so that they would not exclude less literate readers.

In the period from 1590 to 1640, out of the 34 original editions of rogue pamphlets 23 included some Latin. The fact that in all of these texts Latin was limited to few phrases shows that it was intended as a showcasing of ability, not a way of disenfranchising the ‘unlearned’. Thus, in *A Recantation of an Ill Led Life* (1628), Clavell used two Latin phrases on the title-page, but no Latin in the text.¹²¹ A clearer attempt to ‘wink’ at the learned can be evidenced in *The art of juggling or legerdemaine* (1612), where the author’s postscript reads ‘Vale qui ridiculose haec legeris’. This can be translated as ‘Farewell, you who shall be fool enough to read this’, probably a reminder to those who can read Latin that the author is not responsible for their folly in reading such a text.¹²²

Latin was often used as a counter-point to the simplicity of style, as in the *The Blacke Dogge of Newgate* (1596), where the narrator claims ‘I am a plaine fellow, and what I know I will not be meale mouthed, but blab I wilt’ and then adds ‘plenus rymarum sum’.¹²³ This is one of the very few Latin phrases in this text, meant to subvert the narrator’s previous statement that he is a ‘plaine fellow’. At the same time, since the phrase is not particularly important, its inclusion does not hinder the reading of this pamphlet. Similarly, in *Certaine characters and Essayes of Prison and Prisoners* (1618), Minshull states that ‘my phrase shalbe altogether unpollished’ and immediately afterwards uses two latin phrases.¹²⁴

In many instances the writer made the effort to translate the Latin he used, which means that he was expecting that some of his readers would not be

¹²¹ Clavell, *A Recantation of an Ill Led Life*, title-page.

¹²² Rid, *The art of juggling or legerdemaine*, sig. G2r. Translation in Kinney, *Rogues, vagabonds, and sturdy beggars*, p. 312.

¹²³ Hutton, *The Blacke Dogge of Newgate*, sig. E2v.

¹²⁴ Mynshul, *Certaine characters and Essayes of Prison and Prisoners* (1618), sig. A5r.

knowledgeable in the language.¹²⁵ In *A Disputation Betweene a HeeConny-catcher and a SheeCony-catcher*, Greene not only translated into English a quotation from *Diebus illis*, but he even went as far as to make it rhyme:

Quatuor his casibus sine dubio cadet adulter,
Aut hic pauper eit, aut hic subito morietur,
Aut cadet in causum qua debet indice vinci,
Aut aliquod membrum casu vell crimine perdet,

Which I Englished thus:

He that to Harlots lures do yeeld him thrall,
Through sowre misfortune too bad end shall fall:
Or sodaine death, or beggerie shall him chance,
Or guilt before aIudge his shame inhance:
Or els by fault or fortune he shall leese,
Some member sure escape from one of these¹²⁶

Writers expected that their pamphlets would be read by mixed audiences, and they tried to accommodate them, as is evident in the preface to *The Trimming of Thomas Nashe* (1597) ‘to the learned: eme, perlege, nec te precii poenibit’ – ‘to the simple: buy mee, read me through, and thou wilt not repente thee of thy cost’.¹²⁷ Another way to persuade elite readers of the writer’s literary abilities, without sacrificing the text’s appeal to a broader audience, was by putting the Latin tags in the margins and not the main text, a technique used by Thomas Dekker and Geffray Mynshul.¹²⁸ The parenthetical use of Latin phrases served the same function, as in *Greenes ghost haunting conie-catchers* (1602): ‘I

¹²⁵ Examples of this practice include Greene, *The Second Part of Cony-catching*; Greene, *A Disputation between a HeeConny-catcher and a SheeConny-catcher*; Rowlands, *Greenes ghost haunting coniecatchers*; Rid, *The Art of juggling*; Rowlands, *The night raven* (1620), C4r.

¹²⁶ Robert Greene, *A Disputation Betweene a HeeConny-catcher and a SheeCony-catcher*, sig. A3r.

¹²⁷ Anonymous, *The trimming of Thomas Nashe Gentleman, by the high-titled patron Don Richardo de Medico campo, barber chirurgion to Trinitie Colledge in Cambridge* (1597). This is not a rogue pamphlet, but it is indicative of this tendency to accommodate readers of differing cultural levels.

¹²⁸ Dekker, *Lanthonne and Candle-Light*; Mynshul, *Certaine Characters and Essayes*.

have therefore, Gentlemen, as one inforced (*amore patriae*) taken in hand to publish this little Pamphlet'.¹²⁹

The most convincing corroborating evidence of this analysis however (although it involves an even more obscure language, Greek) occurs in the preface to Greene's *Second Part of Conny-catching*, where he tries to defend himself from the accusation that he didn't use eloquent expressions in his previous pamphlet: 'to which I reply that τοπρεπον a certaine decorum is to bee kept in euerie thing, and not to applie a high stile in a base subject'.¹³⁰ Greene here used a Greek expression, το πρεπον (what should be, what is befitting), which is not necessary. The meaning of this sentence does not change with the insertion of the Greek phrase (since 'decorum' means the same), and its parenthetical nature is emphasised by the use of smaller type for it.¹³¹ The placing of a parenthetical, redundant Greek expression in Greene's defence of his style is a strategic one, aimed at re-asserting his literary claims to an elite audience, claims which were damaged by his first cony-catching pamphlet. This is even more apparent if we consider that this is the only time, to my knowledge, that Greek was used in a rogue pamphlet.

The same intention can be discerned in the inclusion of classical allusions in rogue pamphlets. Some of them could be overlooked by the readers, because they were not necessary for following the story, while others were thoroughly explained. For example, when Greene mentions 'Amasis law', he describes fully what it entails, and in *Greenes Ghost haunting conny-catchers* (1602), the meeting between Ulysses and Argus is analysed in detail: 'They are wise, as *Homer* witnesseth, who entreating of the returne of *Ulysses* to his owne house, affirmeth that all his houshold had forgotten him but his dogge *Argus*, and him neither could *Pallas* by her subtill arte deceive in the alteration of his body, nor his twentie yeares absence in his beggers wéeds delude anie whit, but he stil retained his forme in his fantasie, which as it appeared was better then any mans of that time'.¹³² In addition, a mention of a classical theme could be easily understood by readers, even if they did not know the specific myth the writer

¹²⁹ Rowlands, *Greenes ghost haunting conie-catchers*, sig. A2r.

¹³⁰ Greene, *The second part of conny-catching*, sig. *3v. I used a smaller size font for the Greek expression to imitate the original.

¹³¹ Of course, this might have been the only Greek font available to the printer.

¹³² Greene, *The Blacke Bookes Messenger*, sig. Dr; Rowlands, *Greenes ghost haunting conie-catchers*, sig. D4r.

alluded to, as when Greene mentions that ‘a full purse is as pleasing to a Cut purse eie, as the curious Phisnomy of *Venus* was to the amorous God of war’, or when Middleton describes sins thus: ‘Deceit and Luxury, which swallow up more Mortals, the *Scylla* and *Charibdis*, those two Cormorants & Woolners of the Sea, one tearing, the other devouring’.¹³³

Throughout this section, I have examined how authors attempted to walk a tightrope, writing texts that could be easily decipherable while not eschewing completely their claims to learning. In the prefaces, writers still retained the illusion that they are writing for a circle of friends, and they did so by exhibiting their learning. This is evident in the few Latin phrases and classical allusions that writers used in their texts, but always with an eye on how not to intimidate less literate readers. The clearest evidence that these texts were expected to appeal to less educated readers was the prose style used, which utilized traditional elements and a melange of popular and learned humour. Naturally, these elements could appeal to other readers as well; what is of significance, however, is that they could be accessible to readers coming from the lower middling sort, and possibly even the lower sort.

Part 2: The physical form of the pamphlets

The previous section has focused on the language of rogue pamphlets, illustrating that their writing style and the avoidance of learned allusions allowed access to readers of different levels of literacy. But this is not the whole story; based solely on content, the rogue pamphlets could be considered quite close to picaresque novels or forms of satire that were viewed as more ‘learned’ works (the argument made by Woodbridge and Sullivan).¹³⁴ What made them accessible to less sophisticated readers was, to a great extent, their physical appearance. Recent scholars have emphasised how the format and typographical features of a printed work affect its meaning. D.F. McKenzie has argued that it is

¹³³ Greene, *The second part of conny-catching* (1592), sig. D3r; Thomas Middleton, *The blacke booke* (1604), sig. A3v.

¹³⁴ Woodbridge and Sullivan, ‘Popular culture in print’.

impossible to divorce the substance of the text from the physical form of its presentation.¹³⁵ Similarly, Roger Chartier has analysed how typographical choices could be instrumental in the attempt to address different audiences by examining how in seventeenth century books which belonged to learned traditions (such as chivalric romances, saints' lives and French tragedies) were made accessible to 'humbler' readers by changing their form. *La Bibliotheque bleue*, as these series of books were titled, provided books that differed from the originals in their material aspects: the layout was remodeled to give a less densely printed page, while the text was shortened and simplified and the type of product demarcated by the use of a blue cover paper.¹³⁶

This brings us to the province of printers and publishers, who were usually responsible for the physical appearance of the printed work. The publisher provided the capital and decided on what to publish and how to market it. Zachary Lesser has argued that publishers were also privileged readers, since 'a publisher's job is not just to read texts but to predict how others will read them'.¹³⁷ Publishers read texts in the context of their publishing specialties. Thus, deciding to publish a text implied an assumption that this was relevant to the publisher's clientele. In addition, the packaging of the text- the choice of size, format and typographical elements- depended on the kind of readers he or she expected to attract.¹³⁸ For example, and relevant to our discussion, the pamphlet, as a format, was a suitable vehicle for discourses that required lesser investments on the part of the readers, both 'in terms of cost, time available for reading and reading competence'.¹³⁹ The decision therefore to publish rogue texts as pamphlets was a choice that invited a 'humbler' readership.

One way of looking at reader response is to examine extant copies for marks made by readers, be they marginal annotations or other signs (highlights, underlining etc). However, having examined the rogue pamphlets at the British Library, Senate House Library, and the Guildhall Library, I have not found any

¹³⁵ McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 200.

¹³⁶ Chartier, *The cultural uses of print*, pp. 249-250.

¹³⁷ Lesser, *Renaissance Drama and the Politics of Publication*, p. 8.

¹³⁸ What Lesser calls 'Politics of Publication': Lesser, *Renaissance Drama and the Politics of Publication*, pp. 20-21. About publishers of cheap print see also: Watt, *Cheap print and popular piety*, pp. 74-80, 257-295; Walsham, *Providence in Early Modern England*, pp. 1-64.

¹³⁹ Halasz, *The Marketplace of Print*, pp. 16-17.

specific readers' traces that would help identify the kinds of readers these texts attracted.¹⁴⁰ Consequently, in this part of my chapter, I present two main arguments: the first is that we should not think of cheap print as encompassing solely broadside ballads and chapbooks, but also pamphlets. I will argue, using Joad Raymond's definition of cheap print (see below), that we can understand how rogue pamphlets were a part of cheap print and followed the conventions of pamphlet production in their size, format and typeset. In addition and due to their status as cheap print, they were an integral part of the publishing business, since they provided printing houses with small, but frequent influxes of income. Thus, publishers had every reason to package these pamphlets in a way that would appeal and seem appropriate to a broad audience. In the next pages I will show how this aim was accomplished through the physical appearance of rogue pamphlets.

Pamphlets and cheap print

One of the reasons why rogue pamphlets are not often included in investigations of cheap print is that they do not share many characteristics with ballads and chapbooks.¹⁴¹ Margaret Spufford and Tessa Watt, focused on the 'small book trade' and included in cheap print only ballads and chapbooks (the latter defined as 'tiny octavos'). Tessa Watt argued that only the one page broadside and the octavo chapbook can be considered 'cheap', yet she admitted that Elizabethan publishers produced very few works in 'penny-sized' format

¹⁴⁰ Additionally, 19 rogue pamphlets were included in Anthony Wood's collection, a known bibliophile of the seventeenth century, who collected cheap print material. These are: Greene, A notable discovery of coosenage; Middleton, *The Blacke Booke*; Dekker, *The Belman of London*; Rid, *Martin Mark-all*; Dekker, *English villanies seven severall times prest to death by the printers, now the eighth time discovered by lanthorne and candle-light* (1638 and 1648); Anonymous, *The humble petition of James Hind*; Fidge, *The English Gusman*; Anonymous, *A Notable and Pleasant History of the Famous Renowned Knights of the Blade, commonly called Hectors*; Anonymous, *The English villain, or The grand thief, a full relation of the desperate life and deserved death of R. Hanam*; Anonymous, *The devils cabinet broke open: or A new discovery of the high-way thieves*; Anonymous, *The fifth and last part of the Wandring whore: a dialogue* (1661); Anonymous, *The lawyer's clarke trappan'd by the crafty whore of Canterbury*; Anonymous, *The speech and deportment of Col. Iames Turner* (1663); Anonymous, *A true and impartial account of the arraignment, tryal, examination, confession and condemnation of col. Iames Turner*; Anonymous, *The cheating solliciter cheated: being a true and perfect relation of the life and death of Richard Farr* (1665); Anonymous, *Leather-more or Advice concerning Gaming*; Butler, *To the memory of the most renowned Du-Vall*.

¹⁴¹ This is not the case with Raymond, *Pamphlets and Pamphleteering*, pp. 17-18, and Jason Peacey, 'Pamphlets', in Raymond (ed.), *The Oxford history of popular print culture*, 453-470.

(meaning octavo or duodecimo), none of which seem to address a humble audience.¹⁴² Conversely, Joad Raymond has maintained that quarto was the usual format for pamphlets, which were considered by their contemporaries as ephemeral and cheap works.¹⁴³ This leaves us with two possibilities: either to conclude that the only ‘cheap’ works circulated in the period were ballads, or to include quarto pamphlets in the category of cheap print, as Joad Raymond suggests and as I do in this chapter.

Regardless of format, how cheap were rogue pamphlets? The most efficient way to assess the cost of these pamphlets (to see whether they fall into the ‘cheap print’ category) is to examine their size. Since the most expensive material in the production of printed works was the paper used, the cost of these works was substantially determined by the number of sheets per publication.¹⁴⁴ Even though this might seem to have more to do with the author, it is more than likely that financial considerations would determine the size of the pamphlet beforehand. From the 63 pamphlets included in my investigation, the majority of them, 48, fall between three and eight sheets. Longer than that are all the editions of *The Bellman of London* (but only marginally, being nine sheets long), *A Recantation of an Ill Led Life* (1628), *A true description of the lawes, justice, and equity of a compter* (1629), and *Lanthorne and Candle-light*. The first edition of the latter was eleven sheets long, but all the rest were longer than twelve sheets (with the exception of *English villanies* of 1648).

Figure 6: Table of rogue pamphlets' sheets

Sheets	Number	Pamphlets
3	10	<i>London's Cry</i> (1620); <i>The life, apprehensio[n,] arraignment, and execution of Char[les] Covrtney</i> (1612); <i>The araignment of John Selman</i> (1612); <i>A true declaration of the happy conuersion, contrition, and Christian preparation of Francis Robinson, gentleman</i> (1618); <i>The night-rauen</i> (1620); <i>An arrant thiefe</i> (1622, 1625, 1635); <i>The praise and vertue of a Jayle, and Jaylers</i> (1623);

¹⁴² Watt, *Cheap print and popular piety*, pp. 1, 287. According to Watt, ‘a specialist trade in books which were purposefully small’ came into appearance in the 1620s, pp. 130-131.

¹⁴³ Raymond, *Pamphlets and Pamphleteering*, p. 8.

¹⁴⁴ Even though pamphlets were printed on ‘pot paper’, a smaller and cheaper size of paper, this still accounted for a half to three quarters of the cost of production. Raymond, *Pamphlets and Pamphleteering*, pp. 72-73.

		<i>Heavens speedie hue and cry sent after lust and murther</i> (1635).
4	4	<i>The Blacke Bookes Messenger</i> (1592); <i>Mihil Mumchance</i> (1597); <i>A notable discovery of coosenage</i> (1592); <i>Certaine characters and Essayes of Prison and Prisoners</i> (1618 1 st)
5	6	<i>A notable discovery of coosenage</i> (1591); <i>The second part of conny-catching</i> (1591); <i>The second and last part of conny-catching</i> (1592); <i>The defence of conny catching</i> (1592); <i>The Discoverie of the knights of the post</i> (1597); <i>The night-rauen</i> (1634)
6	18	<i>A disputation between a hee conny-catcher and a shee conny-catcher</i> (1592, all 5 eds); <i>A world of wonders</i> (1595); <i>The third and last part of conny-catching</i> (1592); <i>The groundworke of conny-catching</i> (1592); <i>The Blacke Dogge of Newgate</i> (1596, 1612, 1638); <i>The Blacke Booke</i> (1604); <i>The life and death of Gamaliel Ratsey</i> (1605); <i>Ratseis ghost</i> (1605); <i>The art of juggling or legerdemaine</i> (1612, 1614); <i>The life and death of Griffin Flood informer</i> (1623); <i>A Recantation of an Ill Led Life</i> (1628, 1 st ed).
7	5	<i>The second part of conny-catching</i> (1592); <i>The groundworke of conny-catching</i> (1592); <i>Greenes ghost haunting coniecatchers</i> (1602, 1626); <i>Certaine characters and Essayes of Prison and Prisoners</i> (1618 2 nd ed.).
8	5	<i>Kind-harts dreame</i> (1593); <i>Greenes newes both from heauen and hell</i> (1593); <i>Newes from Hell</i> (1606); <i>Martin Mark-all</i> (1610); <i>Certaine characters and Essayes of Prison and Prisoners</i> (1638).
9	7	<i>The Belman of London</i> (1608-2 eds., 1616, 1620, 1640); <i>A Recantation of an Ill Led Life</i> (1628-3 rd , 1634).
10	1	<i>A Recantation of an Ill Led Life</i> (1628-2 nd ed).
11	3	<i>Lanthorne and Candle-light</i> (1608, 1609); <i>A true description of the lawes, justice, and equity of a compter</i> (1629).
12	3	<i>The compters common-wealth</i> (1617); <i>The miseries of a jaile</i> (1619); <i>English villanies</i> (1648).
12+	6	All other editions of <i>Lanthorne and Candle-light</i> .

I draw the line for ‘cheap’ texts at twelve sheets, because quartos longer than that would probably be sewn, instead of being stitched. Stitching was only used for

works of a few sheets, whereas sewing was used for more consequential works. Being stitched marked the status of the pamphlets as ephemeral and trivial, which made their consumption by a less refined audience more likely.¹⁴⁵ The problem with *Lanthorne and Candle-light* (1608) is that it is not easy to characterize it as a less accessible work, even though its price and style make it appear so. First of all, it was reprinted seven times, which means that it was apparently popular (meaning here widely purchased), and secondly, it is full of typographical aids for reading.¹⁴⁶

If we accept that the cost of printed works before the 1630s was roughly half a penny per sheet,¹⁴⁷ then most of the rogue pamphlets would cost between 2.5 and 4 d, with a possible retail price up to 50% more, which means that their maximum price would be between 3.75 and 6d. This is in line with Robert Greene's comment that his pamphlets (which were between four and six sheets long) were sold for 4d, thus suggesting a price between 0.7- 1d per sheet.¹⁴⁸ On the other hand, Luke Hutton claimed that if his readers 'accept my penne and paper, it will countervale the charge of six pence'.¹⁴⁹ Since his pamphlet was six sheets long, this would suggest that it was priced at 1d per sheet. In the British Library copy of *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney* (1612) 'pr: 3d' is written on the top left corner of the title-page. Even though it is not possible to ascertain when this was written, the price of 1 penny per sheet (since the pamphlet was three sheets long) corroborates the previous evidence.¹⁵⁰ The price of printed works could occasionally be closer to the lower end of the scale: Francis Johnson has found in the inventory of a

¹⁴⁵ Raymond, *Pamphlets and Pamphleteering*, pp. 81-83. Peacey concurs with this definition: Peacey, 'Pamphlets', p. 454.

¹⁴⁶ Pamphlets such as Dekker, *Lanthorne and Candle-Light*, or R., *Martin Mark-all* break the narration into chapters, distinguished by very explanatory titles and marginal notes to help the reader navigate them. The reader is aided further in reading the pamphlet by the use of tables of contents, which act as clear signposts for the different parts of the printed work. The breaking of the text in smaller segments, by introducing chapters with separate titles or by breaking it into paragraphs, was especially suited for the needs of less refined readers, who would have greater difficulty at reading continuous prose. On the use of typographic aids in publications intended for a 'humble' audience see Chartier, *Cultural uses of print*, p. 249.

¹⁴⁷ Raymond, *Pamphlets and Pamphleteering*, p. 82; Francis R. Johnson, 'Notes on English Retail Book-Prices, 1550-1640', *The Library*, 5th series, 5, No. 2 (1950), 83-113.

¹⁴⁸ In *The Second part of conny-catching*, a farmer says 'I bought a book for a groate', meaning Greene's *A Notable Discovery of coosenage* (which was 5 sheets long). Greene, *The Second part of conny-catching*, sig. B2v.

¹⁴⁹ Hutton, *The Blacke Dogge of Newgate*, sig. A4r.

¹⁵⁰ Anonymous, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney* (1612). General Reference Collection C.27.c.35.

Cambridge physician of this period plays of 10-11 sheets which were bought for 6d, which means that their retail price was between 0.6-0.55 per sheet.¹⁵¹

Judging by these prices, rogue pamphlets could be available to less wealthy buyers, ranging from the lower middling to the lower sort. This was especially true in London, where wages were far higher than in any other part of the country and increased rapidly from 1590 to 1640.¹⁵² In addition, in the period from 1560 to 1635 book prices remained relatively steady, in a time of general inflation; whereas other commodities' prices doubled, the book prices rose by a half or two thirds, making printed works easier to buy.¹⁵³ The relatively small size of these pamphlets suggests that they were marketed as ephemeral, less important, and cheap, all qualities that could prompt more educated readers to shun them, but equally attract an audience from a lower part of the social scale.

Format and pamphlet publication

The format of a printed work significantly affected its status as well as its accessibility. Out of the 63 rogue pamphlets published between 1590 and 1640, 57 were printed in quarto. The only exceptions were John Taylor's pamphlets *An arrant thiefe* (1622, 1625, 1635) and *The praise and vertue of a Jayle, and Jaylers* (1623), as well as the first editions of *A Recantation of an Ill Led Life* (1628) and *Certaine Characters and Essayes of Prison and Prisoners* (1618). The last two had a first, octavo edition, but were both reprinted three times in quarto. Since these two first editions were probably printed for the author, this indicates that commercial rogue pamphlets were printed almost exclusively in quarto in this period.¹⁵⁴ Even *Mihil Mumchance*, a reprint from the octavo

¹⁵¹ Johnson, 'Notes on English Retail Book-Prices', p. 91.

¹⁵² Jeremy Boulton has shown that wage rates of building labourers from 1590 to 1640 rose from 10 to 16 d per day, while skilled craftsmen would get significantly more. Boulton, 'Wage labour in seventeenth-century London', 268-290.

¹⁵³ Watt, *Cheap print and popular piety*, p. 261. There is also the possibility of getting a pamphlet second hand or borrowing it from a bookseller, practices mentioned by Alexandra Halasz, but unfortunately not corroborated by specific evidence for rogue pamphlets, Halasz, *The Marketplace of Print*, p. 12.

¹⁵⁴ The first edition of *A Recantation of an Ill Led Life* was printed 'for the authous [sic] use' while the first edition of *Certaine Characters and Essayes of Prison and Prisoners* is the only one that does not mention a bookseller, which suggests that it was printed for the author. Clavell, *A Recantation of an Ill Led Life*; Mynshul, *Certaine Characters and Essayes*.

Manifest Detection, did not follow the original in its format.¹⁵⁵ The choice of the quarto format was not without significance, since it connected rogue pamphlets to other pamphlet publications, and especially news pamphlets, which were aimed at a broad audience, in the hopes of selling or influencing public opinion.¹⁵⁶

Due to the economic practices of the printing house, pamphlets were a particularly convenient format for publishers and printers, and they have been characterized as the ‘motor’ of the print trade.¹⁵⁷ Pamphlets provided quick remuneration for a small initial investment: pamphlets of few sheets could be printed in-between more substantial jobs, costing little and, since they were bought by a wide clientele, providing a ready income. D.F. McKenzie has analysed how printing houses usually printed more than one work at any given time; this practice of concurrent printing was an expedient way to print pamphlets alongside more substantial works.¹⁵⁸ The latter took longer to print, cost more, and were targeted at a more limited reading public, thus involving a higher level of risk. This could be counterbalanced by the small, inexpensive and quick-to-print pamphlets.

Rogue pamphlets followed the same trends: between 1590 and 1640, no less than 34 printers and 36 booksellers were involved in producing a total of 63 rogue pamphlets (34 original and 29 reprints). Some of the publishers involved in commissioning rogue pamphlets were known as publishers of cheap, ephemeral print, such as William Barley, T. Nelson, John Trundle and William Wright.¹⁵⁹ What is equally important, however, is the lack of specialization in this field. Whereas ballads were published by a few, specialized publishers (from 1624 named the Ballad partners),¹⁶⁰ rogue pamphlets were published by most publishers in this period. This suggests that they were considered a good

¹⁵⁵ Anonymous, *MihilMumchance, his discoverie of the art of cheating in false dyce play*; Walker, *A manifest detection of the mostevyle and detestable vse of diceplay*.

¹⁵⁶ Raymond, *Pamphlets and Pamphleteering*, pp. 102-122. The two aims, as I have stated before, need not be mutually exclusive.

¹⁵⁷ Halasz, *The Marketplace of Print*, pp. 15-16.

¹⁵⁸ McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 25.

¹⁵⁹ Based on Ronald Brunlees McKerrow, *A dictionary of printers and booksellers in England, Scotland and Ireland, and of foreign printers of English books, 1557-1640* (London: Blades, East and Blades, 1910).

¹⁶⁰ Cuthbert Wright, John Wright, Edward Wright, John Grismond, Thomas Pavier, and Henry Gosson. See Kris McAbee and Jessica C. Murphy, ‘Ballad Creation and Circulation: Congers and Mongers’, University of California, ‘English Broadside Archive,’ <http://ebba.english.ucsb.edu/page/ballad-creation--circulation> [accessed 5 March 2013].

financial venture and a product which could be bought by a variegated audience (in the same way as other pamphlets).

This feature of the publication of rogue pamphlets suggests that they were viewed by publishers in the context of pamphlet publication and not alongside ballads or chapbooks.¹⁶¹ Recognising that rogue texts were pamphlets, and packaged specifically as such, will enable a better understanding of their function as well as their intended audience. In his investigation of pamphlets in early modern Britain and how they addressed their readers, Joad Raymond highlights the use of pamphlets as a 'public stage'. Raymond's claim that 'it was precisely this capacity to speak to the unknown, to the crowd, the multitude, even the many-headed hydra, that empowered the pamphlet to imagine a public, and to speak to and fashion the public's opinions' can be extended to the rogue pamphlets.¹⁶² Even though Raymond privileges how authors used the format of the pamphlet, the choice of the text's physical appearance rested equally- if not more- on the publisher. Thus, stationers' decisions to employ the pamphlet form for these texts is suggestive of a tendency to target a broad audience, with the possible added incentive of swaying public opinion. This conclusion will be strengthened when we turn to investigate the advertising of these publications on their title-pages.

Title-pages and advertising techniques

The first part of the pamphlet that readers would encounter was the title-page. Thomas Nashe complained bitterly that many readers 'consider neither premisses nor conclusion, but piteouslie torment Title Pages on everie poast, never reading further of anie Booke, than Imprinted by Simeon such a signe'.¹⁶³ Title-pages were important as advertising techniques, using arresting titles,

¹⁶¹ This might seem a minor point, since these texts are called 'rogue pamphlets'. However, usually literary scholars at least tend to label 'pamphlet' anything that is engaged with 'low' literary forms or produced by 'professional' writers. A good example is Thomas Nashe whose works are often labelled as 'pamphlets' regardless of whether they can validly be considered as 'cheap print'.

¹⁶² Raymond, *Pamphlets and Pamphleteering*, p. 95.

¹⁶³ Nashe, *The terrors of the night or, A discourse of apparitions*, sig. A4. Preachers also complained that many readers read only the title-page, or the first few pages of printed works: Hunt, *The art of hearing*, p. 178.

which could not only be read, but also cried out, in order to draw readers.¹⁶⁴ Rogue pamphleteers and publishers, as I will detail below, used every technique they could devise to make the title-pages of these pamphlets interesting to a broad audience. More specifically, they used to good effect familiar names and woodcuts connecting a specific pamphlet to previous, successful ones; alternatively, they emphasised the usefulness of reading pamphlets by highlighting their authority or newsworthiness.

In order to understand that rogue pamphlets were packaged in a way to attract various readers, a comparison of them with the title-pages of Thomas Nashe's printed works will prove indicative of the ways that other writers could 'protect' their texts from more lowly readers. Even though in this section I have stressed the role of the publisher in deciding on the material aspects of the text, in Nashe's case it is evident that authors were occasionally able to influence such decisions. In his preface to the second edition of *Pierce Penilesse* (1592), Nashe complained that he couldn't decide on the form of the pamphlet, because he was not in London at the time of the printing and the printer decided to go on regardless.¹⁶⁵ This, of course, could be a way of protecting himself from any critique about the printed form of the pamphlet. Nonetheless, this example highlights both that an author could hope for some control over the printing of his work and his limitations in this respect.

What is more relevant to my investigation is how this preface shows that Thomas Nashe consciously avoided arresting and interesting title-pages for his pamphlets. Even though-or, perhaps, because- Nashe was aware that a number of readers did not easily go past the title-page, he clearly did not try to make his title-pages attractive to his prospective readers. In the first edition of *Pierce Penilesse*, which was printed without Nashe's consent, the publisher or printer at least advertised its content by putting on the title-page, after the title, that it 'Described the over-spreading of Vice, and suppression of Vertue. Pleasantly interlac'd with variable delights: and pathetically intermixt with conceived reproofs'.¹⁶⁶ This title-page was, however, rejected by Nashe, who asked the printer in the next edition to 'cut off that long-tayld Title, and let mee not in the

¹⁶⁴ Raymond, *Pamphlets and Pamphleteering*, pp. 85-87.

¹⁶⁵ 'A private epistle of the Author to the printer' in the second impression of *Pierce Penilesse* (1592), sig. ¶r.

¹⁶⁶ Nashe, *Pierce Penilesse* (1592, 1st edition), title-page.

forefront of my Booke, make a tedious Mountebanks Oration to the Reader', thus disassociating himself from a characteristic kind of sales pitch encountered in markets and fairs.¹⁶⁷ The next editions were as bare as most of the other works by Nashe.¹⁶⁸

It is precisely this kind of sales pitch that title-pages of rogue pamphlets utilized. If the title-pages of Nashe's works are compared to the ones from Greene's cony-catching pamphlets (which are an excellent example of many of the marketing strategies used in rogue pamphlets), it is clear that the latter attempted to draw in the readers, both with the use of phrases advertising the contents in the same way as criers did and with the employment of woodcuts. Importantly, Greene's cony-catching pamphlets established their own trademark, the rabbit (or cony) holding cards, lockpicks and other tools of the rogue's trade, which appeared in most of Greene's title-pages.¹⁶⁹ The cony was such a distinctive image for Greene's cony-catching pamphlets that Harman's reprint *The Groundwork of cony-catching* (1592) not only utilized a title that connected it to Greene's pamphlets, but employed a similar woodcut on the title-page. Namely, it re-used woodcuts from Greene's pamphlets (featuring the cony with various suspicious tools), albeit on a smaller scale.¹⁷⁰

¹⁶⁷ Nashe, *Pierce Penilesse* (1592, 2nd edition), sig. ¶r.

¹⁶⁸ See, for example, Thomas Nashe, *Strange newes, of the intercepting certaine letters, and a convoy of verses, as they were going privilie [sic] to victuall the Low Countries* (1592); *The terrors of the night or, A discourse of apparitions* (1594); *The unfortunate traueeller. Or, The life of Iacke Wilton* (1594); *Christs teares ouer Ierusalem. Wherunto is annexed, a comparative admonition to London* (1594). This changed in *Nashes Lenten stufte, containing, the description and first procreation and increase of the towne of Great Yarmouth in Norffolke: with a new play neuer played before, of the praise of the red herring. Fitte of all clarkes of noblemens kitchins to be read: and not unnecessary by all seruing men that haue short boord-wages, to be remembred* (1599). However, the kinds of readers this title-page is imagining suggests that Nashe was using the 'mountebank' style ironically.

¹⁶⁹ Greene, *A notable discouery of coosenage; The second part of conny-catching; The defence of conny catching; A Disputation, betweene a HeeConny-catcher, and a SheeConny-catcher*.

¹⁷⁰ Harman, *The groundworke of conny-catching*. Reprint from Thomas Harman, *A caveat or warening for commen cursetors vulgarely called vagabones* (1567).

T H E
Groundworke of Conny-catching;
 the manner of their Pedlers-French, and the meanes
 to understand the same, with the cunning sleights
 of the Counterfeit Crane.

The meanes to find the practises of the *Vistier*, the sleights
 of the *Shitter* and *Rufflar*, the deceits of their *Doves*, the deuises
 of *Priggers*, the names of the base loytering *Wolefs*, and
 the meanes of euery *Blacke-Art-mans* sleights, with
 the reproofe of all their diuellish
 practises.

Done by a Justice of Peace of great authoritie, who hath
 had the examining of diuers of them.



Figure 7 Thomas Harman, *The Groundworke of conny-catching* (1592), Title-page.

On Greene's title-pages, a variety of readers are welcomed to the pamphlet in a fashion highly reminiscent of marketplace wares. The title-page of *A notable discouery of coosenage* (1591) imagined its own socially mixed audience: 'Written for the general benefit of all gentlemen, cittizens, aprentises, countrey farmers, and yoemen, that may fall into the company of such coosening companions'.¹⁷¹ These kinds of readers were evoked in Greene's prefaces and encompassed a variety of social backgrounds, from gentlemen to apprentices. Even in less obvious cases, the listing of the pamphlet's contents on the title-page, seems intended to appeal to readers by its vividness and playfulness: 'A disputation, betweene a heeconny-catcher, and a sheeconny-catcher whether a

¹⁷¹ Greene, *A notable discouery of coosenage*.

theefe or a whoore, is most hurtfull in cousonage, to the common-wealth. Discovering the secret villanies of alluring strumpets. With the conversion of an English courtizen, reformed this present yeare, 1592. Reade, laugh, and learne' (1592).¹⁷² The last sentence was echoed in *The blacke bookes messenger* (1592) title-page as 'Read and be warnd, Laugh as you like, Judge as you find'.¹⁷³

Advancing the claim that the contents were both useful, since they pertained to the discourse of criminal practices in London, and entertaining, by being narrated in a jocular fashion, was a way to cast the net wide, taking care not to discourage any kind of readers. It could also suggest that pamphleteers were aware that their target audience had less sophisticated literacy skills and a lower place in the social scale. Since it was common to view pamphleteers as exploiters of the 'vulgar',¹⁷⁴ the claim that the contents were useful could be seen as an attempt to assuage the fears that these pamphlets catered for the idle desires of these readers, without sacrificing their appeal to entertainment. Other title-pages of rogue pamphlets advertised their value as entertainment or instruction: *Greenes ghost haunting conie-catchers* (1602) claimed that its contents were 'Ten times more pleasant than anything yet published of this matter', while *The life, apprehensio[n,] arraignment, and execution of Char[les] Covrtney* (1612) maintained that it was 'worthy the note and Reading'.¹⁷⁵

In the same vein, other pamphlets emphasised their newsworthiness and their authority as reportage of specific trials or crimes. Dekker's subsequent edition of *Lanthorne and candle-light. Or The bell-mans second nights walke. In which hee brings to light, a broode of more strange villanies, than ever were till this yeare discovered* (1608), titled *O per se O* (1612) advertised the fact that it depicted new crimes: 'In which, are discovered those villanies, which the bell-man (because hee went i'th darke) could not see: now laid open to the world'.¹⁷⁶

¹⁷² Greene, *A Disputation, betweene a HeeConny-catcher, and a SheeConny-catcher*.

¹⁷³ Greene, *The blacke bookes messenger*.

¹⁷⁴ Raymond, *Pamphlets and Pamphleteering*, pp. 92-93.

¹⁷⁵ Rowlands, *Greenes ghost haunting conie-catchers wherein is set downe, the arte of humouring. The arte of carrying stones. Will. St. lift. Ia. Fost.law. Ned Bro. catch. And Blacke Robins kindnesse. With the conceits of Doctor Pinch-backe a notable makeshift. Ten times more pleasant than anything yet published of this matter*; Anonymous, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney, alias Hollice, alias Worsley, and Clement Slie fencer: with their Escapes and Breaking of Prison: As also the true and hearty Repentance of Charles Courtney with other passages, worthy the note and Reading*.

¹⁷⁶ Thomas Dekker, *O per se O. Or A new cryer of Lanthorne and candle-light Being an addition, or lengthening, of the Bell-mans second night-walke. In which, are discovered those*

The title-page of *Londons cry* (1620) attempted to establish its authority by maintaining that it was a report of the sessions in the Old Bailey: 'Manifested the last sessions, holden at Iustice Hall in the old Baily the 9.10. 11. 12. of December, Anno Dom. 1619. Likewise heerein is related, the courts legall proceedings, against the malefactors that were executed at Tiburne and about London, and the chiefest offenders, there offences and confessions at large expressed'.¹⁷⁷ Similarly, *The araignment of Iohn Selman, who was executed neere Charing-Crosse the 7. of Ianuary, 1611. for a felony by him committed in the Kings Chappell at White-Hall upon Christmas day last, in presence of the King and divers of the nobility* (1612) kept the title-page as close to neutral reportage as it could.¹⁷⁸

Particularly successful pamphlets, such as Greene's or Dekker's, were extremely saleable, and it is not surprising that other rogue pamphlets attempted to connect their titles to existing traditions. We have already seen Harman's reprint titled *The Groundwork of cony-catching* (1592), but *Greenes neues both from heaven and hell* (1593) and *Greenes ghost haunting coniecatchers* (1602) also found their way into print.¹⁷⁹ Greene, however, was not the only brand-name in rogue pamphlets: the title-page of *Kind-harts dreame* (1593) evoked the name of another best-selling pamphlet, *Pierce Penilesse* (1592): 'Delivered by severall ghosts unto him to be publisht, after Piers Penilesse post had refused the carriage'.¹⁸⁰ *Martin Mark-all, beadle of Bridewell; his defence and answeere to*

villanies, which the bell-man (because hee went i'thdarke) could not see: now laid open to the world. Together with the shooting through the arme, used by counterfeit souldiers: the making of the great soare, (commonly called the great cleyme:) the mad-mens markes: their phrase of begging: the articles and oathesgiuen to the fraternitie of roagues, vagabonds, and sturdy beggers at their meetings. And last of all, a new canting-song (1612). Dekker's pamphlets continuously stressed the fact that they delivered new wares: *Lanthorne and Candle-light* (1608) claimed that it was a 'second nights walke' of the Bellman, and all its subsequent editions were emphasizing their news value: the title-page of *English villanies six severall times prest to death by the printers; but (still reviving againe) are now the seventh time, (as at first) discovered by lanthorne and candle-light* (1632) adds that it will uncover 'another conspiracie of abuses lately plotting together, to hurt the peace of this kingdome'. Notice also the fact that the contents of the pamphlet are sketched on the title-page.

¹⁷⁷ Goodcole, *Londons cry*.

¹⁷⁸ Anonymous, *The araignment of Iohn Selman, who was executed neere Charing-Crosse the 7. of Ianuary, 1611. for a felony by him committed in the Kings Chappell at White-Hall upon Christmas day last, in presence of the King and diuers of the nobility* (1612).

¹⁷⁹ Rich, *Greenes neues both from heaven and hell*; Rowlands, *Greenes ghost haunting coniecatchers*.

¹⁸⁰ Chettle, *Kind-harts dreame* (1593).

the Belman of London (1610) was framed as part of a dialogue with Dekker's well-known *The Belman of London* (1608).¹⁸¹

In order to create continuity between different pamphlets or to cash in on the success of previous ones, publishers often re-employed the same woodcuts in title-pages. The same woodcuts, or at least the same motifs, could be used on the title-page of numerous pamphlets, serving not only to decrease the cost of the pamphlet, but to make it more easily recognizable. We have seen how Greene's cony was used in all of his cony-catching pamphlets, and how it was used in *The Groundwork of cony-catching* (1592). The other repeatedly utilized image was the Bellman. Used in Dekker's pamphlets *The Belman of London* and *Lanthorne and Candle-light*, which were reprinted twelve times in total, the image became a stock one.¹⁸² As such it was used in the 1615 reprint of *Disputation Betweene a HeeConny-catcher and a SheeCony-catcher* where the title-page reads *Theeves falling out, true-men come by their goods: or, The belman wanted a clapper* and the woodcut shows a man and a woman talking in the presence of the bellman. Considering that the bellman was irrelevant to the scene, and that his persona did not feature in the pamphlet at all, it is evident that the only reason for his (both graphic and textual) inclusion was the desire to connect the pamphlet with the successful Dekker ones.¹⁸³

After 1640, pamphlets' title-pages did not change dramatically. The same tendencies to advertise the contents of the pamphlets and emphasise the pleasure derived from reading them can be discerned. Two major differences can, however, be noted: firstly, since after 1640 the percentage of life and death stories, as well as true relations, increases dramatically (see Chapter 1), as pamphlets in this period become even more reportage-like. At the same time, this did not lead to an eschewal of pleasant stories or promises of pleasure from

¹⁸¹ R., *Martin Mark-all*.

¹⁸² While at the same time it was not original: Samuel Rowlands has used a similar image in *Diogines Lanthorne* (1607), which was re-used in the 1608 edition of *Lanthorne and Candle-Light*. There are textual links between the two as well-see my next chapter for the reasons behind re-employing this image.

¹⁸³ Greene, *Theeves falling out, true-men come by their goods: or, The belman wanted a clapper. A peale of new villanies rung out* (1615). The Bellman is mentioned twice in the pamphlet, but only to show that he has written something similar, as when one of the two narrators mentions 'I need not discribe the lawes of villanie, because the *Bel-man* hath so amply pend them downe in the first part of Conny-catching', *Ibid*, sig. A4r. Similarly in sig. B4v: 'the *Belman* hath sworne in despite of the Brasill Caffé, to tell such a foule Tale of him in his Second part'.

reading such texts.¹⁸⁴ The second major difference is that, since the number of anonymous publications increased dramatically after 1640 (analysed in Chapter 1), when publishers attempted to connect a pamphlet to previous ones, they usually picked known subjects, and not known authors. Thus, the life and death of Thomas Knowls was titled in such a way as to connect it to the famous pamphlets about Hind: *Hinds Elder Brother, or the master thief discovered. Being a notable pithy Relation of the life of Major Thomas Knowls his many Exploits Escapes, and witty Robberies* (1652).¹⁸⁵ Neither of these changes, however, were so dramatic as to alter the form of rogue pamphlets' title-pages: title-pages such as *The Catterpillers of this Nation anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c. Together with the life of a penitent high-way-man, discovering the mystery of that infernal society. To which is added, the manner of hectoring & trapanning as it is acted in and about the city of London* (1659), or *The pleasant and delightful history of Captain Hind* (1651) bore enough similarities with earlier title-pages to suggest that they continued an established tradition.¹⁸⁶

¹⁸⁴ See for example: Anonymous, *A Second Discovery of Hind's Exploits: or A fuller relation of his ramble, robberies, and cheats in England, Ireland, Scotland, with his voyage to Holland. Wherein is set forth the notorious villanies of theeves and highway-men. Full of delight, and may serve as a guide to gentlemen and travellers, to avoyd their treacheries* (1652); S., *The witty rogue arraigned, condemned, and executed. Or, The history of that incomparable thief Richard Hainam. Relating the several robberies, mad pranks, and handsome jests by him performed, as it was taken from his own mouth, not long before his death. Likewise the manner of robbing the King of Denmark, the King of France, the Duke of Normandy, the merchant at Rotterdam, cum multis aliis. Also, with his confession, concerning his robbing of the King of Scots. Together with his speech at the place of execution. Published by E.S. for information and satisfaction of the people* (1656); Anonymous, *The womans champion; or the strange wonder being a true relation of the mad pranks, merry conceits, politick figaries, and most unheard of stratagems of Mrs. Mary Frith, commonly called Mall Cutpurse* (1662). These combined information and entertainment, while others tried to establish their accuracy more diligently: Anonymous, *The triumph of truth: in an exact and impartial relation of the life and conversation of Col. James Turner which he imparted to an intimate friend a little before his execution* (1663).

¹⁸⁵ Anonymous, *Hinds Elder Brother, or the Master Thief Discovered. Being a Notable Pithy Relation of the Life of Major Thomas Knowls his many Exploits Escapes, and Witty Robberies*. For more details, and the re-employment of one of Hind's woodcuts in this pamphlet, see Chapter 5.

¹⁸⁶ Anonymous, *The Catterpillers of this Nation Anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c. Together with the life of a penitent high-way-man, discovering the mystery of that infernal society. To which is added, the manner of hectoring and trapanning as it is acted in and about the city of London* (1659); Anonymous, *The pleasant and delightful history of Captain Hind: wherein is set forth a more full and perfect relation of his several exploits, stratagems, robberies, and progress, both in England, Ireland, Scotland, and Holland: the like never heard of throughout all ages. Together with his letter to the King of Scots: and the manner of his life and carriage: further shewing, how he rob'd a gentleman in Gloucestershire by laughing: how he rob'd old Peny-Father the excise-man: how he ro'd [sic] a gentleman of 15 pounds, by laying a cloak-bag in the high-way: and how he neatly cozened a lawyer of his watch.*

Therefore, throughout the period 1590-1670 title-pages were important advertising techniques in rogue pamphlets, simulating the cries of the marketplace by emphasising both their value as news and the delight they could provide. As we saw, publishers attempted to present rogue pamphlets as exciting and relevant to a varied audience, imagined as those who would appreciate this kind of sales talk. The practice of appending pamphlets to previous, known rogue pamphlets, was a way to signal to readers that, if they had enjoyed the earlier ones, these new wares would be equally pleasing. Thus, when brand names such as Greene, or the Bellman of London –which were particularly successful with a broad range of readers- were re-employed, it seems possible that the publishers expected a similar audience. Title-pages were an ideal site of marketing, and the choices publishers of rogue pamphlets made suggest that they appealed to a more ‘popular’ audience.

Typography

The employment of black-letter in printed works of the seventeenth century and what it signifies in terms of audience has been a moot point among historians and literary theorists. Charles Mish in ‘Black Letter as a Social Discriminant in the Seventeenth Century’ has argued that black-letter typeface could serve as a sufficient criterion for deciding that a text was oriented towards a middle-class audience (his definition of middle-class includes the lower classes).¹⁸⁷ This idea was supported by Keith Thomas, who pointed out that black-letter type was used in Tudor England for the most elementary texts, namely hornbooks, primers, catechisms, and psalters, which meant that ‘common people’ would be more accustomed to it.¹⁸⁸ In contrast, Zachary Lesser asks how can we say that black-letter was easier to read, when the title page, the most

Likewise, divers other remarkable passages; in relation to his proceedings, full of mirth; and a discovery of his strange and unparalleld escapes. Published according to order (1651). A look at the list of rogue pamphlets in Appendix 1 will make the similarities with earlier rogue pamphlets clearer.

¹⁸⁷ Charles C. Mish, ‘Black Letter as a Social Discriminant in the Seventeenth Century’, *PMLA*, 68 (1953), 627-630.

¹⁸⁸ Keith Thomas, ‘The Meaning of Literacy in Early Modern England’ in Gerd Baumann (ed.), *The Written Word: Literacy in Transition* (Oxford: Clarendon Press, 1986), p. 99.

important marketing tool to attract attention, was in roman or italic typeface? According to Lesser, black-letter typeface functioned as a sign of ‘typographic nostalgia’, an attempt to create a ‘popular culture’, whose products could be read by the elites in the same way as pastoral works.¹⁸⁹

My argument is that, even though the employment of a particular typeset cannot attribute popular status to a printed work, it is still indicative of the kinds of readers that publishers wished to attract. Publishers of rogue pamphlets until 1640 used black-letter for these texts, in order to connect them with popular culture, and thus make them more accessible to less sophisticated readers who would be more familiar with this typeface. Additionally, this could be a popularizing gesture intended to court public opinion by presenting information in a form that would be more broad-ranging. We should bear in mind that this was the typeface used for official proclamations and for the King James Bible (as well as many of the editions of the Geneva Bible), texts with which many people were regularly in contact. Even Lesser agrees that black-letter was used for English books that were considered ‘popular’, which means that the employment of this typeface was a conscious choice by the publishers, to approach a varied audience, ranging from the elites to ‘common people’.¹⁹⁰

The connection with ‘popular culture’, implicit in the use of black-letter, could also attract an elite audience, interested exactly in the genre’s ‘popular’ status. Even if this were the case, however, it does not alter the fact that black-letter was the traditional and more familiar font, to which readers with meagre literacy skills would be more accustomed. This hypothesis is strengthened by Angela McShane’s pointing out that black-letter type had a ‘brand value’, because it evoked tradition and accessibility of content. Even in the late seventeenth century, printers would cast ballads in black letter in order to show that they were ‘traditional’ and meant for a ‘humbler’ audience.¹⁹¹

¹⁸⁹ Zachary Lesser, ‘Typographic Nostalgia: Play-Reading, Popularity, and the Meanings of Black Letter’, in Marta Straznicky (ed) *The book of the play. Playwrights, Stationers, and Readers in Early Modern England* (Amherst, University of Massachusetts Press, 2006), p. 103.

¹⁹⁰ Ibid.

¹⁹¹ Angela McShane, ‘Typography Matters: The Branding of Ballads and the Gelding of Curates in Stuart England’, in John Hinks and Catherine Armstrong (eds.), *Book trade Connections from the Seventeenth to the Twentieth Centuries* (Delaware and London: British Library Print Networks Series: Oak Knoll, 2008), p. 27. However, I do not agree with her clear-cut distinction between black-letter ballads and ‘white-letter’ ones.

Of the 61 rogue pamphlets printed between 1590 and 1640, 49 were printed in black-letter typeface, apart from their title pages, dedicatory epistles (where they existed) and prefaces to the reader, which were printed in roman or italic. The only exceptions were *Certaine Characters and Essayes of Prison and Prisoners* (1618), *The life and death of Griffin Flood Informer* (1623), *The praise and vertue of a Jayle, and Jaylers* (1623) and *A Recantation of an Ill Led Life* (1628), which were set in roman typeface and two pamphlets that had no introduction and were printed solely in black-letter, *The life and death of Gamaliel Ratsey* (1605), and *The Discoverie of the knights of the post* (1597).¹⁹² This even includes all the reprints of these pamphlets, which continue until 1648. The period from 1580 to 1610 marks the transition from black-letter to roman or italic typeface, so there must be some reason why printers chose to keep the old typeface.

A problem with making the employment of black-letter a signifier of a 'popular' appeal is that it could have been used simply because the printers did not have enough roman type. Black-letter was the first type used in England and it is likely that the printers continued to use it for some time, simply because they had it in stock. This is more apparent if we consider that the pamphlets that were cast in roman fonts were the ones from the 1620s.¹⁹³ On the other hand, the fact that the reprints of *The Belman of London* (1608) or *Lanthorne and Candle-light* (1608) kept the original font until the late 1640s, such as, for example, even though the employment of roman type would have been more logical, suggests that this type was seen as more relevant to these kinds of readers.

What is of more interest is the fact that after 1640 rogue pamphlets were printed in roman type, even though other kinds of printed works, such as ballads, still retained black-letter.¹⁹⁴ Out of the 61 rogue pamphlets printed in the period

¹⁹² Mynshul, *Certaine Characters and Essayes*; Taylor, *The praise and vertue of a Jayle*; Anonymous, *The life and death of Griffin Flood*; Anonymous, *The life and death of Gamaliel Ratsey* (1605); Clavell, *A Recantation of an Ill Led Life*; S., *The Discoverie of the knights of the post*; - two of the pamphlets printed solely in roman or italic were poems. I am counting all extant editions of the pamphlets.

¹⁹³ McKenzie has argued that roman type became increasingly demotic in the course of the seventeenth century, while black-letter was kept in order to denote formal authority: McKenzie, *Making Meaning*, McDonald and Suarez (eds.), p. 254.

¹⁹⁴ Again, this clearly was not the case for all ballads, which has been seen as an issue of popularity. McShane, 'Typography Matters'. See also the debate between Mark Jenner and Angela McShane focusing on the significance of the typeset used for ballads in 1660: Mark S. R. Jenner, 'The Roasting of the *Rump*: Scatology and the Body Politic in Restoration England', *Past*

1640-1670, only three employed black-letter type: *Wit for mony. Being a full relation of the life, actions, merry conceits, and pretty pranks of Captain James Hind* (1652) and *No jest like a true jest being a compendious record of the merry life and mad exploits of Capt James Hind the great robber of England* (two editions, 1657, 1660).¹⁹⁵ This reinforces the assumption that rogue pamphlets followed other pamphlet publications in their material characteristics. In addition, and as I have already mentioned in the previous chapter, after 1640 they turned more towards reportage, which might explain their increased similarity to news pamphlets. Both kinds of publication however were bidding for public influence, and in this sense were popular.¹⁹⁶

This chapter has attempted to show that the contents of the rogue pamphlets could be accessible to the lower middling and lower orders in London, even before 1640. As I have highlighted throughout this chapter, from 1640 onwards pamphlets about rogues became far more widespread and widely read, and this was evident in both their writing style and their appearance. But even before 1640 rogue pamphlets could be available to a broad spectrum of readers. The willingness of the rogue pamphlets' producers, be they authors, printers or booksellers, to engage with the widest audience possible is evident in the form as well as the writing style of these texts. Nevertheless, their intentions would not have been enough if the 'common people' did not actively wish to read these works. I would like to suggest that the fact that the rogue pamphlets were viewed at the same time as pleasant tales, news and criminal stories made them attractive not only to members of the elite and middling sort, but to people lower in the social scale as well. In any case, the only way to argue that stories about rogues did not circulate among the lower reaches of society is by thinking of plebeian and elite culture in terms of segregated spheres, which existed synchronically, but separately. The rogue pamphlets' willingness to accommodate humbler

and Present (2002), 177, 84-120; Angela McShane, 'Debate: "The Roasting of the Rump: Scatology and the Body Politic in Restoration England"', *Past and Present*, 196 (2007), 253-272; Mark S. R. Jenner, 'Reply', *Past and Present*, 196 (2007), 273-286.

¹⁹⁵ George Fidge, *Wit for mony. Being a full relation of the life, actions, merry conceits, and pretty pranks of Captain James Hind* (1652); Anonymous, *No jest like a true jest being a compendious record of the merry life and mad exploits of Capt James Hind the great robber of England* (1657, 1660).

¹⁹⁶ Using the 'tactical' sense of popularity, as I have mentioned in the introduction of this chapter.

readers must be a reason why they did not depict an one-sided view of roguery and the lower orders as previous scholars have frequently suggested, a theme taken up in the next chapter.

PART 2

Chapter 3: The 'other' London: rogues, citizens and the negotiation of social change

In *The third and last part of conny-catching* (1592), Greene narrates the story of 'How a cunning knaue got a Truncke well stuffed with linnen and certaine parcels of plate out of a Cittizens house, and how the Master of the house holpe the deceiver to carry away his owne goods'. According to the story, 'a cunning villaine', having watched the house of a tradesman for some time, eventually found the opportunity when the house was empty and the tradesman busy in his shop to enter and take a big trunk full of goods out of the house. The story continues:

having [the trunk] out at the doore, unseene of anye neighbour or any body else, he stood strugling with it to lift it up on the stall, which by reason of the weight trobled him very much. The good man coming foorth of his shop, to bid a customer or two farwell, made the fellow eaffraide he should now bee taken for all together: but calling his wittes together to escape if he could, he stode gazing vp at the signe belonging to the house, as though hee were desirous to know what signe it was: which the Cittizen perceiving, came to him and asked him what he sought for? I looke for the signe of the blew bell sir, quoth the fellowe, where a gentleman having taken a chamber for this tearme time, hath sent me hether with this his Troncke of apparrell: quoth the Citizen I know no such signe in this stréet, but in the next (naming it) there is such a one indéed, and there dwelleth one that letteth foorth Chambers to Gentlemen. Truly sir quoth the fellowe, thats the house I should goe to, I pray you sir lend me your hand, but to help the Trunck on my back, for I thinking to ease me a while upon your stall, set it shorte, and now I can hardly get it up againe. The Cittizen not knowing his owne Truncke, but indeede never thinking on any such notable deceite: helps him up with the Truncke, and so sends him away roundly with his owne goods.¹

This is a characteristic example of how the practices of rogues were depicted in rogue pamphlets. This involved judging the perpetrator as a villain, while emphasising both his cleverness in duping his victim and the victim's unwitting

¹ Greene, *The third and last part of conny-catching*, sig. E4r.

complicity in the plot. Equally important was narrating the story in a way that would induce laughter. In other stories in these pamphlets, the victims are not only unwilling participants, but somehow responsible for their misfortune, because they are too greedy or proud. In the same pamphlet for example, victims are described as ‘somewhat covetous’, or full of ‘rash pride’ and ‘simple credulitie’.²

What is particularly interesting about this pamphlet, and most of the rogue pamphlets between 1590-1670, is how they seamlessly weave together conflicting sentiments about the crime, criminal and victim: the apparent relish in describing tales of rogues’ cunning is combined with condemnation not only of the criminal, but also of the victim. This integration of contrasting impulses has often been ignored by scholars of rogue pamphlets, who tend to stress that the main aim of these texts was to demonise the poor and the petty criminals. As we have seen in the Introduction, the orthodoxy on the analysis of rogue pamphlets is to view them in terms of inversion and the symbolic re-establishment of order. Joad Raymond’s description is characteristic of those attitudes: ‘The criminal underworld is an inversion of the world of the godly, and offers and more or less prescriptive perspective on correct social values and hierarchies’.³

The rogue as the demonised Other

Joad Raymond is not the only one to view rogue pamphlets in such a way. On the contrary, such approaches combine narratives of state-building and hegemony (privileging an ordered society by constructing the ‘anti-society’ of criminals to act as an anti-symbol), of self-representation needing an ‘other’ to act as a mirror, and the ideological changes brought forth by Protestantism. From the 1980s, when rogue pamphlets received concentrated attention from scholars, these texts were usually viewed as part of an ‘othering’ process through which

² Greene, *The third and last part of conny-catching*, sigs. Dr2, Er.

³ Raymond, *Pamphlets and Pamphleteering*, p. 19. Occasionally the ambiguity of rogue pamphlets is mentioned, as in the case of Merritt, ‘Introduction’ in Merritt (ed.), *Imagining early modern London*, p. 17; or Adam Hansen, ‘Sin City and the Urban Condom’, pp. 214, 223-5. More details below.

the elites attempted to marginalize and stigmatize the mass of poor and unemployed. This work paralleled and drew on Said's insights on Orientalism, namely his understanding that the creation in literature of two separate worlds, Western and Oriental, acted as a way of containing and dominating the 'Other', while increasing the coherence of 'us', or the West.⁴ This idea that the representation of what is alien serves to discursively create and contain it was the basis of the inversion-containment position of New Historicism. This was taken up by many scholars of rogue pamphlets, who saw in the depiction of a deviant underworld an attempt to not only marginalize deviance but give greater coherence to the idea of order. In Stephen Greenblatt's words: 'moral values, such as justice, order and civility, are secured through the generation of their subversive contraries'.⁵

Drawing upon the idea - articulated by Stuart Clark - that early modern thought experienced and conceptualized the world in binary oppositions, scholars such as William Carroll, A.L. Beier and Peter Lake have stated that rogue pamphlets depicted a battle between order and chaos, fought in the streets of London by law enforcers and criminals.⁶ William C. Carroll understood the images of the king and the beggar as completely antithetical, with the beggar 'being systematically marginalised and demonised through official discourse', in which he implicitly includes rogue pamphlets.⁷ Peter Lake insisted that cheap crime pamphlets depicted two idealised images of contemporary society, one of order and one of chaos, pitted against each other and that this led to the marginalisation of vagrants and prostitutes.⁸ In the pamphlets Lake is examining, the 'festive mode of inversion' is evoked by 'the narrative dwelling at some length, and in considerable titillating detail, on the nightmare vision of the world turned upside down evoked by crime' but 'the moralised version [namely the

⁴ Edward W. Said, *Orientalism* (London: Routledge and Kegan Paul, 1978), p. 3.

⁵ Greenblatt, *Shakespearean Negotiations*, p. 53.

⁶ Stuart Clark, 'Inversion, Misrule and the Meaning of Witchcraft', *Past and Present*, 87 (1980), 98-127; Stuart Clark, *Thinking with Demons: The Idea of Witchcraft in Early Modern Europe* (Oxford: Oxford University Press, 1997). Clark's work is a prime example of the use of social anthropology in historical analysis.

⁷ Carroll, *Fat King, Lean Beggar*, p. 15.

⁸ Lake, 'Cheap Print, Protestantism and Murder in Early Seventeenth Century England', p. 277; Lake, 'From Troynouvant to Heliogabalus's Rome and Back', p. 249.

idea that the world was righted again by the actions of the human authorities and divine providence] always won out'.⁹

A. L. Beier argues that the recording of deviance was instrumental in shaping mid-Tudor norms of social relations, by casting rogues as subjects that were feared and liable to punishment: 'The rogue literature...more than confirmed the learned theory of vagrancy [that vagrants were criminals, parts of a specialized 'anti-society']; it elaborated and propagated it'.¹⁰ Paul Griffiths, while acknowledging that 'the worlds of citizens and criminals crossed all the time', considers marginality a 'political myth', a way of discursively setting citizens against criminals in a time when it was feared that London was changing so fast that it would be 'lost' to its inhabitants.¹¹ According to this logic, the authors of these pamphlets presented a fearsome opponent to law and order, with a view to strengthening the 'imagined community' of the citizens of London.¹² Even Steve Mentz, who recognizes that in rogue pamphlets the legal and outlaw worlds often overlap, argues that they are still presented as opposites because social order depends on it, and that, ultimately, the figure of the cony-catcher is used for moral ends.¹³

This approach of seeing rogue pamphlets as othering the criminal and the poor reached its culmination in the work of Michael Long, Linda Woodbridge and Patricia Fumerton. Michael Long has argued that these pamphlets construct this criminal type as 'the diametric opposite of the godly subject', the "anti-subject" itself, thus demonizing the criminal.¹⁴ Linda Woodbridge and Patricia Fumerton have argued that the basic function of rogue pamphlets, whether as part of official discourse or as literature targeted at the middling sort, was to obscure the problem of poverty. Linda Woodbridge maintains that rogue pamphlets were consciously styled after jest books, so as to 'identify the lowliest

⁹ Lake with Questier, *The Antichrist's lewd hat*, pp. xx-xxi, 128.

¹⁰ Beier, *Masterless Men*, p. 8; Beier, 'New Historicism, Historical Context, and the Literature of Roguery: The Case of Thomas Harman Reopened', in Dionne and Mentz (eds.), *Rogues and Early Modern Culture*, p. 111.

¹¹ Griffiths, *Lost Londons*, pp. 143-147, 177.

¹² This term is employed by Benedict Anderson to show how nations constitute socially constructed communities, which are not based on personal interaction between their members, but rely on technology (especially print) to foster a sense of shared identity. Benedict Anderson, *Imagined communities: reflections on the origin and spread of nationalism* (London: Verso, 1983). Here I use the term to refer to the way print (and especially rogue pamphlets) constructed the imagined community of Londoners.

¹³ Mentz, 'Magic Books', p. 252.

¹⁴ Long, 'Transgression and Cultural Taboo', pp. 1-2. Emphasis mine.

poor as funny, worthy of contemptuous laughter rather than social concern'.¹⁵ Patricia Fumerton has argued that through the pamphlets, the itinerant poor were transformed into idle rogues, who chose to steal and deceive rather than work. The actual problem of the poor was thus obfuscated by being presented as a matter of choice, rather than circumstance.¹⁶

The importance of the narrative that Protestantism negated the value of good works and 'desanctified' the image of the beggar is often explicit in such treatments. Mark Koch has argued that the earliest tracts on roguery, such as the *Liber Vagatorum* (edited by Luther in 1528), *The hye way to the spyttellhous* (1535-6), *The fraternite of vacabondes* (1575) and *A caveat for common cursitors vulgarly called vagabonds* (1566) 'discouraged indiscriminate almsgiving and encouraged the perception that mendicants were somehow in league with the devil'.¹⁷ Koch has emphasised the explicit ideological role of these works, which propagated the new moral values of Protestantism and justified organised poor relief.

One of the major points of these analyses is that rogue pamphlets functioned as a way to discursively contain the threat of the poor. Rogue pamphlets created an inverted image of contemporary society, which was instrumental (in most cases) in the diffusion of social tension. The poor were identified with marginality and criminality and were presented as responsible for their own fate. Consequently, upper or middling readers could ignore the pleas of the poor, as the readers were not depicted as responsible for the social conditions that brought the poor to this state. This tends to ignore other aspects of rogue pamphlets, which allowed a more positive portrayal of rogues, by emphasising the cleverness of their actions, and their victims' complicity or stupidity and also by highlighting the faults of society.¹⁸

¹⁵ Woodbridge, 'Jest Books, the Literature of Roguery, and the Vagrant Poor in Renaissance England', p. 209.

¹⁶ Fumerton, 'Making Vagrancy (In)Visible'.

¹⁷ Koch, 'The Desanctification of the Beggar in Rogue Pamphlets of the English Renaissance', p.96. Even though Koch views later tracts on roguery, such as *The belman of London* and *Martin Mark-all, Beadle of Bridewell* as more sympathetic, he still thinks that they conveyed 'a sense of otherness to the beggar', p. 93.

¹⁸ This has also been suggested by Adam Hansen, who views early modern London as a space that defied binary oppositions, something reflected in the rogue pamphlets. Respectful society is shown to share the traits of rogues, and the victims more often than not deserve to be exploited,

What I would like to emphasise is that, since rogue pamphleteers attempted to target a broad audience (as we saw in the previous chapter) they were less likely to advance a single ideological purpose or function which would alienate some of their potential readers. In addition, the above-mentioned analyses tend to valorise the intended reading (the one implied by the author) and thus ignore the possibility of multiple readings. Different readers did not interpret texts in the same way. Inversion might have functioned for some as a safety-valve, allowing the venting of frustration about contemporary society, without producing any concrete effects. However, the depiction of inversion in such texts could be read differently as well. This chapter will illustrate how these pamphlets could function as exposés of officialdom as well as exposés of criminals, depicting the abuses of law-enforcing officers using the terms usually reserved for criminals. Furthermore, I will show that rogue pamphlets participated in a wider discursive shift which portrayed London's growth as leading to the emergence of dishonest practices. According to such texts, the development of a metropolitan culture in London created poverty and opportunities for theft, while at the same time privileging immoral ways of acquiring wealth, which were not restricted to criminals. Such portrayals of how law-abiding members of the commonwealth engaged in the dishonest practices for which criminals were condemned could be read as exonerating rogues, or at least as casting the blame on society which created such needs and tendencies.

According to Lori Humphrey Newcomb '[m]imetic narrative is dangerous because it offers the less educated and less privileged the opportunity to manipulate their self-representations for their own purposes'.¹⁹ Even though reader response cannot be ascertained for most of these pamphlets, one of these texts' characteristic elements is their ambivalence, which allowed different readers to reach their own conclusions. The ambivalence of these pamphlets was not only a result of their intended audience, however, but also of their form. As I will show, rogue pamphlets borrowed their form from previous stories about tricksters, such as the story of Reynard the fox or other jest book tales. The form of these tales, which followed a formula of 'how x did y' and which shaped a

due to either their greed or their stupidity: Hansen, 'Sin City and the Urban Condom', pp. 214, 223-5.

¹⁹ Newcomb, "'Social Things'", p. 769.

funny story, often with a punch line, influenced the treatment of criminals in rogue pamphlets. Trickster stories were common, and in them, the wit of the trickster was celebrated, while his/her victims were the objects of ridicule. By appropriating the form of these tales, rogue pamphlets also inherited their ambivalence towards the trickster.

Consequently, this chapter will argue that firstly, official discourse (in proclamations, legislation or civic documents) did, to an extent, attempt to construct an enemy. Even in official discourse, however, some ambivalence can be discerned towards rogues and the poor. Rogue pamphlets were multivocal and inherently ambivalent, and thus they allowed multiple readings, some of which could be particularly sympathetic towards criminals. This will be shown by focusing on three aspects of these texts in particular: the trickster trope, the exposing of the abuses of law enforcers and the treatment of London's evolution as a positive development, but also constitutive of inequality and iniquity.

Official discourse and demonisation

Vagrancy in London, as we have seen, was considered as a negative side-effect of the growth of the metropolis, while policing vagrancy was an important justification of the state as guarantor of the safety of the realm.²⁰ Consequently, scholars have argued that official discourses depicted vagabonds as threatening and sinister, in an attempt to demonise them and thus, promote a more orderly vision of society.²¹ As we can see in various official documents, there was consistency in the way rogues were treated: legislation was harsh on the 'sturdy' poor and made vagrancy a felony for repeat offences.²² Furthermore, the language used against rogues in official documents, both central and civic, was particularly severe, emphasising the danger rogues posed and the fact that they were incorrigible and up to no good.

Rogues were repeatedly described as 'bad', or connected to crimes, especially robbery but occasionally violent crime as well: a letter from the Privy

²⁰ Griffiths, *Lost Londons*, p. 305.

²¹ See Beier, *Masterless Men*; Griffiths, *Lost Londons*; Carroll, *Fat King, Lean Beggar*.

²² Beier, *Masterless Men*, p. 160; Paul Slack, *Poverty and policy in Tudor and Stuart England* (London, New York: Longman, 1988), pp. 122-131.

Council in 1596 characterized rogues and vagabonds as ‘those bad people having lewd women that followe them and divers robberyes, pilfryes and other disorders being daily committed by them’.²³ Even clearer was the association of rogues with crime throughout this period. In March 1613, the Privy Council issued a letter to the Justices of the Peace of Middlesex, complaining about the ‘many robberyes and burglaryes ordinarily of late comitted in that county of Middlesex (and especially in the skirtes and confines of the citty of London)’ and suggested as a solution for ‘prevention of such like mischeifes, by diligent apprehending and punishing such loose and vagrant persons as are now observed to abownde within your jurisdiccions’, and building a house of correction.²⁴ In December 1623, the King expressed his concern about ‘the highway robberies and murders lately committed near London’. He suggested as a counter-measure ‘strict watches in and about London, and restraint and punishment of all vagrants’, throughout the kingdom, because ‘the vagrants driven from London will be in danger of spreading mischief elsewhere.’²⁵ Clearly, vagrants were not just depicted as a nuisance (requiring undeserved charity or crowding the streets and highways), but as criminals of a dangerous disposition.

A feeling of dread and being besieged by the forces of disorder was graphically portrayed in official documents. Rogues were depicted as having ‘swarmed and abounded every where more frequently then in times past, which will grow to the great and imminent danger of the whole Realme’.²⁶ In a proclamation, Charles I complained of ‘the unsufferable swarmes of Rogues and Vagabonds in every street, highway and place, within all the Counties, Cities, and Townes of this Realme, especially in, and about Our Cities of London and Westminster and Suburbs thereof and Counties adjacent thereunto, and the many

²³ Dasent (ed.), *Acts of the Privy Council of England, New series*, Volume 25, 1595-1596, p. 330. See also ‘lewde and badd people’, employed again about rogues: Dasent (ed.), *Acts of the Privy Council of England, New series*, Volume 26, 1596-1597, pp. 23-24.

²⁴ E. G. Atkinson (ed.), *Acts of the Privy Council of England*, Volume 33, 1613-1614, pp. 392-393. See also the letters to the Justices of the Peace of Surrey and Middlesex in 1601 about the ‘great number of masterles men and other idle persons in the suburbes and confines of the cittie within that countie which live upon stealth, pilfering and lewd practises’: Dasent (ed.), *Acts of the Privy Council of England, New series, 1601-1604*, Volume 32, p. 27.

²⁵ Everett Green (ed.), *Calendar of State Papers, Domestic Series, James I, 1623-1625*, Volume 155, 12 December 1623, p. 128. See also about the same issue J. V. Lyle (ed.), *Acts of the Privy Council of England, 1623-1625*, Volume 39, pp. 154-155.

²⁶ England and Wales. Sovereign (1603-1625: James I), *By the King. A proclamation for the due and speedy execution of the Statute against Rogues, Vagabonds, Idle, and dissolute persons* (1603).

insolencies and mischiefes daily committed by them'.²⁷ Vagrants and masterless men 'haunte about the cytty', 'feared to make prey by pilfering and breaking upp of houses'.²⁸ Their numbers especially create concern: 'a greater swarme and concourse of those kinde of persons in all partes about then hath usuallie bin observed'.²⁹ In 1615, a letter by the Privy Council made a more dramatic statement: after noting 'the complaints which are daylie made of continewall robberies, burglaries and pilferies, done in and about the cittie of Westmynster and borroughe of Southwarke, and in the skirtes and confines of the same, more frequently and with greater boldness then heretofore hath ben observed, by rogues and other vagrant people', the letter continued claiming that by these actions 'the lives and goodes of his Majesty's good subjectes are continewally in danger'.³⁰

Ian Archer's analysis that from 1580 to 1620 London experienced increased social polarisation and thus growing preoccupation with regulative offences and the petty delinquencies of the poor may help to explain the official stance toward rogues.³¹ Such functionalist analysis, however, tends to erase the different nuances in the treatment of rogues by the state and its officials. The fact that in many cases rogues were not punished with the full rigour of the legislation in the courts should alert us to the fact that legislation presents only one facet of the responses and ideology of the state toward rogues.³² This can be seen as

²⁷ England and Wales. Sovereign (1625-1649: Charles I), *By the King. A Proclamation for the execution of the Statutes made against Rogues and Vagabonds* (1627).

²⁸ Dasent (ed.), *Acts of the Privy Council of England, New series, 1601-1604*, Volume 32, p. 145; J. V. Lyle (ed.), *Acts of the Privy Council of England, 1625-1626*, Volume 40, pp. 127-8. See also 'upon the great disorder of rogues and other lower and idle people about the cittie of London': J. V. Lyle (ed.), *Acts of the Privy Council of England, 1626, Jun-Dec*, Volume 41, 22 Sept 1626, p. 288.

²⁹ Lyle (ed.), *Acts of the Privy Council of England, 1626, Jun-Dec*, Volume 41, pp. 370-371. Similarly, Westminster was were 'much annoyed and pestered with a great confluence of vagrant, lewd and idle people that daylie resort thether', *Ibid*, pp. 306-307.

³⁰ E. G. Atkinson (ed.), *Acts of the Privy Council of England, 1615-1616*, Volume 34, 19 June 1615, pp. 210-212.

³¹ Archer, *The pursuit of stability*, p. 242. About political issues which could elicit severe treatment of rogues see David Harris Sacks, 'London's Dominion: The Metropolis, the Market Economy, and the State' in Orlin (ed.), *Material London, ca. 1600*, p. 34.

³² J.S. Cockburn, 'Twelve silly men? The trial jury at Assizes, 1560-1670', in J.S. Cockburn and Thomas A. Green (eds.), *Twelve good men and true: the criminal trial jury in England, 1200-1800* (Princeton: Princeton University Press, 1988), pp. 171-173. Nonetheless, Cockburn also notes J. M. Beattie's suggestion that partial verdicts were not necessarily an expression of jury clemency: J. M. Beattie, *Crime and the courts in England, 1660-1800* (Oxford: Clarendon, 1986), pp. 486-487. In the same passage, Cockburn adds that partial verdicts could be a matter of 'judicial discretion', thus dictated by the judges, and not the jury. This is interesting, because it

resistance at the local level against the imperatives of the central administration,³³ but may also mean that local officials interpreted in such a way the spirit of the law. The concept of the commonwealth was a founding stone of the rhetoric of the state, and this imposed obligations upon all its members. This is why it is useful to look at the legislation against usurers, or at the measures taken in periods of dearth where governments not only employed the rhetoric of commonwealth but attempted to act upon its premises as well.³⁴ ‘Moral economy’ was not an outdated concept that was inexorably being abandoned, but an important justification of the role of the state which produced tangible effects.

This note of caution about thinking of official discourse as extremely one-sided, and bent on demonising rogues does not alter the fact that those documents habitually - and consciously - presented rogues as dangerous and harmful, as we have seen. On the contrary, it should be clear that, in general, official discourse did distinguish between impotent poor and sturdy rogues, and was significantly biased against the latter. Other discourses on rogues, such as sermons and theological tracts, plays and ballads exhibited different approaches to their subject matter. None of these can be considered as official discourse, however. Even sermons, which might have been part of a campaign authorized by the state, could equally serve other agendas, such as that of Puritanism.³⁵

Rogue pamphlets have been viewed as a mouthpiece for official discourse on crime, not necessarily because they were written by state apologists, but because they were expressions of how ‘respectable society’, here equated with

suggests that both local jurors and judges were less willing to use the full rigour of the law against criminals.

³³ Wrightson, *English Society*, 163-167; Wrightson, ‘Two concepts of order’, 21-46; Carroll, *Fat King, Lean Beggar*, p. 13.

³⁴ Keith Wrightson and John Walter, ‘Dearth and the social order in Early Modern England’, *Past and Present*, 71 (1976), 22-42; Wrightson, *English Society*, p. 187.

³⁵ See for example William Perkins’ statement that beggars and rogues chose not to work and thus deserved nothing less but to be cut off from the commonwealth: ‘it is a foule disorder in any Commonwealth, that there should be suffered rogues, beggars, vagabonds; for such kind of persons commonly are of no civil societie or corporation, nor of any particular Church: and are as rotten legges, and armes, that droppe from the bodie’, William Perkins, *The workes of that famous and worthy minister of Christ in the Vniuersitie of Cambridge, Mr. William Perkins. The first volume: newly corrected according to his owne copies* (1626), sig. 910, p. 493. Other sermons, however, focused on ethical trade, especially those preached before Bartholomew Fair: Mary Morrissey, *Politics and the Paul’s Cross sermons, 1558-1642* (Oxford: Oxford University Press, 2011), p. xi.

middling sort citizens of London, accepted the state's definition of the 'rogue'.³⁶ Such a line of argument highlighted the language used in rogue pamphlets to describe rogues and their practices. Thus, emphasis has been placed on expressions such as 'these vilanous vipers, unworthie of the name of men, base rogues [...], being outcasts of God, vipers of the world, an excremental reversion of sin',³⁷ 'these hellmoths, that eat a man out of bodie & soule',³⁸ a 'fraternity of falsehood, and fellowship of fraud',³⁹ 'a basiliske of a common wealth',⁴⁰ 'these Conny-catchers, these vultures, these fatall Harpies, that putrifie with their infections, this flourishing estate of England, as if they had their consciences sealed with a hot iron',⁴¹ 'licentious rebels',⁴² and in the Bellman's words, the '*Ragged Regiment*: Villaines they are by birth, *Varlets* by education, *Knaves* by profession, *Beggars* by the statute and *Rogues* by act of Parliament. They are the idle drones of a Countrie, the *Caterpillers* of a common wealth, and the *Aegyptian* lice of a Kingdome'.⁴³ These are just a few of the expressions used to describe rogues and their practices, which combined languages of infection, monstrosity and sacrilege.⁴⁴

However, such incriminating language does not dominate the way these criminals are depicted. Authors may state that the only solution for the problem of the rogues is a hangman's noose; Martin Mark-all, for example, claims that if someone can cant (speak the language of the underworld) 'nothing will serve to bridle you, [...] until your neck be compassed with a ... Halter'.⁴⁵ This, however, is not such a one-dimensional approach as is implied. The sympathy towards rogues evident in rogue pamphlets (as I will show below) has often been obscured by viewing parts of the pamphlets as exemplary, as well as narrowing the scope of investigation to only a few pamphlets that supposedly fit within the 'genre' of rogue literature - with particular focus on Harman's *A caveat for*

³⁶ Dionne and Mentz, 'Introduction', in Dionne and Mentz (eds.), *Rogues and Early Modern Culture*, 1-29.

³⁷ Greene, *A notable discovery of coosenage*, sig. Dr.

³⁸ Rowlands, *Greenes ghost haunting conie-catchers* (1602), sig. A2v.

³⁹ E.S., *The discoverie of the knights of the poste* (1597), sig. Br.

⁴⁰ S.R., *Martin Mark-all, Beadle of Bridewell* (1610), sig. B3v.

⁴¹ Robert Greene, *The Second part of cony-catching* (1591), sig. *3r.

⁴² Clavell, *A Recantation of an Ill Led Life* (1628), sig. B6v.

⁴³ Dekker, *The Belman of London* (1608), sigs. B4r-B4v.

⁴⁴ More about this argument in Long, 'Transgression and Cultural Taboo', 1-25.

⁴⁵ R., *Martin Mark-all*, sig. B4r. The same tendency can be seen in Greene's comments that stricter measures should be taken against rogues: Greene, *The Black Bookes Messenger*, sig. Dr.

commen cursetors vulgarely called vagabones (1567).⁴⁶ What I argue, however, is that, by looking at pamphlets as a whole and juxtaposing them with other discourses relating to rogues, we can see that they were not only far more ambivalent texts than other scholars imply, but also representative of the way contemporaries thought about these criminals. We will first turn our attention to the trickster element, and how the popularity of trickster tales could influence the reading of rogue pamphlets.

'Reynart the thief': the trickster and the rogue

Some scholars, as shown above, have emphasised the creation of fear through rogue pamphlets, ignoring –or at least minimizing- how rogue pamphlets provoked laughter.⁴⁷ However, laughter, especially related to trickster tales, was an important 'context of enunciation' for rogue pamphlets. Elizabeth Harvey has argued that, in the early modern period, the political force of metaphors of woman was not fixed in patriarchal terms (thus, did not have a single meaning, neutrally accessible to all), but depended upon the 'context of enunciation', which is recognized or even produced by the readers.⁴⁸ I would like to suggest that this concept can be utilized in relation to the figure of the rogue, considering trickster tales as such a context.

In particular, I will use the story of Reynard the Fox, one of the favourite and best-known trickster figures in the Middle Ages and the early modern period, to show that trickster tales had a long tradition (both literary and as a folk motif), eliciting laughter often directed at the victim, and showing fascination with - not condemnation of- the witty trickster protagonist.⁴⁹ Readers of rogue pamphlets

⁴⁶ Beier, *Masterless Men*, p. 8; Beier, 'New Historicism, Historical Context, and the Literature of Roguery', 98-119; Woodbridge, *Vagrancy, homelessness, and English Renaissance literature*.

⁴⁷ Except when acknowledging it in order to claim that it had sinister purposes, as we have seen.

⁴⁸ Harvey, *Ventriloquized voices*, p. 57. Mikhail Bakhtin has also stressed that laughter can imply a multiplicity of meaning, Bakhtin, *Rabelais and his world*, p. 141.

⁴⁹ Adam Zucker has argued that 'wit is never the preserve of the wealthy, and it permits status to accrue with groups or individuals –women, servants, the untitled or unmoneyed- normally distant from centers of economic or political control', Adam Zucker, *The places of wit in early modern English comedy* (Cambridge: Cambridge University Press, 2011), pp. 10-11. This can partly explain the privileged position of rogues in rogue narratives. Even though neither their social status nor their employment would elicit admiration, their portrayal as witty adds significantly to their status in the narrative. The potentially subversive role of laughter made this levelling effect

were enmeshed in this tradition, which influenced both their reading and their writing. Even though reader response is scarce, at least by highlighting passages where even the voice of particularly critical authors slips into the narration of a trickster tale, I will show how prevalent and influential this format was and how it shaped the treatment of rogues.

Reynard the Fox's story was initially based on one of Aesop's fables but went through various adaptations in the Middle Ages, in both manuscript and oral versions. It was first printed in England by William Caxton in 1481 and went through 5 editions between 1481 and 1525, with two more in 1550 and 1600. It was reprinted in the seventeenth century at least nine more times (in 1620, 1629, 1634, 1640, 1646, 1650, 1654, 1656, 1662, and 1667) as *The most delectable history of Reynard the Fox. Newly corrected and purged from all the grosenesses both in phrase and matter. As also augmented and enlarged with sundry excellent moralls and expositions upon every severall chapter* (1620).⁵⁰ In this version printed marginalia were added which attempted to provide a moralistic undertone to the otherwise particularly immoral story.

Reynard is portrayed in the stories as cruel and immoral, a thief and villain, caring only about himself and his family and hurting everyone else that comes in contact with him. In the 1620 version, the criticism against Reynard was far more severe: whereas in the 1481 version Reynard is described as 'Reynart the thief', in the 1620 edition this is replaced by 'Reynard, that false and dissembling traytor'.⁵¹ In every edition, however, throughout the stories, his exploits are described with particular delight and expected to cause laughter. What the stories highlight is the ways in which Reynard, who had been accused by almost every animal in the court of the Lion King, manages repeatedly to

more pronounced, since 'laughter could deflate the pretensions of rank and social hierarchy', Thomas, 'The place of laughter in Tudor and Stuart England', *Times*, 71-81.

⁵⁰ Mentions of Reynard the Fox (in various spellings) appear in texts where trickery is described: see, for example, Nashe, *Pierce Penilesse*, sig. B4r; François Rabelais, *The first [second] book of the works of Mr. Francis Rabelais, Doctor in Physick, containing five books of the lives, heroick deeds, and sayings of Gargantua, and his sonne Pantagruel* (1653), p. 94; Richard Overton, *Vox plebis, or, The peoples out-cry against oppression, injustice, and tyranny* (1646), p. 53. Often the use was ironic, as in the latter case.

⁵¹ Anonymous, *The most delectable history of Reynard the Fox. Newly corrected and purged from all the grosenesses both in phrase and matter. As also augmented and enlarged with sundry excellent moralls and expositions vpon eueryseuerall chapter. Neuer before this time imprinted* (1620), sig. B3v.

outwit his opponents. He punishes those sent to summon him to court (to face the accusations) and then even makes the King and Queen look like fools.

The stories are funny and revolve around the idea that the trickster's victims deserve their fate. For example, when the Bear tries to bring Reynard before the King, to answer his summons, Reynard tricks him by telling him that before they go, he will take the Bear to a place where he can get as much honey as he wants. The Bear, greedy, agrees to it, but ends up trapped and beaten by the humans who lived nearby, all according to Reynard's plan. Even in the 1620 edition, the moralistic marginal annotation lays the blame equally on the bear and the fox (or even more on the victim): 'The Morall. In this encounter betweene the Fox and the Beare, is exprest the dissimulation of two wicked persons each plotting to doe the other mischiefe...⁵² In the Beares greediness to eate honey is exprest, the lascivious inconstancie of a loose and unrestrained nature, that for a minutes inioying of their own delights, quite forget the businesse and cares they have in hand. In the Fox is exprest the cunning of wisedome, which ever casts out to loose natures those baytes of delight'.⁵³

Even the King and Queen are not immune to such temptations, and they pay for it: when Reynard comes in front of the King to answer for his crimes, he spins a tale of treason and treasure, and 'The King and Queen having great hope to get this inestimable treasure from Reynard', not only let him go, but honour him above all other animals and allow him to go as a pilgrim to Rome.⁵⁴ The expected audience response to this act of trickery against the sovereign is shown by the author's comment, when Reynard leaves the King's court, equipped as a pilgrim: 'O hee that had seene how gallant and personable Reynard was, and how well his staffe and his male became him...it could not have chosen but have stirred in him very much laughter'.⁵⁵

The reason for this extended exposition of Reynard the Fox's story is to show that there was a traditional way of narrating trickster tales which could

⁵² This is an odd choice of phrasing, since the 'mischiefe' of the Bear is wishing to force Reynard answer the King's summons, which we would expect to be considered as a duty, not an evil act.

⁵³ Anonymous, *The most delectable history of Reynard the Fox* (1620), sig. C2r-C3v.

⁵⁴ Ibid, sig. G3r.

⁵⁵ Ibid, sig. H4r.

shape narratives about rogues.⁵⁶ This was partly the result of using the ‘how’ formula of jest books, texts which often narrated trickery. The ambivalence of these tales can be illustrated in *Merie tales newly imprinted [and] made by Master Skelton Poet Laureat* (1567), which included a story titled ‘How Master Skeltons Miller deceyved hym manye times, by playinge the theefe, and howe he was pardoned by Master Skelton, after the stealinge a waye of a Preestoute of his bed, at midnight’.⁵⁷ In this story Skelton uncovers his Miller’s deceit, but instead of delivering him to the hands of justice (where he would face execution for his deceit), Skelton decides to challenge him. Thus, Skelton asks the Miller to steal various things from his house; if he can do that undetected, the Miller will escape his fate. What is particularly interesting is that the victim is willing to negotiate with the trickster, who in the eyes of justice deserves to be hanged, and that the narrative focuses on the ingenious ways in which the Miller completes his tasks.

Rogues were repeatedly portrayed as tricksters, often charming and funny, even if their end game was purportedly to ‘eat a man out of bodie and soule’.⁵⁸ Their tricks were narrated with gusto, and it is clear that laughter was an expected response to the narration of their deceitful ways. Even Thomas Harman, who used his status as a justice of the peace to condemn rogues for their actions, did not escape from this tendency. He narrated a story of how two rogues who managed to steal a parson’s money made the victim promise to spend twelve pence at the local alehouse, because the landlady inadvertently helped them to find his house. When the landlady learned what had happened, she exclaimed ‘now by the masse they be merrie knaves’.⁵⁹ Stories like this did not have a straightforward moral, especially because the response of those who witness (or hear) the tale is usually laughter against the victims. Similarly, in a story about James Hind, he and his gang dressed a shepherd as a Bishop while they posed as his servants at an Inn. Eventually, they left him to pay all the

⁵⁶ For a detailed analysis of the trickster in theatrical texts see Richard Hillman, *Shakespearean Subversions: the trickster and the play-text* (London; New York: Routledge, 1992). Other trickster texts: Nashe, *The unfortunat traveller. Or, The life of Iacke Wilton* (1594). Diego Hurtado de Mendoza, *The pleasaunt historie of Lazarillo de Tormes a Spaniarde, wherein is contened his marveilous deedes and life* (1586).

⁵⁷ Anonymous, *Merie tales newly imprinted [and] made by Master Skelton Poet Laureat* (1567), sigs. C1r-D2v.

⁵⁸ Rowlands, *Greenes ghost*, sig. A2v.

⁵⁹ Harman, *The groundworke of conny-catching*, sig. C2r.

charges, since he was their master. When the Innkeeper found out what had happened, his response was to laugh.⁶⁰

A sense of humour is evident in Goodcole's *Londons Cry* (1620) as well, even though this pamphlet is based on the 1619 sessions of the Old Bailey and thus could be considered a more 'sombre' account: two robbers who stole a man's clothes added insult to injury by dressing their victims with their own rags, saying 'that the shirt was too fine for him, he should have another to keepe him warme'.⁶¹ A similar comment, which involved a festive appropriation of the biblical message, is placed in the ballad *A Total Rout* (1653), where the author comments that these rogues consider it a sin 'to suffer superfluous Coats on another, when he that hath two must give one to his brother'.⁶²

On the title-page of *The blacke bookes messenger* (1592), the paradoxical description of rogues as both villains and pranksters is evident: according to it 'heerein hee telleth verie pleasantly in his owne person such strange prancks and monstrous villanies by him and his Consorte performed'. The description of his deeds as both 'strange prancks' and 'monstrous villanies' shows that the author did not attempt to evoke a unified emotional response to his readers by means of this pamphlet. According to Keith Thomas, the contemporary definition of 'merry prank' was 'a story in which a man is deceived wittily', which again connects rogue pamphlets to the trickster trope.⁶³ Ned Browne in his own address to the reader was conscious of that, by acknowledging his lewd life and yet 'discoursing to you all merrely, the manner and methode of my knaveries, which if you hear without laughing, then after my death call me base knave, and never have me in remembrance'.⁶⁴

Sometimes, even in the (admittedly few) texts where the author was unequivocally against the criminal depicted, the trickster tale could superimpose itself and influence the narrative. In *A world of wonders* (1595), a pamphlet aiming to expose the vice and iniquity of the age and warn readers of how imperative a reformation of manners was, the language of fire and brimstone

⁶⁰ Fidge, *Hind's ramble, or, the description of his manner and course of life* (1651), pp. 9-11.

⁶¹ Goodcole, *Londons cry*, sig. Cr.

⁶² Anonymous, *A Total Rout, or a Brief Discovery, of a Pack of Knaves and Drabs, Intituled Pimps, Panders, Hectors, Trapans, Nappers, Mobs, and Spanners: the Description of their Qualities, Is Here Set Down in Brief* (1653).

⁶³ Thomas, 'The place of laughter in Tudor and Stuart England', 71-81.

⁶⁴ Greene, *The blacke bookes messenger*, sig. Br.

slips to the casual narration of merry tales, when one of the tales of deceit is described as ‘an odde jest’.⁶⁵ In the pamphlet *The cheating solliciter cheated* (1665), Richard Farr, the solicitor, is painted with the worst possible colours because he used lawsuits to blackmail his victims, and if they did not give in, he brought them to trial and ruined them financially with the use of false witnesses. Richard Farr is depicted throughout the pamphlet as a blood-sucking leech, who destroys innocent people. However, mid-way through the narrative, the author states that ‘for variety sake, [I will] give you one of his Tricks, somewhat more Comical. Wanting a Summ of Money, he set his Wits to work, and fram’d his Plot thus: he habits himself like a Country Grazier, comes into a great Inn in Smithfield...’,⁶⁶ and goes on to narrate a usual story of trickery, where Farr disguised as a rich man persuaded the innkeeper to lend him some money (which, unsurprisingly, he never saw again).

This story is one of the most common in rogue pamphlets, but does not fit with the general tone of this pamphlet, since, as the author admits, it is ‘comical’. In addition, whereas all of his other acts were described in past tense, in the description of this one the author slips to the present tense, which was far more usual in trickster narratives. It is possible that one of the reasons for the inclusion of this story was that the author was trying to make his pamphlet more saleable, or easier to read. In any case, this suggests that had become conventional to link stories of cheating criminals, however despised, with trickster tales, and that this kind of story had its own characteristics (such as the expectation that it would provoke laughter and delight) which could not be easily omitted.

Trickster tales, as I have explored, provided an important context for the reading of rogue pamphlets. The trickster figure, who elicits laughter and admiration for his/her witty adjustment to situations and the mastery of their surroundings, was an important component of the figure of the rogue. Adam Zucker has argued that ‘wit is never the preserve of the wealthy, and it permits status to accrue with groups or individuals – women, servants, the untitled or

⁶⁵ Johnson, *A world of wonders* (1595), sig. B3v.

⁶⁶ Anonymous, *The cheating solliciter cheated: being a true and perfect relation of the life and death of Richard Farr. With an exact character of his wench, Mrs. Eleanor Chadwick. Both executed at Tyburn, the 12th. of April, last past* (1665), pp. 12-13.

unmoneied - normally distant from centers of economic or political control'.⁶⁷ This can partly explain the privileged position of rogues as tricksters in rogue narratives. Even though neither their social status nor their 'trade' would elicit admiration, their portrayal as witty added significantly to their status in the narrative, and their ability to function as active agents. The reader response expected in these tales, laughing at the rogue's victims, emphasised the potentially subversive role of laughter, which 'could deflate the pretensions of rank and social hierarchy'.⁶⁸ Thus, instead of being condemned as criminals, rogues were admired for their wit, while their victims (often wealthy, or figures of authority) were ridiculed. Advocates of the 'othering' process position tend to forget this levelling effect of laughter.

Exposés of officialdom

Despite their narration of laughter and trickery, rogue pamphleteers emphasised equally that the problem of crime was a particularly thorny issue for the city of London. Samuel Rowlands, trying to provide an explanation for these phenomena, commented that 'I know not I what should be the cause why so innumerable harlots and Curtizans abide about London, but because that good lawes are not looked unto'.⁶⁹ The idea that good laws existed, but were not being implemented, suggested that a significant part of the blame lay with the agents of law enforcement. Rogue pamphlets were often scathing towards rogues, but they equally revealed the failings and abuses of law enforcement agents. This section will show how rogue pamphlets represented the exploitation of suspects and prisoners by agents of law enforcement and how they brought out the selectivity of justice, which allowed those wealthy or well-connected to escape the full rigours of the law, while the poor had to suffer. This was often the case, as we will see, with the depiction of the treatment of prisoners in the city gaols. Prisons were also described as places where criminals learned sinister skills, instead of being punished and reformed. In order to show these elements more clearly, I will focus on a particular text, *The Black Dog of Newgate* (1596), which

⁶⁷ Zucker, *The places of wit in early modern English comedy*, pp. 10-11.

⁶⁸ Thomas, 'The place of laughter in Tudor and Stuart England', 71-81.

⁶⁹ Rowlands, *Greenes ghost haunting conie-catchers*, sig. A2v.

appropriated the techniques of other rogue pamphlets and used them against the gaolers. Finally, I will juxtapose these texts with civic documents, in order to show that the grievances of prisoners depicted in pamphlets would have struck a chord in the mind of their readers and have been considered as realistic.

That justice was selective, only catching the ones who did not have enough money to bribe the agents of the law, was a commonplace in rogue pamphlets. Thomas Dekker, when describing the criminal activities taking place in the suburbs of London, did not refrain from apportioning part of the blame to the officers of the law: ‘are not Counstables, Church-wardens, Bayliffes, Beadels & other Officers, Pillars and Pillowes to all the villanies, that are by these committed? Are they not parcell-Bawdes to winck at such damned abuses?’⁷⁰ The description of these officers as ‘parcell-Bawdes’ implied that Dekker did not view them as simply negligent in their duties, but as bought off or as accomplices to the rogues. *The Devils Cabinet broke open* (1657) presented a story where an officer of the law (the executioner of London) was very definitely associated with criminals. Its title-page promised that, apart from the discovery of highwaymen and their practices, it would also report ‘the apprehension and imprisonment of the hang-man of the City of London’. The story was interesting in that it presented one law enforcing agent as part of a gang of urban criminals, suggesting the possibility that the executioner was using his position to acquaint himself with criminals, instead of punishing them. The story reads:

They have their certain meeting places on every Saturday night, to give an account of each exploit, the manner and the purchase of it, and that they devide amongst themselves according to their several shares: and the meeting place of late hath certainly bin at the house of the common Hangman of the City of *London*, near or in *Goldenlane*, for there on a Saturday was apprehended several, some known and others probably suspected to be Thieves, where they were on notice given apprehended, and with the Executioner committed unto safe custody, who on examination the last Sessions

⁷⁰ Dekker, *Lanthorne and candle-light*, sig. Hr. Shakespeare has defined ‘parcell Baud: one that serves a bad woman’: William Shakespeare, ‘Measure for Measure’, in *Mr. William Shakespeares comedies, histories, and tragedies Published according to the true originall copies* (1623), p. 65.

was either favoured and so under Baile set at liberty, or else pardoned and so acquitted for that Fact, to see if he will mend.⁷¹

More commonly, however, officers did not engage directly in criminal activities, but accepted bribes in order to let malefactors walk away. Rogue pamphlets repeatedly showed that justice was not blind, but greedy. In his first cony-catching pamphlet, Greene noted that ‘when a nip, which the common people call a Cut-purse, hath a cross-bite by some bribing officer, who threatning to carrie him to prison, takes awaie all the monie and lets him slip without anie punishment’.⁷² By using the term ‘crossbiting’ (a term denoting ‘*coosenage by whores*’⁷³) for the practice of the ‘bribing officer’, Greene depicted him as another criminal. Additionally, pamphlets often showed that those who had enough money to bribe the agents of policing could escape punishment, something which subverted the meaning of law enforcement. John Taylor articulated this in rhyme:

So Rorers, rascals, Banquerouts politicke
With mony, or with friends will finde a tricke,
Their Jaylor to corrupt, and at their will
They walk abroad, and take their pleasure still:
Whilst naked vertue, beggarly, despis’d,
[is] ‘dungeond up....Whil’st craft and cousenage walke at will abroad’⁷⁴

What is interesting here as well is that virtue is placed with the poor prisoners, while ‘craft and cousenage’ are associated with those of a higher-class profile.

Even worse, some officers could use their position in order to blackmail innocent people, by serving false warrants and asking for money in return for not arresting them. Greene described this practice in *The defence of conny-catching* (1592): ‘for the occasion of most mischief, of greatest nipping and foysting, and of al vilanies, comes through the extorting bribery of some coossenage and

⁷¹ Anonymous, *The devils cabinet broke open: or a new discovery of the high-way thieves*, p. 40.

⁷² Greene, *A notable discouery of coosenage* (1591), sig. A4v. Note: the 1592 edition, printed by Thomas Scarlet, has an erroneous address To the Reader. This quotation is from the 1591 edition, printed by John Wolfe.

⁷³ Greene, *A notable discouery of coosenage* (1591), sig. C4r. In this case, the bribing officer probably took the place of the pimp, who extorted money from the whore’s clients.

⁷⁴ Taylor, *The praise and vertue of a Jayle, and Jaylers*, sigs. B5v-B6.

counterfaite keepers and companions that carry unlawful warrants about them to take up men'.⁷⁵ In this passage, Cuthbert Cony-catcher (a cozener, but in reality Greene) accuses officers of the law of being the worst kind of criminals. Middleton in *The Blacke Booke* (1604) narrated a trick catchpoles (petty officers of justice) performed, in order to get bribes from both the victim and the criminal: '[you] receive double Fée both from the Creditor and the Debter, swearing by the post of your office to shoulder-clap the party, the first time he lights upon the Limetwigs of your liberty, when for a litle Usurers Oyle, you allowe him day by day frée passage to walke by the wicked precinct of your Nose'.⁷⁶ Similar practices, as we will see below, were described in Hutton's *The Black Dog of Newgate* (1596) and in *The life and death of Griffin Flood* (1623).⁷⁷

The same understanding that law enforcement had lost its focus, and, instead of correcting criminals, only existed to make its agents richer, appeared in the descriptions of prisons.⁷⁸ Rogue pamphlets repeatedly described how keepers abused the prisoners and took bribes from them, and that prisons were places where the prisoners suffered and only became hardened, instead of being corrected. Greene implied that he had another pamphlet ready to be published, 'with a discovery of secret villanies, wherein you [Greene] meane to discourse at ful the nature of the stripping Law, which is the abuse offered by the Keepers of *Newgate* to poore prisoners, and some that belong to the *Marshalsea*'.⁷⁹ Giving the name of a 'Law', which in these cony-catching pamphlets is linked with criminal practices,⁸⁰ to the treatment of prisoners by their gaolers mockingly subverts the moral high ground they should have enjoyed and shows that criminal activities exist on both sides of the divide between police and thieves.

John Clavell would not be expected to speak badly of the prisons, since his pamphlet was written as a gesture of gratitude for the pardon he had received,

⁷⁵ Greene, *The defence of conny-catching*, sig. E2v.

⁷⁶ Middleton, *The Blacke Booke*, sig. Fr.

⁷⁷ Anonymous, *The life and death of Griffin Flood informer. Whose cunning courses, churlish manners, and troublesome informations, molested a number of plaine dealing people in this city of London* (1623). This pamphlet will be described fully in the next chapter. What is relevant here is that Flood was an unofficial (but crucial) agent of law enforcement, who used his position to extort both criminals and innocent men and women.

⁷⁸ This idea did not only exist in the texts included in the category 'descriptions of prisons', as is evident from Greene's quotation below.

⁷⁹ Greene, *The defence of conny-catching*, sig. E2v.

⁸⁰ 'their *Knaueries* gotten the names of Arts or Lawe' in Dekker, *The Belman of London*, sig. E2v.

and was, in general, defending law enforcement. Nevertheless, he described prison and its 'devilish' Jailer in scathing terms:

And ever as they see a Keeper come
They start, as fearing some new martyrdom.
Whilst the insulting Rascall swels to thinke
The craven soule should from his power shrinke, [...]

As the poore Prisoner with a dolefull looke
Seemes to petition some thing, (as the Booke
Of his sad face may tell) the Iayler vild,
His deuillish heart is from remorse exild. [...]

And if a little tainted when you came
Ere you depart y'are all compos'd of shame,
And grow as cunning now in all offence
As he that tempted Mans first innocence.⁸¹

In these lines, prisoners are depicted as martyrs, who suffer in the hands of the Gaoler, and not as justly punished individuals. In addition, Clavell does not miss the chance to support the statement that prisoners become more degenerate by staying in jail, highlighting the ultimate failure of law enforcement. A similar comment is repeated in Taylor's *The praise and vertue of a Jayle, and Jaylers*:

[some] cal'd a Jaile a magazin of sin,
An University of Villany,
An Academy of foule blasphemy,
A sinke of drunkennesse, a den of Theeves,
A Treasury for Serjeants and for Shreeves,
A Mint for Baylifes, Marshalls men and Jailors,
Who live by losses of captiu'd bewailers:
A Nurse of Roguery, and an earthly hell,
Where Devils or Jaylers in mens shapes doe dwell⁸²

⁸¹ Clavell, *A Recantation of an Ill Led Life*, sigs. C3v, C4r. Jerome de Groot explores how this convention was exploited by political writers in the 1640s and 1650s, de Groot, 'Prison writing, writing prison in the 1640s and 1650s', p. 199.

⁸² Taylor, *The praise and vertue of a Jayle, and Jaylers*, A7v.

This was not presented as the author's opinion, who goes on to say that jail is 'a school of virtue'.⁸³ Nonetheless, even if his last comment was not ironic (which is unlikely), in any case it implied that some people thought of prisons as places where prisoners were fleeced out of their money by their keepers, and where they would not be reformed, but actually become more depraved. But in this case the fault lay with the keeper, not the prisoners.

This view was reflected in George Wither's *Britain's remembrancer* (1628). Wither criticised the practice of putting rogues in London's correction houses, because the intentions behind it were not Christian, but selfish:

Thou hast Correction-houses; but, thou mendest
Not many, whom to chasten thou pretendest:
For, thither they are oftner sent to ease thee
Of them, or of their pilfrings, which disease thee;
Then out of Christian purposes, to force
Such vagrant people to a better course⁸⁴

The most explicitly critical pamphlet about the immoral and deviant practices of jailers was *The Blacke Dogge of Newgate* (1596).⁸⁵ This deserves to be analysed in detail since in it the above-mentioned elements were combined and articulated forcefully. In addition, as we will see, it is very likely that this pamphlet set the tone for later depictions of prisons and their jailers. Luke Hutton, a highwayman incarcerated in Newgate (the city prison of London), completely turned the tables on his keepers by publishing this pamphlet, addressed at the Lord Chief Justice of England and detailing the abuses in Newgate prison.

The Blacke Dogge of Newgate left a lasting impression, since the name 'Black Dog' (the name given to the Jailor by the author) stuck to the Keeper of

⁸³ Ibid.

⁸⁴ George Wither, *Britain's remembrancer containing a narration of the plague lately past; a declaration of the mischiefs present; and a prediction of iudgments to come; (if repentance prevent not.) It is dedicated (for the glory of God) to posteritie; and, to these times (if they please)* (1628), p. 201. Wither was a poet and satirist; this work was published without a license, but was immediately popular: Michelle O'Callaghan, 'Wither, George (1588–1667)', *Oxford Dictionary of National Biography*, eee online ed., ed. Lawrence Goldman, Oxford: OUP, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/29804> [accessed 15 September 2013].

⁸⁵ Hutton, *The Blacke Dogge of Newgate*.

Newgate. This was evident in Charles Courtney's title-page, which showed a banner with a black dog hanging outside the prison, so as to make it clear that the prison depicted was Newgate.⁸⁶ Furthermore, Middleton in *The Blacke Booke* used the term 'black dog of Newgate' to describe the catchpoles, when he narrated 'your unmercifull dragging a Gentleman through Fleet-streete, to the utter confusion of his white Feather, and the lamentable spattring of his Pearle colour like Stockins, especially when some sixe of your *balcke Dogges of Newgate* are uppon him at once'.⁸⁷ Geffray Mynshul used the same imagery, naming the gaoler of his prison (a debtors prison) as 'a Cerberus a man in shew but a dogge in nature', who asks for money from prisoners for even the most basic amenities.⁸⁸ Even more interestingly, in *Lanthorne and Candle-light* (1608), a Devil, infuriated with the Bellman's uncovering of criminal practices, suggests sending 'the *Blacke-dogge* of New-gate' against the Bellman.⁸⁹ It is perhaps telling that the black dog, the Gaoler of Newgate, has been turned into the Devil's servant.⁹⁰

⁸⁶ Anonymous, *The life, apprehensio[n.] arraignment, and execution of Char[les] Courtney* (1612). See next page. This pamphlet will be analysed in detail in Chapter 6.

⁸⁷ Middleton, *The Blacke Booke* (1604), sig. Fr. Emphasis mine. See also G. B. Shand, 'The Black Book', in Gary Taylor (ed.), *Thomas Middleton: the collected works* (Oxford: Clarendon, 2007), p. 206.

⁸⁸ Mynshul, *Certaine characters and essayes of prison and prisoners* (1618), sigs. C5-C5v.

⁸⁹ Dekker, *Lanthorne and Candle-light*, sig. C3v.

⁹⁰ Even though it did not repeat the same stereotype, the title-page of *Strange Newes from Newgate and the Old Baily* (1651) repeated the association of the Black Dog with Newgate prison: the title-page depicts a prison and a caption reads 'The Black Dogg hath bewitched us', Anonymous, *Strange newes from Newgate and the Old-Baily: or The proofs, examinations, declarations, indictments, conviction, and confessions of I. Collins, and T. Reeve, wo of the Ranters taken in More-lane, at the Generall Sessions of goal-delivery, holden in the Old-Baily the twentieth day, of this instant Ianuary, the penalties that are inflicted upon them* (1651). See also the references in John Done, *A miscellania of morall, theologicall and philosophicall sentances* (1650), sig. Gr; John Phillips, *A satyr against hypocrites* (1655), sig. Cr.

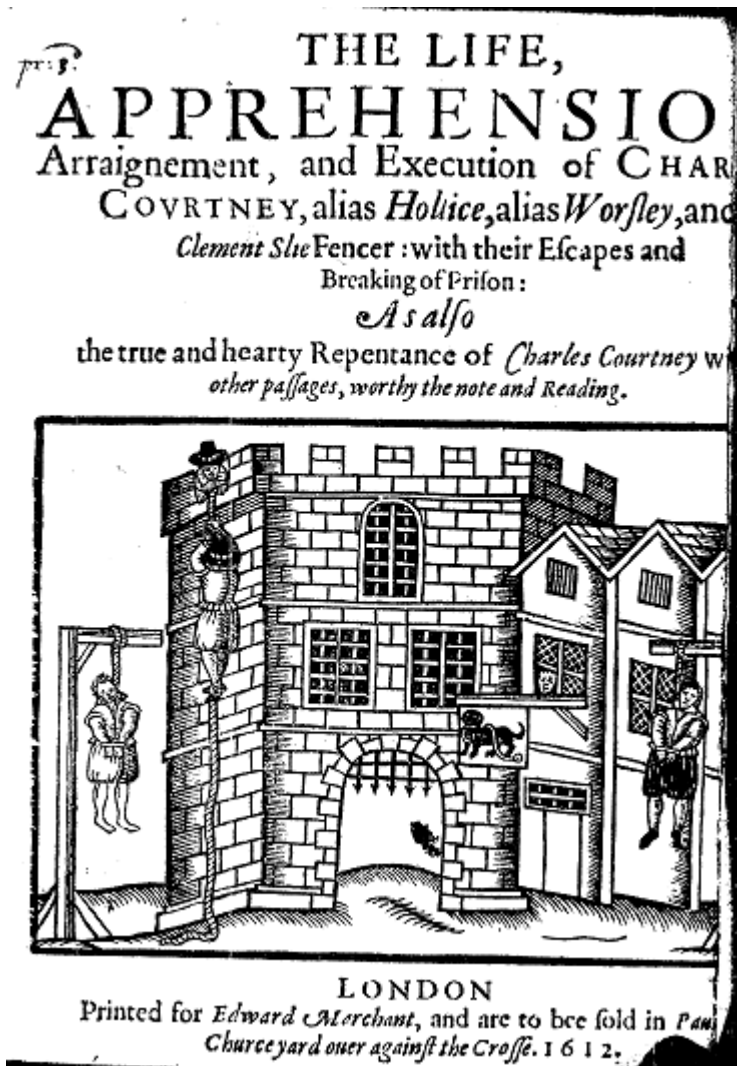


Figure 8 Anonymous, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney* (1612) , Title-page.

What is really interesting is Hutton's attempt to hijack the vehicle of the rogue pamphlet to censure the officers of Newgate. This was clear even on the title-page, which depicted a black, monstrous dog:

The Blacke Dogge of Newgate :
both pithie and profitable
for all Readers.

Vide, Lege, Cause.

Time shall tric the truth.



Figure 9: Luke Hutton, *The Blacke Dogge of Newgate* (1596), Title-page.

Half of *The Blacke Dogge of Newgate* is an extended poem relating the miserable circumstances in which prisoners were forced to live. In the pamphlet, the gaoler appears as the eponymous dog, being corrupt and merciless, taking every last penny from his prisoners to give them food. The text is filled with references to the miserable fate of the prisoners, who are sentimentally portrayed as poor men starving to death in prison, unable to pay even for some bread to survive, or with no clothes to protect them from the cold:

Whilst thus I lay in Irons under ground,

I heard a man that begged for releefe:
And in a chaine of Iron was he bound,
Whose clattering noyse filde full my heart with grieffe,
Begging one penny to buie a hundred bread,
Hungerd and stervd, for want of food ny dead. [...]

But more he [the Keeper] sayes, if thou haue any coyne:
To pay for ease, I will a little winke,
And boultis releasment, with discharge Ile ioyne.
Of this close prison to some other warde,
Paying thy fine, or else all ease is bard.⁹¹

The other half of the pamphlet however is more interesting for our purposes: this is a prose work titled ‘A Dialogue betwixt the Author and one *Zawny*, who was a Prisoner in Newgate, and perfectly acquainted with matters touching the discoverie of the superlative degree of Cunicatching: pithy, pleasant, and profitable for all the readers heereof’.⁹²

It is clear that Hutton was acquainted with Greene’s cony-catching pamphlets, since he used the exact same language, but turned it upside-down: in his pamphlet, the officers of Newgate are described as the cony-catchers, whereas the cutpurses are ‘conys’, meaning their victims. The title imitated the ones of the cony-catching pamphlets, while stressing that the officers’ cony-catching is the highest degree of deceit. The similarities do not end there: the whole pamphlet was structured like a cony-catching pamphlet and the narration of the tricks these officers used in order to cheat their victims mirrored the rogue pamphlets - see, for example the description of one of their tricks as ‘this next discoverie of their Cunny-catching’.⁹³ In this case however their actions were more reprehensible, because they used their position to cheat.

In one particular example, the officers tried to extort money from an innocent man, threatening to imprison him. Even though he was not liable for punishment, his refusal to pay them resulted in his incarceration, and he was forced to bribe them to avoid staying in prison until his trial. In another case, one of these corrupt officers promised his help to a country man who had lost his purse (losing four pounds in total). However, his reason for helping was his own

⁹¹ Hutton, *The Blacke Dogge of Newgate* (1596), sigs. Cr, C2v.

⁹² *Ibid.*, sig. D2r.

⁹³ *Ibid.*, sig. E3v.

profit: acting on behalf of the victim, he rounded up twelve known cutpurses, even though he knew they were innocent, just to force them to bribe him to escape prison:

They take at least a dosen Cutpurses: which when they have done, the Cunnicatcher begins to rayle mightely, swearing they shall some of them be hanged: but to Prison they shall all go, unles this money be had agayne...Now the Cutpurses, though they be all cleere of this matter, yet they begin to quake for feare, offering rather then they will goe to Prison, they will make up the money...To be shorte, no Cutpurse scape their hands, but he paide a share, so that there was gathered the first day at the least ten pounds...⁹⁴

Zawny's aphorism, that he is 'rather kept in to bribe them, then to answer any offence I have committed',⁹⁵ graphically shows that profit, and not justice, was the officers' primary concern.

Hutton successfully used the form and language of cony-catching pamphlets to uncover the iniquity of those who were supposed to uphold the law, thus robbing them of any justification. This pamphlet, however, was not just an imitation of rogue pamphlets, but the direct descendent of Greene's pamphlets, since, as we have seen, the same kind of rhetoric was used in them.⁹⁶ Even though Hutton was a prisoner, it is significant that his pamphlet was among the ones who were reprinted quite frequently, going through three editions. The same holds true for Mynshull's pamphlet, which was reprinted four times.

These criticisms were not just literary conventions, reusing a common trope of writing about prisons. This can be evidenced from the petitions by prisoners detailing the malpractices occurring in city prisons, and from administrative documents attempting to reform these abuses. Prisoners throughout the period under examination complained about the dismal conditions in London prisons, and their petitions were examined in the Court of Aldermen and the Court of the Common Council in London. The court of Aldermen often had to deal with 'the disorders of the keeper of Newgate', the 'complaints against

⁹⁴ Hutton, *The Blacke Dogge of Newgate*, sig. E3v.

⁹⁵ *Ibid.*, sig. D2v.

⁹⁶ Greene, *The defence of conny-catching*, sig. E2v.

the keepers of Newgate, Ludgate and the compters’, or to set up committees for ‘the unlawful exaction of fees taken in the Prisons of Newgate, Ludgate and the Compters’, and ‘for the Reformation of Disorders by keepers of Prisons’.⁹⁷ In 1613, Naughten, the previous Keeper of Newgate, was prosecuted in the Star Chamber for misdemeanours while he was Keeper.⁹⁸ The problem of the extraction of fees from the prisoners must have been severe, because various initiatives were taken to resolve this issue. In the 1616 ‘Orders for the government of the House of Correction erected at Clerkenwell’, it was stated explicitly that ‘no fee or reward whatsoever be received by the Governor or any other in the house, for their ease of labour or punishment or for procuring their discharge.’⁹⁹

Such problems were described in more detail in *A proclamation for Reformation of abuses, in the Gaole of New-gate* (1617), the official response by the mayor to the problems plaguing Newgate in 1617. Even though it began by denouncing the ‘notorious Mutinies and Out-rages’ of prisoners, it is evident that the main responsibility for the situation was attributed to the Jailor. The mistreatment of the prisoners is hinted at when the proclamation states that the keeper and other officers of Newgate should not oppress the prisoners (‘to prevent as well all manner Oppression in the Gaolers, and licentiousnesse of Prisoners’), and that they should make sure that prisoners who are ‘chastised’ should not die in the dungeon. In addition, the officers’ grasping tendencies toward the inmates are made clear: the proclamation issues ‘that there be no oppression or extraction for their beds or lodging’...‘that [the officers] shall not take any fee of any prisoner committed for felony, or suspicion of felony, nor of any person that shall have occasion to come or resort to them or to any of them, to bring them meate, drink, or other needful provisions...that [the officers] shall take no fees for, or in respect of release or ease of Irons’. Finally, it is also

⁹⁷ See for example LMA Rep. 22, fo. 126; Rep. 23, fos. 31, 47, 390b, 178; 25, fos. 92, 238b, 279; Rep. 26, fos. 150b, 165; Rep. 33, fos. 96b, 99b; Rep. 34, fos. 151, 569b, 588b; Rep. 36, fo. 61b; Rep. 45, fos. 488, 490; Rep. 46, fos. 132, 360, 457, 451b-458; Rep. 47, fos. 96b, 182b-186; Rep. 49, fo. 306; Rep. 53, fos. 28, 278; Rep. 54, fo. 76; Rep. 55, fos. 226, 231. Most of them had to do with the extraction of ‘excessive’ fees, or general –and unspecified– abuses. See also from the Journals of the Common Council of London: LMA Jour. 25, fos. 76b, 201; Jour. 40, fo. 36. Also, Griffiths about the misconduct of the Bridewell bench: Griffiths, *Lost Londons*, pp. 220-221.

⁹⁸ LMA Rep. 31, fo. 16b.

⁹⁹ William Le Hardy (editor), ‘Sessions, 1616: 11 and 12 January’ County of Middlesex. Calendar to the sessions records: new series, volume 3: 1615-16, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82363>, [accessed 31 July 2012].

dictated that these officers should not ask for more than 12 pence from any prisoner when he is commanded to be brought before a justice of the peace.¹⁰⁰

This blurring of the line between criminals and law-enforcing agents made it impossible to think of them as binary oppositions. Hansen comments on this fluidity of roles, arguing that in some of the writings about rogues ‘the authorities are just as degenerate as the criminals wicked’.¹⁰¹ This is an understatement, because, as we have seen, many examples from rogue pamphlets depict the authorities as far more degenerate than the criminals.¹⁰² Ballads also decried the partiality of justice, which allowed the rich to walk free while punishing the poor. This was the case with the ballad *I smell A Rat* (1630),

When officers let slip
to punish such as these:
pray where doth justice sit
or rails she when she please:
it may be she is brib’d
and so kept blind by that
else none of these could thrive
in troth I smell a Rat.¹⁰³

The depiction in rogue pamphlets of agents of law enforcement as corrupt and inhuman, and of justice as blind, subverted the significance of crime and lessened its condemnation on moral grounds.

Rogues and urban change

One of the most characteristic elements of rogue pamphlets was their distinctly urban character, their focus on practices and attitudes relating to the

¹⁰⁰ Corporation of London (England). Lord Mayor, *By the Maior. A proclamation for Reformation of abuses, in the Gaole of New-gate* (1617).

¹⁰¹ Hansen, ‘Sin City and the Urban Condom’, p. 218.

¹⁰² See comments on jailors in the previous section.

¹⁰³ Anonymous, *I smell A Rat* (1630). Similarly in M. P. (Martin Parker), *Knavery in all trades, or, here’s an age would make a man mad. To the tune of, Ragged and torne and true* (1632), ‘If a poore man be wrong’d by a rich,/ as alas we daily see,/ Without money to goe through stitch, in a pittifull case is hee’, in Geoffrey Day (ed.), *The Pepys ballads: facsimile volume I* (Cambridge: D.S. Brewer, 1987), pp.166-167.

city. The target audience for these pamphlets was arguably London dwellers, since such an audience would be familiar with the topical names (of places or particular personages) and practices as well as inclined to laugh at the folly of those ‘simple’ victims who come from the country. Rogue pamphlets can be viewed as part of the literature that negotiated urban change, because they partook of the general debate about the changing nature of London. Indeed, rogue pamphlets reveal broader ways of conceptualizing early modern London society and illustrate that contemporaries were not ignorant of how urban change was affecting social relations. Paul Griffiths views rogue literature as part of the ‘new fictions of urban settlement’ that helped people cope with change.¹⁰⁴ However, he considers that they depict ‘tales of two cities’ one of law-abiding citizens and one of ‘roughneck thieves’.¹⁰⁵ Apart from the objection that a lot of the thieves described are refined, and anything but ‘roughneck’, it is also difficult to view rogue pamphlets as creating an absolute dividing line between ‘respectable’ society and the rogues.

Most of the rogue pamphlets indicate that even though rogues’ practices are reprehensible, they are symptomatic of a wider problem of contemporary society and thus less culpable. Rogue pamphlets did not restrict their scope to the description of a criminal underworld, on the contrary they focused on the growth of London and how capitalist practices (concomitant with metropolitan growth) corrupted the moral economy on which London society rested –or at least was thought to. In this section, I will show that rogue pamphlets provided an understanding of the problems of urban life in a transitional age.¹⁰⁶ This will be achieved by exploring two issues highlighted in rogue pamphlets: first, that the identification of the poor with rogues (in these pamphlets) led to an increased understanding of crimes of necessity and a potentially forgiving attitude towards crimes against property. Secondly, that rogue pamphlets functioned as a way of negotiating urban change (for both their readers and their writers), and depicted roguery as part of the urban scene. The praise of the witty city co-existed with

¹⁰⁴ Griffiths, *Lost Londons*, p. 4.

¹⁰⁵ *Ibid*, pp. 137-138.

¹⁰⁶ Even though my investigation here focuses more on texts before 1640, it seems that similar feelings continued to be expressed even in the late seventeenth century. I usually juxtapose the later texts in each of the following sections.

the condemnation of urban deception, and this elicited an ambivalent treatment of rogues as well.

Depictions of poverty

As we have seen, research on rogue literature has presented these texts as an attempt to marginalise the poor and petty crime, in order to justify law enforcement and absolve well-to-do citizens from their responsibilities toward the poor.¹⁰⁷ This, I argue, is a very prejudiced way of viewing these texts, which ignores the extent to which rogue pamphlets actually justified crime as a last resort for the poor. Exceptions notwithstanding, rogues were stereotypically portrayed as poor, while at the same time connected to crime.¹⁰⁸ This probably explains the ambivalence of the term ‘rogue’. Even though the connection of crime with poverty and destitution could engender negative responses, due to a tendency to link poverty with idleness, at the same time it allowed more sympathy for rogues, since their crimes were considered crimes of necessity.

Scholars emphasising the extent to which poverty was connected to idleness quote Robert Greene’s comment about cony-catchers ‘preferring coossenage before labour, and chusing an idle practice before anie honest forme of good living’ (or other similar mentions).¹⁰⁹ Harman’s comment that from this ‘rainging rablement of rascols some be servinge men, artificers, and laboring men traded up to, husbandry: These not meaning to get their living, with the sweat of their face but casting of al paine, will wander after their wicked manner,

¹⁰⁷ Woodbridge, ‘Jest Books, the Literature of Roguery, and the Vagrant Poor in Renaissance England’, p. 209; Fumerton, ‘Making Vagrancy (In)Visible’. Patricia Fumerton in a later article acknowledges the mixed attitudes (‘fear, antagonism, sympathy’) of the ‘common man’ towards vagrants (and the lower orders), but she is not using rogue pamphlets as sources in this case: Patricia Fumerton, ‘London’s Vagrant Economy’, 206-225.

¹⁰⁸ As we have seen, the term ‘rogue’ included various kinds of criminals, not all of whom were depicted as poor. Adam Hansen has also argued that rogue pamphlets do not explicitly attribute criminal activity to poverty, even though they may imply it, by showing the rogues’ successful appeals to charity: Hansen, ‘Sin City and the Urban Condom’, p. 223. In theatrical works as well, high-class tricksters and cony-catchers share the scene with low-class rogues, which shows that there was no straightforward association between poverty and these crimes. See for example, Thomas Middleton, *A mad world my masters: a comedy. As it hath bin often acted at the Private House in Salisbury Court, by her Majesties servants. Composed by T.M. Gent* (1640); William Shakespeare, ‘The winter’s tale’, in *Mr. William Shakespeares comedies, histories, and tragedies. Published according to the true originall copies* (1623); Edmund Prestwich, *The Hectors: or The False Challenge. A comedy written in the year, MDCLV. The scene London* (1656)

¹⁰⁹ Greene, *A notable discovery of coossenage*, sig. B2r.

through the most shyres of this realme', is probably one of the reasons why scholars interested in rogue pamphlets have considered them completely oblivious to the social factors of poverty and vagabondage.¹¹⁰

Nevertheless, it seems that the link between these crimes and poverty to a degree tended to exonerate the rogues, by claiming that their crimes were a result of destitution. In many cases authors explicitly state that many of the rogues presented by them are poor and for them, engagement in illegal activities is the only way to make ends meet. Greene divides horse stealers into two groups: the rich ones, who have horses ('The Priggar if he be a Launce man, that is, one that is already horst, then he hath more followers with him, and they ride like Gentlemen'), and the 'base Priggar that steales of mere necessity'.¹¹¹ The difference between the two categories is clear: the first one is described as a member of a gang, who is rich enough to have horses, thus appearing like gentlemen. The latter might be stealing horses, a capital offence, but the reason behind his actions is necessity – even the adjective 'mere' stresses the assumption that his crimes are related to his survival.

Another example of mixed views about petty criminals, which possibly hints at social distinctions between different forms of crime, appears in Dekker's rogue pamphlets. He depicts cutpurses and pickpockets as working like bees, but he reverses the metaphor when it comes to confidence tricksters, claiming that 'they are not bees, to live by their owne painfull labors, but Drones that must eat up the sweetnesse, and be fedde with the earnings of others'.¹¹² This might have to do with the fact that confidence tricksters were considered as 'white-collar' criminals (since they often relied on eloquence and passing as gentlemen).

In *A World of Wonders* (1595), a trenchant critique of criminals, the author acknowledges that in many cases the poorer ones need to resort to crime: he admits that it is usual for apprentices and servants, who are treated harshly by their masters, to be 'forced for want of further remedie to runne away or to filch & steal to buye victualles or els to runne to a further mischeife'.¹¹³ In *Greevous grones for the poor* (1621), a pamphlet demanding the relief of the less fortunate, the author divides the poor in the impotent poor and the idle rogues. In the

¹¹⁰ Harman, *The groundwork of conny-catching*, sig. B2r.

¹¹¹ Greene, *The second part of conny-catching*, sig. Av.

¹¹² Dekker, *The Belman of London*, sig.H2v; Dekker, *Lanthorne and Candle-light*, sig. Gr.

¹¹³ Johnson, *A world of Wonders*, sig. F4r.

second category he includes ‘the theefe, the Rogue, the strumpet, the sturdy beggar, the filcher, the couzener, Cut-purse, and such like’.¹¹⁴ This is a usual classification, echoed in many texts, and it shows that these criminals were presented as part of the poor, regardless of their actual circumstances.¹¹⁵ The same rhetoric could, surprisingly, be appropriated by impoverished gentlemen who resorted to highway robbery: in *The life and death of Gamaliell Ratsey, a famous theefe of England* (1605), Ratsey gave as an excuse for his life that ‘we are in want, and we scorne to crye out our wants in the streets, for we shall not be heard’.¹¹⁶

The idea that necessity drove people to lawlessness is hammered home repeatedly; in *Kind-harts Dream* (1593), a country-man who came to London justified turning his wife to prostitution by claiming that he had no other way to pay the rent. Chettle had him say that his landlord ‘knows by honest courses I can never paye the Rent’; consequently, his only option is crime: ‘for thou knowst our rentes are so unreasonable, that except wee cut and shave, and poule, and prig, we must return *Non est inventus* at the quarter day’.¹¹⁷ Poverty led to begging and crime, and usually the two were interchangeable. Begging was common because ‘all sortes of people make it their last refuge’.¹¹⁸ According to the writer of *Greevous grones for the poore* (1621), the poor should be relieved, ‘and not bee forced to beg or steale for maintenance’. He very definitely stated that it is ‘want of other trade or meanes to live by’ that makes them ‘practice Robbing, Filching, Stealing, Cozening and such like’.¹¹⁹

This association of crime with necessity survived long, as can be evidenced from post-1640 texts. Henry Peacham maintained that, even though there is employment for the poor in London, ‘want’ in London can easily turn

¹¹⁴ Anonymous, *Greevous grones for the poore* (1621), sigd. Br-Bv.

¹¹⁵ The same assumption, as we have seen, was evident in official discourses associating rogues with both vagrancy and crime.

¹¹⁶ Anonymous, *The life and death of Gamaliell Ratsey, a famous theefe of England, executed at Bedford the 26. of March last past, 1605*, sig. A2v. Ratsey identified himself as a gentleman, so it is interesting that he chose to use this rhetoric of necessity.

¹¹⁷ Chettle, *Kind-harts dreame*, sig. E3v. For examples from archival records where landlords exploited their tenants, see Archer, ‘Material Londoners?’, p. 183.

¹¹⁸ Dekker, *The Belman of London*, sig. C2v.

¹¹⁹ Anonymous, *Greevous grones for the poore* (1621), sigs. B2r-B3r. Thomas Dekker, in his play *The honest whore* (1604), showed great sensitivity towards petty criminals, and it is likely that their poverty was the reason for his sympathy: ‘Many lose their lives for scarce as much coin as will hide their palm: Which is most cruel’, Thomas Dekker, *The honest whore, with, the humours of the patient man, and the longing wife. Tho: Dekker* (1604), sig. Iv.

such people into criminals: ‘Now for such as are of the poorest condition, and come to the Citie, compelled by necessitie to try their fortunes, to seeke services, or other meanes to live, let them presently provide themselves if they can (for here is imployment for all hands that will worke) or returne home againe before they finde or feele the extremity of want; otherwise they shall finde it farre worse then the Countrey; because if they want, here are more occasions to draw them into ill courses then there’.¹²⁰ When James Hind, the highwayman, was arrested, ‘It was demanded of him how it came to pass he being a knowing man durst to run into such evil courses against the severest Lawes of God and man; especially in that he was not in any necessity (though that were no excuse) that might enforce him thereunto’.¹²¹ Even though the examiner states that it is no excuse, the way the question is posed makes it clear that it could be an extenuating circumstance.

Some pamphlets were more ambivalent, introducing the concept of temptation by the conspicuous display of wealth in London. Rogue pamphlets vividly described cutpurses as sorely tempted by the sight of money, because they have none: Ned Browne, the rogue from *Blacke Bookes Messenger* describes how ‘necessity and the sight of such a fair purse beganne to muster a thousand inventions in my head’, while Samuel Rowlands justifies the cutpurses’ actions even more emphatically, albeit in a joking manner: ‘Alas, they were mortall, and could not choose but bee tempted with so glorious an obiect. For what maie not gold doe with him that hath neither money nor credit?’¹²² Temptation, a human failing, goes side by side with necessity, making it difficult to judge whether the authors’ comments were meant as a criticism or as a show of goodwill towards the rogues. In this case, part of the blame lies with the victims, who flaunt their wealth in public, tempting those poor enough to crime. This is what Robert Greene meant when he exclaimed that ‘the pray makes the thiefe’.¹²³

¹²⁰ Henry Peacham, *The art of living in London, or, A caution how gentlemen, countrey men and strangers, drawn by occasion of businesse, should dispose of themselves in the thriftiest way, not onely in the citie, but in all other populous places. As also, a direction to the poorer sort that come thither to seeke their fortunes. By H. P.* (1642), sig. A4r.

¹²¹ *A Perfect Account*, 45 (5-12 November 1651), p. 360.

¹²² Greene, *The Blacke Bookes Messenger*, sig. C2v; Rowlands, *Greenes ghost*, sig. D4v.

¹²³ Greene, *The Blacke Bookes Messenger* (1592), sig. C2v.

This examination of rogue pamphlets illustrates that they included sympathetic notes towards the poor, by accepting that crime was often the only way these people could survive. This sympathetic treatment of poverty and crime was not restricted to rogue pamphlets. Other contemporary commentators were not necessarily ignorant of the difficulties faced by the poor, nor did they fail to understand that sometimes the association of the poor with crime was an excuse used by wealthier citizens to justify their parsimony. This is apparent in the cases where the poor are cast in a sympathetic light, as mentioned before, and is present in pamphlets and sermons about the poor.

Henry Smith, in a 1592 sermon, exposed the kind of double-language used by the rich in such circumstances: ‘let some ungodlie rich cormorants see a poore person beg: this is their present sentence of him: whip the roags, to Bridewell with these roagues, it is pittie these roagues be suffered to live’.¹²⁴ Christopher Hooke, in a 1603 sermon, implicitly acknowledged that the straightforward distinction of the poor into worthy and unworthy was not valid, when he spoke of the terrible circumstances ‘of the poore man of occupation, who in this time wanteth worke; and therefore wanteth foode for him and his familie’.¹²⁵ The author of *Greevous grones for the poore* (1621) acknowledges that the poor might be idle, but urged charity: ‘But no doubt some wil say, the fault is in those poore people, that they are not set on worke; they are either untrue, froward, unruly, slothfull, or some such matter, which indeede I cannot deny’... And let not us, because they of weakenesse, goe over the shooes in sin, shew so much unchristian Crueltie to them, to thrust them over head and eares into Hell, by forcing them to live by unlawfull meanes’.¹²⁶

In conclusion, rogue pamphlets associated poverty with crime, even if they did not equate the two. This tendency gave rise to ambivalent impulses in the rogue pamphlets. Paul Griffiths in *Lost Londons* speaks of the ‘blanket criminalizations of the poor’,¹²⁷ but the flip side of this argument is that if rogues (both as vagrants and petty criminals) were poor then they could be viewed as less culpable for their actions. This, in part, was due to the realisation that the lack of employment or charity was related to the growth of London.

¹²⁴ Henry Smith, *The poore mens teares opened in a sermon* (1592), sig. A5v, p.6.

¹²⁵ Christopher Hooke, *A sermon preached in Paules Church* (1603), sig. C7v.

¹²⁶ Anonymous, *Greevous grones for the poore*, sig. Dr.

¹²⁷ Griffiths, *Lost Londons*, p. 192.

Crime, deceit and urban economy

For as long as London City doth endure,
In it a knave, as well as fool, to find you shall be sure¹²⁸

One issue ignored by scholars emphasising the demonisation of rogues in rogue pamphlets is the extent to which these texts articulated debates about urban life, and more specifically about wealth and capitalistic practices. In most of the pamphlets examined, a considerable part is dedicated to a lashing out against broader morality issues. These usually have to do with urban and market-related vices, such as usury, deceit in trades, the corruption of officers, the greed of landlords who charge unreasonable rents and similar offences or vices. The ambivalence of the authors' attitude towards rogues has been touched upon by some scholars, but it is usually written off as conventional, an instance where traditional morality resurfaces and demands of charity and plain-dealing are made in a world that does not work like that anymore.¹²⁹

Peter Lake in his assertion that, in the mid-sixteenth-century, 'social reality had fallen increasingly out of line with the pronouncements of many of the preachers and moralists', aptly expresses this inertia of contemporary morality compared with the changing social background.¹³⁰ Even though Lake picks up the idea that a lot of the economic activities which were being criticised in the rogue literature were symptomatic of an early capitalistic outlook and were being practiced by a far larger part of society than just criminals, he nonetheless views rogue pamphlets as an attempt to relegate morally dubious economic activities to the margins.¹³¹ Lake implies that rogues were considered as a marginalised Other, on whom the vices of 'respectable' society were projected.

¹²⁸ Prestwich, *The Hectors: or The False Challenge*, p. 58.

¹²⁹ See pp. 76-77 for Karen Helfand Bix's viewpoint and my critique.

¹³⁰ Lake, 'From Troynouvant to Heliogabalus's Rome and Back', p. 248. Joad Raymond views the means of moralising in rogue pamphlets as quite distinct from Puritan tracts and sermons railing against social abuses, Raymond, *Pamphlets and Pamphleteering*, p. 19.

¹³¹ Lake, 'From Troynouvant to Heliogabalus's Rome and back'. Lake makes similar points in more recent works, by claiming that crime pamphlets contained inversion by the function of scapegoating the criminals: 'For the festive yet forbidden pleasures of the world turned upside down revealed in the pamphlets were both legitimated and controlled by the fate eventually visited on the felons whose misdeeds had enabled and evoked those pleasures in the first place', Lake with Questier, *The Antichrist's lewd hat*, p. 129, more generally pp. 100-146.

Steve Mentz argues that rogue pamphlets ‘give access to urban indirection while shielding [the readers] from its moral stain’.¹³² These scholars suggest that the pamphlets’ treatment of trickery, which culminated in the punishment of the victims for their greed, prevented the full realisation that deceit was integral to urban life, thus letting readers appreciate the pamphlets, without needing to worry about their social implications.

However, this way of reading rogue pamphlets obscures their sophisticated treatment of the issue of trade and wealth, which paralleled other writings about the city. Below, I will show that rogue pamphlets were part of the literature of the city, much of which was ambivalent towards the development of trade and capitalist practices. Even though such practices were praised as allowing the greatness of the city, the capitalist ethos which generated - or required - deceit was castigated. In this context, roguery was viewed as part of the deceitful practices which took place in London, and not examined in isolation. This is evident not only in rogue pamphlets, but also in ballads describing London. Finally, these pamphlets acknowledged that, even though deceit was inherent (if not welcome) in urban life, justice was biased: law enforcement tended to punish the poor severely for small crimes, while laws against other practices harmful to the commonwealth, but practised by members of ‘respectable’ society were not implemented.

Rogue pamphlets, as we will see below, criticised severely the underhandedness of urban society and the attempts to gain wealth by immoral practices. On the other hand, this was not a whole-hearted critique, because of the underlying admiration for the positive aspects of the ‘witty’ city. No matter how much writers complained about the detrimental effects of the city on contemporary morals, they still showed admiration and love for it. This tendency is exemplified in *The Belman of London* (1608), where Dekker describes how he was disgusted by the city and decided to leave it and resort to the countryside. After a brief moment waxing lyrical about the beauty of the countryside he realises that this image is not real, and so he returns repentant to the city: ‘I had heard of no sinne in the Cittie but I met it in the village; nor any *Vice* in the

¹³² Mentz, ‘Magic Books’, in Dionne and Mentz (eds.), *Rogues and Early Modern Culture*, p. 241.

tradesman, which was not in the ploughman'.¹³³ Most of the writers of these pamphlets are city creatures, and their critique of the city never repudiates what the city stands for.

The ambivalent and confused treatment of the term 'wit' is possibly the best example to illustrate the problem of appraising social change. Rogue pamphlets repeatedly described rogues as 'witty' or 'living by their wits', but this characterization could be extremely double-edged, and alternated from being seen as a virtue to being condemned as an utterly immoral attribute.¹³⁴ When Middleton exclaims 'how many such Gallants doe I knowe, that live onely upon the renews of their wittes',¹³⁵ the language he uses obfuscates whether he is being critical or playful. Rowlands shows his admiration of quick-witted cony-catchers when he comments: 'Thus everie daie they have new inventions for their villanies, and as often as fashions alter, so often do they alter their stratagems, studying as much how to compass a poore mans purse, as the Prince of Parma did to win a towne'.¹³⁶

Wit, as Karen Helfand Bix has maintained, is seen as a quintessentially urban characteristic, important in most trades who wish to make a profit. This explains the pre-occupation in these urban texts with the figure of the cony-catcher, who in some ways can be viewed as a prototype of the successful businessman: he is always engaged in finding new methods of gaining money, he knows how to invest what he has in order to make more and he is flexible enough to change (or devise new 'conceits') when circumstances require it.¹³⁷ Consequently, rogue pamphlets maintained an ambivalent view on metropolitan society and the business practices this generated.

This ambivalence was related to the changes in London's economy, which had not yet produced a language which could justify the attainment of wealth. As Peter Lake has stated, in this period there was an apparent 'lack of a morally unambiguous, univocally affirmative language with which to describe

¹³³ Dekker, *The Belman of London*, sig. E2v.

¹³⁴ Greene, *The defence of conny catching*, sig. A4v; Anonymous, *A Notable and Pleasant History of the Famous Renowned Knights of the Blade, commonly called Hectors or, St. Nicholas clerkes*, (1652), p. 1.

¹³⁵ Middleton, *The Blacke Booke*, sig. C3r.

¹³⁶ Rowlands, *Greenes ghost haunting conie-catchers*, sig. C3r.

¹³⁷ Helfand Bix, "'Masters of Their Occupation'", p. 176.

and praise the pursuit, attainment and display of commercial wealth'. Laura Caroline Stevenson has also commented that 'social fact changes more quickly than vocabulary and ideology, and so men frequently find themselves describing observations of the present in the rhetoric of the past'.¹³⁸ This is evident in the pamphlets relating to the city. Ian Archer has argued that, even though preachers often challenged the celebration of wealth, other writings about the city valorised honest trading.¹³⁹ This was related to the tendency of writers to praise London for its wealth, while at the same time castigating the abuses generated by it. Adam Zucker makes a similar statement about city comedies in the early seventeenth century, which were 'interested in exploring, glamorizing, and, at times, bitterly repudiating their own organizing social and economic conditions'.¹⁴⁰

Consequently, what was at stake in rogue pamphlets was not wealth per se, but how it was gained and employed. Whereas the attainment of wealth was not necessarily viewed as a negative practice, deceit was castigated. This condemnation of deceit was all the more stringent when it was directed against the rich and powerful, who were supposed to be an asset to the commonwealth. Archer has stressed the 'ties of reciprocity' in early modern England, 'the notion that the rich owed obligations to the poor'.¹⁴¹ Since rogues were often associated with the poor, the continuous references in rogue pamphlet to the cunning and immoral ways of the wealthy (or at least comfortable middling sorts) was meant as a more serious charge. Necessity, as we have seen, could be an extenuating circumstance for crime; so when those who had no need resorted to trickery, their actions were viewed as more reprehensible.

Rogue pamphlets emphasised continuously that cony-catching was just a part of urban deception, and not even the most grievous part. John Taylor

¹³⁸ Lake, 'From Troynouvant to Heliogabulus's Rome and Back', p. 224; Laura Caroline Stevenson, *Praise and paradox: merchants and craftsmen in Elizabethan popular literature* (Cambridge: Cambridge University Press, 1984), p. 6.

¹³⁹ Ian Archer, 'Material Londoners?', p. 175.

¹⁴⁰ Zucker, *The places of wit in early modern English comedy*, p. 55. Other scholars have also identified the tendency of city comedies to expose the misconducts of all social groups: Brian Gibbons, *Jacobean City Comedy: a Study of Satiric Plays by Jonson, Marston and Middleton* (London: Methuen and Co, 1980, Second Edition), pp. 118-119; Lawrence Venuti, *Our halcyon days: English prerevolutionary texts and postmodern culture* (Madison: University of Wisconsin Press, 1989), pp. 130-136; Martin Butler, *Theatre and crisis, 1632-1642* (Cambridge: Cambridge University Press, 1984), pp. 141-180.

¹⁴¹ Archer, 'Material Londoners?', p. 182.

sarcastically commented: ‘For should I hate a Theefe, Theeves are so Common,/I well could neither love my selfe or no man’.¹⁴² His satire illustrated that thievery (or more broadly, underhandedness) was practiced by all, and recalls Greene’s aphorism about London life, ‘hee who cannot dissemble, cannot live’.¹⁴³ A beggar in *The Belman of London* managed very well to voice this sense of the universality of sin: ‘Alas, alas, silly Animalles, if all men should have that which they deserve, wee should doe nothing but play the executioners and tormenters one of an other’.¹⁴⁴ Even victims of highway robbers ‘cosen both the theeves and country too’ by doubling the amount of money that was supposedly stolen from them, because the hundred will recompense them. In addition, they are not against using what is effectively disguise to gain more: not only do they lie about the numbers of the robbers, but to make it more believable, they ‘cut and slash your harmless clothes’ and lie that it was due to the fight.¹⁴⁵

If we look more broadly at pamphlets and ballads which emphasised urban depravity, it is evident that crime was not distinguished from other immoral activities. In *Pierce Penilesse* (1592), a model for many rogue discoveries, Nashe criticises severely urban vice in general, and not just criminal practices.¹⁴⁶ The same structure of an exposition of vices is reflected in *Diogines Lanthorne* (1607), which is framed by Diogines’ quest to find an honest man in Athens (in reality London), a quest that fails miserably since the only thing he finds everywhere he looks is human amorality, described in the same way as in Nashe’s pamphlet.¹⁴⁷ Thomas Dekker’s *Lanthorne and Candlelight* (1608) was clearly connected to Rowland’s text, employing a title that echoes it, as well as using the same woodcut in the first edition of the pamphlet.¹⁴⁸ The continuity between the two texts in their title-pages is employed in *Lanthorne and Candlelight* (1608) as a way of turning around Diogines’s quest, and instead of

¹⁴² Taylor, *An arrant thiefe* (1622), sig. A3v.

¹⁴³ Greene, *The Defense of conny-catching*, sig. C3r.

¹⁴⁴ *Ibid.*, sig. C2v.

¹⁴⁵ Clavell, *A Recantation of an Ill Led Life*, sig. D6r.

¹⁴⁶ Nashe, *Pierce Penilesse his supplication to the diuell. Describing the ouer-spreading of vice, and suppression of virtue* (1592).

¹⁴⁷ Rowlands, *Diogines lanthorne. Athens I seeke for honest men; but I shal finde the[m] God knows when* (1607).

¹⁴⁸ Dekker, *Lanthorne and Candle-light*. The printer kept the figure of Diogines, but cut off the barrel, and put a bell in his right arm, to personalise the image.

looking for honest men looking for criminals. Nonetheless, both reach the same conclusion, that there are no honest people to be found in the city.

Likewise, in ballads depicting London criminal practices are considered as part and parcel of the city. In some, cheaters and cutpurses are described as part of the urban scene, same as merchants of luxurious items and providers of entertainment.¹⁴⁹ More importantly, however, other ballads show how deception is by no means limited to criminals, but endemic to London. In *Here is an item for you. Or, The countrimans bill of charges, for his comming up to London declared by a whistle* (1630), a countryman coming to London ends up being cozened by everyone he meets. This included the Innkeeper ('my Jugges halfe full did bring in'), a 'Pick-purse', a cozener, a Lawyer and the stableman.¹⁵⁰

Turners dish of Lentten stuffe (1612), complained that all trades in London used deceit, such as millers, weavers, taylors ('They cannot worke but they must steale'), watermen, and others. Even though this ballad did not mention cony-catchers, the woodcut which accompanied it was taken from *The groundworke of conny-catching* (1592).¹⁵¹ The recycling of images, as we have seen, could be a way to avoid additional costs; nonetheless, it could equally show that these tradesmen were the real cony-catchers. The clearest example was *Knavery in all trades, or, here's an age would make a man mad* (1632), where the author continuously laments how 'All honesty is decay'd':

For none can thrive at this day,
but such as their mindes doe give?
To over-reach and deceive,
and doing of others wrong,
All they that such courses leave,
may sing the Begger-Boyes Song, [...]
One tradesman deceaveth another,
and sellers will conycatch buyers¹⁵²

¹⁴⁹ Anonymous, [*Dice, wine and women.*] *Or the unfortunate gallant gull'd at London. To the tune of Shall I wrastle in despaire.*, in Day (ed.), *The Pepys ballads: facsimile volume I*, pp. 200-201; Anonymous, *Roome for Companie, heere comes Good Fellowes* (1617).

¹⁵⁰ Anonymous, *Here is an item for you. Or, The countrimans bill of charges, for his comming up to London declared by a whistle* (1630).

¹⁵¹ W. Turner, *Turners dish of Lentten stuffe, or, A galymaufery to the tune of Watton townes end.* (1612); Harman, *The groundworke of conny-catching* (1592).

¹⁵² M. P. [Martin Parker], *Knavery in all trades, or, here's an age would make a man mad* (1632), in Day (ed.), *The Pepys ballads: facsimile volume I*, pp. 166-167. Parker specifically mentions taylors, victualers, tapsters and cooks.

In this ballad, the usual connection between vagrancy and dishonesty is turned upside-down, since it is 'plain-dealing' which can beggar one. Merchants, not criminals, are described as cony-catchers.

Rogue pamphlets repeatedly articulate the paradox that, while deception is a central characteristic of urban living, only the rogues are punished for their actions, when others, far more deserving of censure, hide their actions beneath a veneer of respectability.¹⁵³ This was the reason given in *Greenes newes both from heauen and hell* (1593), for not accepting Greene into heaven:

heaven is no habitation for any man that can looke with one eye and wincke with the other'. He explains: 'I have heard of you, you have beene a busie fellowe with your penne, it was you that writ the Bookes of *Conycatching*, but sirra, could you finde out the base abuses of a company of petty varlets that lived by pilfering cosonages, and could you not as well have discryed the subtill and fraudulent practises of great *Conny-catchers*, such as rides upon footeclthes, and sometime in Coatches, and walkes the stréetes in long gownes and velvet coates.'¹⁵⁴

Rich identifies those as lawyers, landlords, and clergymen, showing that the wealthy were even more harmful to the commonwealth. Cuthburt Cony-Catcher, the narrator of *The Defense of Conycatching*, reveals the problem of too easily condemning rogues for their actions: 'If witte in this age be counted a great patrimony and subtletie an inseparable accident to all estates, why should you bee so spitefull maister R.G. to poore Conny-catchers above the rest, sith they are the simplest soules in shifting to live in this over wise world?'¹⁵⁵

This at the same time is a way of lessening the crime of the rogues, and a critique of the economic practices in London that are judged as immoral and

¹⁵³ Andrea McKenzie analyses the same tendency in eighteenth-century sources: Andrea McKenzie, "'This death some strong and stout hearted man doth choose": The Practice of Peine Forte et Dure in Seventeenth- and Eighteenth-Century England', *Law and History Review* (2005), 279-313, p. 299.

¹⁵⁴ Rich, *Greenes newes both from heauen and hell Prohibited the first for writing of bookes, and banished out of the last for displaying of conny-catchers* (1593), sigs. B4v-Cv.

¹⁵⁵ Greene, *The Defence of conny-catching*, sig. A4v. The exact same critique is levelled by Martin Mark-all against the Belman, R., *Martin Mark-All*, sig. B2v.

unfair. In *A Notable Discovery of Coosenage*, is included ‘A pleasant discoverie of the Coosenage of Colliers’. Greene explains: ‘it is a deceit that Colliers abuse the common-welth withall, in having unlawfull sakes, yet take it for a pettie kinde of craft or mysterie, as prejudiciall to the poore, as any’.¹⁵⁶ A fictional rogue also claims that his actions are a form of social justice: ‘for when we meet a country farmar with a ful purse, a miserable miser, that eyther rockes his Tenants rents, or selles his graine in the market at an unreasonable rate: we hold it a devotion to make him a Conny, in that he is a Caterpillar to others, and gets that by pilling and polling of the poore’.¹⁵⁷ ‘As prejudiciall to the poore, as any’, ‘a Caterpillar to others’, both expressions point, again, to the serious offenders, who are not the rogues about whom these pamphlets are written.

The same feelings are expressed about citizens who lend money with interest who are condemned as far more deserving of punishment as rogues or ‘poor thieves’. Mynshull targets usurers: ‘the gallowes on which the poore theefe hangeth is most fit for thee, he robbeth one man, thou whole families, he is a felon to man onely, thou art a felon to God and man’.¹⁵⁸ Similarly, Dekker exposes the hypocrisy of urban society: ‘A *Bankrout*, that is to say, a *Banker-out*: A Citizen that deales in mony, or had mony in *Banke*, or in *stocke* [...] If a *Rogue* cut a purse, hee is hanged: if pilfer, hee is burnt in the hand: You are worse then *Rogues*; for you cut many purses: Nay, you cut many mens throats, you steale from the husband, his wealth: from the wife her dowry: from children their portions’.¹⁵⁹ And Taylor claims: ‘And of all Theeves, he hanging doth deserve, / who hath the power to feed, and lets men sterve’. In the margin, Taylor has commented ‘That’s a Rogue’, while clearly the person he is describing is someone rich, but uncaring.¹⁶⁰

This discourse was so naturalized that it continued after 1640. In the satire *The Last Will and Testament of James Hynd, high-way lawyer* (1651),

¹⁵⁶ Greene, *A Notable Discovery of Coosenage*, sig. Er.

¹⁵⁷ Greene, *The Defence of conny-catching*, sig. C3v.

¹⁵⁸ Mynshull, *Certaine characters and Essayes of Prison and Prisoners*, sig. B2r.

¹⁵⁹ Thomas Dekker, *A strange horse-race at the end of which, comes in the catch-poles masque. And after that the bankrouts banquet: which done, the Diuell, falling sicke, makes his last will and testament, this present year. 1613* (1613), sigs. G4v-H1r. Even though ‘bankrout’ means bankrupt, Dekker here inverts its meaning, by using it for the ‘Citizen that deales in mony’: ‘bankrupt, n.’. OED Online. September 2013. Oxford University Press. <http://www.oed.com.ezproxy.york.ac.uk/view/Entry/15263?rskey=vW97BOandresult=1andisAdvanced=false> [accessed 17 September 2013].

¹⁶⁰ Taylor, *The praise and vertue of a Jayle, and Jaylers* (1623), sig. B7v.

Hind supposedly bequeathed ‘all his fallacies, frauds’ to ‘the present Gownemen, who fight at Barriers, at the Upper Bench, Chancerie, and where-ever else Littleton or Ployden is mentioned’.¹⁶¹ *The Catterpillers of this Nation anatomized* (1659), which claims to be ‘a brief yet notable discovery of house-breakers, pick-pockets, &c.’, still begins with the commonplace ‘Knavery of late is so epidemically practised, as that there is hardly a livelihood to be had without; ’tis honesty now that beggars men’.¹⁶² Even the highwayman Du Vall received a similar treatment. In *The ladies answer to that busie-body, who wrote the life and death of Du Vall* (1670), the victims of the highwayman are viewed as cheaters: ‘Du Vall a little Wealth did onely take,/ Which those who lost it, got perchance by Cheat’.¹⁶³ This automatic assumption that highwaymen were not worse than their victims is repeated in *To the memory of the most renowned Du-Vall* (1671), where Du Vall is depicted as stealing ‘all that by cheating they had gain’d before’.¹⁶⁴

The enumeration of all these examples was intended to show that rogue pamphlets continuously underscored the hypocrisy of early modern society, which criticised and punished rogues severely but allowed other practices to slip. Dekker had succinctly articulated this: ‘God helpe the Poore, The rich *can shift*’.¹⁶⁵ Karen Helfand Bix argues that even though the *Defense of Cony-catching* flirts with radicalism, in the end it just does not go far enough, because ‘the pamphleteers refuse any single opposition between the values and practices of commerce and moral decency’.¹⁶⁶ This however is not a less radical position. It shows that pamphleteers were not opting for a completely traditional critique of contemporary society, revolving around the loss of charity and the metamorphosis of the city. Even though this kind of critique could be evidenced

¹⁶¹ Anonymous, *The Last Will and Testament of James Hynd, high-way lawyer* (1651), pp. 1-2.

¹⁶² Anonymous, *The Catterpillers of this Nation Anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c.* (1659), p. 1. Which sounds exactly like the earlier ballad M. P., *Knavery in all trades* (1632), mentioned in p. 153.

¹⁶³ Cellier, *The ladies answer to that busie-body, who wrote the life and death of Du Vall* (1670).

¹⁶⁴ Butler, *To the memory of the most renowned Du-Vall* (1671), p. 7.

¹⁶⁵ Thomas Dekker, *Worke for armorours: or, The peace is broken* (1609), title-page. To shift: To employ shifts or evasions; to practise or use indirect methods; to practise or live by fraud, or temporary expedients, ‘shift, v.’. OED Online. June 2013. Oxford University Press. <http://www.oed.com.ezproxy.york.ac.uk/view/Entry/178085?rskey=pV7uqkandresult=2andisAdvanced=false> [accessed 26 June 2013].

¹⁶⁶ Helfand Bix, “‘Masters of Their Occupation’”, pp. 189-190.

in rogue pamphlets, it co-existed with more positive portrayals of the city and of its witty nature. According to J.F. Merritt, ambivalence was a dominant characteristic of writings about the capital, because of the parallel existence of positive perspectives of urban culture and urban change with older negative discourses about urban vice. This is how she explains the existence of ‘morally ambiguous low-life pamphlets depicting crime and commerce as intertwined in a sink of corruption’.¹⁶⁷ By consequence, rogue pamphlets allowed thinking about the changing circumstances in London in multifaceted ways, which helped to put the failings of the criminals in context and thus relativize their seriousness.

In conclusion, the tendency to view rogue pamphlets as an ‘othering’ process, a depiction of a separate, threatening, underworld cannot be justified in view of the textual evidence. As we have seen, different impulses towards rogues coexist in these pamphlets. Even though rogues were depicted as a problem, and a threat, other aspects of their representation, such as the trickster element and the tendency to identify them with the poor, could elicit laughter, sympathy and admiration. Equally, rogue pamphlets were highly critical of the abuses of members of respectable society, be they law enforcers or members of the middling or higher sorts. This shows that rogue pamphleteers did not opt for a one-sided condemnation of rogues, but considered them as part –and, occasionally, side-effect- of the main issues of urban living.

Nonetheless, I do not wish to argue that rogue pamphlets were generically prone to sympathy towards rogues. On the contrary, it seems that they were sensitive to the contested nature of the term, thus being able to echo the contradictions inherent in the usage of this word. In the sixteenth and seventeenth centuries a unified concept of ‘roguishness’ had not been produced, and thus the term remained fraught with contradictions and ambivalence. The ‘rogue’ could be at the same time threatening or viewed as worthy of assistance, or even admiration. This assumption problematises the idea that contemporaries had a fixed image of rogues and suggests that rogue pamphlets did indeed reflect social reality and the main debates of the time. More importantly, rogue pamphlets did not perpetuate the projection of the ‘sins’ of London society to the lower orders.

¹⁶⁷ Merritt, ‘Introduction’ in Merritt (ed.), *Imagining early modern London*, p. 17.

On the contrary, these pamphlets acknowledged this projection, and brought it to the fore. The radicalism of this position should not be underestimated.

Chapter 4: Voices from the records: rogues on trial

This thesis focuses primarily on printed works relating to rogues. This material, as we saw in the Introduction, has been criticised as being entirely unrelated to social reality by social historians and literary critics. Historians such as Paul Slack, James Sharpe and A.L. Beier dismissed the idea of the rogue pamphlets' referentiality to reality by claiming that in rogue pamphlets criminals are depicted as an organised underworld with sophisticated structures and practices.¹ Linda Woodbridge's resounding aphorism that 'rogue literature creates a fanciful world drawing fulsomely on comic storytelling and jest books and that this creation of imaginative writers ought to be inadmissible as historical evidence of social conditions in the real world' is no more than a particularly aggressive formulation of this belief.² This approach is based on a problematic antithesis between fact (to be found in the archive) and fiction (the rogue pamphlets). Even though recently there have been sophisticated treatments of the production of archival records, particularly (and more relevantly, in our case) of trial records, there is still a reflexive tendency for scholars to fall back to them in order to prove the 'reality' of their statements.³

My aim is not to enter into the debate about whether rogue pamphlets reflected social reality or not. My main interest lies in the ways roguery was perceived by contemporaries, and how far rogue pamphlets shaped these perceptions. For this reason, plausibility and verisimilitude are more useful concepts than accuracy or truthfulness. Thus, this chapter follows two main lines of argument in order to show that rogue pamphlets could be read as plausible accounts of crime in the metropolis. First, I will show that rogue pamphlets had strong similarities with other pamphlets about news and, consequently, that they could be read as news. In order to do so, I will examine how rogue pamphlets

¹ Slack, *Poverty and policy in Tudor and Stuart England*; Slack, 'Vagrants and Vagrancy in England, 1598-1664'; Beier, *Masterless men*; J.A. Sharpe, *Crime in early modern England, 1550-1750* (London, New York: Longman, 1984); Sharpe, 'The History of Crime in Late Medieval and Early Modern England: A Review of the Field'.

² Woodbridge, *Vagrancy, homelessness, and English Renaissance Literature*, p. 11. See also Raymond, *Pamphlets and Pamphleteering*, p. 17, Griffiths, *Lost Londons*.

³ Marion Gibson, *Reading witchcraft: stories of early English witches* (London: Routledge, 1999); Natalie Zemon Davis, *Fiction in the archives. pardon tales and their tellers in sixteenth-century France* (Stanford: Stanford University Press, 1987); Malcolm Gaskill, 'Reporting Murder: Fiction in the Archives in Early Modern England', *Social History*, 23, No. 1 (1998), 1-30; Griffiths, *Lost Londons*.

framed their contents so as that they could seem to present information about crime that was newsworthy and accurate. In order to be received as news, however, these pamphlets needed to present plausible accounts of crime.

In part, London dwellers perception of roguery derived from their dealings with rogues- as victims, accomplices, parish officers or witnesses of the criminal action or the trial. Trials in England were open to spectators; even though it is not clear how many people actually attended them, trials were a common point of discussion.⁴ The location of the court of the Old Bailey in London (where the City of London Sessions were held) close to St Paul's Cathedral, where most rumours were generated, meant that trials could get a lot of publicity. The same was probably true of the Westminster Sessions, which met in the Town Court House near Westminster Hall, another location where people congregated and gossiped, and where booksellers had set up shop.⁵ Consequently, the second aim of this chapter is to compare the forms of narrative and the crimes described in certain kinds of judicial record with the findings from rogue pamphlets in order to show that the view that there is a great divergence between rogue pamphlets and the material from archival records is seriously overstated.

This chapter agrees with the view that the dichotomy between truth and fiction (as two diametrically opposed concepts) is a modern concern which was not conceptualized in the same way in the early modern period. As Natalie Zemon Davis has argued, in the early modern period, 'the artifice of fiction did not necessarily lend falsity to an account; it might well bring verisimilitude or a moral truth. Nor did the shaping or embellishment of a history necessarily mean forgery; where the line was to be drawn was one of the creative controversies of the day'.⁶

⁴ See for example Pepys's comments about Turner's case, mentioned in Chapter 6.

⁵ J. F. Merritt, *The social world of early modern Westminster: abbey, court and community, 1525-1640* (Manchester: Manchester University Press, 2005), p. 8.

⁶ Zemon Davis, *Fiction in the archives*, p. 4.

Part 1: News

London's expansion in the early modern period forced Londoners to rely on printed materials in order to envisage their city as a whole and in conjunction with their own mental maps.⁷ The most widely disseminated printed materials included pamphlets, broadsides and ballads purporting to report on crimes, miraculous occurrences, plagues and disease; their pervasiveness and popularity can be attributed to their cheapness, the ease with which they could be printed and their topical subject matter. Contrary to other scholars, such as Steve Mentz and Linda Woodbridge, who have often argued that rogue pamphlets belonged either to the jest book or the romance tradition, and consequently were read primarily for entertainment, I will show how rogue pamphlets claimed to play an important role in the emerging news culture of early modern London.⁸ However, our examination in this section will illustrate that publishers and authors were intent on presenting the contents of rogue pamphlets as news. I will highlight the ways in which the title-pages of rogue pamphlets and the general truth-claims of the authors created the expectation that they were reporting news of crime in the metropolis.⁹

The title-page was an ideal site for claims of news reporting, if set up appropriately. The employment of buzz-words such as 'discovery' or 'true' on the title advanced the claim that these publications were news items. Twelve texts from the corpus of rogue pamphlets were marketed as 'discoveries',¹⁰ while

⁷ Jeremy Boulton, *Neighbourhood and Society: a London suburb in the seventeenth century*, (Cambridge: Cambridge University Press, 1987); Mark S. R. Jenner, 'Plague on a Page: *Lord Have Mercy Upon Us* in Early Modern London', *The Seventeenth Century*, Volume XXVII, No.3 (2012), 255-286; Merritt, *Imagining early modern London*. See also 'The severall places you may hear News' (ca 1600), in Malcolm Jones, *The print in early modern England: an historical oversight* (New Haven: Yale University Press, 2010), p. 202.

⁸ Mentz, 'Magic Books'; Woodbridge, 'Jest Books, the Literature of Roguery, and the Vagrant Poor in Renaissance England', 201-210; Archer, *The pursuit of stability*, p. 205. In her essay, Woodbridge characteristically exclaimed about rogue pamphlets: 'This is sociology? This is a jest book'.

⁹ Joad Raymond examined briefly the ways that rogue pamphlets established verisimilitude, but characterised these pamphlets as 'moralising fictions': Raymond, *Pamphlets and Pamphleteering*, p. 17.

¹⁰ Greene, *A notable discovery of coosenage*; Greene, *The second part of conny-catching. Contayning the discouery of certaine wondrous coosenages, either superficialle past ouer, or utterlie untoucht in the first* (1591); S., *The Discoverie of the knights of the post*; Dekker, *Villanies Discovered*; Clavell, *A Recantation of an Ill Led Life or A discoverie of the High-way*

fourteen had the term ‘true’ in their title, both emphasising the claims that they were reporting true events.¹¹ However, some rogue pamphlets used the term ‘news’ in a way that subverted its meaning, as in the cases of *Greenes newes both from Heaven and Hell* (1593), *We Have Brought our Hogs to a Fair Market: or, Strange newes from New-Gate* (1651), *A Pill to Purge Melancholy: or merry newes from Newgate* (1652), *Strange newes from Bartholomew-Fair, or, the wandring-whore discovered* (1661).¹² This shows that these pamphlets played on turning upside down the readers’ expectation that they were news, but it equally suggests that such expectations were reasonable. In addition, two of the above-mentioned pamphlets dealt with existing criminals, while the last one was

Law; Anonymous, *A Second Discovery of Hind’s Exploits* (1652?), Anonymous, *Hinds Elder Brother, or the master thief discovered* (Jan 1652); Anonymous, *The devils cabinet broke open: or A new discovery of the high-way thieves* (1657); B., *The Trappan trapt. Or The true relation of a cunning, cogging, confident, crafty, counterfeit, cosening and cheating knight, alias knave. Wherein is discovered his mischievous and Machivillian matchlesse mischeefs, plotted against an honest gentleman, a marchant of good repute, named Mr Iohn Marriot* (1659); Anonymous, *The Catterpillers of this Nation Anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c* (1659); Aretine, *Strange newes from Bartholomew-Fair, or, the wandring-whore discovered* (1659); Aretino, *The wandring-whores complaint for want of trading...Also, a full discovery of the whole trade of pads pimps, cheats, trappans, hectors, bawds, whores, fyles, culls, mobs, budges, shop-lifts, glasiars, mills, bulkers, kid-nappers, thief-catchers, and all other artists, who are, and have been students of Whittington Colledge* (1663); Anonymous, *The nicker nicked: or, The cheats of gaming discovered* (1669).

¹¹ Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney...As also the true and hearty repentance of Charles Courtney* (1612); Henry Goodcole, *A true declaration of the happy conuersion, contrition, and Christian preparation of Francis Robinson, gentleman* (1618); William Fennor, *A true description of the lawes, justice, and equity of a compter, the manner of sitting in counsell of the twelue eldest prisoners* (1629); Anonymous, *The True and Perfect Relation of the Taking of Captain James Hind* (1651); J.B., *The Knight Errant: being a witty, notable and true relation of the strange adventures of Sir William Hart now prisoner in the tower* (1652); Anonymous, *The speech and confession of Mr. Richard Hannam... together with a true and perfect description of his life and death* (1656); Anonymous, *Hannam’s last farewell to the world: being a full and true relation of the notorious life and shamfull death of Mr. Richard Hannam, the great robber of England* (1656); Samuel Vernon, *The trepan: being a true relation, full of stupendious variety, of the strange practises of Mehetabel the wife of Edward Jones, and Elizabeth wife of Lieutenant John Pigeon* (1656); W., *The Trappan trapt. Or The true relation of a cunning, cogging, confident, crafty, counterfeit, cosening and cheating knight, alias knave* (1657); Anonymous, *No jest like a true jest being a compendious record of the merry life and mad exploits of Capt James Hind the great robber of England* (1657); Anonymous, *The womans champion; or the strange wonder being a true relation of the mad pranks, merry conceits, politick figaries, and most unheard of stratagems of Mrs. Mary Frith* (1662); Anonymous, *The triumph of truth: in an exact and impartial relation of the life and conversation of Col. James Turner* (1663); Anonymous, *A true and impartial account of the arraignment, tryal, examination, confession and condemnation of Col. Iames Turner* (1663), Anonymous, *The cheating solliciter cheated: being a true and perfect relation of the life and death of Richard Farr* (1665).

¹² Barnabe, *Greenes newes both from Heaven and Hell* (1593); G. H., *We Have Brought our Hogs to a Fair Market: or, Strange newes from New-Gate* (1651); Anonymous, *A Pill to Purge Melancholy: or merry newes from Newgate* (1652); Aretine, *Strange newes from Bartholomew-Fair, or, the wandring-whore discovered* (1661).

a discovery of criminals; these texts were newsworthy, even if they were written in a ‘merry’ vein.

A more efficient way of highlighting the truthfulness of these accounts, however, was by putting the name of a specific (and occasionally, well-known) criminal on the title-page: 45 of the pamphlets examined contained the criminal’s name, thus reinforcing their credentials as reportage. The same can be said about the inclusion of a date and a place, usually the location and time of either the crime committed, or the trial and execution of the criminal. See for example the title-page of *Hannams last farewell to the world* (1656), which continued: ‘Being a full and true Relation of the notorious Life and shamfull Death of Mr. *Richard Hannam*, the great Robber of *England*; with the manner of his apprehension, Examination, Confession and speech made to the Sheriffs a little before his Execution in the Round in *Smithfield*, on Tuesday the 17. of *June*, 1656’.¹³ These details underlined that the pamphlet provided information about an actual criminal.

On the other hand, it was not unusual to combine very ‘factual’ descriptions with a promise that the pamphlet would provide mirth. The title-page of the pamphlet relating to Hind’s trial did just that: *The trial of Captain James Hind on Friday last before the honourable court at the Sessions in the Old-Bayley. With his examination and confession; his speech touching the King of Scots; his merry conceits and witty pranks presented to the judges; the manner of his gallant deportment; an order for his further trial at Oxford; the reasons demonstrated; and a charge of high-treason exhibited against him. With his narrative and declaration touching all his pranks and proceeding. Published for general satisfaction, by him who subscribes himself - James Hind* (1651).¹⁴ In this title-page, concrete information about the trial of an existing and very well-known highwayman (as well as the added authorization of having been written by the criminal himself) was provided, but at the same time the readers could expect a description of ‘his merry conceits and witty pranks’.¹⁵

¹³ Anonymous, *Hannams last farewell to the world* (1656).

¹⁴ Anonymous, *The Trial of Captain James Hind on Friday last before the honourable court at the Sessions in the Old-Bayley* (1651).

¹⁵ This was an association that even Hind did not deny (if we at least believe *The True and Perfect Relation of the Taking of Captain James Hind*): when he was in prison, he was shown two of the pamphlets about him (*Hinds Ramble* and *Hinds Exploits*) and he claimed that ‘they

This suggests that the two aims, information and entertainment, were not divorced in the publisher's or author's mind, nor, arguably, in the reader's. As we have seen in previous chapters, playfulness and the narration of trickster tales were constitutive elements of the rogue pamphlet. This owed much to earlier stories and to the authors' attempts to tap into a 'popular' tradition in order to broaden their potential audience. This did not, however, harm the pamphlet's truth claims. The employment of conventional literary devices in the presentation of news in the seventeenth century, such as the epistolary form in which most early news pamphlets were written, adds substance to the idea that literariness was not considered to impede the credibility of an account.¹⁶

Truth claims were not limited to the pamphlets' title-pages. On the contrary, the deliberate attempt on the part of the authors and publishers to present rogue pamphlets as news items was evident throughout the pamphlet, especially in the abundance of claims about the truthfulness of the account.¹⁷ Even setting the biographies of actual criminals aside, authors took great pains to establish that what they wrote was based on their personal experience, or came from a trustworthy source. Robert Greene maintained that his knowledge of the criminal world was a result of his degenerate youth, when he was consorting with criminals. Thomas Harman's pamphlet was advertised as being 'done by a Justice of Peace of great authority, who hath had the examining of divers of them', his status and personal examination of suspects adding veracity to his account.¹⁸ In *Wil: Bagnal's ghost. Or the merry devill of Gadmuntton. In his perambulation of the prisons of London* (1655), a mostly satirical text about

were fictions: but some merry pranks and Revels I have plaid', Anonymous, *The True and Perfect Relation of the Taking of Captain James Hind* (1651), p. 6.

¹⁶ Raymond, *Pamphlets and Pamphleteering*, pp. 105-106. See also Richard Cust, 'News and Politics in Early Seventeenth-Century England', *Past and Present*, 112 (1986), 60-90; David Randall, *Credibility in Elizabethan and Early Stuart Military News* (London: Pickering and Chatto, 2008).

¹⁷ Dekker's comment in *A Wonderfull Year* shows that a pamphlet could include 'intelligence' (term used for reporting), which attests to the fact that it was not invented by the author, but at the same time casts its reliability in doubt: 'Reader. Whereas there stands in the rere-ward of this Book a certaine mingled Troope of straunge Discourses, fashioned into Tales, Know, that the intelligence which first brought them to light, was onely flying Report', Dekker, *1603. The wonderfull yeare* (1603).

¹⁸ Greene, *A notable discovery of coosenage* (1591); Harman, *The groundwork of conny-catching*. Even if Beier does not believe that Harman was indeed a justice of the peace, this does not change the fact that it was considered a good strategy to increase the pamphlet's credibility. See A.L. Beier, 'New Historicism, Historical Context, and the Literature of Roguery'.

prisons, a chapter is titled 'Hanons Escapes and Pranks' and deals with the real criminal Hannam (the spelling of his name varied greatly). In this, the author attempts to establish the credibility of his account by piling up expressions which seem to increase its authority: 'the story I shall now afford/ as I have heard it word for word/ 'twas done, and is upon record'.¹⁹

In *A world of Wonders*, where an abundance of crimes and wondrous events are reported, the author supported his claims of truth with visual testimony. When explaining why he did not need to report a very recent murder case, he stated that 'the matter beeing so fresh in memorie, the male actor still hanging as a notable example to our eyes'.²⁰ Another pamphlet opted for aural testimony: 'the miserable and mischievous sinnes that men are howerly drawn into by the malitious meanes, subtle snare, inticements and allurements of the Divell: are so many and monstrous, that were not our owne eies continuall witnesses of the effect which they doe dayly worke in many, it were not possible wee could or should beleeve that, which every minute is throwne into our owne eares by the report of others'.²¹

In other texts, the insistence on contemporaneity and reportage is quite obvious: in many of the reprints of the pamphlets, an attempt to make them relevant to the particular period can be discerned.²² For example, when *A disputation between a HeeConny-catcher and a SheeConny-catcher* was reprinted in 1615, the different preface vividly described the desire for news and went on to justify the printing of this pamphlet by commenting 'I thinke it not amisse to invite all men to a feast of such newes, as have of late come in shoales into my net'.²³ In *The Devils cabinet broke open* (1657), a prose adaptation of Clavell's *The Recantation of an ill led Life or A discoverie of the High-way Law* (1628), the fact that this was written almost thirty years earlier is omitted, and the text is supposedly written by a prisoner who was reprieved and self-exiled. The topicality of this text is stressed in the preface 'From the Author to the Reader',

¹⁹ Edmund Gayton, Esq, *Wil: Bagnal's ghost. Or the merry devill of Gadmuntton. In his perambulation of the prisons of London* (1655), p. 27. More on this text, in Jerome de Groot, 'Prison writing, writing prison in the 1640s and 1650s', pp. 203-204.

²⁰ Johnson, *A world of Wonders* (1595), sig. F4r.

²¹ Anonymous, *The araignment of John Selman* (1612), sig. A3r.

²² See also Brendan Dooley (ed.), *The dissemination of news and the emergence of contemporaneity in early modern Europe* (Farnham: Ashgate, 2010).

²³ Greene, *Theeves falling out, true-men come by their goods* (1615).

where the imaginary highwayman addresses his audience as a penitent criminal, and finishes with the postscript ‘From on Ship-board in the Downs, September 20. 1657’.²⁴

Another interesting example is *An excellent comedy, called, The Prince of Priggs revels*, which as the title implies was a play, so it would seem as an unlikely source of news. This makes the epilogue nothing less than surprising, when the author addresses the reader in verse:

Authors Invention would not admit delay,
But strait produc'd new Plots, t'inlarge this play;
And thinking to write what's fancy had commended,
One comes and tells him, Hinde was apprehended:
Whereat amaz'd he bids his friend adieu,
And forth he's gone, to inquire if th' news be true²⁵

In this short poem, the author admits that he is inventing material, thus characterizing the work as fiction, and at the same time inserts an important piece of news, or even a scoop, since Hind was committed to Newgate on 11 November, the same day that Thomason bought this pamphlet. Realising this would help to relativise what counted as ‘news’ in the early modern period, and it coincides with Joad Raymond’s conclusion that printed news could act as a tool of memory, persuasion and entertainment as well as information.²⁶

We get a glimpse of a possible reader’s response to the truth-claims of such pamphlets in *A Pill to Purge Melancholy*: this pamphlet narrated Hind’s exploits but was written with the aim to entertain (as can be deduced from its title as well as its contents), and in the Address ‘to the courteous and ingenuous Reader’, the author proclaimed:

Genteels, to you I do present this Book,
whose mature judgements will upon it look
with an impartiall Eye; having read it, then
You'l censur't favourably; while vulgar men

²⁴ Anonymous, *The Devils Cabinet broke open* (1657), sig. A4v.

²⁵ S., *An excellent comedy, called, The Prince of Priggs revels* (1651), p.14.

²⁶ Joad Raymond, ‘News’ in Raymond (ed.), *The Oxford history of popular print culture: volume 1*, p. 378.

Onely peruse the Title Page, then throw't by,
Saying, it is not Hind's but some new Lye:
Let these say what they will, so it please you.
I care not if they count it false, or true.²⁷

This is a rare case, at least in the material examined here, where an author admits (even if it is half-heartedly) that his pamphlet can be considered untrue. However, this comment suggests that readers had some criteria by which they judged the accuracy of texts while at the same time showing that pamphlets purporting to give more information on a particular case (Hind's example is illustrative) could be bought for their news value.

In many cases the insistence on 'setting things straight' was connected with the circulation (whether in print, manuscript or oral form) of different versions of the events described, thus necessitating the publication of an account that was hoped to provide an authoritative version of these events. This is made apparent in the dedicatory epistle to Goodcole's *Londons Cry*, where the author complained about the many 'untruths divulgd in the world of Malefactors' and stated that 'to give the world satisfaction I have hastily written this small Pamphlet, wherein is *nothing but truth*' (emphasis mine).²⁸ In *The declaration of Captain James Hind* the author was licensed by the criminal himself to provide a 'true' account: 'whereas there hath been sundry and various Relations of the proceedings of Capt. James Hind, fraught with impertinent stories, and new-invented fictions; I am (in order thereunto) desired by the said Mr. Hind, to publish this ensuing Declaration, for satisfaction, & true information of the People'.²⁹ A half-hearted acknowledgment that there were objections to this version as well as an attempt to establish its authority was expressed in *The trepan* (1656): 'now I proceed to a Discovery of what they have since acted,

²⁷ Anonymous, *A Pill to Purge Melancholy: or merry newes from Newgate: wherein is set forth, the pleasant jests, witty conceits, and excellent couzenages, of Captain James Hind* (London, 1652), p. 3.

²⁸ Goodcole, *Londons cry: ascended to God, and entred into the hearts, and eares of men for revenge of bloodshedders, burglaiers, and vagabounds. Manifested the last sessions, holden at Iustice Hall in the old Baily the 9. 10. 11. 12. of December, Anno Dom. 1619. Likewise heerein is related, the courts legall proceedings, against the malefactors that were executed at Tiburne and about London, and the chiefest offenders, there offences and confessions at large expressed* (1620), sig.A2v.

²⁹ Anonymous, *The declaration of Captain James Hind* (1651), p. 1.

wherein (...) the Reader shall have unquestionable proofs as will silence all Cavills'.³⁰

There is little evidence about the ways in which these truth claims were received: we can see, for example, that Anthony Wood had bound together various rogue pamphlets with other texts about criminals.³¹ In addition, after Wood's copy of *The English Gusman* (1652), someone (probably Wood, but certainly someone living in the seventeenth century) had added by hand information about Hind, gleaned from his/her personal knowledge. Thus, he/she has written that 'Twentie horse of Hinds company this year robbed, committed 40 robberies about Barwik (not far from Lond) in the space of two hours.-about 22 Sept 1649'. More comments were included, coming from people who had known Hind: for example 'one James Dewy...who long before my acquaintance with him was one of his desperate companions', or 'Arthur Rue a farmer of Oxon was his servant, a dour-right drudge at fighting, a rustical Hero from whom I have heard many of the pranks committed by Hind'. Whoever wrote these lines did not accept uncritically rogue pamphlets' claims, but commented '[Hind's] life was written by one who calls himself George Fidge is very weakly performed –many things are true in it, but most are false, & many material things

³⁰ Vernon, *The trepan: being a true relation, full of stupendious variety, of the strange practises of Mehetabel the wife of Edward Jones, and Elizabeth wife of Lieutenant John Pigeon*, (1656), p. 2.

³¹ Texts included: Anonymous, *The Humble Petition of James Hind* (1651); Fidge, *The English Gusman; or The history of that unparallel'd thief James Hind* (1652); Anonymous, *The witty rogue arraigned, condemned, and executed, or, The history of that incomparable thief Richard Hainam* (1656); Anonymous, *A true and impartial account of the arraignment, tryal, examination, confession and condemnation of col. Iames Turner* (1663); Anonymous, *The speech and deportment of col. Iames Turner at his execution in Leaden-hall-street* (1663); Anonymous, *The triumph of truth: in an exact and impartial relation of the life and conversation of col. James Turner* (1663); Anonymous, *The life and death of James, commonly called collonel, Turner* (1663); Anonymous, *The cheating solliciter cheated; a true and perfect relation of the life and death of Richard Farr* (1665); Anonymous, *A narrative of the life, apprehension, imprisonment, and condemnation of Richard Dudley* (1669); Pope, *The memories of monsieur Du Vall: containing the history of his life and death* (1670); Butler, *To the memory of the most renowned Du-Vall* (1671); Denzil Holles, *A true relation of the unjust accusation of certain French gentlemen, charged with a robbery* (1671); Richard Head, *Jackson's recantation, or, The life and death of the notorious [sic] high-way-man* (1674); Anonymous, *The grand pyrate: or, The life and death of capt. G. Cusack* (1676); Anonymous, *Sadler's memoirs: or, The history of the life and death of that famous thief Thomas Sadler* (1677); Anonymous, *Dangerfield's memoires, digested into adventures, receipts, and expences* (1685); Elkanah Settle, *The notorious impostor, or the history of the life of William Morrell, alias Bowyer, sometime of Banbury, chirurgeon* (1692); Elkanah Settle, *The second part of the said history of the life of William Morrell, alias Bowyer, sometime of Banbury, chirurgeon* (1692). From the Bodleian Library, Anthony Wood's collection, Wood 372.

are omitted'.³² However, he/she still used the texts as a way to remember the reports on criminals, even though with qualification and added information.

This part has explored the methods employed by rogue pamphleteers in order to present their pamphlets as contemporary news accounts of London crime. We have examined how rogue pamphlets advanced truth claims, both in their title-page and by emphasising their authority and their contemporaneity. Nonetheless, in order for these texts to have any chance at being accepted as news, they had to appear as plausible accounts of crime in the metropolis. This is what the next part sets out to do, by focusing on judicial records and their connection to rogue pamphlets' narratives.

Part 2: Court Records

As we have seen, criminals were not separated from the rest of society; on the contrary, many inhabitants of London came in contact with criminals of the kinds described in rogue pamphlets through their personal experience as spectators or participants of trials. Consequently, whether the truth claims of rogue pamphlets would be accepted by Londoners depended to no small extent on such experience. Paul Griffiths' archival work has described cases of the use of cant (the thieves' secret language), and examples of organization and networking between criminals. I will further Griffiths' observations, by showing that complex confidence tricks, similar to the ones depicted in the pamphlets, are set out in depositions in this period. The similarities between the techniques of deception narrated in rogue pamphlets and the ones from the trial records suggest that the stories from rogue pamphlets could be received –if not necessarily as factual– at least as models for what really happened.

The phenomenon of networking among criminals also suggests a convergence between rogue pamphlets and trial records, even though not in the way other scholars have often suggested. The extent to which rogue pamphlets described criminal organization has been seriously exaggerated by modern scholarship, since such studies tend to assume that rogue pamphlets depicted a

³² Fidge, *The English Gusman; or The history of that unparallel'd thief James Hind* (1652): from the Bodleian Library, Anthony Wood's collection, Wood 372 (2).

criminal underworld. As we have seen in the previous chapter, rogue pamphlets viewed rogues and their offences as part of urban deceitful practices, not as a separate and sinister underworld. In a similar vein, trial records depict two impulses: on the one hand, the authorities attempted to cast criminals as members of insidious networks. On the other hand, the defendants strove to present their relationships with criminals as simple ties of sociability. This will be particularly evident in the case of John Clavell, the notorious seventeenth-century highwayman, who –as we have seen– was also a rogue pamphleteer. Consequently, in both rogue pamphlets and trial records instances of criminal association are depicted, but the threatening aspect of these representations was not always as prevalent as historians of crime have often suggested.

I will conclude this chapter by looking at one famous case, that of the informer Griffin Flood, where sufficient archival traces exist bearing a striking resemblance to what was outlined in the pamphlets. Flood's case, in conjunction with the previous examples from confidence tricks and the criminal networks, will show that the rogue pamphlets' claims to report news could be taken seriously by their readers.

Before I discuss my findings, some introductory comments on the sources I have used are necessary. This chapter focuses on qualitative analysis of records, mostly from the Westminster quarter sessions from 1619-1640, which nominally dealt with misdemeanours (assault, rioting, defamation, minor theft, vagrancy, lewd and disorderly behaviour, and offences against the licensing laws), but often dealt with other kinds of crime, in a similar fashion as the Middlesex Sessions.³³ I have turned to the Westminster Quarter Sessions because from 1619 to 1640 they contain detailed examinations. There are very few city sessions records before the Fire, and virtually no records on examinations of deponents. The Middlesex Sessions Rolls, while voluminous, largely contain indictments, recognizances and orders in the sessions' books, which make them unsuited for

³³ See LMA 'Westminster Sessions of the Peace: Court in Session', http://search.lma.gov.uk/scripts/mwimain.dll/144/LMA_OPAC/web_detail/REFD+WJ?SESSIO NSEARCH, [accessed 21 July 2013].

qualitative analysis of narratives about crime.³⁴ Finally, in church courts, the term ‘rogue’ appears usually in defamation cases, used as a term of abuse, so it was not considered expedient to delve into these archives.³⁵

I have worked less on the other set of records relating to crime in London, and the ones most often used in research about rogues, Bridewell’s courtbooks. The focus of other scholars, such as Paul Griffiths and Martine Van Elk on Bridewell is understandable, since both of them are mainly interested in vagrancy, and define ‘rogues’ as vagrants. There are sound grounds for such an emphasis on Bridewell: it was the first prison (hospital) to specifically target vagrants, even if vagrancy was not the only kind of crime prosecuted there. At the same time, this insistence has the drawback of creating the impression that there was a concentrated effort to criminalize and marginalise the poor. This is evident in Griffiths’s impressive work in the Bridewell records, where he has focused on labelling of ‘shady’ people. According to Griffiths, the use of the labels ‘thief’ and ‘vagrant’ interchangeably, as well as the frequent employment of new and demeaning descriptors for such persons, was articulated more clearly in ‘blanket criminalizations’ of the poor.³⁶ Furthermore, Martine Van Elk has analysed both the legal records and the literature of roguery as ‘contributions to an ideologically inflected, culturally significant discourse on vagrancy’.³⁷ What is clear from the above scholars is that they both considered urban criminality in the context of vagrancy and poverty, thus for the most part downplaying other elements of urban crime, such as larceny, confidence tricks or highway robbery, crimes that were more often tried in Quarter Sessions than in Bridewell.³⁸

³⁴ Archer, *The Pursuit of Stability*, p. 3. See also Tim Harris, *London crowds in the reign of Charles II: propaganda and politics from the Restoration until the exclusion crisis* (Cambridge: Cambridge University Press, 1987).

³⁵ Gowing, *Domestic dangers*, pp. 116, 122-3.

³⁶ Griffiths, *Lost Londons*, p. 192.

³⁷ Martine van Elk: “‘She would tell none other tale’: Narrative Strategies in the Bridewell Court Books and the Rogue Literature of the Early Modern Period”, *Early Modern Culture. An electronic seminar*, Issue 7.

³⁸ Of course, Paul Griffiths has examined an impressive array of primary sources about metropolitan crime, including the Westminster Quarter Sessions. But his main focus was Bridewell, and this has affected the angle through which he examined crime in London. In addition, the offences Bridewell tried changed over time: before 1600, one third to two fifths of the crimes punished were for sexual offences, whereas after 1600 there was an increase in property offenders. See Archer, *The Pursuit of Stability*, pp. 239-240; Beattie, *Policing and Punishment*, pp. 24-32, 97. Still, in Bridewell’s minute books, offenders were usually described as ‘poore’ or disorderly, thus showing that these were, nominally at least, their main interest: Faramerz Dabhoiwala, ‘Summary Justice in Early Modern London’, *English Historical Review*, CXXI, No. 492 (2006), p. 801.

In addition, from the early seventeenth century, Bridewell's records are extremely abbreviated. Consequently, I have decided to avoid extensive research on Bridewell's records, instead sampling only a few years from its courtbooks. I am looking at examinations and witness statements from the Westminster Quarter Sessions records in order to analyse how people represented criminal activity or how they sought to exculpate themselves. In addition, this focus on the Quarter Sessions has the advantage of placing these crimes in the context of the community, and not viewing them as crimes –necessarily- of the poor. In many occasions in the Westminster Quarter Sessions, both defendant and accuser had a place in the community, which made a difference in the way they were perceived by the jury. Justices of the peace were known to enforce penal legislation selectively against those who threatened the community, and petty juries were usually formed from the middling sorts of a parish, which meant that the persons who tried the cases would potentially be not too far removed in terms of social status from the deponents.³⁹

This was far removed from Bridewell's procedure, where the bench of magistrates (often including some of the aldermen of the city), had greater discretionary power (it 'could police, prosecute, and punish in a single sweep, without any screening authority'), thus making the trials a far more top-down procedure.⁴⁰ Therefore, this selection of the Westminster Quarter Sessions as the main source for this chapter will allow us to reconsider how offences related to the ones described in the rogue pamphlets were treated by those who lived in metropolitan London.

Westminster (which included the parishes of St Margaret's, St Martin's in the Fields and St Clement Danes) is generally considered as an uncharacteristic part of metropolitan London, since it housed the courts at Westminster and the

³⁹ Wrightson, 'Two concepts of order', p. 29. See also J.S. Cockburn and Thomas A. Green (eds.), *Twelve good men and true: The criminal jury in England, 1200-1800* (Princeton, N.J.: Princeton University Press, 1988); Robert B. Shoemaker, *Prosecution and Punishment: Petty Crime and the Law in London and Rural Middlesex, c.1660-1725*, (Cambridge University Press, 1991), pp. 289-310. We should not ignore that the justices' input in Quarter Sessions trials was usually decisive, and they were usually picked from the leading families of a parish, but they had the smooth relations of the parish as their first concern. This meant that their influence was nuanced by the concept of neighbourliness, which recognised 'reciprocal obligations' and 'a degree of normative consensus amongst neighbours', Keith Wrightson, 'The Politics of the Parish in Early Modern England', in Griffiths, Fox and Hindle (eds.), *The experience of authority in early modern England*, p. 18.

⁴⁰ Griffiths, *Lost Londons*, p. 224.

Whitehall palace, and thus a host of nobles, lawyers and providers of services (such as goldsmiths, innkeepers, tailors and others).⁴¹ However, Jeremy Boulton has suggested that in the seventeenth century Westminster was not as socially exclusive as is usually imagined, due in part to the fact that its population increased dramatically (and faster than the city of London) in this period. His research has shown that there was a great number of poor who were excluded from paying taxes living next to their more affluent neighbours.⁴² In addition, the great influx of litigants crowding the courts, the abundance of inns and taverns as well as the great numbers of goldsmiths provided great opportunities for thieves and confidence tricksters, both to find their prey and to dispose of their ill-gotten gains.⁴³ Finally, a great number of servants lived in Westminster, people who were not necessarily 'poor', but they were certainly unsettled, in the sense that they depended on wages and could find themselves out of service quite easily.⁴⁴ Due to those characteristics, Westminster records provide a good way of examining urban crime against property.

In order to provide a context for the discussion to follow, a few words about the proceedings in court are necessary: the city of Westminster started having quarter sessions separate from those of Middlesex in 1618. Quarter Sessions in general were kept four times per year, and tried any cases except for felonies, even though occasionally felons were brought before this court and subsequently delivered to the appropriate courts. Even though in theory Middlesex sessions of the peace were held only twice per year, due to the high levels of crime in the county the sessions met at least eight times a year. Middlesex justices could try felonies under the Commissions of Oyer and

⁴¹ See Merritt, *The social world of early modern Westminster*; M. J. Power, 'The east and the west in early-modern London', in E.W. Ives, R.J. Knecht and J.J. Scarisbrick (eds.), *Wealth and Power in Tudor England* (London: Athlone Press, 1978), 167-185.

⁴² Jeremy Boulton, 'The Poor Among the Rich: Paupers and the Parish, in the West End, 1600-1724', in Griffiths and Jenner (eds.), *Londinopolis: Essays in the Cultural and Social History of Early Modern London*, pp. 197-225. See also Merritt, *The social world of early modern Westminster*, pp. 259-293; Power, 'The east and the west in early-modern London', in Ives, Knecht and Scarisbrick (eds.), *Wealth and Power in Tudor England*, p. 174.

⁴³ Merritt mentions that Westminster was 'thronged by beggars, poor street-traders and would-be servants', Merritt, *The social world of early modern Westminster*, 4.

⁴⁴ *Ibid.*, pp.173-178.

Terminer and Gaol Delivery.⁴⁵ The Westminster Sessions of the Peace covered exactly the same kind of cases as those for Middlesex.

The prosecution commenced when the crime was reported to a justice of the peace by the constable, the injured party or an informer. The justice of the peace then took depositions from anyone involved in the case and then bound over the relevant parties either for good behaviour or to attend the next quarter sessions, by writing up recognizances. A recognizance for good behaviour was mostly meant as a preventative measure, or a way to avoid bringing the full brunt of the law against the party responsible.⁴⁶ However, the plaintiff had the right as well to file a formal charge against the defendant, written by a clerk of the peace at the sessions. In this case the defendant and plaintiff had to attend the (next usually) sessions. Sometimes accusers dropped the charges and did not appear at the sessions, either because they had found an informal way of settling their difference or because they did not want to get involved in a costly and troublesome process. At the next sessions, an indictment was drafted, a formal record of accusation of felony or misdemeanour. This was presented to the grand jury, which decided if there was sufficient evidence to proceed with the trial or not (respectively dubbing the case as *billa vera* or *ignoramus*).⁴⁷ If they decreed that it should proceed, a petty jury was summoned and the trial was resolved, usually in a very brief timespan, which meant that most of the weight of the judicial process fell on the justice of the peace's work beforehand.⁴⁸

For the Westminster and Middlesex cases, the most important source for the trial records is the Sessions Rolls, which contain the official documentation of the judicial procedure at the sessions (and which were bound in rolls). Especially in the case of Westminster, a good set of examinations survives from 1619 until 1640, which are valuable in examining how these crimes were described in the context of the community. The great level of detail in these examinations elucidates further the language used to describe these crimes. In these examinations, deponents attempted to narrate a story which would be persuasive, by accentuating their plausibility. Thus, even if trial records do not

⁴⁵ LMA 'Middlesex Sessions of the Peace: Court in Session', http://search.lma.gov.uk/scripts/mwimain.dll/38/2/5/4197?RECORDandDATABASE=LMA_DESCRIPTIONandURLMARKER=STARTREQUEST [accessed 27 February 2013].

⁴⁶ Shoemaker, *Prosecution and Punishment*, pp. 25-27.

⁴⁷ *Ibid.*, pp. 27-28.

⁴⁸ Sharpe, *Crime in early modern England*, pp. 52-54.

necessarily provide unmediated access to social reality, they can still tell us what those involved expected to ring true. This is more relevant to our investigation, which revolves around the plausibility of the accounts narrated in rogue pamphlets, and for this aim the Westminster Quarter Sessions are an excellent source. The first section will elucidate the ways in which trial records emphasised the sophistication of crime, by analysing confidence tricks in similar ways as rogue pamphlets.

Confidence tricks

In rogue pamphlets, authors time and again lamented the speed with which rogues invented new tricks and ‘rare stratagems’ in order to deceive their victims. Many of the frauds described involved a level of sophistication and planning, and Robert Greene’s tone borders on admiration when he admits that some ‘have by extraordinary cunning and treachery beene deceived’.⁴⁹ It goes without saying that these accounts were too detailed and neat to be taken at face value, but it would be equally misleading to ignore the archival evidence that cozeners in London sometimes exhibited the cunning and ingenuity that pamphlets credited them with. Examining the court records we can find occasions of organised deceit at gambling, impersonation of officers of the law, crossbiting and other ingenious confidence tricks, which come very close to the stories narrated in rogue pamphlets.

A usual framing device in many rogue pamphlets was the exploitation of sociability. Thus, confidence tricksters approached their victims, either pretending that they knew them, or just faking friendliness, with the intention to deceive them. This often involved playing games of chance; since gaming did not require many props, it could be played impromptu and was an important element of sociability. As can be seen in the cases of cheating at games, men (almost exclusively in the examples I have found) did not balk at going with one

⁴⁹ Greene, *The third and last part of conny-catching*, sig. Bv. Also, Rowlands, *Greenes ghost haunting conie-catchers*, sig. C3r.

or more strangers in an alehouse, inn or tavern, to play games of chance.⁵⁰ On 8th April 1626, John Bell and Henry Coates, two London men, ‘coming by Whitehall, met there with a countryman that said he was a Lancashire man, and came to get help for the “King’s jewel”. This examine with his companion taking familiar acquaintance of him asked him to go drink a pot of beer or ale; so they went into a victualling house into a room by themselves, and drank two pots of ale. And his companion [Coates], bringing a pair of cards with him, they went to play first for drink and after for money; so that he, this examine, won of Henry Coates, his companion, some three shillings, and of the countryman, thirty shillings’.⁵¹

This sounds uncannily like the card trick called the Cony-catching Law in Greene’s *A notorious discovery of coosenage* (1591), where ‘the cony-catchers apparelled like honest civel Gentlemen, or good fellowes’ are on the lookout for any countryman who has come to London for legal reasons, and then find an excuse to invite him to an alehouse (usually by dissembling that they are from the same county, which might be what in the examination is meant by ‘taking familiar acquaintance’), where they suggest to ‘drinke a pint ... and play a game at cards for it, respecting more the sport, then the losse’; however, after they have played for the pint, they encourage him to play for money, until he loses all, while usually of the winner’s accomplices loses some money (so as to avoid suspicion).⁵² Apparently Mr Hatch, servant to the Knight Marshal, who intervened and asked Bell and Coates to return the money lost to the countryman, and consequently prosecuted them for ‘being cozeners and cheaters’, had recognized the deceitful practice.⁵³

Countrymen were a popular target for London cozeners, because they were not accustomed to these tricks, while a friendly greeting was more likely to be welcomed by those who had no acquaintances in London. Similar cases (albeit with less detail) of ‘malefactors [who] lay in wait in the highways and

⁵⁰ Nicholas Tosney, in his thesis on gaming in early modern England, has shown that people were ‘prepared to play games for money not only with individuals, but also with groups of people, that they did not know’: Nicholas Barry Tosney, ‘Gaming in England, c. 1540-1760’ (Unpublished PhD Thesis. University of York, 2008), p. 261.

⁵¹ LMA WJ/SR/NS/15/96,111,153. I have been unable to establish what ‘the King’s jewel’ could have been.

⁵² Greene, *A notorious discovery of coosenage*, sigs. A4r-Cr.

⁵³ Ibid, LMA WJ/SR/NS/15/93; WJ/SR/NS/16/21.

common places with intention to deceive and defraud honest travellers of their goods and money by false arts and games' appeared in the records with some frequency, occasionally describing how these men did so by 'luring [the victim] into an alehouse to play'.⁵⁴ This must have been sufficiently well known phenomenon to be used as alibi, and Thomas Williams, a man from Shropshire, did just that. He was accused of horse theft, having attempted to sell a stolen mare and he looked even more suspicious to the bailiff because he was 'in meane aparel and uncerten and not constant in his examination'. Nevertheless, Williams claimed that he had bought the mare from his brother, and he had been obliged to sell it when, coming to London to act as witness in a trial, 'he being chetted of thirty five shillings at an Inne coming up so that hee had no other means or wey but to sell her'.⁵⁵ He was apparently giving a story that he expected was so common as to be easily believable.⁵⁶

Londoners, however, were just as willing as countrymen to play games of chance with strangers. Sometimes these strangers proved to be cheaters, acting in concert in order to deceive their victim in cards, dice or other kinds of gambling. John Plare [victualler], William Bacon, Francis Austen [gentlemen] and John Dawson [yeoman], were accused of 'exciting Hugh Davies to play at tables and by false art deceiving him of eight pounds'.⁵⁷ The term 'exciting' suggests that these men were accused of having planned and executed this scam, in the same way as card sharps did in rogue pamphlets. Similarly, William Pomeroy, gentleman, Richard Buller, gentleman, John Kelly, yeoman, and Christopher Henly, victualler, were charged for 'cheating Mathew Plowman of money at a game called "most att three throws with three dice", at which game they fraudulently obtained £40 in money from the said Matthew by means of false

⁵⁴ LMA WJ/SR/NS/41/207; WJ/SR?NS/41/40, 40a, 40b; Sess.Roll548/122.P.R.B. 1/68.G.D.R.2/74d, in William Le Hardy (editor), 'Sessions, 1616: 14 and 15 March,' County of Middlesex. Calendar to the sessions records: new series, volume 3: 1615-16, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82365> [accessed 31 July 2012], and 'Sessions, 1616: 3 and 4 December,' County of Middlesex. Calendar to the sessions records: new series, volume 4: 1616-18, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82414> [accessed 2 August 2012].

⁵⁵ LMA WJ/SR/NS/29/6. Another similar case: Walter Preston of St Botolph's Aldgate, brewer, for cheating Ralph Wilkinson of Ditchington, co. Suffolk [Ditchingham, co Norfolk?], yeoman, at the cards. LMA WJ/SR/NS/47/68.

⁵⁶ Griffiths also gives examples of the 'stock country-bumpkin tale': Griffiths, *Lost Londons*, p. 169.

⁵⁷ All guilty, fined 50s each.

dice'.⁵⁸ What is interesting in those cases is the fact that there were many perpetrators, of good standing, working together against one victim, which they cozened from a large amount of money, something that is reminiscent of *A manifest detection of the moste vyle and detestable use of diceplay*.⁵⁹ Numerous indictments survive about people being 'cheated and cozened' by false dice or cards.⁶⁰

Cozeners at cards and dice did not come exclusively from well-off backgrounds; John Harrise, Ronald Rignolds and John Dickes (the first of whom had been in London for only a fortnight) apparently had a professional relationship with a cardmaker in 'Barnesey streete', and when they were arrested false dice and cards were found on them. They confessed that they all 'kept companye together this halfe year and more using only the exchange to cosen mens servants'. Both the choice of their victims and the fact that they were punished as vagrants shows that both they and their victims came from the lower parts of society. This social stratum was not supposed to play at games of chance, but reality proved different.⁶¹

Cheating at games of chance might have been one of the most common methods used by urban confidence tricksters, but it was not the only one, nor the most elaborate. In a society that had a working knowledge of the law (due to the participatory nature of the law), and a city where various counterfeiters could be found, using the law as a way to cheat others out of their money was very common. Some of the confidence tricksters in both pamphlets and trial records chose to pose as figures of authority. In order to persuade their victims that they were indeed working for the state they usually needed a counterfeit order. Francis Robinson (whose story will be recounted in detail in Chapter 6)

⁵⁸ LMA WJ/SR/NS/24/75,76,78. Other examples: Sess. Roll 555/82, 84, 125, 126, 225. Sess. Reg. 2/362. P.R.B. 1/93d.G.D.R. 2/98, 101, 101d. (Middlesex), Sess. Roll 547/34. Sess. Reg. 2/277 William Le Hardy (editor), 'Sessions, 1616: 17 and 20 February,' County of Middlesex. Calendar to the sessions records: new series, volume 3: 1615-16, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82364> [accessed 31 July 2012].

⁵⁹ Walker, *A manifest detection of the moste vyle and detestable use of diceplay*, (1555). Reprinted as *Mihil Mumchance* (1597).

⁶⁰ See LMA WJ/SR/NS/20/57; WJ/SR/NS/25/67; WJ/SR/NS/32/144; WJ/SR/NS/35/56; WJ/SR/NS/39/78,81; WJ/SR/NS/45/86,90; WJ/SR/NS/51/103.

⁶¹ BCB4 059, 060, 064. Similarly, BCB4 043, 045, 057, 061; LMA MJ/SR/1090/38; MJ/SR/1090/127. About legislation against gaming for the lower orders, see Tosney, 'Gaming in England, c. 1540-1760', p. 255.

pretended to be the bearer of a forged commission to levy money from various counties and in the *Blacke Bookes Messenger* Ned Browne used a counterfeit seal in order to cozen his victims.⁶² Counterfeiting official documents could be used in lucrative frauds, such as the one effected by John Cayrley who cheated ‘divers alehouse-keepers in the parish of St Clement Danes with a false warrant’.⁶³

A Cambridge scholar, John Sherman, was accused in 1625 of posing as a pressing officer in Westminster and trying to extort money from those he was pressing to service. The description retains most of the theatricality employed by Sherman in order to reinforce his deception: when one of his victims refused to be pressed, Sherman ‘took out the King’s broad Seal in green wax out of his pocket, and charged him to obey him and willed him to kiss the said seal if he loved the King’. Sherman’s trick was simple: if those he ‘pressed’ to service wanted to escape being drafted as soldiers, they could offer him a bribe (the amount of money varied from 7 to 12d) and then ‘he would warrant them to go over all London and that they should go free from any press, for he was the King’s servant, and had a ticket about him to save both himself and them from press’.⁶⁴

Being pressed into the army was not the only threat that could be used in order to shake down people; Edward Hacklett pretended to be ‘a sub bailiff of Anthony Hinton, esquire, bailiff, and, under pretext of his office, arrest[ed] John Parrishe at the suit of John Hales, and unjustly extort[ed] from the said John Parrishe 5s 8d’ (we can assume so as to release him). As we saw in Chapter 3, officers’ corruption was a well-documented phenomenon both in pamphlets and in the records, so such bribe-taking would not have been considered out of the ordinary. John Whetstone alias Larkstone and John Mathewes were indicted in the August 1616 Quarter Sessions of Middlesex for ‘deceiv[ing] his Majesty’s subjects under colour of being informers of penal laws’. In the case which landed them on trial, they had received from William Morgan 3s. ‘under pretence that the said William had offended against the Statute for preventing the inordinate

⁶² Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman* (1618); Greene, *Blacke Bookes Messenger*, sig. Dv.

⁶³ LMA WJ/SR/NS/47/127. Similarly WJ/SR/NS/43/129; WJ/SR/NS/30/62; WJ/SR/NS/25/44.

⁶⁴ LMA WJ/SR/NS/Misc 14/18.

frequenting of and tippling in inns, alehouses and other victualling-places'.⁶⁵ These were not the only ones who attempted to cheat others of their money pretending to be informers.⁶⁶

Blackmailing someone by threats of punishment by the law could operate in other ways as well: Jane Somersall was charged that she 'very maliciously and lewdly accused Mr. Greene to have had carnal copulation with her and to have begotten her with child, and had also, by the practice and combination of the said Roland Somersall her husband, gotten divers sums of money from the said Greene to avoid the unjust clamours of the said Somersall and his wife'. During the trial it was discovered that 'it was a common practice of the said Jane to accuse persons of ability in such sort to the end to draw money from them'.⁶⁷ This was a case of cross-biting, or the 'sacking law' described in pamphlets, where men 'constrayn[ed] their wives to yeeld the use of their bodies to other men, that taking them together, he may cros-bite the party of all the crownes he can presently make'.⁶⁸ What usually happened was that the husband would enter the room when his wife and the victim were in bed, and then force the victim to pay him in order to avoid bodily harm from the 'enraged' husband, or the loss of his reputation. The story goes thus:

Some other meeting with one of that profession in the street, wil question if she will drinke with him a pint of wine, theyr trade is never to refuse, and if for manners they doe, it is but once: & then scarce shall they be warme in the roome, but in comes a terrible fellow, with a side haire & a carefull beard, as though he were one

⁶⁵ Sess. Roll 552/38, 98, 157, 164. Sess. Reg. 2/333. G.D.R. 2/85, 89, William Le Hardy (editor), 'Sessions, 1616: 1 August,' County of Middlesex. Calendar to the sessions records: new series, volume 3: 1615-16, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82370> [accessed 31 July 2012].

⁶⁶ Sess Roll 560/32. G.D.R. 2/129d, William Le Hardy (editor), 'Sessions, 1617: 2 and 3 September,' County of Middlesex. Calendar to the sessions records: new series, volume 4: 1616-18, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82422> [accessed 2 August 2012]; BHC 4 139,293, 160.

⁶⁷ Sess. Roll 536/273. Sess. Reg. 2/129. G.R.D. 2/33d, 34, 36d, 37, 37d William Le Hardy (editor), 'Sessions, 1614: 3 and 5 December,' County of Middlesex. Calendar to the sessions records: new series, volume 2: 1614-15, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82338> [accessed 31 July 2012].

⁶⁸ Greene, *A notable discovery of coosenage*, sig. C2v. LMA WJ/SR/NS/M13 reports a story about how John Smith took Bessie Strong to a play, but as they were leaving they were attacked by two men and Smith was stabbed. To the magistrate's questioning, he answered that 'he did not think the wench knew the men'. It is possible that the reasoning behind this question was to examine whether this was a case of crossbiting which went too far.

of Polyphemus cut, & he comes frowning in & saith, what hast thou to doe base knave-to carrie my sister or my wife to the tavern by his ownes you whore, tis some of your companions, I wil have you both before the Iustice, Deputie, or Constable, to bée examined. The poore servingman, apprentise, farmer, or whatsoever he is, séeing such a terrible huffesnuffe, swearing with his dagger in his hand, is fearefull both of him and to be brought in trouble, and therefore speakes kindly and courteously unto him, and desires him to be content he meant no harm. The whore, that hath teares at commaund, fals a weeping, and cries him mercy⁶⁹

One of the problems of detecting confidence tricksters was that they knew how to exploit their victims' expectations, by conforming to standards about how an upright person should dress and behave. In *Lanthorne and Candle-Light*, Dekker comments exactly on how victims are deceived by the appearance of cozeners, when 'beholding a personable man, fashionably attir'd and not carrying in outward coullors the face of a cogging knave, give credite to his words'.⁷⁰ A confidence trickster managed to enter into his victim's house when there were only two children there, pretending to want to 'see it' and stole a bowl. What is important in this story is how the cheat succeeded in selling his stolen goods, by appearing well-apparelled and by dropping the name of an acquaintance: the goldsmith who was found with the bowl in his possession said that he bought it 'of an unknown man who named himself Thomas Wilson', on the same day 3 o'clock 'and was a man in very good habit and told the examinee that he was well known to Mr Payne, a neighbour dwelling hard by'.⁷¹

Confidence tricksters capitalized in their ability to present themselves as member of respectable society. The examination of William Shawe, who accused a certain James Cole of cozening a salesman in 1637, illustrates more clearly how such a fraud could be effected:

William Shawe says that upon Tuesday last was a seven-night, James Cole came unto the shop of Michael Hunt a saleman at Snow Hill and bought a suit and coat of him for £4. 10s, and after he had put on the said suit he prayed him to go along with him unto Mr

⁶⁹ Greene, *A notable discovery of coosenage*, sigs. C3r-C3v.

⁷⁰ Dekker, *Lanthorne and Candle-Light*, sig. Gv.

⁷¹ LMA WJ/SR/NS/49/17.

William Garraway his master and then he should receive his money, but at their coming to Mr Garraway's house and then he should receive his money, but at their coming to Mr Garraway's house and hearing that he was at the Exchange they went along together, and at their coming to the Exchange the said Cole slipped away from him and so cozened him of his said clothes⁷²

In this story James Cole pretended to be the servant of a person known to his victims. He apparently had planned this ahead and timed it correctly, so that Garraway would be at the Exchange at that time and not at his house. Others used a feigned familiarity with an acquaintance of their victims in more straightforward ways: Katherine Jones and Joan Wood deceived John Bushier by 'saying that they had been sent by Mary Sherwood for [her] goods so that the said John delivered the said goods to them', while Jane Jenninges counterfeited and forged the writing and signature of Christofer Hamman gentleman in a letter 'Mr Savericke, I understand you have paied to this bearer iii^{li}. I praye you paye her alsoe the xls. w^{ch}. is behinde and this shalbe your discharge. Your friend, Christopher Hamman'.⁷³

An even more interesting example, because it corresponds very closely to rogue pamphlets, was the case of Robert Codrington, who effected a very bold and well-organized scam. He managed to get his hands on a translation of Odes and Epodes of Horace by Henry Rider, and printed a new dedicatory epistle, changing the title from being dedicated to Lord Rich to the 'Earle of Ancram'. He then 'caused it to be delivered to the "Earle of Ancram" from himself, as if he had been servant to the said author (which he was not) and wrote letters with his own hand, first by way of petition and next of gratitude, to the said Earl, and in full received as a gift to the Author £5 and 10s for himself, all which he has concealed, and the honourable Earl and poor author are much injured by his pretending that the author his master was very sick and not able to attend upon

⁷² LMA WJ/SR/NS/49/15.

⁷³ LMA, WJ/SR/NS/28/125; 22 Feb., 5 James I in John Cordy Jeaffreson (editor), 'Middlesex Sessions Rolls'. Similarly, Thomas Mead of St. Giles'-in-the-Fields, gentleman, and John Jones of Westminster, butcher, for Henry Shelbery of the same, gentleman, for writing counterfeit letters wherewith sundry persons were cozened of several sums of money and other goods, Sess. Roll 555/160. Sess. Reg. 2/363 William Le Hardy (editor), 'Sessions, 1616: 3 and 4 December,' County of Middlesex. Calendar to the sessions records: new series, volume 4: 1616-18, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82414> [accessed 2 August 2012].

his Honour’!⁷⁴ The ‘Falconers’ in Dekker’s *Lanthorne and Candle-Light* (1608) practiced a very similar trick: they printed a series of different dedications to a ‘pamphlet’, then visited each of their alleged patrons pretending that the pamphlet was written for them exclusively in hopes of pocketing the gift for the dedication.⁷⁵

Cunning folk were reputed to use magic for good purposes and in this period in London they were most often employed as fortune tellers and finders of lost property.⁷⁶ Both activities could be easily practised by (or considered) as confidence tricks. Taking money from gullible victims, when promising to retrieve their stolen goods and never delivering them was one option. *A world of wonders* (1595) details how a woman posing as a cunning woman promised to help her victim find the money that was hidden in the victim’s house, but first she had to ‘have bothe golde and silver and jewels to present unto the King of the Feries’, which she –unsurprisingly– took and ran.⁷⁷ There are various occasions in the records where people are being accused of ‘seducing the Kings subiects by making them beleeve that by erecting a figure he cann helpe them to stolen goods’,⁷⁸ for cozening ‘by way of fortune-telling’,⁷⁹ or by being ‘a wissard and tells where stollen goods are’.⁸⁰

⁷⁴ LMA, WJ/SR/NS/51/16.

⁷⁵ Dekker, *Lanthorne and Candle-Light*, sigs. F2v-G2r.

⁷⁶ Davis, ‘Urbanization and the Decline of Witchcraft’, 597-617. See also, Alec Ryrie, *The sorcerer’s tale: faith and fraud in Tudor England* (Oxford: Oxford University Press, 2008); Lauren Kassell, *Medicine and magic in Elizabethan London: Simon Forman, astrologer, alchemist, and physician* (Oxford: Clarendon Press, 2005).

⁷⁷ Johnson, *A world of wonders* (1595), sig. C3v.

⁷⁸ Sess. Roll 524/82. Sess. Reg. 1/640, 2/5. William Le Hardy (editor), ‘Sessions, 1613: 8 and 9 September,’ County of Middlesex. Calendar to the sessions records: new series, volume 1: 1612-14, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82311> [accessed 30 July 2012].

⁷⁹ Sess. Roll 552/61. Sess. Reg. 2/333, William Le Hardy (editor), ‘Sessions, 1616: 1 August,’ County of Middlesex. Calendar to the sessions records: new series, volume 3: 1615-16, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82370> [accessed 30 July 2012].

⁸⁰ Sess. Roll 529/5. Sess. Reg. 2/50, William Le Hardy (editor), ‘Sessions, 1614: 28 and 30 March,’ County of Middlesex. Calendar to the sessions records: new series, volume 1: 1612-14, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82316> [accessed 30 July 2012].

This leads to a closely associated form of trickery by cunning folk: the easiest way to ‘divine’ the location of stolen goods was to personally know the thieves.⁸¹ We have as well an example of how this scam would work: on November 9 1637, Mabel Gray, who had some spoons stolen from a box,

was advised by many of her neighbors to goe to a Cunnige Woman in Southwarke, which woman she gave a shilling to and she directed her to Lukeners Lane at the back side of Queen Street, to a cunning man to which man she gave two shillings in money and one shilling she spent on him in drink, whose name she knows not, and the said man went with her into Ram Alley to one Mr Tunn, a cunning man, unto whom she gave five shillings in money and three shillings she spent in wine, and he told her that the thife was in the howse that had the spoones and that the spoones should come agayne they should not knowe howe and be laid in the same place from whence they wer taken; and she says she did forbear the charging of George Tyre and his wife upon the promises of the said cunning man, although she had always a suspicion the said Tyre and his wife had taken away the said spoons⁸²

In total, Mabel Gray spent 12 shillings going from cunning man to cunning man, even though she already had her suspicions about who had perpetrated the theft, and she did not distrust them even when she was discouraged from charging the suspected thieves. Both the fact that the cunning men promised the return of the goods and that they dissuaded her from charging the suspected thieves suggest that thieves and cunning folk were acquainted, and possibly even worked together. This is a practice that Thomas Nashe criticised, stating that the reputation of such men and women was based on trickery. They did not have any magical talent, but they had inside information about thefts, because they were ‘Not a thiefe or a cut-purse, but a man that he keepes doth associate with, & is of their fraternitie; only that his master when any thing is stoln may tell who it is that hath it.’⁸³

⁸¹ Davis, ‘Urbanization and the Decline of Witchcraft’, pp. 599, 611. For other cases of cunning folk in Westminster, albeit with an emphasis on witchcraft beliefs, not confidence tricks, see Merritt, *The social world of early modern Westminster*, pp. 329-331.

⁸² LMA, WJ/SR/NS/50/22.

⁸³ Nashe, *The terrors of the night* (1594), sig. E2v.

In conclusion, many of the more detailed tales of trickery depicted in rogue pamphlets were on par with stories in trial records. In both kinds of sources, what was deemed necessary was to narrate a story that made sense, and could be believed. I do not wish to argue that this evidence indicates that rogue pamphlets reflected reality. It is a possible explanation, as is the theory that the similarities between the two suggest that those examined (or the justices of the peace who conducted the examination) were familiar with such stories of deceit from rogue pamphlets and repeated them. What is more important is to emphasise that the common lines between the two kinds of records augmented the verisimilitude of rogue pamphlets.

Criminal networks

The dismissal of rogue pamphlets as completely fictional is largely due to the notion that the underworld of organised crime described within did not exist in reality.⁸⁴ This is partly due to the way those pamphlets are read as inverse images of law-abiding society. As we saw in the previous chapter, however, even though rogue pamphlets borrowed the language of official discourse about rogues which described an underworld, these pamphlets did not limit themselves to a slavish re-iteration of official statements. On the contrary, rogue pamphleteers mixed damning language towards rogues with the acknowledgment that duplicity was part of urban living. This suggests that making a clear distinction between pamphlets depicting a criminal underworld and crime records where crime was not organised does not do justice to the polyphonic rogue pamphlets. On the other hand, studies focusing on prostitution or on Bridewell's records for cases of networking among criminals (especially in the case of recidivists) have sought to show that some forms of criminal organisation do appear in the archival record.⁸⁵ Ian Archer has also used nominative linkage, looking at recidivism and names appearing together to suggest that there was an

⁸⁴ As I have already shown in the Introduction.

⁸⁵ Paul Griffiths, 'The structure of prostitution in Elizabethan London', *Continuity and Change*, 8, Issue 1, (1993), 39-63; G. Ungerer, 'Prostitution in Late Elizabethan London: the case of Mary Newborough', *Medieval and Renaissance Drama in England*, 15 (2003), 138-223; Griffiths, *Lost Londons*.

element of association between criminals.⁸⁶ My aim, however, is not to go back to the argument about the accuracy of such depictions. This section will show that, similarly to rogue pamphlets, court records reflected contested interpretations of rogues and their practices.

In order to do so, I will focus on the occasions where a network of associates was found, including people willing to work with criminals, support them or receive stolen goods. I will show that, in these cases, the justice of the peace or the accuser attempted to present the accused as members of a criminal gang and thus part of the 'criminal underworld' by appropriating the official discourse on such criminals. On the other hand, deponents accepted the existence of networks but depicted them in a different way: as ties of sociability. For this reason, they emphasised the familiar setting in which their interaction with other suspects took place, often revolving around drinking, visiting friends or courting. Consequently, this section will first present cases where the interpretation of the authorities was radically different than what criminals and their associates presented. I will conclude this section by taking a closer look at the criminal network revolving around John Clavell, the infamous highwayman and rogue author, which further elucidates the previous claims.

Because of the nature of the records, which usually focused on a specific instance of theft or generally lawless act, it is difficult to find networks that were in place for a long period of time, unless there was a recurring group of people indicted. Sometimes, however, it is possible to find a case where the people implicated had time to establish a support network for their criminal activities, such as Richard Rose's. Rose was the porter of Sir Robert Naunton, who was Master of the Wards at the time and seventy-one years of age.⁸⁷ The old age of his master may explain how Rose slowly stole various expensive objects from his master's house in the course of a year, and managed to remain undetected throughout this period. When in July 1634 he was finally suspected of those thefts he ran away, and a search conducted at the house of one of his acquaintances' (Eustace Thomson) yielded a jewel belonging to Naunton. After

⁸⁶ Archer, *The Pursuit of Stability*, pp. 204-212.

⁸⁷ Roy E. Schreiber, 'Naunton, Sir Robert (1563–1635),' *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. Lawrence Goldman, January 2008, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/19812> [accessed 2 August 2012].

that, the case quickly unravelled, implicating no less than ten people. This case is interesting because it shows how officers of the law could cast their net wide, examining and accusing ten people as accomplices or receivers.

Some of those accused were goldsmiths who received the jewels, even though receiving stolen goods was a punishable offence. One of the first questions officers of the law posed, in order to assess culpability, was whether goldsmiths had realised that the goods sold were of suspicious origin. The goldsmith John Hall, had to admit that he had misgivings about buying from Rose. Hall told Rose that 'it was not a thing fitting for him to sell and that he should bring some person of credit who he did know to justify the sale',⁸⁸ but he still kept the jewel. Another goldsmith, Peter Preswicke, not only bought a jewel and a ring, but he broke them in pieces and sold them separately. This was a common way of processing jewellery, but it was additionally a convenient way to avoid recognition of the stolen goods.⁸⁹ For goldsmiths, contrary to other suspects, it was safer to claim that they had no acquaintance with the criminal, but had just bought something of him or her without realising it was stolen. However, in most cases this was a very threadbare excuse.

Others implicated in this story were accused of actively helping Rose. Elizabeth Lovett was charged as an accessory, helping Rose remove the stolen goods from the house, while others acted as middlemen, receiving some of the stolen goods and selling them to others, so as not to raise suspicions (these were Eustace Thomson and his wife Joan, Willmott Dodson, Margaret Tiffeny, Dinah Ackersley). Robert Dodson, another of Rose's acquaintances, not only sold some of Rose's loot, but he probably handled other stolen property as well: his servant testified that Mr Dodson showed Rose 'four or five rings and another thing in a paper that glistened' and when 'she asked her master Dodson whose they were and he answered his father's'.⁹⁰ If those belonged to Rose, he would have no reason to show them to him.

⁸⁸ LMA WJ/SR/NS/40/1. In another case, the goldsmith Harris had misgivings about buying from an untrustworthy source (James Arde), saying that 'it was dangerous to sell it', but he still bought things repeatedly from him: LMA WJ/SR/NS/8/127. Robert Bigge kept a victualing place in Fleet Street and received goods stolen by Francis Turnor. Even though he 'willed him to take heed that he did not steal them' it is likely that he knew they were indeed stolen, BCB4 043.

⁸⁹ LMA WJ/SR/NS/40/22, and John Laurence implicated as another goldsmith who received jewellery.

⁹⁰ LMA WJ/SR/NS/40/13.

In most of those cases, the accused tried to establish their personal connection with Rose: Dinah Ackersley knew Rose because when she lived close to Naunton's house she 'sometimes she drank with [his servants] and him', while Joan Thomson and her husband knew Rose through Dinah (Joan being her sister), and they would drink together on occasion. Thus, according to their story, when they met with Rose at St James fair in July 1636, their reason for spending some hours together was not to receive stolen jewels (one of which was found later in their house), but to spend time in friendly conviviality. Margaret Tiffeny met Rose when she was learning needlework at Mrs Dodson's house, and, as their friendship progressed, Rose came to her house twice, once 'with a stranger with him, and drank a bottle of beer' and another time to ask for a small favour (to borrow a purse).

This way Tiffeny tried to deflect the accusation that she had helped him escape (a few days later he ran from his master's service) or that she was privy to his plans.⁹¹ Mrs Dodson herself had tried to reassure her inquisitive servant by saying that Rose was visiting the house as her suitor. Evidently all those people who had at one time or another helped Rose (and many were caught with the stolen goods on them) tried to justify their actions by highlighting their personal bonds with him. This case highlights the divergent interpretations of criminal networking. Whereas the authorities' questions were intended to prove the existence of a criminal network, those accused re-framed their actions as stemming from bonds of sociability.

In a similar, but less detailed case, James Arde acted as a middleman between Georg Bissett and the goldsmith Harris in Fleet Street, selling to him various silver pieces and getting 12d for his labour. Arde, in his examination, attempted to portray his actions as a friendly service. In order to do so, he laid significant emphasis on his relationship with Georg Bissett, claiming that they both lodged at the same house and got acquainted because they were from the same county. The first time that Arde helped Bissett sell some jewel was also described in the context of conviviality: 'being at the ordinary in Westminster called the king's arms by the Broken Cross, the said Bissett took out of his pockett one peece of silver plate about the quantity of an ounce, ... and this

⁹¹ LMA WJ/SR/NS/40/12.

examinee asked the said Bissett why he did carry the same in his pocket, who answered this examinee, he carried it to sell it: and demanded of him if he would goe with him, which he did; and that was into Fleet Street to a Goldsmith, with whome this examinee was acquainted in France'.⁹² Drinking comes up repeatedly in these stories and it must have been thought to cast the relationship between these men or women in a different light.

There was one particular circle of acquaintances that authorities seemed to worry about, and that was the one revolving around prisons. As we have seen, prisons were viewed as 'a magazin of sin, an university of villainy'.⁹³ The authorities' concerns about prisoners' networks were not always unfounded. Examples of criminals working together and sharing their 'professional' expertise justified and intensified these worries. In 1627, Richard Hampton was charged with breaking open the shop of William Hide, of Fleet Street, with Thomas Hill and Jermye Semor. He confessed that he had formerly been in trouble for breaking into other houses with Thomas Hill and had been to Newgate. What is most interesting about this story is that the criminals knew how the law worked and used it to their advantage: Richard had been burned in the hand once before as a thief, but he was assured by his associates that 'he would not at this time bee hanged but should have the same good happ that his acquaintance Thomas Hill had before him to be twice burned in the hand before he suffered'.⁹⁴ In another case, when John Jackson of Westminster, gentleman, was accused of combining with Richard Downes in the robbery of gold and plate, it seems that one of the reasons he was suspected was that he had 'been his fellow prisoner in Newgate'.⁹⁵

The prisoners' visitors raised the suspicions of the magistrates or prisons' officials, and they were often questioned. Some stories substantiated their mistrust, such as the case of Anthony Bartlet, gentleman, who was stopped when he visited 'Mr Conway a prisoner at King's Bench' and two counterfeit coins were found on him. John Warner, the justice who examined him, believed that Bartlet had shady motives for carrying these things. Even though he allowed

⁹² LMA WJ/SR/NS/8/127. Note the mention that the goldsmith was his acquaintance as well.

⁹³ Taylor, *The praise and vertue of a Jayle, and Jaylers* (1623), sig. A7v.

⁹⁴ LMA WJ/SR/NS/19/35.

⁹⁵ LMA WJ/SR/NS/20/15.

Bartlet to be bailed, in a letter Warner expressed his intention to examine Bartlet again about ‘the circumstances concerning these busines (being very suspicious)’.⁹⁶ In such cases as well, however, suspicious visitors attempted to play the card of familiar acquaintance with the criminal: Rachel Tompson requested that Richard Thompson, a cutpurse, be released from Bridewell, claiming that he was her kinsman. The governors of Bridewell were suspicious of Tompson and, on examining her, found out that she was a vagrant, which clearly compromised her claims. Tompson was forced to change her story, but she retained the element of familiar connection: she insisted that the reason she had tried to help Thompson was that he had promised to marry her.⁹⁷

The cases above show the extent to which authorities were prepared to see criminal networks emanating from prisons, and including both prisoners and those who visited them. What is not clear is whether these cases present actual networks or just that law enforcement managed to browbeat their examinees until the latter produced what the officers wanted to hear. Ellis Basset, a cutpurse, for example, not only confessed his crimes but additionally gave the authorities a place ‘where divers other cutpurses do lye’ (the ‘Greene dragon in the upper end of Southworke) and their names (‘John Spencer Giles George one Fieding and one Smith’).⁹⁸ Nonetheless, there was another option, that suspects could exploit the authorities’ fixation with networks to escape punishment, by informing on their fellow thieves: Richard Standish Bobbye ‘an old guest’ of Bridewell escaped punishment for theft by disclosing ‘divers of his confederation in this his practises’,⁹⁹ while Edward Johnson, who was suspected and apprehended for breaking into Lady Stanhope’s house ‘obtained his enlargement’ by promising to find those who had done the robbery.¹⁰⁰

The crime that most often required a network of people to effect was highway robbery, because it did not rely on subtlety but intimidation and ability to overwhelm the victims if they resisted. Active highwaymen were not the only ones involved in this crime however: John Clavell described how highway

⁹⁶ LMA WJ/SR/NS/IA/3: letter (143).

⁹⁷ BCB4 056.

⁹⁸ BCB4 038.

⁹⁹ BCB4 006.

¹⁰⁰ LMA WJ/SR/NS/47/15.

robbers had acquaintances who worked at inns and who could tip the highwaymen off when a prospective victim came along, and others who lived in the city and could provide them with a safe place to hide.¹⁰¹ In cases about highwaymen these characteristics are highlighted: four men were apprehended in ‘Figgs Lane a common robbing place’, suspected to be highwaymen, because they ‘had beene lurking & loitering for the space of three houres together as was observed by the constable & inhabitants’.¹⁰² Sylvester Stanbrigg, a victualler who had offered them lodging at his house was presented to the Middlesex Quarter Sessions suspected as accessory.¹⁰³

John Clavell had first-hand experience: he was a famous highwayman, who (as we have seen) escaped capital punishment and wrote *A Recantation of an Ill Led Life* (1628).¹⁰⁴ His case is a good example of how questions from the examining magistrates focused on the criminal network, while those accused strove to explain that their relationship with the robber, and the fact that they aided him in various occasions, did not indicate that they were his accomplices. The examinees had a difficult task. The fact that Clavell had a reputation for being a highwayman made any excuses ring hollow. As we will see, however, the suspects did not balk at the challenge and occasionally even managed to mobilise the support of their community as well.

In 1625, a warrant was issued for John Clavell, Anthony, his servant and John Weatherley, alias Tapps. Even though Clavell initially escaped arrest, he was soon captured and accused of ‘sundry felonies and robberies upon the King’s highway’.¹⁰⁵ What interests me however in this chapter is the discovery of a

¹⁰¹ Clavell, *A Recantation of an Ill Led Life*.

¹⁰² This practice is described in *The devils cabinet broke open* (1657): ‘they retire and lie in wait in some by-place most advantageous and least suspitious, which yeilds the eie the prospect of the road, to strictly view the booties’: Anonymous, *The devils cabinet broke open*, p. 8.

¹⁰³ LMA, MJ/SR/1090/116, 117.

¹⁰⁴ Clavell, *A Recantation of an Ill Led Life*.

¹⁰⁵ Calendar of prisoners of the Westminster Quarter Sessions, 5 January 1626 14/189. He was charged ‘for sundry felonies and robberies upon the King’s highway’ at the Westminster Sessions: stealing ‘by force and arms’ a bay gelding, price £7 from Richar Tuttle, LMA WJ/SR/NS/14/171, stealing ‘by force and arms’ a dark grey horse, value £50 from Ulicke Burke, LMA WJ/SR/NS/14/172. By an ‘Inquisition at Aylesbury on 7 March 1625 it was found that John Clavell, late of Beaconsfield, gent., with Thomas Morris alias Price, labourer, on 8 Nov 1624 with force and arms on the king’s highway at Beaconsfield attacked Robert Bardolph, servant of Edward Lenton, esq. and robbed him’, and that ‘John Clavell gent, late of Edgware, Anthony Compas, yeoman, and Thomas Jefferies, yeoman on 3 Dec 1624 assaulted an unknown man on the king’s highway in Edgware and robbed him of 19s 4d’, From John Henry Pyle Pafford, *John Clavell, 1601-43: highwayman, author, lawyer, doctor* (Oxford: Leopard’s Head Press, 1993) pp. 25-6.

network of Clavell's associates at the time of his arrest and how some of them described their relationship with him. Eight men were arraigned with Clavell: William Helligi, William Kingstone, Samuel Cox, John Weatherley, alias Tapps, Anthony Compas, Thomas Brown, 'one Jefferies', 'one Mr Vahon' and Thomas Morris alias Price.¹⁰⁶ Others were obliged to appear at the sessions for aiding Clavell: Hugh Peachie was accused of 'rescuing John Clavell, gentleman, known to be a notorious robber by the highway', while Cornelius Hudson was charged for harbouring Clavell.¹⁰⁷

From the records for the Westminster Quarter Sessions we can reconstruct what happened when, on the first day of January 1625, Edward James, Clerk of the King's prison of Newgate, attempted to arrest Clavell, executing a warrant issued by Sir Ralph Crewe (Chief Justice of the King's Bench) 'to apprehend the bodies of the said John Weatherley, alias Tapps, John Clavell and Anthony and them to bring before the next Justice of the peace in the Countie where they or any of them shalbe apprehended there to be examined concerninge the premise and their desperate course of lief and bad behaviour and then to be committed to the gaole of the County wherein they shalbe apprehended'.¹⁰⁸

Edward James had information that Clavell could be found at St Margaret's, and charged three constables, William Belton, William Cart and Robert Davis, to assist him in this arrest. All of them refused point-blank to do so: 'totally neglecting their office of constables aforesaid, and totally refusing, and every of them totally refusing to search for and apprehend John Clavell, who is vehemently suspected to be a highway robber'.¹⁰⁹ James went on with the arrest, but having found Clavell, his servant, William Hellegi, 'resisted the officer, by means whereof Clavell escaped'. In the end Hellegi and Jan Samuel Cox were arrested for assisting Clavell in robberies, and Clavell himself followed a few days later, being indicted on the 5th of January.¹¹⁰

¹⁰⁶ LMA WJ/SR/NS/14/144,145,146,147; WJ/SR/NS/14/189. Inquisition at Aylesbury on 7 March 1625 and Inquisition in Buckingham on 18 July 1625: Pafford, *John Clavell, 1601-1643*, pp. 25-6.

¹⁰⁷ LMA, WJ/SR/NS/14/63,148.

¹⁰⁸ LMA, WJ/SR/NS/14/183.

¹⁰⁹ Ibid.

¹¹⁰ LMA WJ/SR/NS/14/189.

When William Hellegi (Clavell's servant) was examined, his position was difficult. He had resisted the officer Edward James, and had been accused as Clavell's accomplice. Hellegi, however, stressed his duty as a servant and the need to fulfill his contract, while stating that he had been Clavell's servant for only four days, and that he had been recommended to his service by a common acquaintance 'he was, upon Wednesday 21 December, sent for by the said Clavell *through the mediation of one Captain Banfield* to become the said Clavell's servant'.¹¹¹ Hellegi had to admit that he knew of Clavell's reputation: 'Being also asked what he has seen, heard, known, or believes touching Clavell's course of life, and whether Clavell were addicted to felonies, and to commit robberies, answer that for his own part he has not been aiding or assisting to him in any such action, yet confesses that Clavell has been reputed a villain and robber'. Nonetheless, he emphasised that his reason for working for Clavell was financial: he had been promised £5 yearly wages and a livery if he worked as his servant.

Despite the evidence that Hellegi knew what kind of man his master was, and thus could be a part of his gang, Hellegi managed to bring a certificate from his neighbours for his good character.¹¹² This certificate was provided in the Sessions of October 1626, where six of his neighbours testified that 'I never could find but that he hath carried himself very orderly and well, and has been always ready to go upon our command at all times to assist us in our watches and wards, and for his being absent from his house, I never found but he was resident about his house always since Michaelmas'.¹¹³ This opens up the possibility that the magistrates' version could also conflict with that of (part at least of) the community, who were ready to defend someone accused of being an accessory to a highwayman.

Cornelius Hudson, suspected of being 'a harbourer' of Clavell, had an even more difficult task pleading his innocence. Hudson admitted that he had known Clavell for seven years and often invited him to his house. Various aspects of Hudson's relationship with Clavell came to light during the examination, most of them incriminating. Hudson admitted sending a letter to

¹¹¹ LMA WJ/SR/NS/15/45, 132,133, emphasis mine.

¹¹² LMA WJ/SR/NS/15/45, 132,133.

¹¹³ LMA WJ/SR/NS/17/1.

John Clavell, when he was in the prison of Newgate, but claimed ‘that he neither had any such society with him as either to know of the said Clavell’s robberies by the highway, or that he was in any way a persuader of him so to do’. His denial proved hollow, as in the process of the examination he admitted that ‘Clavell and Vahon being at this examinee’s house, did deliver in this examinee’s hearing these speeches one to another, that they had taken a cloak-bag from a fellow, in which there was a goose and a cheese, and said they thought it had been a better booty because the fellow struggled so, and cut Vahon’s nose’.

This admission implied that Hudson knew what these men were up to, and his continuing support of Clavell, over the space of seven years, would easily suggest to his examiners that he was aiding and abetting him. Even though Hudson, when asked whether he knew that Clavell and his associates were robbers by the highway, answered ‘not to his knowledge but by common bruit [sic]’, it was difficult to maintain such a claim.¹¹⁴ He even went as far as to confess that he had attempted to frighten the officers who were searching for Clavell, by telling them that ‘Clavell was a dangerous man to take, and that he carried two pistols to kill any man that laid hands upon him’. Hudson claimed that his intention was to warn them, but his action could equally be constructed as helping Clavell escape.¹¹⁵

From these examinations, it is clear that Hellegi and Hudson were fully aware of Clavell’s highway career. The magistrates’ insistence on this point (asking Hudson about it at least twice, as we saw), coupled with the emphasis on the aid these men provided to Clavell, indicates that the authorities’ considered these elements as sufficient proof of the suspects’ participation in Clavell’s criminal network as accessories (or even accomplices). Neither of these men, however, described their association in such terms, but, on the contrary, attempted to re-construct the purported criminal association as bonds of loyalty. Hudson and Hellegi presented themselves as friend and dutiful servant

¹¹⁴ This probably is from the word ‘bruit’ which in this period meant ‘fame’: ‘bruit, n.’. OED Online. September 2013. Oxford University Press. <http://www.oed.com.ezproxy.york.ac.uk/view/Entry/23915?rskey=RQpTQdandresult=1andisAdvanced=false> [accessed 19 September 2013].

¹¹⁵ LMA WJ/SR/NS/15/46.

respectively, and the latter even managed to find members of the community to speak up on his behalf.

Clavell's network was just the most detailed example we have: as we saw in this section, the cases of alleged criminal association (even in London) could stem from the authorities' worries (or rhetoric) that criminals were all the more dangerous because they were organized. I do not wish to claim that the authorities' concerns were entirely unfounded. As we have seen, some criminals acknowledged their working together with others, as well as the sharing of criminal know-how. It would be equally one-sided, however, to ignore the different interpretations of roguery that authorities and criminals (or others associated with them) put forward. By juxtaposing trial records with rogue pamphlets, it is evident that in both sets of records no single voice dominates the narrative. Even though the official discourse was prevalent, and influential, other voices could be discerned. Where the authorities saw an insidious crime network, others described a friendly association, focusing on sites of conviviality (the house, the tavern, the fair).

Griffin Flood

The story of Griffin Flood exemplifies how a rogue pamphlet could draw upon the jest book tradition, while at the same time accurately (for the most part) reflecting the archival record. Griffin Flood was an informer active in London in the early seventeenth century. In 1623 Flood was pressed to death for murder, eliciting the publication of the pamphlet *The life and death of Griffin Flood informer* (1623).¹¹⁶ Informers were an important part of policing in early modern London, since they brought individuals before the court for regulatory offences.¹¹⁷ These were cases for which it was usually difficult to find anyone else willing to act as prosecutor, because, as Malcolm Gaskill notes, 'economic offences did not affront popular sensibilities sufficiently for people to volunteer

¹¹⁶ Anonymous, *The life and death of Griffin Flood informer*. Peine forte et dure is the punishment for those who did not plead, thus avoiding the confiscation of their goods by the King. They were pressed to death by great weights placed on them until they suffocated. About pressing to death (or peine forte et dure), see McKenzie, "This death some strong and stout hearted man doth choose", 279-313.

¹¹⁷ M.W. Beresford, 'The Common Informer, the Penal Statutes and Economic Regulation', *Economic History Review*, New Series, 10, No. 2 (1957), 221-238.

information'.¹¹⁸ Informers, however, could claim a share of the fines and thus earn a potentially substantial income.¹¹⁹ Due to this, informers were viewed as avaricious and corrupt. Edward Coke characteristically remarked that informers 'vex and pauperise the subject and the community of the poorer sort, for malice or private ends and never for love of justice'.¹²⁰

Even though Griffin Flood was sentenced to *peine forte et dure* for murder, *The life and death of Griffin Flood informer* followed all the conventions of a rogue pamphlet, highlighting Flood's deceitful practices as an informer. More specifically, the murder is only described briefly at the end of the pamphlet; the author spends one paragraph stating how Flood 'in an agony of wrath (furthered on by Satan) ... most wickedly stabbed a Constable', but goes into no detail concerning this case.¹²¹ The remainder of the sixteen-page pamphlet describes how Flood exploited his position as an informer to squeeze money out of his victims, in methods reminiscent of rogue pamphlets. The author narrated Griffin Flood's life following the 'how' formula so characteristic of both jest books and rogue pamphlets. This is evident in the chapter titles: 'How he troubled a poore Sheere-grinder, for relieving his owne father', 'How his harsh and churlish dealing caused a poore Flaxe-maid to hang her selfe', 'How Flood out-braved a Citizen with a red nose'.¹²²

In addition, the pamphlet describes Flood's actions as 'pranckes', stating that 'many other pranckes hee there plaid'. This is similar to the way in which, as we have seen, the term 'prank' was used in rogue pamphlets. However, these 'pranks' are characterised very differently. In rogue pamphlets, usually the term 'prank' denoted a clever trick that elicited laughter.¹²³ In this pamphlet, the author comments that 'and many other pranckes hee there plaid, which though he were not ashamed to act, you modesty forbids me relate: in which he shewed himself rather a beast then a man, so farre he forgat Christianity and honesty, that he lost all humanitie'.¹²⁴

¹¹⁸ Gaskill, *Crime and mentalities in early modern England*, p. 165.

¹¹⁹ M.J. Braddick, *State formation in early modern England, c. 1550-1700* (Cambridge: Cambridge University Press, 2000), p. 41.

¹²⁰ Gaskill, *Crime and mentalities in early modern England*, p. 165.

¹²¹ Anonymous, *The life and death of Griffin Flood informer*, sig. C4r.

¹²² *Ibid*, sigs. B2r, B2v, Cv.

¹²³ See the previous chapter.

¹²⁴ Anonymous, *The life and death of Griffin Flood informer*, sig. C2r.

The tendency to use the trickster trope, but without the sympathy and admiration it usually elicited, is evident in the use of the narrative pattern of the trickster tricked. The pamphlet gleefully narrates ‘How he troubled an honest Ale-wife not farre from Cripplegate: and how finely she requited him’: the story explains how an alewife, to retaliate for being prosecuted by Flood, pretended that he attempted to rape her and causes him to be imprisoned.¹²⁵ Even though the last days of Flood are described in a jesting manner, it is emphasised that the joke was on him: while in prison, many people came to visit him to torment him and among them some tapsters ‘in a merry vaine’, who called for cans of beer ‘saying to him in mockage, here Mr Flood, I drinke to you... and such like severally, each of them tossing off his beere, giving him onely the empty Cans’.¹²⁶

The pamphlet, in a very acerbic tone, criticises Flood for informing against poor foreigners working in London illegally and tapsters eking together a living with difficulty before Flood destroyed them. As we will see below, the narration focuses on Flood’s greed, his violent character and his indifference towards the suffering of others as a result of his actions. Despite the personal attack on Griffin Flood and the use of a jest-book narrative structure, the pamphlet does not essentially depart from what we can piece together from the archival record. It is clear that the author knew Flood well, to be able to provide so many details about his life, which were not related to the murder case (and thus unlikely to have been presented at the trial).

Griffin Flood’s name appears regularly in the city’s records, both in the Repertories of the Court of Aldermen and parochial records.¹²⁷ From this it can be seen that Griffin Flood was employed regularly as an informer for the space of 10 years at least (1612-1622), which might explain the bile with which the pamphlet was written. The parish of St Stephen Coleman Street paid Flood repeatedly for his ‘paynes about inmates; this probably meant that Flood investigated and brought to court inmates lodged illegally. From 1615 until 1618 and 1621 to 1622 he received about 10s to £1 per year for his services in this

¹²⁵ Ibid, sig. Br.

¹²⁶ Ibid, sig. C3r-C3v.

¹²⁷ With various different spellings such as Fludd, Floudes, Lloyd, Lloid. Even though Lloyd seems quite different it was clearly a variant version of his name, because on the two notes on Anthony Shoer’s case, the informer is first mentioned as Griffin Fludd and then as Griffin Lloyd, LMA Rep. 31i: fos. 19, 52. I am grateful to Mark Jenner for the references.

respect.¹²⁸ Griffin Flood's petitions to the Court of Aldermen show that the occupational profiles of his victims were the same as those described in *The life and death of Griffin Flood informer*: they included foreigners applying their trade in London and tapsters selling at different rates than the ones regulated.¹²⁹

These petitions have an additional interest, since they elucidate how Flood could be viewed as particularly greedy and relentless. Some of those against whom Flood had informed managed to acquire a writ of certiorari and remove their case to the King's Bench, thus robbing Flood of the opportunity to claim his share from the defendant. In these cases, Flood petitioned the Court of Aldermen for reimbursement, and the Court gave him satisfaction every time. Even though this could be seen as a way to secure the informer's fees, it could equally be construed as a proof of Flood's greed and his unwillingness to let anyone escape from his clutches. The pamphlet, at least, did so by presenting Flood as a man set on destroying his victims, if this would promote his personal gain. Flood doggedly pursued a flax-maid who sold her wares illegally, destroying her livelihood and forcing her to end her life: 'the maid was still haunted with the Informations of this Flood, which drave her (as some reported) to such a melancholly, that shee tooke no comfort in her businesse, and...shee hang'd her selfe in her owne girdle'.¹³⁰

Griffin Flood was a violent man, both in words and deeds: the pamphlet mentions that 'rogue, raskall, slave, and runnagate, were as common in Floods mouth, as how doe you sir to a man of courtesie'.¹³¹ The murder he committed, as we have seen, was done 'in an agony of wrath'.¹³² I have found no mention of this murder in the court records, but Flood had previous run-ins with the law for violent behaviour: in 1609 he was presented for abusing his wife and in 1616 he

¹²⁸ GLMS 4457/2 fos. 153v, 155, 161v, 169, 212v. Inmates were a serious problem in London, and civic authorities took great pains to avoid split houses and inmates: Archer, *The Pursuit of Stability*, pp. 184-85; Griffiths, *Lost Londons*, pp. 49, 51-52.

¹²⁹ LMA Rep. 31i, fos 19, 52, 59, 70v, Rep. 31ii, fo. 342, Rep. 35, fos. 19v, 31. About the procedure to have a case removed to the King's Bench, see Sharpe, *Crime in Early Modern England*, pp. 30-31.

¹³⁰ Anonymous, *The life and death of Griffin Flood informer*, sig. Br. See also how Flood prosecuted another man for employing (illegally) his poverty-stricken father: sig. B2r.

¹³¹ Ibid, sig. Cv.

¹³² Ibid, sig. C4r.

was charged with having resisted and abused John Neale, constable of Norton Folgate, in the execution of his office.¹³³

Flood, in general, was no stranger to prison: in 1617 he was imprisoned in the Poultry Compter, as can be seen from a petition for relief he sent to the Court of Aldermen. The Court was favourable to him, and gave 30s towards the payment of Flood's rent and 10s to him.¹³⁴ *The life and death of Griffin Flood informer* not only mentions this, but further explains which chain of events brought Flood to prison: 'This Flood, in acting of many of these his arch knaveries, was at length outstripped by a fellow cunninger then himselfe, and being overthrowne in an action, and condemned in a round sum of money, for want of sureties was laid in the Compter'.¹³⁵ Even though the phrasing used is intended to vilify Flood, the main elements of the story, that Flood was overthrown in an action and ended up in the Compter, sound plausible. Thus, this could be an accurate –albeit callous– reportage why Flood was imprisoned.

The pamphleteer also reported Flood's appointment as the keeper of Moorfields, but, again, stressed Flood's inhumane behaviour.¹³⁶ The pamphlet mentions that 'he was chosen to oversee the walkes in Moore fields' but he was very harsh in the execution of his office towards every one, but especially 'hee caused sundry of the ruder & unrulier sort of people to sit in the stockes, for their stubbornesse in crossing the Walkes' and for this behaviour 'hee was very deservedly put from that meanes'.¹³⁷ The author accurately reports both Flood's appointment and his subsequent dismissal from the post, but the reason he gives for his firing is not the one found in the Repertories of the Court of Aldermen, which states that Flood had 'without the consent and privity of this court taken a some of money of another to execute the same place in his steed'.¹³⁸ This statement, however, justifies the pamphlet's emphasis on Flood's avarice and underhandedness.

¹³³ LMA Rep. 29 Fo. 5; William Le Hardy (ed.), 'Sessions, 1616: 3 and 4 December,' County of Middlesex. Calendar to the sessions records: new series, volume 4: 1616-18, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=82414> [accessed 03 August 2012].

¹³⁴ LMA, Rep. 33, fo. 174.

¹³⁵ Anonymous, *The life and death of Griffin Flood informer*, sig. B4v.

¹³⁶ The open ground of Moorefields was drained in the sixteenth century, and was used for leisure in the early seventeenth: Laura Williams, "'To recreate and refresh their dulled spiritess in the sweet and wholesome ayre': green space and the growth of the city", in Merritt (ed.), *Imagining early modern London*, 185-213, p. 191.

¹³⁷ Anonymous, *The life and death of Griffin Flood informer*, sig. C2.

¹³⁸ LMA Rep. 33, fo. 121.

From this juxtaposition of the two sets of documents it is clear that the main elements in both stories are the same: Flood's informations against specific offences, his violent character, his spells in prison, his post as Keeper of Moorfields. Apart from the fact that the author of the pamphlet added specific narrative patterns from jest-books, the other major difference between the two sources lies in the attitude towards Flood. The pamphlet is clearly inimical towards Flood; even though technically his victims were all law breakers and in some examples even downright malicious or self-serving, the villain of this piece is unquestionably the informer. The city records do not record any sentiments towards Flood, except for the fact that the city kept employing him even after he was imprisoned or after he had botched the job at Moorfields. In addition, they provided for both him and his family: his son received relief from parish of St Stephen Coleman, and they provided money for the burial of Flood's wife.¹³⁹ This suggests that they considered him a useful agent in their attempts to enforce the law.

The case of Griffin Flood not only elucidates the referentiality of rogue pamphlets to the archival record, it also provides a useful example of conflicting interpretations of the law. Flood was a servant of the law, employed and succoured by the magistrates of London, but at the same time he was portrayed in particularly negative terms by *The life and death of Griffin Flood informer*. Flood was technically harmful to lawbreakers (such as foreigners exercising their trade illegally or vagrants), but he was depicted as the villain of the pamphlet, suggesting that the law was not accepted as a guarantor of morality. Even though this was, evidently, not a universal response to his actions, it is equally clear that this depiction drew upon the stock criticisms against informers. This reinforces the conclusions of the previous chapter about the conflicting interpretations of crime, legality and morality.

In conclusion, this chapter has illustrated how the stereotype that a depiction of organized crime exists only in rogue pamphlets and cannot be corroborated by archival evidence is exaggerated. Such a view does not take into account the fact that both pamphlets and trial records were shaped by the

¹³⁹ GLMS 4457/2, fos. 177v, 178, 189.

perception of crime of those who contributed to them (be they writers, justices of the peace, clerks or defendants). Trial records present a similar picture to rogue pamphlets: as we have seen, rogue pamphlets contained different impulses, on the one hand stressing the organization of crime and on the other treating roguery as almost an everyday urban activity. Trial records, respectively, depict criminals with ingenuity and organization which rival those of rogue pamphlets. On the other hand, this chapter has shown that the existence of organized networks of crime depended on the eye of the beholder and could be a site of debate, where the authorities' story clashed with that of the accused. If we pay more attention to the multiplicity of voices existing in both rogue pamphlets and relevant trial records, we can see that their differences are mostly a question of different rhetorical strategies and aims, and not a matter of accuracy.

PART 3

Chapter 5: Hectors and highwaymen: crime pamphlets and public opinion in the 1650s

As we have already seen, scholars working on rogue literature tend to examine this body of texts through the lens of social or cultural history, analysing the ways in which social factors (such as the emergence of a capitalist ethos or the growth of the metropolis) affected the depictions of rogues. Due to this concentration on social and cultural change, most scholars use 1640 as their cutting-off point, or analyse the image of the urban criminal in post-1660 texts, in the different social context of eighteenth-century crime and the literary development of the rise of the novel.¹ This line of interpretation often ignores conventionally defined political factors, and how the political struggles of the Civil War and Interregnum could shape the representations of rogues in cheap print. This is surprising, in light of analyses of cheap print in the 1640s and 1650s which stress the massive change in the scale of production of cheap print in this period, and the role it played in the nascent public sphere.

In recent years there has been considerable scholarly interest in the emergence of a public sphere in the mid-seventeenth century, in dialogue with Jürgen Habermas's definition of it as a slightly later, and decisively bourgeois, phenomenon.² The public sphere sketched by a number of influential revisionist accounts came into existence with the explosion of printed materials in the 1640s, or more accurately with the shift in print production from bigger volumes

¹ See for example Greenblatt, *Shakespearean negotiations*, Carroll, *Fat king, lean beggar*; Woodbridge, *Vagrancy, homelessness, and English Renaissance*; Dionne and Mentz (eds.), *Rogues and early modern English culture*; Robert B. Shoemaker, 'The Street Robber and the Gentleman Highwayman: Changing Representations and Perceptions of Robbery in London', 1690-1800, *Cultural and Social History*, 3 (2006), 1-25; Hal Gladfelder, *Criminality and Narrative in Eighteenth-Century England: Beyond the Law* (Baltimore; London: Johns Hopkins University Press, 2001); Beattie, *Policing and Punishment in London, 1660-1750*.

² Habermas, *The structural transformation of the public sphere*; Halasz, *The Marketplace of Print*; Zaret, *Origins of democratic culture*; Raymond, *Pamphlets and Pamphleteering*; Raymond, *The Invention of the Newspaper*; Cust, 'News and politics in early seventeenth century England', 60-90; C. John Sommerville, *The News Revolution in England: Cultural Dynamics of Daily Information* (New York: Oxford University Press 1996); Joseph Frank, *The beginnings of the English newspaper; 1620-1660* (Cambridge: Harvard University Press, 1961).

to smaller, cheaper items, usually pamphlets, newsbooks and petitions.³ Cheap print interacted with the shifting political climate of the Civil Wars and the Interregnum, commenting upon and influencing events, and thus becoming an essential part of the increasingly public dialogue about political issues. This opening up of political issues to a broader public was not an unprecedented phenomenon, but before the 1640s such appeals to a broader public had been limited to specific instances or ‘pamphlet moments’.⁴

The renewed interest in cheap print as a factor in the formation of public opinion in this period has yet to provoke a similar interest in crime pamphlets; thus, in *The Oxford history of popular print culture*, which treats various genres of cheap printed material with an emphasis on the 1640s, crime pamphlets are referred to, but not analysed as a distinct category.⁵ The interest in the propagandist use of crime pamphlets in the late-sixteenth and early seventeenth centuries, either by the state or particular interest groups, has not prompted a similar treatment in the different cultural contexts of the 1640s and 1650s.⁶ Despite the proliferating interest in pamphlets, petitions and newsbooks and their potential to engage with a varied readership and propagate particular viewpoints in this period, crime pamphlets are not included in such analyses.

This chapter contends that crime pamphlets did indeed engage with and influence public discourse in the 1650s as part of the ‘culture wars’ of the period. According to Bernard Capp, the period of the Civil War and Interregnum saw the culmination of the conflict between two different world-views between ‘the puritan ethos of godly discipline and moral reformation, reinforced by humanist values of civility, sobriety, and good order’ against the ‘rival ethos of “good fellowship” and festive traditions’.⁷ Capp’s claim that an important part of this

³ Raymond, ‘The development of the Book Trade in Britain’, 59-75.

⁴ Peacey, ‘Pamphlets’, p. 459; Lake and Pincus ‘Rethinking the public sphere in early modern England’, 1-30.

⁵ Raymond, (ed.), *The Oxford history of popular print culture*.

⁶ Sharpe, “‘Last Dying Speeches’”, 144-167; Lake, ‘Puritanism, Arminianism and a Shropshire Axe Murder’, 37-64; Lake, ‘From Troynouvant to Heliogabulus’s Rome and Back’, 217-249; Lake and Questier, *The Anti-Christ’s lewd hat*; Lake, ‘Deeds against Nature’; Peter Lake, ‘Popular form, Puritan content? Two Puritan appropriations of the murder pamphlet from mid-seventeenth-century London’, in Anthony Fletcher (ed.), *Religion, culture, and society in early modern Britain: essays in honour of Patrick Collinson* (Cambridge: Cambridge University Press, 1994), 313-334.

⁷ Bernard S. Capp, *England’s culture wars: puritan reformation and its enemies in the Interregnum, 1649-1660* (Oxford: Oxford University Press, 2012), p. 3. See also Derek Hirst, ‘The failure of Godly rule in the English Republic’, *Past and Present*, 132 (1991), 33-66.

conflict was a ‘culture war’ played out by representations and attempts to sway the public to one world-view, can be substantiated in the case of the rogue pamphlets of the Civil War and Interregnum. Consequently, this analysis will strengthen the basic premise of this thesis that rogue pamphlets could function as news pamphlets while allowing their authors (or publishers) to engage with the broader debates of their time, by combining traditional elements of rogue writing and tricksters’ tales with specific cases and a satirical tone.⁸

This function of the pamphlets will be shown in the case of James Hind, a highwayman who was arrested for high treason and became a sensation in 1651. His story, how he turned from highway robbery to fighting for the king in Ireland and Scotland, and even met him in person, as well as his behaviour during imprisonment, was narrated time and again in thirteen short pamphlets about him. This chapter will show that, even though his royalist affiliation was one of the main elements of his persona from the beginning, this element was appropriated by the bookseller George Horton in order to articulate a very pointed anti-Commonwealth critique. This becomes evident when one analyses Horton’s pro-royalist statements in the pamphlets he published and contrasts them with the rest of the pamphlets about Hind circulating in the same period.

It would be easy to see Hind as an exceptional case, a Royalist who achieved fame and was only incidentally a highwayman. However, the pattern of his (reported) behaviour fell under the trope of the hector, a new kind of urban criminal which made its appearance in 1650s pamphlets. As will be shown in the second section of this chapter, due to a combination of parliamentary propaganda against Royalists and the attitude of many of the King’s followers expressed in successive pamphlets, the image of the hector and that of the Cavalier coalesced, and came to be used by both sides. Consequently, the pamphlets about Hind did not appear in a vacuum but were a significant part of the use of this amalgamated type of the hector-cavalier as Royalist propaganda. By first analysing the Royalist gloss put on pamphlets about Hind and then the pamphlets about hectors this chapter will show that there was a far greater degree of overlap between crime pamphlets and appeals to public opinion in the 1640s and 1650s than has been hitherto thought.

⁸ Capp, *England’s Culture Wars*, p. 78.

'Loyal Hind', 'the prince of thieves': crime pamphlets and royalist propaganda in the 1650s

Arguably, James Hind's most important achievement was that he managed to stay 'on the stage of popularity' for longer than most highwaymen.⁹ Even though we have no clear record of his actions before 1650, he apparently practiced highway robbery in the 1640s: according to *The declaration of Captain James Hind* (1651) Hind claimed that he had stopped his robberies by 1649.¹⁰ As we will see below, he was particularly famous, and his reputation was enhanced by rumours that he had been in the King's army and that he had helped Charles II to escape after the rout in Worcester. Hind was arrested in November 1651 in London, but was not executed until September 1652, after going through trial at three different courts successively, the London Sessions, the Berkshire and then the Worcester Assizes.

Most scholarly treatments of Hind revolve around the dichotomy of fact and fiction: Hind is regarded as a real person who was turned into a fictionalized character in chapbooks circulating in the 1650s. According to such accounts, these publications aimed to attract a 'popular' audience by appealing to their secret wishes (a fantasy of living a life of luxury without working) or to their conservative instincts and pro-royalist sentiments. This explains the emphasis on myth-making, either in the sense that Hind was the archetype of the 'gentleman robber', a poor man who rose in society by highway robbery,¹¹ or by viewing him as an expression of popular conservative feelings against the Commonwealth. Hind is described as 'a Robin Hood figure, a patriot hero, whose exploits were a gesture of merry resistance to the Commonwealth' or 'the common man's hero' against Parliament.¹² This is done by emphasising the generic elements in the stories about him, which were similar in style to earlier

⁹ *A Perfect Account*, 61 (25 February- 3 March 1652), p. 496.

¹⁰ Anonymous, *The declaration of Captain James Hind* (1651), p. 2.

¹¹ Spraggs, *Outlaws and highwaymen*, p. 172.

¹² Nigel Smith, *Literature and revolution in England, 1640-1660* (New Haven: Yale University Press, 1994), p. 49; Jerome Friedman, *Miracles and the pulp press during the English Revolution: the battle of the frogs and Fairford's flies* (London: UCL Press, 1993), p. 204.

pamphlets about rogues and were depersonalized and often fictitious.¹³ Viewing Hind from this angle prompted Lincoln B. Faller to argue that ‘Hind was translated...into a world bearing only the most adventitious relation to the real world of the reader’s experience’.¹⁴

Running parallel to this interpretation is the assumption that the ‘real’ person re-emerges in the printed accounts of Hind’s conduct during imprisonment: those pamphlets that supposedly recorded his words and actions are treated as objective reportage. Scholars seem to take at face value George Horton’s statement in *The declaration of Captain James Hind* (1651), that there have been various relations about the proceedings of Hind ‘fraught with impertinent stories, and new-invented fictions’ and that Hind requested Horton to publish his true declaration.¹⁵ As a consequence, Hind’s words, as recorded in Horton’s pamphlets, are accepted as true by scholars, and Hind’s Royalist sentiments and statements in favour of the king are viewed as attempts, by Hind himself, to justify his robberies. Faller, for example, claims that in the earlier publications about Hind, he was portrayed as a thief, until he ‘recast himself with the help of a certain Horton’ as a patriot and a soldier, while Jerome de Groot considers Hind’s royalist words as an example of ‘how marginalized, scandalous characters mitigated their social isolation by cleaving to a cause’.¹⁶

Since Hind’s depicted Royalism is viewed as either characteristic of the genre of the highwayman pamphlet, or as a mechanism allowing Hind to justify his actions, these treatments tend to overlook the potential for royalist polemic in this genre of cheap printed material. How cheap print was utilized by Royalists in order to either discredit Parliamentarians or propagate their position has been for the most part ignored by scholars working on Royalism due to a tendency to focus on major political figures on the royalist side: David Underdown’s work on *Royalist Conspiracy in England* concentrated on the part played by exiled

¹³ Faller, *Turned to account*; Spraggs, *Outlaws and highwaymen*, pp. 163-179; J. A. Sharpe, *Dick Turpin: the myth of the English highwayman* (London: Profile Books, 2004), pp. 49-55; Lois Potter, *Secret Rites and Secret Writing: royalist literature, 1641-1660* (Cambridge; New York: Cambridge University Press, 1989), p. 103.

¹⁴ Faller, *Turned to account*, pp. 123, 168.

¹⁵ Anonymous, *The declaration of Captain James Hind*, p. 1.

¹⁶ Faller, *Turned to account*, p. 10. De Groot highlights some of the passages where Hind is identified as a Royalist, but the overall thrust of his argument is that pamphlets acted either as a vehicle for Hind’s self-presentation, or as indications of ‘the carnival jollity of innocent old England’, De Groot, ‘Prison writing, writing prison in the 1640s and 1650s’ (2009), pp.212-214. See also Spraggs, *Outlaws and highwaymen*, p. 175.

members of the gentry or nobility, whereas Jason Peacey's analysis of propaganda from 1640-1660 defined the term narrowly, as 'polemical works which appeared with the connivance of those political figures whose interests were best served by the existence of such books, tracts and pamphlets',¹⁷ thus investigating only the cases of authors who were explicitly in the service of major political figures. Even more dismissively, Jerome de Groot suggested that Royalist writers aimed for a closed debate because they did not want to acknowledge, or appeal to, a popular audience, something similar to Lois Potter's statement that royalist style was intentionally inaccessible to 'the vulgar'.¹⁸

Bernard Capp has suggested that other forms of cheap print, such as astrological prognostications, were prevalent as forms of covert polemic.¹⁹ Nonetheless, most scholarly interest in attempts to woo popular opinion has focused on royalist newsbooks and especially *The Man in the Moon*.²⁰ It is possible, however, through the case study of crime pamphlets - typified in the example of Hind - to take a more nuanced and flexible view of the sites and operations of royalist polemic within a rich variety of literary and historical forms.

In this section I will analyse how newsbooks of the period referred to Hind, in order to show that Hind's fame at the time of his arrest was so widespread that it provided an extraordinary opportunity to transform him into a symbol of either the power of the state or the Royalist cause. Looking at all publications relating to Hind, I will show that even though the state did not wish to exploit Hind's arrest and execution for its propaganda value, but removed him

¹⁷ David Underdown, *Royalist Conspiracy in England 1649-1660* (New Haven: Yale University Press, 1960); Jason Peacey, *Politicians and pamphleteers: propaganda during the English civil wars and interregnum* (Aldershot: Ashgate, 2004).

¹⁸ Jerome de Groot, *Royalist identities* (Basingstoke: Palgrave Macmillan, 2004), pp. 60, 62, 74; Potter, *Secret Rites and Secret Writing*, p. 209.

¹⁹ Bernard S. Capp, *Astrology and the popular press: English almanacs, 1500-1800* (London; Boston: Faber, 1979).

²⁰ Jason McElligott, *Royalism, print and censorship in revolutionary England* (Woodbridge, Rochester, NY: Boydell Press, 2007); David Underdown, *A freeborn people: politics and the nation in seventeenth-century England* (Oxford; New York: Clarendon Press, 1996), p. 98; Peacey, 'The Management of Civil War Newspapers', 99-127. Blair Worden also notes the tension in Royalist writing of the late 1640s, between exclusiveness and a wish to appeal to popular opinion, but examines the latter in the context of newsbooks as well: Blair Worden, "'Wit in a Roundhead": the dilemma of Marchamont Nedham', in David Underdown, Susan Dwyer Amussen and Mark A. Kishlansky (eds.), *Political culture and cultural politics in early modern England: essays presented to David Underdown* (Manchester: Manchester University Press, 1995), 301-337.

from London, this left Hind's case open to appropriation by anti-Commonwealth publishers, especially George Horton, whose input in the advertisement of Hind's royalist feelings was crucial. By comparing Horton's pamphlets with the rest of those published about Hind it will become apparent that other pamphleteers avoided explicit mentions of Hind's Royalism, instead focusing more on his robberies, whereas Horton actively promoted this aspect of Hind's personality.

The great public interest in Hind's arrest was probably the result of mostly oral reports circulating about him before his arrest, in which he featured not only as a very active highwayman, but also as an important figure in the royalist war effort. This can be glimpsed from references to his name in news books before and during his imprisonment. Thus, *Mercurius Politicus* of December 1650 claimed that 'Hind, the great Thief is come into Scotland, with 80 hors and doth much mischief', which suggested that Hind had horsemen under his command, a curious reference that cannot be verified through any other records, and seems as unlikely as claims that he had helped Charles II escape.²¹ This, however, did not stop rumours from spreading after Charles II's defeat at Worcester: a pro-parliamentary pamphlet titled *The declaration of Major Gen. Massey* (1651), stated that it was reported 'by some of the prisoners taken' (after the battle) that Charles II left 'with Scoutmaster Gen. *Hind*, the grand Thief of *England*'.²² *The Weekly Intelligencer* was more cautious. It reported that 'Others will tell you, that Hind the famous Robber whom they call his Scout-master Generall, did provide him with a Bark at Pensey in Sussex', but commented on the untrustworthiness of the rumours about Charles' escape ('in this contrariety and contradiction of Reports we know not where to ground').²³

What is interesting in all these publications is that their authors did not feel obliged to explain who Hind was, and that they ascribed a military position to him, even when they did not necessarily believe it as true. Along with two pamphlets that appeared just before he was arrested, *Hind's ramble* (1651) and *The Prince of Priggs revels* (1651), these appear to be the only mentions of his

²¹ *Mercurius Politicus*, 27 (5-12 December 1650), p. 451.

²² Sir Edward Massey, *The declaration of Major Gen. Massey upon his death-bed at Leicester*, (1651), p. 3. The information contained in this pamphlet lacks credibility: it falsely reported the death of Massey, and imaginatively how Charles II tried to escape (and his lack of success in rallying countrymen to his cause).

²³ *The weekly intelligencer of the Common-wealth*, 40 (30 September-7 October 1651), p. 308.

name in extant printed material which predate his arrest. It is not clear whether this is just a matter of survival; taking into account the fact that his name was considered recognizable enough not to require a more detailed description suggests that there may have been earlier pamphlets about him. Alternatively, this might indicate that newsbooks' editors and pamphleteers responded to rumours spread orally about the infamous highwayman.²⁴ The title page of *Hind's ramble* promised to convey information about how Hind 'was the onely man that conveyed the Scotch King to London', but it was clearly meant as an advertising ploy, since the publication contained no actual information about the escape.²⁵

Hind's arrest on 9 November 1651 was followed by a flurry of print commentary about him: he was mentioned in six newsbooks in the same month, usually described in terms of fame, such as 'the infamous High way man', 'the eminent [sic] High-way Robber', 'the notorious Robber'.²⁶ *A Perfect Account* commented how Hind was so well-known, that it was impossible to avoid identification: when Hind was apprehended, 'he denied that he was such a man, but being *so well known* that there was not any likelihood that plea should hold to stand him in any stead, when it could not procure his present escape, being brought before a Magistrate and examined, he hath confessed that his name is Hinde, and that he is the man that hath committed many Robberies'.²⁷ It comes as no surprise that such an avid interest for Hind's news elicited the publication of four pamphlets about him in the same month.²⁸

In general, the newsbooks focused on Hind's robberies; his service in the King's army was mentioned because the question that mostly preoccupied the readers was whether Hind had indeed helped Charles II to escape. This is why the last paragraph of *A Perfect Account* in November (the last paragraph sketched out the contents of the newsbook) mentioned that it contained information about

²⁴ Fidge, *Hind's ramble* (1651); J.S., *An excellent comedy, called, The Prince of Priggs revels* (1651).

²⁵ Fidge, *Hind's ramble*, p. 41.

²⁶ *Severall Proceedings in Parliament*, 111 (6-13 November 1651); *A Perfect Diurnall*, 101 (10-17 November 1651); *The weekly Intelligencer*, 45 (11-18 November 1651). Also mentioned in *A Perfect Account*, *Mercurius Politicus*, and *The faithfull Scout* in November (see below).

²⁷ *A Perfect Account*, 45 (5-12 November 1651), p. 360. Emphasis mine.

²⁸ Anonymous, *The True and Perfect Relation of the Taking of Captain James Hind* (1651); Anonymous, *The declaration of Captain James Hind* (1651); Anonymous, *A Second Discovery of Hind's Exploits*, (1651); Anonymous, *The Humble Petition of James Hind* (1651).

‘how he was instrumental in conveying away the Scots King from London’, even though in the main body of the text the editor acknowledged that ‘It is *said*, that he denies that he was in Armes at Worcester against the Parliament, yet it is *thought* that he was instrumentall in conveighing away the Scots King and Wilmot’.²⁹

Hind’s imprisonment and subsequent execution could have been an opportunity for the state to advertise its power, but do not seem to have been exploited by the Commonwealth.³⁰ The state clearly wished to bury Hind in both a literal and figurative sense: even though Hind was initially charged with treason and imprisoned in Newgate, no indictment was drawn up against him. Rather, he was sent to Reading to be tried for manslaughter. Only when this did not suffice to have him executed (he was reprieved and then an Act of General Pardon was issued) was he finally tried for high treason.³¹

The state pursued Hind’s execution with a bloodthirstiness that seems surprising, something that was noted in *A Perfect Account*: ‘Capt. Hind the great robber having continued two Sessions in Newgate, and no indictment preferred against him there, is the next Circuit to go from Sizes to Sizes, in those Countries where it is thought he hath committed his chiefest pranks, where any one that he hath wronged may prefer their indictments against him’.³² It seems plausible to assume that the mention of Hind going ‘from Sizes to Sizes’ (meaning Assizes) was intended as a sarcastic remark on how the state was going out of its way to make an accusation stick.

²⁹ *A Perfect Account*, 45 (5-12 November 1651), p.360. Emphasis mine. Henry Wilmot (1613-1658) was the first Earl of Rochester and one of Charles I’s principal cavalry commanders of the English civil war, Ronald Hutton, ‘Wilmot, Henry, first earl of Rochester (*bap.* 1613, *d.* 1658)’, *Oxford Dictionary of National Biography*, Oxford University Press, 2004 <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/29621> [accessed 28 Feb 2013]. This was obviously connected to the way that Charles II’s flight was folklorized in the same period, see Harold Weber, ‘Representations of the King: Charles II and His Escape from Worcester’, *Studies in Philology*, 85, No. 4 (1988), 489-509.

³⁰ About state using executions as a way of advertising its power see Foucault, *Discipline and punish*, pp. 65-67; Sharpe, ‘Last Dying Speeches’.

³¹ State Papers November 10 1651, December 15 1651, February 18 1652, July 21 1652, Mary Anne Everett Green (editor), ‘Volume 16’ Calendar of State Papers Domestic: Interregnum, 1651-2, *British History Online*, <http://www.british-history.ac.uk/source.aspx?pubid=647> [accessed 11 November 2012]. *A Perfect Account*, 62 (3- 10 March 1652), p. 496. About how the Act of Oblivion in February 1652 was envisaged as a conciliatory gesture, but fell short of this expectation, see Blair Worden, *The Rump Parliament, 1648-1653* (Cambridge: Cambridge University Press, 1974), pp. 268-270.

³² *A Perfect Account*, 54 (7-15 January 1652), p. 430.

According to Barbara White, Hind's removal from London and his trial for manslaughter were prompted by the authorities' reluctance to turn him into a martyr for the Royalist cause,³³ and this suggestion is substantiated by the cautious stance most newsbooks showed towards Hind. *Mercurius Politicus*, which was recognized as a 'semi-official mouthpiece', mentioned Hind only once, when he was arrested, explaining that news about Hind was included 'because many odd reports have run up and down touching Hind, the notorious High-way-man, and his perambulation'.³⁴ *The Weekly Intelligencer* chose another approach, framing Hind's royalist statements when he was led to Newgate within a republican context and thus using them against the king's cause:

Although he was sufficiently laden with Irons before, and had money little enough about him, and look't but heavy at his entrance, yet immediately after he cheered up, and in full bowles began his healths to the King... However, amongst those numbers that thronged in to see him, there was not one would pledg him on that Account, his fellow prisoners only excepted, who were all of his Complexion: And when they are to suffer, the world is to take notice that they dye all true Subjects to the Scots King. *A great honour for him*³⁵

The last snide remark about the 'honour' of having a notorious robber as a follower (along with the characteristic stereotypes of Royalist health-drinking) shows how Hind could be used as Commonwealth propaganda, but no other newsbook editor followed Collins's example. Hind's name kept cropping up in newsbooks until his execution in September 1652, but he was merely mentioned as a robber, and the reports consisted of the details of his trials.³⁶ The only

³³ Barbara White, 'Hind, James (*hap.* 1616, *d.* 1652),' *Oxford Dictionary of National Biography*, online ed., ed. Lawrence Goldman, Oxford: OUP, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/13340> [accessed 11 November 2012].

³⁴ *Mercurius Politicus*, 75 (6-13 November 1651), p. 1204. Marchamont Nedham, the editor of *Mercurius Politicus*, was expected to propagate the establishment's views, even if he did so while retaining some of his independence. See Peacey, 'The Management of Civil War Newspapers', p. 115; Raymond, *The invention of the newspaper English newsbooks*, p. 63; Worden, 'Wit in a Roundhead'.

³⁵ *The weekly Intelligencer*, 45 (11-18 November 1651), p. 346.

³⁶ *A Perfect Account*, 55 (15-22 January 1652), p. 430; *The Faithful Scout*, 52 (9-16 January 1652), p. 404-5; *A Perfect Account*, 56 (21-28 January 1652), p. 448; *The Faithful scout*, 53 (16-

exception, apart from the anti-establishment newsbook *A Faithfull Scout* (explored below), was *A Perfect Account* of September 1652: this recorded Hind's dying speech and its clear Royalist sentiments but with no editorial comment.³⁷ The regime had acknowledged that propaganda was useful, by hiring Nedham as the editor for *Mercurius Politicus*. Had the regime wished to turn Hind's trial into a showcase of either its power or the pitiful status of the king's followers, there would have been newsbooks or other publications following such a line. But the establishment's silence on Hind's case left him open to appropriation by those who wanted to criticise the Commonwealth.

This opportunity was seized upon by the bookseller George Horton, who actively promoted and advertised Hind's subscription to the royalist cause in order to criticise the Republican government. Horton was a prolific publisher in the 1650s, mostly of newsbooks and other news pamphlets. His, however, was no disinterested trade: in 1653 he was one of the booksellers arrested for printing material the authorities found unpalatable.³⁸ His earlier publications might have been slightly more circumspect but were equally subversive. Horton was associated with Daniel Border, a newsbook editor who in 1651 and 1652 was becoming a nuisance for the Commonwealth with the newsbooks he was editing, *The Faithfull Scout*, *The French Intelligencer* and *The French Occurrences*, (the *Intelligencer's* successor), to the extent that Border was questioned twice in 1652 about offensive articles and was probably briefly imprisoned.³⁹

The French Intelligencer and *The French Occurrences* exhibited Royalist sympathies and not only maintained a critique of the establishment, but also on several occasions printed the slogan 'GOD SAVE THE KING' in capitals (and excusing themselves by alleging that the phrase came from France). In addition, they included references to prophecies which had anti-

23 January 1652), p. 414; *The French intelligencer*, 10 (20-27 January 1652), p. 70; *The Faithful scout*, 56 (6-13 February 1652), p. 438; *A Perfect Account*, 62 (3- 10 March 1652), p. 496; *A Perfect Account*, 87 (25 August-1 September 1652), p. 696; *A Faithful Scout*, 85 (27 August – 3 September 1652), p. 665; *A Perfect Account*, 91 (22-29 September 1652), p. 728.

³⁷ *A Perfect Account*, 91 (22-29 September 1652), p. 728.

³⁸ '1653 Oct 21; To apprehend Mrs. Clowes, Geo. Horton, John Perkins, Isaac Grey, and Thos. Spring, and bring them before Council to answer objections', Mary Anne Everett Green (editor), Warrants of the Council of State, General of the Fleet, &c, Calendar of State Papers Domestic: Interregnum, 1653-4, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=53501> [accessed 25 September 2013]. In 1649 an 'Act against Scandalous and Unlicensed Books' was passed in order to control the press, see Raymond, 'News', p. 390.

³⁹ Frank, *The Beginnings of the English Newspaper*, pp. 227-228.

Commonwealth overtones, and depicted Lilburne, the leader of the Levellers, in a positive light.⁴⁰ This seems to follow earlier Royalist moves, when in the late 1640s Royalist newsbooks praised Lilburne when it suited them, in order to criticise the establishment.⁴¹

Horton had a long partnership with Daniel Border, and published *The French Occurrences* and some issues of *The Faithfull Scout*. As Jason Peacey has suggested, it is very difficult to distinguish between the commercial and political motivations of editors and publishers.⁴² Examining, however, Horton's other publications in the same period (1651-1652), it can be suggested that many echoed the same royalist feelings. In the three months that followed Hind's arrest, the period during which most of the pamphlets about him circulated, the rest of Horton's published material included news about the King of Scots (some of his declarations and letters from other European royal personages), and Leveller tracts and other texts relating to Lilburne.⁴³ In these publications, Horton kept the King's name in public view by showing the international support

⁴⁰ Frank, *The Beginnings of the English Newspaper*, p. 222. Prophecies could be used as portends of God's displeasure against Parliament, see Underdown, *Royalist Conspiracy in England*, p. 107.

⁴¹ McElligott, *Royalism, print and censorship in revolutionary England*, p. 64. In addition, Francis Wortley in a 1647 poem, while listing various Royalist inmates of Newgate and praising the King, included a stanza on Lilburne, depicting him positively: Francis Wortley, *A Loyall Song of the Royall Feast, Kept by the prisoners in the Towre in August last* (1647). See de Groot, 'Prison writing, writing prison in the 1640s and 1650s', p. 198.

⁴² Peacey, 'The Management of Civil War Newspapers', p. 110. About attempts to explain the importance of publishers in the production of ideologically inflected texts and to understand the ideological commitment and specialization of particular publishers see Lesser, *Renaissance drama and the politics of publication*, pp. 28-55, Peter McCullough, 'Print, Publication, and Religious Politics in Caroline England', *The Historical Journal*, 51 (2008), pp. 285-313.

⁴³ G. K. Fortesque (ed.), *Catalogue of the pamphlets, books, newspapers, and manuscripts relating to the Civil War, the Commonwealth, and Restoration, collected by George Thomason, 1640-1661*, volume I, (London, printed by order of the Trustees, 1908). Some examples, indicative of Horton's publishing profile and preoccupations, include *The perfect speech delivered on the scaffold by James Earl of Derby, immediately before his execution at Bolton in Lancashire, on Wednesday, October 15. 1651. Also, h[i]s declaration to the people; touching the grounds of his engagement: his prayer for his master the King: with his demonstration, of dying a Christian to God, and a souldier to Christ* (1561); *All is not gold that glisters: or, A warning-piece to England Being a prophetic, written by that famous and learned knight Sir Walter Rawleigh, the day before he was beheaded on Tower-Hill, in the raign of our late Sovereign Lord King James. Fore-telling the great and wonderful things that will befall the King of Scots, the people of this nation, the change of religion and law, and how long the government shall continue without a King, or House of Lords* (1561); *The Queen of Denmark's letter to the King of Scots, now resident in the city of Paris. Dated from Her Majesties royall court at Hamborough, Novemb. 16. 1651* (1651); *The Levellers remonstrance, sent in a letter to his excellency the Lord Gen: Cromwel: concerning the government of this commonwealth, his wearing of the crown of honour, and preservation of the lawes, liberties, and priviledges thereof. Together with their propositions and desires, in the name of all the commoners of England; and a strange prophesie, fore-telling the great and wonderfull things that will befall the rulers of this nation, in case they set not the land free to the poor oppressed people* (1651).

he received from significant political figures and emphasised radicals' opposition to the Commonwealth.⁴⁴

A comparison between pamphlets about Hind published by Horton and by other booksellers, shows the extent to which Horton's were meant as anti-Commonwealth polemic. Horton showed a great interest in Hind, publishing six out of the thirteen pamphlets about him. Jason Peacey, exploring the production of newsbooks, has highlighted the role of the publisher and how he could promote 'distinct theoretical and tactical arguments', by editorializing and the selection of material. Peacey's comment that political zeal was a more likely incentive for publishers, since they were deemed as more responsible for the publications, rather than journalists, justifies my decision to view Horton's influence as key in setting the tone of these publications. This assumption is further reinforced by the fact that all of Horton's publications about Hind did not feature an author's name, except for *We Have Brought our Hogs to a Fair Market* (1652), where the editorial is signed by Horton himself. By focusing more on Horton's role in the pamphlets we can see that Hind's Royalism was repeatedly brought to the fore and that his reportage was anything but objective.⁴⁵

Where others focused on Hind's robberies and toned down his Royalism, Horton's pamphlets emphasised the latter. In *The True and Perfect Relation of the Taking of Captain James Hind* (1651), his Royalism shines through. There is a detailed description of Hind's dialogue with the crowds visiting him in prison: when a gentleman from his hometown told him '*Truly Countrey-man I am sorry to see you in this place*, he answered *That imprisonment was a confort to him, in suffering for so good and just a Cause, as adhering to the KING*'. This gentleman's refusal to drink a health to '*my Master the King*' 'moved Hind to passion, who said; the Devill take all Traytors: Had I a thousand lives, and at liberty, I would adventure them all for King Charles'. Hind went on to say, 'I

⁴⁴ In addition, none of Horton's pamphlets in the period 1650-1654 was registered with the Stationers' Company. This might be related to the fact that these publications were not considered important enough to be registered. Alternatively, however, it might suggest that, due to the oppositional tone of his publications, he opted to not register them in order to avoid attention. G.E. Briscoe Eyre (ed.), *A transcript of the registers of the Company of Stationers of London, 1640-1708*, Volume II (London: 1913).

⁴⁵ Peacey, 'The Management of Civil War Newspapers', p. 104.

value it not a three pence, to lose my life in so good a cause; and if it was to do again, I should do the like'.⁴⁶

The main points of this story were narrated in *The Weekly Intelligencer's* issue mentioned earlier; in this version, however, Hind's statements in support of the King are quoted at length and given prominence, thus making them the focal point of this account. This emphasis on the pro-monarchical character of Hind's declaration is underlined typographically by using capital letters for the King's name. Hind protests that he only robbed rich men and especially greedy lawyers, whose fees were extracted from poor cottagers, a clear use of the Robin Hood stereotype. In addition, the reaction of the audience is described in completely different terms: apparently when Hind said that he wished 'that thing [ruining poor cottagers] were as little used in England amongst Lawyers, as the eating of Swines-flesh was amongst the Jews', the pamphlet reports that 'this expression caused much laughter, and many such witty Gingles would be often put forth'. This description of the shared laughter between the highwayman and his audience at the expense of his victims clearly emphasised that Hind's audience was on his side, sharing his criticism of lawyers and tacitly justifying his actions. Barbara White views *The True and Perfect Relation* as 'a journalist's first-hand account of his words on this occasion', which I think misses Horton's gloss on Hind's words.⁴⁷

Another pro-royalist publication, *The Trial of Captain James Hind* (1651), was probably published by Horton as well, though no imprint appears on the title-page. This followed the style of 'journalistic' account which is characteristic of Horton's publications and it used the same phraseology as *The True and Perfect Relation*: when describing Hind's words after his trial, it commented that his 'expression caused much laughture'. The similarities between this pamphlet and those published by Horton might imply that this was one of his publications as well, or that someone else copied the stylistic elements of his depiction of Hind. Even in the latter case, however, it is indicative that

⁴⁶ Anonymous, *The True and Perfect Relation of the Taking of Captain James Hind* (1651), pp. 3, 6.

⁴⁷ White 'Hind, James (*bap.* 1616, *d.* 1652)'. White uses the passage from *The Weekly Intelligencer* in order to suggest that the similarity 'confirms that these pamphlets were at most elaborating rather than imposing on Hind a stance of defiant Royalism'. I don't disagree that Hind's Royalism was genuine, but I think that this 'elaboration' was significant.

someone deliberately imitated Horton's accounts about Hind in a pro-Royalist pamphlet. Hind's Royalism was highlighted by appending the comment 'this is observable', to the report that Hind said at the beginning of the trial: 'my name is honest and loyal James Hind'. The author even inserted a personal comment asking for Hind's reprieve: 'truly I am of this Opinion, that the mercy of the Parliament will extend the severity of Justice'.⁴⁸

The emphasis on Hind's connection to the Royalist cause was continued in *The Humble Petition of James Hind* (1651), published by Horton. The title is misleading. Hind's petition, asking for more humane conditions during his imprisonment, covers just one page, while five are devoted to an account of the execution of 31 Royalists in Ireland. Even though Hind's petition is neutral, the report of the long dying speech by the Bishop of Clonmell in favour of the King had an obvious propaganda value, since he claimed that God willed 'the establishing of the Royal Posterity in their just Rights and Liberties'. The assumption that this was not detached reportage, but on the contrary followed a partisan line, is further justified by the pamphlet's attempt to cast the Bishop as a martyr, by stating that he was 'the first that tasted of the Cup' (of martyrdom).⁴⁹

The pro-Royalist line was more glaringly apparent in the pamphlet *We Have Brought our Hogs to a Fair Market* (1652).⁵⁰ The title page advertised that it contained Hind's orders 'to all his royal gang' as well as 'the appearing of a strange vision on Munday morning last, with a crown upon his head'. It is interesting that highwaymen would be described as a 'royal gang', but apparently the text was trying to exculpate them, or at least to show that they could direct their activities towards deserving targets: Hind admonishes them to refrain from robbing anyone apart 'from the Caterpillars of the Times, viz. Long-gown men, Committee-men, Excize-men, Sequestrators, and other Sacrilegious persons'. Using the term 'caterpillars', which was used for those who preyed upon society (quite often robbers),⁵¹ to characterize professions who were supposed to be

⁴⁸ Anonymous, *The Trial of Captain James Hind* (1651), pp. 5, 8. According to McElligott, 'loyalist' was the usual term Royalists used for themselves, McElligott, *Royalism, print and censorship in revolutionary England*, p. 5.

⁴⁹ Anonymous, *The Humble Petition of James Hind* (1651), p. 5.

⁵⁰ H., *We Have Brought our Hogs to a Fair Market: or, Strange newes from New-Gate* (1652). Horton signed the editorial on this one, as I have said before.

⁵¹ As we can see in the definition of the term 'caterpillar': 'caterpillar, n.'. OED Online. September 2012. Oxford University Press.

pillars of the government is a deliberate use of inversion with links to the festive tradition of Robin Hood and to earlier depictions of rogues. Thus, the regime was discredited, since its bureaucracy was identified as the ‘real’ robbers, while highwaymen were presented as enforcers of moral justice.⁵²

Even more seditious was the description of a vision Hind had, which followed closely the pattern of political prophecies popular in this period. The pamphlet alleged that, whilst Hind was in prison, ‘there appeared a Vision, in the likeness and portraiture of the late King Charles, with a Crown upon his head, saying, *Repent, repent, and the King of Kings will have mercy on a Thief*’.⁵³ Such an overt play upon the idea that the King was Christ-like, evoked Charles I’s image from *Eikon Basilike* (1649) and was clearly intended as part of the same drive to praise the deceased King.⁵⁴ The effect was further enhanced by the inclusion in the same page of a small image of the King. Parts of this pamphlet (and, importantly, both of the comments mentioned here) were reprinted in two consecutive issues of *The Faithful Scout*, the newsbook edited by Border, who apparently followed Horton’s initiative in using Hind as a way to criticise the Commonwealth.⁵⁵

<http://www.oed.com/view/Entry/28904?rskey=s8Na9Gandresult=1andisAdvanced=false>, [accessed 06 November 2012].

⁵² About inversion and the ‘alternative popular vocabulary’ see Underdown, *A freeborn people*, p. 93. This was not an unusual line of argument against the government, and Mercurius Politicus mentions a case in December 1655, when one Cornet Day got to the pulpit in the Allhallows church in London, and ‘he made it his business to rail against Government, calling the Governors a Company of Thieves and Robbers’, *Mercurius Politicus*, 288 (13-20 December 1655), p. 5836.

⁵³ This also resembles John Clavell’s poem at the beginning of *A Recantation of an Ill Led Life* (1628): ‘The King of Kings tooke mercy on a Thiefe,/ so may my gracious King in mercy save me’, sig. A1v (in all but the first edition).

⁵⁴ John Gauden, *Eikōn basilikē. The portraiture of His sacred Majestie in his solitudes and sufferings* (1649), presented Charles I as a martyr and alluded to Christ’s passion.

⁵⁵ *The Faithful Scout*, 52 (9-16 January 1652), pp. 404-5, *The Faithful Scout*, 53 (16-23 January 1652), pp. 414-5. Some of *The Faithfull Scout*’s issues were printed for George Horton, see for example *The Faithful Scout*, 85 (27 August-3 September 1652) which was printed by Robert Wood for George Horton.

Since which time, many strange Visions have appeared unto him, but especially since he came to Newgate; where, on Munday last in the morning, falling into a Dream, there appeared a Vision, in the likeness and portraiture of the late King Charles, with a Crown upon his head, saying, *Repent, repent, and the King of Kings will have mercy on a Thief.*



The next morning (being Tuesday) he told one of the Keepers, That he had heard of many men going to Heaven in a flimig; but he had bin there in a dream, where he saw his Master the King, the nobl. Lord Capel; but could not see Duke Hamilton. The Keeper replied, *Mr Hind, was you mad to leave such a glorious place, for to come again to this dark Dungeon. Truly, I am afraid you will never come there again; and so they parted.*

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Figure 10: G.H., *We Have Brought our Hogs to a Fair Market* (1652), detail from p. 5.

Unlike Horton's pamphlets, the other cheap texts which appeared after Hind's arrest focused on his status as a robber, totally ignoring his Royalism. Works such as *A Second Discovery of Hind's Exploits* (1651), *The Last Will and Testament of James Hynd* (1651), *A Pill to Purge Melancholy* (1652), *The English Gusman* (1652), and *Wit for money* (1652) narrated generic stories of deceit and robbery, presenting Hind in a long tradition of rogue heroes. The only hints of Hind's Royalism were mentions of his travels to Ireland and Holland and occasional references to his service in the army, but not with the same pro-Royalist tenacity of Horton's pamphlets. For example, *The English Gusman* (1652), reprinted passages from Horton's pamphlets, such as *The True and Perfect Relation of the Taking of Captain James Hind* (1651) and *The Humble Petition of James Hind* (1651), but at the same time had no problem cynically stating that Hind's reason for getting a post with the Royalist army was so he could continue robbing: 'he got many mad lads together and did many robberies with authority'.⁵⁶

⁵⁶ Fidge, *The English Gusman*, p. 35.

The tendency to trivialize Hind and obscure his Royalism can be more clearly found in *A Second Discovery of Hind's Exploits* (1651). This pamphlet describes robberies and cozenages by Hind in almost every corner of the land, but it tells us nothing about his political affiliation. One of the stories is even titled 'how Hinde...robbed a Countryman in Glocestershire, by laughing'. In addition, the woodcut which accompanied this publication showed a Cavalier being assaulted by a Roundhead, the Cavalier being in a very compromised position, with a shepherd's crook (or noose) around his neck. This was clearly a recycled image from an earlier anti-Cavalier satire, and its inclusion in a pamphlet about the Royalist Hind is unlikely to have been accidental: it subverted the image of Hind as an active and (to a certain degree) successful robber.⁵⁷

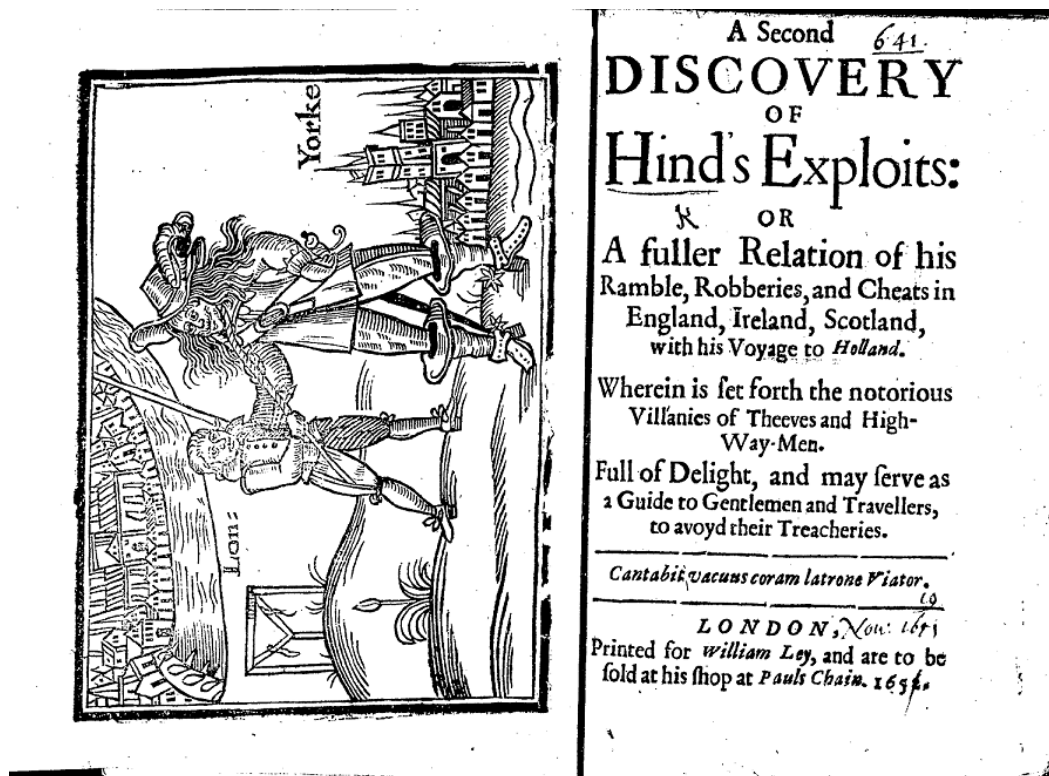


Figure 11 Anonymous, *A Second Discovery of Hind's Exploits* (1651), Title-page.

⁵⁷ Anonymous, *A Second Discovery of Hind's Exploits* (1651). I am grateful to Dr Helen Pierce for her help with this woodcut. Even though Horton's pamphlets contained similar stories, the omission of almost any trace of Royalism in the other pamphlets makes Horton's insistence on Hind's pro-monarchical attitude even more glaring.

Despite the fact that other booksellers did not follow Horton's example in their treatment of Hind, some did use other robbers to create pieces of royalist polemic, albeit occasionally changing the real circumstances of their lives to fit the needs of polemical writing. In January 1652, *Hinds Elder Brother* recounted the adventures of another Royalist highwayman, Thomas Knowls (the pamphlet gives him the title of 'Major'). This short pamphlet was intended to cash in on Hind's notoriety, but showed a similar royalist inclination by including a story about 'How Knowls robbed the Scotch Commissioners'. The poem which concludes this story follows the usual pattern of the trickster tricked, attributing the initial fraud to the Scots Commissioners:

thus witty Knowls did borrow plate
of those which cozen'd King and State.
The one they sold, the others thought to cheat,
but now repent, since they are soundly beat⁵⁸

The same passage was appended in a *Faithfull Scout's* issue, used there more clearly as Royalist propaganda: Border prefaced the story by commenting that 'Major Knowls' was fighting against Moss-troopers because 'bears an inveterate hatred against the Jockies, and is resolved to pay them home for their late perfidiousnesse and trechery to their Sovereign Lord the King'.⁵⁹

Knowls was mentioned in other newsbooks as a real robber and an important figure in the war effort, which would not be evident from the generic stories narrated in the pamphlet. This suggests that the same process of folklorisation took place as in Hind's case. *A Perfect Account* mentions that: 'There was apprehended in London, and carried to Newgate (the latter end of the last week) one Knowls, a notorious thief charged to be one of those that robbed the Speaker, the Charter house, and did many other great robberies'.⁶⁰ Additionally, *A Perfect Diurnall* in January 1652 mentioned that 'Capt. Knowles', together with 'Lieutenant Col. Wilks Deputy Governour of Lieth [sic], Major Read', and 'Captaine Newman' were in Edinburgh and 'proceeded upon the businesses of

⁵⁸ Anonymous, *Hinds Elder Brother, or the Master Thief Discovered. Being a Notable Pithy Relation of the Life of Major Thomas Knowls his many Exploits Escapes, and Witty Robberies* (1652).

⁵⁹ The Scots were apparently called 'Jockies', see for example the ballad *Jockies Lamentation, Whose seditious work was the loss of his Country, and his KIRK*, (1657).

⁶⁰ *A Perfect Account*, 62 (3- 10 March 1652), p. 496.

the Country, determining several differences of parties in Lieth, Edenburgh and parts adjacent, making a speedy peace between all parties'.⁶¹

This tendency to present enemies of the Commonwealth as robbers, in Hind's fashion, is even more evident in *The Knight Errant* published in March 1652, with the story of the tricks and robberies of William Hart. The publisher of this pamphlet was E.C., who was more than likely Edward Crouch, the royalist printer who together with John Crouch published various newsbooks (including the *Man in the Moon*, mentioned earlier).⁶² Sir William Hart was, according to *Mercurius Politicus*, a high-profile officer of the Scottish army: in October 1651, it reported that 'Severall Prisoners of the Scottish Nation, were brought hither from Chester, whose names are these: the Earle of Lauderdale, Lieutenant Generall Sir David Lesley, Lieutenant generall Middleton, Sir William Fleming, Sir David Cunningham, and Sir William Hart, who stand committed in the Tower of London'.⁶³ The fact that it took five months before this story was deemed useful to be printed, in addition to the way that William Hart is transformed into a highwayman in this pamphlet shows the influence of Hind's depiction as a Royalist.

The author attacks the Scottish Stool of Repentance, claiming that by punishing small sins severely the Scots created actual criminals (because Hart resorted to robbery after leaving Scotland in order to escape persecution for fornication). In addition, the pamphlet describes how Hart was among the first to welcome Charles II in Worcester: 'comes the Scotch King with his tarpallians to town, and then hey boyes, who but our Knight proclaims him at the market Cross and the next day to Court as Bravelly harnessed as one of the Goulden fellowes?'.⁶⁴ The familiar tone and the mention of 'our' knight seem to suggest that the author expected the readers to side with him in favour of the King.

⁶¹ *A Perfect Diurnall of Some Passages and Proceedings of, and in Relation to, the Armies in England and Ireland*, 108 (29th December 1651-5th January 1652), pp. 1571-2.

⁶² B., *The Knight Errant: being a witty, notable and true relation of the strange adventures of Sir William Hart now prisoner in the tower* (1652). It seems probable that the publisher was Edward Crouch, since no other publisher in this period had the same initials.

⁶³ *Mercurius Politicus*, 70 (2-9 October 1651), p. 1112.

⁶⁴ According to the Oxford English Dictionary, 'tarpaulian' or 'tarpallian' was a nickname for a mariner or sailor, '† tarpaulian, n. and adj.'. OED Online. March 2013. Oxford University Press. <http://www.oed.com.ezproxy.york.ac.uk/view/Entry/197879?rskey=BUe1fTandresult=7andisAdvanced=false> [accessed 3 April 2013].

In conclusion, crime pamphlets appearing in the charged political atmosphere of the 1650s could be easily appropriated by the contesting sides to serve as propaganda. James Hind, whose name was so recognized and had been the focus of widespread speculation, presented an ideal vehicle for such propagandistic purposes. The authorities, however, did not choose to make an example out of his trial and punishment, but on the contrary preferred to keep him away from the public eye. Most pamphleteers and newsbooks editors, even if they did not completely ignore such a best-selling subject, carefully avoided mentions of Hind's Royalism, which was the crux of the problem.

This, on the other hand, left the field to the opponents of Commonwealth, most notably George Horton, who exploited Hind's fame in order to propagate the royalist cause. Using the language and the format of various popular materials, such as stories about rogues, popular prophecy and the Robin Hood tradition, Horton attempted to advertise Hind's Royalism and connect it to a popular idiom of resistance, in order to influence public opinion in the King's favour.⁶⁵ The choice to turn a highwayman into an emblematic figure of Royalism was risky, since it could bring the accusation that only people of that ilk would support the King. This attempt to emphasise the Royalism of a highwayman could have easily backfired, because some of the main aspects of Hind's persona (such as health-drinking to the King, behaving like a gentleman, cheating and robbing) were associated with a group of urban criminals, called hectors or brothers of the blade, who were depicted in various printed materials and whose image coalesced with that of the Cavalier, the most rowdy and infamous part of the Royalist side in the period. The next section will analyse how the term 'hector' came to denote the urban criminal and Cavalier.

⁶⁵ This attempt was well timed: since 1650, men who had voiced their disagreement with the purge and the regicide were returning to power in London, as can be seen in the December 1650 city elections. See Worden, *The Rump Parliament*, p. 290. Furthermore, Mark Jenner has highlighted how authors of anti-Rump satire in the late 1650s constructed 'an image of Royalism as popular', by using stock satirical tropes and the carnivalesque: Jenner, 'The Roasting of the Rump', 84-120.

‘Swear and Swagger, Drink, Rant, and Rogue’: hectors and Cavaliers in the 1650s

A Second Discovery of Hind’s Exploits (1651) included a story about how, when Hind was in Ireland, he fell in with some Irish bandits. When one of them questioned whether Hind belonged to their fraternity, Hind answered ‘What am I, quoth Hinde? A Brother of the Blade, and that thou shalt know before we part; therefore deliver’.⁶⁶ In this story Hind embraced a title which connected him to a particular group of urban criminals, and it is possible that Hind’s persona was both influenced by and in turn helped shape the image of the ‘hector’, or ‘brother of the blade’. In the 1640s and 50s, these terms were attached to disorderly young men who roamed London living wildly, drinking, consorting with whores, cheating and engaging in various kinds of crime such as scams, picking pockets and robbery, both in the city and by the highway.

This section will illustrate how the image of the hector came into existence in the context of the civil wars, and how it absorbed elements of earlier depictions of rogues and degenerate gentlemen. Rogue pamphlets, as I argue throughout the thesis, did not stop existing after the 1640s. This section will show, firstly, how these pamphlets were transformed in the period of the Civil War and Interregnum, repackaged as pamphlets about hectors, but retaining most of their associations with roguery. It will further explore the influence of post-war crime in the shaping of these narratives, especially in the context of London, where fears of disbanded soldiers were widespread. Finally, it will show how these pamphlets participated in the broader political debates of this period, as the term ‘hector’ progressively coalesced with the image of the Cavalier.

Going through the texts referring to ‘ectors’ and ‘brothers of the blade’, it is evident that these terms were composite ones. They combined the image of the rogue with that of the gentleman troublemaker, the soldier, the duellist and the Cavalier. The combination of these disparate elements in the representation of the hector has, to a certain extent, obscured the fact that pamphlet accounts of their actions marked merely a linguistic shift from earlier rogue pamphlets.

⁶⁶ Anonymous, *A Second Discovery of Hind’s Exploits*, p. 16.

Examining the cheap print materials about hectors will allow us to discern how the image of the hector emerges textually in the 1640s and 1650s as a reincarnation of the figure of the rogue.

The connection with the rogue tradition is evident even from the earliest mention of the term ‘hector’ in the 1642 ballad *The High-way Hector*. In this a lot of the standard characteristics of the hector appear: he is described as a ‘gallant’, who is intimately acquainted with prostitutes, knows how to use the rogues’ supposed secret language, the ‘cant’ (‘Prigging and Padding and nimming and stabbing’) and is a highwayman and a cheat.⁶⁷ This ballad followed the topos of describing a highwayman as an urban rogue, even to the extent of using the commonplace excuse (frequently evoked in rogue pamphlets) that to cheat merchants was not morally reprehensible, since they were cheaters themselves. *The High-way Hector* would not differ at all from previous cheap print treatments of rogues, if it was not for the fervent critique of those fighting against the King (which will be analysed at length below).

The 1652 pamphlet *A Notable and Pleasant History of the Famous Renowned Knights of the Blade, commonly called Hectors or, St. Nicholas clerkes* borrowed clearly from earlier pamphlets depicting the practices of rogues. Firstly, the term ‘St Nicholas Clerks’ had a long association with crime as well, harking back to Elizabethan and early Stuart depictions of highwaymen. In *Martin’s Month’s Mind* (1589) an encounter with a highwayman is described in these terms: ‘like the Saint Nicolas Clarkes on Salsburie plaine...stept out before us in the high waie, and bidde us stand’. More importantly, in *The belman of London* (1608), the description of the ‘High-Law’ (highway robbery) reads: ‘The theefe that commits the Robberie, and is cheife Clarke to Saint Nicholas, is called the High Lawyer’.⁶⁸ Secondly, the activities of disbanded soldiers who turned to urban crime are couched in similar terms to those used in earlier pamphlets:

⁶⁷ Anonymous, *The High-way Hector, or, A Very queint poem in which much is said concerning the manner and tricks of the trade to the tune of Hunger and Cold, or Packingtons pound* (1642).

⁶⁸ Mar-phoreus, *Martins months minde, that is, a certaine report, and true description of the death, and funeralls, of olde Martin Marreprelate, the great makebate of England, and father of the factious* (1589), sigs. B1r-B1v; Dekker, *The belman of London* (1608), sig. Hv.

There was no sooner an end put to the Wars of England, but a great company of Officers and Souldiers being discarded, they repaire to the famous City of London, in hope that new troubles would arise, to maintain them in the same disordered courses they formerly practiced in the Armies, but missing fewell to feed the fire of their desires, they began to study living by their wits⁶⁹

The passage defined living ‘by their wits’ thus: ‘it consists much in cheat and cousenage, gaming, decoying, pimping, whoring, swearing, and drinking, and with the nobler sort, in robbing’.⁷⁰ Living ‘by their wits’ was a very common way to describe the practices of rogues, and it is clear from the practices outlined above, that hectors were considered a part of London’s crime scene.

The tendency to represent hectors as rogues was prevalent in cheap print of the 1650s: in *The Catterpillers of this Nation anatomized* (1659), another pamphlet ‘discovery’ of the practices of highwaymen, the only original part of the pamphlet is the one titled ‘the manner of hectoring & trapanning as it is acted in and about the city of London’.⁷¹ According to this pamphlet, hectors are included in the category of urban crime: they cheat at cards, gull naïve people into lending them money (which they clearly do not intend to return), procure prostitutes and ‘Hack and Pad’ (practice highway robbery).⁷² In *A brief and perfect journal of the late preceedings and successe of the English army in the West-Indies* (1655), ‘Hectors, and Knights of the blade’ are grouped together with ‘common Cheats, Theeves, Cutpurses and such like leud persons, who had long time lived by the sleight of hand, and dexterity of wit, and were now making a fair progresse unto Newgate, from whence they were to proceed towards Tiborn’.⁷³

⁶⁹ Anonymous, *A Notable and Pleasant History of the Famous Renowned Knights of the Blade, commonly called Hectors or, St. Nicholas clerkes*, (1652), p. 1.

⁷⁰ Ibid, p. 2.

⁷¹ Anonymous, *The Catterpillers of this Nation Anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c. Together with the life of a penitent high-way-man, discovering the mystery of that infernal society. To which is added, the manner of hectoring and trapanning as it is acted in and about the city of London* (1659) As we have seen, this transcribed in prose John Clavell’s *A Recantation of an Ill Led Life* (1628).

⁷² In the Oxford English Dictionary pad is defined as ‘To practise highway robbery, usually on foot’. ‘pad, v.1’. OED Online. September 2012. Oxford University Press. <http://www.oed.com.ezproxy.york.ac.uk/view/Entry/135891?rskey=wqKngjandresult=7andisAdvanced=false>, [accessed 16 September 2012].

⁷³ I. S., *A brief and perfect journal of the late preceedings and successe of the English army in the West-Indies* (1655), p. 8. Similarly, after a night search in 8 June 1654, among those arrested the Council grouped together ‘Persons called hectors, common gamesters, common tavern

The ballad *A total rout, or a brief discovery, of a pack of knaves and drabs, intituled pimps, panders, hectors, trapans, nappers, mobs, and spanners* (1653) followed closely the pamphlet descriptions of hectors, associating them with sword-wielding, leaving debt to Ale-keepers and theft (their victims included ‘Turn-ball Whores’ and gentlemen), activities which were expected to land them to prison and thence to the gallows.⁷⁴ Similar practices were described in *The younger brothers Advocate*, a short text against primogeniture, where the author commented that many who ‘know not how to maintain themselves by honest and lawful waies, are driven to take indirect courses, and by consorting themselves with ill company, acquainting themselves with shifts, and practising how to deceive, hence it is that many are driven to beg, cheat, steal, and many times hanged for theft’, turning ‘Hectors, Knights of the blade’.⁷⁵

By the 1660s the connection between hectors and criminality was apparently so self-explanatory that it was considered unnecessary to describe fully. This can be seen in the series *The Wandering Whore* (1660), which uncovered the activities of prostitutes in London: one of the characters taking part in these fictional dialogues was titled ‘Gusman a Pimping Hector’.⁷⁶ The term ‘Gusman’ was used metonymically to denote a highwayman and had a long history, making it an excellent example of how earlier depictions of rogues were kept current by being foisted on contemporary criminals. Gusman was a fictional rogue from Spain, famous from a work by Mateo Alemán titled *The Rogue: or The Life of Guzman de Alfarach* (1623).⁷⁷ This very popular tract was translated and printed in England in 1623, with reprints (some with additional material) in 1630, 1634, 1655 and 1656.

That the term ‘Gusman’ had not lost its cultural significance can be deduced from James Hind’s description as ‘the English Gusman’. Additionally, a

haunters, and idle persons, and such as can give no good account of their calling’, Mary Anne Everett Green (editor), ‘Volume 72: June 1654,’ *Calendar of State Papers Domestic: Interregnum, 1654, British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=53451> [accessed 25 September 2013].

⁷⁴ Anonymous, *A Total Rout, or a Brief Discovery, of a Pack of Knaves and Drabs, Intituled Pimps, Panders, Hectors, Trapans, Nappers, Mobs, and Spanners: the Description of their Qualities, Is Here Set Down in Brief* (1653).

⁷⁵ Champianus Northtonus, *The younger brothers Advocate: or a line or two for younger brothers. With their petition to the Parliament. By Champianus Northtonus* (1654), p. 6.

⁷⁶ Anonymous, *The Wandering Whore* (1660).

⁷⁷ Matheo Aleman, *The Rogue: or The Life of Guzman de Alfarache. Written in Spanish by Matheo Aleman, servant to his Catholike Maiestie, and borne in Seuill* (1623).

1657 pamphlet titled *Guzman, Hinde and Hannam Outstrip: Being a Discovery of the Whole Art, Mistery and Antiquity of Theeves and Theeving* (1657) combined the names of the rogue Gusman, the highwayman Hind and the burglar Hannam (who had been just arrested).⁷⁸ Consequently, naming the ‘pimping hector’ ‘Gusman’ in *The Wandring Whore* series connected very succinctly the hector with highway robbery and urban crime in general.⁷⁹

Up to this point, my exploration of cheap print accounts of hectors has focused on the extent to which these were natural continuations of rogue pamphlets, by shedding light on how earlier material was re-appropriated and used in the 1640s and 1650s printed materials about hectors. These elements of continuity should not obscure the fact that pamphlets about hectors were equally shaped by the different political and social context of the Civil War and Interregnum. This section will stress that the fear of soldiers and of rampant crime, which surfaced violently in the 1640s, was a critical factor in the way that the threat of hectors was conceived and represented.

London was traditionally considered dangerous and criminal-infested, but the civil wars generated new worries for its inhabitants and there was a sense that new waves of crime in the metropolis originated from demobilised soldiers. Part of the fear of soldiers came from the common practice to conscript criminals for the wars. It was commonly expected that many would return to their errant ways if they survived the wars (and probably morally the worse for military service).⁸⁰ This is the practice satirised in *The Brothers of the Blade* (1641); this pamphlet

⁷⁸ Fidge, *The English Gusman; or The history of that unparallel'd thief James Hind* (1652); Carlos Garcia, *Guzman, Hinde and Hannam Outstrip: Being a Discovery of the Whole Art, Mistery and Antiquity of Theeves and Theeving: with their statutes, laws, customs and practises* (1657). This was a reprint of the translated discovery of thieves Carlos Garcia, *The Sonne of the Rogue, or, The Politick Theefe with the Antiquitie of Theeves* (1638). In *Strange newes from Bartholomew-Fair*, the ‘noble Hectors’ are grouped together with ‘Trappans, Pimps, Dicks merry Cullys and mad-conceited Lads of Great-Bedlam’, Aretine, *Strange newes from Bartholomew-Fair, or, the wandring-whore discovered* (1661).

⁷⁹ The connection of hectors with prostitutes was well-attested, see as well ‘Ther's many a swearing Hector loves a Whore’ John Taylor, *Misselanies, or, Fifty years gathering out of sundry authors in prose and verse being the studious readings, painful collections, and some of them are the composings of the writer and publisher heerof / John Taylor* (1652), p. 32.

⁸⁰ A practice mentioned in S., *A brief and perfect journal of the late preceedings and successe of the English army in the West-Indies* (1655). An earlier literary allusion to the same practice was in *Henry V*, where Pistol, a soldier, resolves to return to England after the battle of Agincourt and become a pickpocket, William Shakespeare, *The cronicle history of Henry the fift with his battell fought at Agin Court in France* (1600), sig. F4v.

described the meeting of two soldiers who, by their own admission, used to be criminals (they characterized themselves ‘as arrant Rogues as Newgate harbour’d’) and planned to resume their criminal lives as soon as they were out of the army.⁸¹ The ‘Corporal Dam-mee’ intended to get by as a ‘gentleman usher’ (a pimp) and a confidence trickster, while ‘Serjeant Slice-man’, who was previously a pick-pocket and a highwayman planned to go back to robbing travelers on the highway, an occupation he believed would allow him to ‘maintaine a souldiers name’ (he characterized cheating or theft as ‘base’).⁸² This pamphlet contained many of the elements that would be picked up later in the depiction of highwaymen and hectors, such as swearing, the association of highwaymen and other urban criminals with Royalists and the association with the wars.

The concern about soldiers in London was evident from 1641, when disbanded soldiers arrived in London and petitioned for their arrears of pay. Londoners did not forget the events in December 1641, when many ex-officers came to blows with groups of apprentices and citizens.⁸³ This was exacerbated after each phase of the Civil War. ‘The multitudes of Reformadoes and other Souldiers, swarming about the City’,⁸⁴ people with no employment and a propensity to act violently, were a problem that needed to be addressed, not least because it was feared that they would either be more prone to enlist to the Royalist cause due to their disillusionment with Parliament, or to turn to highway robbery. In 1647, an attempted counter-revolutionary coup by London

⁸¹ Anonymous, *The Brothers of the Blade: answerable to the sisters of the scaberd, Or, A dialogue betweene two hot-spurres of the times, Serjeant Slice-man, alias Smell-smock of Coney-court in Chick-lane, and Corporall Dam-mee of Bell-alley neere Pick-hatch. At their first meeting in the walkes in Moorefields, upon the returne of the one from the leaguer in the Low-Countries, and the late comming to London of the other from the campe in the North, at the disbanding of the army* (1641), p. 2. The sexual innuendo evident in the title was retained in later publications. The title was probably derived from Richard Brome’s play *The weeding of the Covent-Garden*, performed in 1632/3, which mentions ‘The Fraternity of the Blade and Batoon’, a gang of men drinking, swearing and acting violently. This gang had its female equivalent, the ‘Sisters of the Scabberd’, which is evoked in the title of the pamphlet as well. Richard Brome, *The weeding of the Covent-Garden* (1658).

⁸² Anonymous, *The Brothers of the Blade*, pp. 6-7.

⁸³ Brian Manning, *The English People and the English Revolution* (London: Heinemann Educational, 1976), pp. 71-98.

⁸⁴ England and Wales. Army, *An humblf [sic] remonstrance from His Excellency Sir Thomas Fairfax and the army under his command concerning the present state of affairs in relation to themselves and the kingdom, with their desires and present resolutions thereupon presented to the commissioners at S. Albanes, Iune 23, to be by them humbly presented to the Parliament / by the appointment of His Excel. Sir Thomas Faiifax and the counsell of warre; signed John Rushworth* (1647), p. 14.

Presbyterians was based on the participation of Reformadoes (many of whom were ex-Royalists).⁸⁵ Furthermore, in 1648 there were widespread fears in London that the Reformadoes staying in London were ‘an obvious source of recruitment for the Royalist cause in the Second Civil War’.⁸⁶

A preoccupation with soldiers turning highway robbers was evident in the newsbooks of the late 1640s and 1650s. The *Moderate Intelligencer* complained in 1645 of ‘certain Robbers who infest the Roades’ and asked for their severe punishment, because ‘whether of our side, or his Majesties, if any shall desert their Standards, and become highway men, the Law of Arms is no rule’.⁸⁷ The same newsbook reported a few months later that ‘the strange attempts made by Thieves in these parts, and that are brought hither by Travellers, are incredible, not now by the High-ways only, but houses, grounds, and all corners’, exhibiting a sense of alarm about the all-pervasive threat of those criminals.⁸⁸

The threat of highway robbery did not diminish in the following years, but it was not until February of 1652 that an ‘Act for the better and more effectual discovery of Thieves and Highwaymen’ was passed.⁸⁹ According to *Mercurius Politicus*, Parliament, upon being informed of the ‘multitude of Highway-men and Robbers increasing daily, and the audacious Robberies committed by them’, passed this Act by which anyone who informed on the highwaymen or burglars would receive ten pounds for each one convicted and those criminals who turned King’s evidence would obtain both a reprieve and the reward.⁹⁰ The timing of this Act was probably related to the establishment of some stability in England with the Commonwealth, but it could additionally have been prompted by Hind’s fame or even a growing concern from the

⁸⁵ Valerie Pearl, ‘London’s Counter-Revolution’, in G. E. Elmer (ed.), *The Interregnum: the quest for settlement, 1646-1660* (London: Macmillan, 1974), 29-56.

⁸⁶ Robert Ashton, *Counter-revolution: the second civil war and its origins, 1646-8*, (New Haven, Conn.: Yale University Press, 1994), p. 389.

⁸⁷ *Moderate Intelligencer*, 52 (26 February- 5 March 1646), p. 316. On the punishment of soldiers during the civil wars see Barbara Donagan, *War in England 1642-1649* (Oxford: Oxford University Press, 2008), pp. 196-212.

⁸⁸ *Moderate Intelligencer*, 237 (27 September- 4 October 1649), sig. II Gr- II Gv.

⁸⁹ C.H. Firth and R.S. Rait (eds.), ‘Act for the better and more effectual discovery of Thieves and Highwaymen’ [C.J., vii., 99.], *Acts and Ordinances of the Interregnum, 1642-1660* (London: Stationery Office, 1911), p. 131.

⁹⁰ *Mercurius Politicus*, 91 (26 February-4 March 1652). Another Act was passed in 1653, see *Several Proceedings of Parliament*, 13 (11-18 October 1653); *Perfect Diurnall of Some Passages and Proceedings*, 21 (24- 31 October 1653), pp. 3090-3091.

Commonwealth that other Royalist soldiers may be resorting to highway robbery.

The connection between robbery and other acts that threatened the safety and peace of the realm was illustrated in the 'Instructions and Orders' given to the Major Generals in 1655 'for preserving the Peace of the Commonwealth'. These included suppressing 'Tumults, Insurrections Rebellion, or other Unlawful Assemblies', the disarming of Papists and all those who are 'dangerous to the peace of the Nation' and finding out 'all such Thieves, Robbers, Highway-men, and other dangerous persons as lurk and lye hid in any place within the several Counties'.⁹¹ The insistence on rooting out highwaymen coincided with the emergence of the distinctive image of the hector as an urban criminal who used both his wits and threats of violence. In *A Notable and Pleasant History of the Famous Renowned Knights of the Blade* (1652), as we have seen, hectors were described as disbanded soldiers who flocked to London after the civil wars.

The connection of hectors with disbanded soldiers explains one of the few original aspects of their depiction, their fame as accomplished duellists. This associated them both with a more warlike ethos and a gentlemanlike behaviour. Duelling was part of the military culture which had flourished in continental Europe in the late-sixteenth and seventeenth centuries; this was disseminated in England with greater impetus during the Civil Wars, when many of the professional soldiers who were serving in Continental armies came back to England to fight for their respective causes.⁹² Duelling was considered an aristocratic habit and for this reason in the few occasions when hectors have received scholarly attention, it has been taken for granted that hectors were part of the tradition of gentlemen 'gangs', emphasising their unruliness and tendency to get into fights.⁹³ This tends to ignore not only the apparent connection with

⁹¹ *Mercurius Politicus*, 289 (20-27 December 1655), p. 5851.

⁹² Roger B. Manning, *Swordsmen: the martial ethos in the three kingdoms* (New York: Oxford University Press, 2003), p. 10; Thornton Shirley Graves, 'Some Pre-Mohock Clansmen', *Studies in Philology*, 20, No. 4 (1923), 395-421; McElligott, *Royalism, print and censorship in revolutionary England*; Smith, *Literature and revolution in England, 1640-1660*.

⁹³ Manning, *Swordsmen*, p. 10. Profligate, riotous living which led to criminality was a characteristic depiction of gentlemen rouble-rousers, called the 'Tityre-tues' and 'the Order of the Bungle'; these groups of unruly young noblemen were portrayed as secret societies in the 1620s and 1630s, ostensibly indulging in anti-social and deviant behaviour: drinking, 'roaring', resorting to prostitutes or stirring trouble in general. Their activities worried the authorities to such an extent, that an investigation was ordered in 1623 into the 'secret societies' of the 'Order of the Bungle' and 'Tityre-tues'. See Graves, 'Some Pre-Mohock Clansmen', 400-404; Mary

earlier rogue pamphlets, but also that the concept of gentlemanly honour on which the practice of duel was based was cultivated and disseminated further in the course of the civil wars.⁹⁴

Therefore, even though the author of *A notable and pleasant history* described hectors as 'living by their wits', they were more commonly depicted as strong-arming their victims. One of their favourite tricks was asking to borrow money from a gentleman, with the claim that he could not refuse a fellow gentleman in such a trivial matter. His refusal was taken as an insult, prompting the hector to challenge him to a duel, thus leaving the gentleman with the unappealing dilemma of either fighting a duel or succumbing to the extortion. Even though, in reality, the victim was coerced into giving the money, this method of extortion was covered under a thin veneer of honourable conduct. In other cases, they incited duels among gentlemen, volunteering to act as their seconds. Their design, however, was to frighten the parties involved with the prospect of losing their life, so as to have them drop the duel. This allowed the hectors to claim restitution for their time: 'the Gentlemen to stop their mouths, gives them some handsome gratuity besides their Horses and Armes, and now by this device they are mounted for the High-way', with the obvious intention to practise highway robbery.⁹⁵

The association of hectors with wars, duelling and crime was taken for granted in the playlet *Hectors or the false challenge*, printed in 1656: the three hector characters are everything one would expect: disbanded soldiers who lost their fortunes during the wars and, faced with the choice of becoming beggars, highwaymen or hectors, selected the latter course. Their activities as hectors were the same as those used in earlier pamphlets: they included using their position as professed experts in duelling 'law' in order to exploit gullible young gentlemen, usually by arranging duels and then getting money in order to cancel them, and resorting to petty crime (such as confidence tricks and cheating at cards and dice). Even their confidence tricks however relied more on their ability

Anne Everett Green (editor), 'James 1 - volume 155: December 1-24, 1623,' Calendar of State Papers Domestic: James I, 1623-25, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=51819-> [accessed 3 April 2013].

⁹⁴ Donagan, *War in England 1642-1649*, pp.215-292; Capp, *England's Culture Wars*, pp. 167-171.

⁹⁵ Anonymous, *A Notable and Pleasant History of the Famous Renowned Knights of the Blade*, pp. 5-6, 3-4.

with the sword than their wit. When two of the hectors got into trouble after being discovered cheating at cards, the third one rescued them by fighting their pursuers.⁹⁶

Most of the characteristic elements of the image of the hector, such as riotous behaviour, experience in the wars, excessive swearing and gentlemanlike attitude, as well as criminality, overlapped with the image of the Cavalier. The Cavalier stereotype was part of the 'culture of defiance' of defeated Royalists, who emphasised profaneness, disorder and conviviality in order to oppose the 'reformation of manners' envisaged by Puritans.⁹⁷ At the same time, these characteristics could be seen as highly harmful to the Royalist cause, as Bernard Capp correctly stressed: 'Cavalier propaganda was as divisive as its puritan counterpart'.⁹⁸

As I will show, the term 'hector' came to be metonymically used for the Cavalier, but this could be equally exploited by Parliamentary publications, intent on tarring the reputation of Royalists by connecting them to criminals. That this strategy was effective can be deduced by the very fact that several Royalist writers attempted to disown the practices of the hector-cum-Cavalier. As is evident in Hind's case however, there were other publishers who appreciated the coalescence of the image of the hector with that of the Cavalier, and used it to propagate the King's cause. At the same time, rogue pamphlets included some sympathy for the criminal which could subvert the intended condemnation of such practices.

Criminality was a characteristic that applied to both hectors and Cavaliers, but could equally be used to either celebrate or condemn those groups. It should be evident by now that hectors fell neatly into the rogue stereotype which had been dominant in the depiction of urban criminals. Lois Potter and Jerome de Groot have underscored that in the 1640s and 1650s Royalists were often willing to conflate loyalty and criminality, because they did not believe in the legitimacy of those in authority.⁹⁹ The term 'rogue' itself was used

⁹⁶ Prestwich, *The Hectors: or The False Challenge* (1656), pp. 22-23, 36-38, 55-57.

⁹⁷ Capp, *England's Culture Wars*, p. 99.

⁹⁸ *Ibid.*, p. 83.

⁹⁹ Potter, *Secret Rites and Secret Writing*; de Groot, 'Prison writing, writing prison in the 1640s and 1650s', p. 211.

polemically in this period: it was very common for both Parliamentarians and Royalists to accuse each other of being ‘rogues’, something that can be evidenced in both printed material and in cases of seditious talk. Lloyd Bowen has examined many cases of seditious talk and slander from 1649 to 1660, and pointed out that the term ‘rogue’ was used often for political opponents. Bowen has argued that to brand someone ‘rogue’ was to draw attention to their status outside the law and to their inferior social rank (since ‘rogue’ meant both criminal and vagrant), but at the same time this connected them with the rogue pamphlet tradition.¹⁰⁰

Two of the early texts about Royalist highwaymen illustrate the different impulses behind representations of hectors as criminals and Royalists. The ballad *The High-way Hector* (1642) was not just a depiction of a criminal’s life, but a politically engaged text as well. The hector, after mentioning that city merchants are worse cheaters than himself, comments that:

Those Rogues that are brewing
of war ‘gainst their King,
Sincerely are doing
the very same thing:
with angles of zeal
they study and labour,
To plunder and steal
from their very next neighbour¹⁰¹

This use of the trope of inversion was echoed in Hind’s admonishment to his ‘Royal Gang’, to only target ‘the Caterpillars of the Times’. On the other hand, in *Brothers of the Blade*, one of the characters is a Royalist who fought in the king’s army (unsurprisingly, the ‘Corporal Dam-mee’), and his intention to go back to confidence tricks and procuring prostitutes shows the moral calibre of the King’s followers and was probably intended as Parliamentary propaganda.¹⁰²

¹⁰⁰ Lloyd Bowen, ‘Seditious Speech and popular Royalism, 1649-1660’, in Jason McElligott and David L. Smith (eds.), *Royalists and Royalism During the Interregnum* (Manchester: Manchester University Press, 2010), p. 55.

¹⁰¹ Anonymous, *The High-way Hector* (1642).

¹⁰² Anonymous, *The Brothers of the Blade*.

The parliamentary pamphlet *The Cavaliers Jubilee* (1652), defined the ‘common use and custome of our Cavaliers’ as ‘drunkenesse, whoredome, and rioting’. Even though this was an unashamed mud-slinging attempt, these particular attributes were still considered to be characteristic of the Cavaliers, and they were shared by hectors, strengthening the connection between the two groups.¹⁰³ Drinking, and especially health-drinking to the King, came to be viewed as a political act of resistance against the Commonwealth and drinking rituals became symbols of the Royalist opposition to puritanical abstinence.¹⁰⁴ Since drinking had become so politicised as a sign of the Cavalier, it is little surprise that the descriptions of inebriated hectors were meant to evoke the Cavalier ethos. James Hind, as we have seen, was often described in print as drinking, toasting the King’s health and swearing, thus enacting his Royalist affiliation.

The sentence of a man described as a hector in 1658 manifested all the conventional characteristics of the hector image and commented specifically on his status as a Royalist. As *Mercurius Politicus* reported, a trooper in Captain Mills troop, who ‘had been a long time a notorious Hector in London, and some say a highway man’, was sentenced ‘for traitorous words, gestures, and unhandsome deports, expressing his malicious dislike and hatred of his Highness, and the present Government, and his love to his grand Enemies, the King of Spain, and the pretended King of Scots, and Duke of York, and their interest, by several times drinking their healths.’¹⁰⁵

Swearing was considered a trade-mark of Cavaliers and hectors. In the satirical pamphlet, *The Souldiers Language* (1644), where two soldiers who have just met try to discern whether they belonged to the same side (that of the King), and the recognition is only achieved when one of them says ‘God damne me, but Ile run my Rapier thorow thee, if thou stand vexing me thus’ and the other one

¹⁰³ Anonymous, *The Cavaliers Jubilee* (1652), p. 2.

¹⁰⁴ Potter, *Secret Rites and Secret Writing*, p. 138; Marika Keblusek, ‘Drinking and the Royalist Exile Experience, 1642-1660’, in Adam Smyth (ed.), *A Pleasing Sinne: Drink and Conviviality in Seventeenth-Century England* (Cambridge: D.S. Brewer, 2004), p. 58; Underdown, *Royalist Conspiracy in England*, p. 16; Capp, *England’s Culture Wars*, pp. 162-167; De Groot, ‘Prison writing, writing prison in the 1640s and 1650s’, pp. 206-7. More generally about drinking as a characteristic of aristocratic sociability, see Michelle O’Callaghan, *The English wits: literature and sociability in early modern England* (Cambridge: Cambridge University Press, 2007), pp. 60-65; Michelle O’Callaghan, ‘Tavern societies, the Inns of Court, and the culture of conviviality in early seventeenth-century London’, in Smyth (ed.), *A Pleasing Sinne*, 37-51.

¹⁰⁵ *Mercurius Politicus*, 433 (9-16 September 1658), p. 828.

immediately answers ‘I think by thy speeches, thou art an honest good fellow’. This pamphlet used the association of Cavaliers with rogues to criticise the King’s followers, commenting that ‘the King hath a great number of vacant and idle soldiers, that have little to do except it be to take a purse’.¹⁰⁶

Repeatedly hectors are described as ‘swear[ing] more then any Car-man’, even in accounts which were not entirely unsympathetic, such as *A Notable and Pleasant History of the Famous Renowned Knights of the Blade* (1652), where hectors combine cursing and drinking toasts ‘God Dam---,... here’s a health to Liberty, and the Devil take the Justice’, or in the playlet *Hectors or the false challenge*, where a character tells a hector that ‘I think I knew thee in the late Wars, thou went’st by the name of Captaine, a thing could do nothing but drink and damne thy self’.¹⁰⁷ In a similar vein, *The Catterpillers of this Nation’s* description of the hector as ‘this Dammee Captain [lives] by his wit, Sword and Baskethilt-Oathes’ outlined succinctly the main characteristics of this image.¹⁰⁸

This, however, was a great opportunity for opponents of the king to satirise the Royalist cause for the debauched followers it attracted, even going so far as to connect them with the Ranters, one of the most maligned radical sects of the Interregnum. The Commonwealth strategy to paint all its opponents with the same brush is evident in *Mercurius Politicus’s* January 1651 issue, which inserted a biting report from Leyden, the correspondent claiming that ‘I had thought all the Ranters had been Kings men, and spued out of your Land: for, I have seen good store of them here, among whom Ned Broughton the captain of Hachsters and Dammees of your nation’.¹⁰⁹

Similarly, the ballad *A Total Rout* (1653) interestingly conflated hectors with radical groups: the author repeatedly called hectors ‘my poor Ranter’ and

¹⁰⁶ Anonymous, *The Souldiers Language. Or, A Discourse Between Two Souldiers, the One Coming from York, the Other from Bristol, Shewing how the Warres Go on, and how the souldiers carrie and demean themselves. With a survey of what forces the King hath at command, both forraigne, and domestick* (1644), sig. Ar, A3v. See also ‘An Act for the better preventing and suppressing of prophane swearing and cursing, and of the Laws and Statutes made against Drunkenesse, unlawful frequenting and keeping Tippling, and Gaming-houses, and also against wandering Rogues, Vagabonds’: *A Perfect Account*, 4 (29 January-5 February 1651), pp. 30-31.

¹⁰⁷ Anonymous, *The Catterpillers of this Nation Anatomized*, pp. 37-8; Anonymous, *A Notable and Pleasant History of the Famous Renowned Knights of the Blade, commonly called Hectors or, St. Nicholas clerkes*, p. 11; Prestwich, *The Hectors: or The False Challenge*, p. 19.

¹⁰⁸ Anonymous, *The Catterpillers of this Nation Anatomized*, pp. 37-38.

¹⁰⁹ *Mercurius Politicus*, 33 (16-23 January 1651), p. 546. About the Ranters, see J.C. Davis, *Fear, myth, and history: the Ranters and the historians* (Cambridge: Cambridge University Press, 1986).

even commented that ‘Thus poverty makes you Gentlemen bold,/ Turn Levellers all for another mans gold’. Even though the author does not approve of the hectors’ actions as can be seen from the last lines of the ballad: ‘Thy cursed God dammees, and damnable cheats,/ Ungodly endeavours, and horrible feats,/ Are all Cable ropes to draw thee to Hell’, the tone of this ballad could be read as either sarcastic or playful.¹¹⁰ This shows that there were limits to how far this medium could be used to criticise hectors, because of the inherent sympathy towards criminals which characterised this body of writing.¹¹¹

Other examples of this ambivalence towards hectors (and in consequence, Cavaliers) can be glimpsed in some of the more full treatments of the hectors. The playlet *The Hectors: or The False Challenge* (1656) presented the hector characters as Royalists (they had lost their fortunes at the wars, probably due to sequestration, and their manners were reminiscent of Cavaliers) but the author was indulgent towards them: even though the hectors are described as ‘a Moth and Canker to thy country’, in the end they are rewarded by their victim with land and wealth, proving that sin sometimes goes unpunished. The reason given by their victim for this strange benevolence is that he believes in their redemption, and their willingness to live without ‘shifts’.¹¹²

This kind of absurd happy ending was more usual in plays, but even in *A Notable and Pleasant History of the Famous Renowned Knights of the Blade*, the author, while severely criticising hectors, still acknowledged their courage and expressed his hopes for their repentance, betraying a certain sympathy towards them. At the end of the pamphlet, the author commented that he had not named names, but admonished hectors to ‘leave off your robbing, stealing...whoring, cheating, lying, drinking, dicing, swearing, quarrelling, fighting, making of quarrels...’. This sympathy was conditional, however: if hectors did not take his

¹¹⁰ Anonymous, *A Total Rout* (1653).

¹¹¹ Friedman has read this ballad differently, as is part of the anti-Ranter literature and connected with Royalist critique: ‘for Royalists they [Ranters] became an emblem of the immoral excesses of the revolution’, Friedman, *Miracles and the pulp press*, pp. 109-110. I think however that the term ‘Ranter’ is used here as another insult heaped against Royalists, because this ballad follows the stereotypical description of hectors as Cavaliers.

¹¹² Prestwich, *The Hectors: or The False Challenge*, p. 69. There are parallels with Middleton’s *A mad world, my masters* (1608).

advice 'ile give you other shall rid you from all ill living. Goe to Tiburne and be hang'd'.¹¹³

Not all of the Royalist writers who acknowledged that hectors were part of their side, were grateful for this association. John Cleveland, the Royalist poet and satirist, published a poem in 1653 titled 'To the Hectors, upon the unfortunate death of H.Compton'.¹¹⁴ In this, Cleveland castigated hectors for orchestrating the duel between Colonel Henry Compton and George Brydges, Lord Chandos (both being Royalists).¹¹⁵ Cleveland accused hectors that they dictate 'who shall be battled next, who must be beat/ who kill'd: that you may drink, swear and eat'. The fact that because of the hectors Royalists fought among themselves is criticised bitterly, claiming that the hectors' actions played into the hand of their enemies, since the death of the Royalist Colonel was an unexpected boon for the Commonwealth. In Cleveland's words, hectors 'bid us fight a prize to feast the laughter of our enemies'.¹¹⁶ Regardless of the specific reasons Cleveland had to be outraged, it is evident from his description that he considered hectors to be part of the Royalist side, but that their debauched lifestyle hurt the King's cause.

The treatment of hectors after the Restoration is a testament to this ambivalent attitude towards Cavaliers by others of the Royalist persuasion. Charles II attempted to root out the habit of drinking, roaring and cursing so characteristic of both Cavaliers and hectors: the 1660 'Proclamation against vicious, debauch'd, and prophane persons', targeted specifically those 'who under pretence of Affection to Us and Our Service, assume to themselves the Liberty of Reviling, Threatning and Reproaching others' and those 'who spend their time in Taverns, Tipling-houses and Debauches, giving no other evidence of their affection to Us, but in Drinking Our health, and Inveighing against all

¹¹³ Anonymous, *A Notable and Pleasant History of the Famous Renowned Knights of the Blade*, p. 14.

¹¹⁴ John Cleveland, *Poems by J.C.; with additions, never before printed* (1653), pp. 17-19. *Mercurius Pragmaticus*, the Royalist newsbook commented in favour of duelling legislation as well, *Mercurius Pragmaticus*, 1 (18th-25th May 1652), p. 5.

¹¹⁵ Andrew Warmington, 'Brydges, George, sixth Baron Chandos (1620–1655)', *Oxford Dictionary of National Biography*, see online ed., ed. Lawrence Goldman, Oxford: OUP, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/3802> [accessed 11 November 2012].

¹¹⁶ George Brydges was charged with manslaughter and branded as a criminal, see Capp, *England's Culture Wars*, p. 168-9. A report of the finding of Compton's body after the duel in *A Perfect Account*, 72 (12-19 May 1652), p. 576.

other who are not of their own dissolute temper; and who, in truth, have more discredited Our cause by the Licence of their Manners and Lives, then they could ever advance it by their Affection or Courage'.¹¹⁷

Nonetheless, 'their Affection and Courage' were not unimportant elements, and hectoring had come to be viewed as a morally questionable yet tacitly acknowledged badge of service to the King: In *Truth's Discovery, or, The Cavaliers Case Clearly Stated* (1664), published by Edward Crouch, rowdiness and crime are presented as the distinctive characteristics of the Cavalier: 'He that cannot Swear and Swagger, Drink, Rant, and Rogue, is look'd upon (by some) as a pittiful Fellow, and not worth their keeping Company... These Vices have got such a custome of late, that they are look'd upon to be the only Badge to distinguish a Cavalier from a Sectary'.¹¹⁸ The fact that 'roguing' had become a basic characteristic of the self-representation of the Cavalier is indicative of how far the stereotypes of the 'hector' and the 'Cavalier' had coalesced. Richard Braithwaite's admonishment to the 'Croud of Supplicants at White-hall' suggested also that being a hector could be received as a compliment. Braithwaite characteristically wrote that 'Who serves his Sovereign for meer hope of gain, May have an Hector's heart, but's mind a Swain'.¹¹⁹ The fact that the King's followers are described as hectors instead of Cavaliers is indicative of the extent to which these two terms had become interwoven.

As we have seen, the disruption of normal life by the civil wars was depicted in crime pamphlets as giving birth to a new kind of criminal, the hector. Hectors were actually pursuing the same activities as the ones described in earlier crime pamphlets, but were additionally characterized as Royalist soldiers and duellists due to the context of the civil wars. The image of the hector, as we have seen, coalesced with that of the Cavalier, being connected to courage, rowdiness and crime. This elicited conflicting responses from both Parliamentarians and

¹¹⁷ England and Wales. Sovereign (1660-1685: Charles II), *A proclamation against vicious, debauch'd, and prophane persons* (1660). On how Royalist ballads and broadsides satirizing the Rump could be viewed as excessive and indecorous, thus harming the King's cause, see Jenner, 'The Roasting of the Rump', pp. 116-118.

¹¹⁸ Charles Hammond, *Truth's Discovery, or, The Cavaliers Case Clearly Stated by Conscience and Plain-dealing Presented to the Honorable Commissioners, and all the Truly Loyall and Indigent Officers, and Souldiers* (1664).

¹¹⁹ Richard Braithwaite, *To His Majesty upon his happy arrivall in our late discomposed Albion*. By R. Braithwait Esq. (1660), p. 15.

Royalists and the treatment of such phenomena in print showed how conscious both sides were of the opportunities to create publicity. This was even more evident in the case of James Hind, whose notoriety turned him into an excellent vehicle for propaganda. The exploitation of Hind's fame by a partisan bookseller such as Horton both put Hind's Royalism in the spotlight and probably further connected hectors and highwaymen with royalist sympathies. Contemporaries seemed to think that rogue pamphlets were important in the shaping of public opinion in the Interregnum, there is no reason why historians should think differently.

Chapter 6:
Infamous last words: rogues' dying speeches in the seventeenth century

In the late sixteenth and seventeenth centuries executions of criminals were public spectacles attended by large numbers of people, who were intent on watching the condemned's last performance. The criminal's behaviour as well as his last words were the object of discussion: people gathered to decide whether someone had died 'undaunted' or penitent, or if he had shown lack of spirit or callousness.¹ The curiosity aroused by these spectacles was exploited by publishers who circulated printed accounts, narrating the life of the criminal, and purportedly including his or her last words, usually, but not necessarily, on the scaffold.

Dying speeches, and the pamphlets in which they were usually found, have caught the attention of some scholars. According to Michel Foucault, executions constituted a performance orchestrated by authorities in order to promote conformity and advertise the power of the state to the ruled.² Continuing in this vein, James Sharpe has focused on the ideological mechanisms which promoted the internalization of obedience and made the convicted criminals willing participants (in most cases) in this theatre of justice, as can be seen from their dying speeches. In this context, the role of the ministers who prepared the criminal for his final hour by hammering home the need for penitence and acceptance of the rightness of punishment was of paramount importance.³

Thomas Laqueur shifted the emphasis to the crowd which attended the executions. Without the crowd's consent, he argued, the hangings could not take place, since the agents of law enforcement were outnumbered and usually disorganized. However, their passive permission effectively justified law enforcement, since, according to Laqueur, this approval made manifest that executions were grounded in the community and not the authorities.⁴ Laqueur's account therefore agrees with Foucault and Sharpe on the general point that

¹ Sharpe, "Last Dying Speeches", 144-167. See Pepys's description of Turner's dying speech in the third section.

² Foucault, *Discipline and punish*, pp. 65-67.

³ Sharpe, 'Last Dying Speeches', pp. 158-9.

⁴ Thomas Laqueur, 'Crowds, carnival and the state in English executions, 1604-1868', in A. Beier, D. Cannadine and J. Rosenheim (eds.), *The First Modern Society* (Cambridge: Cambridge University Press, 1989), 305-356.

executions promoted the coherence of the community, for they manifested the authorities' claim to represent the common good.⁵ More recently, Peter Lake and Michael Questier have examined the executions of Catholics for treason as a series of exchanges between the condemned, the representatives of authority and the crowd (without regarding any of these as monolithic entities), in which different agendas were played out and in which the condemned could tactically appropriate and twist the meaning of these spectacles.⁶

Most of those accounts (Foucault's excluded) implicitly employ the concept of hegemony, of ruling with the consent of the ruled.⁷ The authorities, both lay and clerical, used the executions of criminals as an opportunity to promote a hegemonic discourse, claiming that they served the good of the people. This claim was legitimized in the criminals' dying speech, a performative acceptance that their sins brought them to the scaffold and a request for forgiveness. Nonetheless, as Lake and Questier have argued, since the success of the execution spectacle depended upon the consent of the ruled, those occasions were open to appropriation by the other participants, namely the condemned and the crowd.⁸

This chapter will act as a case study, exploring the idea that pamphlets about rogues could communicate different agendas, and serve as a vehicle for governmental rhetoric, or as a battleground for confessional politics by the ministers who had attended the criminals, or even as a means of justification for the criminals themselves. Thus, it will develop the insights of Peter Lake's and Michael Questier's work. Whereas Lake's and Questier's investigation focuses on confessional politics, the work of godly ministers and the resistance of Catholic martyrs, my interest lies with secular crime. Consequently, this chapter focuses (naturally, given the scope of the thesis) on crimes against property,

⁵ The consensus of the community in law enforcement has been viewed as a prime example of conformity to central power, see for example Archer, *The pursuit of stability*.

⁶ Lake and Questier, 'Agency, Appropriation and Rhetoric under the Gallows', 64-107. These arguments were reprised in Lake with Questier, *The Antichrist's lewd hat*, pp. 229-280.

⁷ Thomas R. Bates, 'Gramsci and the Theory of Hegemony', *Journal of the History of Ideas*, 36, No. 2 (1975), 351-366.

⁸ 'every time a Catholic priest was executed the issue of where legitimate royal authority ended and tyranny and persecution began was, through speech and gesture, reopened and thrust on to the public stage', Lake and Questier, 'Agency, Appropriation and Rhetoric under the Gallows', pp. 68-72.

which were less frequently reported than executions for heresy, murder or treason.⁹

This allows for a look at a less exceptional kind of crime, and one evoking different associations: whereas people would readily condemn a traitor or a murderer, as we have seen there were cultural assumptions at work which conditionally justified (or at least excused) some kinds of crime against property. Executions of Catholics were politically charged events, since the very fact of their faith was a challenge to the status quo, whereas criminal trials had less ideological significance. However, the criminals' position was more vulnerable than that of the condemned Catholics, because they could not fall back on a clearly formulated counter-rhetoric. Catholics had available scripts formulated by those who had been executed before, and the Catholic communities in prisons must have helped to prepare them for their final performance.¹⁰ Furthermore, whereas Catholicism was the belief of a sizeable minority at least, making the condemned feel that part of the audience would be on their side, most people agreed that property crime should be punished.

We should not ignore, however, that the criminals involved in the pamphlets analysed were extraordinary enough to warrant the publication of a pamphlet about their lives. In the pamphlets *The life, apprehensio[n], arraignment, and execution of Char[les] Courtney, alias Hollice, alias Worsley, and Clement Slie fencer: with their escapes and breaking of prison* (1612), *A true declaration of the happy conversion, contrition, and Christian preparation of Francis Robinson, gentleman* (1618), and *The speech and deportment of Col. James Turner at his execution* (1664), the criminals seem to be more sophisticated than the average convict. However, what is signalled is their status as criminals or, more specifically, as rogues, since the criminals examined here were engaged in highway robbery, housebreaking, and fraud, all activities encompassed by the broader definition of roguery outlined in the Introduction. When people thought of rogues' voices, they were more likely to remember these

⁹ James Sharpe noted that, while crimes against property were the majority of those tried, murder was far more often publicized. Sharpe, 'Last Dying Speeches', p. 164.

¹⁰ About Catholic communities and networks in prisons, see Lisa McClain, *Lest we be damned: practical innovation and lived experience among Catholics in Protestant England, 1559-1642* (New York: Routledge, 2004).

exceptional cases as representative examples, and not the greater numbers of criminals who went to their deaths with few words.

This chapter focuses on the cheap printed accounts which were circulated in London following the criminals' execution.¹¹ By close readings of the three pamphlets narrating a criminal's last address to a public, I will examine the extent to which they retain elements of verbal performance, thus allowing some access to the execution speech itself. In general, my emphasis lies on the representation of these events and of the last words of the condemned in cheap format, and not on the executions themselves. However, by examining the gaps or tensions between authorial intention (however vague the term) and the delivered message, we are able to catch a glimpse of the oral delivery of the dying speech; this issue will be further explored in the second section.

The emphasis on cheap print accounts adds another dimension to the interplay of interests in these events, adding authors and publishers to the agents involved in the production of a printed execution pamphlet. It is very difficult to extrapolate what motivated those involved in the production of these pamphlets, because abstract generalizations cannot be justified by the evidence. As Lake and Questier have demonstrated, when it came to the execution spectacle, agents of law enforcement and representatives of the Church or the puritan side possessed divergent agendas.¹² In the same way, different outlooks could exist between various authors and publishers, some of whom were not only motivated by financial considerations, but –as was made clear in the previous chapter– attempted to serve their ideological commitments through these publications. For these reasons I attempt to unpack the different agendas involved in the production of these three pamphlets.

¹¹ Here cheap print refers only to pamphlets, not ballads. Ballads relating to a criminal's repentance differed from their respective pamphlets, presenting an entirely conventional story of prodigal life and bitter repentance, with no personalisation. The most characteristic example is Luke Hutton, who, as we saw in Chapter 3, wrote the pamphlet *The Blacke Dogge of Newgate* (1596) uncovering the abuses of law enforcement. The ballad *Luke Huttons Lamentation* (1598) was a completely formulaic depiction of ballad repentances, where the criminal merely prostrates himself in front of his audience, with expressions such as 'woe is me for my great folly' and 'the keeper was gentle and kinde'. It seems unlikely that the person who wrote a fierce criticism of law enforcement was the same as the author of the ballad.

¹² For example, there are differences of outlook between a sheriff representing the king's justice and a puritan minister, which would incite them to steer the condemned's speech and behaviour toward different goals: see Lake and Questier, 'Agency, Appropriation and Rhetoric under the Gallows', pp. 87-95.

Authors and publishers added new layers of interpretation to the accounts of execution.¹³ These pamphlets did not limit their content to the last words of the criminal, but framed them within a narrative of the criminal's life and of the actions which led to his or her execution. This framing could work as a moralizing tool, or it could be used more broadly to promote a particular viewpoint. The reason why the pamphlets are viewed as a continuation of the execution spectacle and not an entirely different account is that there is a good chance they were actually delivered in a similar fashion. The great interest in the execution of criminals meant that a significant discrepancy between the execution and the printed account of it would probably not have passed unnoticed, especially in London cases.¹⁴ In addition, there are cases where it can be shown that the printed account was very close to the original, as will be illustrated when examining *The speech and deportment of Col. James Turner at his execution* (1664).

The most important question that this chapter aims to address is whether the format of the dying speech allowed the condemned criminals the opportunity for limited agency. As we have seen, criminals awaiting execution for crimes against property were faced with a hostile audience and no clearly-defined rhetorical strategy available. This chapter will examine how far criminals could create a space for their own agency within the confines of a situation that forced them to create a narrative of repentance and compliance to justice. In this

¹³ As Andrea McKenzie has noted for late seventeenth- and early eighteenth-century criminal confessions, these 'were stories in the same way that all life histories are stories—stories shaped and appropriated by clergymen and pamphleteers, readers and listeners and even, sometimes, by the malefactors themselves': McKenzie, *Tyburn's Martyrs*, p. 53.

¹⁴ Alastair Bellamy has noted that in the Overbury case, two broadside ballads about James Franklin (one of those executed) framed Franklin's repentance in formulaic terms, whereas a letter by an eyewitness claimed that he had died unrepentant: Alastair Bellamy, *The politics of court scandal in early modern England: news culture and the Overbury affair, 1603-1666* (Cambridge: Cambridge University Press, 2002), pp. 227-229. Even if we accept the factual accuracy of the letter (which Bellamy does not do), it does not alter the argument here, since ballads conventionally presented the criminal's repentance in formulaic terms. On the other hand, Andrea McKenzie has argued that, at least from the late seventeenth century, 'not only was the market for such accounts so brisk that forgeries were unlikely to pass unchallenged, but there was a surprising degree of consistency even between hostile and sympathetic descriptions of last dying words and behaviour': McKenzie, *Tyburn's Martyrs*, p. 40. Unless more compelling evidence can be found, I tend to accept that, for the case studies presented here at least, a complete forgery is unlikely.

unfavourable environment, how could criminals avoid the stigma attached to their actions and present themselves as a worthy object of sympathy?

This line of investigation is very close to Andrea McKenzie's work on those executed at Tyburn from 1675 to 1775. McKenzie's analysis of cheap print relating to executions, mostly criminal biographies and last dying speeches, has highlighted how those condemned could use a narrative of repentance while at the same time not accepting the accusations leveled against them. For example, most opted for a general admission of guilt, acknowledging their 'great sins', but did not accept their conviction for the specific crime.¹⁵ McKenzie argued that it was in the late seventeenth and early eighteenth centuries that criminal lives and dying speeches proliferated, and many of their characteristics were consolidated.¹⁶ This chapter will extend McKenzie's investigation into the early seventeenth century, arguing for the existence of numerous earlier dying speeches and criminal lives, and that scripts exonerating –or at least creating sympathy for criminals– were already in place.

The cultural assumptions surrounding executions presented criminals with great difficulties, but also with some opportunities. The criminal appearing in front of a crowd had the chance to address the spectators, usually in order to narrate his life and how his actions brought him to this end. His proximity to death made his words more significant and more likely to be received as the truth, and this speech was an essential part of the execution ritual.¹⁷ As has been said before, he was expected to behave in a particular way, because of the exploitation of the speech by the authorities, who wished to make the criminal appear as a heinous offender, and thus deserving of the death penalty; this was not immediately apparent to everyone, since there were some voices against the execution of thieves, even if few in number.¹⁸ In the eyes of the authorities, the

¹⁵ McKenzie, *Tyburn's Martyrs*, pp. 146-151.

¹⁶ *Ibid*, pp. 31, 102.

¹⁷ According to Andrea McKenzie, 'it was believed that only an idiot, a lunatic or an atheist would risk appearing before God with a lie in his or her mouth': McKenzie, *Tyburn's Martyrs*, p. xvi.

¹⁸ Michael Sparke, *Greevous grones for the poore* (1621); Anonymous, *Stanleyes remedy: or, the way how to reform wandring beggers, theeves, high-way robbers and pick-pockets* (1646). For more details, see J. A. Sharpe, 'Civility, civilizing processes and the end of public punishment in England', in Peter Burke, Brian Howard Harrison and Paul Slack (eds.), *Civil*

best way to do that was to insist that the criminal's crime was one of extravagance, not need, thus robbing him of any justification.

Furthermore, according to religious belief, the soul of the robber before the gallows was a prime battleground between the forces of good and evil. Firstly, repentance was a constitutive element of the 'good death'. The moment of death, and whether one reached it repentant was crucial for the soul, since it was believed that 'the salvation of man is determined at his death'.¹⁹ Additionally, the salvation of the good robber, who repented on the cross, was an evocative example of the power of salvation at the gallows. For this reason, and with this rhetoric, ministers who attended the condemned attempted to convert lawless criminals into repentant sinners.²⁰

Religious belief and biblical example shaped the criminal's performance at the execution. One central model for criminal autobiography at the gallows was the narrative of religious conversion, based on Augustine's model of describing his wayward life until the pivotal moment of conversion.²¹ The conversion narrative was one of the most conventional ways to narrate a life in the early modern period, and, in the circumstances, was especially useful, because it involved confession and acceptance of one's transgressive past.²² The initial stages of the criminal's life followed the pattern of the prodigal son trope, a favourite in Protestant England: the criminal would describe his life as a continual fall from grace, usually insisting on his good birth and upbringing, despite which he ended up indulging in sinful behaviour (usually drinking, spending his money recklessly and/or associating with prostitutes). This lifestyle resulted in the loss of his money and left him with no other option but to find illegal ways of gaining money.²³ This behaviour continued until his arrest, when,

histories: essays presented to Sir Keith Thomas (Oxford; New York: Oxford University Press, 2000), 215-230.

¹⁹ Philippe Aries, *The hour of our death*, (Harmondsworth: Penguin, Peregrine, 1983, 2nd edition), p. 109. Also, Richard Wunderli and Gerald Broce, 'The Final Moment before Death in Early Modern England', *The Sixteenth Century Journal*, 20, No. 2 (1989), p. 260.

²⁰ McKenzie, *Tyburn's Martyrs*, pp. 140-141.

²¹ Sidonie Smith and Julia Watson, *Reading autobiography: a guide for interpreting life narratives* (Minneapolis; London: University of Minnesota Press, 2001), p. 85.

²² The other common life narrative was the secular *res gestae* (the story of deeds done): Smith and Watson, *Reading autobiography*, p. 93.

²³ For the theme of the prodigal son, see Patrick Collinson, *The birthpangs of Protestant England: religious and cultural change in the sixteenth and seventeenth centuries* (New York: St. Martin's Press, 1988), p. 105; Alan R. Young, *The English prodigal son play: a theatrical fashion*

being in prison, he experienced a moment of conversion, realizing the error of his ways and decided to die as a good Christian, thus saving his soul.²⁴

This was not only requested by the ministers, but also by crowd pressure: those who were gathered at the gallows expected the felon to cathartically narrate his past transgressions, in order to die ‘a good death’.²⁵ The pressure of the authorities, the ministers and the crowd, as well as the belief that last moment repentance could be efficacious, come close to what Erving Goffman has categorized as ways of managing the stigma attached to a criminal action. Goffman has suggested that ‘it can be assumed that a necessary condition for social life is the sharing of a single set of normative expectations by all participants, the norms being sustained in part because of being incorporated. When a rule is broken restorative measures will occur; the damaging is terminated and the damage repaired, whether by control agencies or by the culprit himself’.²⁶ In this sense, the dying speech can be viewed as a method by which the criminal could accept publicly that his actions were disruptive to the common good and with this admission help repair the social fabric. This approach, however, robs the condemned of agency, by assuming that they passively accepted societal norms and the need to mend the social fabric.

Even though criminals have been considered ‘willing participants’ in the theatre of justice, since they more often than not rehearsed the same penitent lines,²⁷ one can view their dying speeches as more complicated narratives. Lake and Questier have shown how Catholics condemned for treason could tactically manipulate the circumstances they found themselves in, by accepting the

of the sixteenth and seventeenth centuries (Salzburg: Inst. f. Anglistik u. Amerikanistik, Univ. Salzburg, 1979), pp. 20-26; Stevenson, *Praise and Paradox*, pp. 103-105.

²⁴ These probably followed from treason trials (see Sharpe, “‘Last Dying Speeches’”) and were the same even in far more politicized executions, such as John Felton’s, who assassinated George Villiers. His repentant printed dying speech had all the same elements of asking for God’s forgiveness, admitting his seduction by the Devil and providing a legitimization of authority. Alastair Bellany, ‘Libels in Action: Ritual, Subversion and the English Literary Underground, 1603-42’, in Harris (ed.) *Politics of the Excluded*, pp. 107-108. The first example of such a dying speech from a rogue is Greene, *The Blacke Bookes Messenger* (1592), which was a fictional account.

²⁵ McKenzie has noted that in the late seventeenth and early eighteenth centuries, criminals who decided to ‘die game’ could also be admired by the crowd, but, according to her, this was a new development: Andrea McKenzie, ‘Martyrs in Low Life? Dying ‘Game’ in Augustan England’, *Journal of British Studies* (2003), 167-205.

²⁶ Erving Goffman, *Stigma: notes on the management of spoiled identity* (Englewood Cliffs, N.J.: Prentice-Hall, 1963), pp. 127-8.

²⁷ Sharpe, “‘Last Dying Speeches’”.

Queen's just claims to authority in temporal matters, but resisting the state's labelling of them as traitors, presenting themselves as martyrs instead.²⁸ Those committing crimes against property (highway robbers, confidence tricksters and burglars in our case) did not represent a distinct 'other side', such as Catholicism, and thus did not have a ready cultural script to follow.

However, and as we have seen, criminals had specific scripts they could resort to. The prodigal son motif and the narrative of religious repentance could also be appropriated by criminals in order to claim the crowd's sympathy, and – surprisingly – to avoid fully accepting their guilt.²⁹ In the cases I will be discussing, criminals followed the technique of accepting part of what they were accused of, while countering some of the accusations that were made against them, or attempting to present themselves in a more positive way. In this chapter, I use Gabrielle Spiegel's more nuanced definition of agency as 'the adaptive, strategic, and tactical uses made of existing cultural schemes by agents who, in the very act of deploying the elements of culture, both reproduce and transform them'.³⁰ This acknowledges the confines imposed on the individual's will by culture, but does not efface the possibility of independent action.

The playful robber: Charles Courtney and his escapes from categorization

Charles Courtney had a brief but eventful life as a highway robber, a burglar and a conman. Even his arrest did not halt his career, proving that he could as easily break out of prison as break into houses. He escaped twice from Newgate, albeit not for long: a couple of days after his second escape he was captured again and finally executed.³¹ The only information we have about him is derived from a pamphlet named *The life, apprehensio[n,] arraignment, and*

²⁸ Lake and Questier, 'Agency, Appropriation and Rhetoric under the Gallows', p. 77.

²⁹ According to McKenzie, the biblical examples of the prodigal son and the penitent thief could also be used by criminals 'as evidence of the sufficiency of general, rather than particular, confessions': McKenzie, *Tyburn's Martyrs*, p. 140.

³⁰ Gabrielle M. Spiegel, *Practicing history: new directions in historical writing after the linguistic turn* (New York; London: Routledge, 2005), p. 13.

³¹ Newgate prison was not the best-guarded prison in any case: in the early eighteenth century, Jack Sheppard escaped from there four times. Peter Linebaugh, *The London hanged: crime and civil society in the eighteenth century* (London, Allen Lane, 1991), pp. 28-39.

execution of Char[les] Courtney, alias Hollice, alias Worsley, and Clement Slie fencer (1612).³² This was published in 1612 and survives only in one copy (held in the British Library); this might be a matter of survival, or it might suggest that its topical subject matter made a reprint at a later date a doubtful investment.³³

This was an account, supposedly written by the criminal himself, of his life and various illegal dealings, including highway robbery, confidence tricks and burglary, as well as his escapes from prison and his final hours before the execution. The pamphlet was entered in the Stationers' Registers by John Busby and John Trundle on 13 March 1612, and was printed and sold in the same year by Edward Marchant, who focused on the production of ballads and other ephemeral literature. *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney* was part of such literature, being only four sheets long, and dealing with a topical subject.³⁴ In addition, the last part of the pamphlet, 'Courtneis Repentance', a poem describing his feelings of remorse bore a striking resemblance to other repentances in verse. This might have been sold separately as a ballad, since ballad repentances of highwaymen with similar titles were very common.³⁵ In general, it catered to the growing interest in quickly and cheaply printed publications about the lives of criminals, which emerged in the wake of an execution.

The interest of the reader would be piqued by the woodcut which presented the main points of Courtney's life even for an illiterate audience: it showed a prison, identified as Newgate by a sign showing a black dog (the pamphlet *The Black Dog of Newgate* must have made this association automatic).³⁶ Two men, clearly Courtney and Slie, can be seen climbing down from the battlements. The gallows framing the image, with the two figures hanging from them, reminded readers of the execution of these two men and at the same time acted as a warning that such actions would always bring bad results. This is one of the few pamphlets I have examined where a detailed and

³² Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*.

³³ Only one copy exists according to the English Short Title Catalogue (ESTC).

³⁴ Refer back to Chapter 2 for the sizes of pamphlets.

³⁵ Repentances in verse were printed frequently: the example of *Luke Huttons Lamentation* (1598) has already been mentioned. Similarly, 'Ratseis Repentance' was included in *The life and death of Gamaliel Ratsey* (1605).

³⁶ Hutton, *The Blacke Dogge of Newgate* (1596). This pamphlet was analysed in Chapter 3.

good quality woodcut was used, even if it was the only woodcut in this pamphlet. This complemented the good quality of prose evident in this printed account.

Even though we do not have information about Courtney from other sources, it seems quite likely that he was a historical figure.³⁷ The most suggestive evidence for his existence is a meeting narrated in the pamphlet between Courtney and Henry Montague, the judge, who exhorted him to repent in order to save his soul, on Friday ‘being the thirteenth of this instant moneth of March’ (the day before his execution).³⁸ We know that Henry Montague (or Montagu) was a judge of the assizes, riding the midland, home, and western circuits since 1612 and, as will be shown below, he took an active interest in the spiritual welfare of prisoners.³⁹ It seems unlikely that a pamphlet would include a meeting with a known and living judge if it had never taken place. The chronological proximity of Courtney’s execution and the entry of the pamphlet in the Stationers’ Registers (both taking place in the same month) suggests further that the pamphlet was printed in order to satisfy the audience’s curiosity about a recent execution, and imposed some limitation on the writer’s ability to fabricate this story.⁴⁰

Even if this pamphlet dealt with an actual criminal, it cannot be ascertained whether Courtney indeed wrote his autobiography or if this text was the product of a writer who used Courtney as a persona. The use of literary devices could indicate that the account was not written by Courtney, who probably would not have such familiarity with literary conventions. For example, in describing a robbery, the author uses a fast-paced narrative in order to create a sense of suspense: ‘three of us on the sudden slunke downe the stares, hast to the

³⁷ Which was not always the case: *Blacke Bookes Messenger*, even though supposedly written by a criminal, was in reality penned by Robert Greene.

³⁸ Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sig. Dv.

³⁹ Brian Quintrell, ‘Montagu, Henry, first earl of Manchester (c.1564–1642)’, *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/19020> [accessed 20 January 2012]; Goodcole, *A true declaration of the happy conversion, contrition, and Christian preparation of Francis Robinson, gentleman* (1618).

⁴⁰ From the reference mentioned in the English Short Title Catalogue, http://estc.bl.uk/F/NAIDEPUBJVBGHKBS9LE79821VYK6MEXDTJKL8XFABTMEJCP19N-10711?func=full-set-set&set_number=071051&set_entry=000001&format=999

house, open the doore and up into the Chambers...'⁴¹ The use of historic present creates directness that is dramatically appropriate in order to build up suspense.

Furthermore, the narrator at points provides viewpoints different from his own, as in the case of the victim's reaction to a burglary by Courtney: 'Master Gardner with his wife come home to their house, find their doore shut, there was no hurt in that, bids his wife light a candle, there was no hurt in that...'.⁴² The author could not have known this, but he apparently added it for dramatic effect. We should also consider the possibility that, even if the author was not Courtney, it is possible that a hack writer had access to him and took notes from him. The practice of talking to criminals and using this information to publish a pamphlet was very common in the eighteenth century, particularly in *The Ordinary of Newgate's Accounts*. The best known example of this practice in the seventeenth century is Henry Goodcole, the ordinary of Newgate, who published a number of pamphlets based on his experience.⁴³

Regardless of whether Courtney is the text's author or a persona, the pamphlet was in any case presented as the final address of this criminal to the public, and was written in first person, something rare in life and death narratives.⁴⁴ Consequently, what is of more interest is the way in which the criminal presented himself to the audience and the functions that this pamphlet fulfilled. I will show how this pamphlet functioned in two distinct ways: on the one hand confirming the deservedness of Courtney's punishment, and on the other redeeming his reputation. What is particularly characteristic and, arguably, quite usual in these narratives, was the way in which these two functions seemed to coexist in the same pamphlet quite seamlessly.

As we have already noted, the conventional style of narrating a criminal life drew upon the narrative of religious conversion accompanied by the theme of the prodigal son. The story presented here contained all the usual elements of a conversion narrative: Courtney describes how he was brought up honestly and in wealth, his association with members of the gentry (he was a gentleman himself),

⁴¹ Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sig. Cr.

⁴² Ibid, sig. Cr.

⁴³ Goodcole's case will be discussed in detail in the next section.

⁴⁴ *The blacke bookes messenger* (1592) combined first and third person, but most life and death narratives were written as biographies (see Appendix 2 about the categories of rogue pamphlets). Courtney's is an exception, since it maintains that it is an autobiography.

his marriage to a virtuous lady, which improved further his fortunes and then his fall: ‘my civillitie was turned to disorder, my temperance to drunkennesse, my thrift to ryot, my honestie to misbehaviour, and my whole life to those unseemly acts’ such as drinking, dicing and whoring.⁴⁵ This happened immediately after his parents’ death, suggesting a child-like quality to Courtney’s character, since he was unable to keep to the straight and narrow as soon as parental direction was lost. All these activities were costly, forcing him to turn to highway robbery and, after finding some companions in London, to burglary.

Courtney played the role of the penitent with all the expected fervour, admitting ‘with my shame, I must say, I have sinned’ and ‘my sinnes must be struck, the Law requires it, and mine iniquities have deserved it’.⁴⁶ The preface played with the stereotype of having an editorial against sin, where the spread of sin and iniquity is lamented, and men’s absurd love for temporal things, which incites them to vicious actions, is criticised. In this case, however, this is done by the criminal, who admits that his past does not justify such moralizing tone, since ‘who will receive a homely counsel from that tongue, whose folly brought him to be condemned himselfe?’⁴⁷ Even the circumstances of the writing, supposedly on his last day, when he was contemplating the course of his life and presenting the world with a warning piece, made it an ideal conversion narrative.

However, this was not the only way in which Courtney attempted to present himself, nor is it shown through the text that his repentance was as heartfelt as his initial statements suggest. Firstly, it is clear that he was playing for an audience which he hoped to persuade of his own version of things; he attempted this by addressing the reader often in the text and providing instructions about the ways in which the reader should react to this pamphlet and, consequently, to Courtney’s memory. Implying that there were people who spread false rumours about himself (he hoped that his death would ‘abate the

⁴⁵ Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sig. B2v. This is common in most life narratives of criminals. See, for example: Anonymous, *The life and death of Gamaliel Ratsey* (1605); Anonymous, *A Second Discovery of Hind’s Exploits* (1651); Fidge, *The English Gusman* (1652); Anonymous, *Hinds Elder Brother, or the master thief discovered* (1652); Anonymous, *The witty rogue arraigned, condemned, and executed* (1656); Anonymous, *The life and death of Mrs. Mary Frith* (1662), et al.

⁴⁶ Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sig. Bv.

⁴⁷ He explained though that there was a reason why they might do so by adding ‘foelix quem faciunt aliena pericula cautum’: he who takes heed from others’ dangers is happy. Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sigs. Br-Bv.

keene sharpnes of their rumouring tongues'), he showed how he intended this text to function:

if anie thirstie or unsatisfied spleen, either rejoycing at my death, or bemoaning my ruine, shall desire to see unraveld the whole web of my life, he shall here behold the peece of my Travels: in reading which, *I desire him* to wash from his memorie the stains of my name: here shall he reade my diurnal transgressions, which *I request him* to pardon, and not to reprove (since no Curre is so cruell to bite the dead)⁴⁸

In this passage Courtney attempts to win over the reader, by indicating that there were some who would rejoice at his death because of his tarnished reputation, but he expected, and instructed, the readers to both clear his reputation and pardon his transgressions in the end.⁴⁹ Courtney's repentance allows him to make such requests: since he is (or at least claims to be) a reformed man, his past mistakes should be left behind. In *As you like it*, Oliver maintains that conversion changes a person so completely that any previous transgressions cannot be counted against him:

'Twas I: but 'tis not I: I doe not shame
To tell you what I was, since my conversion
So sweetly tastes, being the thing I am⁵⁰

After all, it would show bad grace to accuse the dead.

The rest of the pamphlet shows more clearly how Courtney attempted to present himself in a far more favourable light than his actions would warrant: even though he was a robber, he shied away from the baser crimes such as murder ('never ... did I shed any blood') or stealing from the poor: 'I never

⁴⁸ Ibid, sig. B2, emphasis mine.

⁴⁹ Similar statements (albeit from a different robber) are expressed in *The Last Will and Testament of James Hynd, high-way lawyer* (1651), where Hind states: 'I commit my Body to the disposall of the Executioner, and my Fame to the breath of the multitude; beseeching the last not to caluminate my memorie'. Anonymous, *The Last Will and Testament of James Hynd, high-way lawyer* (1651), p. 4.

⁵⁰ William Shakespeare, 'As you like it', in William Shakespeare, *Mr. William Shakespeares comedies, histories, and tragedies* (1623), p. 203.

tooke from the needy, or those whose povertie might cause them to complaine, but all my aime either at house or highway, were at such Curmudgions, who care not who starves so themselves bee Corne fed'. This was a common excuse of highway robbers, and we saw in Chapter 5 how Hind exploited this convention.⁵¹ In addition, Courtney went to great lengths to show that he had an, admittedly curious and selective, sense of honour: when he narrated how two gentlemen were executed for a crime he had committed, he carefully added that 'these gentlemen were apprehended, judged and dead ere I knew of it, for I protest (as I thinke) had I known thereof before their execution, I should have yeilded my owne life'.⁵²

The few cases he described in detail were those where his victims could be presented as in some way deserving such a treatment: Gardner, whose house he burgled, was 'an usurer', 'one that would keepe a house of great use, yet have no hospitalitie in it',⁵³ while the deception against his crew was justified on the grounds that they were of the same ilk: 'holding it no sinne to deceive the deceivers'.⁵⁴ It comes as no surprise that the victims he singled out for detailed mention were the ones towards whom the readers could feel less sympathy. As we saw in previous chapters, attacks on usurers in contemporary texts occurred so frequently as to make their public condemnation automatic, and criminals were fair game as victims of deception. Both the presentation of his victims as morally corrupt and the inclusion of the trickster tricked theme are topoi in rogue literature, usually utilized in order to create sympathy for the criminal. Courtney used this strategy very effectively, appealing to the moral values of his audience,

⁵¹ Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sig. B3. It seems that this kind of storyline was expected, because even when there was an attempt to change this narrative, it tended to re-assert its prevalence. The author of the first pamphlet about Hannam, *The English villain or the grand thief* (1656), condemned the robber for the murders he had committed. However, only seven days later, another pamphlet was published, *The witty rogue arraigned, condemned, and executed*, which claimed that Hainam returned the money to a poor man he had robbed, saying 'I come not to rob the poor', as well as that 'he abhorred the shedding of blood', a statement doubly peculiar since Hainam was arrested for stabbing a man, which the pamphlet acknowledges: S., *The witty rogue arraigned, condemned, and executed* (1656), pp. 23, 32. This kind of story must have been more acceptable to readers and this is why it kept cropping up.

⁵² Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sig. B3r.

⁵³ Ibid, sig. B3v. About hospitality, see Felicity Heal, *Hospitality in early modern England* (Oxford: Oxford University Press 1990).

⁵⁴ Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sig. Cv.

values he claimed to share. At the same time, the fact that Courtney, by his own admission, had robbed numerous others, was conveniently swept under the carpet.⁵⁵

Through all the stories narrated about his robberies and his escapes, the pamphlet stresses Courtney's cunning, his ability to improvise and his adaptability. The reader could not but be impressed by his vitality: regardless of how desperate the situation seemed, no obstacle proved unsurpassable for Courtney. When he saw that he and his companions could not open Gardner's door, he became good friends with his victim and invited him to a dinner, in order to pick his housekey out of his pocket, thus enabling the burglary.⁵⁶ When he was in prison, he never gave up but was constantly devising plans to escape, using every means at his disposal: his ability to ingratiate himself to the keeper and other prisoners, his skill at opening locks, his good physical condition in climbing out of the battlements of Newgate, as well as his contacts who brought him the necessary tools and afterwards provided him with a hiding place.⁵⁷ It is clear that incarceration did not change his outlook, since he performed another robbery as soon as he was free: arriving at a safe house on Sunday night, 'with others plotted to robbe a worshipfull gentleman at Layton on munday night'.⁵⁸ This makes his final repentance look somewhat suspicious, unless it was his final attempt, since he could no longer escape death, to try his luck at escaping damnation.⁵⁹

We cannot conclusively assess how readers would actually have read this pamphlet, but Courtney's attempt to create an alternative reading of his life probably indicates that he expected some to accept it as a valid narrative. The text suggests that there was a suspicious, or even downright hostile audience, but one that could be persuaded that he was not worthy of condemnation, even if he was worthy of punishment. Using a combination of repentance and the show of

⁵⁵ The statements about his victims were particularly commonplace, emerging time and again in pamphlets about rogues. However, the fact that they appeared in accounts which had an even greater claim to be true (since they were dealing with known criminals) suggests that this was an accepted stereotype. See Chapter 3 and Hansen, 'Sin City and the Urban Condom', pp. 214, 223-25.

⁵⁶ Courtney, *The life, apprehensio[n,] arraignment, and execution of Char[les] Courtney*, sigs. B4r-Cr.

⁵⁷ *Ibid.*, sigs. C2r-Dr.

⁵⁸ *Ibid.*, sig. Dr.

⁵⁹ *Ibid.*, sig. Dr.

shared moral values with his audience, as well as the prodigal son motif (all the commonplace ways of eliciting sympathy), he tried to present his actions as follies of youth and not the machinations of a corrupt spirit, making it easier to forgive him. Courtney invited his readers to sympathise with the image of the child-like robber, who is vivacious and witty. The prodigal son trope, as well, rested on the assumption that since repentance was honest, the salvation of the soul was certain.⁶⁰ Within the boundaries of a performed repentance, Courtney did as much as he could to secure the favour of his readers and to rescue his fame from any ‘unsatisfied spleen[s]’.

Ventriloquism and conversion: Goodcole’s *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson*

If the previous pamphlet used the convention of being written by the criminal, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman* (1618) is the exact opposite: this is a pamphlet written in the third person by a state official, Henry Goodcole. Goodcole was a lecturer at Ludgate prison (and from 1620 Ordinary of Newgate), charged with the task of spiritually preparing criminals for their impending deaths.⁶¹ He used his proximity and involvement with the convicts to publish a series of biographies of the criminals in his charge, beginning with *A true Declaration*. This pamphlet narrated the case of Francis Robinson, a highborn conman who in 1618 counterfeited a commission bearing the Great Seal of England. This document he used to levy 28 pounds from various counties, but his good fortune did not last long; after one month he was arrested and consequently executed for high treason on the 13 November 1618.⁶²

⁶⁰ Young, *The English Prodigal Son Plays*, p. 3.

⁶¹ On the spiritual work of the Ordinaries of Newgate in the late seventeenth and early eighteenth centuries, see McKenzie, *Tyburn's martyrs*, pp. 126-144.

⁶² Technically Robinson was assigned a different minister, Robert Pricket, since at the time Goodcole was a lecturer of Ludgate gaol. However Goodcole intervened in his work and gained recognition by publishing this pamphlet and emphasising his role in the repentance and conversion of the criminal. Christopher Chapman, ‘Goodcole, Henry (*bap.* 1586, *d.* 1641)’,

This 24-page quarto pamphlet was entered in the Stationers Registers on 24 November, and was presumably published not long after that date. The fact that it took eleven days from the execution to the entry of this pamphlet might suggest either that Goodcole was not sure whether he wanted to produce a printed account, or that he required some time to emplot his narrative so as to serve his goals of validating law enforcement and promoting the Puritan cause. If in other pamphlets it is unclear whether the author attempted to shape the pamphlet to produce a moralising effect, in this one it is rendered extremely explicit. Goodcole was both a state official and a Protestant minister of Puritan leanings, trying to appeal to like-minded individuals and to persuade others to share his point of view.

His first aim is to celebrate the proceedings of justice, by showing the diligence of those administering it, as well as the inevitability of punishment.⁶³ This became clear from the beginning, with the dedicatory epistle ‘To the Right honorable Sir Henry Mountague, Lord Chief Justice of England’ (the same judge mentioned in Courtney’s pamphlet). According to the epistle, Goodcole’s reason for writing was ‘to proclaime unto all her dwellers therein, your great mercy to distressed soules, desiring to comfort them, & by all meanes possible to save them, aswel as your Justice & zeale to punish and cut offenders’.⁶⁴ Goodcole was probably trying to procure Montagu’s favour,⁶⁵ but at the same time he was showing that justice in this case was working properly, by applying both mercy and punishment in proportionate measures.

The emphasis on the role of the Royal Attorney General, Sir Henry Yelverton, in bringing about Robinson’s confession is another aspect of this celebration of law enforcement. Robinson, after hearing the Attorney General prove his guilt, humbly acknowledged ‘how God did make his owne wisdom to be foolishnesse...that presuming he had some sound judgement and true knowledge of the law, upon which hee too much built and relyed, for his

Oxford Dictionary of National Biography, <http://www.oxforddnb.com/view/article/10959> [accessed 30 January 2012].

⁶³ He did something similar in the preface to Goodcole, *Londons cry* (1620).

⁶⁴ Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman* (1618), sig. A2r.

⁶⁵ See Randall Martin, ‘Henry Goodcole, Visitor of Newgate: Crime, Conversion, and Patronage’, *The Seventeenth century*, 20, No. 2, (2005), 153-184.

knowledge therein, was but the flash of pride and presumption'.⁶⁶ In this passage the Attorney General is presented as God's instrument and the prestige of monarchical power, wounded because of the appropriation of the Great Seal for illegal purposes, is reinstated by an agent of the law. In the end, the criminal was shown to accept this description of justice. Goodcole related the two legacies that Robinson apparently left to Goodcole: to give his thanks to Montague for all his efforts on his behalf and to the Attorney General for refuting his claims.⁶⁷

Goodcole was not acting only as an agent of the state in publishing this pamphlet, however. Peter Lake has shown how Puritans appropriated the genre of crime pamphlets to serve as a more 'popular' vehicle to disseminate puritan ideas to a wider audience. In order to do so they expanded and gave a puritan twist to the 'popular' providentialism evident in some of the pre-existing crime pamphlets.⁶⁸ Goodcole's work was part of this tradition, combining scintillating crime stories with pastoral admonitions to his readers. This pamphlet reads like a practical theological lesson with clear Protestant connotations.⁶⁹ This effect is achieved by the structure of this account which delineates in different sections the downfall of Robinson as an example of the rewards of sinful life, taking care to draw out the moral of the story that readers were expected to absorb.

Already from the address 'To the Christian Reader', Goodcole directs the readers as to how they are expected to interpret his text, by emphasising that his account showed how instability in profession and religion 'breeds corrupt lives, and unrecoverable downfalls' and exhorting them to 'stand fast in thy faith, profession, and religion'.⁷⁰ The author repeatedly addressed the reader throughout the pamphlet, with words such as 'observe' and 'note', as for example in the title of Robinson's account of his life 'Now to confirme you how this Gentleman, as he himself related to me, fell, *observe* what followeth',⁷¹ or

⁶⁶ Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman*, sig. B2v.

⁶⁷ *Ibid.*, sigs. C2r-C2v.

⁶⁸ Lake, 'Deeds against Nature', 257-283. On providentialism see Walsham, *Providence in early modern England*.

⁶⁹ Both Montagu and Yelverton were Puritans as well, S. R. Gardiner, 'Yelverton, Sir Henry (1566-1630)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Jan 2008, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/30214> [accessed 5 February 2012].

⁷⁰ Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman*, sigs. A3r-A3v.

⁷¹ *Ibid.*, sig. Br, emphasis mine.

the repeated marginal annotations ‘note this’ where Goodcole wanted to draw special attention to passages that could have general applications.⁷² Additionally, Goodcole provided the readers with the prayers and passages of Scripture which consoled (according to the writer) the prisoner in his last moments: in this way, this pamphlet could function as a focus for worship as well as a relation of the circumstances of an actual crime.⁷³ The conclusion of the pamphlet, with the mention that this was written in the hope that ‘his downfall may make all others wary’ aptly epitomizes Goodcole’s intentions.

The description of the criminal that emerges from this pamphlet is not a particularly negative one: the author treats him as a victim of circumstances, or his own sins, but not in an uncharitable way. Characteristically, Goodcole refers to the criminal as ‘a silly simple innocent Lambe’,⁷⁴ an expression which presents Robinson both Christ-like and childlike. The ‘enormity’ of his crime is smoothed over by the insistence on repentance, which was to Goodcole’s advantage, since he was mainly interested in providing a moral lesson. Another reason however was that the pamphlet had an actual villain, Morgans, Robinson’s accomplice who, according to the author, had converted him to Catholicism. This was an ingenious way of linking Catholicism with crime, which Goodcole made explicit by reporting Robinson’s words when he arrived at Newgate: ‘[he] earnestly entreated those that stoode by him, to take heede of Papists, and evill company, for they were the cause of his destruction’, and his admission later that ‘Morgan did seduce him first, from his Religion, and after that, his heart was inclinable to receive, what Morgans poisoned tongue of mischiefe would speake’.⁷⁵ This pamphlet dramatises the pervasive threat of Catholicism, and how a Puritan minister, Goodcole, was able to counter it.

⁷² This occurred in 3 different occasions: the first while speaking about Robinson’s life and its downward path ‘as he himself observed we may see the nature of sinne, which if not prevented in time, how it getteth the masterie of us’, the second to stress that Robinson’s downfall began with his conversion to Catholicism, and thirdly, when describing a moment of Divine Providence when the criminal tried to escape but realised that he couldn’t move, Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman*, sigs. Bv-B2r.

⁷³ ‘The prayers wherein he was exercised day and night’, sig. B3v; ‘Certaine devout inward comforts by him continually uttered and used’, ‘A Prayer wherein hee was exercised’, sig. B4v; ‘This prayer he saide at the time of his Death’, sig. Cr; ‘The portions of Scripture whereon hee continually meditated’ (with the exact citations), sig. C2r.

⁷⁴ Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman*, sig. A3v.

⁷⁵ *Ibid.*, sigs. Br, B3r.

The timing of the publication of this pamphlet seems to reinforce the suspicion that it was conceived as a piece of Puritan propaganda: it was published in November 1618, some months after the royal publication of the *Book of Sports*, which was an attack on Puritans. In addition, negotiations about a Spanish match between Charles and the Spanish Infanta were underway in 1618, which included potential concessions to Catholics in England, something that was vexing forward Protestants not interested in accommodation with Catholics.⁷⁶ In this context, the publication of a pamphlet uncovering the connection of Catholicism with lawlessness and treason as well as the power of a Puritan minister to bring a straying sheep back to the fold would be useful for the puritan cause.

It is possible to see this whole pamphlet as a puritan conversion narrative, based on a theological understanding that the act of conversion occurs suddenly, when God's will acts upon the elect and effects their repentance. The existence of general elements of Divine Providence in the pamphlet made the intended lesson more explicit, such as his miraculous arrest, when trying to leave Derby, when he 'passed thence some sixe miles, but had not the power any further to travel, but returned to Darby'.⁷⁷ The doctrine of Providence was of prime importance to Protestantism, since it showed God's direct intervention to the individual believer.⁷⁸

However, the most spectacular description was the actual moment of conversion: before Robinson's trial, he was resolute and kept on protesting his innocence until the point when a trunk of his writings was discovered, which completely changed Robinson's attitude: 'Robinson thereat was greatly amazed, thinking it a thing impossible to be knowne at all to any; who when that he saw he was discovered, betooke himselfe (of an obstinate denyer) to become an humble, contrite, and sorrowfull confessor...'.⁷⁹ Seeing how much he had been blinded by his pride, believing that he could escape the law,

⁷⁶ Kenneth Fincham and Peter Lake, 'The Ecclesiastical Policy of King James I', *Journal of British Studies*, 24, No. 2, Politics and Religion in the Early Seventeenth Century: New Voices (1985), 169-207.

⁷⁷ Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman*, sig. B2r. See also McKenzie, *Tyburn's martyrs*, pp. 233-235.

⁷⁸ Walsham, *Providence in early modern England*, pp. 9-10.

⁷⁹ Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman*, sig. B2v.

he then remembered that portion of Scripture which he formerly had read in the 3.Chap.of Jeremy, which stroken moste of conscience in him, and that the whole world might take notice that the Judgements of God had overtaken him, advisedly coated the place recited for memory.⁸⁰

This was an exemplary case of Calvinist conversion, sudden, almost mechanical, and inspired by the Word of God.⁸¹ The message here is that God had decided to call this lost sheep back to Protestantism and there was little the individual could do but to accept God's power.

For the most part of the pamphlet, as has been shown, the criminal has disappeared: there are mentions about his life and actions, and Goodcole is even claiming to report his own words in various passages, but the combination of the framing of Robinson's words by Goodcole's outspoken moralising, and the choice of what to report meant that his case was exploited as a persuasive propaganda tool. In this sense, the criminal became just a mouthpiece of authority, the appropriation of his voice by Goodcole effectively silencing him almost entirely. According to Elizabeth Harvey, ventriloquism, as employed by early modern writers adopting female voices, was a powerful strategy of cultural silencing, where the male writer superimposes his authorial voice on the female voice.⁸² Something similar could be said about criminals, who, because of their marginal status and their inability to reach the reader without an intermediary, were for the most part voiceless.

Nonetheless, there is a part of this pamphlet in which this sense of ventriloquism is unexpectedly disrupted. As we have seen, these 'life and death' accounts usually concluded with the dying speech of the condemned criminal. This was an integral part of the pamphlet since it added a further stamp of authenticity to the account by allegedly reporting the criminal's exact words. In the case of a criminal who had accepted his guilt, like Robinson, one would expect that this speech would be a triumph of the conversion narrative, with the criminal tearfully accepting his guilt on all counts and admonishing those

⁸⁰ Ibid, sig. B3r.

⁸¹ Randall Martin discusses Perkins's gallows conversions and how they could have been used as a model for Goodcole's activities, Martin, 'Henry Goodcole, Visitor of Newgate', pp. 160-161.

⁸² Harvey, *Ventriloquized voices*, p. 142.

attending the execution to shy away from such practices, to avoid sharing his fate. To a certain degree, this is what happens in this dying speech as well: Robinson indeed asked pardon for his actions ‘on his knees, and salt teares fast trickling downe, most humbly, and heartily’,⁸³ and he gave the traditional warnings to his audience: ‘Let all take heede, and beware, of covetousness, content themselves with what they have, labour honestly with their hands for their own living’.⁸⁴

The reason why I think that the criminal was not completely silenced in this case, is because he does not seem to have done exactly as is normally expected in such scenarios. More than half of his dying speech revolves around his actions: how he came to London, how he met with his accomplice, how exactly he effected his fraud. So many details were not needed, since he had already accepted his guilt. But these details emphasise the fact that this is a highly personalized dying speech and bring into sharper focus Robinson’s most obvious departure from the previous part of the pamphlet: the omission of his alleged conversion to Catholicism, which according to Goodcole was accepted as his first step towards iniquity. Robinson is surprisingly silent on this account and he only briefly mentions his co-conspirator, who supposedly was the Catholic who lured him to his religion, as ‘an accomplice by name Morgans’.

How are we to understand this silence? If Robinson had said anything about Catholicism during his last moments, Goodcole would certainly have reported it. It seems unlikely that Robinson’s return to Protestantism was a fabrication, because outright lying by Goodcole would be noticed by those who had attended the trial. It seems more plausible to assume that, regardless of all the religious preparation of the criminal, which Goodcole so proudly records, Robinson chose not to validate it during his dying speech. This is probably the only part of the pamphlet where the criminal’s voice can be heard without being completely obscured by the authorial voice. It is there as well where the moral of the story and the attempt to produce a complete conversion narrative is subverted by the criminal, who tactically adapts to conventional expectations while at the

⁸³ Goodcole, *A true Declaration of the happy Conversion, Contrition and Christian Preparation of Francis Robinson, Gentleman*, sig. C3r.

⁸⁴ *Ibid.*, sig. C3v.

same time transforming the terms, thus creating some space for his own agency.⁸⁵

Evading questions, mitigating guilt: James Turner's dying speech

James Turner does not fit the stereotype of the robber as a young, unsettled man: he was a goldsmith and had apparently acted as a solicitor in cases of purchases or lending of money (according to his words at his trial),⁸⁶ and he was rumoured to be involved in various criminal activities. On the 7 January 1664, he and three others broke into an elderly merchant's house, a close acquaintance of Turner's named Tryon, and, after binding and gagging him, they stole a great amount of money and jewels. Turner was caught with some of Tryon's money and writings, and he tried to negotiate with Tryon, offering to return everything that was stolen provided he was allowed to go free. Even though the old man was convinced, Thomas Aleyn, a justice of the peace, disagreed with this decision. After allowing Turner a little time in order to bring the stolen goods back, the justice then committed him to prison. It seems that this case would not have gone to trial if it was not for Thomas Aleyn, because the victim later escorted Turner's wife in bringing a petition for pardon to the King.⁸⁷

Turner could be seen to belong to a different category of criminals than the other ones mentioned in this chapter, because he was older (according to the description at the trial), and had a stable occupation, as well as a permanent address. However, he was described as 'a mad, swearing, confident fellow', 'a

⁸⁵ Spiegel, *Practicing history*, p. 17. For a similar conclusion about the effectiveness of framing a narrative, see Patricia Pender, 'Reading Bale Reading Anne Askew: Contested Collaboration in *The Examinations*', *Huntington Library Quarterly*, 73, No. 3 (2010), 507-522, where Pender argues that too much emphasis on framing as an effacing of Askew's agency obscures the points where Askew's words exceeded the frame that her editor provided.

⁸⁶ William Cobbett (ed.), *Cobbett's complete collection of state trials and proceedings for high treason and other crimes and misdemeanors from the earliest period to the present time*, Volume 6 (London: Bagshaw, 1810), p. 568.

⁸⁷ '[Turner] desired Mr. Tryon to accompany his Wife with a Petition to his Majesty for a Reprive, which they accordingly delivered upon their knees in the Long Gallery': Anonymus, *The triumph of truth: in an exact and impartial relation of the life and conversation of Col. James Turner* (1663), p. 15. Even if this is not accurate, all accounts emphasise that Tryon was ready to negotiate with Turner and not prosecute him.

known rogue' and 'the London hector'.⁸⁸ Apart from showing the dislike of some commentators towards this man, the particular words 'rogue' and 'hector' are significant. As we have seen, in the seventeenth century the term 'rogue' was frequently used not for unlicensed vagrants but for robbers who were often young and involved in various illegal activities as well.⁸⁹ Turner's background as a royalist soldier in the Civil War and the emphasis on his swearing as an important characteristic of his personality could explain why he was characterized as a 'hector'. However, these terms tended to characterize younger, more carefree individuals, thus making their use here surprising in reference to such a man. Characterizing Turner as a hector and a rogue means that he was discursively deprived of his settled place in the community and from any claims on respectability.

The fact that these descriptions had some substance can be inferred from the intervention of the Lord Mayor and the Aldermen of London in his case, when they suspected that Turner might secure a reprieve:

which moved the Mayor and some Aldermen (though it is not usual) to attend the King to acquaint him how many censures his mercy must undergo if he vouchsafe it to so notorious a criminal, charged by circumstances with the betraying of Doctor Hewit and burning of Mr Delawne the last Christmas, the forcing of a man to prostitute his own wife to save his life, the training up of his children in thievery, the engaging of his poor wife (by whom he hath had 29 sons and daughters, which number equals not his bastards) in this felony, etc...⁹⁰

Turner's notoriety combined with the interest of the local authorities elicited the publication of six pamphlets about his life, trial and execution.⁹¹ He

⁸⁸ The first two by Robert Latham (ed.), *The complete diary of Samuel Pepys: a new and complete transcription*, Volume V, 1664 (London: HarperCollins, 2003), p. 10-24, the last by Thomas Salusbury, 'Thomas Salusbury to Theophilus, seventh Earl Huntingdon, at Dunington Park. 1663-4, Jan.20', in Francis Bickley (ed.) *Report on the Manuscripts of the late Reginald Rawdon Hastings, Esq*, Vol II (London, 1930), pp. 144-145.

⁸⁹ See the Alemán, *The rogue: or, The life of Guzman de Alfarache* (1634); Head, *The English rogue* (1671).

⁹⁰ 'Thomas Salusbury to Theophilus', in Francis Bickley, *Report on the Manuscripts of the late Reginald Rawdon Hastings, Esq*, Vol II (London: HMSO, 1930), pp. 144-145.

⁹¹ Anonymous, *The life and death of James commonly called Collonel Turner, executed at Limestreet end Janua[ry] the 21. 1663. for a burglary and felony committed in the house of Mr. Francis Tryon of Limestreet, Merchant* (1664); Anonymous, *A true and impartial account of the*

was also mentioned in four newsbooks, which, without giving details, emphasised how famous Turner was: *Newes Published for Satisfaction and Information of the People* commented that Turner's case was 'Remarquable' while *The Intelligencer Published for the Satisfaction and Information of the People* stated that Turner committed 'a notorious Burglary'.⁹² These newsbooks acted mostly as advertisements about the longer publications on Turner, claiming that 'the Particulars are expected shortly to be made Publique' and 'The Particularities whereof are to be seen at Large in a Narrative'.

His notoriety caused some dismay as well: Thomas Salusbury commented disapprovingly that the trials of the Farnley Wood Plot conspirators in York and the condemnation of approximately twenty people 'make not so much noise as one sole Turner'.⁹³ If he was accurate, and not exaggerating his exasperation about people's tastes, this comment showed that a criminal's trial could be more appealing or newsworthy than contemporary political events. This finds a characteristic expression in Pepys diary: from the 10 of January until the 21, when Turner was executed, Pepys mentions him on six different occasions. Going to friends' houses for dinner, to the Exchange or to coffee-houses, there were always people ready to talk about Turner, sometimes having personal knowledge (for example, Pepys spoke with Richard Ford, one of the Sheriffs at Turner's trial) or just recycling rumours, since Turner was 'the general talk of the towne'.⁹⁴ Finally, the number of people who attended his execution was impressive, judging by Pepys's estimation that 'it was believed there was at least

arraignment, tryal, examination, confession and condemnation of Col. James Turner for breaking open the house of Francis Tryon merchant in Limestreet London (1664); Anonymous, A Relation of the tryal and examination, of Collonel James Turner, John Turner, William Turner, Mary Turner, and Ely Turner, for felony, and burglary, committed at the house of Mr. Francis Tryan [sic], of London, merchant, January 7. 1663 (1664); Anonymous, The several examinations and tryal of Colonel James Turner, Mary Turner his wife, John Turner, Ely Turner his sons, and William Turner his brother, being arraigned and indicted at the Sessions-House in the Old Bayly London the 15. of this present January (1664); Anonymous, The speech and deportment of Col. James Turner at his execution in Leaden-Hall-street January 21. 1663, (1664); Anonymous, The triumph of truth: in an exact and impartial relation of the life and conversation of Col. James Turner which he imparted to an intimate friend a little before his execution (1664).

⁹² *The Intelligencer Published for the Satisfaction and Information of the People*, 5 (18-25 January 1664), sig. Fr; *Newes Published for Satisfaction and Information of the People*, 6 (21-28 January 1664), sig. Gr; *The Intelligencer Published for the Satisfaction and Information of the People*, 7 (25-31 January 1664), p. 64; *Newes Published for Satisfaction and Information of the People*, 8 (28 January- 3 February 1664), p. 72.

⁹³ 'Thomas Salusbury to Theophilus', in Bickley, *Report on the Manuscripts of the late Reginald Rawdon Hastings, Esq*, Vol II, p. 144.

⁹⁴ Latham (ed.), *The complete diary of Samuel Pepys*, pp. 10-24.

12 or 14000 people in the street', most probably an exaggeration, but still significant.⁹⁵

The pamphlet *The speech and deportment of Col James Turner at his execution in Leaden-Hall-street, January 21. 1663* will be the focus of this section. The pamphlet was printed between January and March of 1664, since the publication used Old style calendar, thus giving 1663 as publication year. It stands to reason that it was published in January, when the interest about Turner was at its peak. This assumption is corroborated by the fact that the only entry for a pamphlet about Turner bears the date of January the 16th, making it clear that publishers were anxious to strike while the iron was hot.⁹⁶ Two editions of it exist, one of 22 pages and one of 16, both quarto, and it seems likely that it sold for approximately 3,6d and 2,4d respectively (depending on the size).⁹⁷ The low price of the pamphlets, as well as the printing of a shorter one, suggests that the booksellers were trying to attract a varied buying public.

The author attempted to present this account as unbiased and matter-of-fact: the pamphlet has no framing at all, beginning with a neutral description of Turner's appearance at the site of the execution and then reporting the words of the criminal as well as the interjections of other participants. There was no authorial comment on the events portrayed, something that did not happen in all pamphlets about Turner.⁹⁸ This must have been related to the fact that this report was a verbatim copy of the transcript found in the trial records, making it a more official version of the dying speech than the previous two (examined in this chapter).⁹⁹ It seems that there was no attempt by the publishers (or by the

⁹⁵ Ibid, p. 23.

⁹⁶ Entry for *The trial of James Turner commonly called Coll Turner, indicted for burglary and felony and found guilty of both on the person and goods of Mr Tryant, merchant in Limestreet London, January the Seaventh, 1663*, in Eyre (ed.), *A transcript of the registers of the Company of Stationers of London, 1640-1708*, Volume II, p. 337.

⁹⁷ The last page of *The speech and deportment of Col James Turner* contains an advertisement for *The triumph of truth* (even though with a slightly different title) and gives its price as 6 d. Considering that this was a 5-sheet quarto, we can assume that each sheet sold for 1,2 d, thus bringing us to the above-mentioned prices.

⁹⁸ *The triumph of truth* (1664) and *The life and death of James commonly called Collonel Turner* (1664) had editorials by the publisher (probably) which emphasised his sinful behaviour: 'the life of this person [is] set forth, that others by his Extravagancies, and the evil effects attending thereon, may learn Sobriety', and 'His Excesses indeed lay the greatest and nearest Claim to it [the burglary]': Anonymous, *The triumph of truth* (1664), sig. Br-Bv; Anonymous, *The life and death of James commonly called Collonel Turner* (1664), sig. A4v.

⁹⁹ This probably had to do with the increase in the publishing of court records in pamphlet form, even though this was not a newfangled practice: see for example Thomas Potts, *The wonderfull*

authorities who appended this speech to the court records) to change what was said, since Pepys recalled a similar story. What is interesting in this dying speech is the attempt, on Turner's part, to continuously twist what he was expected to say. At the same time, the magistrates involved did their best to get him back to the original script, and when this did not work, to gloss over his actions.

Turner could not have started from a worse position: he did not have the excuse of poverty to account for his crime, his victim was an old man who had been abused during the robbery, the local authorities were clearly hostile towards him, and, finally, Turner's reputation as well as his behaviour at the trial was such as to make sympathy unlikely. When Pepys first heard of Turner's arrest, he commented 'of which [his arrest] we are all glad, so very a known rogue he was'. In addition, stories about his behaviour at his trial were quickly circulated via oral media: Pepys heard 'strange stories of his confidence at the Barr, but yet great indiscretion in his argueing. All desirous of his being hanged'.¹⁰⁰ The same feeling resonates from Thomas Salusbury's letter: 'This famous or more properly infamous bravo hath attracted upon him the odium of all sorts of people to a strange degree'.¹⁰¹ We cannot be sure if everyone shared these feelings, but they are still indicative of a negative attitude towards Turner.

Nevertheless, Turner seemed to ignore this dislike and opted to resist the accusations at his dying speech, even though he had already confessed.¹⁰² It is clear from his speeches that Turner was aware of the script that he was supposed to follow: as he was reminded by the minister attending the execution, repentance was a three step process: first the confession of his sins or crimes, then the restitution and lastly the expression of his charity towards the world.¹⁰³ Turner's comment, that 'it is expected by all the City, and by all the world that knows me, that I should make some great and notorious confession', illustrated his knowledge of the conventions surrounding the dying speech.¹⁰⁴ However, his last words were not what the authorities expected: exploiting the convention of

discoverie of witches in the countie of Lancaster (1613). This, however, included a long editorial and moralistic framing by Potts.

¹⁰⁰ Latham (ed.), *The complete diary of Samuel Pepys*, Volume V, 1664, pp. 11, 18-19.

¹⁰¹ 'Thomas Salusbury to Theophilus', in Bickley, *Report on the Manuscripts of the late Reginald Rawdon Hastings*, p. 145.

¹⁰² Cobbett (ed.), *Cobbett's complete collection of state trials and proceedings*, Volume 6, p. 617.

¹⁰³ *Ibid*, pp. 627-8; Anonymous, *The speech and deportment of Col James Turner*, p. 13.

¹⁰⁴ *Ibid*, p. 4.

viewing crimes as sins, he claimed that his sins were blaspheming and swearing, but he never admitted clearly that he was to blame for the robbery. Even though he started conventionally, saying that ‘ I am come hither to pay that debt I owe’ and ‘truly it is my Sins, and the Greatnesse of my sins (and that I am very sensible of) had brought me hither’, he focused on profaneness instead. Even later, when he was supposed to deliver a warning to spectators, even though he admitted ‘I do justly suffer’ he went on to wish ‘that all people would take warning by me this day, and to avoid as much as may be, all sins in general’.¹⁰⁵

There are a few passages where he seems to admit his involvement in the burglary, mostly because he was trying to clear his sons from the accusation that they had been accessories to it. For this reason he admits that ‘as for the Fact it self, I do tell ye it was my own act, my own contrivance, and the poor souls that are yonder, knew nothing of it’.¹⁰⁶ Even though Turner grudgingly accepted his guilt, he did so in his own terms, by insisting that it was an accident. This dovetailed with what he was reported as saying at the trial ‘says it was partly done for a Joco, and partly to get an occasion of obliging the old man by his care in getting him his things again, he having some hopes of being the better by him in his estate at his death’.¹⁰⁷ It is possible that Turner was trying to present his actions in the context of jest books, as a way to avoid the full condemnation of his actions.

Even more shockingly, he laid the blame for his own death on the two officers who arrested him, claiming that had he not been caught, he would have brought back all the money to Tryon. This was a rhetorical sleight of hand: he implied that the return of Tryon’s money would have made his punishment redundant, but this obscured the fact that he had committed a crime for which he should be punished regardless. His statement that, since he returned what was stolen and two thousand pounds more than he had lost, ‘there was no intention of Felony’ would not stand in any court of law.¹⁰⁸ At the same time, it was grounded in common sense: it was a usual practice for victims to negotiate with thieves, because what most victims wanted was the return of their property, not

¹⁰⁵ Anonymous, *The speech and deportment of Col James Turner*, pp. 9-10. We have already noted that criminals in the late seventeenth and early eighteenth centuries followed the same practice, McKenzie, *Tyburn’s Martyrs*, pp. 146-151.

¹⁰⁶ Anonymous, *The speech and deportment of Col James Turner*, p. 4.

¹⁰⁷ Latham (ed.), *The complete diary of Samuel Pepys*, p. 20.

¹⁰⁸ Anonymous, *The speech and deportment of Col James Turner*, p. 13.

the punishment of the criminal.¹⁰⁹ He even named the two constables and exclaimed ‘these two villains, I have no body to thank for my blood but them’, before continuing, magnanimously, ‘and yet do I free them, and freely forgive them’.¹¹⁰ In this way, the criminal, instead of accepting his fault, is on the contrary blaming the officers of the law for doing their job, and instead of asking for forgiveness is offering it.

In addition, Turner used his last chance at public speaking to cast himself as an honest man, a good Christian and neighbour: he attempted to free himself of some of the accusations laid at his door, namely that he took money to secure a reprieve for Dr Hewyt or that he deceived the King out of some money.¹¹¹ In the hopes of securing a reprieve, he emphasised his service to the King, presenting himself as a loyal subject who had risked his life in the Civil War.¹¹² He added that he was steadfast in the Protestant faith and a good citizen, claiming that ‘I have lived civilly and honestly in St Martins at the upper end of Cheap-side, and I am sure there is a thousand sorrowful souls, and weeping eyes for me this day’,¹¹³ a comment that seems arrogant or misguided in light of the comments circulating about his obnoxious behaviour.

Even though technically Turner was allowed to talk about his life in the context of the dying speech, his take on the dying speech was not what the authorities expected. The authorities’ efforts to get him back on the script of the execution speech were countered by his evasive and convoluted tactics. Sir Richard Ford, the sheriff, tried to interrupt him on different occasions, once saying ‘pray put the little time that you have to spend here to better use’ and when ignored by Turner, he attempted to prod the ministers to come to his aid. However, the Ordinary’s attempt to make Turner shift to his particular sins (‘Speak to some particulars’) was cut short by Turner’s irreverent comment ‘Pray be quiet, can ye?’ The Ordinary’s next attempt to make him conform (‘express your charity as to the world’) was thwarted again by the unstoppable felon: ‘Do not put me out of my way’.¹¹⁴

¹⁰⁹ Tim Wales, ‘Thief-takers and their clients in later Stuart London’, in Griffiths and Jenner, *Londinopolis*, 67-84.

¹¹⁰ Anonymous, *The speech and deportment of Col James Turner*, p. 10.

¹¹¹ Anonymous, *The speech and deportment of Col James Turner*, pp. 7-8.

¹¹² *Ibid*, p. 8.

¹¹³ *Ibid*, p. 12.

¹¹⁴ *Ibid*, p. 13. See McKenzie, ‘Martyrs in Low Life?’.

The only thing that the Sheriff could do was to try to interpose his own interpretation as to why Turner did all that: ‘If I think there were a Reprieve to come for you, I could be contented to spin out the time thus, but in good earnest I expect none; unless you had an apprehension you were not to dye, you would not thus run to so many impertinencies, that methinks cannot fit you for death’.¹¹⁵ In a sense, the sheriff’s comment was ineffectual, because Turner continued with prayers and asking the Ordinary to read him from the Scripture.¹¹⁶ However, it seemed to win the battle of impressions: when Pepys was describing the talk about Turner’s speech in a coffeeshouse, he noted that ‘*his chief design was to lengthen time*, believing still a reprieve would come, though the Sheriffe advised him to expect no such thing, for the King was resolved to grant none.’¹¹⁷

Does that mean that Turner’s endeavours were doomed to failure? Judging by the only window we have into some of the audience’s reactions, Pepys’s diary, the results were mixed: the previous comment suggests that Turner’s long speech was construed as a stalling technique, in case a reprieve would arrive at the last moment. In addition, the talk about his last words emphasised that he had accepted his guilt on the count of burglary: ‘Turner’s discourse on the Cart, which was chiefly to clear himself of all things laid to his charge but this fault for which he now suffers, which he confesses’. However, the stage-managing of his speech clearly succeeded in other respects: Pepys, who had been so categorical in his condemnation of Turner before his execution, commented ‘A comely-looking man he was, and kept his countenance to the end- I was sorry to see him’.¹¹⁸

Turner’s attempts at self-presentation were rhetorically sound: since he couldn’t really reject the accusation, he attempted to avoid at least admitting his guilt in public, and to present his character in glowing colours, so as to gain the crowd’s sympathy. The appeal to the audience’s emotions and to its sense of morality was a useful rhetorical technique in this context, because it could

¹¹⁵ Ibid, p. 15. By that point the drama of execution had turned into parody, with the executioner admitting that ‘seventeen out of nineteen made their escapes’ from the area where they had detained Turner.

¹¹⁶ Anonymous, *The speech and deportment of Col James Turner*, pp. 15-20

¹¹⁷ Latham (ed.), *The complete diary of Samuel Pepys*, pp. 23-24, emphasis mine.

¹¹⁸ Ibid, pp. 23-24. This comment bears resemblance to the epilogue of *The Speech and Deportment of Col. James Turner*: ‘During his imprisonment, and to the last breath of life, his carriage was very undaunted’, p. 21

obscure the reality of his actions by stressing what he considered to be his redeeming values. Even if he didn't manage to shake off the feeling that he had been justly punished, he at least changed the way people viewed him. Pepys' last comment about Turner, in light of all his previous ones, strikes a strange note and shows the extent to which Turner managed to recast himself, from being one that everyone wished to see hanged, to being an object of compassion.

This chapter has elucidated the different appropriations of a dying speech by those involved in the execution drama— government agents, ministers, criminals, and the audience or the readers. The cultural importance attached to a dying speech, due to religious belief about how one performs his/her death, meant that these performances would be watched intently. As other scholars have mentioned, this transformed dying speeches into an opportunity for the enforcement of societal values, as these were understood (often in conflicting ways) by law enforcement agents, ministers and the crowd.

At the same time, and as this chapter has particularly stressed, convicted rogues could appropriate the conventional form of the dying speech in order to regain some of the agency of which they were deprived as prisoners and performers at the execution ritual. Charles Courtney, in his text, exploited the prodigal son narrative in order to present himself as a reckless and ever-moving youth, whose roguish attitude (denoting mischief here) could act as an excuse for his actions and allow him to ingratiate himself with his audience. Francis Robinson, while accepting part of the role he was expected to play, kept his silence when it came to Catholicism. Thus, Robinson deprived Goodcole of an exemplary confession, and forced him to make up for it by the heavy framing of the rest of the pamphlet as a conversion narrative. Finally, James Turner attempted to evade the confession he was supposed to give by being overly verbose and convoluted in his speech, and in the end he seems to have gained the audience's sympathy.

In order to do so, these criminals used the stock tropes of justifying the actions of rogues: the prodigal son motif, the trickster trope (where the trickster acts as a punisher of vice, often pride or avarice), the belief that sin was universal and finally, the appeal to the audience's own moral values. These excuses were

taken from prevalent discourses about roguery, and could be found (as we have already examined in previous chapters) in rogue pamphlets. As Natalie Zemon Davis has stressed, ‘no one came to “story-telling” events without prior narrative structures to fall back on and make use of’.¹¹⁹ Convicted criminals, participating in a culture that was saturated with narratives about roguery, could draw upon such narratives in order to excuse their actions, or at least present them as less damning.

Even this agency of the criminal however, did not constitute a denial of law enforcement. Criminals were aware that they would not get away with denying that their punishment was just, not necessarily because of the authorities, but of the crowd’s expectations. What they opted for was a partial acceptance of their guilt, by emphasising that their sinful nature had brought them to their punishment. Couched in these terms, however, their sins were presented as commonplace. The discourse about crime, which figured crime as sin, as something that could befall anyone, thus denied that crime was an intrinsic characteristic of specific individuals. Time and again, ministers insist on the exemplary value of gallows speech, its usefulness as a warning for spectators to avoid similar paths. This allowed criminals to manipulate the conventions of the dying speech in order to present themselves as objects of sympathy.

Returning to the idea of the dying speech as a way of repairing the damage caused to social norms by the criminal breaking the law, it would be useful to note Goffman’s suggestion that stigma is ‘a pervasive two-role social process in which every individual participated in both roles’, because ‘the normal and the stigmatized are not persons but rather perspectives’.¹²⁰ If criminals succeeded in eliciting sympathy, by presenting themselves as normal people who had some faults, but who were close to the spectators, then this could raise some questions about the fairness of their severe punishment and thus problematize the effect of law enforcement.

¹¹⁹ Davis, *Fiction in the Archives*, p. 4.

¹²⁰ Goffman, *Stigma*, pp. 137-8.

Conclusion

The main focus of this thesis has been the rogue pamphlet, a much researched yet in some ways much ignored subject. As we have seen, interest in rogue pamphlets dates back to the antiquarian literary drive of the nineteenth century, and it continues strongly into recent publications. However, most research on these pamphlets has focused on the debate between fact and fiction, or on their function as demonizing tools against the poor and petty criminals. This thesis has attempted to advance the study of rogue pamphlets by focusing on the multiple potential appropriations of these pamphlets. In order to do so, I have followed on the work done on pamphlet culture (by Joad Raymond, Alexandra Halasz and Alexandra Walsham, among others) and on the use of representations of crime as vehicles of propaganda (by Peter Lake and Jason Peacey).¹

This thesis has argued that we cannot speak of a clearly defined genre of the rogue pamphlet in the period under examination, because there was no fixed concept of roguishness. 'Rogue' was not a homogeneous term, but could range from vagrant to confidence trickster and highway robber. This realization has informed the decision to examine a broad range of texts, which purported to expose the practices of urban criminals against property. The broadened scope of my investigation, in turn, brought to light the similarities between rogue pamphlets and other cheap print publications which exposed the iniquity and exploitative nature of London life, commenting ambiguously on emerging capitalism and urbanization. As a fictional criminal wryly commented:

Who would not be a Devil for an hour
to be a man of money twelve months after?²

¹ Raymond, *Pamphlets and Pamphleteering*; Raymond (ed.), *The Oxford History of Popular Print Culture*; Halasz, *The Marketplace of Print*; Walsham, *Providence in early modern England*; Lake, 'From Troynouvant to Heliogabulus's Rome and back'; Lake, 'Cheap Print, Protestantism and Murder in Early Seventeenth Century England'; Peacey, 'The Management of Civil War Newspapers';

² S., *An excellent comedy, called, The Prince of Priggs*, p. 10.

The question was valid in seventeenth-century London, where capitalist mores were becoming more prevalent, while at the same time more traditional viewpoints, such as the concept of moral economy or neighbourliness, were still strong.³

This ambiguity fed back to the fluidity of the figure of the rogue. The rogue could act as a metonym for the upper middling sorts, due to his flexibility, role-playing and wit. At the same time, the rogue as a criminal could be portrayed as a victim, or a lesser evil. I have shown how rogue pamphlets distinguished the category of the ‘greater rogue’, who was not a criminal, at least not by any legal definition. These were members of respectable society, who used deceit as an essential part of their business, and they were criticized far more severely than any other rogue in these pamphlets. Rogue pamphlets singled out for special reproach corrupt agents of law enforcement, who shook down their victims (be they criminal or innocent).

The practice of pointing out the hypocrisy of law-abiding members of society, who condemned criminals but employed similar (but greater in degree) practices, is a crucial element of rogue pamphlets. This, in conjunction with the opportunity afforded to criminals to address the audience (often, but not necessarily, in the guise of a dying speech) and present their viewpoint—even if it was a ventriloquized one—stands as a corrective to the theory that rogue pamphlets were a means to use the weakest members of the commonwealth as scapegoats, in order to obscure what was perceived as the shortcomings of contemporary society. This thesis, has, of course, highlighted that this was not the only way these texts could be read. On the contrary, and in line with the insights of the history of the book, I have emphasized the multiple potential readings of these pamphlets, which included the justification of law enforcement and the condemnation of criminals. However, since such a line of argumentation has been already followed in previous research, my main interest lay with the alternative ways of reading these pamphlets.

³ Cynthia B. Herrup, ‘Law and Morality in Seventeenth-Century England’, *Past & Present*, 106 (1985), 102-123.

Different readings often require different audiences, which are more amenable to a critical evaluation of contemporary society than more ‘settled’ readers. For this reason, and contributing to the burgeoning recent scholarship on popular print culture, this thesis has shown that rogue pamphlets can be included in this sphere. The proliferation of printed material in the period 1590-1671, combined with the increased buying power of the London populace (which included the lower middling sort and possibly, the lower sort) prompted authors and publishers to take stock of less affluent readers. Even if it is difficult to estimate the readership for cheap print, the attempts to accommodate humbler readers, evident in the physical form and the writing style of the rogue pamphlets, hint at such possibilities. The prospect of reaching a lower audience can justify the polyphonic nature of these texts and their denunciation of society’s shortcomings alongside the criticism of criminals.

The potential of rogue pamphlets to access a broader audience than has been hitherto thought is important in re-evaluating their impact in the shaping of perceptions about metropolitan crime. Equally important in this respect is the extent to which rogue pamphlets could be received as reportage on London crime. This thesis has illustrated how authors and publishers attempted to package rogue pamphlets in such a way as to be accepted as news publications. Authors and publishers reinforced the plausibility of their truth claims by inserting names of criminals, as well as the dates and locations of the crimes reported, and by claiming that the experiences of their readers (their own eyes and ears) would verify their stories. Rowlands manages this in his preface magnificently, when commenting on the extent of crime in London, he states: ‘It is most true, Gentlemen, and wofull experience dayly teacheth us’.⁴

This was a clever way of approaching the subject, since crime in the metropolis was indeed before most people’s eyes. Londoners came into contact with criminals, and often had to be brought to court for this association, for being either their victims, or their accessories (or friends, depending on whose story we read). The fact that stories recorded (and we assume, heard) in the courtroom bore a striking resemblance to the ones narrated in the rogue pamphlets greatly

⁴ Rowlands, *Greenes ghost haunting coniecatchers*, sig. A2r.

enhanced the latter's truth claims. Experience, in this case, indeed taught readers that crimes were committed in London in the ways described in the pamphlets. Thus, the pamphlets' assertions that they were reporting news could be taken as realistic, without having to assume that their readers were gullible. On the contrary, we have examples of readers who had a sophisticated understanding regarding the truth claims of rogue pamphlets.

Rogue pamphlets, as part of the non-periodic news publications of this period, had a great potential to influence public opinion (to the extent that we can talk of a 'public' in this period) and as such were appropriated by different interested groups or individuals, each serving their own agendas. Some pamphleteers used these pamphlets as a way of criticizing contemporary society and highlighting abuses which were often targeted at the poorest members of society and which included those practiced by agents of law enforcement: Dekker, Greene and Hutton are representative of this tendency, but by no means the only. Other authors and publishers attempted to use rogue pamphlets as polemic, in order to advertise their political or religious positions and prompt readers to accept their viewpoint. Thus, Henry Goodcole attempted to provide religious instruction and a 'proof' of the power of godly ministers and the efficacy of repentance, while George Horton utilized Hind's story in order to create bad press for the Commonwealth.

They were not the only ones –rogue pamphlets were a convenient vehicle for propagating one's views, and their adaptability allowed them to change with the times and political circumstances and always be relevant. Work on the history of news and the historiography of the public sphere has concentrated on high politics, economics and on the literary value of news. My thesis suggests that questions posed in the eighteenth century about how the perception of crime shapes the patterns of prosecution can be helpfully explored in the seventeenth century.⁵

⁵ For example, Gwenda Morgan and Peter Rushton, 'Print Culture, Crime and Transportation in the Criminal Atlantic', *Continuity and Change*, 22, No 1 (2007), 49-72; Antony E. Simpson, 'Popular Perceptions of Rape as a Capital Crime in Eighteenth-Century England: The Press and the Trial of Francis Charteris in the Old Bailey, February 1730', *Law and History Review*, 22 (2004), 27-70.

Finally, rogue pamphlets could be hijacked by the criminals themselves, when occasionally their voices were recorded in them. Nonetheless, did they really speak themselves? Said in *Orientalism* thinks that it is the author (who belongs to the other side from his subject) who articulates the ‘Other’, and thus projects his own view about how the rogue (in our case) should speak.⁶ Consequently, what is actually achieved is not the articulation of a different view, but the reinforcement of the superiority of the dominant side. In a sense, this is not untrue: even in the case of the dying speech, readers could not hear the rogue’s voice, but only what the author had recorded (or created, depending on how suspicious we want to be).

However, this thesis has focused on the extent to which it seems that pamphlets managed to incorporate a different voice and present a viewpoint that did not necessarily conform to the dominant view or the author’s. In this, I have followed Bakhtin’s insights about ‘heteroglossia’, which denotes the integration in the novelistic discourse of different ‘languages’, spoken by the characters and expressing different belief systems.⁷ I think that this is an accurate description of what rogue pamphlets do: in allowing other voices to be recorded, they afford alternative viewpoints to be articulated. Thus, when criminals addressed the audience, they could claim a limited (but existent) degree of agency.⁸

This was an opportunity taken up by criminals, especially in texts which purported to record their final words –be they dying speeches or pamphlets written by the criminal (or with his instruction). Criminals used all the conventional narrative techniques of the rogue pamphlet, such as the trope of the prodigal son and the trickster, the claim that all sinners could be redeemed and that sin was to be expected in humans, as well as the criticism of society expressed in these pamphlets. In doing so, they attempted to escape infamy, restore their name and gain the audience’s sympathy. That they occasionally succeeded in this endeavour is a testament to the multiple impulses that rogue pamphlets could accommodate, and further justifies their importance in shaping perceptions about crime in the metropolis.

⁶ Said, *Orientalism*, p. 3.

⁷ M. M. Bakhtin, ‘Discourse in the Novel’, in M. Holquist (ed.), *M. M. Bakhtin: The dialogic imagination: four essays* (Austin; London: University of Texas Press, 1981), pp. 311-315.

⁸ Hal Gladfelder reached similar conclusions about crime reporting in the eighteenth century: Hal Gladfelder, *Criminality and Narrative in Eighteenth-Century England: beyond the law* (Baltimore; London: Johns Hopkins University Press, 2001).

There are still areas that can be fruitfully explored in order to acquire a more comprehensive view of how the image of the rogue shaped perceptions in early modern London. For instance, important work has been recently done on sermons taking place in London.⁹ A detailed examination of the ways in which preachers described roguery, and in what context they placed it, would further develop our understanding of discourses about rogues. It would be useful to know, for example, if preachers reiterated the official discourse about rogues, or if they included descriptions of such criminal practices in sermons castigating urban duplicity. Another field that would expand our knowledge of perceptions of rogues is an investigation of rumours generated from trials and the cases of specific criminals. Such a study would not only provide a different viewpoint on these crimes, but also potentially allow us to assess whether particularly notorious criminals acquired a celebrity status (and whether this affected the way contemporaries thought about such crimes).

This thesis has illustrated how social history can engage dialectically with the history of the book. Social historians of crime analyse judicial and legislative records in order to explore social phenomena such as urban crime and the conditions of living of the poor and marginalised. The history of the book, with its connection to both cultural history and literary studies, can treat such records as texts, and attempt to examine their function, their readership and their multiple readings. Rogue pamphlets, with their socially inclusive and diverse subject matter and their status as cheap publications are an ideal site for such a dialogue between disciplines. It is to be hoped that this thesis has made a useful contribution to this dialogue.

⁹ Hunt, *The art of hearing*; Morrissey, *Politics and the Paul's Cross sermon*.

Appendix 1

List of pamphlets (in chronological order)

- Greene, Robert, *A notable discovery of coosenage*: (1591, 1592).
Greene, Robert, *The second part of conny-catching* (1591).
Greene, Robert, *The second and last part of conny-catching* (1592).
Cuthbert Cunny-catcher, *The defence of conny catching* (1592).
Greene, Robert, *A disputation between a HeeConny-catcher and a SheeConny-catcher* (1592).
Greene, Robert, *The third and last part of conny-catching* (1592).
Greene, Robert, *Blacke Bookes Messenger* (1592).
Harman, Thomas, *The groundworke of conny-catching* (1592).
Chettle, Henry, *Kind-harts dreame* (1593).
Barnabe, Rich, *Greenes newes both from heauen and hell* (1593).
Johnson, Thomas, *A world of wonders. A masse of murthers. A couie of cosonages* (1595).
Hutton, Luke, *The Blacke Dogge of Newgate* (1596, 1612, 1638).
S., E., *The Discoverie of the knights of the post* (1597).
Anonymous, *Mihil Mumchance* (1597).
Rowlands, Samuel, *Greenes ghost haunting coniecatchers* (1602, 1626).
Middleton, Thomas, *The Blacke Booke* (1604).
Anonymous, *The life and death of Gamaliel Ratsey* (1605).
Anonymous, *Ratseis ghost. Or The second part of his madde prankes and robberies* (1605).
Dekker, Thomas, *The Belman of London* (1608, 1616, 1620, 1640).
Dekker, Thomas, *Lanthorne and Candle-light* (1608, 1609).
R.,S., *Martin Mark-all* (1610).
Dekker, Thomas, *O per se O* (1612).
Courtney, Charles, *The life, apprehensio[n,] arraignment, and execution of Char[les] Covrtney, alias Hollice, alias Worsley, and Clement Slie fencer* (1612).
Anonymous, *The araignment of Iohn Selman* (1612).
Rid, Samuel, *The art of juggling or legerdemaine* (1612).
Greene, Robert, *Theeves falling out, true-men come by their goods: or, The belman wanted a clapper* (1615, 1617, 1637).
Dekker, Thomas, *Villanies Discovered* (1616, 1620).
Dekker, Thomas, *English Villanies* (1632, 1638, 1648).
Fennor, William, *The compters common-wealth* (1617).
Mynshul, Geffray, *Certaine characters and Essayes of Prison and Prisoners* (1618, 1638).
Goodcole, Henry, *A true declaration of the happy conuersion, contrition, and Christian preparation of Francis Robinson, gentleman* (1618).
Fennor, William, *The miseries of a jaile* (1619).
Rowlands, Samuel, *The night-rauen. By S.R.*, (1620, 1634).
Goodcole, Henry, *Londons Cry* (1620).
Taylor, John, *An arrant thiefe* (1622, 1625, 1635).
Anonymous, *The life and death of Griffin Flood informer.* (1623).

Taylor, John, *The praise and vertue of a Jayle, and Jaylers* (1623).

Clavell, John, *A Recantation of an ill led Life or A discoverie of the High-way Law* (1628) (1628, 1634)

Fennor, William, *A true description of the lavves, iustice, and equity of a compter, the manner of sitting in counsell of the twelue eldest prisoners* (1629).

Goodcole, Henry, *Heavens speedie hue and cry sent after lust and murther* (1635).

Anonymous, *The brothers of the blade: answerable to the sisters of the scaberd* (1641).

Peacham, Henry *The art of living in London* (1642).

Anonymous, *Stanleyes Remedy* (1645-6?).

Fidge, George, *Hind's ramble, or, the description of his manner and course of life* (1651).

S., J., *An excellent comedy, called, The Prince of Priggs revels* (1651).

Anonymous, *The true and perfect relation of the taking of Captain James Hind* (1651).

Anonymous, *The declaration of Captain James Hind* (1651).

Anonymous, *A second discovery of Hind's exploits* (1652).

Hind James, *The humble petition of James Hind* (1651).

Anonymous, *The trial of Captain James Hind on Friday last before the honourable court at the Sessions in the Old-Bayley* (1651).

Anonymous, *The last will and testament of James Hynd, high-way lawyer* (1651).

Anonymous, *The pleasant and delightful history of Captain Hind* (1651).

Fidge, George, *The English Gusman* (1652).

H., G., *We have brought our hogs to a fair market: or, Strange newes from New-Gate* (1651).

Anonymous, *A pill to purge melancholy: or merry newes from Newgate* (1652).

Fidge, George, *Wit for mony* (1652).

Anonymous, *Hinds elder brother, or the master thief discovered. Being a notable pithy Relation of the life of Major Thomas Knowls his many Exploits Escapes, and witty Robberies* (1652).

B.J. Gent, *The knight errant: being a witty, notable and true relation of the strange adventures of Sir William Hart now prisoner in the tower* (1652).

Anonymous, *A notable and pleasant history of the famous renowned knights of the blade, commonly called Hectors or, St. Nicholas clerkes* (1652).

Chidley Samuel, *Retsah A Cry against a Crying Sinne* (1652).

Gayton, Edmund, Esq, *Vvil: Bagnal's ghost. Or the merry devill of Gadmuntton. In his perambulation of the prisons of London* (1655).

Anonymous, *The speech and confession of Mr. Richard Hannam on Tuesday last in the rounds of Smithfield* (1656).

Anonymous, *The English villain or the grand thief. Being a full relation of the desperate life, and deserved death of that most notable thief, and notorious robber, Richard Hanam* (1656).

S., E., *The vvitty rogue arraigned, condemned, & executed. Or, The history of that incomparable thief Richard Hainam* (25 June 1656).

Anonymous, *Hannam's last farewell to the world* (1656).

Vernon, Samuel, *The trepan: being a true relation, full of stupendious variety, of the strange practises of Mehetabel the wife of Edward Jones, and Elizabeth wife of Lieutenant John Pigeon*, (1656).

- B., W., *The Trappan trapt. Or The true relation of a cunning, cogging, confident, crafty, counterfeit, cosening and cheating knight, alias knave* (1657).
- Anonymous, *No jest like a true jest being a compendious record of the merry life and mad exploits of Capt James Hind the great robber of England*, (1657, 1660).
- Anonymous, *The devils cabinet broke open: or A new discovery of the high-way thieves* (1657).
- Anonymous, *The catterpillers of this nation anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c.* (1659).
- Anonymous (attributed to John Garfield), *The wandring whore continued a dialogue between Magdalena a crafty bawd, Julietta an exquisite vvhore, Francion a lascivious gallant, and Gusman a pimping Hector* (1660-1663): 6 parts.
- Aretine, Peter (pseudonym), *Strange newes from Bartholomew-Fair, or, the wandring-whore discovered, her cabinet unlockt, her secrets laid open, unvailed, and spread abroad in Whore and Bacon-lane, Duck-street and the garrison of Pye-corner* (1661).
- Anonymous, *The life and death of Mrs. Mary Frith. Commonly called Mal Cutpurse* (1662).
- Anonymous, *The vvomans champion; or the strange wonder being a true relation of the mad pranks, merry conceits, politick figaries, and most unheard of stratagems of Mrs. Mary Frith, commonly called Mall Cutpurse* (1662).
- Aretino, Pietro, *The wandring-whores complaint for want of trading* (1663).
- Anonymous, *The lawyer's clarke trappan'd by the crafty vvhore of Canterbury* (1663).
- Anonymous, *A Vindication of a distressed lady in answer to a pernicious, scandalous, libellous pamphlet intituled The lavvyers clarke trappan'd by the crafty vvhore of Canterbury* (1663).
- Anonymous, *The speech and deportment of Col. Iames Turner at his execution in Leaden-Hall-street January 21. 1663* (1664).
- Anonymous, *The triumph of truth: in an exact and impartial relation of the life and conversation of Col. Iames Turner which he imparted to an intimate friend a little before his execution* (1664).
- Anonymous, *The life and death of James commonly called Collonel Turner* (1664).
- Anonymous, *A true and impartial account of the arraignment, tryal, examination, confession and condemnation of Col. Iames Turner for breaking open the house of Francis Tryon merchant in Limestreet London* (1664).
- Anonymous, *A Relation of the tryal and examination, of Collonel James Turner, John Turner, William Turner, Mary Turner, and Ely Turner, for felony, and burglary, committed at the house of Mr. Francis Tryan [sic], of London, merchant, January 7. 1663* (1664).
- Anonymous, *The severall examinations and tryal of Colonel James Turner, Mary Turner his wife, John Turner, Ely Turner his sons, and William Turner his brother, being arraigned and indicted at the Sessions-House in the Old Bayly London the 15* (1664).
- Anonymous, *The cheating solliciter cheated: being a true and perfect relation of the life and death of Richard Farr* (1665).
- Anonymous, *Leather-more or Advice concerning Gaming*, (1668).
- Anonymous, *The nicker nicked: or, The cheats of gaming discovered* (1669).

Anonymous, *An exact narrative of the bloody murder, and robbery committed, by Stephen Eaton, Sarah Swift, George Rhodes, and Henry Pritchard, upon the person of Mr. John Talbot, minister* (1669).

Anonymous, *The life of Deval*, (1669).

Pope, Walter, *The memoirs of Monsieur Du Vall*, (1670 3 or 4 editions in the same year).

Cellier, Elizabeth, *The ladies answer to that busie-body, who wrote the life and death of Du Vall* (1670).

Butler Samuel, *To the memory of the most renowned Du-Vall: a Pindarick Ode*, (1671).

Appendix 2

Categories of Pamphlets

Discoveries	<p>Robert Greene, <i>A notable discovery of coosenage</i> (1591, 1592)</p> <p>Robert Greene, <i>Second Part of Cony-catching</i>, (1591, 1592)</p> <p>Robert Greene, <i>The groundworke of conny-catching</i> (1592)</p> <p>E. S., <i>The Discoverie of the knights of the post</i> (1597)</p> <p>Anonymous, <i>Mihil Mumchance</i> (1597)</p> <p>John Awdelay, <i>The fraternitie of vacabondes</i> (1603)</p> <p>Thomas Dekker, <i>The Belman of London</i> (1608, 1616, 1620, 1640)</p> <p>Thomas Dekker, <i>Lanthorne and Candle-light</i> (1608, 1609)</p> <p>Thomas Dekker, <i>O per se O</i> (1612)</p> <p>Thomas Dekker, <i>Villanies Discovered</i> (1616, 1620)</p> <p>Thomas Dekker, <i>English Villanies</i> (1632, 1638, 1648)</p> <p>S.R., <i>Martin Mark-all</i> (1610)</p> <p>Samuel Rid, <i>The art of juggling or legerdemaine</i> (1612)</p> <p>John Clavell, <i>The Recantation of an ill led Life or A discoverie of the High-way Law</i> (1628, 1634)</p> <p>Henry Peacham, <i>The art of living in London</i> (1642)</p> <p>Anonymous, <i>A notable and pleasant history of the famous renowned knights of the blade</i> (1652)</p> <p>Anonymous, <i>The devils cabinet broke open: or A new discovery of the high-way thieves</i> (1657)</p> <p>Anonymous, <i>The catterpillers of this nation anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c</i> (1659)</p> <p>Anonymous, <i>The wandring whore</i> (1660-1663: 6 parts),</p> <p>Anonymous, <i>The wandring-whores complaint for want of trading</i> (1663)</p> <p>Anonymous, <i>Leather-more or Advice concerning Gaming</i>, (1668)</p> <p>Anonymous, <i>The nicker nicked: or, The cheats of gaming discovered</i> (1669)</p>
‘Pleasant tales’	<p>Robert Greene, <i>The defence of conny catching</i> (1592)</p> <p>Robert Greene, <i>The third and last part of conny-catching</i> (1592)</p>

	<p>Robert Greene, <i>A disputation between a hee conny-catcher and a shee conny-catcher</i> (1592, 1615, 1617, 1637)</p> <p>Henry Chettle, <i>Kind-harts dreame</i> (1593?)</p> <p>Rich Barnabe, <i>Greenes newes from heaven and hell</i> (1593)</p> <p>J. T., <i>A world of wonders</i> (1595)</p> <p>Samuel Rowlands, <i>Greenes ghost haunting coniecatchers</i> (1602, 1626)</p> <p>Anonymous, <i>The pleasant and delightful history of Captain Hind</i> (1651)</p> <p>Anonymous, <i>A pill to purge melancholy</i> (1652)</p> <p>Peter Aretine, <i>Strange nevves from Bartholomew-Fair</i> (1661)</p>
True relations	<p>Anonymous, <i>The araignment of Iohn Selman</i> (1612)</p> <p>Henry Goodcole, <i>A true declaration of the happy conversion, contrition, and Christian preparation of Francis Robinson, gentleman</i> (1618)</p> <p>Henry Goodcole, <i>Londons Cry</i> (1620)</p> <p>Henry Goodcole, <i>Heavens speedie hue and cry sent after lust and murther</i> (1635)</p> <p>Anonymous, <i>The true and perfect relation of the taking of Captain James Hind</i> (1651)</p> <p>Anonymous, <i>The declaration of Captain James Hind</i> (1651)</p> <p>Anonymous, <i>The trial of Captain James Hind</i> (1651)</p> <p>Samuel Vernon, <i>The trepan</i> (1656)</p> <p>B.W., <i>The Trappan trapt</i> (1657)</p> <p>Anonymous, <i>A true and impartial account of the arraignment, tryal, examination, confession and condemnation of Col. Iames Turner</i> (1664)</p> <p>Anonymous, <i>The severall examinations and tryal of Colonel James Turner</i> (1664) <i>An exact narrative of the bloody murder, and robbery committed, by Stephen Eaton, Sarah Swift, George Rhodes, and Henry Pritchard, upon the person of Mr. John Talbot, minister</i> (1669)</p>

Lives of criminals	<p>Robert Greene, <i>Blacke Bookes Messenger</i> (1592)</p> <p>Anonymous, <i>The life and death of Gamaliel Ratsey</i> (1605)</p> <p>Anonymous, <i>Ratseis ghost</i> (1605)</p> <p>Anonymous, <i>The life, apprehension, arraignment, of Charles Courtney</i>, (1612)</p> <p>Anonymous, <i>The life and death of Griffin Flood Informer</i> (1623)</p> <p>Hind's ramble (1651)</p> <p>Anonymous, <i>A second discovery of Hind's exploits</i> (1652)</p> <p>George Fidge, <i>The English Gusman</i> (1652)</p> <p>G.H., <i>We have brought our hogs to a fair market</i> (1651?)</p> <p>George Fidge, <i>Wit for mony</i> (1652)</p> <p>Anonymous, <i>Hinds elder brother, or the master thief discovered</i> (1652)</p> <p>B. J., <i>The knight errant: being a witty, notable and true relation of the strange adventures of Sir William Hart</i> (1652)</p> <p>S. E., <i>The vvitty rogue arraigned, condemned, & executed</i> (1656)</p> <p>Anonymous, <i>Hannam's last farewell to the world</i> (1656)</p> <p>Anonymous, <i>The English villain or the grand thief</i> (1656)</p> <p>Anonymous, <i>The speech and confession of Mr. Richard Hannam</i> (1656)</p> <p>Anonymous, <i>No jest like a true jest</i> (1657, 1660)</p> <p>Anonymous, <i>The life and death of Mrs. Mary Frith</i> (1662)</p> <p>Anonymous, <i>The vvomans champion</i> (1662)</p> <p>Anonymous, <i>The lavvyer's clarke trappan'd by the crafty whore of Canterbury</i> (1663)</p> <p>Anonymous, <i>The life and death of James commonly called Collonel Turner</i> (1663)</p> <p>Anonymous, <i>The triumph of truth: in an exact and impartial relation of the life and conversation of Col. Iames Turner</i> (1663)</p> <p>Anonymous, <i>A Relation of the tryal and examination, of Collonel James Turner</i> (1663)</p> <p>Anonymous, <i>The speech and deportment of Col. Iames Turner at his execution in Leaden-Hall-street January 21. 1663</i> (1664)</p> <p>Anonymous, <i>The cheating solliciter cheated: being a true and perfect</i></p>
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	<p><i>relation of the life and death of Richard Farr</i> (1665)</p> <p>Anonymous, <i>A narrative of the life, apprehension, imprisonment, and condemnation of Richard Dudly the great robber</i> (1669)</p> <p>Anonymous, <i>The life of Deval</i> (1669)</p> <p>Walter Pope, <i>The memoirs of Monsieur Du Vall</i> (1670)</p>
Descriptions of prisons	<p>Luke Hutton, <i>The Blacke Dogge of Newgate</i> (1596, 1612, 1638)</p> <p>William Fennor, <i>The compters common-wealth</i> (1617)</p> <p>William Fennor, <i>The miseries of a iaile</i> (1619)</p> <p>William Fennor, <i>A true description of the lavves, iustice, and equity of a compter</i> (1629)</p> <p>Geffray Mynshul, <i>Certaine characters and Essayes of Prison and Prisoners</i> (1618, 1638)</p> <p>John Taylor, <i>The praise and vertue of a Jayle, and Jaylers</i> (1623)</p> <p>Edmund Gayton, <i>VVil: Bagnal's ghost</i> (1655)</p>
Miscellaneous	<p>Thomas Middleton, <i>The Blacke Booke</i> (1604)</p> <p>Samuel Rowlands, <i>The night-rauen. By S.R.</i> (1620 +1634)</p> <p>John Taylor, <i>An arrant thiefe</i> (1622, 1625, 1635)</p> <p>Anonymous, <i>The brothers of the blade</i> (1641)</p> <p>Anonymous, <i>Stanleyes Remedy</i> (1645-6?)</p> <p>S. J., <i>An excellent comedy, called, The Prince of Priggs</i> (1651)</p> <p>Anonymous, <i>The humble petition of James Hind</i> (1651)</p> <p>Anonymous, <i>The last will and testament of James Hynd, high-way lawyer</i> (1651)</p> <p>Samuel Chidley, <i>Retsah A Cry against a Crying Sinne</i> (1652)</p> <p>Anonymous, <i>A Vindication of a distressed lady in answer to a pernicious, scandalous, libellous pamphlet intituled The lavvyers clarke trappan'd by the crafty vvhore of Canterbury</i> (1663)</p> <p>Elizabeth Cellier, <i>The ladies answer to that busie-body, who wrote the life and death of Du Vall</i> (1670)</p> <p>Samuel Butler, <i>To the memory of the most renowned Du-Vall: a Pindarick Ode</i> (1671)</p>

NOTE ON TEXT AND ABBREVIATIONS

All quotations, unless otherwise stated, are from EEBO. In all direct quotations I have attempted to modernise u/v and i/j. In giving publication details of primary texts, I have included full details from the colophon or from the ESTC.

ABBREVIATIONS

EEBO	Early English Books Online
ESTC	English Short Title Catalogue
ODNB	Oxford Dictionary of National Biography
OED	Oxford English Dictionary
LMA	London Metropolitan Archives
BCB	Bridewell Minute Books
Rep	Repertory of the London Court of Aldermen
Jour	Journals of London Common Council

BIBLIOGRAPHY

Primary Sources: Manuscripts

London Metropolitan Archives

Repertories of the Court of Aldermen, 22-55.

Remembrancia Books, II-III, VIII.

Westminster Quarter Sessions: WJ/SR/NS/8-51 Westminster Quarter Sessions Rolls, 1624-1640.

Middlesex Quarter Sessions: MJ/SR/1090-1095, 1144, 1151 Westminster Sessions Rolls, 1652, 1655-1656.

Bridewell and Bethlem Hospitals

Minute Book BCB04, February 1598 - November 1604. Consulted at <http://www.bethlemheritage.org.uk/archive/web/BCB.htm>

Parish Records

St Stephen Coleman Street Churchwardens' Accounts, 4457/2, 1586-1640.

Published primary sources

A Faithful Scout, 85 (27 August – 3 September 1652)

A Perfect Account, 45 (5-12 November 1651).

A Perfect Account, 54 (7-15 January 1652).

A Perfect Account, 55 (15-22 January 1652).

A Perfect Account, 56 (21-28 January 1652).

A Perfect Account, 61 (25 February- 3 March 1652).

A Perfect Account, 62 (3- 10 March 1652).

A Perfect Account, 72 (12-19 May 1652).

A Perfect Account, 87 (25 August-1 September 1652).

A Perfect Account, 91 (22-29 September 1652).

A Perfect Diurnall of Some Passages and Proceedings of, and in Relation to, the Armies in England and Ireland, 108 (29th December 1651-5th January 1652).

A Perfect Diurnall, 101 (10-17 November 1651).

Anonymous, *A narrative of the life, apprehension, imprisonment, and condemnation of Richard Dudley* (1669).

Anonymous, *A notable and pleasant history of the famous renowned knights of the blade* (1652).

Anonymous, *A pill to purge melancholy: or merry newes from Newgate: wherein is set forth, the pleasant jests, witty conceits, and excellent couzenages, of Captain James Hind* (1652).

Anonymous, *A Relation of the tryal and examination, of Collonel James Turner, John Turner, William Turner, Mary Turner, and Ely Turner* (1664).

Anonymous, *A second discovery of Hind's exploits* (1651).

Anonymous, *A total rout, or a brief discovery, of a pack of knaves and drabs, intituled pimps, panders, hectors, trapans, nappers, mobs, and spanners: the description of their qualities, is here set down in brief* (1653).

Anonymous, *A true and impartial account of the arraignment, tryal, examination, confession and condemnation of Col. Iames Turner* (1664).

Anonymous, *A Vindication of a distressed lady in answer to a pernicious, scandalous, libellous pamphlet intituled The lavvyers clarke trappan'd by the crafty vvhore of Canterbury* (1663).

Anonymous, *Greevous grones for the poore* (1621).

Anonymous, *Hannam's last farewell to the world* (1656).

Anonymous, *Here is an item for you. Or, The countrimans bill of charges, for his comming up to London declared by a whistle* (1630).

Anonymous, *Hinds elder brother, or the master thief discovered. Being a notable pithy Relation of the life of Major Thomas Knowls his many Exploits Escapes, and witty Robberies* (1652).

Anonymous, *I smell A Rat* (1630).

Anonymous, *Leather-more or Advice concerning Gaming* (1668).

Anonymous, *Merie tales newly imprinted [and] made by Master Skelton Poet Laureat* (1567).

Anonymous, *Merie tales newly imprinted [and] made by Master Skelton Poet Laureat* (1567).

Anonymous, *Mihil Mumchance* (1597).

Anonymous, *No jest like a true jest being a compendious record of the merry life and mad exploits of Capt James Hind the great robber of England* (1657, 1660).

Anonymous, *Roome for Companie, heere comes Good Fellowes* (1617).

Anonymous, *Stanleyes remedy: or, the way how to reform wandring beggers, theeves, high-way robbers and pick-pockets* (1646).

Anonymous, *Strange Newes from Newgate and the Old Baily* (1651).

Anonymous, *The araignment of John Selman, who was executed neere Charing-Crosse the 7. of Ianuary, 1611. for a felony by him committed in the Kings Chappell at White-Hall upon Christmas day last, in presence of the King and diuers of the nobility* (1612).

Anonymous, *The Brothers of the Blade: answerable to the sisters of the scaberd,* (1641).

Anonymous, *The catterpillers of this nation anatomized, in a brief yet notable discovery of house-breakers, pick-pockets, &c* (1659).

Anonymous, *The Cavaliers Jubilee* (1652).

Anonymous, *The cheating solliciter cheated: being a true and perfect relation of the life and death of Richard Farr* (1665).

Anonymous, *The declaration of Captain James Hind* (1651).

- Anonymous, *The devils cabinet broke open: or A new discovery of the high-way thieves* (1657).
- Anonymous, *The English villain or the grand thief. Being a full relation of the desperate life, and deserved death of that most notable thief, and notorious robber, Richard Hanam* (1656).
- Anonymous, *The fifth and last part of the Wandring whore: a dialogue* (1661).
- Anonymous, *The first and best part of Scoggins jests full of witty mirth and pelasant shifts, done by him in France, and other places* (1626).
- Anonymous, *The High-way Hector, or, A Very queint poem in which much is said concerning the manner and tricks of the trade to the tune of Hunger and Cold, or Packingtons pound* (1642).
- Anonymous, *The humble petition of James Hind* (1651).
- Anonymous, *The last will and testament of James Hynd, high-way lawyer* (1651).
- Anonymous, *The life and death of Gamaliell Ratsey* (1605).
- Anonymous, *The life and death of Griffin Flood informer* (1623).
- Anonymous, *The life and death of James, commonly called collonel, Turner* (1664).
- Anonymous, *The life and death of Mrs. Mary Frith* (1662).
- Anonymous, *The life of Deval* (1669).
- Anonymous, *The life, apprehensio[n,] arraignment, and execution of Char[les] Covrtney* (1612).
- Anonymous, *The most delectable history of Reynard the Fox* (1620).
- Anonymous, *The nicker nicked: or, The cheats of gaming discovered* (1669).
- Anonymous, *The pleasant and delightful history of Captain Hind* (1651).
- Anonymous, *The several examinations and tryal of Colonel James Turner, Mary Turner his wife, John Turner, Ely Turner his sons, and William Turner his brother, being arraigned and indicted at the Sessions-House in the Old Bayly London the 15. of this present January* (1664).
- Anonymous, *The Souldiers Language. Or, A Discourse Between Two Souldiers, the One Coming from York, the Other from Bristol, Shewing how the Warres Go on, and how the souldiers carrie and demean themselves. With a survey of what forces the King hath at command, both forraigne, and domestick* (1644).
- Anonymous, *The speech and confession of Mr. Richard Hannam... together with a true and perfect description of his life and death* (1656).
- Anonymous, *The speech and deportment of Col. Iames Turner* (1664).
- Anonymous, *The trial of Captain James Hind on Friday last before the honourable court at the Sessions in the Old-Bayley* (1651).
- Anonymous, *The trimming of Thomas Nashe Gentleman, by the high-tituled patron Don Richardo de Medico campo, barber chirurgion to Trinitie Colledge in Cambridge* (1597).
- Anonymous, *The triumph of truth: in an exact and impartial relation of the life and conversation of Col. Iames Turner* (1664).
- Anonymous, *The true and perfect relation of the taking of Captain James Hind* (1651).
- Anonymous, *The wandring whore continued a dialogue between Magdalena a crafty bawd, Julietta an exquisite whore, Francion a lascivious gallant, and Gusman a pimping Hector* (1660-1663: 6 parts).
- Anonymous, *The witty rogue arraigned, condemned, and executed, or, The history of that incomparable thief Richard Hainam* (1656).

- Anonymous, *The womans champion; or the strange wonder being a true relation of the mad pranks, merry conceits, politick figaries, and most unheard of stratagems of Mrs. Mary Frith, commonly called Mall Cutpurse* (1662).
- Aretine, Peter, *Strange newes from Bartholomew-Fair, or, the wandring-whore discovered* (1661).
- Aretino, Pietro, *The wandring-whores complaint for want of trading* (1663).
- Awdeley, John, *The fraternitie of vacabondes* (1565).
- B., J., *The knight errant: being a witty, notable and true relation of the strange adventures of Sir William Hart now prisoner in the tower* (1652).
- Brathwaite, Richard, *To His Majesty upon his happy arrivall in our late discomposd Albion. By R. Brathwait Esq.* (1660).
- Breton, Nicholas, *Choice, chance, and change: or, Conceites in their colours* (1606).
- Brome, Richard, *The weeding of the Covent-Garden* (1658).
- Butler, Samuel, *To the memory of the most renowned Du-Vall: a Pindarick Ode* (1671).
- Cellier, Elizabeth, *The ladies answer to that busie-body, who wrote the life and death of Du Vall* (1670).
- Chettle, Henry, *Kind-harts dreame* (1593).
- Clavell, *A Recantation of an ill led Life or A discoverie of the High-way Law* (1628).
- Cleveland, John, *Poems by J.C.; with additions, never before printed* (1653).
- Copland, Robert, *The hie way to the spyttell hous. Copland and the porter. Who so hath lust, or wyll leave his thryft* (1536?).
- Corporation of London (England). Lord Mayor, *By the Maior. A proclamation for Reformation of abuses, in the Gaole of New-gate* (1617).
- Cowell, John, *The interpreter: or Booke containing the signification of vvords wherein is set foorth the true meaning of all, or the most part of such words and termes, as are mentioned in the lawe vvriters, or statutes of this victorious and renowned kingdome, requiring any exposition or interpretation* (1607).
- Dekker, Thomas, *1603 The Wonderfull Yeare* (1603).
- *A strange horse-race at the end of which, comes in the catch-poles masque. And after that the bankrouts banquet: which done, the Diuell, falling sicke, makes his last will and testament, this present yeare. 1613* (1613).
 - *English villanies seven severall times prest to death by the printers, now the eighth time discovered by lanthorne and candle-light* (1638, 1648).
 - *English villanies six severall times prest to death by the printers; but (still reviving againe) are now the seventh time, (as at first) discovered by lanthorne and candle-light, and the helpe of a new cryer, called O-per-se-O* (1632).
 - *English villanies, eight severall times prest to death by the printers* (1648).
 - *Lanthorne and candle-light. Or, The bell-mans second nights-walke* (1608).
 - *Newes from hell brought by the Divells carrier* (1606).
 - *O per se O. Or A new cryer of Lanthorne and candle-light* (1612).
 - *The belman of London* (1608).
 - *The honest whore, with, the humours of the patient man, and the longing wife* (1604).
 - *Villanies discouered by lanthorne and candle-light, and the helpe of a new cryer called O per se O* (1616, 1620).
 - *Worke for armorours: or, The peace is broken* (1609).
- Done, John, *A miscellania of morall, theologicall and philosophicall sentances* (1650).

- England and Wales Sovereign (1603-1625: James I), *By the King. A proclamation for the due and speedy execution of the statute against rogues, vagabonds, idle, and dissolute persons* (1603).
- England and Wales. Privy Council, *An order to be published and executed by the Lord Maior of the citie of London, and other officers in all places within three miles of the sayd citie, for auoyding of all kind of beggars that doe wander about contrary to the lawes and statutes of the realme* (1593).
- England and Wales. Sovereign (1603-1625: James I), *By the King. A proclamation for the due and speedy execution of the Statute against Rogues, Vagabonds, Idle, and dissolute persons* (1603).
- England and Wales. Sovereign (1625-1649: Charles I), *By the King. A Proclamation for the execution of the Statutes made against Rogues and Vagabonds* (1627).
- England and Wales. Sovereign (1625-1649: Charles I), *By the King. A further Proclamation for the suppressing and punishing of Rogues and Vagabonds, and Reliefe of the Poore* (1630).
- England and Wales. Sovereign (1660-1685: Charles II), *A proclamation against vicious, debauch'd, and prophane persons* (1660).
- England and Wales. Sovereign (1625-1649: Charles I), *By the King. A Proclamation for restraint of disorderly and unnecessary resort to the Court* (1625).
- Fennor, William, *A true description of the lawes, iustice, and equity of a compter, the manner of sitting in counsell of the twelue eldest prisoners* (1629)
- *The compters common-wealth* (1617).
- Fidge, George, *Hind's ramble, or, the description of his manner and course of life* (1651).
- *The English Gusman; or The history of that unparallel'd thief James Hind* (1652).
 - *Wit for mony. Being a full relation of the life, actions, merry conceits, and pretty pranks of Captain James Hind* (1652).
- Garcia, Carlos, *Guzman, Hinde and Hannam Outstript: Being a Discovery of the Whole Art, Mistery and Antiquity of Theeves and Theeving: with their statutes, laws, customs and practises* (1657).
- *The Sonne of the Rogue, or, The Politick Theefe with the Antiquitie of Theeves* (1638).
- Gauden, John, *Eikōn basilikē. The porvtraicture of His sacred Majestie in his solitudes and sufferings* (1649).
- Gayton, Edmund, Esq, *Wil: Bagnal's ghost. Or the merry devill of Gadmunton. In his perambulation of the prisons of London* (1655).
- Goodcole, Henry, *A true declaration of the happy conuersion, contrition, and Christian preparation of Francis Robinson, gentleman* (1618).
- *Heavens speedie hue and cry sent after lust and murther* (1635).
 - *Londons cry: ascended to God, and entred into the hearts, and eares of men for reuenge of bloodshedders, burglaiers, and vagabounds* (1620).
- Greene Robert, *A disputation, betweene a hee conny-catcher, and a shee conny-catcher* (1592).
- *The blacke bookes messenger* (1592).
 - *The defence of conny catching* (1592).
 - *Theeves falling out, true-men come by their goods* (1615, 1617, 1621, 1637).
 - *A notable discouery of coosenage* (1591).
 - *Greenes vision: written at the instant of his death. Conteyning a penitent passion for the folly of his pen* (1592).
 - *Greenes, groats-vvorth of witte, bought with a million of repentance* (1592).

- *The second part of conny-catching* (1592).
- *The third and last part of conny-catching* (1592).
- H., G., *We have brought our hogs to a fair market: or, Strange newes from New-Gate* (1651).
- Hammond, Charles, *Truth's Discovery, or, The Cavaliers Case Clearly Stated by Conscience and Plain-dealing Presented to the Honorable Commissioners, and all the Truly Loyall and Indigent Officers, and Souldiers* (1664).
- Anonymous, *The English villain or the grand thief* (1656).
- Harrington, John, *The most elegant and witty epigrams of Sir Iohn Harrington* (1618).
- Harman, Thomas, *A caueat for commen cursetors vulgarely called vagabones, set forth by Thomas Harman, esquier* (1567).
- *The groundworke of conny-catching* (1592).
- Head, Richard, *The English rogue: continued in the life of Meriton Latroon, and other extravagants* (1671).
- Hooke, Christopher, *A sermon preached in Paules Church* (1603).
- Hurtado, Diego de Mendoza, *The pleasaunt historie of Lazarillo de Tormes a Spaniarde, wherein is conteined his marueilous deedes and life* (1586).
- Hutton, Luke, *The Blacke Dogge of Newgate* (1596).
- Johnson, Richard, *Looke on me London: I am an honest English-man, ripping up the bowels of mischiefe, luring in thy sub-urbs and precincts* (1613).
- Lodge, Thomas and Greene, Robert, *A looking glasse for London and England. Made by Thomas Lodge Gentleman, and Robert Greene. In Artibus Magister* (1594).
- Marprelate, Martin, *Hay any Work for Cooper* (1589).
- Massey, Sir Edward, *The declaration of Major Gen. Massey upon his death-bed at Leicester*, (1651).
- Mateo, Alemán, *The rogue: or, The life of Guzman de Alfarache. Written in Spanish by Matheo Aleman, servant to his Catholike Majestie, and borne in Seville* (1634).
- Mercurius Britannicus*, 46 (29 July-5 August 1644)..
- Mercurius Politicus*, 27 (5-12 December 1650).
- Mercurius Politicus*, 288 (13-20 December 1655).
- Mercurius Politicus*, 289 (20-27 December 1655).
- Mercurius Politicus*, 33 (16-23 January 1651).
- Mercurius Politicus*, 433 (9- 16 September 1658).
- Mercurius Politicus*, 70 (2-9 October 1651).
- Mercurius Politicus*, 75 (6-13 November 1651).
- Mercurius Politicus*, 91 (26 February-4 March 1652).
- Mercurius Pragmaticus*, 1 (18th-25th May 1652).
- Middleton, Thomas, *A mad world my masters: a comedy. As it hath bin often acted at the Private House in Salisbury Court, by her Majesties servants. Composed by T.M. Gent* (1640).
- *The blacke booke* (1604).
- Moderate Intelligencer*, 237 (27 September- 4 October 1649).
- Moderate Intelligencer*, 52 (26 February- 5 March 1646).
- Mynshul, Geffray, *Certaine Characters and Essayes of Prisons and Prisoners* (1618).
- Nashe, Thomas, *Christs teares over Ierusalem* (1613).
- *Have with you to Saffron-Walden* (1596).
- *Lenten stufte, containing, the description and first procreation and increase of the towne of Great Yarmouth in Norffolke* (1592).

- *Pierce Penilesse his supplication to the divell* (1592).
- *The terrors of the night or, A discourse of apparitions* (1594).
- *The unfortunate traoueller. Or, The life of Iacke Wilton* (1594).
- Newes Published for Satisfaction and Information of the People*, 6 (21-28 January 1664).
- Newes Published for Satisfaction and Information of the People*, 8 (28 January- 3 February 1664).
- Northtonus, Champianus, *The younger brothers Advocate: or a line or two for younger brothers. With their petition to the Parliament. By Champianus Northtonus* (1654).
- Overton, Richard, *Vox plebis, or, The peoples out-cry against oppression, injustice, and tyranny* (1646).
- P., M. (Parker, Martin), *Knavery in all trades, or, here's an age would make a man mad. To the tune of, Ragged and torne and true* (1632).
- Peacham, Henry, *The art of living in London* (1642).
- Perfect Diurnall of Some Passages and Proceedings*, 21 (24- 31 October 1653).
- Perkins, William, *The workes of that famous and worthy minister of Christ in the Uniuersitie of Cambridge, Mr. William Perkins. The first volume: newly corrected according to his owne copies* (1626).
- Phillips, John, *A satyr against hypocrites* (1655).
- Pope, Walter, *The memoirs of Monsieur Du Vall* (1670).
- Potts, Thomas, *The wonderfull discoverie of witches in the countie of Lancaster* (1613).
- Prestwich, Edmund, *The hectors: or The false challenge* (1656).
- R., S., *Martin Mark-all* (1610).
- Rabelais, François , *The first [second] book of the works of Mr. Francis Rabelais, Doctor in Physick, containing five books of the lives, heroick deeds, and sayings of Gargantua, and his sonne Pantagruel* (1653).
- Rich, Barnabe, *Greenes newes both from heauen and hell* (1593).
- Richard, Hannam, *The speech and confession of Mr. Richard Hannam on Tuesday last in the rounds of Smithfield* (1656).
- Rid, Samuel, *The art of juggling* (1612).
- Rowlands, Samuel, *Diogines' Lanthorne* (1607).
- *Greenes ghost haunting conie-catchers* (1602).
- *The night-raven* (1620).
- Rushworth, John, *An humblf [sic] remonstrance from His Excellency Sir Thomas Fairfax and the army under his command concerning the present state of affairs in relation to themselves and the kingdom* (1647).
- S., E., *The Discoverie of the knights of the post* (1597).
- S., E., *The witty rogue arraigned, condemned, and executed* (1656).
- S., I., *A brief and perfect journal of the late preceedings and successe of the English army in the West-Indies* (1655).
- S., J., *An excellent comedy, called, The Prince of Priggs revels: or, The practises of that grand thief Captain James Hind* (1651).
- Scott, Thomas, *The high-waies of God and the King Wherein all men ought to walke in holinesse here, to happinesse hereafter* (1623).
- Several Proceedings of Parliament*, 13 (11-18 October 1653).
- Severall Proceedings in Parliament*, 111 (6-13 November 1651).
- Shakespeare, William, *Mr. William Shakespeares comedies, histories, and tragedies* (1623).

- Shakespeare, William, *The London prodigall* (1605).
- Smith, Henry, *The poore mens teares opened in a sermon* (1592).
- Sparke, Michael, *Greevous grones for the poore* (1621).
- Taylor, John, *An arrant thiefe* (1622).
- *Misselanies, or, Fifty years gathering out of sundry authors in prose and verse being the studious readings, painful collections, and some of them are the composings of the writer and publisher heerof* (1652).
 - *The praise and vertue of a Jayle* (1623).
- The Faithful Scout*, 52 (9-16 January 1652).
- The Faithful scout*, 53 (16-23 January 1652).
- The Faithful scout*, 56 (6-13 February 1652).
- The French intelligencer*, 10 (20-27 January 1652).
- The Intelligencer Published for the Satisfaction and Information of the People*, 5 (18-25 January 1664).
- The Intelligencer Published for the Satisfaction and Information of the People*, 7 (25-31 January 1664).
- The weekly intelligencer of the Common-wealth*, 40 (30 September-7 October 1651).
- The weekly Intelligencer of the Common-wealth*, 45 (11-18 November 1651).
- Thomas Wilson, *The arte of rhetorique, for the use of all suche as are studious of eloquence, sette forth in English* (1553).
- Thomas, Johnson, *A World of Wonders* (1595).
- Turner, W., *Turners dish of Lentten stuffe, or, A galymaufery to the tune of Watton townes end.* (1612).
- Vernon, Samuel, *The trepan: being a true relation, full of stupendious variety, of the strange practises of Mehetabel the wife of Edward Jones, and Elizabeth wife of Lieutenant John Pigeon* (1656).
- W., B., *The Trappan trapt. Or The true relation of a cunning, cogging, confident, crafty, counterfeit, cosening and cheating knight, alias knave* (1657).
- Walker, Gilbert, *A Manifest detection of the moste vyle and detestable use of diceplay, and other practises lyke the same* (1555).
- Walter, Pope, *The memoirs of Monsieur Du Vall* (1670).
- Wilkins, John, *An essay towards a real character, and a philosophical language* (1668).
- Wither, George, *Britain's remembrancer containing a narration of the plague lately past; a declaration of the mischiefs present; and a prediction of iudgments to come; (if repentance prevent not.) It is dedicated (for the glory of God) to posteritie; and, to these times (if they please)* (1628).
- Wortley, Francis, *A Loyall Song of the Royall Feast, Kept by the prisoners in the Towre in August last* (1647).

Secondary sources, published books

- Anderson, Benedict, *Imagined communities: reflections on the origin and spread of nationalism* (London: Verso, 1983).
- Arber, Edward (ed.), *A transcript of the registers of the Company of Stationers of London, 1554-1640 A.D, Volume 2* (London: Stationers' Company, 1875).

- Archer, Ian W., *The pursuit of stability: social relations in Elizabethan London* (Cambridge England; New York: Cambridge University Press, 1991).
- Aries, Philippe, *The hour of our death*, (Harmondsworth: Penguin, Peregrine, 1983, 2nd edition).
- Ashton, Robert, *Counter-revolution: the second civil war and its origins, 1646-8*, (New Haven, Conn.: Yale University Press, 1994).
- Atkinson, E. G. (ed.), *Acts of the Privy Council of England*, Volume 33-34, 1613-1616, (HM Stationery Office, 1921-25).
- Aydelotte, Frank, *Elizabethan rogues and vagabonds and their representation in contemporary literature*, Oxford Historical and Literary Studies, 1 (London: Clarendon Press, 1913).
- Baker, David J., *On demand: writing for the market in early modern England* (Stanford: Stanford University Press, 2010).
- Baker, David J., *On demand: writing for the market in early modern England* (Stanford: Stanford University Press, 2010).
- Bakhtin, M. M., *Rabelais and his world* (Bloomington: Indiana University Press, 1984).
- Barnard, John and McKenzie, Donald Francis (eds.), *The Cambridge history of the book in Britain, vol. IV, 1557-1695* (Cambridge: Cambridge University Press, 2002).
- Beattie, J. M., *Crime and the courts in England, 1660-1800* (Oxford: Clarendon, 1986).
- Beattie, J. M., *Policing and Punishment in London, 1660–1750: Urban Crime and the Limits of Terror* (Oxford: Oxford University Press, 2001).
- Beier, A. L. and Finlay, Roger (eds.), *London 1500-1700: the making of the metropolis* (London; New York: Longman, 1986).
- *Masterless men: the vagrancy problem in England 1560-1640* (London: Methuen, 1985).
- Bellamy, Alastair, *The politics of court scandal in early modern England: news culture and the Overbury affair, 1603-1666* (Cambridge: Cambridge University Press, 2002).
- Black, Joseph L. (ed.), *Martin Marprelate tracts* (Cambridge: Cambridge University Press, 2008).
- Boulton, Jeremy, *Neighbourhood and society: a London suburb in the seventeenth century* (Cambridge: Cambridge University Press, 1987).
- *Neighbourhood and Society: a London suburb in the seventeenth century*, (Cambridge: Cambridge University Press, 1987).
- Braddick, M.J., *State formation in early modern England, c. 1550-1700* (Cambridge: Cambridge University Press, 2000).
- Braddick, Michael J. and Walter, John (eds.), *Negotiating power in early modern society: order, hierarchy, and subordination in Britain and Ireland* (Cambridge: Cambridge University Press, 2001).
- Brannigan, John, *New Historicism and Cultural Materialism* (Basingstoke: Macmillan, 1998).
- Brewer, John and Styles, John (eds.), *An ungovernable people: the English and their law in the seventeenth and eighteenth centuries*, (London: Hutchinson, 1980).
- Bristol, Michael D., *Carnival and theater: plebeian culture and the structure of authority in Renaissance England* (New York: Methuen, 1985)

- Burke, Peter, *Popular Culture in Early Modern Europe* (Farnham: Ashgate Pub. Co, 2009, 3rd edition).
- Butler, Martin, *Theatre and crisis, 1632-1642* (Cambridge: Cambridge University Press, 1984).
- Capp, Bernard S., *Astrology and the popular press: English almanacs, 1500-1800* (London; Boston: Faber, 1979).
- *England's culture wars: puritan reformation and its enemies in the Interregnum, 1649-1660* (Oxford: Oxford University Press, 2012).
- Carroll, William C., *Fat king, lean beggar: representations of poverty in the age of Shakespeare* (Ithaca: Cornell University Press, 1996).
- Chandler, Frank Wadleigh, *The Literature of Roguery* (Cambridge: The Riverside Press, 1907).
- Chartier, Roger, *The cultural uses of print in Early Modern France*, translated by Lydia G. Cochrane (Princeton, N.J: Princeton University Press, 1987).
- *The order of books: readers, authors and libraries in Europe between the fourteenth and eighteenth centuries*, translated by Lydia G. Cochrane, (Cambridge: Polity Press, 1994).
- Clark, Sandra, *The Elizabethan pamphleteers: popular moralistic pamphlets 1580-1640* (London: Athlone Press, 1983).
- Clark, Stuart, *Thinking with Demons: The Idea of Witchcraft in Early Modern Europe* (Oxford: Oxford University Press, 1997).
- Cobbett, William (ed.), *Cobbett's complete collection of state trials and proceedings for high treason and other crimes and misdemeanors from the earliest period to the present time*, Volume 6 (London: Bagshaw, 1810).
- Cockburn, J.S. and Green, Thomas A. (eds.), *Twelve good men and true: The criminal jury in England, 1200-1800* (Princeton, N.J.: Princeton University Press, 1988).
- Cohen, Stanley, *Folk devils and moral panics: the creation of the Mods and Rockers* (London, MacGibbon and Kee, 1972).
- Collinson, Patrick, *The birthpangs of Protestant England: religious and cultural change in the sixteenth and seventeenth centuries* (New York: St. Martin's Press, 1988).
- Cressy, David, *Literacy and the social order: reading and writing in Tudor and Stuart England* (Cambridge: Cambridge University Press, 1980).
- Darnton, Robert, *The kiss of Lamourette: reflections in cultural history* (London: Faber, 1990).
- Dasent, John Roche (ed.), *Acts of the Privy Council of England, New series*, Volume 25-32 (HM Stationery Office, 1901).
- Davis, J.C., *Fear, myth, and history: the Ranters and the historians* (Cambridge: Cambridge University Press, 1986).
- Davis, Natalie Zemon, *Fiction in the archives. pardon tales and their tellers in sixteenth-century France* (Stanford: Stanford University Press, 1987).
- Day, Geoffrey (ed.), *The Pepys ballads: facsimile volume I* (Cambridge: D.S. Brewer, 1987).
- De Groot, Jerome, *Royalist identities* (Basingstoke: Palgrave Macmillan, 2004).
- Devereaux, Simon and Griffiths, Paul (eds.), *Penal practice and culture, 1500-1900: punishing the English* (New York: Palgrave Macmillan, 2003).
- Dionne, Craig and Mentz, Steve (eds.), *Rogues and early modern English culture*, (Ann Arbor: University of Michigan Press, 2004).
- Donagan, Barbara, *War in England 1642-1649* (Oxford: Oxford University Press, 2008).

- Dooley, Brendan (ed.), *The dissemination of news and the emergence of contemporaneity in early modern Europe* (Farnham: Ashgate, 2010).
- Eyre, G.E. Briscoe (ed.), *A transcript of the registers of the Company of Stationers of London, 1640-1708*, Volume II 1655-1675 (London: 1913).
- Faller, Lincoln B., *Turned to account: the forms and functions of criminal biography in late seventeenth- and early eighteenth-century England* (Cambridge: Cambridge University Press, 1987).
- Firth, C.H. and Rait, R.S. (eds.), *Acts and Ordinances of the Interregnum, 1642-1660* (London: Stationery Office, 1911).
- Fortesque, G. K. (ed.), *Catalogue of the pamphlets, books, newspapers, and manuscripts relating to the Civil War, the Commonwealth, and Restoration, collected by George Thomason, 1640-1661*, volume I, (London, printed by order of the Trustees, 1908).
- Foucault, Michel, *Discipline and punish: the birth of the prison* (New York: Vintage Books, 1995).
- Fox, Adam, *Oral and Literate Culture in England, 1500-1700* (Oxford: Clarendon, 2000).
- Frank, Joseph, *The beginnings of the English newspaper; 1620-1660* (Cambridge: Harvard University Press, 1961).
- Friedman, Jerome, *Miracles and the pulp press during the English Revolution: the battle of the frogs and Fairford's flies* (London: UCL Press, 1993).
- Fumerton, Patricia, *Unsettled: the culture of mobility and the working poor in early modern England* (Chicago; London: University of Chicago Press, 2006).
- Gaskill, Malcolm, *Crime and mentalities in early modern England* (New York: Cambridge University Press, 2000).
- Geertz, Clifford, *The interpretation of cultures: selected essays* (New York: Basic Books, 1973).
- Genette, Gerard, *Paratexts: thresholds of interpretation*, translated by Jane E. Lewin (Cambridge: Cambridge University Press, 1997).
- Gibbons, Brian, *Jacobean City Comedy: a Study of Satiric Plays by Jonson, Marston and Middleton* (London: Methuen & Co, 1980, 2nd Edition).
- Gibson, Marion, *Reading witchcraft: stories of early English witches* (London: Routledge, 1999).
- Gladfelder, Hal, *Criminality and Narrative in Eighteenth-Century England: Beyond the Law* (Baltimore; London: Johns Hopkins University Press, 2001).
- Goffman, Erving, *Stigma: notes on the management of spoiled identity* (Englewood Cliffs, N.J.: Prentice-Hall, 1963).
- Gowing, Laura, *Domestic dangers: women, words, and sex in early modern London* (Oxford: Clarendon Press, 1998).
- Greenblatt, Stephen, *Shakespearean negotiations: the circulation of social energy in Renaissance England* (Oxford: Clarendon Press, 1987).
- *Will in the world: how Shakespeare became Shakespeare* (London: Jonathan Cape, 2004).
- Griffiths, Paul, Fox, Adam and Hindle, Steve (eds.), *The experience of authority in Early Modern England* (Houndmills: Macmillan Press, 1996).
- Griffiths, Paul, *Lost Londons: change, crime, and control in the capital city, 1550-1660*, (Cambridge: Cambridge University Press, 2008).

- Grosart, Alexander Balloch (ed.) *The life and complete works in prose and verse of Robert Greene, Volume I: Storojenko's life of Robert Greene* (New York: Russell and Russell, 1964, first published 1881-6).
- Grosart, Alexander Balloch (ed.) *The non-dramatic works of Thomas Dekker, Volume V* (New York: Russell, 1963, first published 1884).
- Habermas, Jürgen, *The structural transformation of the public sphere: an inquiry into a category of bourgeois society* (Cambridge: Polity P, 1989).
- Halasz, Alexandra, *The marketplace of print: pamphlets and the public sphere in early modern England* (Cambridge, New York: Cambridge University Press, 1997).
- Harvey, Elizabeth D., *Ventriloquized voices: feminist theory and English Renaissance texts* (London: Routledge, 1992).
- Hay, Douglas, Linebaugh, Peter, Thompson, E.P., Rule, John G. and Winslow, Cal (eds.), *Albion's fatal tree: crime and society in eighteenth-century England* (London: A. Lane, 1975).
- Hazlitt, William Carew, *Shakespeare jest-books* (London: Willis and Sotheran, 1864).
- Head, Richard, *The English Rogue*, critical introduction by Michael Shinagel, (Boston: New Frontiers, 1961).
- Helgerson, Richard, *Elizabethan Prodigals* (Berkeley; Los Angeles; London: University of California Press, 1976).
- Hilliard, Stephen S., *The singularity of Thomas Nashe* (Lincoln: University of Nebraska Press, 1986).
- Hillman, Richard, *Shakespearean Subversions: the trickster and the play-text* (London; New York: Routledge, 1992).
- Hunt, Arnold, *The art of hearing: English preachers and their audiences, 1590-1640* (Cambridge: Cambridge University Press, 2010).
- Hunter, J., *Before novels: the cultural contexts of eighteenth-century English fiction* (New York; London: Norton, 1990).
- Iggers, Georg G., *Historiography in the twentieth century: from scientific objectivity to the postmodern challenge* (Hanover, NH: Wesleyan University Press, 1997).
- Ingram, Martin, *Church courts, sex and marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987).
- Jones, Malcolm, *The print in early modern England: an historical oversight* (New Haven: Yale University Press, 2010).
- Judges, Arthur Valentine, *The Elizabethan underworld: a collection of Tudor and early Stuart tracts and ballads telling of the lives and misdoings of vagabonds, thieves, rogues and cozeners, and giving some account of the operation of the criminal law* (London: G. Routledge and Sons, Ltd., 1930).
- Kassell, Lauren, *Medicine and magic in Elizabethan London: Simon Forman, astrologer, alchemist, and physician* (Oxford: Clarendon Press, 2005).
- Kinney, Arthur (ed.), *Rogues, vagabonds, and sturdy beggars: a new gallery of Tudor and early Stuart rogue literature exposing the lives, times, and cozening tricks of the Elizabethan underworld*, (Amherst: University of Massachusetts Press, 1990, originally published 1973).
- Lake, Peter and Pincus, Steven C. A. (eds.), *The politics of the public sphere in early modern England*, (Manchester: Manchester University Press, 2007).
- Lake, Peter with Questier, Michael, *The Antichrist's lewd hat: Protestants, Papists and players in post-Reformation England* (New Haven; London: Yale University Press, 2002).

- Latham, Robert (ed.), *The complete diary of Samuel Pepys: a new and complete transcription*, Volume V, 1664 (London: HarperCollins, 2003).
- Lesser, Zachary, *Renaissance drama and the politics of publication: readings in the English book trade*, (Cambridge: Cambridge University Press, 2004).
- Linebaugh, Peter, *The London hanged: crime and civil society in the eighteenth century* (London, Allen Lane, 1991).
- Lyle, J. V. (ed.), *Acts of the Privy Council of England*, Vols. 39-41, 1623-1626, (HM Stationery Office, 1933-38).
- Manning, Brian, *The English People and the English Revolution* (London: Heinemann Educational, 1976).
- Manning, Roger B., *Swordsmen: the martial ethos in the three kingdoms* (New York: Oxford University Press, 2003).
- Marotti, Arthur F., *Manuscript, Print, and the English Renaissance Lyric* (Ithaca: Cornell University Press, 1995)
- McClain, Lisa, *Lest we be damned: practical innovation and lived experience among Catholics in Protestant England, 1559-1642* (New York: Routledge, 2004).
- McElligott, Jason, *Royalism, print and censorship in revolutionary England* (Woodbridge, Rochester, NY: Boydell Press, 2007).
- McKenzie, Andrea Katherine, *Tyburn's martyrs: execution in England, 1675-1775* (London : Hambledon Continuum 2007).
- McKenzie, D.F., *Making Meaning: Printers of the Mind and Other Essays* (Studies in Print Culture and the History of the Book), Peter D. McDonald and Michael F. Suarez (eds.), (Amherst, Massachusetts: University of Massachusetts Press, 2002)
- McKerrow, Ronald Brunlees, *A dictionary of printers and booksellers in England, Scotland and Ireland, and of foreign printers of English books, 1557-1640* (London: Blades, East and Blades, 1910).
- McLuhan, Marshall, *The Gutenberg galaxy: the making of typographic man* (Toronto: University of Toronto Press, 1962).
- McMullan, John L., *The canting crew: London's criminal underworld, 1500-1700* (New Brunswick: Rutgers University Press, 1984).
- Melnikoff, Kirk and Gieskes, Edward (eds.), *Writing Robert Greene: essays on England's first notorious professional writer* (Aldershot: Ashgate 2008).
- Mentz, Steve, *Romance for sale in early modern England: the rise of prose fiction* (Aldershot: Ashgate, 2006).
- Merritt, J. F (ed.), *Imagining early modern London: perceptions and portrayals of the city from Stow to Strype, 1598-1720* (Cambridge: Cambridge University Press, 2001).
- *The social world of early modern Westminster: abbey, court and community, 1525-1640* (Manchester: Manchester University Press, 2005).
- Miller, Edwin Haviland, *The professional writer in Elizabethan England: a study of nondramatic literature* (Cambridge; Massachusetts: Harvard University Press, 1959).
- Morrissey, Mary, *Politics and the Paul's Cross sermons, 1558-1642* (Oxford: Oxford University Press, 2011).
- Nicholl, Charles, *A cup of news: the life of Thomas Nashe* (London; Boston: Routledge and Kegan Paul, 1984).
- O'Callaghan, Michelle, *The English wits: literature and sociability in early modern England* (Cambridge: Cambridge University Press 2007).
- Ong, Walter J., *Orality and literacy: the technologizing of the word* (London: Methuen, 1982).

- Orgel, Stephen, *The illusion of power: political theater in the English Renaissance* (Berkeley: University of California Press, 1975).
- Pafford, John Henry Pyle, *John Clavell, 1601-43: highwayman, author, lawyer, doctor* (Oxford: Leopard's Head Press, 1993).
- Peacey, Jason, *Politicians and pamphleteers: propaganda during the English civil wars and interregnum* (Aldershot: Ashgate, 2004).
- Potter, Lois, *Secret Rites and Secret Writing: royalist literature, 1641-1660* (Cambridge; New York: Cambridge University Press, 1989).
- Pugliatti, Paola, *Beggary and the theatre in early modern England* (Aldershot: Ashgate, 2003).
- Randall, David, *Credibility in Elizabethan and Early Stuart Military News* (London: Pickering and Chatto, 2008).
- Rappaport, Steve Lee, *Worlds within worlds: structures of life in sixteenth-century London* (Cambridge; New York: Cambridge University Press, 1989).
- Raymond, Joad (ed.), *The Oxford history of popular print culture: volume one: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011).
- *Pamphlets and Pamphleteering in Early Modern Britain*, (Cambridge: Cambridge University Press, 2003).
 - *The invention of the newspaper English newsbooks, 1641-1649* (Oxford: Clarendon, 2005).
- Reynolds, Bryan, *Becoming criminal: transversal performance and cultural dissidence in early modern England* (Baltimore: The Johns Hopkins University Press, 2002).
- Rhodes, Neil, *Elizabethan grotesque* (London; Boston: Routledge and Kegan Paul, 1980).
- Rimbault, Edward F. (ed.), *The four knaves: a series of satirical tracts by Samuel Rowlands* (London: Percy Society, 1843).
- Ryrie, Alec, *The sorcerer's tale: faith and fraud in Tudor England* (Oxford: Oxford University Press, 2008).
- Said, Edward W., *Orientalism* (London: Routledge and Kegan Paul, 1978).
- Salgado, Gamini, *The Elizabethan Underworld* (London: J.M. Dent and Sons Ltd, 1977).
- Sharpe, J. A., *Dick Turpin: the myth of the English highwayman* (London: Profile Books, 2004).
- *Crime in early modern England, 1550-1750* (London, New York: Longman, 1984).
 - *Early modern England: a social history, 1550-1760* (London: Edward Arnold, 1997).
- Sharpe, Kevin and Lake, Peter (eds.), *Culture and Politics in Early Stuart England*, (Houndmills: Macmillan, 1994).
- Shoemaker, Robert B., *Prosecution and Punishment: Petty Crime and the Law in London and Rural Middlesex, c.1660-1725*, (Cambridge University Press, 1991).
- Slack, Paul, *Poverty and policy in Tudor and Stuart England* (London, New York: Longman, 1988).
- Smith, Helen, *'Grossly material things': women and book production in early modern England*, (Oxford: Oxford University Press, 2012).
- Smith, Nigel, *Literature and revolution in England, 1640-1660* (New Haven: Yale University Press, 1994).

- Smith, Sidonie and Watson, Julia, *Reading autobiography: a guide for interpreting life narratives* (Minneapolis; London: University of Minnesota Press, 2001).
- Sommerville, C. John, *The News Revolution in England: Cultural Dynamics of Daily Information* (New York: Oxford University Press 1996).
- Spiegel, Gabrielle M., *Practicing history: new directions in historical writing after the linguistic turn* (New York; London: Routledge, 2005).
- Spraggs, Gillian, *Outlaws and highwaymen: the cult of the robber in England from the Middle Ages to the nineteenth century* (London: Pimlico, 2001).
- Spufford, Margaret, *Small books and pleasant histories: popular fiction and its readership in seventeenth-century England* (London: Methuen, 1981).
- Stevenson, Laura Caroline, *Praise and paradox: merchants and craftsmen in Elizabethan popular literature* (Cambridge: Cambridge University Press, 1984).
- Strinati, Dominic, *An Introduction to Theories of Popular Culture* (London: Routledge, 2004, 2nd edition).
- Taylor, Gary and Lavagnino, John (eds.), *Thomas Middleton. The collected works* (Oxford: Clarendon, 2007).
- Tribble, Evelyn B., *Margins and marginality: the printed page in early modern England* (Charlottesville: University Press of Virginia, 1993).
- Underdown, David, *A freeborn people: politics and the nation in seventeenth-century England* (Oxford; New York: Clarendon Press, 1996).
- *Royalist Conspiracy in England 1649-1660* (New Haven: Yale University Press, 1960).
- Venuti, Lawrence, *Our halcyon dayes: English prerevolutionary texts and postmodern culture* (Madison: University of Wisconsin Press, 1989).
- Viles, Edward and Furnivall, Frederick James (eds.), *Rogues and Vagabonds of Shakespeare's Youth*, New Shakespeare Society Reprints, vol. 69 (London: N.Trübner, 1880).
- Walsham, Alexandra, *Providence in early modern England* (Oxford; New York: Oxford University Press, 1999).
- Wardroper, John, *Jest upon jest: a selection from the jestbooks and collections of merry tales published from the reign of Richard III to George III* (London: Routledge and K. Paul, 1970).
- Watt, Tessa, *Cheap print and popular piety, 1550-1640* (Cambridge, Cambridge University Press, 1991).
- Withington, Phil, *Society in Early Modern England: The Vernacular Origins of Some Powerful Ideas* (Cambridge: Polity Press, 2010).
- Woodbridge, Linda, *Vagrancy, Homelessness, and English Renaissance Literature* (Urbana: University of Illinois Press, 2001).
- Worden, Blair, *The Rump Parliament, 1648-1653* (Cambridge: Cambridge University Press, 1974).
- Wrightson, Keith, *English society, 1580-1680* (London: Hutchinson, 1982).
- Young, Alan R., *The English prodigal son play: a theatrical fashion of the sixteenth and seventeenth centuries* (Salzburg: Inst. f. Anglistik u. Amerikanistik, Univ. Salzburg, 1979).
- Zaret, David, *Origins of democratic culture: printing, petitions, and the public sphere in early-modern England* (N.J.: Princeton University Press, 2000).
- Zucker, Adam, *The places of wit in early modern English comedy* (Cambridge: Cambridge University Press, 2011).

Secondary sources, chapters in books and articles in journals

- Amussen, Susan Dwyer, 'Punishment, Discipline and Power: The Social Meanings of Violence in Early Modern England', *Journal of British Studies*, 34 (1995), 1-34.
- Archer, Ian, 'Material Londoners?', in Orlin Lena Cowen Orlin (ed.) *Material London, ca. 1600* (Philadelphia: University of Pennsylvania Press, 2000), 174-192.
- Archer, Ian, 'Popular politics in the sixteenth and early seventeenth centuries', in Paul Griffiths and Mark S. R. Jenner (eds.), *Londinopolis: essays in the cultural and social history of early modern London* (Manchester: Manchester University Press, 2000), 26-46.
- Archer, Ian, 'The arts and acts of memorialisation in early modern London', in J. F. Merritt (ed.), *Imagining early modern London: perceptions and portrayals of the city from Stow to Strype, 1598-1720* (Cambridge: Cambridge University Press, 2001), p. 89-117.
- Austin, Roy L., review of *The Elizabethan Underworld* by Gãmini Salgãdo, *Annals of the American Academy of Political and Social Science*, 436, (1978), 192-193.
- Bates, Thomas R., 'Gramsci and the Theory of Hegemony', *Journal of the History of Ideas*, 36, No. 2 (1975), 351-366.
- Bayman, Anna, 'Rogues, Cony-catching and the Scribbling Crew', *History Workshop*, 63 (2007), 1-17.
- 'Printing, Learning and the Unlearned', in Joad Raymond (ed.), *The Oxford history of popular print culture: volume one: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011), p. 76-87.
- Beier, A. L., 'Vagrants and the Social Order in Elizabethan England,' *Past and Present*, LXIV (1974), 1-29.
- 'Social Problems in Elizabethan London', *The Journal of Interdisciplinary History*, 9, No. 2 (1978), 203-221.
- 'New Historicism, Historical Context, and the Literature of Roguery: The Case of Thomas Harman Reopened', in Craig Dionne and Steve Mentz (eds.), *Rogues and early modern English culture*, (Ann Arbor: University of Michigan Press, 2004), 98-119.
- Bellany, Alastair, 'Libels in Action: Ritual, Subversion and the English Literary Underground, 1603-42', in Tim Harris (ed.) *Politics of the Excluded, c.1500-1850* (Basingstoke: Palgrave 2001), pp. 107-108.
- Beresford, M.W., 'The Common Informer, the Penal Statutes and Economic Regulation', *Economic History Review*, New Series, 10, No. 2 (1957), 221-238
- Bickley, Francis, *Report on the Manuscripts of the late Reginald Rawdon Hastings, Esq*, Vol II (London: HMSO, 1930).
- Bidwell, John, 'French paper in English books', in John Barnard and Donald Francis McKenzie (eds.), *The Cambridge history of the book in Britain, vol. IV, 1557-1695* (Cambridge: Cambridge University Press, 2002), 583-601.
- Boulton, Jeremy, 'The Poor Among the Rich: Paupers and the Parish, in the West End, 1600-1724', in Paul Griffiths and Mark S. R. Jenner (eds.), *Londinopolis: essays in the cultural and social history of early modern London* (Manchester: Manchester University Press, 2000), 197-225.
- 'Wage Labour in seventeenth-century London', *The Economic History Review*, 49, No. 2 (1996), 268-290.

- Bowen, Lloyd, 'Seditious Speech and popular Royalism, 1649-1660', in Jason McElligott and David L. Smith (eds.), *Royalists and Royalism During the Interregnum* (Manchester: Manchester University Press, 2010), 44-66.
- Braddick, Michael J., 'England and Wales' in Joad Raymond (ed.), *The Oxford history of popular print culture: volume one: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011), 17-30.
- Clark, Stuart, 'Inversion, Misrule and the Meaning of Witchcraft', *Past and Present*, 87 (1980), 98-127.
- Cockburn, J.S. 'The Nature and Incidence of Crime in England 1559-1625', in J.S. Cockburn (ed.), *Crime in England 1550-1800* (London: Methuen, 1977), 49-71.
- 'Twelve silly men? The trial jury at Assizes, 1560-1670', in J.S. Cockburn and Thomas A. Green (eds.), *Twelve good men and true: the criminal trial jury in England, 1200-1800* (Princeton: Princeton University Press, 1988), 158-181.
- review of *The Elizabethan Underworld* by Gãmini Salgãdo, *Journal of Social History*, 11, No. 4 (1978), 594-596.
- Crupi, Charles, 'Greenes Life', in Kirk Melnikoff (ed.), *Robert Greene* (Farnham: Ashgate, 2011), 1-35.
- Cust, Richard, 'News and Politics in Early Seventeenth-Century England', *Past and Present*, 112 (1986), 60-90.
- Dabhoiwala, Faramerz, 'Summary Justice in Early Modern London', *English Historical Review*, CXXI, No. 492 (2006), 796-822.
- Davis, Owen, 'Urbanization and the Decline of Witchcraft: An Examination of London', *Journal of Social History*, 30, No. 3 (1997), pp. 597-617.
- De Groot, Jerome, 'Prison writing, writing prison in the 1640s and 1650s', *Huntington Library Quarterly*, 79, No. 2 (2009), 193-215.
- Dutton, E. P., review of *The Elizabethan Underworld* by A. V. Judges, *Social Service Review*, 5, No. 4 (1931), p. 677.
- Fincham, Kenneth and Lake, Peter, 'The Ecclesiastical Policy of King James I', *Journal of British Studies*, 24, No. 2, Politics and Religion in the Early Seventeenth Century: New Voices (1985), 169-207.
- Finlay, Roger and Shearer, Beatrice, 'Population growth and suburban expansion', in A. L. Beier and Roger Finlay (eds.), *London 1500-1700: the making of the metropolis* (London; New York: Longman, 1986), 35-57.
- Fisher, F.J., 'London as an engine of economic growth', in Peter Clark (ed.), *The Early modern town: a reader* (New York: Longman, 1976), 205-215.
- Fumerton, Patricia, 'London's Vagrant Economy: making space for "Low" subjectivity', in Orlin Lena Cowen Orlin (ed.) *Material London, ca. 1600* (Philadelphia: University of Pennsylvania Press, 2000), 206-225.
- 'Making Vagrancy (In)Visible: The Economics of Disguise in Early Modern Rogue Pamphlets', in Craig Dionne and Steve Mentz (eds.), *Rogues and early modern English culture*, (Ann Arbor: University of Michigan Press, 2004), 193-210.
- Gaskill, Malcolm, 'Reporting Murder: Fiction in the Archives in Early Modern England', *Social History*, 23, No. 1 (1998), 1-30.
- 'Reporting Murder: fiction in the archives in early modern England', *Social History*, 23, No. 1 (1998), 1-30.
- Graves, Thornton Shirley, 'Some Pre-Mohock Clansmen', *Studies in Philology*, 20, No. 4 (1923), 395-421.

- Griffiths, Paul, 'The structure of prostitution in Elizabethan London', *Continuity and Change*, 8, Issue 1, (1993), 39-63.
- Hall, Stuart, 'Introduction to media studies at the Centre', in Stuart Hall, Dorothy Hobson, Andrew Lowe and Paul Willis (eds.), *Culture, media, language: working papers in cultural studies, 1972-79* (London; Hutchinson; Birmingham, West Midlands: Centre for Contemporary Cultural Studies, University of Birmingham, 1980), p. 117-120.
- Hansen, Adam, "'Sin City and the Urban Condom": Rogues, Writing, and the Early Modern Urban Environment', in Dione and Mentz (eds.), *Rogues and Early Modern English Culture*, 213-239.
- 'Realizing Rogues: Theory, Organization, Dialogue', *Ephemera*, 4, No. 4 (2004), 328-346.
- Harding, Vanessa, 'The Population of London, 1550–1700: a review of the published evidence', *The London Journal*, 15, No. 2 (1990), 111-128.
- Harris, Tim, 'Problematising Popular Culture', in Tim Harris (ed.), *Popular culture in England, c. 1500-1850* (Houndmills, Basingstoke: Macmillan, 1995), 1-27.
- Helfand Bix, Karen, "'Masters of their occupation": Labor and Fellowship in the Conny-Catching Pamphlets' in Craig Dionne and Steve Mentz (eds.), *Rogues and early modern English culture*, (Ann Arbor: University of Michigan Press, 2004), 171-192.
- Hirst, Derek, 'The failure of Godly rule in the English Republic', *Past and Present*, 132 (1991), 33-66.
- Ingram, Martin, "'Scolding Women Cucked or Washed": a crisis in gender relations in early modern England?', in Jenny Kermode and Garthine Walker, *Women, crime and the courts in early modern England* (Chapel Hill: University of North Carolina Press, 1994), 47-79.
- Jenner, Mark S. R., 'Plague on a Page: *Lord Have Mercy Upon Us* in Early Modern London', *The Seventeenth Century*, Volume XXVII, No.3 (2012), 255-286,
- 'Reply', *Past and Present*, 196 (2007), 273-286.
- 'The Roasting of the *Rump*: Scatology and the Body Politic in Restoration England', *Past and Present* (2002), 177, 84-120
- Johnson, Francis R., 'Notes on English Retail Book-Prices, 1550-1640', *The Library*, 5th series, 5, No. 2 (1950), 83-113.
- Keblusek, Marika, 'Wine for Comfort: Drinking and the Royalist Exile Experience, 1642-1660', in Adam Smyth (ed.), *A Pleasing Sinne: Drink and Conviviality in Seventeenth-Century England* (Cambridge: D.S. Brewer, 2004), p. 55-68.
- Koch, Mark, 'The Desanctification of the Beggar in Rogue Pamphlets of the English Renaissance' in David G. Allen and Robert A. White (eds.) *The Work of Dissimilitude: Essays from the Sixth Citadel Conference on Medieval and Renaissance Literature* (Newark: University of Delaware Press, 1992), 91-104.
- Lake, Peter and Pincus, Steven C. A., 'Rethinking the public sphere in early modern England' in Peter Lake and Steven C. A. Pincus (eds.), *The politics of the public sphere in early modern England*, (Manchester: Manchester University Press, 2007), 1-30.
- Lake, Peter and Questier, Michael, "Agency, Appropriation and Rhetoric under the gallows: Puritans, Romanists and the State in Early Modern England", *Past and Present*, 153 (1996), 64-107.

- Lake, Peter, 'Cheap Print, Protestantism and Murder in Early Seventeenth Century England', in Kevin Sharpe and Peter Lake (eds.), *Culture and Politics in Early Stuart England* (Houndmills: Macmillan, 1994), 257-83.
- 'From Troynouvant to Heliogabulus's Rome and back: 'order' and its others in the London of John Stow', in J. F. Merritt (ed.), *Imagining early modern London: perceptions and portrayals of the city from Stow to Strype, 1598-1720* (Cambridge: Cambridge University Press, 2001).
 - 'Popular form, Puritan content? Two Puritan appropriations of the murder pamphlet from mid-seventeenth-century London', in Anthony Fletcher (ed.), *Religion, culture, and society in early modern Britain: essays in honour of Patrick Collinson* (Cambridge: Cambridge University Press, 1994), 313-334.
 - 'Puritanism, Arminianism and a Shropshire axe-murder', *Midland History*, 15 (1990) 37-64.
 - "Deeds against Nature: Cheap Print, Protestantism and Murder in Early Seventeenth Century England", in Sharpe and Lake (eds.), *Culture and Politics*, pp. 257-283.
- Laqueur, Thomas, 'Crowds, carnival and the state in English executions, 1604-1868', in A. Beier, D. Cannadine and J. Rosenheim (eds.), *The First Modern Society* (Cambridge: Cambridge University Press, 1989), 305-356.
- Laqueur, Thomas, 'The Cultural Origins of Popular Literacy in England 1500-1850', *Oxford Review of Education*, 2, No. 3, History and Education. Part One (Oxford: Routledge 1976), 255-275.
- Laslett, Peter, 'The Wrong Way Through the Telescope: A Note on Literary Evidence in Sociology and in Historical Sociology', *The British Journal of Sociology*, 27, No. 3, (1976), 319-342.
- Lemmings, David, 'Introduction: Law and Order, Moral Panics, and Early Modern England', in David Lemmings, Claire Walker (eds.), *Moral panics, the media and the law in early modern England* (Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan, 2009), 1-21.
- Lesser, Zachary, 'Typographic Nostalgia: Play-Reading, Popularity, and the Meanings of Black Letter', in Marta Straznicky (ed) *The book of the play. Playwrights, Stationers, and Readers in Early Modern England* (Amherst, University of Massachusetts Press, 2006), 99-126.
- Linton, Joan Pong, 'Counterfeiting sovereignty, mocking mastery: trickster poetics and the critique of romance in Nashe's Unfortunate Traveller', in Naomi Conn Liebler (ed.), *Early Modern Prose Fiction. The cultural politics of reading* (London: Routledge, 2007), 130-47.
- Long, Michael, 'Transgression and Cultural Taboo: Constructing the Criminal in English Renaissance Rogue Literature', *Cahiers Elisabethains*, 54 (1998), 1-25.
- Martin, Randall, 'Henry Goodcole, Visitor of Newgate: Crime, Conversion, and Patronage', *The Seventeenth century*, 20, No. 2, (2005), 153-184.
- May, Steven W., 'Tudor Aristocrats and the mythical "stigma of the print"', *Renaissance Papers*, 10 (1980), 11-18.
- McCullough, Peter, 'Print, Publication, and Religious Politics in Caroline England', *The Historical Journal*, 51 (2008), 285-313.
- McKenzie, Andrea, "'This death some strong and stout hearted man doth choose": The Practice of Peine Forte et Dure in Seventeenth- and Eighteenth-Century England', *Law and History Review* (2005), 279-313.
- McMullan, John L., 'Criminal Organization in Sixteenth and Seventeenth Century London', *Social Problems*, 29, No. 3 (1982), 311-323.

- McShane, Angela, 'Debate: "The Roasting of the *Rump*: Scatology and the Body Politic in Restoration England"', *Past and Present*, 196 (2007), 253-272.
- 'Typography Matters: The Branding of Ballads and the Gelding of Curates in Stuart England', in John Hinks and Catherine Armstrong (eds.), *Book trade Connections from the Seventeenth to the Twentieth Centuries* (Delaware and London: British Library Print Networks Series: Oak Knoll, 2008), 19-44.
- Mentz, Steve, 'Day labor: Thomas Nashe and the practice of prose in early modern England', in Naomi Conn Liebler (ed.), *Early Modern Prose Fiction. The cultural politics of reading* (London: Routledge, 2007), 18-32.
- 'Forming Greene: Theorizing the Early Modern Author in the *Groatsworth of Wit*', in Melnikoff and Gieskes (eds.), *Writing Robert Greene*, p. 115-132.
 - 'Magic Books: Cony-Catching and the Romance of Early Modern London', in Craig Dionne and Steve Mentz (eds.), *Rogues and early modern English culture*, (Ann Arbor: University of Michigan Press, 2004), 240-258.
- Mish, Charles C., 'Black Letter as a Social Discriminant in the Seventeenth Century', *PMLA*, 68 (1953), 627-630.
- Montrose, Louis Adrian, "'Eliza, Queene of shepheardes,'" and the Pastoral of Power', *English Literary Renaissance*, 10, No. 2 (1980), 153-182.
- Newcomb, Lori Humphrey, "'Social Things": The Production of Popular Culture in the Reception of Robert Greene's *Pandosto*', *ELH*, 61, No. 4 (1994), 753-781.
- 'What is a Chapbook?' in Matthew Dimmock and Andrew Hadfield (eds.), *Literature and popular culture in early modern England* (Surrey: Ashgate, 2009), 57-72.
- O'Callaghan, Michelle, "'Thomas the Scholer" versus "John the Sculler": defining popular culture in the early seventeenth century', in Matthew Dimmock and Andrew Hadfield (eds.), *Literature and popular culture in early modern England* (Surrey: Ashgate, 2009), 45-56.
- 'Tavern societies, the Inns of Court, and the culture of conviviality in early seventeenth-century London', in Adam Smyth (ed.), *A Pleasing Sinne: Drink and Conviviality in Seventeenth-Century England* (Cambridge: D.S. Brewer, 2004), 37-51.
- Ong, Walter J., 'The Writer's Audience Is Always a Fiction', *PMLA*, 90, No. 1 (1975), 9-21.
- Parry, Graham, 'Patronage and the printing of learned works for the author', in John Barnard and Donald Francis McKenzie (eds.), *The Cambridge history of the book in Britain, vol. IV, 1557-1695* (Cambridge: Cambridge University Press, 2002), 174-188.
- Peacey, Jason, 'Pamphlets', Joad Raymond (ed.), *The Oxford history of popular print culture: volume one: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011), 453-470.
- 'Sir Thomas Cotton's Consumption of News in 1650s England', *The Library: The Transactions of the Bibliographical Society*, 7, No. 1 (2006), 3-24, p.18.
 - 'The Management of Civil War Newspapers: Auteurs, Entrepreneurs and Editorial Control', *The Seventeenth Century*, 21, no. 1 (2006), 99-127.
- Pearl, Valerie, 'Change and Stability in Seventeenth-century London', *The London Journal*, 5, No. 1 (1979), 3-34.
- 'London's Counter-Revolution', in G. E. Elmer (ed.), *The Interregnum: the quest for settlement, 1646-1660* (London: Macmillan, 1974), 29-56.

- Pender, Patricia, 'Reading Bale Reading Anne Askew: Contested Collaboration in *The Examinations*', *Huntington Library Quarterly*, 73, No. 3 (2010), 507-522.
- Power, M. J., 'A 'Crisis' Reconsidered: Social and Demographic Dislocation in London in the 1590s', *The London Journal*, 12, No. 2 (1986), 134-145.
- 'The east and the west in early-modern London', in E.W. Ives, R.J. Knecht and J.J. Scarisbrick (eds.), *Wealth and Power in Tudor England* (London: Athlone Press, 1978), 167-185.
 - 'London and the Control of the Crisis of the 1590s', *History*, 70 (1985), 371-385.
 - 'The East London working community in the seventeenth century' in Penelope J. Corfield and Derek Keene (eds.), *Work in towns, 850-1850* (Leicester: Leicester University Press, 1990), 103-120.
- Raymond, Joad, 'News' in Joad Raymond (ed.), *The Oxford history of popular print culture: volume 1: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011), 377-397.
- 'The development of the Book Trade in Britain', in Joad Raymond (ed.), *The Oxford history of popular print culture: volume one: cheap print in Britain and Ireland to 1660* (Oxford: Oxford University Press, 2011), 59-75.
- Rhodes, Neil, 'Orality, Print and Popular Culture: Thomas Nashe and Marshall McLuhan' in Matthew Dimmock and Andrew Hadfield (eds.), *Literature and popular culture in early modern England* (Surrey: Ashgate, 2009), 29-44.
- Sacks, David Harris, 'London's Dominion: The Metropolis, the Market Economy, and the State' in Orlin Lena Cowen Orlin (ed.) *Material London, ca. 1600* (Philadelphia: University of Pennsylvania Press, 2000), 20-54.
- Schofield, John, 'The Topography and Buildings of London, ca. 1600', in Lena Cowen Orlin (ed.) *Material London, ca. 1600* (Philadelphia: University of Pennsylvania Press, 2000), 296-321.
- Shaaber, M. A., review of *The professional writer in Elizabethan England: a study of nondramatic literature* by Edwin Haviland Miller, *Renaissance News*, 13, No. 1 (1960), pp. 38-40.
- Shand, G. B., 'The Black Book', in Gary Taylor (ed.), *Thomas Middleton: the collected works* (Oxford: Clarendon, 2007), 204-218.
- Sharpe, J. A., 'Civility, civilizing processes and the end of public punishment in England', in Peter Burke, Brian Howard Harrison and Paul Slack (eds.), *Civil histories: essays presented to Sir Keith Thomas* (Oxford; New York: Oxford University Press, 2000), 215-230.
- 'The History of Crime in Late Medieval and Early Modern England: A Review of the Field', *Social History*, 7, No. 2 (1982), 187-203.
 - "'Last Dying Speeches": Religion, Ideology and Public Execution in Seventeenth-Century England', *Past and Present*, 107, no. 1 (1985), 144-167.
 - 'People and the law', in Barry Reay (ed.), *Popular culture in seventeenth-century England* (London: Routledge, 1988, originally published 1985), 244-70.
 - "'Last Dying Speeches": Religion, Ideology and public execution in seventeenth-century England", *Past and Present*, 107 (1985), 144-167.
- Shoemaker, Robert B., 'The Street Robber and the Gentleman Highwayman: Changing Representations and Perceptions of Robbery in London', 1690-1800, *Cultural and Social History*, 3 (2006), 1-25.

- Slack, Paul A., 'Vagrants and Vagrancy in England, 1598-1664', *Economic Hist. Rev.*, 2nd ser., XXVII (1974), 360-79.
- Stern, Tiffany, "'On each Wall / And Corner Post": Playbills, Title-pages, and Advertising in Early Modern London', *English Literary Renaissance*, 36 (2006), 57-85.
- Sullivan, Garrett and Woodbridge, Linda, 'Popular culture in print' in Arthur F. Kinney (ed.), *The Cambridge Companion to English Literature, 1500-1600* (Cambridge, New York: Cambridge University Press, 2000), pp. 265-286.
- Thomas, Keith, 'The Meaning of Literacy in Early Modern England' in Gerd Baumann (ed.), *The Written Word: Literacy in Transition* (Oxford: Clarendon Press, 1986), 97-131.
- 'The place of laughter in Tudor and Stuart England', *Times Literary Supplement*, 22 (1977), 71-81.
- Ungerer, G., 'Prostitution in Late Elizabethan London: the case of Mary Newborough', *Medieval and Renaissance Drama in England*, 15 (2003), 138-223.
- Wales, Tim, 'Thief-takers and their clients in later Stuart London', in Paul Griffiths and Mark S. R. Jenner (eds.), *Londinopolis: essays in the cultural and social history of early modern London* (Manchester: Manchester University Press, 2000), 67-84.
- Weber, Harold, 'Representations of the King: Charles II and His Escape from Worcester', *Studies in Philology*, 85, No. 4 (1988), 489-509.
- Weinstein, Rosemary, 'London at the outbreak of the Civil War', in Stephen Porter (ed.), *London and the Civil War* (Houndmills, Basingstoke: Macmillan Press, 1996), 31-44.
- Wiltenburg, Joy, 'True Crime: The Origins of Modern Sensationalism', *The American Historical Review*, Vol. 109, 5 (2004), 1377-1404.
- Wood, Andy, "'Poore men woll speke one daye": Plebeian languages of deference and defiance in England, c.1520-1640", in Tim Harris (ed.), *The politics of the excluded, c.1500-1850* (Basingstoke: Palgrave, 2001), 67-98.
- Woodbridge, Linda, 'Jest Books, the Literature of Roguery, and the Vagrant Poor in Renaissance England', *English Literary Renaissance*, 33, (2003), 201-210.
- Worden, Blair, "'Wit in a Roundhead": the dilemma of Marchamont Nedham', in David Underdown, Susan Dwyer Amussen and Mark A. Kishlansky (eds.), *Political culture and cultural politics in early modern England: essays presented to David Underdown* (Manchester: Manchester University Press, 1995), 301-337.
- Wrightson, Keith and Walter, John, 'Dearth and the social order in Early Modern England', *Past and Present*, 71 (1976), 22-42.
- Wrightson, Keith, 'The Politics of the Parish in Early Modern England', in Paul Griffiths, Adam Fox and Steve Hindle (eds.), *The experience of authority in Early Modern England* (Houndmills: Macmillan Press, 1996), 10-46.
- Wrightson, Keith, 'Two concepts of order: Justices, constables and jurymen in seventeenth-century England', in John Brewer and John Styles (eds.), *An ungovernable people: the English and their law in the seventeenth and eighteenth centuries*, (London: Hutchinson, 1980), 21-46.
- Wunderli, Richard and Broce, Gerald, 'The Final Moment before Death in Early Modern England', *The Sixteenth Century Journal*, 20, No. 2 (1989), 259-75.

Unpublished PhD Theses

Tosney, Nicholas Barry, 'Gaming in England, c. 1540-1760' (Unpublished PhD Thesis. University of York, 2008).

Online

Phillpott, Matt, review of *Society in Early Modern England: The Vernacular Origins of Some Powerful Ideas*, (review no. 1011) URL: <http://www.history.ac.uk/reviews/review/1011> [accessed 24 April 2013].

LMA, 'Westminster Sessions of the Peace: Court in Session', http://search.lma.gov.uk/scripts/mwimain.dll/144/LMA_OPAC/web_detail/REFD+WJ?SESSIONSEARCH, [accessed 21 July 2013].

LMA, 'Middlesex Sessions of the Peace: Court in Session', http://search.lma.gov.uk/scripts/mwimain.dll/38/2/5/4197?RECORDandDATABASE=LMA_DESCRIPTIONandURLMARKER=STARTREQUEST [accessed 27 February 2013].

Everett Green, Mary Anne (ed.), Calendar of State Papers Domestic: Interregnum, 1651-2, *British History Online*, <http://www.british-history.ac.uk/source.aspx?pubid=647> [accessed 11 November 2012].

Everett Green, Mary Anne (ed.), Calendar of State Papers, Domestic Series, Elizabeth, 1591-1594, *British History Online*, <http://www.british-history.ac.uk.ezproxy.york.ac.uk/source.aspx?pubid=712> [accessed 11 November 2012].

Everett Green, Mary Anne (ed.), Calendar of State Papers, Domestic Series, Elizabeth, 1595-1597, *British History Online*, <http://www.british-history.ac.uk.ezproxy.york.ac.uk/source.aspx?pubid=714> [accessed 11 November 2012].

Everett Green, Mary Anne (ed.), Calendar of State Papers, Domestic Series, James I, 1619-1623, *British History Online*, <http://www.british-history.ac.uk.ezproxy.york.ac.uk/source.aspx?pubid=468> [accessed 25 November 2012].

Everett Green, Mary Anne (ed.), Calendar of State Papers, Domestic Series, James I, 1623-1625, *British History Online*, <http://www.british-history.ac.uk.ezproxy.york.ac.uk/source.aspx?pubid=471> [accessed 25 November 2012].

Everett Green, Mary Anne (ed.), Calendar of State Papers Domestic: Interregnum, 1654, *British History Online*, <http://www.british-history.ac.uk/report.aspx?compid=53451>. [accessed 25 September 2013].

White, Barbara. "Hind, James (*bap.* 1616, *d.* 1652)." Barbara White In *Oxford Dictionary of National Biography*, online ed., edited by Lawrence Goldman. Oxford: OUP, . <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/13340> (accessed September 27, 2012).