

## CHAPTER FIVE

# *Masterless Men and the Monstrous Regiment of Women*

As we have noted, the possible break down of order obsessed and terrified early modern society (see chapter 1). This chapter examines the “Babylonical confusion” that late Tudor and early Stuart homilies repeatedly warned against: from one-on-one scolding or brawling to violent, group actions. The reigns of Elizabeth and James were not necessarily *more* disorderly than other periods (see Bucholz and Key, chapter 6), but that did not prevent contemporaries from thinking so. Several questions should be asked about that perception and the evidence provided by the following documents:

- Why did contemporaries think their times more disordered than before? How accurate were they in this observation and in explaining it?
- Did violent events such as *charivaris*, food riots, enclosure riots, popular rebellions, or witchcraft persecutions tend more to break down or reinforce social order and values?
- How did the popular response to social ills and disorder compare and contrast with the elite response?

### **Rough Music, Food Riots, and Popular Rebellions**

#### *5.1 Anonymous threatening note (1598)<sup>1</sup>*

Disorder usually began with “angry speeches” or “many outrageous words spoken” (1574), often inspired by drink.<sup>2</sup> Words were weapons with which

<sup>1</sup> J. P. Collier, ed., *Trevelyan Papers* (London, Camden Society, 1863), 2: 101.

<sup>2</sup> Late-sixteenth century contemporaries quoted in F. G. Emmison, *Elizabethan Life: Morals & the Church Courts* (Chelmsford, 1973), 128; and (below) *idem*, *Elizabethan Life: Disorder* (Chelmsford, 1970), 177.

to attack reputation. And reputation, in a face-to-face, largely oral culture, mattered. Constables, watchmen, and other minor officials met with regular verbal abuse. Thus, in 1588, one constable received “evil words” from two blacksmiths he had asked to shoe his horse. Other such officials were subject to “opprobrious and threatening words” when they put a vagrant in the stocks. Since we usually only know about verbal assaults between parishioners or neighbors when they ended up in civil or consistory (Church) court, we might well ask again the question we asked in chapter 1: are such cases evidence of a lawful or lawless society? Words and gestures threatened, of course, because they raised the specter of real, physical violence. (“Assault” and “insult” derive from a common root word.) Note the very real threat made in the following anonymous, handwritten libel from 1598. Who is being threatened by whom and why? How might anonymity be a weapon? And who (what social group) might use it?

Our most hearty commendation unto you good brethren and apprentices. ... The cause of our writing to you at this time is for to know whether you will put up this injury or no; for to see our brethren whipped and set on the pillory without a cause ... is a grief to us. Desiring you to send answer one way or other, for if you will not put it up we do give consent to gather ourselves together upon [St.] Bartholomew's Day [August 24] in the fields, some with daggers, some with staves, some with one weapon, some with another, such as may be least mistrusted, and to meet in the fields between Islington and London between three and four ... in the afternoon against my lord mayor go[ing] to the wrestling, and there to be revenged of him; but if he go not to the wrestling, then to be revenged of him at his house where he dwells.

### 5.2 *William Fleetwood, London Recorder, to William Cecil, Lord Burghley (July 7, 1585)*<sup>3</sup>

By the end of Elizabeth's reign, London's dynamic economy attracted a steady supply of would-be new citizens from around the country; and the freshly imported, often young and always overcrowded population bred threats of disorder, real and imagined. Part of the task facing London's civic authorities (lord mayor, aldermen, etc.) was to keep an eye on these threats and report them to the central government at Westminster. This letter from London Recorder (chief magistrate) William Fleetwood (ca. 1525–94) to Elizabeth's confidant and lord treasurer, Lord Burghley (1520/1–98) suggests

<sup>3</sup> H. Ellis, ed., *Original Letters, Illustrative of English History* (London, 1824; reprinted New York, 1970), 2: 295–9, from BL, MS. Lansdowne 44, art. 38.



that London's sprawl had encouraged organized crime. Why might that be? Was the metropolis more dangerous than the countryside? (What does the use of a secret cant terminology – foister, nipper – suggest?) To what sorts of crimes was the city prey?

Upon Friday last we sat at the Justice Hall at Newgate from 7 in the morning until 7 at night, where were condemned certain horse stealers, cutpurses, and such like, to the number of 10, whereof 9 were executed, and the tenth stayed by a means from the court. These were executed upon Saturday in the morning. There was a shoemaker also condemned for willful murder committed in the Blackfriars, who was executed upon Monday in the morning. The same day my lord mayor being absent ... and also all my lords the justices of the benches ..., we few that were there did spend the same day about the searching out of sundry that were receptors of felons, where we found a great many as well in London, Westminster, Southwark, as in all other places about the same. Amongst our travails this one matter tumbled out by the way, that one Wotton a gentleman born, and sometime a merchant man of good credit, who falling by time into decay, kept an alehouse at Smarts Key near Billingsgate, and after, for some misdemeanor being put down, he reared up a new trade of life, and in the same house he procured all the cutpurses about this city to repair to his said house. There, was a schoolhouse set up to learn young boys to cut purses. There were hung up two devices, the one was a pocket, the other was a purse. The pocket had in it certain counters [counterfeit coins] and was hung about with hawks bells, and over the top did hang a little sacring-bell [rung at the elevation of the host]; and he that could take out a counter without any noise, was allowed to be a *public foister*; and he that could take a piece of silver out of the purse without the noise of any of the bells, he was adjudged a *judicial nipper*. *Nota* that a foister is a pickpocket, and a nipper is termed a pickpurse, or a cutpurse.

### 5.3 Wiltshire Quarter Sessions, Deposition of Thomas Mills, cutler, and his wife Agnes (Spring 1618)<sup>4</sup>

Though most crimes prosecuted involved the individual theft of low value items, much of the rest of this chapter focuses on disorderly social or group action that appears to represent communal values. Some historians have discovered two concepts of order in early modern society: that of the elite concerned with keeping the lower orders in line versus that of the commoners concerned with maintaining community consensus. This deposition from a

<sup>4</sup> M. Ingram, "Ridings, Rough Music and the 'Reform of Popular Culture' in Early Modern England," *P & P* 105 (1984): 82, from Wiltshire RO, Trowbridge, Quarter Sessions Great Rolls, Trinity 1618, no. 168.





**Plate 5** Scenes of a charivari, plaster relief (ca. 1600), Montacute House, Great Hall, Somerset. (Source: National Trust Photo Library.)

The two details from this panel evidently tell a story. What is the cause and what is the effect? Where is private life and where is public life in an early modern village? *Charivaris* could be very disorderly (we often know about them because the recipients of such popular shaming brought the matter to court). Did *charivaris*, then, contribute to local order or local disorder?



Wiltshire court case records a charivari or rough music, a public demonstration in which those who have violated social norms were humiliated and, often, forced out of the community by neighbors. (Compare this document with Plate 5.) What happened during the 1618 affray? What norm might have been violated? Which concept of order does this charivari represent? Did pipes, horns, and cowbells lend the event a festive atmosphere? In what way does it compare to a lynching?

Upon Wednesday [27] May [1618], about eight or nine ... in the morning, there came to Quemerford a young fellow of Calne named Croppe, playing upon a drum, accompanied with three or four men and ten or twelve boys; and Ralph Wellsteede of Quemerford, this examinee's landlord, and himself came to them as far as the bridge in Quemerford, and asked them what they meant, and they answered that there was a skimmington dwelling there, and they came for him. ... About noon came again from Calne to Quemerford another drummer named William Wiatt, and with him three or four hundred men, some like soldiers armed with pieces and other weapons, and a man riding upon a horse, having a white night cap upon his head, two shoeing horns hanging by his ears, a counterfeit beard upon his chin made of a deer's tail, a smock upon the top of his garments, and he rode upon a red horse with a pair of pots under him, and in them some quantity of brewing grains, which he used to cast upon the press of people, rushing over thick upon him in the way as he passed; and he and all his company made a stand when they came just against this examinee's house, and then the gunners shot off their pieces, pipes and horns were sounded, together with lowbells [cow- or sheep-bell] and other smaller bells which the company had amongst them, and rams' horns and bucks' horns, carried upon forks, were then and there lifted up and shown. ... Thomas Mills...locked the street door and locked his wife into his chamber where she lay ... and presently the parties abovementioned and diverse others rushed in upon him into his entry, and thence into his hall, and broke open his chamber door upon his wife ... and ... took her up by the arms and the legs, and had her out through the hall into the entry, where being a wet hole, they threw her down into it and trod upon her and buried her filthily with dirt and did beat her black and blue in many places.

#### 5.4 *Petition of the poor of Blackburn Hundred to Lancashire Quarter Sessions (1629)*<sup>5</sup>

Rulers and ruled did not always agree as to what constituted orderly behavior. The elite reacted differently to a grain or enclosure riot than they did to

<sup>5</sup> R. C. Richardson and T. B. James, eds., *The Urban Experience, A Sourcebook: English, Scottish and Welsh Towns, 1450–1700* (Manchester, 1983), 52–3, from Lancashire RO, Quarter Sessions, QSB/1/61/36.



a charivari. Ordinary people who complained and, in some cases, took action, about high grain prices (thus, of bread, the mainstay of most meals) and scarcity, often began their search for redress by petitioning officials to enforce laws against forestalling (buying before grain was brought to market), regrating (purchasing grain to sell again at the same or neighboring market at higher price), and engrossing (purchasing grain wholesale at market). The 1629 petition from the poor of Blackburn hundred to their JPs is a good example. Note that their conception of fair play is rooted in collective memory of the past. According to the petitioners, what has gone wrong? Who is in the wrong? What do they expect the government to do about it?

Not many years ago there was usually sold and bought in open market 30, 40, or 50 measures of meal every market day to the help, nourishment, and relief of your petitioners and other poor distressed people within or near the aforesaid town. But now so it is ... that there is many licensed badgers [grain middlemen] within this hundred and especially one Lawrence Hargreaves who doth commonly badge, carry and transport much kind of grain either into foreign parts or for his better profit maketh sale thereof in Burnley not frequenting any open market but doth unjustly enrich himself against all equity and good conscience and contrary to the statute in that case provided to the overthrow and impoverishment of your petitioners and many more who cannot buy one half peck [about 1/8 bushel or 1 gallon] of meal or less (if the greatest need required).

### 5.5 Justice Harvey's opinion on a Star Chamber case (1631)<sup>6</sup>

In 1631, Attorney General William Noy (1577–1634) charged one Mr. Archer of Essex “for keeping in his corn [generic for grain] and consequently for enhancing the price of corn the last year,” and, at least one justice, Sir Francis Harvey (ca. 1568–1632), justice of Common Pleas, presiding over the Star Chamber case, decided to make an example of the forestaller. What was the idea behind these punishments? To what extent does the metropolitan judge agree with the local poor on the need to police the grain trade? How might the badgers’ and Mr. Archer’s actions be defended today? Would these modern arguments have carried weight in the sixteenth century?

Justice Harvy delivered his opinion, that whereas it hath pleased God to send a plentiful year, and yet the price of corn continued very high, himself and the rest of the justices of the peace that were in the last Quarter Sessions in Hertfordshire assembled did advise among themselves how they might deal with the country to

<sup>6</sup> S. R. Gardiner, ed., *Reports of Cases in the Courts of Start Chamber and High Commission* (London, Camden Society, new ser. 39, 1886), 43–5, from TNA, STAC 2.



bring down the price. ... He was of opinion that this man's [Archer's] punishment and example will do a great deal more good than all their orders which they might have made at the Sessions; and therefore he declared his offence to be very great, and fit to be punished in this Court; and adjudged him to pay 100 marks [£66] fine to the king, and £10 to the poor, and to stand upon the pillory in Newgate Market an hour with a paper, wherein the cause of his standing there was to be written, put upon his hat – For enhancing the price of Corn – and then to be led through Cheapside to Leadenhall Market, and there likewise to stand upon the pillory one hour more with the same paper upon his hat, and after this to be sent to Chelmsford, and there likewise in the market to stand upon the pillory.

### 5.6 Examination of Anne Carter and others regarding the Maldon Riot (1629)<sup>7</sup>

In times of dearth, when the government either could not or would not act, English townspeople and villagers sometimes took their own action. Grain or bread rioters would halt exports from a particular region, seize the grain and, often, distribute it at what the rioters considered a just price. (Surprisingly, rioters operating under a sense of fair play occasionally even turned over money yielded from the forced sale to the merchants, middlemen, or exporters from whom the grain had been seized.) The women examined below took part in several grain riots in Essex, which had been experiencing a trade depression for clothworkers and high grain prices, in March 1629. (After a further riot in May, one examinant, Anne Carter, and seven others would be hanged.) While men also participated in the Maldon disturbances, why might women be so heavily involved in the grain riots (consider both their status in law and their role in the household economy)? What were the goals of these women? Were any of them achieved?

The examination of Anne wife of John Carter of Maldon butcher taken the 28th day of April *anno* 1629. ... The said examine confesseth touching the late assembling of many women and their taking away of corn out of the ships at Burrow Hills in Totham that before the said assembly, herself heard one Phillip Ewdes a hoyman [a hoy is a small sloop] of Lee complain that the owners of the said vessel were Dunkirks [Dunkirk merchants] and that it was pity they were suffered to lie there, by occasion of which speech and of other men sailors, herself and diverse other women to the number of above a hundred of Maldon, Heybridge, and Witham and from the heath called Totham Heath assembled together to the said Burrow Hills in the parish of Greater Totham where the said vessels did lie in the channel and she and the rest of the women entered into one

<sup>7</sup> P. Crawford and L. Goring, *Women's Worlds in Seventeenth-Century England: A Sourcebook* (London, 2000), 247–9, from Maldon Court Leet Records, Essex RO, D/B 3/3 208, m. 14, 18.



of the said ships, and the Flemings who were therein filled the rye which was therein into the aprons and coats of many of the women and some children who were in the company which they carried away but that herself took not any whit thereof. And she denieth that she did draw any company of women from Witham to the said Burrow Hills.

Anne the wife of Thomas Spareman of Maldon fisherman examined the fourth day of May before his majesty's bailiffs and justice of the said borough: The said examine confesseth that she with others (because she could not have corn in the market and certain Flemish ships lying at Borrow Hills in the parish of Little Totham there to receive in corn to carry beyond sea) did go down about the 23rd day of March last past and there being assembled diverse women to the number of about seven score they did enter into one of the said ships and did take away a quantity of corn which was therein but how much she knoweth not, and denieth that any did set her on the said action, and being demanded why she stayed not when she was required and charged by one of the bailiffs of the said town to depart home she saith she saw the rest go and she followed them.

Elizabeth the wife of Samuel Sturgion of Maldon laborer examined the said fourth day of May saith that she being in poverty and wanting victual for her children and being called out of her house by Anne the wife of Thomas Spearman of Maldon and Dorothy the wife of John Berry of the same town about the said 23rd of March she went with them and other women to ... Burrow Hills in Little Totham where the said Flemish ships did lie where there were a great many of women met and they entered into one of the same ships and took out a quantity of corn whereof herself had about half a bushel and she denieth that any did set her on but only the two women aforesaid.

### *5.7 Sir Roger Wilbraham on enclosure riots in the East Midlands (ca. mid June–6 December 1607)<sup>8</sup>*

A different type of riot was that against enclosure. Enclosure of both open field systems and of common pasturage occurred from the late middle ages through the nineteenth century. Note the enclosure riots described by Sir Roger Wilbraham (1553–1616) below. Do you suppose those participating in the disturbances see themselves as rioters? Are they? What grievances do they have against the “enclosers and depopulators”? Did the government punish the latter? You might compare and contrast the ruling elite's reaction to engrossers of grain (noted earlier in this chapter) and enclosers of land.

Beggars and vagrants in the town of Northampton, angered at the enclosures made near the town, in bands during the night threw down a part thereof. And

<sup>8</sup> H. S. Scott, ed., “The Journal of Sir Roger Wilbraham,” *Camden Miscellany* 10 (Camden Society, 3rd ser., 4, 1902): 91–4, original in French.



in as much as they are not put down – their numbers increase, both from this town and diverse towns in the county and in the counties of Warwick, Leicester, etc., and for 20 days their numbers continue to increase, till 300 or more in one place night and day are throwing down the new enclosures; nor do they desist in spite of two proclamations made by the king on different occasions that they should have justice and mercy if they desisted. And yet they continue until Sir A[ntony] Mildmay with some horsemen using force slay some ten in hot blood; and thus they were put down. Afterwards at the assizes of the before mentioned several counties, two or three were hanged as an example. So that, as the king says, the punishment of a few may impress the majority with fear. Moreover the proclamation says that it is not a legal course for subjects to remedy their grievances by force, but that they should petition the king to be relieved according to justice. And the judges of assize in order to satisfy the common people inveigh against enclosers and depopulators; and inquire concerning them and promise reformation at the hands of justice. And this puts courage into the common people, so that with mutterings they threaten to have a more violent revenge if they cannot be relieved. On this the [Privy] Council appoints select commissioners, learned in the law, in the six counties; to inquire concerning the acts of depopulation and conversion of arable into pasture land. And they report to the Council on December 6, 1607, to this effect. That in the counties of Lincoln, Leicester, Northampton, Warwick, Huntingdon, Bedford and Buckingham about 200 or 300 tenements have been depopulated, and a great number of acres have been converted from arable into pasture land. To wit, 9,000 acres in Northamptonshire and a great number in the other counties. ...

On this directions were given to the learned counsel that the most notorious enclosers in each county should be summoned this Christmas for Hilary Term before the Star Chamber and justice and mercy shown to them, so that they should not despair, nor should the common people insult them or be incited to make rebellion, whereof they are greatly suspected. Also the mayor of Northampton, the sheriff, and the neighboring justices who did not repress the outrages at the beginning should also be brought before the Star Chamber by reason of their remissness. And it is hoped that this public example may stay the fury of the common people. These deliberations I reported to the king at Newmarket on December 8th by order of the Council. And he seems to approve of this course.

### *5.8 Depositions taken before the mayor and aldermen of Norwich after Kett's Rising (1549–50)<sup>9</sup>*

Beyond mere riot lay peasant and popular rebellion, although the line dividing one from the other is not always clear. The Cornish Rebellion (1497), the

<sup>9</sup> W. Rye, ed., *Depositions Taken Before the Mayor and Aldermen of Norwich* (Norwich, 1905), 18, 20–2, from Norwich Municipal Archives.



Pilgrimage of Grace (1536, see documents 1.2 and 3.10 above), the Western Rising (1549, see document 3.13 above), Wyatt's Rebellion (1554), and the Rebellion of the Northern Earls (1569, chapter 4) had decidedly political and religious causes, but Kett's Rebellion (1549) and the Rebellion of 1596 had origins closer to those of enclosure or food riots. At the same time, the solutions suggested by some of the poor rebels aimed higher than destroying a hedge or a deer park. We know quite a bit of what motivated Robert Kett (ca. 1492–1549) and his East Anglian followers when they encamped outside Norwich in 1549, for they drew up demands to present to the king. But perhaps even more revealing are the reported mutterings of Kett's followers after the rebellion had been crushed and Kett executed. What did the rebels want and why were local government officials listening so intently? Was this idle talk or a real threat to the Tudor state? From these reports, does it appear as if Kett's followers sought to transform society? (Consider whether or not a mythological "Golden Age" view of the past can be a revolutionary idea.)

Made 21 September [1549]. Edmund Warden and Thomas Dorye churchwardens of the parish of St. Gregory demanded certain ornaments out of the hands of Robert Burnam being our parish clerk ..., and did advise him to turn his heart and become a new man. And he said he had offended no man but that he was able to answer. Then said I unto him that I heard a gentleman say when he was in prison that he was not afraid of his life of no man but of the said Burnam. Then answered the said Burnam and said: "There are too many gentlemen in England by five hundred." Then said I again, if thou speakest such a word again thou shalt go to prison. ...

The examination of John Redhead before Thomas Cod, mayor of the city of Norwich, and others the 12th day February [1550]. John Redhead of Norwich, of the parish of St. Marten, worsted weaver, sayeth and confesseth: that upon a market day not a month passed ..., being in the market upon his business to buy his victual, walking there he saw two or three persons men of the countryside standing together having conversation betwixt themselves. He heard the one of them speak to the other looking upon Norwich castle toward Kett [his corpse now hanging there in chains] these words, *viz.*: "Oh Kett, God have mercy upon thy soul, and I trust in God that the king's majesty and his Council shall be informed once betwixt this and Midsummer even, that of their own gentleness thou shall be taken down by the grace of God and buried, and not hanged up for Winter store, and set a quietness in the realm, and that the ragged staff [John Dudley's, then earl of Warwick's, badge displayed on prominent houses] shall be taken down also of their own gentleness from the gentlemen's gates in this city, and to have no more King's Arms but one within this city under Christ but King Edward VI, God save his Grace"; which persons he saith he never knew them, nor cannot name them. ...

[July 2, 1550, before Mayor Robert Rug and other justices.] William Stedde of Norwich, innholder, of the age of 40 years, sworn and examined saith and deposeth upon his oath: that ... he was at Saxlingham at a marriage and there was one



William Cowper of St. Margaret parish in Norwich, cooper, and diverse others; and as they sat at their dinner there amongst other words in communication ... Cowper said: "That as sheep or lambs are a prey to the wolves or lions so are the poor men to the rich men or gentlemen." And moreover ... Cowper said that there are more merchants now at this present time than there were wont [needed] to be by a hundred thousand, in carrying and conveying of vittles and such other things.

### 5.9 Robert Crowley, *The Way to Wealth* (1550)<sup>10</sup>

Who was to blame for riot and rebellion? Usually, the powerful urged stiff penalties for rioters and rebels. Yet, in 1550 author and publisher Robert Crowley (ca. 1517–88) blamed the 1549 risings on "the greedy cormorants," the landlords. What have the landlords done wrong, according to Crowley? Does such a complaint reinforce or contest the Great Chain of Being?

True it is, the poor men (whom ye call peasant knaves) have deserved more [punishment] than you can devise to lay upon them. ... But ... [i]f you charge them with disobedience, you were first disobedient. For without a law to bear you, yea contrary to the law which forbiddeth all manner of oppression and extortion, and ... contrary to conscience, the ground of all good laws, ye enclosed from the poor their due commons, levied greater fines than heretofore have been levied, put them from the liberties (and in a manner inheritance) that they held by custom, and raised their rents. Yea, when there was a law ratified to the contrary, you ceased not to find means either to compel your tenants to consent to your desire in enclosing, or else ye found such mastership that no man durst gainsay your doings for fear of displeasure. And what obedience showed you, when the king's proclamations were sent forth, and commissions directed for the laying open of your enclosures, and yet you left not off to enclose still?

### Good Wife, Bad Wife, Poor Wife, Witch

### 5.10 Phillip Stubbes, "*The Godly life of Mistress Stubbes*" (1592)<sup>11</sup>

Women held a certain but lowly position on the Great Chain. The attributes of the ideal woman were just as certain, at least in print, but those attributes were

<sup>10</sup> R. Crowley, *The Way To Wealth, Wherein is Plainly Taught a Most Present Remedy for Sedicion* (London, Feb. 7, 1550), sig. Biii[v]-Biv.

<sup>11</sup> P. S[Stubbes], *A Christal Glas for christian women: wherein, they may see a most wonderful and rare example, of a right vertuous life and Christian death* (n.p., n.d., 1592), sig. A2–3.



often defined by their opposites. Note the qualities (and their opposites) that Philip Stubbes (ca. 1555–ca. 1610) claims were the hallmark of his short-lived wife, Katherine. In what way might one use this “life” to understand late Elizabethan gender relations and family dynamics? What are the drawbacks to using this source?

Calling to remembrance (most Christian reader) the final end of man’s creation, which is to glorify God and to edify one another in the way of true godliness, I thought it my duty as well in respect of the one as in regard of the other to publish this rare and wonderful example of the virtuous life and Christian death of Mistress Katherine Stubbes, who whilest she lived was a mirror of womanhood, and now being dead, is a perfect pattern of true Christianity. ...

At fifteen years of age (her father being dead), her mother bestowed her in marriage to one Master Philip Stubbes, with whom she lived four years and almost a half, very honestly and godly, with rare commendations of all that knew her, as well for her singular wisdom as also for her modesty, courtesy, gentleness, affability, and good government. And above all, for her fervent zeal which she bare to the truth ... she seemed to surpass many. ...

She obeyed the commandment of the Apostle who biddeth women to be silent, and to learn of their husbands at home. She would suffer no disorder or abuse in her house to be either unreprieved or unreformed. And so gentle was she and courteous of nature that she was never heard to give any the lie in all her life, nor so much as to (thou) any in anger. She was never known to fall out with any of her neighbors, nor with the least child that lived, much less to scold or brawl, as many will now-a-days for every trifle or rather for no cause at all. And so solitary was she given, that she would very seldom or never, and that not without great constraint (and then not neither, except her husband were in company) go abroad with any, either to banquet or feast, to gossip or make merry (as they term it) in so much that she hath been noted to do it in contempt and disdain of others.

When her husband was abroad in London or elsewhere, there was not the dearest friend she had in the world that could get her abroad to dinner or supper, or to any disports, plays, interludes, or pastimes whatsoever. Neither was she given to pamper her body with delicate meats, wines, or strong drinks, but rather refrained [from] them altogether, saying, that we should eat to live, and not live to eat. And as she excelled in the gift of sobriety, so she surpassed in the virtue of humility. For it is well known to diverse yet living that she utterly abhorred all kind of pride both in apparel and otherwise. She could never abide to bear any filthy or unseemly talk of scurrility, bawdry, or uncleanness, neither swearing or blaspheming, cursing, or banning, but would reprove them sharply, shewing them the vengeance of God due for such deserts. And which is more, there was never one filthy, unclean, indecent, or



unseemly word heard to come forth of her mouth, nor ever once to curse or ban, to swear, or blaspheme God any manner of way. But always her speeches were such as both might glorify God and minister grace to the hearers, as the Apostle speaketh.

5.11 “*The Confession and repentance of Margaret Ferneseede after her condemnation*” (1608)<sup>12</sup>

If Mistress Stubbes represented the ideal, Margaret Ferneseede, who “kept a most abominable and vile brothel house” and ultimately was executed for murdering her husband, surely represents her opposite. According to the testimony of two of her customers, Mr. Ferneseede had lost control of his own house, describing himself and his situation as follows:

“I am,” quoth he, “the master of this house if I had my right, but I am barred of the possession and command thereof by a devilish woman who makes a stews [brothel] of it to exercise her sinful practices.”... When these bargemen told mistress Ferneseede what they had heard of her husband ..., she replied, “Hang him slave and villain! I will before God be revenged of him (nay ere long) by one means or other, so worked that I will be rid of him”; which making good [that is, she poisoned her husband] in the judgment of the judge together with her life and practices, she as aforesaid was condemned.

Can we construct a hierarchy of her evil deeds, thoughts, and actions according to contemporaries? Both this and the previous document are from cheap printed pamphlets. Do you think they sold well; why or why not?

To prepare the reader for this confession of hers, know that I was credibly satisfied that when the heat of her fury was past (to which she was much subject unto), she [was] a woman well spoken, of fair delivery, and good persuasion. And so to her confession:

“To excuse myself, O Lord, before thee who knows the conspiracies of our thoughts even to the utmost of our actions (however so private or publicly committed) were folly, or to justify myself were sin, since no flesh can appear pure in thy sight. I here therefore with prostrate knees and dejected eyes as unworthy to look up unto thy divine Majesty, with a contrite heart and penitent soul also, here voluntarily confess I am the greatest of sinners which have

<sup>12</sup> *The arraignment & burning of Margaret Ferne-seede, for the Murther of her late Husband Anthony Ferne-seede, found deade in Peckham Field neere Lambeth, having once before attempted to poyson him with broth, being executed in S. Georges-field the last of Februarie. 1608* (London, 1608), sig. [B2v–B4].



deserved thy wrath and indignation.” In this good manner she proceeded and withal satisfied all that came and desired to have private conference with her of the whole course of her life that in her youth, even from the age of aptness, she had been a prostitute whore, but growing into disabled years, to please the loose desires of such customers she after turned bawd, a course of life more hateful in tempting and seducing youth than the other in committing sin. The one makes but spoil and ruin of herself, and the other of a multitude. “For,” quoth she, “I myself have had ten several women retaining to my house for that purpose. Some were men’s wives, which repaired thither both by appointment and at convenient hours when their husbands might least suspect or have knowledge of their absence, and these women did I first tempt to their fall: some, by persuading them they were not beloved of their husbands, especially if I could at any time have note of any breach or discontent between them; others, that their husbands maintained them not sufficiently to express their beauty and according to their own deserts. ... They were as fearful to offend me as their husbands should have knowledge of their offenses; and these allowed me a weekly pension for coming to my house. ... To supply my house and make spoil of young maids who were sent out of the country by their friends here with hope to advance themselves, I went weekly to the carriers where, if the maid liked me, I so wrought with the carrier that she seldom left me till I had brought her to be as bad as I purposed; which effected, every one of them I compelled to give me ten shillings a week out of their gettings, having as I said seldom less than ten whose bodies and souls I kept in this bondage. Besides, I confess I was a continual receiver of theft stolen; but in all this, as it was badly got, so was it worse consumed, for nothing of it did prosper with me, whereby (quoth she) I acknowledge I have deserved death and in the highest degree. But for this which I am condemned, Heaven that knoweth best the secrets of our hearts knows I am innocent.”

But who knows not that in evil there is a like impudence to deny, as there is a forwardness to act: in which we will leave her whom the law hath found guilty, and having thus truly related her own confession, we proceed to the manner of execution. ...

On Monday, being the last of February, she had notice given her that in the afternoon she must suffer death and a preacher commended unto her to instruct her for her soul’s health, who labored much with her for the confession of the fact which she still obstinately denied but made great show of repentance for her life past. So that about two of the clock in the afternoon she was stripped of her ordinary wearing apparel and upon her own smock put a kirtle [gown] of canvas pitched clean through, over which she did wear a white sheet, and so was by the keeper delivered to the shrive [place of penance], on each hand a woman leading her and the preacher going before her. Being come to the place of execution, both before and after her fastening to the stake with godly exhortations he admonished her that now in that minute she would confess that fact for which she was now ready to suffer, which she denying, the reeds were planted about, unto which fire being given, she was presently dead.

5.12 Women receiving poor relief, Braintree parish,  
Essex (1619–21)<sup>13</sup>

It should be obvious that reputation was just as important for women as for men. Early modern English people drew a distinction between virtuous women and vicious women at all social levels. A bad reputation could be brazened out by an elite woman, but for most the consequences could be severe: social ostracism or the attentions of the law. Courts recorded numerous insults – “whore,” “harlot,” “witch” – directed towards women at this level, often by other women. When one declared to another on a London street in 1613, “Thou art a quean [hussy] and a wrymouth quean and I will make thee do penance in a white sheet; and I will have thee carted out of the street,” she revealed a knowledge that consistory courts could require someone to do penance for moral infractions by standing them in a public place in a white robe with a taper (candle), and that Quarter Sessions could sentence bastard-bearers and others to be tied to the end of a cart and paraded or even whipped around town.<sup>14</sup> Poor women could be denied relief for bad behavior or a reputation for same. But most commentators realized that some of the poor, even bastard-bearers, could be poor through no fault of their own, even though, as the numbers of poor increased before and after 1600, the English rate-paying public became desperate to limit the numbers deserving relief. Consider how the overseers of the poor in Braintree parish, Essex attempted to distinguish deserving from undeserving poor women. How and at what stages in their lives were women particularly prone to poverty? To disorder?

*August 2, 1619, Imprimis* [Firstly] at this meeting it was agreed that the widow Browne and her son if she do live and recover shall be removed to the almshouse at Braintree bridge, where we the last day did appoint Eliot should be.

*September 6, 1619, Imprimis* order was taken at this meeting that Anne Gay shall be warned with all speed to provide her a service, or else that she shall be sent to the house of correction. . . .

Item notice is given us by William Stebbing of a wench entertained at John Beckwith’s dwelling on Cursing Green, that is supposed to have a great belly [with child]; which the constables have warning to look after, and to take order to remove her if they find the report to be true.

<sup>13</sup> Crawford and Goring, *Women’s Worlds*, 110–1, from Braintree Parish Records, Essex RO, D/P 284/8/3, ff. 3v–33 (extracts).

<sup>14</sup> In L. Gowing, “Language, Power and the Law: Women’s Slander Litigation in Early Modern London,” in *Women, Crime and the Courts in Early Modern England*, ed. J. Kermode and G. Walker (Chapel Hill, 1994), 33, from Greater London RO, DL/C 221, f. 1189v., Cartwright con Hixwell, 8 June 1613.

February 8, 1620, *Imprimis* it was agreed that widow Gay be placed in the almshouse with Howell, and the widow Coe shall be put into the house where she is. ...

February 5, 1621, [On the disposition of five shillings which had been received from the constables for the use of the poor:] It was agreed that Richard Loveday shall have two shillings of this money, in regard of the extraordinary charge he hath been at for the washing of his wife being lame.

It is agreed that the widow Gay shall have 12d. of the said money for pains taken with the widow Eliot and that for the time to come she shall have 6d. a week for attendance given upon the said widow, during the time the overseers shall think fit.

Item it is agreed that Margery Pierson shall be provided of an almshouse at the discretion of the overseers, because she is helpful woman at their request to those that are sick. ...

March 5, 1621, It is agreed that the widow Coe shall be provided of an almshouse in the Hyde at the discretion of the overseers and that the widow Gay shall be displaced out of the almshouse.

October 8, 1621, Item it is agreed that the widow Boltwood shall have 2s. 6d. allowed her out of the poor man's box and that she shall have an almshouse offered her which if she refuse she shall have no more allowance.

November 5, 1621, *Imprimis* it was agreed that widow Ingram's boy that should be taken from her and put into the hospital and that she being incorrigible in her idle and vicious course that she shall be sent to the house of correction.

### 5.13 "The Examinations of Philippa Flower" (1619)<sup>15</sup>

It is not much of a leap from the poor woman to the witch, for historians have found that those executed for witchcraft in the early modern period were overwhelmingly female (about 80 per cent) and poor. Successive statutes against witchcraft in 1542, 1563, and 1604 established ever harsher punishments for a wider range of offenses, but also demanded stricter standards of proof until the last witch trial in 1717 and final repeal of the statutes in 1736. Given that the base of a legal charge against a witch was that she or he had made a pact with the Devil, it is surprising to discover that the spells supposedly inflicted – making a person lame, causing milk to spoil – were of such a mundane nature. Moreover those found guilty often confessed to what are to us bizarre scenarios. Note what Philippa Flower confesses to below. What appear to be the charges against her? How does she claim to make her spells effective? Can you place Philippa, her mother, and sister socio-economically? How do you think the social status of the "victims" affected the case?

<sup>15</sup> *The Wonderful Discoverie of the Witchcrafts of Margaret and Phillip[a] Flower, daughters of Ioan Flower neere Beuer Castle: Executed at Lincolne, March 11. 1618 (n.p., n.d., 1619?)*, sig. [F3, F4v].



The examination of Philippa Flower, sister of Margaret Flower and daughter of Joan Flower, before Sir William Pelham and Mr. Butler, justices of the peace, Febr. 4, 1618[19] which was brought in at the Assizes as evidence against her sister Margaret.

She saith that her mother and her sister maliced [Francis Manners] the earl of Rutland (1578–1632), his countess, and their children, because her sister Margaret was put out of the Lady's service of laundry and exempted from other services about the house; whereupon her said sister, by the commandment of her mother, brought from [Belvoir] Castle the right-hand glove of the Lord Henry Ros [presumably a son who died young, as the earl was granted title of Lord Ros, 1617], which she delivered to her Mother, who presently rubbed it on the back of her spirit Rutterkin and then put it into hot boiling water. Afterward she pricked it often and buried it in the yard, wishing the Lord Ros might never thrive; and so her sister Margaret continued with her mother, where she often saw the cat Rutterkin leap on her shoulder and suck her neck.

She further confessed that she heard her mother often curse the earl and his lady, and thereupon would boil feathers and blood together, using many Devilish speeches and strange gestures. . . .

The examination of Philippa Flower, the 25th of February, 1618[19], before Francis, earl of Rutland; Francis, Lord Willoughby of Eresby; Sir George Manners; and Sir William Pelham

She confesseth and saith that she hath a spirit sucking on her in the form of a white rat, which keepeth her left breast and hath so done for three or four years; and concerning the agreement betwixt her spirit and herself, she confesseth and with that when it came first unto her she gave her soul to it and it promised to do her good and cause Thomas Simpson to love her if she would suffer it to suck her, which she agreed unto; and so the last time it sucked was on Tuesday at night, the 23rd of February.

#### 5.14 *Reginald Scot, The Discoverie of Witchcraft (1584)*<sup>16</sup>

Reginald Scot (d. 1599), a talented surveyor, dam builder, and minor local administrator, is most famous for his extensive treatise on witchcraft. Scot's *Discoverie of Witchcraft* was a point-by-point demolition of contemporary witchcraft beliefs. Use his comments along with Flower's confession to compile a list of popular beliefs about witches. How might Scot know about the witchcraft cases he discusses? Why were witches poor women? Why might some poor women actively *cultivate* the reputation of a witch?

*Book 1, Chapter 3.* One sort of such as are said to be witches, are women which be commonly old, lame, bleary-eyed, pale, foul, and full of wrinkles; poor and

<sup>16</sup> R. Scot, *Discoverie*, ed. B. Nicholson (Totowa, N. J., 1973), xiii–xv, 5–7, 10.



sullen, superstitious, and papists; or such as know no religion: in whose drowsy minds the Devil hath gotten a fine seat; so as, what mischief, mischance, calamity, or slaughter is brought to pass, they are easily persuaded the same is done by themselves; imprinting in their minds an earnest and constant imagination hereof. They are lean and deformed, showing melancholy in their faces, to the horror of all that see them. They are doting, scolds, mad, devilish; and not much differing from them that are thought to be possessed with spirits. ...

These miserable wretches are so odious unto all their neighbors, and so feared, as few dare offend them, or deny them anything they ask: whereby they take upon them; yea, and sometimes think, that they can do such things as are beyond the ability of human nature. These go from house to house, and from door to door for a pot full of milk, yeast, drink, pottage, or some such relief; without the which they could hardly live: neither obtaining for their service and pains, nor by their art, nor yet at the Devil's hands (with whom they are said to make a perfect and visible bargain) either beauty, money, promotion, wealth, worship, pleasure, honor, knowledge, learning, or any other benefit whatsoever.

It falleth out many times, that neither their necessities, nor their expectation is answered or served, in those places where they beg or borrow; but rather their lewdness is by their neighbors reprov'd. And further, in tract of time the witch waxeth odious and tedious to her neighbors; and they again are despised and despited of her: so as sometimes she curseth one, and sometimes another; and that from the master of the house, his wife, children, cattle, etc., to the little pig that lieth in the sty. Thus in process of time they have all displeas'd her, and she hath wish'd evil luck unto them all; perhaps with curses and imprecations made in form. Doubtless (at length) some of her neighbors die, or fall sick; or some of their children are visited with diseases that vex them strangely: as apoplexies, epilepsies, convulsions, hot fevers, worms, etc. Which by ignorant parents are supposed to be the vengeance of witches. Yea and their opinions and conceits are confirmed and maintained by unskillful physicians. ... Also some of their cattle perish, either by disease or mischance. Then they, upon whom such adversities fall, weighing the fame that goeth upon this woman (her words, displeasure, and curses meeting so justly with their misfortune) do not only conceive, but also are resolved, that all their mishaps are brought to pass by her only means.

The witch on the other side expecting her neighbors' mischances, and seeing things sometimes come to pass according to her wishes, curses, and incantations ... being called before a justice, by due examination of the circumstances is driven to see her imprecations and desires, and her neighbors harms and losses to concur, and as it were to take effect: and so confesseth that she (as a goddess) hath brought such things to pass. ...

Another sort of witches there are, which be absolutely cozeners [cheats]. These take upon them, either for glory, fame, or gain, to do anything, which God or the Devil can do: either for foretelling of things to come, betraying of secrets, curing of maladies, or working of miracles. ...



Chapter 6. Alas! What an inept instrument is a toothless, old, impotent, and unwieldy woman to fly in the air? Truly, the Devil little needs such instruments to bring his purposes to pass.

## Poor Laws and the Reform of Popular Culture

### 5.15 William Lambarde's "Ephemeris" (1580–8)<sup>17</sup>

Curbing everyday disorder was often the business of overworked justices and bureaucrats. They attempted to stifle miscreants and ensure basic economic justice in order to calm would-be rioters. We have already considered how the government attempted to enforce laws against forestalling, regrating, and engrossing in the grain trade during dearths. At the local level, much of the regulatory action was overseen by the JPs. William Lambarde (1536–1601), author of the earliest county history, *A Perambulation of Kent* (1576), was sworn as a JP for that county in 1580 and kept a diary of his actions in that capacity. What did Lambarde regulate? Seek to prevent? Can one distinguish below between national and local issues? Public and private life? Moral and market economic issues?

October [1580] The 3 of October my father-in-law and I bound Walter Pelsant ... from keeping an alehouse any more; his sureties were Reignold Pelsant and Nicholas Miller of Wrotham, yeomen....

The 25 October I delivered to the Lord Chief Baron the said examination of John Sone aforesaid.

My father-in-law and I entreated Nordashe of Kemsing to give over [cease] aleselling because no alehouse had been kept there within the memory of any man....

21 May [1583] There was holden at Maidstone a special session of the peace for the rogues, where diverse were bound and whipped.

I have signed a license for Thomas Godfrey to beg till Allhallowtide [1 November] (for his house burnt) within the limits of the Lord Cobham [alehouse?] only....

6–7 June [1588] Mr. Leveson and I took order for John Vaughan, a bastard child, begotten at Birling by Thomas Vaughan of Snodland, miller, on Marion Gorby, widow, of Birling also, which Thomas, with John Coveney and William Elfye, all of Birling, were bound, in £30, to save the parish harmless. Mr. Leveson hath the bond.

<sup>17</sup> C. Read, ed., *William Lambarde and Local Government: His "Ephemeris" and Twenty-Nine Charges to Juries and Commissions* (Ithaca, N. Y., 1962), 17–8, 29, 50–1, from Folger Library.



He and I took order also for Agnes Cumber, a bastard begotten on Agnes Cumber of East Malling by John Crowhurst of Aylesford, with the like bond of them and of Thomas Reynes of Burham, yeoman, for discharge of East Malling. And we ordered all the said four offenders to be whipped in the open market of West Malling, 8 June 1588.

5.16 *Edward Hext, JP, to Lord Burghley on the increase of rogues and vagabonds (September 25, 1596)*<sup>18</sup>

Not everyone was sympathetic to the poor. William Harrison (1535–93), in his *Description of England* (1577), complained of the sort of “thriftless poor, as the rioter that hath consumed all, the vagabond that will abide nowhere but runneth up and down from place to place ..., and finally the rogue and the strumpet.”<sup>19</sup> Two interrelated lines of response were to insist on a Reformation of Manners to shape the behavior of ordinary people and to reform statutes regarding the poor, vagabonds, apprentices, and workers. Sir Edward Hext’s (d. 1624) somewhat rambling ideas presented to Lord Burghley were born of his own practical experience on Somerset’s petty and quarter sessions. Where does he locate the problems facing the poor relief system, and how does he propose to solve them? We might debate the merit of his ideas, then and now. (Were there two distinct cultures: an elite and popular one? See Plate 6 for one view.)

Having long observed the rapines and thefts committed within this county where I serve, and finding they multiply daily to the utter impoverishing of the poor husbandman that beareth the greatest burthen of all services ..., [I] do think it my bounden duty to present unto your honorable and grave consideration these calendars enclosed of the prisoners executed and delivered this year past in this county of Somerset, wherein your Lordship may behold 183 most wicked and desperate persons to be enlarged [that is, to be discharged from prison]. And of these very few come to any good, for none will receive them into service....

I do not see how it is possible for the poor countryman to bear the burdens duly laid upon him, and the rapines of the infinite numbers of the wicked wandering idle people of the land, so as men are driven to watch their sheepfolds, their pastures, their woods, their cornfields, all things growing too too [*sic*] common. Others there be ... that stick not to say boldly, “they must not starve, they will not starve.” And this year there assembled 80 in a company and took a whole cart load of cheese from one driving it to a fair and dispersed it amongst them, for which some of them have endured long imprisonment and fine by the judgment of the good Lord Chief Justice at our last Christmas

<sup>18</sup> R. H. Tawney and E. Power, eds., *Tudor Economic Documents* (London, 1924), 2: 339–46, from BL, MS. Lansdowne 81, art. 6, ff. 161–2.

<sup>19</sup> W. Harrison, *A Description of Elizabethan England* (New York, 1910), 301.



**Plate 6** A morris dance, early seventeenth century. (Source: *The Thames at Richmond, with the Old Royal Palace*, Flemish school, detail, Fitzwilliam Museum, Cambridge.)

The morris dance, with its bells and hobby horse, is considered part of traditional English folk culture. Is it part of popular culture? What is the relation suggested between elite and popular culture in this painting (you might distinguish social status by apparel)? From the documents, who wanted to reform popular culture? Why?

Sessions; which may grow dangerous by the aid of such numbers as are abroad, especially in this time of dearth, who no doubt animate them to all contempt both of noble men and gentlemen, continually buzzing into there ears that the rich men have gotten all into their hands and will starve the poor. And I may

justly say that the infinite numbers of the idle wandering people and robbers of the land are the chiefest cause of the dearth, for though they labor not, and yet they spend doubly as much as the laborer doth, for they lie idly in the alehouses days and night eating and drinking excessively. And within these 3 months I took a thief that was executed this last assizes, that confessed unto me that he and two more lay in an alehouse three weeks, in which time they ate 20 fat sheep whereof they stole every night one, besides they breaks many a poor man's plough by stealing an ox or two from him, and [he], not being able to buy more, leaseth a great parts of his tillage that year. ... And such numbers being grown to this idle and thievish life, there are scant sufficient to do the ordinary tillage of the land, for I know that some having had their husbandmen sent for soldiers they have lost a great parts of their tillage that year, and others are not to be gotten by reason so many are abroad practicing all kind of villainy.

And when these lewd people are committed to the jail, the poor country that is robbed by them are enforced there to feed them, which they grieve at. And this year there hath been disbursed to the relief of the prisoners in the jail above £73, and yet they are allowed but 6d. a man weekly. And if they were not delivered at every Quarter Sessions, so much more money would not serve, nor too such jails would not hold them, but if this money might be employed to build some houses adjoining to the jail for them to work in; and every prisoner committed for any cause and not able to relieve himself compelled to work, and as many of them as are delivered upon their trials, either by acquittal of the grand jury or petty jury, burning in the hand, or whipping, presently transferred thence to the houses of correction to be kept in work ..., the 10<sup>th</sup> felony will not be committed that now is. And if some like course might be taken with the wandering people they would easily be brought to their places of abode. And being abroad they all in general are receivers of all stolen things that are portable, as namely the tinker in his budget, the peddler in his hamper, the glassman in his basket, and the lewd proctors which carry the broad seal and green seals in their bags, covers infinite numbers of felonies, in such sort as the tenth felony cometh not to light, for he hath his receiver at hand in every alehouse in every bush. And these last rabble are very nurseries of rogues. ...

The corn [grain] that is wastefully spent and consumed in alehouses by the lewd wandering people will find the greatest parts of the poor, for it is most certain if they light upon an alehouse that hath strong ale they will not depart until they have drunk him dry. And it falleth out by experience that the alehouses of this land consumeth the greatest parts of the barley. For upon a survey taken of the alehouses only of the towns of Wells, [Somerset,] leaving out the taverns and inns, it appeared by their own confessions that they spent this last year twelve thousand bushels of barley malt, which would have afforded to every market of this shire 10 bushels weekly, and would have satisfied a great parts of the poor, a great part whereof is consumed by these wandering people, who being reduced to conformity, corn no doubt will be much more plentiful.

### 5.17 Poor Relief Act (39 Eliz. I, c. 3, 1598)<sup>20</sup>

Elizabethans turned to a flurry of legislation to restore social order. In 1563, an Act for the Relief of the Poor (5 Eliz. I, c. 3), gave sanction to a system of charitable alms but did nothing to require that parishioners pay them, while a Statute of Artificers (c. 4) kept apprentices and workers in employment for a whole year, but limited wages. In the 1570s, an Act for the Punishment of Vagabonds and Relief of the Poor (14 Eliz. I, c. 5, 1572) required that sturdy beggars avoiding work be whipped and burned through the gristle of the right ear, and that parishes keep a register book of the deserving poor. A further Act for Setting the Poor to Work (18 Eliz. I, c. 3, 1576) required that counties set up a stock of hemp, flax, wool, etc. for the poor to work and earn their own livelihood. But few counties established any such stock before the 1630s, and even then good intentions were evident more than results. Following the disastrous harvests and economic dislocation of the mid-1590s, an onslaught of legislation in the 1597–98 session dwarfed earlier reforms, producing acts: against decaying towns (39 Eliz. I, c. 1, allowing cottages on the commons for the poor), promoting tillage and limiting enclosure (c. 2), and on poor relief (c. 3, below), rogues and vagabonds (c. 4), hospitals for the poor (c. 5), and laborers (c. 12). The 1601 session returned to poor relief and revised 39 Eliz. I, c. 3 (43 Eliz. I, c. 2). Finally James's Parliaments reexamined the 1563 Statute of Artificers (1 James I, c. 6, 1604) and the discouragement of rogues and vagabonds (c. 7, which required the branding of the same with an "R"; and 7 & 8 James I, c. 4, 1610, which required a house of correction in every county); and established laws regarding alehouses (4 James I, c. 4, 1606) and drunkenness (c. 5). How does the 1598 Poor Relief Act define the poor. How are they to be relieved? Who should pay for such relief?

Be it enacted by the authority of this present Parliament that the churchwardens of every parish, and four substantial householders there ... who shall be nominated yearly ..., under the hand and seal of two or more justices of the peace in the same county ... dwelling in or near the same parish, shall be called overseers of the poor.... And they ... shall take order from time to time by and with the consent of two or more such justices of peace for setting to work of the children of all such whose parents shall not by the said persons be thought able to keep and maintain their children; and also all such persons married or unmarried as having no means to maintain them use no ordinary and daily trade of life to get their living by; and also to raise weekly or otherwise (by taxation of every inhabitant and every occupier of lands in the said parish ...) a convenient stock

<sup>20</sup> SR, 4, part 2: 896–9.

of flax, hemp, wool, thread, iron, and other necessary ware and stuff to set the poor on work. And also competent sums of money for and towards the necessary relief of the lame, impotent, old, blind, and such other among them being poor and not able to work, and also for the putting out of such children to be apprentices, to be gathered out of the same parish. ... Which said churchwardens and overseers ..., or such of them as shall not be let by sickness or other just excuse to be allowed by such two justices of peace or more, shall meet together at the least once every month in the church of the said parish, upon the Sunday in the afternoon after divine service, there to consider of some good course to be taken and of some meet order to be set down in the premises ...; upon pain that every one of them absenting themselves without lawful cause as aforesaid from such monthly meeting ..., or being negligent in their office ..., to forfeit for every such default twenty shillings.

2. And be it also enacted, that if the said justices of peace do perceive that the inhabitants of any parish are not able to levy among themselves sufficient sums of money for the purposes aforesaid, that then the said justices shall and may tax, rate, and assess as aforesaid any other of other parishes, or out of any parish within the hundred where the said parish is, to pay such sum and sums of money to the churchwardens and overseers of the said poor parish for the said purpose as the said justices shall think fit. ...
3. And that it shall be lawful for the said churchwardens and overseers ... to levy as well the said sums of money of everyone that shall refuse to contribute according as they shall be assessed by distress and sale of the offenders' goods. ...
4. And be it further enacted that it shall be lawful for the said churchwardens and overseers or the greater part of them, by the assent of any two justices ..., to bind any such children as aforesaid to be apprentices where they shall see convenient, till such man-child shall come to the age of four and twenty years, and such woman-child to the age of one and twenty years. ...
5. And to the intent that necessary places of habitation may more conveniently be provided for such poor impotent people, be it enacted ... that it shall and may be lawful for the said churchwardens and overseers or the greater part of them, by the leave of the lord or lords of the manor whereof any waste or common within their parish is...to erect, build, and set up in fit and convenient places of habitation in such waste or common, at the general charges of the parish or otherwise of the hundred or county ..., to be taxed, rated, and gathered in manner before expressed, convenient houses of dwelling for the said impotent poor; and also to place inmates or more families than one in one cottage or house. ...
10. And be it further enacted ... that from the first day of November...no person or persons whatsoever shall go wandering abroad [outside their parish] and beg in any place whatsoever, by licence or without, upon pain to be esteemed, taken, and punished as a rogue. ...



12. And forasmuch as all begging is forbidden by this present act, be it further enacted...that the justices of peace for every county or place corporate, or the more part of them, in their general Sessions to be holden next..., shall rate every parish to such a weekly sum of money as they shall think convenient, so as no parish be rated above the sum of 6d. nor under the sum of an half-penny weekly to be paid, and so as the total sum of such taxation of the parishes in every county amount not above the rate of twopence for every parish in the said county; which sums so taxed shall be yearly assessed by the agreement of the parishioners ..., or in default thereof by the churchwardens and constables of the same parish ..., or in default of their agreement by the order of such justice or justices of peace as shall dwell in the same parish or ... in the parts next adjoining. And if any person shall refuse or neglect to pay any such portion of money so taxed, it shall be lawful for the said churchwardens and constables or in their default for the justices of the peace, to levy the same by distress and sale of the goods of the party so refusing or neglecting ..., and in default of such distress it shall be lawful ... to commit such persons to prison. ...
17. Provided always that this act shall endure no longer than to the end of the next session of Parliament. [It was prolonged by numerous acts, revised in 1601, and made permanent in 1640.]



## HISTORIANS' DEBATES

*Was early modern England violent (variously defined as verbal and/or physical violence)?*

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*Were riots based on poverty or political discontent?*

R. Manning, *Village Revolts: Social Protest and Popular Disturbances in England, 1509–1640* (Oxford, 1988), esp. the conclusion; A. Wood, *Riot, Rebellion and Popular Politics in Early Modern England* (Basingstoke, 2002), esp. chs. on rebellion and on riot and popular politics; A. Wall, “Riot,” in *Power and Protest in England, 1525–1640* (2000); J. Walter, “Grain Riots and Popular Attitudes to the Law: Maldon and the Crisis of 1629,” in *An Ungovernable People: The English and their Law in the Seventeenth and Eighteenth Centuries*, ed. J. Brewer and J. Styles (1980); *idem*, “A ‘Rising of the People’?: the Oxfordshire Rising of 1596,” *P & P* 107 (1985).

*Who acted in riots?*

R. Houlbrooke, “Women’s Social Life and Common Action in England from the Fifteenth Century to the Eve of the Civil War,” *Continuity and Change* 1 (1986); S. Brigden, “Youth and the English Reformation,” *P & P* 95 (1982); S. R. Smith, “London Apprentices as Seventeenth-century Adolescents,” *P & P* 61 (1973); J. Walter, *Crowds and Popular Politics in Early Modern England* (Manchester, 2006), includes ch. on the geography of food riots; D. Rollison, “The Specter of the Commonalty: Class Struggle and the Commonweal in England before the Atlantic World,” *William and Mary Quarterly* 63, 2 (2006).

*Were rebellions social? Did they reinforce or undermine order?*

Wall, “Rebellion,” in *Power and Protest in England*; C. S. L. Davies on popular religion in the Pilgrimage of Grace in *Order and Disorder in Early Modern England*, ed. A. Fletcher and J. Stevenson (Cambridge, 1985); B.L. Beer, *Rebellion and Riot: Popular Disorder in England During the Reign of Edward VI* (Kent, Ohio, 1982, rev. ed. 2005), esp. preface to the rev. ed.; M. E. James on “order” in the Northern Rising of 1569, in his *Society, Politics and Culture: Studies in Early Modern England* (Cambridge, 1986); D. Underdown, *Revel, Riot and Rebellion: Popular Politics and Culture in England, 1603–1660* (Oxford, 1985), esp. chs. on disorder, cultural conflict, and early Stuart popular politics; M. McClain, “The Wentwood Forest Riot: Property Rights and Political Culture in Restoration England,” in *Political Culture and Cultural Politics in Early Modern England*, ed. S. D. Amussen and M. A. Kishlansky (Manchester, 1995).

*Was there a crisis in gender relations in the early modern period? Alternately, was there a “double standard” for women; or “separate spheres” for gendered activity?*

S. Amussen, “‘Being Stirred to Much Unquietness’: Violence and Domestic Violence in Early Modern England,” *Journal of Women’s History* 6, 2 (1994); B. Harris, “Women and Politics in Early Tudor England,” *HJ* 33 (1990); B. Capp, “The Double Standard Revisited: Plebeian Women and Male Sexual Reputation

in Early Modern England," *P & P* 162 (1999); *idem*, "Separate Domains?: Women and Authority in Early Modern England," in *The Experience of Authority in Early Modern England*, ed. P. Griffiths, A. Fox, and S. Hindle (London, 1996); J. Kermode and G. Walker, eds., *Women, Crime and the Courts in Early Modern England* (Chapel Hill, 1994), esp. Gowing, "Language, Power and the Law: Women's Slander Litigation in Early Modern London" and Ingram, "'Scolding Women Cucked or Washed': A Crisis in Gender Relations in Early Modern England"; S. Hindle, "The Shaming of Margaret Knowsley: Gossip, Gender and the Experience of Authority in Early Modern England," *Continuity and Change* 9 (1994); A. Shepard, "From Anxious Patriarchs to Refined Gentlemen?: Manhood in Britain, circa 1500–1700," *JBS* 44 (2005); L. G. Schwoerer, "Women's Public Political Voice in England: 1640–1740," in *Women Writers and the Early Modern British Political Tradition*, ed. H.L. Smith (Cambridge, 1998).

*Is witchcraft a gender-related but not gender-specific issue?*

K. Jones, and M. Zell, "'The Divels Special Instruments': Women and Witchcraft Before the 'Great Witch Hunt,'" *SocH* 30, 1 (2005); A. Gregory, "Witchcraft, Politics and 'Good Neighbourhood' in Early Seventeenth-Century Rye," *P & P* 130 (1991); C. Holmes, "Women: Witnesses and Witches," *P & P* 140 (1993); J. Sharpe, "Witchcraft and Women in Seventeenth-Century England: Some Northern Evidence," *Continuity and Change* 6 (1991); M. Marwick, ed., *Witchcraft and Sorcery*, 2nd ed. (Harmondsworth, 1986), esp. selections from classic works on witchcraft's social dimension by A. Macfarlane (1970) and K. Thomas (1972); C. Lerner, *Witchcraft and Religion: The Politics of Popular Belief* (Oxford, 1984), esp. essays on Scottish witchcraft, on the views of James VI and I, and on English *versus* Scottish witch accusations; L. Jackson, "Witches, Wives and Mothers: Witchcraft Persecution and Women's Confessions in Seventeenth-Century England," *Women's History Review* 4 (1995); S. Parkin, "Witchcraft, Women's Honour and Customary Law in Early Modern Wales," *SocH* 31, 3 (2006).

*Was the issue of vagrancy determined more by state or local response or by the agency of vagabonds themselves?*

A. L. Beier, *Masterless Men: the Vagrancy Problem in England* (London, 1985), esp. chs. on the rise of subsistence migration and state policy; *idem*, "Vagrants and the Social Order in Elizabethan England," *P & P* 64 (1974), and the debate sparked by Beier, *P & P* 71 (1976); P. Slack, "Vagrants and Vagrancy in England, 1598–1664," *EcHR* 28 (1974); *idem*, "Poverty and Social Regulation," in *The Reign of Elizabeth I*, ed. C. Haigh (London, 1984); *idem*, *From Reformation to Improvement: Public Welfare in Early Modern England* (Oxford, 1999), esp. ch. on the "Common Weal"; M. K. McIntosh, "Local Responses to the Poor in Late Medieval and Tudor England," *Continuity and Change* 3 (1988); D. Woodward, "The Background to the Statute of Artificers: The Genesis of Labour Policy, 1558–63," *EcHR* 33 (1980); A. L. Gillespie, "Negotiating Order in Early Seventeenth-Century Ireland," in *Negotiating Power in Early Modern Society*, ed.

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K. Wrightson, “Two Concepts of Order: Justices, Constables and Jurymen in Seventeenth-century England,” in Brewer and Styles, *An Ungovernable People*; K. Wrightson and D. Levine, *Poverty and Piety in an English Village: Terling, 1525–1700* (New York, 1979, rev. ed., Oxford, 1995), esp. “The ‘Better Sort’ and the Labouring Poor,” and the postscript “Terling Revisited”; Underdown, “The Taming of the Scold: the Enforcement of Patriarchal Authority in Early Modern England,” and M. Spufford, “Puritanism and Social Control?,” in Fletcher and Stevenson, *Order and Disorder*; S. Hindle, *The State and Social Change in Early Modern England, 1550–1640* (Basingstoke, 2002), chs. on enforcement of social policy and reformation of manners; M. Ingram, “Reformation of Manners in Early Modern England,” in Griffiths, Fox, and Hindle, *The Experience of Authority*; *idem*, “From Reformation to Toleration: Popular Religious Cultures in England, 1540–1690,” in *Popular Culture in England, c. 1500–1850*, ed. T. Harris (New York, 1995); Ingram on scolds in Kermodé and Walker, *Women, Crime and the Courts*; E. Duffy, “The Godly and the Multitude in Stuart England,” *Seventeenth Century* 1 (1986); H. French, “Social Status, Localism and the ‘Middle Sort of People’ in England 1620–1750,” *P & P* 166 (2000).

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