



EDWARD DE VERE NEWSLETTER NO. 24

Published by De Vere Press
1340 Flemish Street
Kelowna, B.C. V1Y 3R7 Canada

Did the author of the pamphlet *Two Most Unnaturall and Bloodie Murthers* make use of *The Miseries of Enforced Marriage* as well as *A Yorkshire Tragedy* as source material for his account of the "Calverley" murders?

In issue #21 of the *Edward De Vere Newsletter*, it was shown that the anonymous author of the pamphlet *Two Unnaturall and Bloodie Murthers* paraphrased the plot of *A Yorkshire Tragedy* in writing his account of the "Calverley" murders. However, there are certain details in the pamphlet which do not derive from *A Yorkshire Tragedy*. Did the author of the pamphlet derive these details from another Elizabethan play, *The Miseries of Enforced Marriage*?

The two plays and the pamphlet were entered on the Stationers' Register within a three-year period: the pamphlet on June 12, 1605 (Cawley 6), *The Miseries of Enforced Marriage* on July 31, 1607 (Malone Society v), and *A Yorkshire Tragedy* on May 2, 1608 (Cawley 1).

Critics long ago noticed that there are interesting relationships between the plots of the two plays and the pamphlet (Cawley 14). One of the most striking similarities found in the three works in question is the reference in each to broken marriage vows. Little is made of the broken vows in *A Yorkshire Tragedy*. They are merely referred to in passing in a conversation between servants in the first scene of the play:

Ralph. My young mistress keeps such a puling for her love.

Sam. Why, the more fool she. . . . He's married to another long ago.

Oliver. Sirrah Sam, I would not for two years' wages my young mistress knew so much. She'd run upon the left hand of her wit and ne'er be her own woman again.

Sam. And I think she was blessed in her cradle that he never came in her bed (Cawley 54).

In the pamphlet *Two Most Unnaturall and Bloodie Murthers*, the incident involving the broken vows is developed in greater detail than it is in *A Yorkshire Tragedy*. However in the pamphlet the episode is still peripheral to the main story. Walter Calverley is said to have contracted himself to the daughter of an unnamed country gentleman and to have either concealed or ignored this agreement in order to marry his guardian's niece. Thus, in both *A Yorkshire Tragedy* and in *Two Unnaturall and Bloodie Murthers*, the breaking of the marriage vows has no significant impact on the balance of the story.

In *The Miseries of Enforced Marriage*, however, the breaking of the vows is the focal point of the plot, and an interesting twist is added in that the young man is shown to have been blackmailed into taking this step. William Scarborough's guardian, Lord Faulconbridge, threatens to ruin his ward unless Scarborough breaks his marriage contract with Clare Harcop and marries Faulconbridge's niece, Katherine:

Scar. To Sir John Harcops Clare I have made an oath,
Part me in twaine, yet shees one halfe of both.
This hand the which I weare it is halfe hers,
Such power hath faith and troth twixt couples young,

Death onely cuts that knot tide with the tongue.

Lord F. And have you knit that knot Sir.

Scar. I have done so much, that if I wed not her,
My marriage makes me an Adulterer,
In which blacke sheets, I wallow all my life,
My babes being Bastards, and a whore my wife.

[Enter secretary]

Lord F. Ha, ist even so, My secretary there,
Write me a Letter straight to Sir John Harcop,
Ile see Sir Jacke and if that Harcop dare,
Being my Ward, contract you to his daughter.

[Enter steward]

My steward too, post you to Yorkeshire,
Where lyes my youngsters Land, and sirrah,
Fell me his wood, make havocke, spoyle and wast.
Sir you shall know that you are Ward to me,
Ile make you poore inough: then mend your selfe

....

Lord F. Now death of me, shall I be crost by such a Jacke, he
wed himselfe, and where he list: SIRRHA Malapart, Ile
hamper you,
You that will have your will, come get you in:
Ile make thee shape thy thoughts to marry her,
Or wish thy birth had bin thy murtherer.

In his reply to Lord Faulconbridge's question as to whether he has "tied that knot", Scarborough says that he has "done so much" that any subsequent marriage to another would render him an adulterer. Thus, even though the vows between Scarborough and Clare were private, they were binding, because under canon law in medieval England, "the contract which created the marriage bond [was] a private act" and "no public ceremony was required to make a marriage valid and indissoluble". A contract by words of present consent (*verba de presenti*) constituted, without more, the marriage bond itself. As Helmholz explains, a binding marriage could be -- and often was -- created simply by agreement between the parties, without benefit of clergyman or church ceremony:

It is particularly notable that no public ceremony was required to make a marriage valid and indissoluble. Such a ceremony, preceded by publication of banns, was necessary to render a marriage fully licit. The parties sinned by marrying without publication of banns and blessing by a priest. They rendered themselves liable to the spiritual penalties of penance. And the court records produce cases where men and women

were punished for failing to secure solemnization, or at least ordered to do so under threat of ecclesiastical censure. But this failure did not affect the question of the validity of the marriage. Only the contract itself did. Although the principle was compromised in practice, in theory a man and woman joined by a contract of present consent, but without ceremony, had no choice about whether or not to solemnize and consummate their union. They were already married. Likewise, consent of parents or kinsmen, endowment of the woman, the *deductio in domum*, were all secondary. They were perhaps desirable. But they were not necessary to create the theoretically indissoluble bond of marriage. Only the exchange of present words of consent was necessary to create a valid union (27-31).

This legal view of marriage explains the subsequent development of the plot in *The Miseries of Enforced Marriage*. The words exchanged between William Scarborough and Clare Harcop are such as would have constituted a marriage:

Clare. No (God is my record) I speak in earnest: & desire to know
Whether ye meane to marry me, yea or no.

Scar. This hand thus takes thee as my loving wife.

Clare. For better, for worse.

Scar. I, till death us depart love.

Clare. Why then I thank you sir, and now I am like to have that I long lookt for: A Husband.
How soone from our owne tongues is the word sed,
Captives our maiden-freedom to a head.

Scar. Clare your are now mine and I must let you know,
What every wife doth to her husband owe,
To be a wife, is to be Dedicate
Not to a youthfull course, wild and unsteddy,
But to the soule of vertue, obedience,
Studying to please, and never to offend.
Wives have two eyes created, not like Birds
To rome about at pleasure, but for two sentinels,
To watch their husbands safety as their owne,
Two hands, ones to feed him, the other her self:
Two feet, and one of them is their husbands,
They have two of every thing, onely of one,
Their Chastity, that should be his alone,
Their very thoughts they cannot tearme them one,
Maids being once made wives, can nothing call
Rightly their owne; they are their husbands all:
If such a wife you can prepare to be,
Clare I am yours: and you are fit for me.

Clare. We being thus subdued, pray you know then,
As women owe a duty, so do men.
Men must be like the branch and barke to trees,

Which doth defend them from tempestuous rage,
Cloth them in Winter, tender them in age,
Or as Ewes long unto their Eanlings lives,
Such should be husbands custome to their wives.
If it appeare to them they have straid amisse,
They onely must rebuke them with a kisse,
Or Clock them, as Hens Chickens, with kind call,
Cover them under their wing, and pardon all:
No jarres must make two beds, no strife devide them,
Those betwixt whom a faith and troth is given,
Death onely parts, since they are knit by heaven:
If such a husband you intend to be,
I am your Clare and you are fit for me.

Scar. By heaven.

Clare. Advise before you sweare, let me remember you,
Men never give their faith, and promise mariage,
But heaven records their oth: if they prove true,
Heaven smiles for joy, if not it weepes for you,
Unlesse your hart, then with your wordes agree,
Yet let us part, and lesse us both be free.

Scar. If ever man in swearing love, swore true,
My words are like to his: Heere comes your father.

[Enter Sir John Harcop, Ilford, Wentloe, Bartley, and Butler]

Harc. Now maister Scarborrow.

Scar. Prepared to aske how you like that we have done,
Your daughters made my wife, and I your sonne.

Harc. And both agreed so.

Both. We are Sir,

Harc. Then long may you live together, have store of sons.

Because of the vows which have been exchanged between them, Scarborrow is convinced that his marriage to Clare Harcop is legally binding, and that his second marriage is therefore bigamous. It is for this reason that he calls his wife Katherine a strumpet and his children bastards. Nor is this view of the legally binding nature of the first marriage contract confined to Scarborrow alone. It is shared by all the principal characters in the play. Clare, the abandoned young bride, for example, on receiving a letter from Scarborrow telling of his marriage to Katherine, soliloquizes on the effect the broken marriage contract will have on her future prospects:

Clare. He was contracted mine, yet he unjust
Hath married to another: what's my estate then?
A wretched maid, not fit for any man,
For being united his with plighted faiths,
Who ever sues to me commits a sinne,

Besiegeth me, and who shall marry me:
Is like my selfe, lives in Adultery, (O God)
That such hard Fortune, should betide my youth.
I am Young, Fayre, Rich, Honest, Virtuous,
Yet for all this, who ere shall marry mee
I am but his whore, live in Adultery.
I cannot step into the path of pleasure
For which I was created, borne unto,
Let me live nere so honest, rich or poore,
If I once wed, yet I must live a whore.
I must be made a strumpet gainst my will.

After Clare's suicide, her father, Sir John Harcop, upbraids William Scarborrow in a similar vein:

Harc. But harke what thou hast got by it,
Thy wife is but a strumpet, thy children Bastards,
Thy selfe a murderer, thy wife, accessary,
Thy bed a stewes, thy house a Brothell.

Scar. O, tis too true.

In *A Yorkshire Tragedy*, the fact that a prior marriage contract has made the second marriage bigamous is never specifically mentioned. The possibility is, however, alluded to elliptically in the conversation between Ralph, Sam and Oliver in the first scene of the play (see above). This scene takes place somewhere in the country, in a different locale from the setting of the rest of the play, and Ralph's "young mistress [who] keeps such a puling for her love" is clearly someone with a prior claim to the Husband's affections. The fact that she is mentioned at all indicates that this prior claim is a significant one. In addition, Sam says that he thinks that Ralph's "young mistress" was "blessed that [the Husband] never came in her bed", implying that the Husband had the right to do so because they were legally married. Like William Scarborrow in *The Miseries of Enforced Marriage*, the Husband in *A Yorkshire Tragedy* calls the Wife a strumpet and his children bastards, which is again consistent with the possibility that a prior marriage contract existed between the Husband and Ralph's "young mistress".

A similar version of the broken marriage vows is also given in the pamphlet *Two Unnaturall and Bloodie Murthers*. There, the vows between Walter Calverley and the daughter of the country gentleman are referred to as a "contract", and Calverley calls his wife a strumpet and his children bastards.

Bigamy is not specifically mentioned, but the inference is clearly present.

The result for the husband in both plays, as in the pamphlet, is identical. The young man, heretofore an individual of great promise, falls into a riotous mode of life and wastes his inheritance. In *The Miseries of Enforced Marriage*, William Scarborough does this in reaction to Clare Harcop's suicide. Holding her corpse in his arms, he says:

Scar. Thou wert my wife, and Ile thy *Requiem* sing:
Go you to the Country, Ile to London backe,
All riot now, since that my soules so blacke.

In *A Yorkshire Tragedy*, the underlying motive for the Husband's riotous life is not spelled out, although the Husband tells the Wife that he never "could abide" her and married her only "for fashion sake" (Cawley 61).

The account in *Two Most Unnaturall and Bloodie Murthers* is even more ambiguous. The author offers no explanation whatever for Calverley's sudden adoption of a dissolute mode of life, simply stating that within a few months of his marriage he was "so altered in disposition from that which he was, and so short from the perfections which he had, as a body dying is of a life flourishing" (Cawley 98).

Both plays end with the husband's repentance, as does the account in the pamphlet. In *A Yorkshire Tragedy*, repentance follows the Husband's murder of his two young sons. In *The Miseries of Enforced Marriage*, it occurs after William Scarborough has threatened to kill his family.

The similarities between the pamphlet and the two plays in question suggests very strongly that the author of *Two Unnatural and Bloodie Murthers* drew on both plays as sources. From *The Miseries of Enforced Marriage*, the author of the pamphlet took the account of the broken marriage vows and the detail that the husband "had a second brother . . . in the Universitie" (Cawley 98). (*A Yorkshire Tragedy* mentions only one brother.) The balance of the material in the pamphlet is drawn from *A Yorkshire Tragedy*.

Which play was written first? The answer can be deduced from the plays themselves. Despite the obvious similarity in details of plot and theme, the emphasis in the two plays is quite different. In *The Miseries of Enforced Marriage*, William Scarborough is eighteen, still young enough to feel keenly and bitterly the frustration of his thwarted first love. In *A Yorkshire Tragedy*, the Husband is older, and far more preoccupied with the financial ruin he has brought upon his ancient house. This, and the fact that *A Yorkshire Tragedy* is written in a much more accomplished style, indicate that *The Miseries of Enforced Marriage* predates *A Yorkshire Tragedy* by some years.

Thus, despite the sequence in which the plays and the pamphlet were entered in the Stationers' Register, it is clear that *The Miseries of Enforced Marriage* was written first, perhaps in the 1570's. *A Yorkshire Tragedy* was probably written in the 1580's, when Oxford was experiencing most acutely his ruined fortunes. The pamphlet, *Two Most Unnaturall and Bloodie Murthers*, was likely written in 1605, shortly after the occurrence of the Calverley murders, by an unknown author who drew on both plays as sources.

Works Cited

- Cawley, A.C. and Barry Gaines, eds. *A Yorkshire Tragedy*. Manchester: Manchester University Press, 1986.
Farmer, John S., ed. *The Miseries of Enforced Marriage*. Tudor Facsimile Texts.
Helmholz, R.H. *Marriage litigation in medieval England*. Cambridge: Cambridge University Press, 1974.
Malone Society Reprints. *The Miseries of Enforced Marriage*.

Appendix A: "Winno steeple"

In one of the scenes in *The Miseries of Enforced Marriage*, Butler describes to Sir John Harcop the escape route taken by some robbers: they "tooke over the Lawnes, & left Winno steeple on the left hand". This detail appears to support Oxford's authorship, since "Winno" is very likely Wivenhoe in Essex, where the Earls of Oxford had a large manor house.