

## Index

- Adams, Thomas  
*The Black Devil*, 161  
*The White Devil*, 160, 161
- adultery, 55–94, 214  
 punishment for, 82–3  
 Puritan attitudes to, 81–92, 102–3
- Altman, Joel, 4
- Arden of Faversham* (anon.), 11, 71–2, 77, 79, 106, 115, 122, 124, 221, 239
- Ariadne's thread, 23
- Aristotle, 45–8, 71, 108, 111, 141, 153, 234, 240  
 Aristotelian hierarchy of signs and proofs (artificial and inartificial), 45–8, 162–3  
 psychological image or *phantasm*, and rhetorical image or *eikon*, 165, 167  
 Quintilian's adaptation of Aristotle's hierarchies of signs and proofs, 46–7, 120, 163
- Ascham, Roger, 84, 95, 238
- Auden, W. H., 145, 146, 245
- Augustine, 109–10, 153–4, 157, 230, 243
- Austin, J. L., 24, 224
- Bacon, Francis, 133, 140–2, 153–4, 238, 240–3, 245, 247  
*De Augmentis*, 141  
*The Antithesis of Things*, 142  
*The Colours of Good and Evil*, 139, 141, 142
- Baker, J. H., 3, 8, 20, 66, 145–69, 173, 174, 175, 193, 195, 203, 204–5, 219, 220, 223, 232, 246, 248, 252, 254, 255, 256
- Barry, Lording, 179, 253  
*Ram Alley*, 5, 12, 160, 174–86, 205, 219, 220, 233, 234, 236, 260
- Barthes, Roland, 38, 164, 226
- Barton, Anne, 178, 252
- bawdy court, 55, 214
- Beard, Thomas, *The Theatre of God's Judgements*, 11, 84, 102, 104, 107–27, 236
- Beaumont, Francis, 1, 41, 227
- bed-trick, 41, 48–50, 207–8, 216, 224, 225–7, 229
- bier-rite (or cruentation), 113–16
- Boccaccio, Giovanni, 53, 84, 236
- brachygraphy, 203
- Bradford, John, 127
- Braithwait, Richard, 65–7
- Browne, Thomas, 163, 249
- Burton, Robert, 83, 227
- Calvin, Jean, 103
- Calvinism, 108–10, 119, 122, 130, 241, 243
- Carlson, Eric Josef, 19, 223
- Catholicism, associations of, 145–69, 146, 246  
 cause, 6–7, 219, 234
- Cave, Terence, 11, 45, 46, 48, 227, 228, 229
- character-writing / Theophrastian 'character', 166–9, 179
- Churchyard, Thomas, *Honour of the Law*, 194, 247, 255
- Cicero, 139, 163, 164, 165, 249
- closet, 67, 68, 233
- Coke, Sir Edward, 152, 164, 249
- Collum, Eric, 239, 263
- 'colour', 11, 122, 135–73  
 colouring a plea, 149–54
- common law courts, 197, 198–200
- conscience, 10, 23, 25, 28, 49, 125–34, 150, 151–2
- consent, Ch. 1, *passim*.
- consideration, 7
- contingency, 4, 7, 15, 234
- cosmetics, 154–5, 159, 160–1
- Council of Trent, 19
- Court (*see also* 'bawdy court')  
 of Chancery, 211  
 of the church, 17, 19–52, 195, 197–8  
 of Requests, 151, 195, 210–11, 212  
 of Star-Chamber, 212, 19, 133, 174, 184, 186–92, 195, 197, 198–200, 201, 202–3, 211, 212, 223, 258  
 Vice-Chancellor's, 55–63, 209–10, 212–13, 229

Cambridge University Press

978-0-521-85035-3 - Law and Representation in Early Modern Drama

Subha Mukherji

Index

[More information](#)

288

Cowell, John, *Interpreter*, 55, 229, 240  
 Cripplegate, 76  
 'cruentation'; see 'bier-rite'  
*curia regis*, 204  
 custom, 35, 225

Davies, John, 174, 175, 186, 252  
 Davies, Natalie Zemon, 231  
 Day, Angel, 67  
 Day, John, *Law Tricks*, 5, 9, 181, 220, 239–40, 247, 253  
*de futuro* contract, 19, 20–5, 48, 207, 225  
 Dekker, Thomas, 187, 190, 191–2, 201, 203  
*de praesenti* contract, 19, 20–5  
 Derrida, Jacques, 24, 50, 224, 229  
 disseisin, 149–54  
 'distinction' (or *distinctio*), 23–5, 48, 228  
 divorce, 27, 82, 225, 226 (annulment)  
 Donaldson, Ian, 14, 222  
 Donatus, 45  
 Donne, John, 37, 226, 242  
 dower, 13  
 dumb show(s), 142–6, 97–101, 117, 121, 123, 125, 165

Eden, Kathy, 108, 111, 140, 153, 165, 169, 219, 240, 244, 247, 250  
 Egerton, Lord Keeper, 210, 211, 212, 247  
*elenchus*, 13, 154  
 enargeia / enargeic representation, 52, 53, 105, 108, 138, 140, 229  
 equity, 209  
   of tragedy, 4  
 Erasmus, Desiderius, 90, 140

fact, 13, 100, 148  
*femme covert*, 224  
*femme sole*, 209  
 feoffment, 13, 151–2  
 Fleetwoode, William, 185  
 Fletcher, Giles, 84, 236  
 Fletcher, John, *Love's Pilgrimage*, 25–6  
 Ford, John, 187, 201, 203  
   *The Broken Heart*, 27, 158, 222  
   *The Lady's Trial*, 194, 245  
   '*Tis Pity She's a Whore*', 26, 157, 158, 190, 248  
 Franklin, James, 8, 221  
 Fraunce, Abraham, 164, 227, 249–50  
 Freud, Sigmund, 43, 227

Gilbert, Geoffrey, 227, 238  
 Gilman, Ernest, 136, 244  
 glossatorial tradition, 4  
 gloves, 43–4

## Index

Golding, Arthur, 102, 103, 104, 105, 109, 110–11, 113, 123, 127–30, 239  
 Gombrich, E. H., 136, 172, 244, 251  
 Goodcole, Henry, 84, 114, 201–2, 237  
 Goodrich, Peter, 4, 5, 6, 8, 139, 219, 229, 244  
 Gowing, Laura, 216  
 Greenblatt, Stephen, 39, 132, 227, 243  
 Greene, Robert, *James the Fourth*, 236  
 Greene, Thomas, *Friar Bacon and Friar Bungay*, 160  
 Guarini, Giambattista, 245–6

Haberman, Ina, 166, 169, 172, 218, 250, 251–2, 260  
 Hacking, Ian, 8, 221  
 Hale, Matthew, 238  
 Hanson, Elizabeth, 4, 6, 132, 133, 134, 219, 220, 243, 244  
 Harrison, William, 69, 70, 233, 234  
 Heath, Edward, 174–5  
 Heliodorus, *Aethiopica*, 47, 245  
 Herbert, George, 243–4, 246  
 Herrup, Cynthia, 27, 32, 224, 225  
 Heywood, Thomas  
   *A Curtaine Lecture*, 36, 51, 194, 198, 221, 225, 226, 229, 261  
   *A Woman Killed with Kindness*, 55–94, 96, 97, 103, 107, 124, 170, 205, 221, 238, 241, 242, 251  
   *An Apology for Actors*, 108, 240  
   *Edward IV*, 72, 234  
   *The Generall History of Women*, 82, 84, 236

Hooker, Richard, 128  
 Howard, Frances, 215, 226  
 Hutson, Lorna, 4, 10, 45, 55, 66, 71, 148, 219, 228, 229, 230, 232, 234, 246  
   and Victorian Kahn, 16, 153, 247  
 Hydra head, 233–5

infanticide, 215  
 Inns of Chancery, 13, 181  
 Inns of Court, 2–3, 13, 20, 54, 151, 152, 153, 172, 175, 179–82, 185, 186, 219  
   student life at, 174–5  
 Interrogatories, 13, 207  
 Invention (or *inventio*), 139, 144, 162

James, Henry, 237  
 Jardine, Lisa, 142  
 Johansson, Bertil, 5, 220  
 jointure, 13  
 Jonson, Ben, 1  
   *Epicœne*, 5, 14, 215, 219–20, 222, 228  
   *The Devil is an Ass*, 172

- The New Inn*, 9  
*Volpone*, 5, 11, 172, 178, 220, 241, 253, 264
- jury, 3–4  
 audience as jury, 4, 147–9  
 grand jury, 4  
 jury system in England, 3–4, 147–8  
 of matrons / women, 214–16  
 trial jury, 4, 147
- Justinian, 4, 234, 240  
*Corpus Juris Civilis*, 150, 173, 235, 246, 252  
*Digest*, 4
- Kahn, Victoria  
 and Lorna Hutson, 16, 153, 247
- Keats, John, 231, 261
- Keep the Widow Waking* (by Dekker, Webster, Rowley and Ford), 186–92, 203
- Kerrigan, John, 37, 80, 127, 226, 235, 243
- Kyd, Thomas, *The Spanish Tragedy*, 130, 243
- labyrinth, 23–4, 75, 233, 239–48
- Latin (use of, in law), 147, 227–8
- law  
 canon, 13, 18, 20, 24, 207, 209, 223, 234  
 civil, 13, 14, 19–20, 151, 223, 230,  
 240, 246, 247  
 common, 13, 14, 20, 150, 151, 209,  
 219, 223, 230, 234, 246, 247  
 criminal, 209  
 locations, spaces, places of, 174–205  
 marriage; *see* ‘marriage law’  
 metaphors for, 233–48  
 natural, 173  
 positive; *see* ‘positive law’  
 repressed matter, or the unconscious of, 14  
 and rhetoric, 1–7, 135–73
- lute(s), 87–8, 91, 93–4
- Maclean, Ian, 5, 24, 25, 39, 48, 151, 153,  
 219, 223, 224, 227, 228, 234, 246,  
 247, 262
- Macnair, Michael, 195–7, 209, 231, 257, 262
- MacNeice, Louis, 120, 169, 250
- Map, Walter, 204
- Marlowe, Christopher, 64, 173, 231
- marriage law, 10, 17–52, 45, 207, 225,  
 228, 233
- Marston, John, 88, 237
- Martin Guerre, 47
- Martin, Julian, 20, 100, 163, 223, 238, 239, 249
- Massinger, Philip, *The Picture*, 53–4, 245
- Maus, Katharine Eisaman, 15, 77,  
 220, 234, 260
- Melancthon, 45
- mens rea*, 27
- Middleton, Thomas, 5, 220  
*Michaelmas Term*, 181, 185  
*The Phoenix*, 181, 253  
 and William Rowley, 7  
*The Changeling*, 15, 43–5, 67–8, 103–4, 120,  
 170, 171, 225, 226–7, 241, 244, 251
- Milton, John, 80, 241
- Minotaur, 239–40
- The Miseries of Enforced Marriage*, 17, 27–8
- Montaigne, Michel de, 24, 63–8, 224
- moots, 172–3
- More, Thomas, 65, 90, 120, 231
- Moryson, Jynes, 84
- ‘naughty court’ (*see also* ‘bawdy court’), 52
- New Comedy, 45
- Newman, Karen, 38
- Nuttall, A. D., 50, 91, 229, 237, 244, 264
- oeconomy, 68–74  
*Oeconomicus*, 71
- O’Hara, Diana, 31, 224
- ‘open court’, 192–205
- Orlin, Lena Cowen, 65, 66, 67, 69, 78,  
 92, 231, 232, 233, 235, 237
- Ormerod, Oliver, 161
- ornament (in rhetoric), 139–40
- Painter, William, 83, 84, 87, 236
- palmistry, 116–19, 142
- paradox, 207, 222–8
- paraphernalia, 13
- Pascal, Blaise, 230
- Patey, Douglas, 8, 221
- Peacham, Henry, *Garden of Eloquence*,  
 139, 140, 244
- perspectives / perspective art, 136
- Pettie, George, 84, 236
- physiognomy, 154–7, 158–9, 169, 239
- pin-money, 13
- Plato, 4
- Platt, Colin, 69
- ‘pleading the belly’, 215–16, 219, 260
- plus quam satis*, 13
- positive law, 10
- Posner, Richard, 12
- precedence, 5
- pregnancy, 50, 104–5, 132, 214, 215,  
 218–19, 220, 225, 230–1
- Prest, Wilfrid, 3, 173, 210, 219, 252, 258
- privacy, 11, 45, 56–91, 97, 105–6, 228  
 privacy, or publicness, of court  
 procedure, 193–205
- probability, 5, 8, 10, 45, 221, 229–31, 238  
 of testimony, 170, 250–1

Cambridge University Press

978-0-521-85035-3 - Law and Representation in Early Modern Drama

Subha Mukherji

Index

[More information](#)

290

proofs

- artificial (proofs or signs), 45–7, 53, 163–4, 172
- inartificial (proofs or signs), 162–3, 45–7, 249

protopopœiae, 3

providentialism / providentialist, 11, 84, 102–34, 169, 236

Pulton, Ferdinand, 156

Puttenham, George, *Arte of English Poesie*, 140

Quintilian, 3, 45, 108, 111, 140, 163, 164, 240, 249

Raleigh, Sir Walter, 156

recognition, 45–8, 208, 229

Reynolds, John, 83, 84, 100, 102, 103, 127, 239

Richardson, Catherine, 69, 71, 92–4, 233, 237

ring(s) / ring as token, 21–54, 118, 121

in church courts, 33–4, 36–7, 42–3, 45, 47

sexual symbolism of, 42–3, 138

symbolism of, 35–7

Rowley, William, 187, 190, 192, 203

Rowley, William, Thomas Dekker and John Ford, *The Witch of Edmonton*, 26, 201

Sartre, Jean Paul, 1

Schramm, Jan Melissa, 13, 201, 221

Segalen, Martin, 43

seisin, 13

Serjeantson, Richard, 163, 170, 171, 238,

249, 251, 263

servants, 61–2, 67, 68–9, 72–9

separate estate, 13

Shakespeare, William, 1, 9

*All's Well That Ends Well*, 4–12, 27, 28–9,

30, 42, 48–50, 197, 207–8, 222,

223–5, 227, 230, 237, 255, 261

*Antony and Cleopatra*, 171*As You Like It*, 42, 227*The Comedy of Errors*, 50, 229*Cymbeline*, 36, 51–3, 162–3,

226, 246, 248, 249–57

*Hamlet*, 6–7, 42, 145, 146, 170, 171,

220, 227, 237, 245, 251, 263

*Henry IV Part I*, 88, 190, 237*Henry IV Part II*, 219, 260*Henry V*, 111*Henry VIII*, 88, 237*King Lear*, 6, 245*A Lover's Complaint**Julius Caesar*, 113*Macbeth*, 79–80, 91, 144, 145, 156,

167, 171, 173, 245, 251

## Index

*Measure for Measure*, 17, 43, 49–50,

51, 132, 206, 207, 208, 225,

228–9, 236, 237, 243, 246, 263

*The Merchant of Venice*, 37–41, 42, 237*A Midsummer Night's Dream*, 172, 251*Much Ado About Nothing*, 157, 179, 248, 253*Othello*, 6–7, 77, 91, 220,

221–2, 234, 237, 263

*Pericles*, 88, 237*The Rape of Lucrece*, 50, 124, 156,

229, 242, 248

*Richard III*, 37, 88, 116, 237*Romeo and Juliet*, 42, 227*Sonnets*, 39, 41, 227*The Taming of the Shrew*, 88, 237*The Tempest*, 205*Titus Andronicus*, 88, 237*Troilus and Cressida*, 244*Twelfth Night*, 47, 50, 228*The Winter's Tale*, 97, 112, 143, 194,

220, 238

and Fletcher, *Two Noble Kinsmen*, 36, 226

Shapiro, Barbara, 4, 8, 20, 148, 219, 221,

223, 227, 238, 246, 261, 263

Sharpe, J. A., 195, 199, 216, 255, 256

Sheen, Erica, 55, 229

Shell, Alison, 169, 250

Shepard, Alexandra, 55, 213, 229, 231, 259, 262

Sidney, Sir Philip, 153–4, 162, 247

Sisson, C. J., 186, 254

Skinner, Quentin, 139–40, 163, 244, 249

Sokol, B. J., and Mary, 20, 223

St. German, Christopher, 8, 227

*Doctor and Student*, 8, 150–3, 154–5, 159

St Paul's Church and churchyard, 175–8

Stewart, Alan, 67, 233

Stow, John, *A Survey of London*, 178

Stretton, Tim, 209, 210, 212, 213, 216,

232, 257, 258, 259

Stubbes, Philip, 95, 96, 104, 160, 238

study, 61–2, 63–8

superstition, 117–19

Sutherland, Donald, on 'colour', 149–50

Swinburne, Henry, 8, 19, 22, 24, 30, 49,

150, 151, 223, 233, 235, 242

*A Briefe Treatise of Testaments and Last**Willes*, 22, 24, 31, 47, 209, 223, 225, 228*A Treatise of Spousals*, 8, 10, 17–18, 24, 28,

30–2, 42, 49, 106, 159, 223, 225, 228, 242

*Of Matrimony*, 248, 8, 18, 21, 25, 26, 27,

29, 49, 223, 224, 228, 242, 248, 249–57

(Appendix 1)

on rings, 32

Cambridge University Press

978-0-521-85035-3 - Law and Representation in Early Modern Drama

Subha Mukherji

Index

[More information](#)

## Index

291

- Taylor, Jeremy, 230
- T. E., *Laws Resolutions of Women's Rights*, 210, 227, 228
- Terence, 3, 45, 46, 230
- Thomas, Keith, 80, 82, 83, 235, 236
- T. M., *Blood for Blood*, 102, 104, 126, 127, 130, 239, 242, 243
- tragicomedy, 50, 245–7
- trial
- Athenian, 1, 3
  - for impotence, 214–15
  - for infanticide, 214, 215
  - by Peers, 146, 148, 246
  - pamphlets, 197, 199–202
  - of virginity / virginitiy test, 214, 226–7
  - for witchcraft, 199–202, 214
- Tucker, E. F. J., 5, 220
- T.W., *The Optick Glass of Humors*, 159
- Two Most Unnaturall and Bloodie Murthers*, 27–8
- Tynan, Kenneth, 1
- Vives, Juan Luis, 212
- Walsham, Alexandra, 84, 107, 236, 239
- Ward, Ian, 16
- wardship, 27, 29, 224
- A Warning for Fair Women* (anon.), 2, 9, 11, 95–134, 142, 144, 169–70, 178–9, 222
- waxen nose, 233, 236, 248
- Webster, John, 1, 9, 139, 173, 187, 190, 203, 252
- The Devil's Law Case*, 12, 160, 192–3, 195–7, 203, 206–32
- The Duchess of Malfi*, 10, 35, 168, 221, 241
- The White Devil*, 2, 6, 11, 123, 135–73, 202, 206, 212, 222, 228, 237 (sources of) 193 and Overbury, 168
- Weisberg, Richard, 12, 229, 261
- Welsh, Alexander, 13, 221
- Whetstone, George, *Promos and Cassandra*, 51, 229
- White, R. S., 173
- Whitford, Richard, 71
- Willichius, 45
- Wilson, Luke, 13–14, 231, 239, 262, 263
- Wilson, Thomas, *The Arte of Rhetorique*, 139, 140, 164
- women
- at law, 174–96; and Chs. 1–5, *passim*.
  - on trial, Ch. 13, and 6, *passim*.
- Woodbridge, Linda, 232
- Wordsworth, William, 134, 243
- Wright, Thomas, *The Passions of the Mind in Generall*, 99, 124, 155, 158, 165, 220–1, 250
- Wrightson, Keith, 69, 70, 233
- Xenophon, 65, 71, 74, 231, 234
- Yarrington, Robert
- Two Lamentable Tragedies*, 11, 106–7, 128, 243
  - A Yorkshire Tragedy*, 27
- Yeats, W. B., 244