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The Liues, Apprehensions, Arraignments, and Executions of the 19 Late Pyrates: Jacobean Piracy in Law and Literature

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Abstract: The 1609 pamphlet *The liues, apprehensions, arraignments, and executions of the 19 late pyrates* tells the stories of nineteen pirates trialled in 1609. Historians of Jacobean piracy have used this pamphlet as evidence, finding value in its detailed, dramatic accounts of maritime depredation—yet it has often escaped close textual analysis. This article analyses the pamphlet's content and context, in doing so illuminating the tensioned relationship between legal, state, and popular cultural narratives of what constituted a "pirate". The pamphlet provides an opportunity to further discuss the ambiguous, developing cultural role of piracy (and its perpetrators) at this time. It allows us to approach such questions as: which elements of a pirate's story were interesting to the seventeenth-century audience, and which elements marked out acts of depredation as truly being "piracy"? How does the source approach legal proceedings, and digest them for popular consumption? What place does this pamphlet have in the wider canon of piracy's print culture? This article suggests that the figure of the pirate could be redeemed, where it was reconcilable with the sensibilities of the terrestrial community—however, tensions arose when different groups imposed their own ideologies and intentions upon the criminal. These tensions appear in the differences between representations of maritime depredation emanating from the state and from the public—differences visible in the transmission of information from law to literature.

Keywords: piracy; pirates; High Court of Admiralty; print culture; maritime history; legal history; legal records; trial; hanging; national identity; redemption

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1. Introduction

On 29 December 1609, nineteen men were paraded through the streets of London from the Marshalsea prison to the banks of the Thames at Southwark, where all but one were hanged for the crime of piracy.[1] This macabre festivity is just one vignette among many in the long history of English piracy, and formed part of a wider effort by James I and VI to rid Britain of its reputation as a "nation of pirates" (Appleby 2009a, p. 216).[2] The hanging of eighteen men was a large public event, designed to create spectacle—small wonder that the stories of the hanged were quickly sensationalized in a pamphlet entitled *The liues, apprehensions, and arraignments of the 19 late pyrates* (Anon. 1609. *The liues, apprehensions, arraignments, and executions of the 19 late pyrates: namely Capt. Harris, Iennings, Longcastle, Downes, Haulsey, and their companies: As they were seuerally indited on St. Margrets Hill in Southwarke, on the 22 of December last, and executed the Fryday following*), published less than a month after the executions. This pamphlet provides an intriguing glimpse of how acts of piracy (and resulting acts of punishment) were represented within early seventeenth century English print culture, which acted as "a battleground around the crime, its punishment and its memory" (Foucault 1975, p. 67). The pirates' cases depict tensions between state interests and popular conceptions of piracy, and invoke wider discourse about national identities and the role of redemption in contemporary ideas of criminality.

The 19 late pyrates is a product of a unique and transitional period in the history of British piracy (Senior 1976, p. 14), wherein perceptions and representations of maritime

depredation developed in light of nascent colonial competition, fluctuating Protestant nationalism, and an increasingly accessible legal culture. The sensational nature of the pirates' stories, and the pamphlet's role in the cultural moment produced by their arrests, trials, and executions, is only made more interesting by the fact that its content—whilst dramatic—is admirably accurate when compared to legal evidence from the period. This results in a rare, direct link between law and literature, enabling examination of the ways in which "The trial becomes not only a record of the past, but a way of interpreting it" (Burgess 2009, p. 894).

Historical studies of Jacobean piracy, such as those by Senior, Appleby, and Kelleher, have relied predominantly on High Court of Admiralty (HCA) records to depict a "growing menace fast gaining momentum" (Senior 1976, p. 11), organised into a loose "confederacy" or "alliance" (Senior 1976, p. 30; Appleby 2007, p. 49; Kelleher 2020, p. 3). The legal footprint attributed to this "growing menace" serves to underline the seriousness of the English state's response to the problem of piracy. However, Jowitt—and others working on histories of culture—have approached the phenomenon from a different angle, emphasising popular responses to Elizabethan and Jacobean maritime depredation and highlighting attitudes to piracy as "an especially rich cultural signifier" (Jowitt 2010, p. 16). *The 19 late pyrates*, as both an account of both the pirates' legal trials and their public executions, provides an opportunity to synthesise these two approaches. Although cited by several historians of Jacobean piracy, the pamphlet has only been directly analysed by Baer as part of a 2007 edited volume, where it received a limited treatment (Baer 2007, pp. 1–64).[3] The aim of this article is, using comparison to the legal evidence along with close analysis of the pamphlet's text itself, not only to advise any future scholarly use of *The 19 late pyrates* but also to add to broader discussions concerning the role of print culture in producing perceptions of early modern piracy.

I put forward the thesis that, to be vilified as a pirate, the individual must transgress against the sensibilities of their own community. However, tensions arise where the nature of those sensibilities fluctuate according to the exact community in question. This can be located within the history of developing ideas of English nationality, as an emergent "organizing principle" (Hubbard 2021, p. 14). The characters of those pirates detailed in *The 19 late pyrates* exist in this state of tension, and can be used to explore these ideas. Not only were they caught between communities local, national, and international, but also between sensibilities both popular and political, legal and practical, religious and moral. This tension played out not only in the courtrooms and on the scaffolds, but also in the print culture of the early seventeenth century. By exploring the differences or similarities between how pirates were treated in court records, and how they were characterized in popular print, it is possible to establish which aspects of their lives were sites of interest and tension to both the state and the broader populace.

In *The 19 late pyrates*, these criminals of the high seas are given a chance at redemption—and, supposedly, a chance to tell their own tales. Pirates in print occupied a liminal role, and "operated on the hinterland between licit and illicit activities" (Jowitt 2007a, p. 3). Through exploring their stories and their sins, this early example of a trial account also hints at the ways in which popular ideas regarding piracy were changing during this time period, and could be incongruous with the aims of the state, even sometimes representing a "growing, but coded, sense of dissatisfaction with the king" (Jowitt 2002, p. 218). As will be argued, I disagree with Baer's suggestion that the pamphlet represented a "state celebration" of the executions (Baer 2007, p. 1)—instead, a difference should be understood between the legal reality of piracy as a capital crime, and the popular understanding of pirates as depicted in print culture such as *The 19 late pyrates*. The pamphlet provides a unique opportunity to examine the relationship between these two phenomena, and between legal and popular sources.

This article first contextualizes *The 19 late pyrates* within the history of early Jacobean piracy. I then discuss the content of the pamphlet, focusing on pirates James Harris and John Downes, with recourse to contemporary legal records to discuss both the pamphlet's

accuracy and its thematic adaptation for popular distribution. The final section of the article then discusses the pamphlet as an example within the wider cultural response to both Jacobean piracy and executions, drawing on the dynamics of power at play in the "theatre of the gallows" (Sharpe 1985, p. 160).

2. Jacobean Piracy

As the new century dawned, English attitudes to piracy were changing. After the Somerset House Conference in 1604, a treaty was signed between England and Spain. This brought a (temporary) end to nineteen years of intermittent conflict, enacted across the globe. Much of this war had been waged at sea, and English attempts to encroach on Spain's colonial trade increasingly relied on private enterprise (Appleby 2009a, p. 9). Although large fleet actions did occur (most famously against the Spanish Armada in 1588), Elizabethan maritime warfare was heavily supplemented by vessels who operated under a form of either tacit or overt state approval, permitting the capture of certain nations' vessels (Rodger 2014, pp. 9–10).

Private enterprise, or "private depredation", was a tried and tested method of maritime economic warfare for early modern states, particularly useful to those whose naval resources were limited or strained. English maritime warfare in the sixteenth century was supported by private venturers sailing under general letters of reprisal, who may be understood as natural precursors to the later phenomenon of privateering (Rodger 2014, pp. 9, 12).[4] This "privatisation of state warfare", and its cessation at the end of the war, had a resonant effect on ideas concerning piracy (Harding 2007, p. 25). Although theoretically licenced to capture only enemy shipping, these private adventurers were difficult to control (Senior 1976, p. 9). The line between private depredation and piracy was legally defined, but regularly crossed. Often, one state's pirate was another state's licensed private venturer; at the very least, diction varied according to whether an author wished to vilify or accommodate the actions of a protagonist. This ambiguity was advantageous; as a "contested crime", piracy thrived on uncertainty (Appleby 2009a, p. 8). It was easy to dub another seafarer a pirate, but less easy to legally prove that an act of piracy had been carried out or hold a would-be pirate accountable.

Nevertheless, English vessels quickly developed a reputation throughout Europe for rapacity, and this perception of "a nation of pirates" was beginning to have significant diplomatic ramifications (Appleby 2009a, p. 213). For this reason, when the newly crowned James I and VI signed the peace treaty with Philip III of Spain, a crackdown on English maritime depredation was key to the interest of both parties. James I and VI had already begun to take action by revoking all English licences for private venture depredation, and ceasing to issue any further commissions. This stance was clarified in a royal proclamation of 23 June 1603, which stated:

> *That all such our men of warre, as be now at Sea, having no sufficient Commission as aforesaid, and have taken, or shal go to Sea hereafter, and shal take any the ships, or goods of any subject of any Princes in league, or amitie with us, shall bee reputed and taken as Pirates, and both they and all their accessaries, maintainers, comforters, abbettors, and partakers shall suffer death as Pirates* . . .

Whilst the English maritime community had previously been accustomed to supplementing its income with plunder, now all English maritime depredation was piracy—a capital crime. This was part of an ongoing effort both "to tackle the problem at home and abroad and to indicate to foreign governments that the issue was being addressed" (Kelleher 2020, p. 47), whilst the Jacobean administration sought for a solution (Earle 2003, pp. 60–63). Such an unequivocal approach had unforeseen results, as the number of English seafarers designated "pirates" skyrocketed. However, this dramatic increase should not be simply seen as a byproduct of the new legal definition of piracy coming into force—there were also key changes to the volume and nature of English depredation at this time.

Firstly, a direct correlation can be charted between seafaring labour supply, employment, and pirate activity. Starkey divides trends in piracy between long and short "waves";

the rise in piracy after 1604 is characteristic of a "short wave", instigated by an oversupply of seafaring labour as England's navy and privateering industry demobilized (Starkey 2001, p. 109); English piracy's "sharp decline" during the 1610s supports this analysis (Hebb 1994, p. 1). Secondly, this natural overspill of wartime maritime employment to peacetime was exacerbated by the very nature of many English seafarers' wartime experiences (Senior 1976, p. 7). With their skills in privateering and opportunistic plunder keenly honed against the Spanish, underemployed English seafarers could turn adroitly to piracy.[5]

This turn was only exacerbated by English popular perceptions of maritime depredation. Piracy, closely overlapping with privateering, had long been a fact of life in the maritime counties—a "condonable offence, akin to smuggling" (Jowitt 2010, p. 137). James' attempts at uprooting this normalized form of supplementary income for maritime communities were obstructed by its widespread support amongst local officials and gentry, many of whom profited from the trade themselves. This established terrestrial dimension of maritime depredation ranged from an "extensive infrastructure of support" (Appleby 2013, p. 8) to the conspicuous involvement of high-ranking individuals such as Francis Drake, who even achieved a nationally celebrated status through acts of depredation (Netzloff 2007, p. 138; Harding 2007, p. 26; Hanna 2015, p. 46). Profitable acts of maritime depredation were deeply entrenched in Britain's maritime communities, and "piracy" found a ready home in those communities when such acts were summarily rendered illegal by James I and VI.

This basis in terrestrial support, and ability to rely on key havens ashore, enabled a "confederacy" of predominantly English pirates to operate with great effect in the decade after 1603 (Appleby 2007, p. 49). This pirate confederacy employed "pragmatic" tactics and operated across the north Atlantic, ranging seasonally from Ireland in the summer to Morocco and the Mahgreb in the winter (Kelleher 2020, pp. 75, 118–119; Earle 2003, pp. 32–33).[6] These patterns of movement "availed of the most suitable sea and weather conditions; it avoided spending long periods in one place, thus impeding capture by the English navy; and as far as possible it coincided with Iberian treasure fleets and other European merchant shipping that followed the trade winds" (Kelleher 2020, p. 119).

The sheer size of this group also provided protection for its participants, who were able to face down not only England's overstretched naval patrols but also any rival pirates (including the Dutch, who were both potential collaborators and enemies). In 1608, James himself estimated "no fewer than 500 sail of pirate ships" (Senior 1976, p. 11). Recent scholarship, primarily based on evidence found in The National Archives' HCA 1 series, suggests a far more conservative but still impressive number with up to 40 vessels and over 1000 seafarers engaged in the confederacy at its heights between 1603 and 1614 (Senior 1976, p. 30).

It is unlikely that we will ever achieve a truly reliable figure for the scale of the early seventeenth-century British pirate confederacy. However, it is possible to identify a large number of active pirates within the court records, and show that the evidence comfortably supports contemporary accounts' suggestions of the confederacy's scale and its ability to impact Atlantic shipping. Senior's estimate of 1000 has no citation, but seems to be based on estimates given in HCA 1/47 depositions by Admiralty officials serving in Munster during the time period, including Richard Kerrye and Richard Jobson (in items including HCA 1/47/fo.78r-84r, 98v-100r, etc., respectively). This does allow us to tie the estimated figure to the same time period covered by HCA 1/47 (April 1609 to June 1612), and my own research reveals that in HCA 1/47 alone there are 492 named individuals implicated in piracy.

Of these 492 pirates, 457 can be reliably considered "British"; however, many of the included non-British (or ambiguously identified) pirates sailed within or alongside the confederacy for some length of time, either as foreign nationals aboard the confederacy's ships or aboard foreign ships involved in collaborative acts of depredation alongside the confederacy. This figure should, however, be understood more as a "proportion of pirates extant in the primary sources of HCA 1/47" than a figure applicable to the entire historical

phenomenon of the Jacobean pirate confederacy. It accounts for almost half of the projected figure of 1000 pirates, although it is reasonable to assume that individuals would leave or join the confederacy during this three year period (and that the number of pirates who remained unnamed was greater than those identified by the court).[7]

The confederacy's ability to cooperate effectively was fostered by its roots in private depredation, and the presence of established, experienced pirates in commanding roles. These included Richard Bishop, the group's self-styled admiral. Bishop had sailed under the arch-pirate John Ward prior to Ward's conversion to Islam and affiliation with the Mahgrebi states (Kelleher 2020). This enabled Bishop to set himself up as a "broker", utilising an established network of privateering and pirate contacts across the North Atlantic to secure safe havens for the confederacy to buy, sell, and refit (Kelleher 2020, p. 86). Under Bishop's leadership, key captains—including Thomas Francke, James Harris, John Jennings, and Peter Eston (who would succeed Bishop as "admiral" after his 1611 pardon)—were able to pool their resources and operate under a "patronage" system (Senior 1976, p. 30). This included reassigning skilled crew members (such as carpenters and surgeons), using their compound influence to secure safe passage and pardons, and sailing together in both small and large fleets.

Empowered by their ability to cooperate, the confederacy maintained terrestrial support not only from profit motives but also by focusing their depredations almost exclusively on foreign shipping, particularly that of Catholic nations such as France and Spain (Hanna 2015, p. 10). Anti-Catholic sentiment was just one of many components active within the popular perception of Jacobean piracy, but it should not be overlooked (Earle 2003). This resonates with the idea of "Elizabethan nostalgia", again harking back to the exploits of Francis Drake (Netzloff 2007, p. 144; Jowitt 2002, pp. 218, 220). Even those not directly profiting from piracy could imagine its overall benefit to Britain, regardless of its real geopolitical results and the growing diplomatic pressure on the Jacobean administration to curb British pirate activity.

3. The *19 Late Pyrates* Pamphlet

The liues, apprehensions, arraignments, and executions of the 19 late pyrates is an anonymous pamphlet of approximately 60 pages, printed in quarto format by Edward Allde for the publisher John Busby the Elder. All library copies are first editions from 1609, and there is no apparent evidence of any further editions being printed.[8]

The most accessible copy is a digitized version of the item held by the Henry E. Huntington Library, and distributed by Early English Books Online (EEBO) and the University of Michigan Library; however, this copy is missing the first three pages of the section on Captain James Harris. Joel Baer's 2007 edited volume *British Piracy in the Golden Age*, which compiles a variety of primary sources on piracy ostensibly between 1660 and 1730, also features a full scan of the British Library's complete 1609 copy (Baer 2007, pp. 1–64). For this reason, the scans included in Baer's volume are preferable to the EEBO version. Baer's short introduction is, to my knowledge, the only previous intensive treatment of the text and has proved advisory to this article—some discussion of Baer's work follows. Similar to Baer, this article uses the British Library (BL) copy as its main source.

The pamphlet is primarily in Gothic print script, with the notable exception of those sections which purport to directly quote victims' examinations (the accuracy of which are discussed below). It has no printed pagination, although the copy held by the Folger Shakespeare Library has manuscript numeration on the recto pages. There are, however, signature marks (e.g., "A2", "A3") on key pages which correspond to its quarto construction.

A manuscript annotation on the BL copy's front page gives a publication date of "January 1609" (January 1610, by modern dating). The script is seventeenth century, and congruent with a few further annotations within the copy which corroborate information within. It is reasonable that they are contemporary to the publication of the first (and probably only) edition's run, and were written either by someone involved in its authoring, or someone with clear knowledge of the sources used in writing the pamphlet.

Unfortunately, these annotations are too sparse (and too many of the individuals involved in the pamphlet's production remain unknown) for any further identification. Two of these annotations refer to the activity of one "John Barles", a "diligent preacher" from St. Benets church in Paul's Wharf, London.[9] It is implied that Barles visited the pirates whilst they were imprisoned in the Marshalsea, and thus follows that he provided information gained there to the pamphlet's author. This gives us some insight into the means by which the anonymous author collated the biographical information contained within *The 19 late pyrates*.

Baer suggests that the pamphlet's author "was employed by the government to report a 'state trial' and furnished with Hight Court of Admiralty documents" (Baer 2007, p. 2); I have found no evidence to support these claims, and it will be shown that the pamphlet is not sufficiently supportive of Jacobean policy to be a mere piece of administration propaganda. However, its accuracy in relation to relevant legal depositions *is* notable, and is discussed at some length later. The question of the pamphlet's authorship and intent is somewhat muddied by the fact that, as stated within the text, the different biographies were supposedly taken directly from the respective pirates. James Harris supposedly wrote his own account, as discussed below; John Jennings, who "could neither write nor read", supposedly recounted his tale to the pamphlet's author and had it "taken from his tongue". Other sections of the pamphlet do not explicitly indicate how the author was able to obtain the information therein. This results in a variety of differing authorial voices and possible intents; any reading of *The 19 late pyrates* must approach its different accounts carefully according to these limitations.

To date, the pamphlet's overall author remains anonymous. However, its publisher John Busby remains a figure of minor interest to scholarship, mostly for his publication of three "dubious texts" of Shakespeare between 1600 and 1608 (Johnson 1985, p. 1).[10] History has not been kind to Busby, and he himself has been dubbed a "notorious pirate"—amongst other unsavoury things—for his controversial methods in sourcing these "bad" Shakespeare quartos (Johnson 1985, p. 1). These quartos, "probably based on unauthorised manuscripts", have since earned Busby a reputation as an "impecunious copy-snatcher" (Johnson 1985, p. 1). Yet in reviewing Busby's career, Johnson argues that Busby was less of a publishing pirate and more of a canny businessman. Probably born in 1551, Busby was apprenticed in 1576 and admitted into the Stationers' Company in 1585. After cutting his teeth on more refined literary works, he entered a "new phase" of his career from 1599 and "turned his attention to plays from the public theatres, and to pamphlets describing sensational murders and executions, the depredations of pirates and other such 'news'" (Johnson 1985, p. 6). Essentially, Busby bought cheap, topical manuscripts, and turned a quick profit by working with other publishers and printers to quickly distribute them. By doing so, "he had found a method of operating which brought him profit at little financial risk and which facilitated the publishing of a number of important works" (Johnson 1985, p. 15).

The 19 late pyrates is one such topical publication, and should be understood as a forerunner in the genre of pirate narratives which became a "small but crucial niche in the publishing world" by 1700 (Burgess 2009, p. 895). The pamphlet should be understood as a very early example of this genre, with Baer citing it as "the first printed piracy trial" (Baer 2007, p. 1). Within the niche of early, sensationalized trial reporting the authorship did not matter, nor was there an excessive interest in editorializing; the most important thing was to capitalize on public interest. Piracy was hot news, and eighteen hangings in one day was a remarkably large public spectacle—certainly large enough to generate readership.

Despite this, the pamphlet retains an admirable commitment to accuracy—albeit accuracy married to sensationalism. This factual accuracy begins to set the pamphlet apart from other, contemporaneous treatments of piracy in print and popular culture, which tended towards more overt fictionalization (including notable theatrical examples such as Heywood and Rowley's ~1607–1609 *Fortune by Land and Sea*, and Daborne's (1612) *A Christian Turned Turk*). I suggest that, whilst the pamphlet necessarily constitutes an

adaptation of the pirates' biographies for popular consumption, it is attempting to present itself as a work of fact not fiction. We may imagine the pamphlet as satisfying a popular demand for the drama, the excitement, and the debauchery of piracy. Yet we also see the emergent traits of the genre of trial reporting: there are the predictable falls from grace, the commentary on the conduct and efficacy of the justice system, and the need for moralized conclusions (Baer 2007, p. 3).

In print as on the gallows, these pirates fulfil a role as examples (Sharpe 1985, p. 148). The ways in which they are afforded a measure of absolution and redemption—or not—allows us to consider the tensions between moral ideals and reality, and to unpick how popular print culture acted as one vehicle through which to process questions about the power of the state, the nature of the law, and the construction of a "British" or "English" society (Jowitt 2007b, p. 152). This article now approaches those concepts by examining two key pirates' "discourses" from the pamphlet, before addressing its broader treatment of the pirates' ceremonial executions.

4. "I Will Call Thee My Brother": The Discourse of James Harris

The first biography in *The 19 late pyrates* is that of pirate captain James Harris, written "under his owne hand".[11] It is difficult to confirm the truth of this statement, or the extent to which Harris' account may have been editorialized. Harris is shown to present a penitent account of his life, with an emphasis on Christian redemption that comes to characterize the pamphlet as a whole. He hopes that his "Sea Captaines lamentation" will act as a "ladder", that "I might climbe toward heaven". In many ways, Harris is the ideal repentant criminal. Admitting his crimes and his mistakes, he is resigned to his upcoming execution and places his faith in both God and the God-given terrestrial authorities that have sentenced him to hang: "I may lay I have sinned, and doe sing I repent, yet the lawe must have his power and the living give then verdict". Thus Harris lays out his "diurnall transgressions", a cautionary tale to all who may read it.

Harris' story is one of a fall from grace. Portrayed as a redeemable character, his turn to piracy is brought both by ill circumstance, and by a misdirection of his otherwise beneficial traits: loyalty, ambition, and mercantile skill. Various aspects of his story—his background as a legitimate merchant sailor then a private venturer, his time spent in North African captivity, and his turn to piracy—would have been recognizable to a contemporary audience. Harris provides *The 19 late pyrates* with an opportunity to reconcile the fate of many a Jacobean seafarer, whose prospects were diminished by the onset of peace. By rehabilitating his criminal life, and returning him to the embrace of his homeland through the transformative power of religion, the pamphlet should be understood as tapping into a wider dissatisfaction with aspects of King James' foreign policy.

Prior to turning pirate, Bristol-born Harris was a successful merchant. A man of good credit in his home port, he sailed as a purser aboard a "man of Warre of Bristol", by his own testimony "never returning home but with sayles of successe profitable to the venturers, comfort to my father, and credit to his sonne". However, he admits that his warlike nature ("I was as avidous to goe to warre, as my stomacke hungry I had appetite to eat") soon led him to private venture depredation. Harris sees this as the beginning of his descent into iniquity. Certainly it was the beginning of his misfortune, as he was shortly "taken prisoner, conveid to Tunes [Tunis], from a Christian transformd to a slave". This is a change to his previous testimony. In his first deposition before the High Court of Admiralty (HCA 1/47/fo.32r-v), Harris avoids incriminating himself and notably omits any mention of private venture in the reign of James I and VI, claiming that, when captured, he had "gone to sea [with] Captayne Adams in trade of merchandize". Perhaps the knowledge that he had already been sentenced to death for piracy loosened his tongue; certainly, for *The 19 late pyrates* Harris' illegally timed private venturing is less a defined crime than a moral failing. His turn to "making my felicity out of others mens miseries" is a didactic example of pride before a fall—a fall in the form of years in captivity.

The spectre of captivity looms large over English seafarers' written accounts from the seventeenth century, but must be understood as a "complex phenomenon" (Matar 2014, p. 70). Capture, leading to ransom, forced labour, and/or conversion, was a very real risk to British seafarers plying the Mediterranean and north Atlantic. In popular culture, captivity narratives often partnered a vilification of North African states and cultures with a lionization of British (chiefly English) nationalities. Publishers such as Hakluyt disseminated these tales of tribulation to wide popular interest, with narrative emphases typically responding to contemporary political motifs (Matar 2001, p. 554).

Yet the reality of captivity did not typically fit into a neat polarisation of Christianity versus Islam; instead, incidents of capture varied according to circumstance (Matar 2014, p. 4). Harris' captivity is no exception, and its adaptation for a pamphlet form should be treated in accordance with its historical context and understood as a subtle statement of political discontent. Unlike its Elizabethan predecessor, the Jacobean administration adopted a far less friendly diplomatic approach to the Mahgrebi states. Political enmity with Spain, a shared interest which had emboldened relationships between England and Islamic states in the Mahgreb, was no longer deemed advantageous. Early Jacobean Britain's approach was, instead, to placate the Spanish by distancing itself from such relations and remaining "antithetical to Islam" (Matar 2001, p. 560).

However, this foreign policy should not be understood as representative of British–Islamic relations overall. Elements of cooperation remained, particularly where Britain's privateers-turned-pirates were involved. Pirates in the British "confederacy", such as Harris and Bishop, retained close ties with regional authorities in North Africa, utilising key ports (Safi, Mamora) as havens for victualling, receiving, and collaboration. One merchant's HCA deposition even suggests that North African authorities acted as intermediaries in transactions between pirates and respectable traders (HCA 1/47/fo.66r-v).[12] These considerations should not understate the dire situation Harris had found himself in (as he describes his captors "with winde, water and blowes, brusing me at the seas, and the other part with Iron and hunger, torturde a shore"), but are vital to any examination of the biography's role in popular culture.

All these factors come into play when Harris is redeemed from his captivity by one Richard Bishop. Previously an English naval officer serving in Ireland, Bishop had embarked first on a brief course as a private venturer (using a Dutch commission, after James I and VI ceased to issue English letters of marque). By the time he met Harris, Bishop had gone on to a highly successful career as a "lieutenant" under the "arch-pirate" John Ward (Kelleher 2020, p. 16). Ward primarily sailed from ports in North Africa, and later converted to Islam. Bishop arrived in Tunis with "a wealthy prize", where learning of Harris' "infortunat mishap, of his own free nature he enquired me out, and demanded of me if I were that Captaine Harris so talked of in Bristowe". Gifting Harris five ducats, Bishop reassures our protagonist that "God hath in store, in our greatest need" and privately resolves to free him.

The 19 late pyrates finds a quandary in Harris' redemption from captivity. How can Bishop, the famed pirate and outlaw, be reconciled with Harris' Bishop, a kind-hearted individual who seeks to free his countryman—a man who, seeing Harris' sorry state, we "might perceive the tears to startle in his eies"? The narrative is self-consciously sympathetic to Bishop, and the authorial voice does not shy away from the inherent problem: "oh let no man forbid me to commend him, although for his offences like mine he deserves to be condemned". A pirate, it seems, can be both—a criminal, *and* a good Christian Englishman. The quandary is allayed by depicting Bishop and Harris' shared plight in a broader socioeconomic context. Quietly negotiating a ransom of 300 ducats and seemingly freeing Harris from captivity without expecting recompense, Bishop is allowed space to make a speech to both Harris and, indirectly, the pamphlet's readership[13]:

> *"It is not strange unto thee, that since the late death of her memorable maiestie, our most royall Soveraigne, and his most prudent and grave counsel, on approved considerations beste knowne to his grace and the state, and not requisite for us that are subiects to*

> *enquire, hath lessend by this generall peace the flourishing imployment that we seafaring men do bleede for at sea . . . "*

It is rare for pirates themselves to be recorded giving voice to the idea that a lack of seafaring employment led to lives of seaborne crime.[14] Harris and Bishop's similar career trajectories—from merchant and naval employment, into private venture depredation, to piracy—can be interpreted as symptoms of a greater process, a scramble for gainful maritime "employment" caused by King James' abrupt, "uncompromising" transition from war to peace (Senior 1976, p. 8; Appleby 2013, p. 20). We are reminded of Harris' self-stated "stomacke" for war; such a seafarer would have been a valued asset to the Elizabethan maritime sensibility.

In this sense, *The 19 late pyrates* gives us insight into the lives of those riding an economically propagated "short wave" of piracy (Starkey 2001, p. 109). The pamphlet is not openly critical of James' policy—it is important for the story of captive redemption that both Harris and Bishop retain a clear sense of shared national identity—but nor does it include any positivity. Writing on a 1608 captivity account (*The Admirable Deliverance of 266. Christians by Iohn Reynard*), Matar suggests that such omissions constituted "cautious criticism" (Matar 2001, p. 562). Jowitt gleans similar results from Heywood and Rowley's *Fortune by Land and Sea*, where piracy is "represented ambivalently" (Jowitt 2002, p. 221) and offers subtle critique of the Jacobean administration through deployment of "nostalgia" for more favourable seafaring exploits and maritime labour conditions under Elizabeth I (Jowitt 2002, p. 230; Netzloff 2007, p. 144). Vitally, Bishop and Harris' camaraderie adds another dimension by highlighting their shared Christian, English identity against the backdrop of captivity in the Islamic Mahgreb. This creates sympathy, shifting focus away from their crimes to the "bigger picture". For seafarers labouring in a precarious international environment, fraught with dangers including unemployment and captivity, ideas of national identity become a "glue" to bind together those looking for mutual support (Hubbard 2021, p. 15). Our protagonists are criminals, yes; but they are also products of their circumstances.

Here, Bishop offers Harris a choice. He will give him safe passage to England, with no strings attached. However, if Harris wished to rise above his lack of "imployment", then Bishop would give him a ship of his own to command, and a role within his budding confederacy of pirates:

> *"But if with me and my love to thee, thou wilt fasten thy fortunes, I will call thee my brother, and in the riches I have gayned I will make thee a sharer".*

Harris accepts. His pirate career begins; his physical body is redeemed from captivity, but his soul is consigned to criminality. The effect of the captivity narrative "genre" should also be noted here. Harris is redeemed from captivity and brought into a Christian "brother[hood]"; the fact that this brotherhood is engaged in piracy is, initially, secondary. Similar to most Mahgreb captivity accounts, Harris' story really tells us more about the protagonist and author's political leanings and the construction of Western European identities than about the process and experience of captivity in North Africa (Matar 2001, p. 570). Harris' captivity serves primarily as a device to engender sympathy; it shows Harris' desperate situation, but it also depicts Bishop as patriotic Englishman and generous Christian. This contrasts with James' foreign policy, which revoked crown financial support for ransoms (Matar 2001, p. 562). Such matters are now left in the hands of compassionate Englishmen such as Bishop, acting on their own sense of shared identity.[15] Any ethical concerns about Bishop trawling the captives of the Mahgreb for skilled maritime labour (he is careful to confirm Harris as *the* Harris, "so talked of in Bristowe") are assuaged by his gentle demeanour, vows of brotherhood, and care to ensure that Harris does not learn who is his enlarger ("he franckly paid ere I knew by what means or by whome I was set at liberty"). Meanwhile, both Harris and our anonymous pamphleteer seek to highlight the issue of maritime unemployment, affording a known criminal the page space to do so. We

are presented with an English seafaring identity incompatible with Jacobean foreign policy, and so brought low and reduced to outlawry.

Bishop and Harris are, in some senses, depicted as models of British maritime heroism—aside from the gaping caveat created by their criminal exploits. Both had values and skills that enabled their rehabilitation to both the English people and state. Indeed, Bishop would go on to secure a pardon in 1611 (Kelleher 2020, p. 70).[16] The reader is encouraged to commiserate with Harris, as the character traits which had propelled him to the zenith of his mercantile career—loyalty, ambition, seamanship—are maintained, but misdirected. Harris goes on to describe several of his acts of piracy, but these are quite pointedly only acts of piracy against non-English shipping (French and Dutch, specifically).[17] This "reluctance" to attack English shipping is broadly representative of the pirate confederacy's tactics, although it is arguable whether it represents a true "patriotic impulse" or a desire not to disrupt the terrestrial communities and structures which provided the pirates with their broader support network (Appleby 1990, p. 16; Earle 2003, pp. 25–26; Hanna 2015, p. 10).

Wider evidence only partially supports the idea of Harris' patriotism. HCA depositions suggest that Harris did "take" British vessels, including the *Sea Horse* (HCA 1/47/fo.29r-30r).[18] However, the *Sea Horse* case did not factor in his conviction; Harris was only arraigned for taking two French ships, the *Margarett* of Morbihan and the *Mary* of St. Malo (Lansdowne MS 145/50-51 1609). To this end the pamphlet includes two "examinations" of the merchants who lodged successful cases against Harris: respectively, Oliver Pickett from the *Margarett* of Morbigan, and Giles Annee from the *Mary* of St. Malo. These examinations are presented at the end of *The 19 late pyrates* and add an element of legitimacy to the pamphlet, which may be understood as a prototypical form of trial report, which "looks forward to the more thorough and objective reporting of the future" (Baer 2007, p. 3).

Comparative textual analysis of the original depositions and the versions included in *The 19 late pyrates* shows that, while not verbatim, the included examinations contain essentially the same narrative content with certain surplus information omitted. Analysis of Oliver Pickett's HCA deposition (HCA 1/47/fo.67v-68r) versus the pamphlet's version shows that around half the content remains (this estimate lowers to around 30% when accounting for variations in form—again suggesting that the included text was not verbatim). The majority of that removed is either detail more relevant to the court record (listing of judges and persons present, formulaic phrasing), or pertains to Pickett's role identifying the prisoners (Peter Brushe, Thomas and George Spencer)—the latter section being fully omitted. It is unclear how the author was able to gain access to the court, or its records. Whilst the examinations' inclusion highlights the accuracy of the anonymous author's reporting, it also shows a clear intent to editorialize the content for popular dissemination.

The exact nature of Harris' encounter with the *Sea Horse*, meanwhile, is open to some interpretation. Coming upon the vessel near the Spanish coast, he took several crew members from it, but gave a portion of his supplies in return. It is possible that some sort of deal was struck between the *Sea Horse* and the pirates, but no deponent was likely to admit to this and make themselves an accessory to piracy. For our purposes, we can say that Harris *did* take British vessels, but seems to have at least treated them somewhat gently. However, Harris was careful to only describe the acts he was actually arraigned for—his full career of piracy remains undisclosed, and the reader is notably only shown evidence of his depredation against foreign shipping.

The 19 late pyrates is only able to walk this fine line of sympathy for Harris by resolving his story on the gallows, in an earnest Christian redemption. After being detained by deputy vice-admiral Sir William Hull in Ireland, Harris attempted unsuccessfully to negotiate a pardon and was sent to the Marshalsea, London, for trial before the High Court of Admiralty. There he ruminated on his life and the state of his soul, and wrote his account whilst awaiting his execution: "so from a free and unburthened heart, a patient mind and willing steps, I goe out of my chamber in the Marshalsies [. . .] to make my deathbed at Wapping". Here the narrative voice swaps to the pamphlet's author, who details

Harris' penitence at the gallows. Harris diligently played the role set out for him, giving a "public demonstration of remorse and redemption" when confronted with the power of the state and the weight of his crimes (Appleby 2009b, p. 153). The pamphlet is able to justify its sympathetic treatment of a convicted pirate by showing him to "die well" (Sharpe 1985, p. 160):

> *"[He] dyed a repentant sinner and a Christian, and by the diligence of his natural brother, was brought to the keeper of Newgates house in Newgate market, and from thence as a Christian was buried in Christe-Church".*

Harris, a wayward paragon of English virtues, had come home. His story concludes full circle, with the once-respected merchant seafarer departing conformity to turn pirate, then returning to the fold of English jurisdiction and fulfilling his obligation to that identity in its extremity by dying an honest Christian. This is foreshadowed from the very beginning of his account, in his "lamentation":

> *"Might a Sea Captaines lamentation one our English shoare, to counterscale the offences I have done upon forraigne seas that they might build me up a lather, on the steps of whole petitions, I might climbe toward heaven, I would now blesse the land (in my frenesie I accurst) and exclaime against the seas, in my madness I blest".*

Returned to that "English shoare" both metaphorically and physically, and with his tale wrapped up neatly in its themes of English identity, brotherhood, and misplaced ambitions, Harris is allowed to die at "a safe aesthetic distance" (Faller 1987, p. 113). Showing penitence for his piratical life (and the "frenesie" in which he removed himself from an English national identity), the pamphlet presents a Harris primed for rehabilitation through religious redemption. Thus the depiction of his story satisfies the "didactive and normative" current throughout trial and gallows literature of the age (Sharpe 1985, p. 148). However, its sympathies and ambiguities raise an important question: normative for whom?

Writing on the genre of criminal biography, Faller notes how "The capture, trial, and punishment of criminals can by itself contribute to social solidarity, giving all good people occasion to reaffirm [. . .] the orthodoxies that bind them together" (Faller 1987, p. 91). Indeed, much of Harris' story revolves around ideas of "social solidarity", particularly where it emphasizes his redemption from North African captivity and subsequent confederacy with Bishop. Harris and Bishop are shown in solidarity with the labouring English nation of seafarers, whose interests are shown at odds with those of the Jacobean state. The ties that bind them together are shown to be a shared English (for it is primarily English, and not British) identity, bound up in Christian values but expressed through loyalty and cooperation—be that in redeeming captives, or enacting piracy *only* against non-English shipping.

There *is* a normative element—or more accurately, a deliberate normalizing *process*—visible in Harris' account. *The 19 late pyrates* should be understood as responding to that broader trend in seventeenth (and late sixteenth) century popular culture—the reimagining of England as a seafaring nation. This is not, yet, the idea of "Britannia" as a great naval power. Instead the expansive, opportunistic nature of English and British maritime enterprise is viewed as an individualistic effort, an underdog tale of sea dogs and "quasi-chivalric" figures (Jowitt 2010, p. 47) at the beginnings of a colonial enterprise: sometimes gentlemanly, sometimes roguish, but always on the side of the (Protestant) English people.

Pirates were an imperfect example of this genre, and "did not possess a definite criminal persona" (Jowitt 2010, p. 84). They had the potential to be represented positively in popular literature, but Harris' required rehabilitation shows, they needed first to be reconciled with the norm. An explicit attempt at personal redemption was required in order to surpass the irrevocably illegal nature of their activities, and this was only possible where the pirate was not shown to directly work against the terrestrial community or completely renounce its virtues and values. To properly understand the extent to which piracy trials could be moulded to this purpose, we must look at one of the nineteen pirates who was not, ultimately, redeemed.

5. "They Were of the Sea": The Discourse of John Downes

John Downes, too, began his seafaring career as a merchant: "a hopefull marchant [. . .] till his superfluous expence & retchless life made him crack his credit amongst men of worth". Viewed simply, Downes' career trajectory—merchant to private venturer to pirate to gallows—is not dissimilar from the redeemable Harris. However, the pamphlet is careful to highlight the more unsavoury aspects of his life, and does so by more explicitly employing an abbreviation of the trial process. This section explores the portrayal of Downes, not only in his own "discourse" but also in the adapted version of the deposition against him which *The 19 late pyrates* includes, and examine how this portrayal sets him up as an immoral foil to the more redeemable pirates such as Harris.

The pamphlet wastes no time in laying out Downes' character flaws, emphasising his avarice and self-serving nature. Whilst Harris' fall from grace ended in redemption, Downes' does not. To differentiate between these two courses, this time the pamphlet focuses not on misdirected virtues but instead on enabled vices:

> *"his word was esteemed as sufficient as his bond, and his scale would have bene acceptably received for large sommes, till neglecting his trafick and following the sensualleties of his pleasures he had so farre disparaged both, that having brought himselfe behinde hand, and in danger to those, had put him in trust, that for fear of imprisonment he durst not be seene, he resolved upon these uniust courses of piracy . . . "*

From the very outset, Downes is a man who has lost that which was most important to any aspirational, respectable member of the mercantile middling classes: his credit. Financially, his vices and "pleasures" have led to a very tangible loss of credit (Graham 2013, pp. 279–80). Yet the social impact of losing one's credit is also implied (the loss of "trust", coupled with the sinful "sensualleties" that led him there), and should be understood with a wider loss of "social credit"—a "character smear"—from his affiliation first with vice and debt, then subsequently crime and piracy (Griffiths 2008, p. 142).

Admittedly, *The 19 late pyrates* did not have to try too hard to villainize Downes—simply including an account of one of his victims was likely enough to sway most readers. The pamphlet includes an edited version of the testimony of John Shipman, a Bristolian merchant whose ship the *Royall* of Leith was taken by Downes on 28 April 1608 en route from Lisbon to Bristol (HCA 1/47/fo.70r-71r). John Shipman and his brother, Thomas, had stocked the *Royall* with a variety of goods on behalf of themselves and their English trading partners, ranging from salt, pepper, and tobacco to reales worth up to £400.[19] They were set upon by Downes off the coast of Cornwall, between Padstow and St. Ives. From the relevant court deposition (HCA 1/47/fo.69v-70r):

> *"early in the morninge they espied a saile aheade which shortly came upp to them and haled them demanding of whence theire shipp was, and answer was made she was of Bristowe and this [examinant] asked them of whence theire shipp was and they answered they were of the sea, and commanded the [master] of the Royall to strike his top sailes, who answered he would not, and thereupon the company in the said shipp of warre layd the Royall by force on bord . . . "*

In some ways, this account details normal practice by seventeenth century pirates. Hailing another vessel to establish its route, origin, and national allegiance was not uncommon, even amongst law-abiding seafarers (Senior 1976, p. 20). That said, it is fairly clear (weather permitting) when another ship changes course at sea and aims to intercept; by the time the master was requested to strike the topsails, the threat of imminent piracy (and the implied threat of force) was likely self-evident. Hailing was useful for the discerning pirate, who often sought (as implied with Harris) not to attack their countryfolk (Hanna 2015, p. 10); Downes' hailing of a Bristolian ship, then subsequent use of "force" to take it despite their shared nationality, is a potent subversion of this idea which serves to further villainize his character. The pirates' outlandish declaration of origin, described in the deposition—"they were of the sea"—further emphasizes their disconnect from terrestrial allegiances and loyalties. These were no Englishmen; these pirates were, truly, outlaws.

This statement would echo once more in Robert Daborne's (1612) play *A Christian Turned Turk*, detailing the "fatally non-redemptive story" of notorious pirate (and erstwhile ally of Richard Bishop, the confederacy's "admiral") John Ward (Ellinghausen 2015, p. 179). Daborne provides corroborative evidence for the potency of this tension, the "discursive distinctions between the greedy pirate and the patriotic privateer", in early Jacobean popular culture; Ellinghausen places this discourse within wider "anxieties about social mobility" (Ellinghausen 2015, p. 180). In *A Christian Turned Turk*, the sea provides opportunity to disenfranchized, ambitious, and underemployed seafarers such as Ward. Hailing a targeted vessel, "Gismund" (an officer aboard Ward's ship) responds to their query of origin thus: "We are of the Sea!". Later, the Ward character reinforces this idea; whilst being convinced to "turn Turk", he tells the governor of Tunis: "I know no country I can call home".

Ellinghausen's reading suggests a contemporary Jacobean cultural notion of the sea as a site of radical alterity: "The Sea", as invoked by Gismund, "makes the pirates what they *are* as economic agents by intermittently freeing them from hierarchies of dependency and making them into acting agents in their own right" (Ellinghausen 2015, p. 194). However, this complete departure from the terrestrial proves impossible for *The 19 late pyrates*, which aims to remain grounded in the factual information provided by the pirate trials. Downes and his crew are not afforded the radical, fictionalized apostasy of Daborne's Ward. Not only is there a lack of (culturally significant) religious conversion, but they are shown in-text to retain terrestrial ties even within their practice of piracy.

Take, for example, the pamphlet's choice of information retained from the deposition. "The evidence that was given against Captaine Downes" lifts its narrative content almost directly from Shipman's account before the court. Similar to the Année and Pickett examinations included for Harris, it sheds the less interesting details and some formulaic sections of the real court deposition; but unlike the previous it also includes additional information. These extensions favour dramatic embellishment (such as an extended torture scene, discussed below) and adjective-laden description (the master is now "stearnely" commanded to strike his topsails, and a simple distance of "seven or viii leagues" to shore is replaced by a tract of "mercilesse windes and waters"). This editorial choice emphasizes the villainous nature of Downes' crimes, and likely titillated its contemporary audience.

Despite this, the pamphlet keeps a lengthy section of the deposition detailing individually named members of Downes' 20-strong crew aboard his 25-ton "barck of Peryn [Penryn]", who are listed with their origins. Of the sixteen named in the passage, fifteen were Cornishmen, including "John Bath of Peryn", who owned the ship.[20] It is difficult to imagine Downes' crew, comprising Cornishmen and operating apparently from Penryn, as being truly "of the sea". The pamphlet's genre as an early trial report, and its insistence on retaining accurate information from those trials, constrains it from creating a fictional departure from such terrestrial ties. Thus, Downes' crew cannot be an example of the radical, aterrestrial piracy envisioned by Rediker, which Ellinghausen draws on somewhat anachronistically (Rediker 1989). It is more representative of reality in Elizabethan and Jacobean littoral communities, of "an irregular lifestyle" blending land and sea which characterized this Jacobean pirate confederacy and enabled it to be sustained by support ashore (Appleby 2009b, p. 153). So, why have Downes declare himself to be "of the sea"? The answer lies in the pamphlet's description of how Downes treats his would-be countryfolk; where a practical exile fails to appear, Downes may yet be ostracized morally from the sensibilities of his fellow English.

After ransacking the *Royall*, the pirates set its crew adrift in a small and overladen boat, far from shore. Shipman maintains the crew would have "perished", had the pirates—unconvinced that they had located all the money within the *Royall*, and seeking more information—not returned to collect them. Saved from the elements, they were subjected instead to physical torture at the hands of the pirates. Shipman describes how his crew were first kept in the hold for twelve hours, whilst the *Royall*'s two ship's boys were whipped: "[The pirates] stil demanding of them betwixt every lash, what mony they knew or had heard the maister or marchant had in the ship". When the boys tried to hold out under this

sustained torture, the pirates "walled them about the heads with small ropes, wrinching their foreheads and temples with such cruell torture, It would have made a savadge tyrant even in pitty have wept, to have heard them crye and lament, so that the utmost which they did know, and more then ever the had heard of [. . .] they were forced to confesse".

Still not satisfied that they had located all the *Royall*'s treasures, the pirates took John Shipman himself up on deck and bound him to the foremast, beating him with ropes until he too confessed all he knew. Unconvinced, Downes "commanded straight he should be hanged up by the necke [. . .] and poore Shipman cut downe againe ere he was a quarter dead, & there left either to recover by the mercifull hand of God, or there to perish by the unjust hands of villeines". The pirates then departed, taking not only the vessel's merchant cargo but also the private belongings of its crew (including jewellery and clothing).

Torture is atypical in accounts of early seventeenth-century piracy, and even explicit accounts of violent confrontation of any kind are fairly rare. Although merchant seafarers did not want to admit to giving up cargo freely and risk making themselves liable for its loss, most would not go so far as to risk their lives (Senior 1976, p. 22). Pirates could rely on fear and intimidation to coerce their victims (Rediker 2007, p.245), and the majority of HCA depositions show this to have been the case (although there may be a very literal example of survivorship bias at work here too). Downes' torture of Shipman and the boys is a striking and unusual example, and would also have been striking to the pamphlet's contemporary audience.

The pamphlet lingers on this scene of torture in a way that is both voyeuristic and pragmatic. Certainly, it provides shock value—but it also serves as the strongest means by which the anonymous author is able to distance Downes from the archetype of the plucky English maritime adventurer. Downes already stands apart from the pamphlet's other captains in his willingness to attack his countryfolk, but his mistreatment of Shipman removes any lingering sympathy for the downtrodden mariner. The heroes of the tale are instead the Shipman brothers, whose "diligent inquest" brings the pirate into custody not just once, but twice (after a brief escape near Reading).[21] They represent the indomitable spirit of the English seafarer, pursuing the pirates not out of vengeance but for a righteous "satisfaction for the goods they had robbed from them of other mens, and was put in their [the Shipmans'] trust". Downes is ostracized ideologically as well as rendered an outlaw; no longer a claimant to the proud tradition of English venture, he is "of the sea".

However, this message was not wholly compliant with the reality of Downes' situation. The Shipmans' evidence was sufficient to gain him a conviction for piracy in the High Court of Admiralty, but on the very morning of the execution Downes was granted a reprieve. This was achieved by the effort of not only his father and friends, but also those "such whome he had formely wronged, in hope to draw some satisfaction from him". These victims-turned-benefactors are not named, so it is unclear whether they were victims of piracy or those creditors he had sought to escape by turning to that life.[22] It is likely the latter as Downes' piracy victims had testified against him in court, where a successful conviction would necessarily lead to the death penalty—there were "no half measures for convicted pirates" (Senior 1976, p. 18). An execution was counterproductive for anyone still seeking financial restitution from the convicted. Downes' brief reprieve is just one example of the many ways through which "the criminalisation of piracy was open to repeated negotiation between pirates, communities, and the state" (Appleby 2009b, p. 151).

Downes' stay of execution was short-lived, however; *The 19 late pyrates* describes James I and VI personally overturning the reprieve:

> *" . . . but his gratious majesty having from his prudent and grave counsel, had understanding of the just proceedings [. . .] and finding his actions more hatefull than any of the rest in the morning had suffered, expresse charge was sent for his present execution, while he stood imboldened with hope of life".*

The pamphlet toes a careful line, neither wishing to speak openly against royal justice ("prudent and grave counsel") nor to undermine its broader message of praise for the English justice system (Baer 2007, p. 1). A resolution is found once more in the vilification

of Downes' character, and emphasis of his "hatefull" acts against his own countryfolk. It is indicated, as Downes is "conveyd from the Marshaleys to Wapping" where the gallows await, that his actions have pushed him beyond the ambiguities of piracy which allowed his fellows a glimmer of redemption. Unlike Harris, Downes is shown to have worked directly against members of the English terrestrial community; he has renounced that collective identity for "the sea", and forsaken his fellow countryfolk for the "sensualleties" of piracy. His refusal even to seek a Christian redemption on the scaffold is the final straw. As he "desperatly dyed", a "stubborn" Downes was not reconciled with God—but, as we will see, Downes' last role in the "theatre of the gallows" was still able to serve a didactic purpose (Sharpe 1985, p. 160).

6. "Creatures of Wickednesse", "Angels of Goodness": The Theatre of the Gallows

All instances of capital punishment had their significant customs, and pirate executions were no different. They were a ritualized, moralising display in which the condemned were paraded from gaol (usually in the Marshalsea in Southwark) to the site of execution on the banks of the Thames, at Wapping (Jowitt 2010, p. 21). These proceedings were "an elaborate spectacle that was designed to serve several purposes", from public shaming of the criminal to "an opportunity for the public demonstration of remorse and redemption, while in turn emphasising the terrifying and potentially arbitrary power of the state" (Appleby 2009b, p. 153). The "political ritual" of public execution, it has been argued, exemplified and renewed the totality of sovereign power over its domain through the physical manifestation of that power against the body of the condemned (Foucault 1975, p. 47).

The executions depicted in *The 19 late pyrates*, too, are indivisible from these discourses of power; the hangings provide, structurally and thematically, definitive conclusions for each pirate's tale. Yet these print representations of executions should be separated from the state-manufactured event itself—not least because the act of execution itself is deemphasized within the pamphlet's narrative. For all its delight in dwelling on its subjects' criminal lives, *The 19 late pyrates* is not exceedingly interested in describing the dramatic nature of their deaths. Baer's brief introduction dubs the document a "state celebration", a didactic justification of the executions (Baer 2007, p. 1); I respectfully disagree. If there is a victory in *The 19 late pyrates*, it does not belong to the state; it is only that some pirates—those illustrated as sympathetic characters—were reconciled with their native, terrestrial community prior to their deaths.

Firstly, these "scaffold drama[s]" (Jowitt 2007b, p. 152) are uninterested in the scaffold. As discussed above, Harris is permitted to "die well" (Faller 1987, p. 160): shown briefly conversing with the crowd, placing his fate in the hands of the "King of Kings" before "he sung (to a sillable) the one and twenty Psalms, died a repentant singer a Christian, and [. . .] was buried in Christe-Church". Later, the pamphlet briefly returns to Harris and again notes "the course of his life which men should be sorry for, and the goodness of his death [. . .] yet men should rejoyce in it". Where redemption can be achieved within the pirate's narrative, the subject's death is shown to be a necessary yet ultimately uninteresting conclusion.

The emphasis on redemption and reconciliation is continued throughout. John Jennings, the pamphlet's second "discourse" but the first pirate to die, also made a contrite repentance from the gallows. In a last act of charity, Jennings successfully interceded with the court on behalf of his crew-member Thomas Reynolds, claiming that he "compeld" him to piracy. At Wapping, Jennings confessed his sins and vices (his "lusts and ryots"), before "desiring the multitude of spectators to pray for him and sing a psalme with him" as he ascended the gallows.

Longcastle, Taverner, and Moore made a graver spectacle, but nevertheless "most religiously gave up their soules unto Heaven [. . .] and so from creatures of wickednesse having created themselves Angels of goodnesse". We are treated to a brief description of the ceremonial procession—"they were conveid in a barge to Wapping, the silver ore borne before them"—but as for the event itself, they simply "suffred death".[23] As with

Harris, these men's repentant approach to their conviction and acceptance of their sentence is emphasized; their actual execution is merely a practical function of it.

Where detail *is* given to the pamphlet's executions, it is largely sympathetic. The event overall is described as a "tragedy", a "woefull [...] scene" and a "dolefull [...] project". The pamphlet describes widespread pity for John and Thomas Spencer, two brothers among Harris' crew: "pitty in all the beholders, for the elder suffering first, and then the younger turned off, he hung beating his hands on his brothers breast". This is as close as the pamphlet comes to any florid description of the executions, and still it aims only to provoke sympathy. Yet *The 19 late pyrates* is careful to avoid refutation of authority, and falls short of having its "criminals transformed into heroes" (Foucault 1975, p. 61). The depiction of legal authority is positive; the Spencers' sad demise is explicitly a result of "this great sessions of Pyrates, before as honnorable a bench, and as faire & orderly proceedings, as in such cases mans memory can witness". The reader is expected to feel sympathy for the condemned, but also see their execution as a fitting and necessary end. This is only rendered possible by reiterating the emphasis on redemption prior to death.

If trial and gallows literature such as *The 19 late pyrates* was "a battleground around the crime" (Foucault 1975), and the execution was the ultimate "articulation of a power relation [...] upon the pirate's bodies" (Jowitt 2007b, p. 152), then why refocus the narrative away from the execution? Why move the battleground to the courthouse, a less public site of state authority—and why shift the criminal back from body and object of execution, to soul and subject of contrition? Jowitt notes that "there can be other, less direct, signs of challenge to state authority in the ways that rites of execution are carried out and reported" (Jowitt 2007b, p. 152), and *The 19 late pyrates* offers one such challenge. Its primary interests lie not in the conflict between criminal and sovereign, but in the reconciliation between pirate and community.

This community is, predominantly, national—yet its nationality is defined less by sovereignty and more by key values ranging from religion to camaraderie. The pirates may suffer death at the incontrovertible hands of the state, but they can still be redeemed in the eyes of God—provided that they are first reaccommodated within an earthly brotherhood, a terrestrial community. This is most overtly encapsulated in Harris' story, which juxtaposes Harris' warped sense of "brother[ly]" camaraderie with Bishop against the truly redemptive shared identity he returns to by confronting his sins and dying repentant. Yet, ignoble as Bishop's activities were, his speech on the socioeconomic plight of British seafarers obstructs any interpretation of the pirate "admiral" as a simple antagonist. Perceived mistakes by the sovereign authority—peace with Spain and subsequent unemployment, a failure to recover captives from the Mahgreb—are key factors behind the downfall of the "good" pirates such as Harris. There is no real place, it is suggested, for seafaring adventurers similar to Harris in Jacobean Britain. This displacement is ultimately resolved by their destruction at the hands of the state, but this destruction is visibly at odds with the outlook of the attending populace.

This is reinforced by *The 19 late pyrates*' emphasis on popular sympathy for the condemned. The gallows crowd is depicted receiving Harris positively and are shown hopeful that he might gain a reprieve, asking "If as yet he had heard no good newes from the king: he answered him, none sir but from the King of Kings". The sovereign's victory over the condemned is subverted, with the authority of James—theoretically the direct arbiter of divine justice on Earth—shown to be of little interest. In this way, Harris' apparently compliant death still presents a challenge to authority. Appleby suggests that the spectacle of expectation relied on "the key actors playing their parts according to the demands of the state and the expectations of the audience" (Appleby 2013, p. 1); the pamphlet shows that these demands and expectations were not necessarily aligned.

Again, Downes' story is used as counterpoint. The king's overturning of Downes' reprieve certainly represents an extension of the monarch's "arbitrary" powers (Appleby 2009b, p. 153), but this display of power is at odds with the result provided by the "just proceedings" of the court. It seems that the traditional "scaffold performance" is

undermined. Even Downes is noncompliant, going to his death "scarce making any shew or appearance of a mortified man" before "he desparatly dyed". Downes appears as one of those actors "who refused to perform their allotted roles" (Appleby 2009b, pp. 153–154); if public opinion was as ambivalent towards the executions as the pamphlet elsewhere suggests, then Downes in his "indomitability" risks becoming a protagonist (Foucault 1975, p. 67).

To prevent this, *The 19 late pyrates* cuts away from the gallows scene to remind us once more of Downes' unrestrained criminality and incompatibility with the terrestrial community. The reader is told that "not two hours before his execution, he was heard boastingly to report the worth of his robberies", and how his crew had boarded ships "in the habit of maskers" so as to conceal their identity, allowing them to rob indiscriminately. They even operated in silence, so no victim could trace their nationality or "favour". Downes' moral failings are compounded, as he remains unrepentant to the bitter end. He is also shown to have deliberately thrown off the trappings of national identity—a minor detail by itself, but far more poignant when compared to the emphasis on national camaraderie in Harris' North African captivity and Jennings' pleading on behalf of his crew. The Downes depicted in *The 19 late pyrates* retains no true kinships; he is self-serving to the extreme and thus unworthy, even incapable, of redemption. This provides an important comparison to the redeemable pirates. Emphasizing Downes' mistreatment of his fellow English enables the pamphlet to play upon established, Elizabethan constructions of popular responses to maritime depredation, wherein "as long as English shipping was left unharmed, local opinion did not condemn" the practice (Earle 2003, p. 18). By establishing the boundaries of acceptable and unacceptable depredation, redemption is available for those of the nineteen who are depicted in light of the "quasi-chivalric" pirate archetype (Jowitt 2010, p. 47), and recoverable to the ideals of their countryfolk. Piracy may be illegal and punishable by death, but not all pirates are made equal.

7. Conclusions: Accommodating Transgressions

I began this article with a thesis: that, to be vilified as a pirate, the individual must transgress against the sensibilities of their own community. In order to examine this thesis, I have used two key "discourses" from *The 19 late pyrates*, of one redeemable and one irredeemable pirate. It should be understood that this is a small sample size—not only within the context of the pamphlet itself, but also within the context of early Jacobean piracy.[24] My intent has been to address the wider contemporary discourse relating to acts of piracy (and pirates themselves) by focusing on the most potent and dramatic examples found within a document produced for popular dissemination. By doing so, and placing those examples in context with their history and with the relevant court proceedings, this article aims to begin recovering elements of the "public voice" bleeding through in popular literature concerning Jacobean piracy (Burgess 2009, p. 890).

There are some absolutes in *The 19 late pyrates*. Acts of piracy, wilfully committed, are punishable by death. Indeed, the pamphlet was published less than a month after the prominent, public events it described. The death of eighteen of the nineteen pirates was an incontrovertible fact, and one which had to be incorporated into its narrative. For this reason, the nature of their deaths matter. Griffiths suggests that "Putting criminals between book-covers controlled their narratives" (Griffiths 2008, p. 139), and the above analysis of *The 19 late pyrates* should be understood within that lens. These pirates' lives have been co-opted to tell a particular story, and—despite the involvement of some of the subjects in their telling, and the use of court evidence to substantiate the tales—that story will not directly correlate to the world beyond the pages. "The trial becomes not only a record of the past, but a way of interpreting it" (Burgess 2009, p. 894); likewise, we must be careful to treat popular trial literature as interpretation, not direct record. *The 19 late pyrates* finds a thematic homogeneity between its subjects, as it tackles ideas of national identity and redemption. In order to do so, the anonymous author draws on often interconnected

contemporary discussions surrounding religious affiliations, the transition from war to peace, and seafaring (un)employment.

Baer's work on the pamphlet discusses a "mingling of purposes", wherein it "was written to tell exciting pirate stories, extract the moral and spiritual meaning of criminals' lives, celebrate a great symbolic victory over the Barbary pirates and [. . .] exhibit the course of British justice in the first printed piracy trial" (Baer 2007, p. 1). According to Baer, "the author was employed by the government to report a "state trial" and furnished with High Court of Admiralty documents". I have found no evidence to support this claim of employment; *The 19 late pyrates* fits more happily into Johnson's outline of Busby's populist later publishing career (Johnson 1985, p. 6). Nor do I detect much support for the idea that "the book was part of a [royal] policy to hearten the nation in the midst of its long, costly war against the pirates".[25] This seems particularly unlikely, given the pamphlet's general sympathy towards its pirates. If anything *The 19 late pyrates* suggests that, to a contemporary audience, pirates were not necessarily the enemy. All pirates may have been criminals, but not all criminals were incompatible with the ideals of their community. In the developing English national identity of the early seventeenth century, which retained an emphasis on seafaring and successful private venture, the pirate could be reintegrated. Some transgressions could be culturally accommodated, even where capital punishment was legally necessitated.

Redemption was the key. As an account of trial and execution, for *The 19 late pyrates* this redemption necessarily comes in a religious form; without overtly denying royal authority, the fate of the condemned could not be denied. Their sentence for a capital crime was a fact. For these men, rehabilitation within the community had to come from a higher power. However, even at the gallows the pirates' compatriots had not given up hope, asking Harris "what newes from the king"? It bears reminding that the vast majority of Jacobean pirates were *not* executed, and did not face punishment or even trial. Those that survived the harsh lifestyle were often able to return to legitimate employment, and "most pirates saw their profession as a temporary one" (Earle 2003, p. 61). High-profile pirates used their contacts to obtain pardons (Kelleher 2020, p. 223; Appleby 1986, p. 70), whilst the unsung majority simply reintegrated (Senior 1976, pp. 36, 42). Piracy retained an ambiguous cultural role, and unless they directly (and noticeably) transgressed the sensibilities of their community, the Jacobean pirate was not vilified. Redemption, it seems, was possible.

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Notes

1 These dates according to the Julian calendar.

2 "Britain"/"British", and "England"/"English", are both used throughout this article. In each case, it reflects a conscious choice and refers to that specific identity, legal jurisdiction, etc.—for example, "Britain" is used here to denote the state over which James I and VI had jurisdiction (England *and* Scotland), whilst "English" is used elsewhere to describe a specifically English national identity. There is overlap and interchange between British and English identities, and of course England should be understood as falling within the wider state of "Britain", but they should not be understood synonymously.

3 In *Piracy in the Golden Age* (Baer 2007). Other citations of the pamphlet include, but are not limited to: *Women and English Piracy* (Appleby 2013); "The politics of piracy in the British Atlantic", *International Journal of Maritime History* (Blakemore 2013); *Pirate Nests and the Rise of the British Empire* (Hanna 2015); "The Silver Oar: Symbol of Punishment and Ambition", *Global Maritime*

History (Jones 2014); *The Alliance of Pirates* (Kelleher 2020); *A Mainsaul Haul* (Masefield 1913); *The Terror of the Seas?* (Murdoch 2010). See bibliography for their full references.

4 For discussion of the anachronistic use of the term "privateer", see Rodger (2014). Whilst this article is engaged in tackling definitions of piracy, it is *not* engaged in addressing definitions of "privateer"—for this reason I have avoided the term (and the argument). In lieu of "privateering" I have opted for "private venture depredation", a more general phrasing; "private venturer" supplants the title "privateer".

5 Piracy was not necessarily the first recourse for English seafarers; many first sought legal employment as private venturers under licences issued by other sovereign states, such as the Dutch. However, this too was outlawed by a 1605 royal proclamation which forbade any English subject from sailing under a foreign license.

6 The concept of the confederacy's "pirate round", as Earle terms it, is supported by information found within the letter-book of Sir Arthur Chichester, Lord Deputy of Ireland during the confederacy's active period in that region. In a letter to the Lord High Admiral Charles Howard, Earl of Nottingham, dated 4 August 1613, Chichester attests that "Pirates here do take new Enterprizes in hand very Early about the end of the Spring [. . .] and so enable themselvs against the Winter to Adventure Southwards towards Spain and Barbary, where they become Expert and hard to be dealt with at all afterwards, and from whence again when the heat of the Sun and the Gallyes there do threaten to prosecute them, they return hither (to refresh themselvs for the time) or twards the Newfound Land, which seems to be a safe retraict [sic]".

7 It is worth noting that, whilst HCA 1/47's information was *collected* between 1609 and 1612, it does not solely *describe* the confederacy only during this period. Most depositions relate to recent events, but some describe pirates active as long as a decade prior (although—notably—not necessarily having since become inactive). The 492 figure thus represents individual pirates named in HCA 1/47, *not* individual pirates active between 1609 and 1612. The figure of 492 (out of the estimated ~1000) should thus be understood more as a "proportion of pirates extant in the primary sources of HCA 1/47"—reflecting the data it is derived from—than a figure applicable to the entire historical phenomenon of the Jacobean pirate confederacy.

8 Very few copies of the pamphlet survive; the English Short Title Catalogue notes 9 library items, four in the UK and five in the USA. There also appear to be at least two copies in private circulation: one sold at auction by Christie's in 1991 (for $3290), and another by Doyle's in 2013 (for $16,250): Christie's, Live Auction: The Pierre S. DuPont III Collection of Navigation, Lot 205 (closed 8 October 1991). https://www.christies.com/en/lot/lot-2314250, accessed on 9 March 2022. Doyle, Sale 13BP04, Lot 501 (closed 25 November 2013). https://doyle.com/auctions/13bp04-rare-books-autographs-photographs/catalogue/501-piracy-lives-apprehensions, accessed on 9 March 2022.

9 The annotations are on the fifteenth and sixteenth pages of the pamphlet, at the end of Harris' section and the beginning of Jennings'; neither of them have made their way into Baer's scans, and so are only visible on the physical copy at the BL. The second annotation is incomplete.

10 These Shakespeare publications by Busby are as follows: *Henry V* (1600); *Merry Wives of* Windsor (1602); King Lear (1608).

11 It is impossible to verify whether Harris truly wrote the account himself. However, the pamphlet does explicitly note that John Jennings—subject of the next biography in sequence—could not write his and instead dictated it. In context this is more of a conscious choice to highlight Jennings' illiteracy, but does lend some credence to the idea that Harris did submit his own story.

12 One such example is a trade between pirate John Jennings and a group of London merchants, who had outfitted the vessel the *Godspeede* of London. Moroccan ruler Muhammad al'Shaykh ["Mully Sheck"] apparently acted as a go-between at Mamora, enabling the merchants to furnish Jennings with ordinance. TNA, HCA 1/47/fo.66r-v.

13 Harris' HCA deposition gives another figure: 2250 crowns for himself and two others captives (HCA 1/47/fo.32r).

14 Henry Mainwaring is another notable example; a pirate turned naval officer, Mainwaring wrote his discourse on piracy, *Of the Beginnings, Practices, and Suppression of Pirates* in 1618: see Mainwaring (1618).

15 And also Harris, who apparently retained an interest in freeing captives from North Africa. The deposition of Peter Brushe, another of the 19 pirates (HCA 1/47/fo.34r-v) suggests Harris' intent to return to Tunis with Bishop in order to redeem more captives, if he were to be granted a pardon.

16 This enabled him to retire peacefully to a life of luxury and a mansion in Schull, Ireland, where he quite possibly continued to traffic with the nearby pirate community (Earle 2003).

17 Further, where there are acts of unnecessary violence that might have proved unsavoury to the audience, Harris seeks to distance himself from them—they occurred "not of my knowledge, I protest before God".

18 "Take" here refers to the seventeenth-century use of the term in regards to piracy. It does not necessary mean that the vessel was retained by the pirates, only that it was stopped by them and treated as a potential source of plunder. Most vessels taken were not kept, and some vessels taken were not even plundered—usually if they had already been plundered by another pirate, or were otherwise carrying nothing of interest.

19 Owing to the voyage's trading at Lisbon ("Luxborne"), it is probable that these "rialls of plate" were Portuguese, not Spanish, reales. The figures differ between *The 19 late pyrates* and the HCA deposition—for example, the pamphlet suggests £100 in reales as opposed to £400 in the deposition, and six bags of pepper instead of two. The deposition appears more factually accurate overall (facts differ in some dates as well as the lading), and gives the lading as follows: "fifty tonnes of salte", "foure hundreth

pounds in rialls of plate being in six bagges', "two bagges of pepper", "one pack of calecates", "aboute two hundreth waighe of Tobacco", and "five hundreth waight of cordage" (HCA 1/47/fo.70r-v).

[20] Downes is another outlier to this, being from "Langraue" [Langham] in Essex. Thus expanding beyond the passage gives us 15 of 17 named crew members being from Cornwall; Shipman suggests only "two or three others of whose names he knoweth not", so we are looking at a crew at least 75% Cornish.

[21] A story for a different time, but one well worth telling. See HCA 1/47/fo.51v-54v for some relevant depositions.

[22] Unfortunately, I have had no luck in locating any paperwork regarding the reprieve (and subsequent reissue of execution).

[23] See S. Jones on the role of the silver oar in executions, as a "symbolic reminder of [. . .] imperial ambitions" (Jones 2014).

[24] As mentioned previously, there are 492 named individuals implicated in piracy within HCA 1/47 alone.

[25] Neither does Baer provide a citation.

References

Primary Source

Anon. 1609a. *The Liues, Apprehensions, Arraignments, and Executions, of the 19. Late Pyrates. Namely: Capt. Harris. Iennings. Longcastle.. Downes. Haulsey. and Their Companies. As They Were Seuerally Indited on St Margrets Hill in Southwarke, on the 22. of December Last, and Executed the Fryday Following*. Edited by Edward Allde and John Busby the Elder. London: British Library, [STC 12805].

Anon. 1609b. *The Liues, Apprehensions, Arraignments, and Executions, of the 19. Late Pyrates. Namely: Capt. Harris. Iennings. Longcastle.. Downes. Haulsey. and Their Companies. As They Were Seuerally Indited on St Margrets Hill in Southwarke, on the 22. of December Last, and Executed the Fryday Following*. Edited by Edward Allde and John Busby the Elder. London: University of Michigan Library, Early English Books Online [EEBO]. Available online: https://quod.lib.umich.edu/cgi/t/text/text-idx?c=eebo;idno=A02673.0001.001 (accessed on 24 March 2022).

Chichester, A. 1612–1614. Letter-Book of Sir Arthur Chichester (1612–1614). *Analecta Hibernica* 8: 3–177.

Daborne, R. 1612. *A Christian Turn'd Turk: Or, The Tragicall Liues and Deaths of the Two Famous Pyrates, Ward and Dansiker. As It Hath Bene Publickly Acted. Written by Robert Daborn, Gentleman*. Edited by Nicholas Oakes and William Barrenger. London: EEBO, University of Michigan Library. Available online: https://quod.lib.umich.edu/e/eebo/A19757.0001.001?view=toc (accessed on 1 April 2022).

HCA 1/47. 1609-1612. *'Examinations of Pirates and Other Criminals, 1609–1612*. Kew: The National Archives UK.

Stuart, James. 1603. By the King, A Proclamation Concerning Warlike Ships at Sea, Greenwich 23 June 1603. In *Stuart Royal Proclamations, Vol. 1: Royal Proclamations of King James I 1603–1625*. Edited by J. F. Larkin and P. Hughes. Oxford: Oxford University Press, pp. 30–32.

Lansdowne MS 145/50-51. 1609. *Pyratts to bee arraigned in Sowthwarck the xviiith of December 1609*. London: British Library.

Mainwaring, H. 1618. Of the Beginnings, Practices, and Suppression of Pirates. *Publications of the Navy Records Society* 56: 9–49.

Masefield, J. 1913. *A Mainsail Haul*. London: Elkin Mathews.

Secondary Source

Appleby, John C. 1990. The Irish Admiralty: Its Organisation and Development, c.1570–1640. *Irish Historical Studies* 24: 299–326. [CrossRef]

Appleby, John C. 1986. The "Affairs of Pirates": The surrender and submission of Captain William Baugh at Kinsale, 1611–1612. *Journal of the Cork Historical and Archaeological Society* 91: 68–84.

Appleby, John C. 2007. The Problem of Piracy in Ireland, 1570–1630. In *Pirates? The Politics of Plunder, 1550–1650*. Edited by Claire Jowitt. Basingstoke: Palgrave Macmillan, pp. 41–55.

Appleby, John C. 2009a. *Under the Bloody Flag: Pirates of the Tudor Age*. Stroud: The History Press.

Appleby, John C. 2009b. Pirates and Communities: Scenes from Elizabethan England and Wales. In *Outlaws in Medieval and Early Modern England: Crime, Government, and Society, c.1066–1600*. Edited by John C. Appleby and Paul Dalton. Farnham: Taylor and Francis, pp. 149–72.

Appleby, John C. 2013. *Women and English Piracy, 1540–1720: Partners and Victims of Crime*. Woodbridge: Boydell Press.

Baer, Joel. 2007. *British Piracy in the Golden Age: History and Interpretation, 1660–1730, Volume 2*. London: Pickering and Chatto.

Blakemore, Richard J. 2013. The politics of piracy in the British Atlantic, c.1640–1649. *International Journal of Maritime History* 25: 159–72. [CrossRef]

Burgess, Douglas R. 2009. Piracy in the Public Sphere: The Henry Every Trials and the Battle for Meaning in Seventeenth-Century Print Culture. *Journal of British Studies* 48: 887–913. [CrossRef]

Earle, Peter. 2003. *The Pirate Wars*. London: Methuen.

Ellinghausen, Laurie. 2015. "We are of the sea!": Masterless identity and transnational context in Daborne's A Christian Turned Turk. *Explorations in Renaissance Culture* 41: 178–201. [CrossRef]

Faller, Lincoln B. 1987. *Turned to Account: The Forms and Functions of Criminal Biography in Late-Seventeenth and Early Eighteenth-Century England*. Cambridge: Cambridge University Press.

Foucault, Michel. 1975. *Discipline and Punish: The Birth of the Prison*. Alan Sheridan (tr.). London: Penguin, 1991.

Graham, Aaron. 2013. Mercantile Networks in the Early Modern World. *The Historical Journal* 56: 279–95. [CrossRef]
Griffiths, Paul. 2008. *Lost Londons: Change, Crime, and Control in the Capital City, 1550–1660*. Cambridge: Cambridge University Press.
Hanna, Mark. 2015. *Pirate Nests and the Rise of the British Empire, 1570–1740*. Woodbridge: Boydell Press.
Harding, Christopher. 2007. "Hostis Humani Generis": The pirate as Outlaw in the Early Modern Law of the Sea. In *Pirates? The Politics of Plunder, 1550–1650*. Edited by Claire Jowitt. Basingstoke: Palgrave Macmillan, pp. 20–38.
Hebb, David D. 1994. *Piracy and the English Government, 1616–1642*. Abingdon: Routledge.
Hubbard, Eleanor. 2021. *Englishmen at Sea: Labor and Nation at the Dawn of Empire, 1570–1630*. New Haven: Yale University Press.
Johnson, Gerald D. 1985. John Busby and the Stationers' Trade, 1590–1612. *The Library, Sixth Series* 7: 1–15. [CrossRef]
Jones, Sue. 2014. The Silver Oar: Symbol of Punishment and Ambition. Global Maritime History. Available online: https://globalmaritimehistory.com/silver-oar-symbol-punishment-ambition/ (accessed on 5 May 2022).
Jowitt, Claire. 2002. Piracy and politics in Heywood and Rowley's *Fortune by* Land and Sea (1607–1609). *Renaissance Studies* 6: 217–33. [CrossRef]
Jowitt, Claire. 2007a. Introduction: Pirates? The Politics of Plunder, 1550–1650. In *Pirates? The Politics of Plunder, 1550–1650*. Edited by Claire Jowitt. Basingstoke: Palgrave Macmillan, pp. 3–19.
Jowitt, Claire. 2007b. Scaffold Performances: The Politics of Pirate Execution. In *Pirates? The Politics of Plunder, 1550–1650*. Edited by Claire Jowitt. Basingstoke: Palgrave Macmillan, pp. 151–68.
Jowitt, Claire. 2010. *The Culture of Piracy, 1580–1630: English Literature and Seaborne Crime*. Farnham: Taylor & Francis.
Kelleher, Connie. 2020. *The Alliance of Pirates: Ireland and Atlantic Piracy in the Early Seventeenth Century*. Cork: Cork University Press.
Matar, Nabil. 2001. English Accounts of Captivity in North Africa and the Middle East: 1577–1625. *Renaissance Quarterly* 54: 553–72. [CrossRef]
Matar, Nabil. 2014. *British Captives from the Mediterranean to the Atlantic, 1563–1760*. Leiden: Brill.
Murdoch, S. 2010. *The Terror of the Seas? Scottish Maritime Warfare, 1513–1713*. Leiden: Brill.
Netzloff, Mark. 2007. Sir Francis Drake's Ghost: Piracy, Cultural Memory, and Spectral Nationhood. In *Pirates? The Politics of Plunder, 1550–1650*. Edited by C. Jowitt. Basingstoke: Palgrave Macmillan, pp. 137–50.
Rediker, Marcus. 1989. *Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates, and the Anglo-American Maritime World, 1700–1750*. Cambridge: Cambridge University Press.
Rediker, Marcus. 2007. The Pirate and the Gallows: An Atlantic Theater of Terror and Resistance. In *Seascapes: Maritime Histories, Littoral Cultures, and Transoceanic Exchanges*. Edited by Jerry H. Bentley, Renate Bridenthal and Karen Wigen. Honolulu: University of Hawai'i Press, pp. 239–50.
Rodger, Nicholas A. M. 2014. The Law and Language of Private Naval Warfare. *Mariner's Mirror* 100: 5–16. [CrossRef]
Senior, Clive M. 1976. *A Nation of Pirates: English Piracy in its Heyday*. Newton Abbot: David & Charles.
Sharpe, James A. 1985. "Last Dying Speeches": Religion, Ideology, and Public Execution in Seventeenth-Century England. *Past and Present* 107: 144–67. [CrossRef]
Starkey, David J. 2001. Pirates and Markets. In *Bandits at Sea: A Pirates Reader*. Edited by C. Richard Pennell. New York: New York University Press.