

How successful was the common informer system and how were they perceived in Tudor and Stuart England?

Common informers were used by the Crown to enforce penal statutes. An informer, if he believed a statute was being flouted, could inform against the offender and seize the offender's goods, undertaking a private prosecution against him in the court of the Exchequer. If the prosecution was successful the informer would have a claim to half of the seized goods, with the other half belonging to the crown. As one pamphlet put it at the time, the 'revenue [of an informer] consists in A[ccusa]tions Popular, and his whole Employment is to go fishing with Pe[n]al Statut[es]'.¹ Common informers were used in order to spread the net of law further. The system required little state involvement and acted as a cost effective deterrent against those looking to break the law. Furthermore, it interested the largest number of people in the enforcement of the law and most importantly gave the Crown access to offenders that they would have been unaware of without informers, thus acting as a deterrent. Therefore, in many ways the system of using common informers may be considered a success. However, in economic terms the monetary returns common informers provided for the Crown were negligible, as they were often corrupt, looking to satisfy their self interest rather than being motivated by any moral calling, resulting in their widespread dislike amongst the public. Informers, in the eyes of the public, preyed on those in society looking to make an honest living and made malicious prosecutions in order to satisfy their own ends, undermining the benefits the system provided. Despite these flaws, the introduction of common informers was the first tentative step towards properly enforcing England's laws on a national scale. Consequently, despite not being perfect, the system was better than nothing and provided the building blocks for further law enforcement, helping to further knowledge of how current systems of law enforcement came into place.

Initially this essay will consider the evidence collected by Geoffrey Elton regarding the most notorious common informer, George Whelplay. However, whereas Elton

¹ Anon., 'The Character of an Informer', 1-5, (1675), http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D10000155640160002&DIV=1&WARN=N&SIZE=15&FILE=&SEARCHSCREEN=&HIGHLIGHT_KEYWORD=undefined&DISPLAY=#page-4 [March 2017]

focused on the reward the informer gained this essay will look to evaluate any benefit the Crown derived from this practice. Whelplay was a fulltime informer and consequently significant in analysing the success of informing as a profession. On a number of occasions he brought successful prosecutions, including when he charged seven Devon clothiers on 4 May 1538.² They forfeited 36s. 8d., half of which went to Whelplay, the other half was received by the Crown.³ This was how the system was intended to work, making it in the interests of the greatest number of people to see the law enforced with both the Crown and informer benefitting. On the 17th December 1539 Whelplay seized victual that was being exported from the Suffolk port of Lowestoft without a license, because the charge was left uncontested Whelplay received his entitled £5. 5s 8d.⁴ Whelplay took similar action against the export of goods including brass and lead which he confiscated at Lowestoft on 30 March 1540 making £11 ½d, which again having been left uncontested was paid to him.⁵ Finally, on the 12 January 1541 he seized from a foreign merchant in London parchment lace, for which he received £2. 10s.⁶ These accounts reveal the successful prosecutions Whelplay pursued and achieved in legal courts, which benefitted himself and the Crown.

However, successful prosecutions were minimal and often the result of a lack of resistance by the accused. The Crown's most prolific informer was far from successful using official measures making just £22, 11s, 8½d.⁷ Assuming that this was half of Whelplay's total seizures and that the Crown received an equivalent sum from Whelplay, as Elton says, informing could hardly be considered a 'paying business'.⁸ This is certainly true from the perspective of the Crown, but not for informers, as official data does not include the common practice of bribes paid to informers to prevent a case reaching court. Moreover, the half of the seizure owed to the Crown, by Whelplay in the case of his 17th December 1539 prosecution in Lowestoft took him over 10 years to pay.⁹ The length of time it took for this payment

² G. Elton, 'Informing for Profit: A Sidelight on Tudor Methods of Law-Enforcement', *The Cambridge Historical Journal*, Vol. 11, No. 2 (1954), 152

³ Elton, 'Informing', 152

⁴ Elton, 'Informing', 152

⁵ Elton, 'Informing', 152

⁶ Elton, 'Informing', 152

⁷ Elton, 'Informing', 152

⁸ Elton, 'Informing', 152

⁹ Elton, 'Informing', 152

to be received illustrates how even when a conviction was achieved there was no guarantee that the Crown received its money. The Crown's most notorious and prolific informer was responsible for strikingly low monetary returns, suggesting that the success of the common informer system for the Crown to be negligible, at least in economic terms.

Informers continued to benefit economically in court for themselves through successful prosecutions. However, in the following two examples from the cases of Griffin Flood and Sir George Croke there is no mention of economic gain for the Crown. The only benefit the Crown received was the deterrent informers provided, undermining any notion of success that can be associated with the common informer as a money making tool.

Griffin Flood, whose dealings are recorded by an anonymous author, successfully informed against an Alewife. The Alewife had employed a foreign tailor to mend a petticoat of hers for six-pence in order to work off a debt he owed her. Flood noticed this and informed against her for 'setting this forraigner on worke', with the court awarding him 40 shillings for his information.¹⁰ Similarly, an account of the cases of Sir George Croke provides an example of a successful prosecution brought about as a result of informer information. The defendant bought two hides of tanned leather valued at 16shillings each and sold them 'unwrought and not converted into wares', which was an offence according to statute.¹¹ The informers in both cases received payment for the information he provided. These cases were both successful, as they expanded the reach of the Court and ensured the laws of England were enforced, which was beneficial to the authority of the Crown in England. This is because it had the effect of creating a deterrent to those who considered breaking the law. However, in both instances there is no mention of any fee received by the Crown for this information. Therefore, through the enforcement of the law the informer had enriched himself, whilst the Crown had earned nothing. Consequently, these cases

¹⁰ Anon., 'The life and death of Griffin Flood' (1623), [http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D00000998523960000&WARN=N&SIZE=31&FILE=&ECCO=param\(ECCO\)](http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D00000998523960000&WARN=N&SIZE=31&FILE=&ECCO=param(ECCO)) [March 2017]

¹¹ G. Croke, 'An exact abridgement of the reports of that eminent lawyer Sir George Crook', (1658) https://eebo.chadwyck.com/search/fulltext?action=byid&warn=N&id=D00000998684810000&div=0&sequence=1&SOURCE=var_spell.cfg&file=../session/1490698070_6570&RESULTCLICK=N [March2017]

may only be considered partial successes, as although they saw the law upheld they provided little economic benefit to the Crown.

Despite this, the Crown defended the system as theoretically it still had the potential to offer them something, as informers remained a widespread form of deterrent and enabled them to access revenue sources that had previously been inaccessible. Elizabeth II's Proclamation 547 illustrates the Crown's desire to protect a potentially beneficial system for them despite its unpopularity. Proclamation 547 looked to protect those acting as informers from being 'beaten' and 'evil treated'.¹² These evil actions against those looking to uphold penal statutes by informing 'disquieted and troubled' the courts and places of justice in Westminster, as they believed that by hindering informers the public was also preventing the administration of justice, which was also a potential revenue stream. The proclamation suggests that 'great mischief and inconvenience might likely grow if speedy remedy be not therein provided', indicating the level of public disapproval for informing.¹³ The Crown needed to quash any resistance to informing, as it did not want to discourage informers from providing information that was in the Crown's interest. Consequently, the proclamation employs imperatives such as 'charge' and 'command' to all people against offending and therefore intimidating informers through any 'act, deed or words... upon pain to suffer imprisonment... by the space of three months', but also threatened open punishment for offenses including 'whipping' or 'pillory'.¹⁴ This was an attempt to nullify the widespread resentment and resistance to informing, which were the result of abuses by informers. People's negative attitudes towards informing were also the result of public opinion that suggested that informing was merely a form of leeching off of hardworking individuals.

The Crown here was attempting to control public opinion and protect the minimal successes of informers in deterring illicit activity the minimal funds they provided. However, through the pursuit of a greater number of suits, some of them dishonest, malicious and vexatious, informers realised they could make even more money for themselves. Informers also realised that the court was an unnecessary cog in their

¹² P. L. Hughes and J.F. Larkin (ed.), *Tudor Royal Proclamations II*, Proclamation 547, 288-9, (London, 1969)

¹³ Hughes, *Tudor, Proc. 547*, 288-9

¹⁴ Hughes, *Tudor, Proc. 547*, 288-9

practice and that more money could be made through out of court dealings, such as accepting bribes. In court earnings were capped at half of the seizure, whereas out of court they did not have to share their seizure with the Crown, meaning there was the potential to make more money. Furthermore, by making out of court settlements the informer did not have to waste time going to court or entertain the chance of not being paid if he lost. This increased the benefit for the informer, but decreased the gain for the Crown yet further. Now the only benefit that persisted for the Crown was the deterrent to illicit activity, while the informer grew richer through exploiting the laws. Consequently, it is clear why not only public opinion, but that of the Crown hardened further against common informers. They were abusing their position of relative power, through vexatious and dishonest suits, in order to maximise their own profit through the extortion of the public and yet producing ever diminishing returns for the Crown. The

Informers were guilty of making their money through dishonest and malicious prosecutions. This is illustrated by the account of John Dunton who illustrates an informer's method of levelling malicious accusations in the hope of acquiring a bribe. Dunton accused an informer who offered his services of possessing 'much Knavery in [his] side-Pouch there, as would breed confusion of forty honest men'. The informer's pouch contained 'a hundred and odd Writs' against those he had planned to inform against.¹⁵ Dunton sought to ascertain how many names of the people contained within his writs he knew and what their offence was. The informer knew only three names from the total and was also unable to remember their misdeeds, but was adamant that they deserved punishment. However, Dunton asserted that the informer possessed the large number of writs in order to ensure himself a healthy profit margin. Dunton argued that the informer planned to arrest the alleged offenders who 'know(s) not wherein or for what cause they should be troubled' in the hope that 'rather than they will come up to *London* and spend their Money' the informer 'thinks they will bestow some odd Angel upon [him]' in the form of bribe to entice him not to proceed, allowing the innocent accused to 'sit at home in quiet'.¹⁶ This demonstrates how malicious accusations would strengthen the public's disgust

¹⁵ J. Dunton, 'The informer's doom', 54- 55, (1683), [http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D00000098083830000&WARN=N&SIZE=186&FILE=&ECCO=param\(ECCO\)](http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D00000098083830000&WARN=N&SIZE=186&FILE=&ECCO=param(ECCO)) [March 2017]

¹⁶ Dunton, informer, 54-55

towards informers. Moreover, this source also demonstrates how out of court settlements could be used to economically benefit the informer, while the Crown received no economic reward.

This essay will now consider individually the effect of malicious and dishonest accusations, before moving on to discuss out of court settlements and the respective effect both of these had on the success and perception of the common informer.

Sources such as 'The Character of an Informer' help to inform the perception of common informers by the public and informs the analysis of further sources. 'The Character of an Informer' conveys the public contempt for the practice of informing, claiming informers acted 'under the pretence of Authority' and that they '[scandalized] the Law'.¹⁷ Moreover, the text goes on to describe informers, with further vitriol, as 'michevious Vermin, bred out of the Corruption', while their motivation is called into question as they are accused of having 'no Conscience' and having 'resolved to be a Plague'. The author goes as far as to describe the work of informers as a 'malitio[us] Project' that 'seldome answer the trouble and Charge', suggesting that the vicious nature of informing often failed to address the underlying issue that was being informed against, as it was not encouraged by a need to reform, but instead by malicious ends.¹⁸ While the text also suggests that spite is never far from an informer's mind given that their 'hair brained Skull is perpetually Hurrycan'd with Malice' and that they are 'Contemp[t]able'. The company of an informer is commonly associated with the plague and therefore to be avoided, while 'Big bellied Women are readt to Miscarry at the sight of him'.¹⁹ The source, therefore, provides a clear example of the disgust people of the period felt for informers, as a result of their malicious nature and dishonest accusations.

The account of the eminent lawyer Sir George Croke also illustrates the malicious nature of informers. Croke brought action against the 'Bishop of Excester' who was accused of providing '[false] and [malicious]' information against an individual. The Court agreed that he informed 'where there was no cause' and did inform 'maliciously', highlighting how the informer system could be used maliciously in order

¹⁷ Anon., 'Character', 1-5.

¹⁸ Anon, 'Character', 1-5.

¹⁹ Anon, 'Character', 1-5.

for an individual to achieve their spiteful personal goals.²⁰ The false and unfounded accusations from a Bishop, who should have been morally incorruptible, would have further damaged attitudes towards informers. This would have increased the rate at which public belief in the system of informing was undermined, reinforcing views that the system merely benefitted the informer and could be manipulated in order to settle personal vendettas.

The cases of the informer Griffin Flood provide the final example of the malicious motivations behind information provided by informers. Flood had been wronged by Firkenmen and from then on, rather than assessing each case on its individual merits, sought to punish every Firkenmen for the actions of one man. He employed his 'kna|uish wit' and 'inforced them to buy their Freedomes, to their great charges', driven to inform maliciously as a result of their status as Firkenmen, rather than because of a desire to correct an offence.²¹ Flood's immoral motivation highlights why public attitudes were not in favour of informers, as again this was an example of an informer abusing his position in order to vex and seek vengeance.

Common informers negative public perception is best illustrated by the violence displayed towards them, or threatened against them. A notable example is *The Complaint of the Tuckers*, in which the tuckers declare 'let any honeste burges spie theyr faltes and make seatur then kyll the knave saith they and other wylbe war by her to medell'.²² The tuckers implore any honest person to inform against illicit dealings, but underline the risks an informer faced, with merchants threatening to kill the informer in order to make an example of him and prevent further meddling in their affairs, believing this would act as a deterrent. This demonstrates that merchants involved in the illicit trade saw informers as lecherous, as they were perceived to be enriching themselves off of the hard work of others.

The account of Griffin Flood and the Alewife provides a further example of the violence informers were subjected to. The Alewife after Flood had informed against

²⁰ G. Croke, 'Abridgement', 84.

²¹ Anon, 'Flood', 5

²² Transcribed by: F.F. Fox and J. Taylor, *Some Account of the Guild of Weavers in Bristol: Chiefly from MSS (Bristol, 1889)*, pp. 91-4, <http://www.bristol.ac.uk/Depts/History/Maritime/Sources/1568tuckers.htm> [accessed March 2017]

her sought revenge against him by hitting him over the head with a pewter pot which 'broke both his head and face'.²³ He cried out in pain, causing many people to run into the tavern inquiring as to what had caused the commotion. The Alewife answered these inquiries 'with fained teares' that Flood 'would haue raluish her and forst her against her will', resulting in her hitting Flood with the pewter pot in order to defend herself. The public, who had not seen the events unfold, but knew 'Flood to bee a very knaue', believed the woman's tears and called for the Constable, who took Flood before a justice, where the accusation was upheld and he was committed to prison and was forced to give the women 'a good summe of money in composition' for his supposed wrong.²⁴ The violence he was subjected to appears to be approved of because seriousness of the allegation, while the act of forcing himself upon a woman was not expected to be out of character. This example confirms the contempt people held for informers, as because Flood was an informer and therefore seen as untrustworthy, his explanation of events was ignored and he was found guilty.

Geoffrey Elton's account of one of George Whelplay's cases exposes the violence informers were at risk of experiencing as a result of people's negative attitudes towards them. Whelplay learned that men in Weymouth in Dorset were illegally exporting sixty horses, with the total value of the export standing at £186, he therefore stood to make £93 by informing.²⁵ However, the ship was already out at sea and Whelplay's request to board was denied. Whelplay's account then claims that they attempted to drown him 'but for that he for sauffyard of his lyffe fastenyd vpon one of the cheffest of the saide euill sorte which shulde haue drowned with hym'.²⁶ The attempt to drown Whelplay demonstrates how people dehumanised informers. This shaped attitudes towards informers, as this source suggests that in killing an informer you were not seen as killing a man but a trouble maker of society instead, which appears have been more acceptable, as a result of the negative perception of informers.

²³ Anon, 'Flood', 4

²⁴ Anon, 'Flood', 4

²⁵ G. Whelplay, quoted by Elton, 'Informing', 161

²⁶ Whelplay, Star Chamber, quoted by Elton, 'Informing', 161

The perception of informers was also influenced by their acceptance of bribes outside of the courtroom. Accepting bribes not only extorted the public, but also denied the Crown money it was legitimately owed, undermining the economic success of the profession in the Crown's opinion.

The case of the Dutch Chandlers is an especially interesting example of bribery, as they 'sent [Flood] much reliefe, as meat and drinke from his owne table both at dinner and supper, and now and then some small peeces of money to comfort him' whilst he was imprisoned.²⁷ The Dutch Chandlers were regularly troubled by informers and so plied Flood with gifts in the belief that he would 'be a trusty staffe to defend [the Chandlers] from all informa[tions] that any other Informer should haue against him'.²⁸ The gifts they sent Flood were an attempted bribe in order to coerce him into defending their interests. However, despite accepting the gifts, Flood went on to inform against the Dutch Chandlers. Flood abused his trust, but also dishonoured their agreement in order to serve his own self-interest. This emphasises the inadequacy of out of court settlements as a form of law enforcement, as they are unregulated and unfair, allowing the informer to do as he pleased. Furthermore, bribery economically benefited the informer substantially, but not the Crown, who received no funding from it and certainly not the public. The selfishness of Flood in this instance would have had the effect of reinforcing dislike for informers.

The case of William and Robert Tyndale's ship the *Margaret* also illustrates the effect of corruption and bribery, as it enabled merchants to show scant regard for the law. The Tyndale brothers bribed the Customer and Controller of Bristol and in doing making them 'honest men' to the Tyndale brothers.²⁹ The Customer and Controller informed the Tyndale brothers that having been 'enformed ... must nedes doo that they wold nat willyngly' and search the *Margaret*.³⁰ The brothers were able to react accordingly and manipulated the informer system in order to minimise their losses. William Harvest reported to the Court of the Exchequer that he had seized 40qr. of

²⁷ Anon., 'Flood', 8

²⁸ Anon., 'Flood', 8

²⁹ 'William Tyndale to Robert Tyndale, August 1558', Transcribed by: Vanes, J. (ed.), *Documents Illustrating the Overseas Trade of Bristol in the Sixteenth Century*, (Bristol Record Society Publications, Vol. XXXI, Kendal, 1979), No. 27., 46.

³⁰ 'William', Transcribed: Vanes, *Documents*, 46

wheat from Robert Tyndale's ship the *Margaret of Elmore* on the 5th August 1558.³¹ The likelihood is that Harvest laid bogus information against the *Margaret* in order to prevent other genuine informers from seizing the vessel. This significantly reduced the costs of seizure, as he allowed the *Margaret* to be vastly undervalued initially at just £10, when William's own records stated the value to be far higher at £133, 6s, 8d.³² Furthermore, he also accepted a bribe of £5, 1s, 4d to drop the prosecution and to 'relesynge of the margett ship owt of the excheckre.'³³ This conveys another flaw in the informing system, as not only was it susceptible to attempts of bribery, but also there was no guarantee that informers information would be employed in order to secure a conviction. The corrupt collusion between the Tyndale's, the customer, the controller and William Harvest ensured that the Crown did not receive the money it was owed for the Tyndale's law break, demonstrating the informer system to be unsuccessful.

The final example of the inefficiency of the informing system is provided by a further case of the informer Griffin Flood. Flood took on the case of a foreign man who was working illegally according to statute and brought action against him. However, in doing so Flood prevented all other informers from bringing similar action against the foreigner and in exchange for a monthly fee allowed the case to hang in court for many years without pursuit.³⁴ Flood benefitted hugely from this corrupt method, having made a great deal of money through these bribes. This method also prevented the legitimate enforcement of law from being carried out as, by accepting a bribe for an action that he did not intend to pursue prevented the Crown from making money from the informer confirming public attitudes regarding informer corruption.

Examples of bribery and out of court settlements undermined the entire system of justice. Bribery also explains why informers were so widely disliked by the public, as informers were seen as enriching themselves at the expense of others. Bribery was evidently an unfair way of meting out justice, as only the informer benefited. Furthermore, bribes ensured that the system remained broken, as a merchant only

³¹ 'Wheat Seized from Tyndall's Boat, 1558.', Vanes, *Documents*, 46

³² E. Jones, *Inside the Illicit Economy*, (Surrey, 2012), 131

³³ BRO, PStJB/ChW/7b 188, quoted by E. Jones, *Inside*, 130

³⁴ Anon., 'Flood', 4

paid a bribe so that he can continue to break the law. Therefore, the underlying issue was never resolved. The Crown, as a result of bribery, never saw its cut of the profits owed to it, suggesting why their support for informers waned, as they were supporting something unpopular for little benefit, whilst informers grew richer at their expense.

The negative perception of informers by the public led Sir Edward Coke, who possessed great influence in parliament and in law to campaign against informer offences. Coke condemned the actions of informers, arguing that 'it seldome happeneth that an honest man is imployed therein' and argued that this resulted in 'many abuses'.³⁵ He labelled informers as 'beggars', revealing their reliance on their ability to collect information for income, which increased the likelihood of dishonest and malicious cases being brought to court.³⁶ He also expressed his concern that informers often raised suits using 'infomations, writs & c. in the King's Courts at Westm' upon penal statutes, many whereof were obsolete, inconvenient, and not fit', blaming this partially for the multiplication of the number of suits in court. Coke suggested that these had been left as 'snares' to entrap honest people, only for the benefit of the informer and the state.³⁷

The informer in Coke's eyes held a substantial amount of power, having the ability to reform or punish an offender through their information. Coke was, however, troubled by the malicious motivations of much of the information offered. His solution was to punish the informer in an attempt to reform the industry in which they participated. Coke hoped that by punishing informers' abuses, they may 'be made honest against their wils', revealing that he possessed little faith in their integrity.³⁸ He also supported reform against informers that led to the information they provided being heard and determined locally, in the counties in which the offence was committed, rather than in the King's Courts in Westminster. Coke believed informers were 'best trusted [in the courts of Westminster] where they were least known'.³⁹ Therefore,

³⁵ E. Coke, *The Selected Writings of Sir Edward Coke*, 1183, accessed http://seas3.elte.hu/coursematerial/LojkoMiklos/Sir_Edward_Coke%27s_Selected_Writings_Part_2.pdf [March 2017]

³⁶ Coke, *Selected*, 551

³⁷ Coke, *Selected*, 1182

³⁸ Coke, *Selected*, 551

³⁹ Coke, *Selected*, 1182

reform which sent the informers to present their information locally discouraged malicious and vexatious informers and sent them back to their former occupations.

King James I agreed of the need for reform and so withdrew out-dated legislation that was being abused by informer in order to secure unfair convictions. James I achieved this through a 'proclamation declaring His Majesties grace to his Subjects, touching matters complained of, as publique greevances' on the 10th July 1621. This Proclamation claimed that the King had been made aware of the 'great damage and disquiet of His honest and good Subjects' that was the result of the 'troublesome and restlesse spirits, and dispositions of Informers' that were '[vexing]' his court.⁴⁰ Furthermore, the Proclamation objected to how informers abused penal statutes, that resulted in a 'hinderance to the justice and peace of the Country'.⁴¹ This proclamation confirmed the weight of public feeling, expressed through Parliament, against informers, as the Crown sought their approval through reform. The King was prepared to enact this reform because common informers were not enriching the crown, just themselves; he like, like the public, perceived informers as selfish.

On the 6th of September 1635, a proclamation from the court of Charles I for the 'prevention of abuses of Informers, Clarkes and others in their prosecutions upon the Lawes, and Statutes of this realm' was introduced. The statute highlighted yet more issues with the system of common informers, who continued to act dishonestly for their own ends. The proclamation was enacted in order to help 'prevent... great frauds, and abuses committed by common Informers', who the proclamation accused of 'combining with their under Clerkes'.⁴² The informers were also accused of acting selfishly in contempt of the laws and abusing the subjects in pursuit of 'private gaine of them the said Informers'.⁴³ In an attempt to curb this dishonesty the proclamation declared that all informers should present 'a 'brief and perfect Note or Copie of every such Information' to the appropriate officer of any potential illicit activity they intended to inform against. The Crown hoped this would give them a greater understanding of the activities of informers and 'prevent their secret

⁴⁰ P. L. Hughes and J.F. Larkin (ed.), *Stuart Royal Proclamations, James I*, 511-519, (Oxford, 1973)

⁴¹ Hughes, *Stuart*, 511-519

⁴² J.F. Larkin, (ed.), *Stuart Royal Proclamations, II*, 472-80, (Oxford, 1983)

⁴³ Larkin, *Stuart*, 472-80

practises'.⁴⁴ Moreover, it was hoped that this entry would mean that only actions against the 'true intent and meaning' of the statutes would be prosecuted, rather than unqualified informers looking to interpret the law for themselves.⁴⁵ A logbook was also undertaken, recording cases brought by informers, reducing instances of malicious cases and holding the informer accountable for the claims he made.⁴⁶ The Crown had withdrawn its unerring support for informers, as the system no longer benefitted them as they would have liked.

Sir George Croke's case, Porter against Hutchman, provides an example of the need for common informers to be sworn before their information was received. Consequently, in the case of ironmongers using their trade, not having been apprentices, an 'Error... In Judgement' was declared', illustrating the lack of faith in the informer system, with registration now essential for the integrity of the informer's information to be trusted.⁴⁷ The reform of the common informer system was aimed at holding informers responsible for their actions and reducing malicious informing, but also to return the informer to their purpose as informers for the Crown, not for their own ends. This reform intended to build upon the successes of informers and dismiss the negative perception that was attached to them.

The system of common informers was far from flawless. It harboured obvious inadequacies in the Crown's ability to take what it was economically owed for offences discovered by informers. However, it was better than no system at all, as it at least offered some form of deterrent to those who considered engaging in the illicit trade, even if this was through out of court arrangements. This explains why the system was not completely abolished and instead refined to make it less offensive to the people, but also more effective for the Crown. The biggest losers from the informant system were the people, who were extorted and abused by informers. The Crown failed to gain as much as it set out to economically, but succeeded in introducing a fearful deterrent to law-breakers. The greatest benefit from informing was achieved for the informers themselves, as they were able to profit from nearly all

⁴⁴ Larkin, *Stuart*, 472-80

⁴⁵ Larkin, *Stuart*, 472-80

⁴⁶ Larkin, *Stuart*, 472-80

⁴⁷ Croke, 'Abridgement', 91

circumstances until their abuses became unable to ignorable and required reformation.

Bibliography

Manuscript

Fox, F. F., and J. Taylor, Some Account of the Guild of Weavers in Bristol: Chiefly from MSS (Bristol, 1889),

<http://www.bristol.ac.uk/Depts/History/Maritime/Sources/1568tuckers.htm> [accessed March 2017].

P.R.O. E 159/340 Easter 97r.s, Wheat Seized from Tyndall's Boat, 1558. Calendared by: Vanes, J. (ed.), *Documents Illustrating the Overseas Trade of Bristol in the Sixteenth Century*, ([Bristol Record Society Publications](#), Vol. XXXI, Kendal, 1979), No. 28.

Bristol Record Office, P.StJ.B./Misc.124, William Tyndale to Robert Tyndale, August 1558', Transcribed by: Vanes, J. (ed.), *Documents Illustrating the Overseas Trade of Bristol in the Sixteenth Century*, ([Bristol Record Society Publications](#), Vol. XXXI, Kendal, 1979), No. 27.

Primary Sources

A. G, 'The fountain of the law opened', (1657),

https://eebo.chadwyck.com/search/fulltext?ACTION=ByID&ID=D20000998679930034&SOURCE=var_spell.cfg&DISPLAY=AUTHOR&WARN=N&FILE=../session/1490697218_4727 , [March 2017]

Anon., 'The life and death of Griffin Flood informer Whose cunning courses, churlish manners, and troublesome informations, molested a number of plaine dealing people in this city of London. Wherein is also declared the murder of Iohn Chipperford Vinter, for twich fact the said Griffin Flood was pressed to death the 18. day of Ianuary last past' (1623),

[http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D00000998523960000&WARN=N&SIZE=31&FILE=&ECCO=param\(ECCO\)](http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D00000998523960000&WARN=N&SIZE=31&FILE=&ECCO=param(ECCO)) [March 2017].

Anon., 'The Character of an Informer', (1675),

http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D10000155640160002&DIV=1&WARN=N&SIZE=15&FILE=&SEARCHSCREEN=&HIGHLIGHT_KEYWORD=undefined&DISPLAY=#page-4 [March 2017].

Anon, A new poll-bill for raising the sum of seven hundred thousand pound. Humbly offered to consideration, (1689-1694),

https://eebo.chadwyck.com/search/fulltext?ACTION=ByID&ID=D00000476836290000&SOURCE=var_spell.cfg&DISPLAY=AUTHOR&WARN=N&FILE=../session/1490697880_6182 [March 2017]

Coke, E., *The Selected Writings of Sir Edward Coke*,

http://seas3.elte.hu/coursematerial/LojkoMiklos/Sir_Edward_Coke%27s_Selected_Writings_Part_2.pdf [March 2017].

Croke, George, Sir, 'An exact abridgement of the reports of that eminent lawyer Sir George Crook knight, one of the judges of both benches, of such select cases as were adjudged in the said courts the time that he was judge in either of them. With two exact tables of the cases and principal matter therein contained', (1658)

https://eebo.chadwyck.com/search/fulltext?action=byid&warn=N&id=D00000998684810000&div=0&sequence=1&SOURCE=var_spell.cfg&file=../session/1490698070_6570&RESULTCLICK=N [March 2017].

Dunton, J., 'The informer's doom', (1683),

[http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D00000098083830000&WARN=N&SIZE=186&FILE=&ECCO=param\(ECCO\)](http://eebo.chadwyck.com/search/fulltext?SOURCE=config.cfg&ACTION=ByID&ID=D00000098083830000&WARN=N&SIZE=186&FILE=&ECCO=param(ECCO)) [March 2017].

Hughes, P.L. and J.F. Larkin (ed.), *Tudor Royal Proclamations II*, (London, 1969).

Hughes, P.L., and J.F. Larkin (ed.), *Stuart Royal Proclamations, James I*, (Oxford, 1973).

Larkin, J.F., (ed.), *Stuart Royal Proclamations, II*, (Oxford, 1983).

Secondary Sources

Beresford, M., 'The Common Informer, the Penal Statutes and Economic Regulation', *The Economic History Review*, New Series, Vol. 10, No. 2 (1957).

Elton, G., 'Informing for Profit: A Sidelight on Tudor Methods of Law-Enforcement',
The Cambridge Historical Journal, Vol. 11, No. 2 (1954).

Jones, E., *Inside the Illicit Economy*, (Surrey, 2012).