

Signs of Intelligence: William Herle's Report of the Dutch Situation, 1573

On the 11 June 1573 the agent William Herle sent his patron William Cecil, Lord Burghley a lengthy intelligence report of a 'Discourse' held with Prince William of Orange, Stadtholder of the Netherlands.* Running to fourteen folio manuscript pages, the Discourse records the substance of numerous conversations between Herle and Orange and details Orange's efforts to persuade Queen Elizabeth to come to the aid of the Dutch against Spanish Habsburg imperial rule. The main thrust of the document exhorts Elizabeth to accept the sovereignty of the Low Countries in order to protect England's naval interests and lead a league of protestant European rulers against Spain. This essay explores the circumstances surrounding the occasion of the Discourse and the context of the text within Herle's larger corpus of correspondence. In the process, I will consider the methods by which the study of the material features of manuscripts can lead to a wider consideration of early modern political, secretarial and archival practices.

THE CONTEXT

By the spring of 1573 the insurrection in the Netherlands against Spanish rule was seven years old. Elizabeth had withdrawn her covert support for the English volunteers aiding the Dutch rebels, and was busy entertaining thoughts of marriage with Henri, Duc d'Alençon, brother to the King of France. Rejecting the idea of French assistance after the massacre of protestants on St Bartholomew's day in Paris the previous year, William of Orange was considering approaching the protestant rulers of Europe, mostly German Lutheran sovereigns, to form a strong alliance against Spanish Catholic hegemony. His overtures to Elizabeth to lead this anti-Catholic league resulted in a personal envoy in the person of Charles de Boisot to the English court in September 1572 and another delegation by the States of Holland three months later. The substance of Orange's proposition was that Elizabeth would protect the provinces of Brabant and Holland in return for possession of the four strategic ports of Brill, Enkhuizen, Rotterdam and Flushing.¹

However, looking to restore trade and friendship after years of tense relations, Elizabeth chose to hedge her bets with Spain, signing an agreement with King Philip's deputy in the Netherlands, the Duke of Alva. One of the terms of the contract was that neither of the contracting parties would 'come to the aid of rebels in each other's countries'.² Burghley appears to have quietly supported William's cause, from whom he received letters of appeal to

* I am grateful to my two anonymous Readers, and Jan Broadway, Rosanna Cox and William Sherman for their helpful remarks about previous versions of this essay.

¹ KW Swart, William of Orange and the Revolt of the Netherlands 1572-84 (Hampshire: Ashgate, 2003), 71-2; Geoffrey Parker, The Dutch Revolt (London & New York: Penguin, revised edn, 1985), 129-31.

² Swart, William of Orange, 72.

be directed to the queen. Yet having withdrawn her support, all Elizabeth could do was dispatch an agent of Burghley (William Herle) to Orange with the offer to mediate between the northern provinces of the Low Countries and the King of Spain. It is apparent from Herle's Discourse, however, that William of Orange still held out hope for English aid. Conyers Read, in his comprehensive work Lord Burghley and Queen Elizabeth, states that it was at this juncture that Herle's Discourse appears, and that it is not clear how Herle came to be in the Low Countries in order to converse with Orange.

William Herle was an intelligencer, diplomat and spy for the Elizabethan administration. The extant corpus of his correspondence covers the years 1559 – 1588. His letters are noteworthy in their bid to foster and encourage a patron-client relationship based on the transmission of political intelligence.³ His most regular recipients were William Cecil, Lord Burghley, Sir Francis Walsingham, Robert Dudley, Earl of Leicester. An information-gatherer of the most sinister kind, (at the time of the composition of the Discourse Herle was coming directly from a period of imprisonment in the Marshalsea and Tower of London under accusation of piracy), the intelligence he transmitted was directly connected to his bids for financial improvement. His transaction of knowledge was knowingly linked to requests for advancement, whether the stalling of his debts, appointment to official posts within the network of government or licence for private commercial enterprise.⁴ Although not one for hiding his ambitions or motive, Herle often couched his thirst for preferment in terms of the 'service' he had done and could do his patrons and the queen, figuring his information-gathering activities as a blend or hybrid of private gain (he was permanently impecunious) and patriotic loyal duty.⁵

Conyers Read comments that 'it may be assumed that [Herle] was acting under Burghley's orders'.⁶ This would seem likely, yet in a letter dated the 7 June 1573, four days before the date of issue of the Discourse, Herle apologised to Burghley for going abroad without leave:

Though I did nott make your good Lord privey of late whatt jorney I had in hand, the same was don of a speciall & humble regard, towards your place, ... for mi intent was grounded uppon an humble zele to God & mi Contrey, & to beholde the true and perfect state of

³ For the only edition of Herle's letters, see Robyn Adams (ed.), The Letters of William Herle, Centre for Editing Lives and Letters, March 2006, <http://www.livesandletters.ac.uk/herle/index.html>.

⁴ For more on knowledge transactions and information gathering, see L. Jardine and W. Sherman, 'Pragmatic Readers: Knowledge transactions and scholarly services in late Elizabethan England' in A. Fletcher and P. Roberts (eds) Religion, Culture and Society in Early Modern Britain: Essays in honour of Patrick Collinson (Cambridge: Cambridge University Press, 1994), 102-5.

⁵ For more on Herle's 'service', see R. Adams, 'A Spy on the Payroll?: William Herle and the mid-Elizabethan Polity' in *Historical Research* (forthcoming).

⁶ C. Read, Lord Burghley and Queen Elizabeth (London: Jonathan Cape, 1965), 157.

things so nere as I coud, to th'end that if the truthe had bin desgised in ani parte, I might the better give accompte of it, & only to imparte, the same with your Lord.⁷

Reading between the lines, Herle appears to confess he was without license to travel, offering comprehensive measures to impart valuable information to attempt to extract himself from disfavour with his patron:

And now being returned, I am sufficiently instructed of many matters, which may like your Lord to understand of, ... butt to wryte the discourse of thinges at large unto your Lord which is the effect of this my humble letter, sending to yow in the mene season these few chartes, having mayny mo for yow, with further matter of importance, necessary for her majestie & your Lord to understand: besyde that I must shew yow of some mistery.⁸

Yet, as it is unlikely that Herle could secure an audience with Orange without either letters of credit or verbal endorsement from an accompanying officer from the English crown (and concomitantly requiring a license to depart the realm), this trip must have been authorised and sponsored by a prominent member of Elizabeth's administration.⁹ Herle's 'Discourse of thinges at large' with the Prince of Orange is dated four days later, and makes no mention of any question over the legitimacy of the journey. The question remains unanswered, therefore, as to why Herle purported to have taken an illicit journey to the Prince of Orange, unless it was under the cover of departing the realm for a different purpose. If Herle was dissimulating in his letter to Burghley that he had gone abroad without his patron's knowledge, was this letter meant to be read by someone else?

THE DISCOURSE (X4)

The Discourse survives in four copies: three in the British Library and one in the Foreign State Papers in The National Archives in London. Each of these texts bears evidence of marginalia, annotation and comment. Examined individually, these documents are not especially unusual or remarkable. Yet, when viewed as a group or when placed alongside each other, these manuscripts reveal distinctive and intriguing writing, reading and scribal practices. The significance of these documents in historical terms gains resonance when the trajectory of their dissemination and archival deposit is examined. Is it possible to trace the original copy of the Discourse, and establish the hierarchy and/or timeline between them? Is it possible, through examination of the extra-textual 'traces' to determine whether these documents were

⁷ British Library (hereafter BL), Lansdowne MS 18, fols 14r-15v. William Herle to Lord Burghley. 7 March 1573, <http://www.livesandletters.ac.uk/herle/letters/087.html>.

⁸ BL, Lansdowne MS 18, fol. 14r. It is possible that Herle's journey was tacitly endorsed by Burghley.

⁹ At this time, Herle was firmly Burghley's client.

transmitted at the same time (and by transmitted I mean sent; dispatched out of the letter-writer's/scribe's hands, whether through the post, or the process of copying and removal to another bureau), and to whom the separate copies were directed? Is it possible to recover information about how this document was received and archived or filed? And how might this process of determination have currency in the wider context of epistolary studies?

BL Cotton MS Galba C IV fols 381r-388v.

Of the three copies of the Discourse in the British Library manuscript collection, this is the only autograph version, and is signed by Herle. The script is neat, although there are a small number of deletions. All the pages have been damaged by fire, most probably in the blaze of 1731 at Ashburnham House.¹⁰ The flames have singed the right hand side of the document, and consequently the endorsement (by Herle) on the outer leaf is partially obscured, leaving only the words '... with the Prince of Orange in Holland 1573', and a note by a later hand reading 'The Prince of Orange his discourse with william Herle, A^{nno} 1573. Lowe Contreys'. Because of the fire damage, the single complete marginal annotation in this copy of the Discourse is also partially obscured,

^also have had open [suppo]rtacyon & ayde [of] bothe [m]en & municyons in [these] warres that have bin [so] extremely made against them for their [lives] & liberties.^¹¹

In addition to this, Herle has inscribed an 'X' beside a paragraph detailing the special regard expressed to Herle by William of Orange in conversing with him about such politically sensitive matters:

Having conseed verely deeply of me, he sayd, to imparte with me thus faithfully & sec[rettly] the state of things as he did, & to desire me ~~even~~ even uppon mi allegiance to de[clare] unto her majestie & your Lord whatt I had harde & sene of hym.¹²

Moreover, in this manuscript, Herle or a later reader has inserted five small roughly-formed manicules in the margins.¹³ Indeed, it is possible that there were originally more marginal 'hand-

¹⁰ BL, Cotton MS Galba C IV, fols 381r-388v, <http://www.livesandletters.ac.uk/herle/letters/022.html>. All quotes which relate to the *Discourse* as a whole, i.e. not to a specific copy, are taken from this version. This volume of manuscripts in the British Library also contains a letter written to Burghley from William, Prince of Orange, from Delft in May, apparently delivered by Herle: BL, Cotton MS Galba C IV, fols 377r-378v, William, Prince of Orange to Burghley, May 1573.

¹¹ BL, Cotton MS Galba C IV, fol. 381v. It is possible to infer the missing words or parts of words from the other copies of the *Discourse*. On fol. 387r there are four lines of writing in the margin which have been completely expunged by inking out. It is impossible to ascertain whether the script is Herle's.

¹² BL, Cotton MS Galba C IV, fol. 386r.

¹³ For more on manicules and their terminology, especially in relation to marking early printed books, see WH Sherman, Used Books: Marking Readers in Renaissance England (Philadelphia: University of Pennsylvania Press, 2008), esp. chapter 2.

with-pointing-fist' marks, which have been expunged by the aforesaid fire, or the conservation procedures which followed thereafter.¹⁴ There are traces of faded inked marks in the margins, which may, or may not be manicules.

The final outer leaf of this document is soiled: the paper has eroded along fold marks, particularly along the middle fold, where conservation of the paper has been necessary. These fold marks correspond with the customary practice of folding the paper to create a letter-packet. The absence of a superscription or seal suggests that the outer packet has been removed and lost. However, from its autograph state in Herle's crabbed and compact hybrid hand, and the extant marks of transmission, reception and storage, can we assume that this is the 'original' copy?

BL Cotton MS Titus F III fols 295r-301v.

The other copy in the Cotton collection in the British Library is in the Titus pressmark.¹⁵ This is a fairly rough scribal copy – there are deletions and multiple interlineations - suggesting that this draft was not intended for formal presentation. The scribe, whose hand is a florid secretary, has a remarkable practice of starting a word on the end of a line, running out of room to complete writing, and restarting the entire word afresh on the next line, but often without expunging the incomplete word on the previous line.¹⁶ The manuscript appears to have been folded vertically down the middle of the folio page, possibly indicating a certain kind of storage or scribal activity, and there is no endorsement on the address/final leaf. The scribe has subscribed the Discourse with Herle's initials.

The Titus copy contains more marginalia than the Galba, focusing specifically on two paragraphs on the recto of fol. 298. The annotation, in a different hand to the body of the document, occurs at a pivotal section regarding the defences of loyal protestant ports in the Low Countries:

[*Marginalia*: Her majestie might deale easely & safely]

For why those of the religion doo besides other portes that they have kepte the three principall keyes of the Low Countries in their handes *Flessinge, The Bryll* and

¹⁴ Andrew Prescott, "Their present miserable state of cremation": the restoration of the Cotton Library' in C.J. Wright, (ed.), Sir Robert Cotton as Collector: Essays on an Early Stuart Courtier and his Legacy (London: British Library, 1997), 394.

¹⁵ BL, Cotton MS Titus F III, fols 295r-301v, <http://www.livesandletters.ac.uk/herle/letters/067.html>.

¹⁶ This makes for difficult reading, reinforcing the notion that this copy was not intended for formal presentation to a high-ranking figure.

[*Marginalia*: The protestants having the rule of the sea]

[*Marginalia*: The Spanish King having neyther havens shippes mariners etc.]

Inckhusen whoo doo Master and shutt in
all those seas theareabouts And then
howe can the king of Spaine be furnished
of a sufficient Navye either to offende or
defende with out the frendshipp of
Englande having neither commoditie of
havons nor shipping nor yett of skillfull
Marriners to attempte things ~~which~~ with all
as hath ~~well~~ well apearrid in there
encounters of late in *Zealande* and is a
notable mayne unto him /

The Titus copy forms part of a distinct collection of paginated papers within the manuscript volume, and is the first item after a 'title page' listing the contents, 'Discowrses of the State of Englande & the Q. Majesties procedings in diverse cases'.¹⁷ The Discourse is presented as 'Herles discourse touching the courses her Ma^{tie} shuld take wth the low contryes'. Listed after Herle's document is 'A discourse of M^r Beales after the great murder in Paris & other places in France August 1572'. This document (fols 302r – 308v) is in the same hand as that of Herle's Discourse, but on paper bearing a different watermark. In his Early Records of Sir Robert Cotton's Library, Colin Tite suggests that 'these folios appear to be part of a group gathered by William Cecil', and that fol. 294v (the title page) is annotated by Cecil.¹⁸ It is likely that this copy was made for Sir Robert Cotton as part of his ambitious bibliographical and antiquarian activities. The marginalia in the Discourse is in the same hand as that which lists the contents of this collection of papers.¹⁹

BL Harleian MS fols.196r-207v.

The other version of the document in the British Library is in the Harleian collection.²⁰ Again, this is a scribal copy, in a contemporary secretary hand, sandwiched in the manuscript volume between letters and papers of Lord Burghley relating to the Low Countries. Humfrey Wanley, in

¹⁷ BL, Cotton MS Titus F III, fols 294r-v.

¹⁸ C.G.C. Tite (ed.) The Early Records of Sir Robert Cotton's Library: Formation, Cataloguing, Use (London: British Library, 2003), 202.

¹⁹ It is possible that this hand belongs to either Sir Robert Cotton or his son Sir Thomas Cotton. Both possess a hand which is strikingly similar, both to each other, and to the hand in the margin of the Discourse and on the contents page. I am most grateful to Julian Harrison of the British Library for his help in trying to identify this hand.

²⁰ BL, Harleian MS 1582, fols 196r–207v.

assembling the catalogue of the Harleian Manuscripts, suggests that this document was a presentation copy to Lord Burghley and lists the volume as

A book in fol. consisting all of Letters and Papers of State, Protocolls, Originals and Copies; bound up (not without some respect to Order of Time) in the following Manner.²¹

The copy is fairly 'clean', with few deletions or interlineations. There is little marginal activity, save for the marking of page numbers in the top left corner of each recto page, in slightly darker ink to that of the body-text. The scribe has signed Herle's initials, and the endorsement reads, 'M^r Herles discourse of talke he had wth the Prince of Aurange at sondrie tymes'. An additional endorsement, by a different hand, reads 'M^r Herles discoorse'. The idiosyncratic spelling of 'Aurange' here is significant. Many of the letters and documents in BL Harleian MS 1582 pertain to Daniel Rogers, a diplomatic figure heavily involved in the negotiations between Elizabeth and William of Orange in the late 1570s. The rendering of Orange as 'Aurange' is consistent with Rogers' orthography. Indeed, the piece-by-piece listing for the manuscripts in this volume made by Wanley, notes that

By this Transcript, both the Hands used by Mr Daniel Rogers (in writing English or Foreign Languages) May be fixed. Thus, for instance, it may appear that many of the Endorsements above-mentioned, were written by that eminently learned Person.'²²

Many of the documents are endorsed in Rogers' hand, including Herle's Discourse.²³

TNA SP 70/127/36 fols 173r-184v.

The copy of the Discourse in the National Archives is also scribal. Of a more presentational nature than either the holograph or other scribal copies, the text is pristine and precise,

²¹ BL, Additional MS 45704, A Catalogue of Harleian MS 1582, fol. 387r, cited in CE and Ruth C Wright (eds), Humfrey Wanley and the history of the Harleian Library (London: Bibliographical Society, 1966), xxiv. This document is listed in the catalogue as " 'Certayn Discourses which the Prince of Orenge had with me W. Herlle, at soundry Tymes, touching the Estate of the Lowe Countryes, and of the Troubles that did impend to all those of the Religion, unlesse they provided for the same, in tyme'. This was presented to the Lord. Treasurer Burghley, as it seemeth", fol. 391r. For the printed version, see A Catalogue of the Harleian Manuscripts in the British Museum vol. 2, (London: Eyre and Strahan, 1808), 140.

²² BL, Additional MS 45704, A Catalogue of Harleian MS 1582, fol. 390r. Note that C.E. Wright and Ruth Wright state that the five volumes assigned the pressmarks Harleian MSS 1580-1584 were given to the collection by Dr William Stratford, Canon of Christ Church Oxford, xxiv. For Rogers' biography, see Mark Loudon, 'Rogers, Daniel (c.1538–1591)', Oxford Dictionary of National Biography Oxford University Press, Sept 2004; online edn, Jan 2008, <http://0-www.oxforddnb.com.catalogue.ulrls.lon.ac.uk:80/view/article/23969>, accessed 20 Aug 2008.

²³ Other documents endorsed by Rogers in BL Harleian MS 1582 include fols 180r-181v; 182r-183v; 184r-185v and 186r-187v. Note that of the endorsement relating to Rogers, the first part of the longer endorsement, (i.e. 'Mr Herles discourse' rather than 'Mr Herles discoorse') is in Rogers' autograph, fol. 207v.

displaying far fewer corrections and supralinear additions than the two other scribal copies.²⁴ The document is sewn into a 'booklet', (the pages are blank from fol.181r – 184v), with a 'title page' on fol.173r inscribed with 'M^r Herles Discourse', (the word 'Flanders' is noted to the left and below).²⁵ The booklet is not endorsed, and the scribe has subscribed the text with Herle's initials.

Of particular note in this copy is the extensive amount of marginal activity. Virtually every paragraph is accompanied by script in the margin, ranging from one-word summaries, to longer sentences. Although there less marginal annotations in the BL Cotton Titus copy, where they do occur they mirror the marginalia word-for-word at the same point in the National Archives copy. The scribal hand is markedly similar to another letter from Herle in The National Archives from 1584 addressed to Elizabeth.²⁶

MARGINAL FIGURES

The physical traces inscribed into the margins of several of Herle's surviving papers offer a tantalising view of how these letters were read or intended to be read. Indeed, many sixteenth-century letters and documents exhibit this feature, which is pervasive throughout the corpus of early modern handwritten material. What interests me in the particular case of the Discourse, are the conditions surrounding production, evidenced by the extra-textual and inter-textual marks.

The mostly unilateral direction of his corpus (there are very few letters remaining which are addressed *to* Herle), and their resulting scattered deposit in library collections means that when reassembled and their provenance examined, these documents are charged with significance. When reunited, these texts recover and revive the local and material context of their production. It is often difficult to identify *how* ministers and other recipients used the information Herle sent, and these manuscripts illustrate in some detail the reception and afterlife of a particularly grandiose and complex intelligence letter. It is this moment and site of knowledge-transfer between intelligencer and minister which I want to explore in the remainder of this essay.

It is not unusual to find scribal copies in the corpus of Herle's correspondence. Herle's compact and crabbed handwriting - dreadful even by early modern standards - is initially difficult to

²⁴ The National Archives (hereafter TNA), State Papers (hereafter SP) 70/127/36, fols 173r-184v, <http://www.livesandletters.ac.uk/herle/letters/233.html>.

²⁵ This title, 'M^r Herle's Discourse' is in a very similar hand to the endorsement on the Harleian copy.

²⁶ TNA, SP 83/22/53, fols 109r–114v, <http://www.livesandletters.ac.uk/herle/letters/278.html>. This letter is annotated by Burghley, http://www.livesandletters.ac.uk/herle/images/278_lg.html.

interpret, and he periodically employed a scribe due to illness.²⁷ The majority of the extant documents which relate to Herle are letters: other forms include reports, examinations of prisoners (commonly called 'interrogatories'), and 'advertisements'. I will return to the difficult classification of these 'genres' within the scope of letter-writing later on in this essay, but I want to pause for a moment to consider Herle's customary method of transmission of his letters, in order to better illuminate the unusual features of these four documents.

Herle would generally dispatch his letters by the typical means available to letter-writers in the sixteenth-century: using the ordinary post when on official business, especially when he was on legation to the continent, or utilising the services of his 'man' as a bearer (possibly again Laurence Johnson, his brother-in-law) to deliver the letter-packet by hand to the recipient, who would often remain at the destination to wait for an answer.²⁸ Herle might also employ the services of acquaintances and trusted individuals as bearers. The letter would be folded and sealed, and Herle would write his superscription on the address leaf. If he had additional material to send with the letter, he might fold and incorporate it within the packet. This additional material might include the types of document mentioned above: advertisements, reports, or copies of letters to others. I find this materiality and physicality of letters fascinating: particularly the relationships between the letter and other material in the letter-packet, and the continued links between the documents after the letter-packet had been opened and its contents dispersed. In the next section, I will consider how the extant material features of the Discourse might illustrate how this kind of document was used at the time of production, and the 'afterlife' of the text as manifested by the marks made by centuries of careful preservation and archival deposit.

MARGINALIA, ANNOTATION AND COMMENT

Earlier in this essay I suggested that the four extant copies of the Discourse held interest because of the different states of marginalia, annotation and comment present in each. It may be helpful to reflect on these definitions momentarily, in order to try and assess how each of these documents was used or meant to be used.

Essentially, any word or symbol written in the margin can be labelled as marginalia, yet there are subtle variations in how this textual technique, especially in terms of its use in the epistolary medium, may be deployed. (This is also significant when tracing the graduation from symbols

²⁷ Herle often used his brother-in-law Laurence Johnson for this purpose, personally reviewing and annotating the letters before dispatch to the recipient.

²⁸ For an excellent introduction to the early modern postal 'system' (and the Royal and public networks which predate the introduction of a general postal system in the seventeenth century), see Alan Stewart, Shakespeare's Letters (Oxford: Oxford University Press, 2008), 8-12.

such as manicules to more complex forms of notation, such as summary or longer notes in paragraph form). The notes written in the margin might be an afterthought; added at the time of writing or review. The notes operate with a dual function: on the one hand they are a derivative of the body-text (they will have been written after each paragraph, if not the whole run of text), but also operate independently of the individual paragraphs of the Discourse, drawing the reader's eye down the left hand margin. In this way, they perform the primary function of a synopsis; a finding-aid or aide-memoire to the busy reader. Following William Sherman's studies in marginalia, with reference to the 'hand-with-pointing-fist' symbol occurring in early printed books, but applicable to marginalia as a rule, 'the primary functions served by the manicule are designed, on the one hand, to clarify the organization of the text and, on the other, to help individual readers to find their way around that structure and put their hands on passages of particular interest'.²⁹

In addition, it is important to try and identify whether the marginal activity has been made at the time of writing or at some point afterwards (it is worth noting here that I accept that it is notoriously difficult to establish the conditions, chronology and evidence of 'later additions') and if the marginalia is authorial, or made by a later reader. Where evident, these marks can usefully indicate and signify the action of information retrieval, an absolutely critical process when digesting intelligence reports, of which, by comparison with the other letters in Herle's corpus, the Discourse is a self-consciously grand and lengthy type. This activity, as explored in an important study by Lisa Jardine and Anthony Grafton, might be delegated to staff within the circle or secretariat of a prominent minister, whose role was to collect, summarize and interpret.³⁰ Their physical engagement with the text – the marginal annotations - remain on the page, and mediate between the initial production of the text and the subsequent actions which followed the knowledge-gathering activity by the annotator. Any scholar who has spent time with early modern documents in the archives will recognize the kind of material this activity spawned: sheaves of 'state' papers listed or labelled as 'memoranda', 'interrogatories', 'notes', and 'remembrances'. As Kevin Sharpe notes, 'even when the marginal hand remains anonymous,

²⁹ Sherman, Used Books, 41. For the use and application of marginal notation and marking-up in early illuminated manuscripts, see J. Dagenais, The Ethics of Reading in Manuscript Culture: Glossing the "Libro de Breun Amor" (Princeton: Princeton University Press, 1994), 169.

³⁰ L. Jardine and A. Grafton, "'Studied for Action": How Gabriel Harvey Read his Livy' in Past and Present 129 (1990), 30-78, 34. For more on the act of inscribing marginalia towards specific functions (in printed material), see E. R. Kintgen, Reading in Tudor England (Pittsburgh: Pittsburgh University Press, 1996), 63-8; and WH Sherman, 'What did Renaissance Readers Write in Their Books?' in Jennifer Andersen and Elizabeth Sauer (eds), Books and Readers in Early Modern England (Philadelphia: University of Pennsylvania Press, 2002), 119 – 137.

annotations offer invaluable evidence of how a text performed at moments of publication and circulation'.³¹

Is it possible to situate the moment of knowledge-transfer in the margins of these documents? Is it possible to read these marks and phrases as the moment of exchange, where the recipient engages and responds with the text, or is offered a space and a model for that interactive engagement by the writer or scribe? Different hands and inks can give clues to this secondary reading and marking-up, although it is prudent to be wary in ascribing marks to post-dispatch 'readings'.³² Given that in the case of these four documents only the Galba version is holograph, (including the marginalia in this copy), it is difficult to confidently ascribe a later reading or marking-up in the other copies. Each of these four documents are addressed to Burghley yet none of the annotations are in his hand, raising questions of marginal engagement by the reader (the addressee/recipient) or the clerical figures associated with the documents' duplication. Moreover, the provenance and direction of each of the four copies suggests that the marginalia may have been inscribed for different reasons, recording different types of encounters with the text.

In the copy in the Galba collection in Herle's autograph it is clear that the single marginal addition is a note which is meant to be inserted into the text. Although the margin where this occurs has been singed, rendering it impossible to see whether Herle placed his usual caret mark (^) in the text to signify an additional sentence to be added, a double dagger punctuation mark at the end of the text seems to signify such intent.

In the Titus copy, the four marginal additions relate to the two paragraphs which they border, and seem to be more of a summarising nature:

Her majestie might deale easely & safely
The Protesants having the rule of the sea
The Spanish King having neyther havens shippes mariners etc.
Almans can do him no good.

Quite why the scribe chose these specific lines to condense into the margin is unclear. As noted above, this copy looks to have been among papers belonging to Burghley, but is likely to have

³¹ Kevin Sharpe, Reading Revolutions: The Politics of Reading in Early Modern England (New Haven: Yale University Press, 2000), 274.

³² It is worth noting here that one of the Oxford English Dictionary definitions of 'ascribe' is 'To write into; to add to a writing, register, list', definition I, OED Online, Second Edition, 1989, Oxford University Press, 6 Nov. 2006. Note also that the OED glosses 'annotate' as 'To add notes to, to furnish with notes'; 'marginalia' as 'Notes, commentary, and similar material written or printed in the margin of a book or manuscript. Also: notes, comments etc. which are incidental or additional to the main topic'. It is clear that the boundaries between these definitions of 'marginalia', and 'annotation' are indistinct and porous.

been annotated after the documents' absorption into the Cottonian library. Colin Tite contends that Cotton's collation of original and transcribed state papers was 'an attempt to present a full chronology or account, supplying the gaps where originals were unavailable with copies intentionally acquired – and even bought – for the purpose.'³³ If this is the case, then the provenance and trajectory of these documents becomes clearer. If, in his trawl through the State Paper Office, or through purchase, Cotton acquired the autograph original now in the Galba pressmark, it is probable that he made at least one copy for his own collection, which resulted in the Titus copy, filed in a small section with other papers relating to cognate matters of state. However, as the marginalia in the Titus copy mirror that of the National Archives copy, Cotton must also have had access to this formal, presentation copy, which was then returned to the State Paper Office.

In the copy in the Harleian collection, the marking of Arabic page-numbers in the upper margins is in darker ink from that of the body-text. Page numbers are uncommon in intelligence reports, even those which run to multiple pages. This suggests that in inscribing the page numbers, the scribe or reader envisaged an archival process: that of storage (normal for letters of consequence), and anticipation of future retrieval from that storage in order to refer to select parts of the report.³⁴ That this copy displays page numbers in a different ink to that of both the text of the Discourse and the other manuscripts within the collated volume suggests that at the point of duplication the scribe envisaged that the document would be loose (unbound), and possibly actively used; with requirements for referencing (hence page numbers), envisaging that the discrete document might be studied, discussed or read individually. The provenance for this copy is obscure. The multiple endorsements by Daniel Rogers on many of the documents in this volume relating to negotiations in the Low Countries suggests that these original and scribal letters and papers were compiled by Rogers for study and reference for his own diplomatic activities. It is impossible, however, to confirm whether the Harleian copy of the Discourse was made within his own private administration, or whether he sourced a scribal copy from elsewhere.

In the National Archives copy, the marginal additions comprise of one-word summaries, pithy sentences, and longer phrases summarising the nearest paragraph of text. The marginalia are written in a neat italic, contrasting with the body of the Discourse which is a compact, well-

³³ C.G.C. Tite The Manuscript Library of Sir Robert Cotton (London: British Library, 1993), 52.

³⁴ The pagination of intelligence reports is rare. However, signatures often appear at the base of recto pages within manuscript volumes, suggesting that these papers have been collated in a certain way within the archives (specifically, within both the administrative bureaux of the recipients and later library/archive collections). The Galba copy of the Discourse bears the signature 'Z' on fol. 381r.

presented secretary, but probably written by the same hand.³⁵ The notes act as a navigational tool, enabling the reader to move through the fourteen-page document with crucial precision and speed. This is annotation towards a *specific means*: not merely a gloss or summary, but a technique which mediates the text to enable fast, effective information retrieval. Conyers Read confidently states that 'the memoir was designed for the Queen, the Lord Treasurer and the Earl of Leicester'.³⁶ It is perhaps this copy that was meant to be directed to the Queen's eyes and ears; if not to be read in her presence, then at least broadcast within earshot, with excerpts of the relevant parts easily accessible through copious marginal accompaniment.

Herle's mandate from Orange was specific. In the last paragraph of the Discourse, Herle states

Which was th'effect of that, which he comitted to me by mowthe with grett secresyne & charge. to be opened to your Lord & mi Lord of Lecester, & so consequently to the Queens majestie like as his lettres to yow bothe ~~dothe imparte~~ do importe, wherein he referres the relatyon & trust of things to mi speche, & will performe noles (he avowes) then I have sayd in his name & theirs; which for the weightynes therof, I have put in wryteng, craving pardon yf I have made it the more tedyows.³⁷

This passage clearly presents Herle as a closed, secure repository of information to be 'unlocked' only by Burghley and Leicester prior to communicating the information to the queen. Significantly, the relation of 'Certain discowrses which the Prince of Orenge had with me att sondry times', is presented in written format, altering Orange's instruction to deliver the report verbally, 'to mi speche'. This may be due to the apparent unpopularity in which Herle found himself after his return. Indeed, the letter in which Herle apologises for his unlicensed journey contains a passage presenting the different options available for delivering the information:

And now being returned, I am sufficiently instructed of many matters, which may like your Lord to understand of, butt lest I might give som occasyon of offense, I dare not presume to com unto yow, before I first understand your honorable plesure & wither I shall com openly or secrettly, or rather not come at all, butt to wryte the discourse of thinges at large unto your Lord.³⁸

The extant four copies of the Discourse point to Herle resorting to the last option.³⁹

³⁵ The italic hand displayed in the marginal notes is consistent with that within the body of text where words (especially proper nouns) have been emphasized in italic.

³⁶ Read Lord Burghley, 157.

³⁷ BL, Cotton MS Galba C IV, fol. 387v.

³⁸ BL, Lansdowne MS 18, fols 14r–15v.

³⁹ The existence of the Discourse does not preclude Herle from having also pursued the first two methods of imparting the information.

What is interesting here is the transition from speech to text. What should have been a fairly simple exercise, of a low-profile legation from London to the Continent, exclusive access to the Prince of Orange and the confiding of a 'nearer and more secret declaracion' of the state of the Low Countries, which would then be revealed by Herle upon his return (probably in the role of bearer of a letter from Orange to Burghley) in a similarly exclusive, highly secretive manner, has been transmuted into a series of textual exchanges and iterations. The archival evidence points to a fundamental alteration of Herle's original instruction from the Prince of Orange: the conversation is inscribed in a lengthy document and copied several times, reducing its exclusive nature, although simultaneously increasing the possibility of an enhanced readership of powerful political figures. It would be characteristic of Herle to imagine that his journey across the English Channel and conference with the Prince of Orange would result in a confidential and secretive audience to report first-hand the contents of the written document to at least Burghley, and maybe Leicester, if not Elizabeth herself. There is no record of such a reception, although the fact that Herle produced the written version of the Discourse does not mean that an audience was not granted.

Moreover, whether or not the holograph Galba document was the version meant to be imparted to the Queen, Leicester and Burghley, the fact that this highly secret and sensitive intelligence entrusted verbally to Herle was inscribed in at least two contemporary copies means that the information had double the chance of being accessed by an unauthorised reader. From the holograph nature of the Galba version and the presentation nature of the National Archives copy, I suggest that Herle prepared the Galba document for Burghley, who then had the fair copy (now in The National Archives) made for Elizabeth and/or Leicester. The Cotton Titus and the Harleian seem to be witnesses to these two 'main' copies, considering the context and provenance for the Titus and the dearth of marginal notation in the Harleian. It is likely that these copies were made for reference purposes, as exemplars or histories of state matters.

Orange had explicitly situated Herle as the repository for his candid discourse, 'wherin he refferres the relatyon & trust of things to mi speche', which, for reasons now muddied by time and archival peregrination, was transformed into a written report to which Burghley and Leicester could 'refferre'. Orange's privileging of the verbal exchange over the written report simultaneously emphasizes both his discretion in dealing with the sensitive negotiations and his sovereign status. It is implausible that he would assume that Burghley would not make his customary copious notes and reports concerning Herle's visit. Upon their return home, diplomatic envoys (official or otherwise) could normally expect a debriefing session with their primary contact in government. A report of or notes based on the proceedings of their journey

would then be prepared and filed in the government secretariat. It is therefore likely that Herle's initial meeting with Burghley was complemented by the subsequent production of the Discourse. Herle's status as a physical repository of information from Orange, available for reference, had been translated into the written, epistolary medium, (to which access for reference was far easier).

BUT WHAT IS THE DOCUMENT?

During this essay, I have deliberately referred to the Discourse as a 'document' rather than a 'letter'. These four documents explicitly announce themselves as a report of the 'discourses which the Prince of Orange had with me at sondry times...' and entitled on the National Archives and BL Harleian copies as 'M^r Herles Discourse', yet contain an elaborate salutation and subscription to Burghley at the beginning and end of the report, signifying that this document is purporting to adhere to an epistolary structure. It is here that I want to return to my earlier examination and classification of ancillary written material sent within letter-packets.

Extra-epistolary material sent within a packet could be accompanied by a 'cover letter', often, but not limited to, a one-page note presenting the enclosed material, vouching for its contents or the bearer, and often confirming or providing the provenance for the material. Advertisements, lists, interrogatories, accounts-sheets: all these forms of data do not generally contain epistolary structures. The Discourse is unusual in that it presents itself as something other than a letter, yet contains signifiers which conform to the meticulous formulae of sixteenth-century letters.

Indeed, rather than follow his most customary style of salutation, ('Right honorable Lord'), Herle's opening greeting comprises a two hundred and forty word paragraph, addressing Burghley only at the end of the section,

Which arguments I [have observed] so nere as I coud, & do most humbly present them to your Lord bothe for that [my] dutye so comands me (the suggestyon & matter being so weightye) as for that it [towcheth] her majestie so nere, th'effect wherof followith.⁴⁰

The subscription or valediction follows Herle's regular practice,

Which I thought my humble dutie to certifie your Lord of And so humbly I take my leave.
At London the xjth of June 1573 / Your Lords most Bownde[n] W. Herlleli.

Yet the dichotomy remains of the dual function of this letter as on the one hand a confidential private and personal missive between Herle and Burghley, and on the other, a politically-

⁴⁰ Out of nearly three hundred letters in the corpus of Herle letters, around fifty letters begin with the address '(My) R. Honorable Lord'.

charged and time-sensitive administrative document remotely licensed by William of Orange to be broadcast to the English triad of Elizabeth, Burghley and Leicester. The moment that the letter is copied and revealed to an external reader, the epistolary strategies which announce the document as a private missive between two individuals are rendered fictional and artificial. However, our modern conception of privacy fails to recognise the nuances of epistolary exclusivity within sixteenth-century letter-writing. As Gary Schneider states when examining notions of 'public' and 'private' spaces in which letters move about, 'privacy thus becomes defined ... by restricted circulation within a specific epistolary community and a particular set of readers. When so-called private letters had official applications, however ... they might become public'.⁴¹ This suggests that the letter-writer operates under the knowledge that, should he be fortunate enough to be able to include matters of political importance within his familiar, affective letter, (based upon the idea that *all* administrative letters of this time are conscious of textual affect), then the letter has a better chance of being circulated and made public, even if only within a designated epistolary community. As Schneider notes, 'a great part of news transmission had social connection and personal communication as its goal ... letters of news included a significant *affective* component ... Epistles framed as letters of news, therefore, were meant not only to provide intelligence, but also to assure a correspondent of ongoing social connection'.⁴² The correspondent's carefully crafted missive, containing delicate epistolary strategies designed to construct and maintain the social relationship, is continuously liable to be broken by multiple-party access. This duality, of expecting (indeed, hoping) the letter would be broadcast, while maintaining the fiction of the dyadic readership, firmly underpins early modern epistolarity.

CONCLUSION

The fact that all four copies of the Discourse are addressed to Burghley (both in salutation and valediction) makes it difficult to confidently identify which copy or copies were made, following Read's suggestion, for Leicester and/or Elizabeth. It is likely that the copy in the National Archives, the most lavish in terms of its penmanship and containing the most annotation, was the copy meant for Elizabeth, or at least intended to be read or referred to (silently or aloud) in her presence. It may be that the two other versions were scribal, perhaps commissioned by contemporary fellow diplomat/envoy Daniel Rogers, or Sir Robert Cotton for his amorphous collection of materials of state.

⁴¹ G. Schneider, The Culture of Epistolarity: Vernacular Letters and Letter Writing in Early Modern England, 1500-1700 (Newark: University of Delaware Press, 2005), 69.

⁴² Schneider, Culture of Epistolarity, 144, 158.

Conyers Read maintains that the Discourse was probably masterminded by Burghley, concluding 'It was without much doubt written at Burghley's suggestion and under his oversight. How much of it Burghley himself inspired is past finding out'.⁴³ Whether or not Burghley engineered both the visit to Orange and the written account of the Prince's propositions to Elizabeth, the only record of the visit exists in the four copies of Herle's Discourse and the preceding letter of apology. I have found no other archival evidence for either Herle's journey or the Discourse that he wrote upon his return.⁴⁴ What do these documents, specifically their margins, reveal about early modern epistolary strategies and the intersection between intelligence and affective letters?

The marking up of these letters, at the time of or after composition, can illustrate how the letter-writer or scribe *anticipated* how these letters and reports could be used and returned to after dispatch. They reveal how the recipient could negotiate his way through a reading of a document of this type by leaving a textual trail of notes at significant points: much like leaving a trail from a ball of thread to which the reader, whether the original recipient or not, could return. The marginal activity both expects and invites a certain kind of reading; that which Lisa Jardine and Anthony Grafton would call 'purposeful'.⁴⁵ The Discourse masquerades as a letter, yet the margins of these copies confirm an alternative usage; that of an administrative tool, a political device which could be appropriated by any number of authorised readers.

What do these documents tell us about the reception and storage of sensitive intelligence documents? First, that despite a clear call to secrecy and verbal dissemination, letters of political import could be reconfigured for pragmatic reasons as practical government tools for decision-making ministers. Next, that these documents peregrinate in the archives according to the ways in which they have been deployed by the policy-makers and their agents, possibly repurposed for different areas of diplomacy and negotiation. Furthermore, it is conceivable that agents like Herle collaborated with their patrons to produce these documents, which then take on a life and a trajectory of their own, especially when subsequently archived and bound with items of a similar political nature, and copied by the same scribe. The inky marks in the slender margins of documents like Herle's Discourse point to a busy group of copyists, annotators and secretaries energetically digesting sensitive epistolary material and producing documents of

⁴³ Read, Lord Burghley, 157. I am fairly sure that Read did not know of Herle's letter of the 7 June 1573 which preceded the Discourse.

⁴⁴ As C.G.C. Tite notes of the documents preserved in the Cotton collection, 'It is possible, through these volumes, to trace the transactions and preoccupations, major and minor, of English governments of the time; and in some cases, these papers are the only surviving records of these activities and concerns'. The Manuscript Library of Sir Robert Cotton, 51.

⁴⁵ Jardine and Grafton, 'How Gabriel Harvey Read his Livy', 32.

state. It is through these electric encounters with material features of early modern letters - whose purpose and context is often obscured or even lost through arcane journeys through the archives - that scholars can re-engage with and recover the vibrancy and dynamic locale of the production and deployment of these texts. As F M Powicke reveals in Ways of Medieval Life and Thought,

Sometimes as I work at a series of patent and close rolls, I have a queer sensation; the dead entries begin to be alive. It is rather like the experience of sitting down in one's chair and finding that one has sat on the cat.⁴⁶

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⁴⁶ F.M. Powicke, Ways of Medieval Life and Thought (London: Odhams Press, 1950), 67.