Foul Play: Rape, Murder, and the Medieval Theater of Everyday Life

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Abstract: Drawing on medieval forensic rhetoric on one hand and performance studies on the other, I argue that a complex murder mystery of 1474 rivals any modern-day tale of "true crime" that we might imagine. Here, the investigation and punishment of murder are aided and abetted – but also foiled and avenged – by the principles and practices of spectatorship in the ultimate foul play. In addition to shedding new light on the spectacular nature of police deception during interrogations, this case demonstrates that the theatrical underpinnings of any legal verdict suggest not the "truth-speaking" of a literal verdict but the "true-seeming" of dramatic verisimilitude. Most troubling of all: as the legally believable joins the theatrically persuasive, crime is interpreted through literary conventions of dramatic emplotment, only to culminate in a finding of guilt and spectacular death penalty which are based on a dispositive absence of evidence.

Résumé: Faisant appel à la rhétorique judiciaire et à la théorie de la performance ("performance studies"), il est possible d’avancer la proposition qu’il y existait un véritable « drame policier » au Moyen Âge. Un cas de meurtre de l’année 1474 révèle que l’enquête et la punition du crime sont incitées mais aussi vengées par les principes et les pratiques du spectacle. Tout en éclairent le caractère dramatique des interrogatoires policiers, le cas de 1474 démontre que, grâce à la théâtralité, le verdict juridique relève moins du « vrai-dire » que de la vraisemblance théâtrale. Dans l’imaginaire judiciaire, c’est la littérarité de l’intrigue qui explique les pièces à conviction du crime, la culpabilité se basant ici sur l’absence des preuves et menant, au dénouement troublant de cette histoire, au spectacle quintessentiel de la peine de mort.

The year is 1474, the place, the great theatrical city of Metz, and the legal case, a “strange and evil thing that left many people much astonished”. As Philippe de Vigneulles tells the tale, the dramatis personae are as follows: the wealthy merchant and neglectful husband, Didier Baillat; his allegedly conspiratorial wife, Isabel; and the villain par excellence of the story, Didier’s unnamed legal secretary (le clerc) who, in coveting his employer’s wife, trades stylus for sword when he murders his employer.¹ Theirs is a story of lust, rape-by-impersonation, blackmail, blackmail.

¹ La Chronique de Philippe de Vigneulles, hereafter CPV, ed. C. Bruneau, 4 vols., Metz, Société d’histoire et d’archéologie de la Lorraine, 1927-1933, vol. III, p. 33-35; in the Appendix, I reproduce the entire Middle French text as is, all its orthographic peculiarities included. All translations from the French are my own and I have largely favored spirit over strict literalism. For clarity in my own narrative and citations, I have added punctuation, diacritical marks, modernized several spelling conventions (for example, v for u; j for i), resolved the occasional abbreviation, and normalized the many variants on the protagonists’
conspiracy, murder, the staging of a false scene of the crime, legal discovery, police interrogations, confessions misleadingly obtained, and a community’s retribution that is crowned by dual spectacles of the scaffold. With dramatic story arcs of deception and disguise that rival those of a Boccaccio, an ersatz Martin Guerre, or a medieval playwright, this document from the annals of history emerges, as does so much of the history of the medieval French theater itself, from the shadows of crime and punishment. For historians, it offers a window on medieval police procedures for interrogation; for literary critics and theorists, it is the quintessential histoire about the past and, as such, consonant with what Peter Brooks and Paul Gewirtz would later call “law’s stories.” As relevant to theater history as to legal history, the case of Didier Baillat demonstrates that the interpretation of theatrical and antitheatrical behavior informs the numerous truth claims that we process every day, be it correctly or incorrectly.

In this essay, drawing on both forensic rhetoric and performance theory, I argue that the investigation and punishment of murder are aided and abetted – but also foiled and avenged – by the principles and practices of spectatorship in the ultimate foul play. Indeed, forensic rhetoric is very much where the history of names. I use interchangeably the terms “legal secretary” and “clerk.” Another version of the story, taken largely from Philippe’s account, appears in editor J. F. Huguenin’s compilation of several chronicles, Les Chroniques de la ville de Metz, recueillies, mises en ordre et publiées pour la première fois. Le Doyen de St. Thiébault. – Jean Aubrion. – Philippe de Vigneulles. – Praillon. – Annales Messines, etc., 900-1552, hereafter CVM, Metz, S. Lamort, 1838, p. 413-414. For an infamous “death by stylus”, see R. Copeland, “Introduction: Dissenting Critical Practices”, Criticism and Dissent, ed. R. Copeland, Cambridge, Cambridge University Press, 1996, p. 1-23.


As legal theorists from the *Rhetorica ad Herennium* to today’s proponents of the legal-storytelling movement have pointed out consistently, legal investigation, interrogation, and trial are all about creating a plausible story, a legal *histoire*. The forensic rhetorical tradition has ever codified the fundamental premise that, by dint of its reliance on probabilities and verisimilitude, the law tells and retells stories, the better to find (invenire) and, oftentimes, to *create* the legal truth that will be authorized as a literal *verdict* or *truth-speaking* (*voir dit*). As far as the case of 1474 is concerned, no reader of Michel Foucault’s *Discipline and Punish* would be surprised to see that a spectacular public execution closes a murder case by inscribing the supposed truth of the perpetrators’ criminality upon their bodies. What might well surprise, though, is that, in this medieval murder mystery, it is not spectacle that leads to the truth of the crime but, rather, something even more dispositive: the *absence of spectacle*. As we shall see, this particular legal *verdict* has less to do with things said and more to do with the true-seeming of things *unsaid* or *never spoken at all* (*non dit*). A complicated tale of true crime that rivals any modern-day “police drama” we might imagine, this case documents the importance of silences, absences, pretense, and spectacle in the law. It memorializes the legal, rhetorical, and theatrical power to authenticate so-called legal truths by analyzing things that *are not* there. While absent presences have served as the cornerstone of many modern feminist approaches to the legal story-telling movement, if anything, the story of Didier Baillat will reveal that absences can be imitated, interpreted, and punished.

What, then, is the relationship between enacted storytelling and legal truth? To answer that question is to interrogate the role of theater, theatricality, feigning, role-playing, and performance in everyday life. If the law is always about the interpretation of signs, its stories can be equally dependent upon the interpretation of an *absence of signs* or of *signs of things absent*. In fact, absences dominate the entire case of 1474, all related historiographically to another especially telling historiographical absence: that of the perspective of Isabel. Perhaps most surprising: for all the interpretational difficulties, for all our justified, contemporary mistrust— even contempt— of a confession-centered medieval legal process of inquisition that included torture, for all the untruths authorized as ostensible medieval *verdicts*, the truth about Didier’s murder does indeed appear to have emerged from such an absence of signs, at least with the correct identification of the legal secretary as the perpetrator. Specifically, if *murder will out*, then that was the case in Metz because those seeking the truth of the matter failed to encounter the one crucial sign that was *not* there when they deemed that it *should have* been. From Isabel and the clerk,

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1 This is the primary argument of my *Medieval Theater of Cruelty: Rhetoric, Memory, Violence*, Ithaca, Cornell University Press, 1999.
nobody saw the proper, public display of mourning because, they surmised, the proper inner sentiments of sorrow to be represented must themselves have been absent.

The complexity of the events is such that a brief summary is essential to the exposition of the present argument, which will reprise Philippe’s narrative. Notwithstanding Alan Dershowitz’s convincing assertion that “Life is Not a Dramatic Narrative”, the murder of Didier Baillat was nothing if not dramatic as it played out in in six acts:

**Prologue: Setting the Scene.** Philippe introduces the cast of characters and their social and marital situations. Didier is an important landowner; his wife, Isabel, is a beautiful woman of good repute and breeding (who has failed nonetheless to capture the heart of her husband); and the unnamed legal secretary is a dashing and intelligent young man. Spurred on by another master protagonist – the Devil himself, who is mentioned no fewer than three times in the narrative – the legal secretary is inflamed with lust for Isabel and becomes a voyeuristic audience of his employer’s interactions with Isabel (or lack thereof).

**Act I: Rape by Impersonation.** On one fateful night, after an extended period of veritable surveillance, the clerk pretends to be Didier and tricks Isabel into sex, resulting in what might initially have been accidental on her part but which eventually becomes a no less criminal, ongoing adultery.

**Act II: Criminal Conspiracy and Homicide.** The clerk and Isabel conspire to commit the murder of Didier. Allegedly with Isabel’s consent – and with almost Boccaccian overtones – he murders Didier by hitting him with a large kitchen implement while Didier is on his way to the latrine.

**Act III: Staging a False Scene of the Crime.** Late on a Saturday night, the conspirators move the body and deposit it outside a tavern where rabble-rousers are known to gather after drinking. The clerk and Isabel hope that this false evidence will deflect suspicion away from them; and, at first, their plan works. Several men who are innocent of Didier’s murder are questioned.

**Act IV: Absent Spectacles of Mourning.** The criminal couple is undone by something that they fail to represent and do. Suspicion falls upon them because of their apparent absence of grief in the wake of the death of an employer and husband.

**Act V: Arrests and Interrogations.** The arrest of the coconspirators ensues, followed by a criminal investigation and interrogation by the police, who use trickery and deception to extract Isabel’s confession when that same technique fails with the clerk. Her confession then elicits his.

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Act VI: Two Spectacular Death Penalties. In the name of Justice, both the clerk and Isabel are executed in a true spectacle of the scaffold. The clerk’s hands are cut off prior to his decapitation; and Isabel is burned at the stake.

At stake here, then: a lascivious clerk observes an absence of marital affection – Didier does not care for his wife – which prompts him to impersonate his employer in order to commit the rape of Isabel. His skilled, disingenuous, manipulative, and criminal representation of the signs of indifference cuts straight to the heart of what law and theater share: imitations must be verisimilar; they must seem probable. In 1474, what seemed unverisimilar and improbable to the community of Messins was the absence of something: the canonical display of the conspirators’ grief, the presence of which should have required no pretense at all. In place of what ought to have been an excellent, possibly feigned spectacle of mourning, the community witnessed an unintentional spectacle of indifference: an absent spectacle of absent feeling. Murder will out, it appears, because even the finest play-acting can last for only so long. In 1474, murder did out at a key moment when theatricality and pretense were themselves absent. They were absent at the ordinarily theatrical moment of mourning which, in this instance, was distinctly antitheatrical: the criminals stopped performing, stopped play-acting. As the legally believable joined the theatrically verisimilar to fuel a community’s quest for justice, the absence of evidence was related to the absence of spectacle, all to be punished in the end by a spectacle of a very different order of magnitude: dismemberment and burning at the stake. The moral of the story? Appearances can be deceiving. And yet, in most criminal cases – absent or pending a criminal’s confession – appearances alone are available for interpretation. Appearances constitute the foul matter of the foul play.

When referring to the community values that shaped the earliest laws, the ancient Greeks invoked doxa, or the “common opinion” that ostensibly embodied their shared ethical foundations or “orthodoxy”. The Romans used a different term for that “common opinion”: the rumor populi or the people’s “popular judgment” and “common talk”. So it was that, in the Rhetorica ad Herennium (one of the most widely disseminated rhetorical manuals of the learned European Middle Ages), the Pseudo-Cicero depicted the metamorphosis of suspicion into legal truth. In a closing statement for a murder trial, for instance, a lawyer was to submit that the evidentiary signs of the crime (indicia) added up with all the episodic coherence of a dramatic plot:

While the term “marital rape” might seem anachronistic for fifteenth-century France, it is unclear to me that quibbling over semantics changes a woman’s actual experience of sexual domination by force. K. Gravdal was among the first to call our attention to the phenomenon in Ravishing Maidens: Writing Rape in Medieval French Literature and Law, Philadelphia, University of Pennsylvania Press, 1991; superb historical work on this topic includes B. Hanawalt, “Whose Story Was This? Rape Narratives in Medieval English Courts”, Of Good and Ill Repute: Gender and Social Control in Medieval England, New York, Oxford University Press, 1998, p. 124-141; and S. M. Butler, The Language of Abuse: Marital Violence in Later Medieval England, Leiden and Boston, Brill, 2007.
If, before the victim was murdered, the defendant was seen, alone, in the place in which the murder was committed; if soon afterward, during the very commission of the crime, the voice of the victim was heard; if it is established that then, after the murder, the defendant returned home, at dead of night; that on the next day he spoke of the man’s murder haltingly and inconsistently – if all these indications are proved, partly by witnesses, and partly by the confessions upon torture which have been adduced in confirmation, and by public opinion, which, born of evidence, must necessarily be true [et rumore populi, quem ex argumentis natum necesse est esse verum]; then, gentlemen, it is your duty to gather all these indications into one, and arrive at definite knowledge, not suspicion, of the crime [scientiam, non suspicionem maleficii].

The disturbing conclusion? A reasonable amount of circumstantial evidence – that is, visible signs ever subject to interpretation based on their probability and verisimilitude – had the rhetorical power, in the eyes of the law, to convert the rumor populi into fact or “definite knowledge” (scientia).

This is no postmodern phenomenological exercise à la Baudrillard, as in his famous scenario about pretending to shoplift: “the same gestures and the same signs exist as for a real theft; in fact the signs incline neither to one side nor the other”. In 1474, the signs of murder eventually did “incline toward one side or the other”. It is the very mission of the law is to guarantee such inclination toward one side only as it transforms circumstantial evidence, even rumor, into enduringly performative legal truth. Thus, in Metz, the law transformed suspicion into definite knowledge by “gathering into one” all the indicia discernible post hoc from the comportment of Isabel and the clerk, but with an emphasis on indicia absent. The question is: how do members of the legal profession along with everyday citizens become interpreters and judges of the signs of a crime?

I have often argued that, in a medieval culture that, for Jacques Le Goff, “played itself out” in one glorious spectacle, everyday citizens learned those habits not only from the probabilities of rhetoric but from the verisimilitude of the most accessible literary medium of the day, theater. Aristotle himself had once recommended that the authors of fiction were to prefer plausible stories that were false-but-probable to truths that strained credibility: “a convincing impossibility is preferable to that which is unconvincing though possible”. A convincing probability trumped a seemingly improbable but no less factual truth, all the more so when that truth seemed improbable and unverisimilar. Despite Dershowitz’s legally

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astute contention that “life does not imitate art” and that “events are often simply meaningless, irrelevant to what comes next; events can be out of sequence, random, purely accidental, without purpose”, the probabilistic rhetoric of law imposes conventions of verisimilitude upon real life. In the forensic rhetorical tradition, in the interpretation of acts committed and omitted, it is theatrical verisimilitude – not real life – that makes narratives cohere. Indeed, a fascinating later example of precisely what the Pseudo-Cicero describes above survives in the fifteenth-century *Mistere de la Sainte Hostie,* which concludes when a magistrate steps forward to cite an identical transformation of suspicion (commun bruict, the French equivalent of the rumor populi) into legal “truth”. He proudly announces that the execution of an evil woman who has sold the sacred host to a Jew has validated the truth of all the gossip and rumors: “The Law has been informed. / You have been accused of a heinous crime… / What is true is what is rumored [La voir est, et le commun bruict]: / That you yourself are the perpetrator.” If, as the Pseudo-Cicero maintained, it was the business of the law to interpret signs, it was the business of literature to provide the skills to do just that. Nor has it ever been necessary to be a schooled rhetorician to qualify for that task.

In the *De doctrina christiana,* Saint Augustine had once outlined the process by which cultures give their “common consent” to the reading of signs. He did so by drawing a clear analogy to pantomime, which had once required an expositor to explain the meaning of its signs. In the strictest sense, non-members of a given community do not speak the same language of signs:

If those signs which the actors make in their dances had a natural meaning and not a meaning dependent on the institution and consent of men, the public crier in early times would not have had to explain to the Carthaginian populace what the dancer wished to convey during the pantomime… [E]ven now if anyone unacquainted with such trifles goes to the theater and no one else explains to him what these motions signify, he watches the performance in vain. It is true that everyone seeks a certain verisimilitude in making signs so that these signs, in so far as is possible, may resemble the things that they signify. But since one thing may resemble another in a great variety of ways, signs are not valid among men except by common consent [Appetunt tamen omnes quandam similitudinem in significando, ut ipsa signa, quantum possunt, rebus, quae significantur, similia sint. Sed quia multis modis

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16 “Life is Not a Dramatic Narrative”, op. cit., p. 100-101.
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simile aliquid alicui potest esse, non constant talia signa inter homines, nisi consensus accedat.]¹⁹

In late medieval Metz, the community spoke the same language and, in a very real way, communities are defined by how they interpret signs. Truth-production is man-made, community-made, and theater-made in a medieval culture in which theatrical verisimilitude was part of daily life.

**Prologue: Setting the Scene.** It should have been a match made in heaven but, instead, it literally went to the Devil. The well-respected businessman, Didier Baillat, owned “an oven and mills and several other inheritances”: “he was a very important man, for he was most intelligent and trustworthy; and he always frequented the nobility.” He had married “one of the [most] beautiful bourgeoises of the city of Metz, a sweet and lovely woman who was honest and, along with that, of good lineage, of good name, and, additionally, considered by all the citizens of Metz to be a noble woman of good repute” (CPV, vol. III, p. 33). Although Philippe does not name her, another chronicler does: she is Isabel, the daughter of the merchant, Jehan de Toul (CVM, p. 413). And yet, despite the promise of the union, it seems that Didier simply did not care for Isabel, such that it was well known throughout town that he was leading a dissolute life with a mistress. In the *Chroniques de la Ville de Metz*, he is characterized as a gambler and a carouser (*ung jueur et ribleur de nuyt*) (p. 413); whereas Philippe reports that the aforesaid Didier, her husband, taking no account of her, was known to be keeping another woman; and, in fact, he could barely leave her side night and day, such that, more often than not, he only returned home after midnight “to go to bed” (CPV, vol. III, p. 33).

Enter a third party, Didier’s legal secretary (*ung clerc du stille du Pallas*), a “dashing young man and very well-mannered” who resided in the couple’s home and who assisted Didier “in all his affairs”. “Be it night or day”, continues Philippe, Didier “had his secretary drive him there, after which, the aforesaid secretary returned to the manor” (CPF, vol. III, p. 33). Enter, now, the Devil in the flesh, who had a hand in the story: “all of it happened in such a way that the Devil got in the middle of it [ce y bouta] and, through temptation, inflamed the secretary with love for his mistress” – and readers of medieval literature immediately recognize the troubling tendency to qualify lust as *amour*. The story takes it first metatheatrical twist when the lascivious clerk becomes a voyeuristic audience of something that is not there. He becomes an impassioned spectator of a husband plopping down into bed (*se bouter*, the same verb used above for what the Devil did); he is an understudy of the absence of marital affection:


20 Although we find the curious spelling of *Pallas*, this has little do with Athena. It is, in all likelihood, the “style of the ‘palace’” as in the halls of justice: this is someone well versed in legalese, lawyerly pleadings, etc.
And he had them in his sights for so long that he saw what gestures and countenance his master displayed when he returned home at night after the mistress was already in bed [Et tant espia qu’il vit quel geste et contenance son dit maistre faisoit quant il retournoit de nuyt à l’ostel et que la maitresse estoit couchée]: that is, that the aforesaid Didier got into bed beside her [ce boutoit auprès d’elle] and, without uttering a word, went to sleep. (CPV, vol. III, p. 33; my emphasis)

Highly capable of penetrating the appearances of any marriage, the clerk next prepares his own rendition of that marital indifference. Absence, it seems, was easy to mimic; and one can only wonder whether there would have been a different denouement had Didier himself playacted marital affection a bit more and offered up a bit less the habitual spectacle of the non-acts representing his lack of love.

**Act I: Rape-by-Impersonation.** Swearing that he has testimony from “those in the daily company of the aforesaid secretary, and who were thus in a position to know”, Philippe de Vigneulles next describes the clerk’s sinister performance of a lifetime. As any method-actor might do today, the clerk prepared his role by internalizing Didier Baillat’s ritual. One night when the master of the house was away on business, he snuck into Isabel’s bed, no longer solely a voyeur but a consummate actor expert in the sine qua non of theater, impersonation:

…One night, when he knew that his master was not going to be returning home, he stole away in secret and went to lie down next to his mistress; and, after a few other things, pretending that he was his aforementioned master, he had consortium with his mistress [et, après plusieurs chose, fainant qu’il fût ledit son maistre, olt la compagnie de sa maîtresse]. As one can easily imagine, she noticed the deception relatively quickly [essés tost], but it was still too late [tropts taïr]. (CPV, vol. III, p. 33; my emphasis)

At this point, Philippe is silent about a number of crucial issues; and, in an unfolding narrative that is ultimately about the role of probability and verisimilitude in the interpretation of the signs that create truth, this particular aspect of the story strains legal credibility – if not theatrical plotting – to its breaking point. As the numerous silences of this case are compounded by the usual historiographical absences to which medievalists are accustomed when putting together the puzzle of sources, one of the first discrepancies is related to the standpoint of Isabel. There are things that should have been stated about her that are not stated, neither here at this decisive moment nor anywhere else. First, what were those “few other things” that


22 On the idea of impersonation as paramount in medieval dramatic theory, see, e.g., O. B. Hardison, Jr., *Christian Rite and Christian Drama in the Middle Ages: Essays in the Origin and Early History of Modern Drama*, Baltimore, Johns Hopkins University Press, 1965, p. 31-33; see also my *Rhetoric and the Origins*, op. cit., p. 56-65.
the clerk did before initiating his feigning alongside Didier’s wife? And second, what exactly does Philippe mean by “relatively quickly but still too late” (CPV, vol. III, p. 34)? Was Isabel in the habit of submitting to marital relations with her eyes closed? How could Philippe or any of his allegedly reliable sources have possibly come to know anything about the dastardly impersonation at all? Did this information come from the mouth of the clerk himself and, if so, whom did he tell? Were there other voyeurs observing the already voyeuristic clerk? Was Philippe fictionalizing for the sake of storytelling, proffering a literary rendition in which Isabel emerges as Didier’s Ygraine to the clerk’s Uther Pendragon? Is this another case of what Natalie Zemon Davis has termed “fiction in the archives”?

Is it a Martin Guerre-like story in which, by touch alone, Isabel knew instantly that the man beside her was not her husband but a handsome young man whom she might have desired (and whose desire is relevant here only to the extent that it concerns her culpability)?

It is impossible to obtain definitive answers to those questions but two elements in particular warrant our attention. First, Philippe’s knowledge of these events might well derive from his close relationship with Didier Ballat himself, for whom he had worked as an apprentice. A second thing is certain: in relating with literary flair a fait divers that has captured his attention, Philippe has also provided a harrowing commentary about medieval women’s experience of marital sex. Multiple times, Isabel is the victim of her own story, not acting so much as acted upon, a victim whose voice and perspective are left in the dark. In Philippe’s hands, as in those of the protagonists manhandling her throughout – a husband, a clerk, the police, an executioner – Isabel debuts as the victim of her husband’s neglect, only to be tricked or forced into sex and coerced into continuing: “and, since the clerk humiliated her [le clerc la humiliait], telling her all about the life led by her lord and master, along with a number of other things (besoingne), little by little, he managed to ensnare and tame her, tricking her into his web of deceit” (CPV, vol. III, p. 33).

Through lust, impersonation, and a real — not imitated — coercion, the clerk has tricked a good woman into possibly accidental but no less criminal adultery, which alleged “relationship” continues for some time, the duration of which is unknown. Philippe announces only that, “afterward, a number of other things having been said and done [et, après plusieurs autre chose faictes et dicte]”, a criminal conspiracy ensued.

His silence on the subject is a literally pregnant pause. When our narrator goes on to complete this ambiguous chronology with the couple’s arrest, he reveals that Isabel had just given birth. To fast-forward momentarily to the denouement: she “had just recently given birth to a child and had been considering marrying the aforesaid clerk” (CPV, vol. III, p. 34). When was the child conceived and who was


24 For this information, see Bruneau’s introduction to CPV, vol. I, p. v-vi. For a helpful introduction to our narrator, see also C. M. Jones, Philippe de Vigneulles and the Art of Prose Translation, Woodbridge, Eng., D. S. Brewer, 2008.
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its father? Once again, enter the Devil. Given that he oftentimes cites the Devil’s role in forced sexual relations that would likely be termed “marital rape” today, and given the larger medieval context of diabolical urban legendry associated with theatrical life, it is entirely consistent with medieval folklore that Isabel conceived a child on the night of the rape. Consider such a celebrated example as the Miracle Play of the Child Given to the Devil, in which a husband imposes himself sexually upon his wife, who curses him out, saying that, since the rape was the Devil’s doing, then, if there were to be a child, it could “go to the devil”. (Un)naturally, a child results from that union as well. With regard to the case of Didier Baillat, his clerk, and his wife, we know nothing of the fate of Isabel’s child, who is mentioned only in the context of Isabel’s arrest and never mentioned again. Its fate might well have had something to do with the brutality of her eventual punishment.

Act II: Criminal Conspiracy and Homicide. Philippe speculates that, while all was going well with the criminal couple, the pair remained unsated nonetheless, with Isabel suddenly an agent in the proceedings: “notwithstanding the life that they were leading and the grand old time they were having, the Devil tempted them with homicide [non comptant de la vie qu’il menoient et de la bonne chier qu’il faisoient, le dyable les tantait d’omicide].” The language of the extant sources is ambiguous as to who initiates the conspiracy but Philippe frames it as a mutual promise. A number of translations are possible, one in which she extracts a promise from him, another that the couple promised one another, and, given Philippe’s agrammatical renditions, yet another in which “the aforesaid bourgeoise promised this aforesaid clerk that she would consent to [be complicit in] the death of the aforesaid Didier, her husband [et olt la dicte bourgeoise promesse avec le dit clerc d’estre consentent de la mort dudit Dedit, son mary]” (CPV, vol. III, p. 34). Regardless of who elicited the promise from whom, regardless of the sketchiness surrounding Isabel’s own motivations, what we do know is that the penalty for murder (Act VI) was to be much more severe for her. Conspiracy (coniuratio) was a serious crime in the Middle Ages, as evidenced by the longstanding wisdom compiled in the medieval legal compilation known as the Digest of Justinian. For example, in the context of robbery, the teachings of Claudius Saturninus addressed both “things counseled” and “guilty knowledge”: “the scale of the crime is the same for those who aid others by advice [ut coniurationes et latronum conscientia quosque alios suadendo iuvisse
In 1474, this medieval version of mens rea would next take an ominous turn.

The deed was done on Saturday, 18 June by the clerk, who killed Didier “with a large rod with which one normally beats sauces [celluy clerc, en alumant son maistre, qui alloit a retrait, le tuait d’ung pétal à quoy on s’aide à broyer saulce]; and, the deed done, he went to tell his mistress all about it” (CPV, vol. III, p. 34). In a narrative that becomes increasingly and bizarrely Boccaccian with a large kitchen implement normally employed in “sauce-making” and the clerk “lighting the way for his master, who was going to the privy”, one is even tempted to inquire whether this could be a euphemistic going to the bathroom with Didier actually on the toilet. Either way – tragi-comic dimensions notwithstanding – the murder precipitates one of the most strikingly tragic presences of the entire tale.

Although Philippe virtually ignores throughout Isabel’s capacity for any agency other than the criminal variety, at the moment of truth he notices, almost in passing, the widow’s true – not false – remorse, only to postulate that it was of no account. In a narrative in which absences become presences, it is as if a true presence might just as well have been absent: “And she, seeing that her husband was dead, was very sad and grief-stricken [fort triste et dollante]. Be that as it may, there was nothing to be done about it; the deed was done” (CPV, vol. III, p. 34; my emphasis). There was, however, something else to be done as Isabel is caught up in the aftermath of the crime: the conspirators needed to hide the body.

**Act III: Staging a False Scene of the Crime.** Perhaps most germane to legal thinking itself, the murderous clerk and Isabel attempt to interfere with the interpretation of signs by staging false clues at a false scene of the true crime. Having initially concealed Didier’s body behind some boards, the couple waited until midnight on that deadly Saturday, and then stole into town in order to deposit the corpse near the Teste d’Or, a tavern where drunks were known to congregate. Its placement there in the wee hours might easily create the impression that a possibly drunk Didier – he was a “carouser” after all (CVM, p. 413) – had met with foul play at the hands of other drunken rabble-rousers. Indeed, Philippe claims that the couple

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30 Normally, a pétal or pétard is a small explosive device (firecracker, bomb, mine, etc.). Context makes clear, however, that this is some kind of kitchen implement, a beater of some kind.

29 This is a sinister pun in the contemporary vernacular, in which sauce-making is a synonym for the sex act; also, broyer is associated with “cracking nuts”.

28 It lies beyond the scope of the present study to expound upon the ubiquity of the privy in medieval lore and farce; but suffice it to say that Philippe elsewhere links it to infanticide: see, e.g., my “Theater Makes History”, op. cit.
devised their subterfuge “so that people would believe that some of those criminal
types had dumped him there under cover of darkness [affin qu’il fut cuydé que
aucuns ces mal vueullent l’eassent illec despechiez de nuyt]”. In short, the couple
deployed make-believe in the service of making others believe in an alternate reality
that was contrary to fact. They were engaged in the quintessential dramatic
emplotment. Surely, they were hoping that the false indicia that they had
manufactured would add up to a truth that was not one but which would seem
nevertheless to be one inasmuch as the signs cohered with all the verisimilitude of
any tragedy.

At the same time, when Isabel and the clerk distributed false indicators of a
crime, their plot might have been drawn straight from the pages of the Rhetorica ad
Herennium. Any proverbial “reasonable person” would surely interpret the
deceptive, circumstantial evidence to the couple’s advantage by “gather[ing] all
these indications into one, and arriv[ing] at definite knowledge” (bk. IV, chap. 3).
Needless to say, I am not suggesting that criminals were in the habit of consulting
forensic rhetorical manuals for advice about how to cover up a crime; but it is
crucial to bear in mind that the history of rhetoric itself was written based on what
worked in the courtroom. At least at first, this well-wrought conspiracy works. The
fabricated indicia designed to target the usual suspects led, on Sunday morning, to a
police investigation of a different group of malveullants: “several men were arrested
immediately”, says Philippe, “even though they didn’t know anything about it”
(CPV, vol. III, p. 34). Still, it did not take long for the couple’s story to unravel,
leading not to ongoing falsehood but to what appears to be the legal truth of this
matter. It is fascinating to see why.

Every murder tells a story. In Act III, we find a murderous clerk seeking to
create such a story: a false but credible story that will trump the truth (because, ever
since Aristotle, truth has been the poor theatrical stepchild to probabilities and
verisimilitude). Be that as it may, the Messin public came to mistrust what they were
seeing and not seeing. When it came to the public responses by Isabel and the clerk,
where were the signs of their grief? Absent, of course. Once the feigning stopped, it
was that absence that seemed unconvincing because unverisimilar.

Act IV: The Absent Spectacles of Mourning. As is still the case today,
mourning is not an exclusively private event (as in the instantly recognizable black
costume or in the wake). For all of his earlier expertise in imitating the absence of
Didier’s marital affection, curiously, the clerk does not follow through with the
remaining requisite spectacle, the presence of which was the only logical conclusion
to this drama: he failed to provide the public performance of what would have been,
for him, a feigned grief. It turns out that the citizens of Metz were also able to read
the signs of things absent.

Far and away the most stunning moment of the case is also its most
dispositive one from a legal standpoint. Faced with the absence of mourning, the
Messins interpreted the not-seen, not-spoken, and not-enacted as the not-felt, which
inflamed their suspicions, a phenomenon that is by no means limited to the Middle
Ages. One need only follow any sensational murder trial to learn that trial
watchers – voyeurs? – are positively obsessed with what does not happen in the
aftermath of a murder. Consider the dubious conduct of the infamous Scott Peterson,
who seemed insufficiently grief-stricken after the disappearance of his wife, Laci. Public qualms were exacerbated by the subsequent discovery that he had been making plans with his mistress, Amber Frey, a true-crime drama that so captivated public attention that it became a movie-of-the-week. Or those more literarily inclined might recall the existential dilemma of Camus’s stranger, whose lack of mourning for his dead mother loomed large in the puzzle of his execution for an apparently motiveless crime which would close with the expected retributive cries of hate. In 1474, the clerk outed himself along similar lines. The greatest problem for the alleged coconspirators was that the nefarious truth of their deed was more probable than the false yet potentially verisimilar interpretation of the signs. Their (mis)representation failed to convince as theater.

Betrayed by the absence of detectible emotion, the clerk was the first to elicit mistrust not for what he did but for what he failed to do, not for what happened, but for what did not happen. Instead of the expected signs of lamentation or anger, the public found nothing: “He was going about the city without giving the slightest indication of either mourning or anger [et, la raison, car il alloit parmi la cité et n’en faisait quelque estime de deuil ne de corouls]” (CPV, vol. III, p. 34; my emphasis), to which another almost indignant chronicler adds that “a loyal and faithful servant should be sorrowful at the bad fortune of his master” (CVM, p. 414).

It is nothing if not ironic that the Messin community seems to have expected more mourning from Didier’s employee than from his widow, whose performances are unseen, unobserved, or irrelevant, at least to the chroniclers. Regardless of the realities that lay beneath the appearances that the Messins were interpreting, both parties were to be arrested: the clerk, for failing to display what was not there, and Isabel, for failing to display what was or, at least, what might well have been. Recall that Philippe had earlier specified that, immediately after the fatal blow, Isabel was “greatly sad and grief-stricken” (CPV, vol. III, p. 34). In an interpretive stance familiar to theorists of race, class, and gender, who have become accustomed to reading silences and absences, suspicion falls on her because of what people have not seen in him. It is as if, post hoc, her performances, feigned or genuine, don’t really matter at all.

**Act V: Arrests and Interrogations.** Because of the clerk’s suspicious behavioral omissions, Isabel’s own comportment was scrutinized as well. After disclosing her recent childbirth, Philippe relates the immediate arrest of the clerk and, almost as an afterthought, that of Isabel: “And thus, he was arrested and placed in the city jail; and so was his aforesaid mistress, who had just recently given birth to a child and had been considering marrying the aforesaid clerk” (CPV, vol. III, p. 34). After the arrests, the police separate the pair, the better to test their stories by employing techniques still in use to this day: they use any trickery, pretense, dissemblance, or deception likely to elicit a confession. (One need only think of the play-acting currently associated with that most dangerous and seemingly successful “game” of “good cop/bad cop”, which appears to have been just as effective in the fifteenth century.) In the denouement of the legal drama of 1474, the absence of

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31 The People of the State of California vs. Scott Lee Peterson, filed in 2003; the film is called *Witness for the Prosecution* (2005).
feigning by adulterous pretenders is trumped by the presence of feigning by the police.

Although he was something of a public figure, Philippe was almost certainly not present at these interrogations; even so, he preserves a startling inside look into late-medieval police procedure or, at a minimum, into how Messins perceived those procedures. Modern readers might consider the primacy of confession frighteningly “medieval” but the reality is that confessions very much remain the “queen of proofs” by dint of their having been uttered by the sole individuals privy to the truth: the perpetrators. Technically speaking, modern courts discourage police deception; but their trickery is often upheld because of other ambiguities in the law.

Perhaps owing to his professional expertise in juridical style and practice, the clerk resists the trickery, initially holding his own against the ruses of the police and refusing to confess. For her own part, the possibly innocent Isabel lacks that experience, so she is no match for the excellent acting skills of the police. To employ the American vernacular, the police “flip her” with a convincing lie that Isabel deems credible: that the clerk has already confessed to everything. Once he is brought before her to see the truth of her confession rather than hear a police lie about it, he too confesses. Of special relevance to the interrelations of truth, law, and theatricality is Philippe’s recreation of these events as a dialogic drama, complete with imaginary quotations recorded as authentic, reported speech. This is a practice well known to medievalists from a variety of historiographies. Letters of remission, for instance, often play out with such reconstructed dialogues; the quodlibetal disputations of medieval French scholasticism survive in abrégés that feature similar recollections of reported speech, and, perhaps most germane of all, the presence of dialogue has long assisted scholars in unearthing the origins of medieval drama itself.

Seen from that perspective, Philippe’s own learned reimagining of this tale of true crime is as legalistic as it is theatrical, as theatrical as it is legalistic:

This clerk held firm and was determined to defend himself, nor did he ever wish to confess, that is until the police convinced his aforesaid mistress that he (who was in a different jail), had already told them everything [jusque ad ce que Justice fist acroire à la dicte sa maîtresse]. And then, thinking that it was all true, and also, with [false] hope that she was being that she might be shown some mercy, she too confessed the whole thing, and spoke thus: “Alas!”; said she, “how

32 For his status in Metz as an important businessman who kept a certain distance from politics, see ed. Bruneau, *CPV*, vol. I, p. vi-vii.
34 For recorded speech in letters of remission, see N. Z. Davis, *Fiction in the Archives, op. cit.*, introd. and chap. 1; for the quodlibetal abrégé, see my “The Theatre of Scholastic Erudition”, *Comparative Drama*, 27, 1993, p. 341-363; and, as related to the origins of medieval drama, see O. B. Hardison, Jr., *Christian Rite and Christian Drama, op. cit.*, essays II and VII.
could he have told you?”33 And, immediately thereafter, the aforesaid clerk was brought before her; he being much astonished when he heard the confession of his mistress. (CPV, vol. III, p. 34; my emphasis).

A final question now arises, insofar as the evidence about Isabel’s own role in the murder is either absent or contradictory. Is it not possible that she was innocent?

Although that possibility does not appear to have crossed her interrogators’ minds, that does not mean that it should not cross ours. Philippe never truly accepts Isabel’s agency, instead emphasizing his reluctance to reject the truth of her noble appearance: “this aforesaid woman was of good lineage and from a good family; and was the most beautiful and amiable woman you could ever find, and so much more gracious than others, about whom no one had ever heard anything but good things.” He even adds that “one could easily have considered half of the entire female population of Metz before ever suspecting her” (CPV, vol. III, p. 35; my emphasis). His message? Appearances can be deceiving. It is up to the law to penetrate them with appearances and realities of its own, in this case, culminating in an especially merciless punishment reserved for Isabel.

Act VI: Two Spectacular Death Penalties. The absence of marital affection has begotten a coerced, adulterous relationship, which may well have led to the physical begetting of a child (otherwise absent from the narrative). The truth of the murder of Didier Baillat has been discovered legally by the absence of evidence of mourning. And the criminals’ failure to provide a real or feigned display of their absent or present grief now leads to the theatrical denouement of the death penalty, death being the ultimate absence. Philippe’s narrative ends where such narratives usually do: with the restoration of legal order when a large crowd attends the double-execution. Since the pair was put to death on a holiday, Philippe reports that “to witness justice being done, there were more people than anyone had ever seen in Metz for this execution”, owing to “all manner of merchants and fair-goers who were coming and going on the day on account of the holiday and they stopped off to see the execution” (CPV, vol. III, p. 34-35). True, Philippe does tend toward hyperbole, introducing each new juridical supplice as the most spectacular and original execution of its kind.37 That said, the veritable portraiture of 1474 was indeed cruel and unusual. After the typical shameful parade through town in a cart, the bodies of the two perpetrators were made to allgorize their crimes. The clerk’s two hands were dismembered, presumably to exemplify, on one hand, his “theft” of Didier’s wife and, on the other hand, his subsequent delivery of the fatal blow. He

33 Another possible reading of “le vous ait il dit?” would be “Did he really tell you?”
37 Compare this execution, e.g., with those of 1495, 1503, and 1516, discussed in my “Theater Makes History”, op. cit.
was then decapitated and his head displayed at the Bridge of the Dead with the murder weapon hanging alongside it. As for Isabel, her poignant pleas for the merciful “favor” of decapitation fell upon deaf ears. Terrified by the flames, she begged for the same swifter punishment that had been accorded to the clerk but she was refused:

And the bourgeoise was burned at the stake, notwithstanding that she was begging the court most piteously that they cut off her head instead on account of the tremendous fear she had of the flames that terrified her; but her prayers did her no good. And it all happened on the Day of Saint Eligius that justice was done. (CPV, vol. III, p. 34-35).

So it was that the city of Metz and all its visitors experienced the cathartic spectacle of seeing justice done, a phenomenon ever as crucial to theater as it is to law. Whatever scholarly doubts may endure about what Aristotle truly meant in Poetics 1449b when he urged that the authors of tragedy craft their art “not through narrating the thing, but through pity and fear expressed by the deeds, in that way purging and relieving all such violent disturbances of the soul”, the righting of wrongs through the enactment of the death penalty has long been associated not only with deterrence but with a legal brand of catharsis called solacio. For example, the legal teachings of Callistratus preserved in the Digest of Justinian invoked a site-specific catharsis that was to attend the death penalty with a metatheatrical vocabulary to match:

The practice approved by most authorities has been to hang notorious brigands on a gallows in the place which they used to haunt, so that by the spectacle others may be deterred [ut et conspectu dettereantur] from the same crimes, and so that it may, when the penalty has been carried out, bring comfort [solacio] to the relatives and kin of those killed in that place where the brigands committed their murders…

But why was Isabel treated so heartlessly? In his moralizing conclusion, Philippe goes so far as to attribute any agency she might have had to that master puppeteer, the Devil himself (l’Annemy). This is a sinister mode of legal ratiocination that is as counterintuitive as it is habitual in such histories as that of the prosecution of witchcraft. That is to say that, in characterizing murderous female agency as diabolical in origins, Philippe is able to effect a logical reversal that denies any real female agency at the very moment that that agency is punished severely: “And you should know, as I’ve often said, that the Devil had had a hand in all this. And this clerk had only been there for half the year; and it was at an evil

hour that he ever came there.” Performances absent or unseen have led to the
discovery of criminal agency seen, acknowledged, punished, and, for Isabel, also
denied. Afterward, Philippe follows the climax of his account with a distinctive
anticlimax, abruptly and hastily leaving off with the medieval equivalent of “time to
move on” or “gotta run”, as in “I have other matters I want to discuss [car je veult
pairler d’autre besoingne]” (CPV, vol. III, p. 35).

In the final analysis, the murder of Didier Baillat sheds new light on medieval
conceptions of theatricality and metatheatricality in everyday life. It also permits a
historical perspective on such superb scholarship as Umberto Eco’s “Interpreting
Drama”, in which he draws upon Erving Goffman’s Frame Analysis to propose a
veritable taxonomy of pretense both on stage and off. When pondering deceptions,
representations, and misrepresentations, for instance, Eco cites the deliberate
creation of a “false natural event, as when I purposely produce a false imprint in
order to fool somebody. I can produce a false symptom by painting red spots on my
face to pretend I have measles.” While medievalists rightly gravitate toward Faux-
Semblant of the Roman de la Rose for an understanding of such concepts, it is
theater that codifies and enacts what it means to represent and to misrepresent. Under
ordinary circumstances, theater is not deliberate deception; it is deliberate
representation.

John Searle brings a welcome clarification to that state of affairs, arguing
that: “In one sense of ‘pretend’, to pretend to be or to do something that one is not
doing is to engage in a form of deception, but in the second sense of ‘pretend’, to
pretend to do or be something is to engage in a performance which is as if one were
doing or being the thing and is without any intent to deceive.” Theatrical
verisimilitude is the great “as if” whereas the law and its spectacular forensic
rhetorical practices seek the truth of an “as was”. The problem is that observers,
audiences, and juries are habituated to understanding an “as if” from the conventions
of fiction and that, in the law, those “as if’s” emerge as truths that may well be
constructed creatively upon the flimsiest of probabilities. Despite centuries of
antitheatrical polemic that equates theater with lies, theater is representation, not
misrepresentation. It is not theatrical plotting per se that is dangerous but, rather,
emplotment as criminal conspiracy in real life.

In 1474, the Devil worked fast and so did the law. Faster than one could ever
suspect. Faster than suspicions can be formed based on the absence of evidence.
Faster than one has time to perceive a moral to the story that is even more troubling
than that which Philippe announced: moralizing about theater is the ultimate
pretense. It preempts ethical discussions about the law by disguising the flaws in
the law itself as spectacular lies, even though the law is ever reliant on the conventions
of the very theater it denies.

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41 Eco, “Interpreting Drama”, The Limits of Interpretation, Bloomington, Indiana University
Press, 1990, p. 105; and E. Goffman, Frame Analysis: An Essay on the Organization of
42 Searle, “The Logical Status of Fictional Discourse”, New Literary History, 6, 1975, p. 319-
332, p. 324-325, his emphasis.
Appendix


[Prologue] Item, en celluy tamps, advint plusieurs adventure, tant en Mets comme aultre part. Entre lesquelles en avint une en la dicte cité bien estrange et malvaixe, et de laquelles plusieurs gens furent bien esmerveilliés. Le cas fut telz que, en celluy tamps, en la dicte cité, y avoit ung riche merchamps, laquelle alors demouroit en y celle, entre la plaisse c’on dit la plesse Xaipel et Fornerue. Et estoit à luy tout ce biaux menoir et celle haute maison qui contient depuis celle dicte plesse jusques en Fornerue; et vait celle maison respondre du cousté du derrier jusques en la rue c’on dit la Court de Raisier. Celluy merchamps se appelloit Dediet Baillot; et tenoit grant gravités, car il estoit fort cencés et arantés; et hantoit tousjourz  la seigneurie. Et, pour ce qu’il a vouloir four et mollins et plusieurs aultre héritaiges, il avoit cotumièrement ung clerc du stille du Pallas en sa maison, qui le servoit à toutes ces affaire. Cy avint qu’il en print ung qui estoit ung biaux jonne gallans, et bien stillés.

Et, quant ledit Dediet alloit en quelque part, fût de nuyt ou de jour, il le menoit avec luy pour le conduire, puis retournoit ledit clerc à l’ostel. Or avoit celluy Dediet Baillot apousés l’une des belle bourgeoise de la cité de Mets, et une femme doule, débonnaire et honnestes, et, avec ce, de bon pairaige, de bon fame, et estimée femme de biens et de bonne réputation de tous les citains de Mets. Mais ledit Dediet, son mary, non comptent d’elle, estoit nottés qu’il en entrenoit d’aultre; et, de fait, il n’en bougeoit de nuyt ne de jour, ne le plus souvant ne reto urnoit à couchier en sa maison qu’il ne fût mynuyt. [ACT I] Et tellement que le dyable ce y bouta et tanta ledit clerc de l’amour de sa maîtresse. Et tant espia qu’il vit quel geste et contenance s’on dit maistre faisoit quant il retournoit de nuyt à l’ostel et que la maîtresse estoit couchée: car, alors, ledit Dediet ce boutoit auprès  d’elle au lit, et, sans mot dire, se couchoit.

Par quoy ledit clerc, come moy, l’escripvains de ce s présente, l’ais oy dire et effermer à ceulx qui journellement hantoient le dit clerc, et le devoient bien sçavoir, une nuyt qu’il sçavoit que son maistre ne retorneroit point à l’ostel, s’en alla secrètement couchier de cost ladicte sa maîtresse; et, après plusieurs chose, faiandant qu’il füt ledit son maistre,/// olt la compaignie de sa maîtresse. Mais, comme il est à croire, essés tost elle s’en aperseut. Néantmoins c’estoit trôts tairt: et, comme le clerc la humiliait de ces parolle en luy desclairan t la vie que son maistre menoit, et plusieurs aultre besoingne, et tellement que petit à petit l’aprivois, et la mist du tout à sa cordelle. [ACT II] Dedier Baillat, riche merchans de Mets, tués de son  clerc. --Et, après plusieurs aultre chose faictes et dicte, non comptant de la vie qu’il menoient et de la bonne chier qu’il faisoient, le dyable les tantait d’omicide, et olt la dicte bourgeois promesse avec le dit clerc d’estre consentent de la mort dudit Dediet, son mary. Et tellement que, le XVIII° jour du moix de jung, celluy clerc, en alumant son maistre, qui alloit a retrait, le tuait d’ung pétal à quoy on s’aide à broyer saulce; et, ce fait, le vint dire à sa maîtresse. Et elle, voyant son mary mort, fut fort triste et dollante. Toutefois, il n’y ait remède; le copt est fait. [ACT III] Cy l’ont quaichiez derrier dez planche jusques après minuit; et, à celle heure, fut prins et chargiés par ledit
clerc, et le portait couchiez estandus sus ung sciège devent l’ostel le Burton, qui est
au debout de la rue des Bons Anffans, essés près de la Teste d’or, affin qu’il fût
cuydé que aulcuns ces mal vueullent l’eussent ilec despechez de nuyt. Et, le
lendemain, qu’estoit ung dimenche, fut trouvé. Par quoy incontinent furent prins
plusieurs, qui rien n’en sçavoient; [ACT IV] mais, à la fin, ledit clerc fut
suspeccionés; et, la raison, car il alloit parmi la cité et n’en faisoit quelque estime
de deul ne de coroulx. [ACT V] Cy fut incontinent prins et mis en l’ostel du doinen
de la ville; et aussy fut la dicte sa maîtresse, laquelle tout nouvellement estoit
relevée d’anffans, et avoit délibérés de apouser ledit son clerc. Celluy clerc tenoit
bon et estoit bien déliberés de soubtenir son cas, ne jamais ne voult confessser jusque
ad ce que Justice fist acroire à la dicte sa maître sse que luy, qui estoit en unne aultre
prison, avoit tout dit et confessés. Et, alors, cuydant qu’il fût vray, et aussy avec
l’espérance que l’on luy donnoit de la prandre à mi sericorde, elle confessait le tout,
et dit ainsi: « Hélas! », dit-elle, « le vous ait il dit? » Et incontinent fut amenés ledit
clerc devent elle; laquelle fut bien esbahis quant il oyt la confession de sa maître sse.
[ACT VI] Le clerc exécutés par justices, et la feme dudit Dedier brullée. --Et tantost
en fut justice faïctes; et furent traynés sus la brouette, et menés a pont des Mors. Le
clerc eust premier les deux mains coppées, et puis la teste; et fut le pétal duquel il
avoit fait le copt pandus et estaichiés en hault, contre la lance et a plus près d’icelle
teste. Et la bourjoise fut arse et brullée, néantmoin s que moult piteusement prioit à
Justice c’on luy voulcist copper la teste, pour la grant doubte du feu qu’elle
clairidoit; mais rien ne luy vallust sa prière. Et fut ce fait le jour de la sainct Éloy que
celle justice fut acomplie. Pour laquelle à voir y oit autant de peuple que jamais on
heust vu en Mets à faire justice: car toutes manier de gens fourains que à ce jour
alloient ou venoient à Sainct Éloy ce arestoient illec pour veoir l’esécussion.
Et sçai chiez, comme j’ai dit devent, que l’Annemy y avoit bien ouvrez: car la dicte
femme estoit de bon paraige et de gens de bien, et estoit la plus belle et amiable
femme que l’on sceust trouver, et la plus gracieuse des aultres, de laquelle on n’avoit
jamais ouy dire que tout bien. Et eust on prins la moitiet de touctes les femme de
Mets devent que on l’eust heu suspect. Et n’y avoit que demi ans que celui clerc
estoit léans; et à la mal heure y vint il oncquez.
Cy vous souffice de que j’en ait dit, car je veult pairler d’aultre besoinge.

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