

125 COOKE V BAGGE
William Cooke of Thorne, Ottery St Mary, co. Devon, esq v John Bagg of Ottery
St Mary, co. Devon, miller
October 1639

Name index:

Bagg, John, miller and yeoman
 Cooke, John, gent
 Cooke, Margaret
 Cooke, William, esq
 Howard, Henry, baron Maltravers
 Martyn, Joseph, lawyer (also Martin)
 Sherman, Margaret
 Sherman, Richard

Place index:

Devon,
 Thorne
 Ottery St Mary

Subject index:

assault
 denial of gentility
 military officer
 provocative of a duel
 trained band

Abstract

Cooke petitioned that he had been assaulted by Bagg at a public meeting at Ottery, Devon, where Bagg called him 'a base knave and a base gent'. Upon being questioned by some gentlemen present, Bagg replied 'I cannot make him baser than he is.' Cooke maintained that he was a trained band captain and that his family had been gentry for 300 years, whereas Bagg was merely a yeoman. No further proceedings survive.

Documents

Initial proceedings

Petition: 6/102 (no date)
 Libel: 17/5i (12 Oct 1639)

Notes

Initial proceedings

6/102, Petition

‘About the 25th day of June last, your petitioner being at Awtry in the county aforesaid, in the company of divers gent. and others at a publique meeting, was there assaulted by one John Bagg of Awtry, yeoman, who (without any provocation given him) told your petitioner that he was a base knave and a base gent, and being reproved for such his speeches by some gent. then present Bagg replied that he could not make your petitioner baser then he was.’

Petitioned that Bagg be brought to answer.

Maltravers granted process, no date.

17/5i, Libel

The defendant was described as a miller.

1. Cooke’s family had been gentry for up to 300 years and Cooke was a captain of a trained band.

2. Between May and July 1639, Bagge said: ‘That I was a base knave and a base gentleman, and being questioned by some there present for speaking such words he replied, I cannot make him baser than he is.’

3. These contemptuous words were provocative of a duel.

No date but filed under 12 October 1639.

Signed by Joseph Martyn.

Notes

William Cooke was the second son of John Cooke of Thorne, gent, and Margaret, daughter of Richard Sherman of Ottery St Mary.

F. T. Colby (ed.), *The Visitation of the County of Devon in the year 1620* (Publications of the Harleian Society, 6, 1872), p. 69.