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## **‘Innocence is as Innocence Does’: Anglo-Irish Politics, Masculinity and the De Cobain Gross Indecency Scandal, 1891-3**

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He brought me round to the back of the house and into the conservatory. He loosed the buttons of my gallows [on the] behind. I did not pull my trousers down he pulled them down. He pulled my shirt up. It was in the dark and I felt something between my legs. At that time I saw him with his person in his hand. When I pulled up my trousers I told him I was not a boy of that sort... I wanted away. I then came round to the front of the house to leave. He told me not to mention it for the peril of my life, and that he would nominate me there and then.<sup>1</sup>

These were the words of Benjamin Rosemond, a Queen’s Island labourer in his early twenties, at the Antrim Assizes in Belfast on 23 February 1893 as he described a sexual encounter with a former Member of Parliament. Seven other young men, ranging in age from 18 to 26, provided comparably vivid recollections of sexual contact with the same “public man,” Edward Samuel Wesley De Cobain. These testimonies, rich with detail—apparently so garish that the press could not reprint them—branded the former MP a sexual deviant. In all, De Cobain was charged on ten counts of gross indecency with eight young men in Belfast over a period of three years (1887-1890).

In court De Cobain struggled to parry the buggery charge. He answered the accusation with a “not guilty” plea, as he had done time and time again during the prolonged period of scandal that preceded his trial. His attorney presented a remarkable, if somewhat outlandish, defense. According to the defense attorney, the “abominable charge” made against the defendant was the outcome of “a conspiracy initiated by a man named Heggie,” who had previously failed to blackmail De Cobain. He continued to explain that De Cobain had made himself objectionable to the Ulster Tory caucus when he defeated the Conservative nominee for the Parliamentary elections of 1885 and 1886, and that he “incurred the enmity” of the Royal Irish Constabulary (RIC) during the Belfast riots of 1886. The argument was simple: the “high Tory clique” and the largely Catholic RIC trumped up charges and paid poor young men for their testimonies to debase De Cobain for his political transgressions. Following De Cobain’s testimony and character evidence provided by Sir James H. Haslett, a former MP of West Belfast, and Reverend W.G. Wesley, a Methodist minister, the Justice stressed the exceptional nature of the case and asked the jury to carefully weigh the evidence. After a 40-minute deliberation, the jury found De Cobain guilty on five counts of gross indecency. He was sentenced to 12 months’ imprisonment with hard labour.<sup>2</sup>

The proceedings of this little-known trial only exist in a few newspaper reports that fail to provide a comprehensive understanding. Trial reports were often condensed for pragmatic reasons, and their prose, saddled by judicial jargon and editorial restraint,

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rarely captured the true essence of the courtroom. National publications were careful to employ anodyne language in describing the trial and preceding scandal, although regional publications were slightly more liberal with their reporting. While marginal, these alterations suggest that editors cared very much about the specific language used to describe alleged acts of sodomy. Indeed, in a climate where novel ideas about sexuality and gender identity permeated every corner of society, individuals became sensitive about potential contact with obscene publications, especially reports that detailed same-sex eroticism. The Obscene Publications Act of 1857, Parliament's attempt at discouraging the dissemination of obscene pornographic books and periodicals, did much to dissuade publishers from printing graphic reports. But as David Saunders suggests, we should understand these instruments not as "negative and censorial" but as direct evidence of an "explosion of discourse" about sex.<sup>3</sup> In this context, individual editors seem to have expressed genuine reluctance in publishing reports on gross indecency trials, but the concern for commerciality and transparency in the face of public interest often overcame any apprehension. To avoid being labelled as licentious, the press employed an intricate descriptive lexicon in their practice of reporting on trials of gross indecency. Thus, the press reported trials in muted ways, often practicing varying degrees of self-censorship.<sup>4</sup> "Immoral and abominable acts" and "unmentionable vices" were terms often used as stand-ins for sexual acts, but a tacit understanding among Victorians as to what those terms meant nevertheless existed. In this way publicized scandals provided opportunities for readers to formulate questions, discuss unimagined possibilities, and empower or disempower others all within the innocuous margins of the broadsheet.<sup>5</sup>

Inconsistent trial reports and Crown depositions are all that remain of the De Cobain trial. Despite these gaps, the few scholars who have spilled ink on the De Cobain trial have fastened their arguments in the reports published solely by national papers. They appear convinced that De Cobain was most likely a homosexual—Montgomery Hyde, for example, refers to De Cobain's incarceration as the "first monstrous martyrdom"—*and* a clear victim of a trumped up charge.<sup>6</sup> This conclusion lends itself nicely to a narrative of Anglo-Protestant bigotry against Irish sexual and political deviants (Oscar Wilde and Roger Casement serve as examples).<sup>7</sup> It seems that for contemporary historians, the De Cobain trial was too ambiguous to warrant a second look. Case closed?

I contend that the cultural significance of the De Cobain trial lies not in the nature of the accusation—scholars have shown that dozens of sodomy and gross indecency trials were put before the courts during this period<sup>8</sup>—but in the fact that it was reported on in the first place. The question is, why? In this article I revisit this sexual scandal involving a parliamentarian and disadvantaged young men but I aim to focus our attention away from the trial and toward the period of intense scandal that preceded it. My objective with this approach is twofold. I aim to resituate the scandal in the context of late-nineteenth

century Britain and Ireland in order to explain the political and cultural significance of the scandal, and in the process challenge the dominant approach that privileges courtroom proceedings over sustained public discourse. The conclusions purported by Montgomery Hyde and Brian Lacey, among others, have been reached by uprooting the trial from the specific milieu in which it unfolded; in so doing, they've failed to heed H.G. Cocks' caution, that concentrating on exceptional sodomy trials in the late nineteenth century produces a "relatively decontextualized picture" that tends to present a "legal process that is episodic, spectacular and sensational."<sup>10</sup> Contemporary interpretations of the De Cobain trial suggest that jury members could clearly identify De Cobain as a sexual deviant. Yet Cocks' work on Victorian sodomy trials provides us with a crucial framework with which to begin revising our current understanding. Cocks argues that the character of the "defendant, prosecutor, and witnesses were central," for the private nature of these offences "meant that the facts were often in dispute and not subject to verification," and that courts often "stressed the significance of the respective characters of the persons involved." Resultantly, a defendant charged with homosexual offences aimed "to demonstrate that he was not the sort of man capable of committing this sort of offence, and to demonstrate that his accusers were the sorts of persons whose accusations could not be trusted."<sup>11</sup> A fundamental element of this type of defense is a look to the immediate past—to recent actions and comportment—to dispel culpability. Coupled with Cocks' framework, what we know of the De Cobain scandal prior to the trial allows us to reconsider its cultural significance.

In keeping with the "new British queer history," this article does not attempt to posthumously exonerate De Cobain, or to reveal his sexual preferences. Instead, it argues that during this period of prolonged scandal discourses concerning De Cobain's class, politics, and gender performativity were presented and embraced, whilst explicit discussion of sexual deviancy was replaced with euphemism. As Cocks and Brady have demonstrated elsewhere, the British public, together with police officials and legislators could identify the benign markers that betrayed the men that regularly engaged in sex with other men. As homosex became increasingly more publicized it prompted introspection for Victorians cognizant of the changing landscape of traditional masculinity. Yet the De Cobain scandal makes clear that at no point are scandals involving homosex solely *about* sex.<sup>12</sup> For instance, voices in the periodical press, in Ireland and in England, were involved in a very real struggle to make sense of—and at times leverage politically—De Cobain's contradictory behaviour. Further, those who contributed to debates over De Cobain's guilt engaged in a vigorous process of defining the "appropriate masculine" reaction in response to accusations of this type. Although a jury of his peers found De Cobain guilty of gross indecency, audiences seem to have found him guilty of effeminacy well before he entered the dock. In what follows I explore the multifaceted meanings of the scandal, first by sketching De Cobain's politics, then

interpreting the varying cultural critiques lodged against his actions by moralists, journalists, and parliamentarians.

### Politics

Edward Wesley De Cobain, the oldest of four siblings, was born into a modest family in 1840 in County Monaghan, Ulster. His father, Reverend Edward De Cobain, was a Wesleyan minister—a vocation that his brother, Reverend Fletcher De Cobain, would later pursue with varying zeal. Edward was by no means a household name in British politics, but he did develop a reputation in Belfast political circles early on. He was educated at Bell's Academy, Belfast, before he maneuvered his way into a position as Assistant Cashier for the borough of Belfast sometime in the 1860s. In 1864, he was promoted to Cashier of Belfast, and would subsequently become Grand Master of the Orange Lodge of Belfast, a post he held for five years, followed by an appointment as Deputy Grand Master for Ireland.<sup>13</sup> De Cobain's esteem facilitated a transition from municipal to parliamentary politics. In January 1885, with the support of the Orange Order, he was nominated as the Independent, or Democratic Conservative, candidate for East Belfast. He was successful, winning by the slimmest of margins over the Tory candidate, Sir J.P. Corry.<sup>14</sup> De Cobain's constituents subsequently re-elected him in 1886; however, his humble background set him in stark contrast to the traditional characteristics of Irish Conservative MPs.<sup>15</sup>

De Cobain became a Member of Parliament during a tumultuous period in nationalist politics. Lord Hartington and Joseph Chamberlain's Liberal Unionists together with Lord Salisbury's Tories maintained dominance over British politics, oscillating between coercive and conciliatory policies in dealing with the Irish question. The Third Reform Act rekindled traditional sectarian rivalries. By the third franchise extension Ulster Protestants held only a slight majority over Catholics but completely dominated economic life.<sup>16</sup> Catholics argued that they were an exploited minority in Ulster, whilst Protestants rebutted by portraying themselves as a community under siege in the whole of Ireland. Prejudice and fear produced tensions in Northern Ireland. Late-Victorian Belfast exemplified this political tautness, as sectarian tensions took center stage in local politics and in daily life. In 1886 the imminent introduction of Gladstone's Home Rule Bill ignited a dry sectarian tinderbox. It was in the strained socio-political landscape engendered by the Irish question that De Cobain developed a reputation for being somewhat of an Orangist bulldog.

Perhaps most polarizing was De Cobain's condemnation of the Royal Irish Constabulary following the June riots of 1886. In a particularly jabbing "Letter to the Editor" in the *Evening Telegraph* on 6 August, De Cobain denounced the RIC and late Chief Secretary John Morley in the following manner:

The present reign of terror in Belfast is the outcome of “Morleyism,” and the matter was deliberate, planned, and is with equal deliberation being executed. I have advised citizens to gather information and to bring home guilt to *the liveried assassins*... they undoubtedly belong to the same Invincible organization as that of which the assassins of the Phoenix Park belonged [my italics].<sup>17</sup>

The RIC swiftly challenged De Cobain’s accusation, but by then the political climate was already too volatile. Sir Edward Harland, Mayor of Belfast at the time of the riots, noted in his testimony to the Belfast Riots Commission in October 1886 that the “question of Morley and his assassins—liveried assassins, kept up ill feeling,” and that, “newspapers are so easily obtained that our workmen can read them in the evenings and become thoroughly posted in these matters.”<sup>18</sup> Indeed, by associating the RIC’s actions with the murders of Lord Frederick Cavendish and Thomas Henry Burke in 1882, De Cobain crafted a palatable narrative of nationalist violence and Protestant belittlement that circulated through the regional and periodical press with ease.

Irish Nationalist MPs took aim at De Cobain’s militancy in the House of Commons. Mr. John Clancy, representative of North Dublin County, noted the total indifference displayed by government towards the language employed by a “certain” leading Orangeman in Ireland. Clancy was not the only one to draw attention to De Cobain’s brusque demeanor. Just months earlier the *Pall Mall Gazette* had published an interview with De Cobain that characterized him as “representative of a type of militant Orangeism.” In an unvarying and abrasive style that could be described as bellicose, Cobain expressed the belief that “if an attempt is made to compel us to submit, [militant Orangemen’s] passive resistance will become active, and 120,000 will advance to guard and rally around the standard of empire.”<sup>19</sup> It is perhaps this unabashed defense of the *status quo* that made De Cobain tolerable to Conservative Unionists and so insufferable to Parnellites. For the rest of his tenure in Westminster Edward De Cobain promoted organized labour and working-class interests with varying success. Primarily, he placed his full support behind Alexander Bowman’s Belfast United Trades’ Council. Although De Cobain’s numerous sponsorships rarely reached second reading in Parliament, his efforts nevertheless endeared him to his working-class constituents and fellow Conservative Unionists. De Cobain was somewhat of an oddity. He was a self-made Protestant evangelical supported by the working-classes of Belfast for his pro-labour stance in Parliament, and by Orangists for his brazen defense of Ulster Unionism. His brand of politics was as unique as his temperment, and in many eyes he was a man worthy of emulation.

Yet in 1888, with his libel suit against the proprietor of the *Belfast Morning News* and Member of Parliament, Mr. Dwyer Gray, De Cobain’s contradictory nature began to surface. Gray had accused De Cobain of “not being a friend of the working man, Orangeman, or Islandman,” for he had reportedly expelled a tenant, whose wife had just

died, for not being able to meet rent.<sup>20</sup> Gray was a member of the Irish Parliamentary Party, and the *Belfast Morning News* was certainly an embodiment of that brand of nationalism. In a letter to his brother, De Cobain seems to have been aware of the potentially damaging effects of scandal: “I have myself a libel case at the ‘March Assizes’ against Dwyer Gray, the proprietor of *The Morning News*, and I wish I were out of it [for] it is a scandalous case.”<sup>21</sup> These traces reveal that Edward De Cobain was well aware of the potentially hazardous situation he was entering. In a letter to his brother in April 1888, De Cobain revealed his frustrations: “I have grown sick of this thankless, and insignificant life.”<sup>22</sup>

Despite eventually winning the libel case against *The Morning News*, De Cobain’s public struggles continued. In 1890 he introduced an anti-strike bill that ran counter to the platform on which he was elected. Bowman and the Belfast Trades’ Council swiftly undermined it, forcing De Cobain to reclaim the motion “in deference to the views expressed by the Trades’ Council.”<sup>23</sup> Few papers spared him the embarrassment. The *Yorkshire Factory Herald*, a decidedly labour-leaning periodical, intimated that De Cobain had acquired signatures for a bill that had changed markedly after initial approval, and concluded that “under the present system serious injury to one’s reputation might be inflicted without redress.”<sup>24</sup> Other signees were quick to distance themselves from De Cobain, often expressing their antipathy in the press.<sup>25</sup> De Cobain’s legislative blunder generated a wave of unsolicited press coverage, and as a result, his personal character came under severe scrutiny. In 1890, an article in the *Freeman’s Journal*—the Irish nationalist outlet—described an altercation between De Cobain and his tenants over the payment of property rates as “inconsistent with that of a gentleman, a large owner of property, and a Member of Parliament.”<sup>26</sup> Contemporary reports argued that De Cobain had disenfranchised his tenants by having not paid the appropriate franchise rates (approximately five to seven pounds). *The Portsmouth Evening News* described De Cobain’s behaviour as “absurd and untenable,” while the *Middleborough Daily Gazette* described De Cobain’s actions as a blatant “disenfranchisement of Unionist voters.”<sup>27</sup> While it is difficult to determine just how deep this indignation ran, it is clear from his treatment in the press that De Cobain’s reputation as a champion of labour and the working classes suffered. Not least, the press began to question De Cobain’s constitution, a line of inquiry that would resurface with increased intensity during his very own sexual scandal.

### Scandal

The scandal commenced where it would ultimately end: springtime in a Belfast courthouse. Justice Richard Eaton, Resident Magistrate of Belfast, issued a warrant on 2 April 1891 for the arrest of Edward Samuel Wesley De Cobain on grounds of having “commit[ed] acts of gross indecency with another male person [William Allen], and at

the same time and place did indecently assault [Allen]; and at the same time and place did incite [Allen] *and others* to commit Sodomy.”<sup>28</sup> On 4 April 1891, the Head Constable of the Royal Irish Constabulary, William Hawthorne Hussey, arrived in Goole, Yorkshire, with warrant in hand. To Hussey’s disappointment, De Cobain had already departed his brother’s residence in Goole, and was believed to be making his way to King’s Cross. In his official deposition, Hussey later declared that Edward De Cobain had departed for London upon receiving a telegram from Belfast that informed him of the charges made against him. Subsequently, Hussey travelled to London to continue his inquiries, which he abandoned on 10 April.

Given the sensational nature of the De Cobain story, newspapers obligingly provided their readers with constant updates. The charges were extremely salacious, for they involved underage boys of lower socio-economic status; and, as a Member of Parliament, De Cobain’s scandal extended the streak of high-profile cases of gross indecency that had riveted readers for the better part of a decade.<sup>29</sup> Moreover, De Cobain’s alleged deviancy immediately followed the short-lived uncovering of Sir Edmund Hope Verney’s sexual scandal. Yet in comparison to the magnitude of the De Cobain scandal, the Verney affair was dealt with swiftly in a court of law. Upon hearing of the warrant out for his arrest, the North Buckingham Liberal MP returned to London from Switzerland on 20 April 1891 and submitted. After a trial that established his culpability beyond any doubt, he pleaded guilty on 7 May. *The Times* published the following summary of Sir John Brige’s ruling:

[Verney’s] guilt was aggravated by his station and his profession. And that the most shocking aspect of the matter is that [Verney], who took an active part in public affairs in the House of Commons was conspicuous for his zeal in the ‘purity movement’ for his language in discussions of morality. [Verney] had passed middle age; he did not fall through a sudden movement of passion. His evil practices were deliberate, systematic, and apparently long continued.<sup>30</sup>

Sir John Bridge’s rhetoric is emblematic of larger suspicions of establishment politicians, fuelled by the sequence of highly publicized immorality scandals in the 1880s. *The Times*’s transcription speaks to the belief that masculinity was a perpetual battle, requiring constant self-policing, self-mastery, and careful supervision. The internal battle either brought out heroic qualities worth emulating, or it exposed those who were cowardly and unmanly.<sup>31</sup> Ultimately, Verney was found guilty of a misdemeanour and was sentenced to one year of imprisonment; he was expelled from the House of Commons on 13 May 1891.

Sir John Bridge’s commentary speaks volumes about how public actions could betray one’s private behaviour. Recent scholarship has shed additional light on the importance of masculinities and the varying interpretations of masculinity within these “separate spheres.” Masculinity was curiously defined by one’s ability to succeed in three environments: the domestic space, the all-male association, and the capitalist work place.



With this model in mind, historians have underlined the instability of masculinity as a static social marker.<sup>32</sup> Indeed, it is conceivable to think that succeeding in the domestic sphere, in the homosocial environment, and in the capitalist work place was a difficult balancing act to master. Yet the men who did not consistently succeed literally embodied the Victorian notion of diseased masculinity, and it was this diseased masculinity that denoted deviance. Moreover, Angus McLaren, Sean Brady, and John Tosh have teased out the ways in which definitions of murder, vagrancy, lethargy and fatherhood were utilized—by laymen, moralists, politicians and lawyers—in the service of dominant masculine ideals of decency, respectability, virility and morality. As James Adams argues, unhesitating action defined the standard of Victorian “manliness,” while indolence and lethargy inferred “effeminacy” and at risk of abnormality, sexual or otherwise.<sup>33</sup> Yet these masculine archetypes varied by class, region, and nationality, as Ben Griffin, Joseph Valente and Helen Smith make clear.<sup>34</sup> These collected sketches of masculinity are by definition imprecise; nevertheless, their combined efforts uncover a sharp picture of the complexities of Victorian masculinity.

De Cobain’s refusal to return to face his accusers seemed to have bothered Victorian audiences more than the foul nature of the charges: his private actions were difficult to corroborate, but his public performance spoke for itself. Evaluation of manhood often manifested itself through a direct critique of what was on display; mainly, one’s character and deportment. Thus, body language, rhetoric, dress, actions, and demeanor were visible traits under constant scrutiny. Among governing men the dominant register had shifted in the 1850s from the traditional notions of gentlemanly politeness and landed prestige to a model defined by individual veracity and strength of character.<sup>35</sup> The notion of character was paramount for it had individual, collective, and imperial implications. Not only did good character signify self-regulation and moral resolve, it denoted an array of other qualities that enabled men to lead. According to Nathan Roberts, this is precisely why a “science of character” was developed. Fundamentally rooted in psychological and philosophical theories, it aimed to indoctrinate young boys and girls in classrooms and on playing fields.<sup>36</sup> In *Self-Help*, Samuel Smiles contends that a man’s encounter with “school of difficulty... will train his strength, and discipline his skill,” and only “by experience could a man soon learn how obstacles are to be overcome by grappling with them.” Over a decade later, William David defined these standards explicitly in *A Fine Old English Gentleman*, noting that the gentleman would embody “manly energy with uncompromising dignity of principle” in combination with courage and “masculine decision of character.”<sup>37</sup> Ben Griffin cogently argues that parliament afforded a space where politicians could “contrast and perform ‘manly’ identities,” as both “a means to an end and an end in itself.”<sup>38</sup> Indeed, the press provided another such space. Perhaps the most sinister element of Victorian manliness was that despite its intricacies it was believed to be a reachable ideal; in practice it often proved to be out of reach.

Westminster, along with British and Irish public opinion, beseeched De Cobain to return to face his accusers. All of this exposure put Westminster in a highly uncomfortable, but familiar position. Here was a militant Orangist with strong ties to Ulster Unionism and the Tory party, accused of deplorable acts by the Crown, actively absconding from Britain while denouncing said accusations. The uncovering of the De Cobain scandal, however, was only one in a series of sexual scandals involving public men that generated public controversy and political repercussions in late-Victorian Britain and Ireland. These scandals provided political fodder for those willing to mobilize sex scandals as political tools. As Cocks argues, Irish nationalists were among the least hesitant to make use of “underhand methods of the extortionists” to slander their opponents.<sup>39</sup> The Dublin Castle affair of 1884 provided Irish nationalists with an outlet to disparage English administrators, Gustavus Cornwall and James French, amidst a period of agitation over Home Rule. Despite Cornwall and French’s eventual acquittal, the reputation of Dublin Castle had taken a severe blow. The year following Dublin Castle, *The Pall Mall Gazette*’s series “The Maiden Tribute of Modern Babylon” exposed a ring of child prostitution in London, engendering debate about the proper age of consent. Subsequently, in 1889, the police discovered that London telegraph delivery boys were moonlighting as prostitutes at a brothel of 19 Cleveland Street. The uncovering of the prostitution ring engendered a firestorm of biting critiques against the Tory administration. As in the Dublin Scandals, the public was shocked to find aristocratic men, like Lord Somerset, involved in soliciting homosex. In 1890, Irish nationalists found themselves on the adverse side of a sexual scandal. The public disclosure of Charles Parnell’s protracted affair with “Kitty” O’Shea in 1890, the wife of a fellow MP, put an abrupt end to Parnell’s career and fractured the Irish Parliamentary Party.

In the case of the De Cobain scandal, the press’ initial concern was Parliamentary protocol. On 15 April 1891, the *Pall Mall Gazette* reported on the initial warrants and stated that “a curious dilemma arises. [De Cobain] might be expelled, but that could only happen upon conviction, and as [he is] at present beyond the reach of the law, the trial becomes an indefinite contingent.”<sup>41</sup> The *PMG* pointed to the inadequacy of Parliamentary procedure to deal with such sensitive subject matter. More damaging, though, was the suggestion that Lord Salisbury had been aware of De Cobain’s transgressions for several months. The press uniformly reprinted that “some weeks prior a form of application for the Chiltern Hundreds was sent to Mr. De Cobain to sign and return, but the gentleman declined to do anything of the kind.”<sup>42</sup> The lack of rationale for the Chiltern Hundreds request opened the door for speculation regarding yet another Tory cover-up scheme. For instance, on 19 April, *Reynolds’*, the radical working-class daily, published an article concerning De Cobain in a regular column titled, “The Democrat in Parliament.” In a mock conversational format, one character asks the other, “Who would have thought Mr. De Cobain, the Orange Bully of East Belfast [guilty of gross indecency]?” while the second character responds, “*Oh*, that was natural enough; he held

a weekly prayer meeting at his house. *So men talked.*<sup>43</sup> Reynolds' underlying criticism of De Cobain's evangelicalism and sexual perversions was shared by many: if most knew about De Cobain's rumored perversions, why was nothing done?

Conservatives in Parliament did in fact try to wipe away the stigma attached to De Cobain. On 20 April 1891, Colonel Edward James Saunderson—leader of the Irish Unionist Party—rose before the House of Commons and asked “if Mr. De Cobain continues to remain outside the jurisdiction of England, will [Smith] take the sense of the House on the conduct of Mr. De Cobain?”<sup>44</sup> The First Lord of the Treasury, W. H. Smith, acknowledged that he was made aware of the warrant out for De Cobain, and noted, rather sensibly, that time should be given to De Cobain before the motion for expulsion was put before the House. Smith's gauged response may suggest that the frequency of extortionist accusations in the late nineteenth century—known as the “Common Bounce”—gave De Cobain the benefit of the doubt.<sup>45</sup> But in response an unexpected character rose to De Cobain's defence. Irish nationalist Tim Healy, representative for North Longford, vowed that “if any attempt of this sort is made I shall move that, *as Mr. De Cobain is Grand Master of the Orange Lodge*, a Special Commission shall be appointed [my italics].”<sup>46</sup> Known for his wit and sense of humour, Healy was likely drawing attention to the intimate relation between the Orange Lodge—a private, militant organization—and the Tory government; after all, why would one's membership to the Orange Lodge have any influence over Parliamentary matters? Healy's backhanded comment was not well received, for over cries of “order” Saunderson made sure to delineate that De Cobain was “not a Grand Master,” in an effort, perhaps, to distance himself, his party, and the Orange Lodge from De Cobain's “unnatural” acts. Saunderson's denunciation must have come as a surprise to De Cobain, for in his private correspondence with his brother he referred to Saunderson as an “influential friend.”<sup>47</sup> A. J. Balfour, Tory MP and Chief Secretary of Ireland, too, attempted to distance himself from any political stigma as he declared that “he had no interest in [the matter] and wanted nothing whatever to do with it either.”<sup>48</sup>

De Cobain was not a bystander whilst these accusations made the front page. Facing relentless assault from mainland periodicals and Tory colleagues, De Cobain sent the first in a sequence of letters declaring his innocence to an unidentified Liberal Member of Parliament on 30 April 1891. On 2 May, the *PMG*, *The Times* and *The Belfast-Newsletter*, in addition to other national and provincial papers, published the letter under the title, “Mr. De Cobain in his Defense: Letter from Missing MP”<sup>49</sup> In the letter, De Cobain denounces the “cruel and cowardly attacks made upon ‘an absent colleague’,” and states:

When first elected for East Belfast in 1885 I stood as a working man's candidate, but publically avowing as my two principles to help extend the privileges of working classes and to advance the temperance cause. My attitude in relation to both these questions gave moral umbrage, the first to

a clique, the latter to the present government.

De Cobain then suggests that those who did not support his re-election in 1886 attempted to create political prejudice through rumours that discredited his character, and that “young men whom he had occasionally met in business and philanthropic relations [are] blackmailing me.” De Cobain’s final point was perhaps most revealing as he associates his own affair with preceding sexual scandals:

The [Conservative] Government that failed to take action in relation to two or three recent cases of open trial and judicial decision of guilt have intimated their intention of departing from their usual course in my case. To place my interests in the hands of Mr. Healy or any other opponent, however bitter, one might hope of justice, as they at least would act impartially and be guided by precedent.

Here De Cobain’s “voice” comes through as an uninhibited statement of his own defense.<sup>50</sup> It is clear that De Cobain sought to have his letters widely publicized, and the way in which he presented himself—as a faithful, virtuous public servant of strong mind and Christian character—speaks to the performativity of his interaction with the press. Audiences would surely have recognized De Cobain’s references to the Tory mishandling of the Cleveland Street scandal of 1889. Ultimately, this letter, together with Saunderson’s emphatic denunciation, illustrates the fragility of De Cobain’s relationship with the Tory caucus.

Overall, the press received De Cobain’s letter with derision, underscoring his contradictory comportment. In its regular opinion column, “Occasional Notes,” the *PMG* saw through De Cobain’s performance and noted that the letter would have “been more convincing if it were accompanied by an announcement of his intention to return to this country.” “Occasional Notes” finished with the following: “Naturally we are all anxious to believe De Cobain innocent. But the time has come for pointing out that men have no right to count on being held innocent if they persist in doing...the very opposite of what an innocent man would naturally do.”<sup>51</sup> For the *PMG* and its editor, E.T. Cook, De Cobain’s failure to return to England to take “steps to prosecute his traducers” was a clear signifier of culpability. Yet the East Belfast Conservative Association was of a different mind on the matter. On 15 May the Association delineated their support in *The Times*, and assured De Cobain that they still believed him to be “a gentleman of sound Christian principles; and that, we believe God will defend the right.” De Cobain’s supporters were not completely convinced, however, as they, too, declared that they “emphatically await his return to meet his accusers and clear himself, in justice to himself and those who have stood by him.”<sup>52</sup> Despite the lackluster effect, De Cobain actively defended himself in a public sphere that had hitherto been monopolized by voices calling for his expulsion.

There was an implicit recognition in government policy throughout the century that the prosecution of sodomy gave rise to unwelcome publicity.<sup>53</sup> Radical Liberals and Irish nationalists, in particular, had leveraged this negative publicity with varying success

to vilify and denigrate opposition members. The Unionist paper, *The Belfast News-Letter*, published an article on 22 July 1891 that confounded (or recognized) Westminster's reticence as political maneuvering. The article starts boldly: "It is astonishing how every possible event may be turned to party advantage, and the Radicals are never slow to seize an opportunity in that direction." It continues to describe Liberal political strategy: "The Opposition do not want Mr. Cobain's [*sic*] seat declared vacant just now. They want to [engender] quarrel in the Unionist camp and carry it forward into the general election. The fact remains that Sir Harcourt, Mr. Labouchère, and Mr. Healy are on the side of Mr. Cobain's [*sic*] friends and advisers."<sup>54</sup> This commentary suggests that the catapulting of De Cobain's private life into the public sphere, a phenomenon made possible by the mechanisms afforded by Section II of the Criminal Law Amendment Act was only worth publicizing when it could be used to gain political capital. It is here where we can clearly see that at no time was the De Cobain scandal purely about one thing—political, as well as sexual and gendered dimensions defined it. As a result, audiences rendered representations of De Cobain in multifaceted ways: De Cobain the fugitive, the sexual deviant, the landowner, the parliamentarian, the Tory liability, the Liberal opportunity.

For Tim Healy and the Liberals, the De Cobain scandal offered—in much the same way as the Dublin Castle scandal—a means to attack the legitimacy of Orangeism and Conservative Unionism in Ireland during a period of agitation over Home Rule. Healy was well practiced in the art of mobilizing sexual scandals to the benefit of his brand of Irish Nationalism. For instance, Healy and fellow MP William O'Brien were the catalysts of the Dublin Castle Scandal in 1884. More notably, his condemnation of Parnell's impropriety ("and who is to be the mistress of the party?") with Catherine "Kitty" O'Shea in 1891 was the stuff of legend; Healy coupled sexual immorality with political deception to craft a toothsome narrative that censured Parnell's defense and ended his political career.<sup>55</sup> In retrospect, however, the relative weakness of the Irish Parliamentary Party in the early 1890s, and the strength of Unionism in Belfast would have made it all but impossible for an Irish nationalist to be elected in the general election of 1892.<sup>56</sup>

Most interesting is the policy of containment adopted by Parliament in an attempt to undercut the potency of sexual scandal. As Brady suggests, the matter of sex between men "remained a phenomenon the state preferred to ignore" to safeguard the precarious state of Victorian masculinity.<sup>57</sup> Generally, institutions turned a blind eye to homosex, for if it were recognized it had the potential to destabilize the very foundations of British masculinity. Thus, the customary response in dealing with homoerotic desire among governing men was to restrict investigations and limit public discussions. De Cobain's unremitting interaction with the press, however, undermined any and all such efforts. The reluctance on behalf of government to expel De Cobain is emblematic of Parliament's tenuous relationship with the "unmentionable vice." In an effort to avoid the possibility of furthering scandal, Parliament proceeded with caution, giving De Cobain ample time

to either return and “act” appropriately, or continue to flee and force Parliament’s hand. Parliament’s eventual expulsion of De Cobain in 1892 had a dual effect: it erased any remaining credence of De Cobain’s innocence, and began a measured process of vindicating the character of the House of Commons. Yet Parliament’s decision to postpone De Cobain’s expulsion until February 1892 only worked to vex audiences further, as it no doubt reminded them of Westminster’s reticence in dealing with Lord Somerset in 1889.

The periodical press served as the main outlet for frustrations over Westminster’s reticence. An article published by members of De Cobain’s constituency in the very same issue of the *Belfast News-Letter* on 22 July 1891 exemplifies these strong sentiments. It states:

Mr. De Cobain has had ample opportunity of meeting the charges that have been made against him, and we therefore feel that his seat should be declared vacant, and that the electors of the East Division might thereby be enabled to proceed to elect a representative.<sup>58</sup>

Judge and Conservative Unionist, William Thomas Charley, was much more direct in his criticism of Parliament, as he noted in *The Times* that “It is with feeling of mingled disgust and contestation that [electors in Belfast] learnt there was any hesitation on the part of Government... [to expel] Mr. De Cobain.” He continued: “[De Cobain] is accused with one of the worst offences known to the English law... and I should be sorry if the House of Commons were to hesitate before dealing with the case of a man like De Cobain, who has been a fugitive from justice.”<sup>59</sup> Charley’s presented a wholesome argument: De Cobain’s refusal to return and act appropriately branded him a fugitive, and thus unfit for the office to which he was elected.

Increasing public furor opened the door for Tories and Liberal Unionists to attempt to hasten De Cobain’s expulsion by citing disenfranchisement. On 23 July 1891 Thomas Russell, Liberal Unionist and MP for South Tyrone, asked the Chancellor of the Exchequer if he would take the “practical disenfranchisement of East Belfast” into account in reconsidering the course of the House concerning De Cobain’s expulsion.<sup>60</sup> Russell’s comment was tacitly understood to be a remark regarding the effects of the scandal on his party. Under fire, Russell eventually relinquished his position and stated simply that “Mr. De Cobain might be prejudiced if the House proceeded to his expulsion, but assuredly he has done more to prejudice himself than any one else has.”<sup>61</sup> Russell was not wrong. An analysis of newspaper coverage suggests that De Cobain’s culpability was well established by late July and all but confirmed by November. Just days before Russell’s exchange in Parliament, the *PMG* published a editorial entitled “What Ought One to do When Blackmailed?” Blatantly prescriptive in tone and argument, the letter begins with a wide-ranging statement suggesting that “to prevaricate, to deceive, to attempt flight or even suicide—those are the *natural* actions of a guilty *man*.” In their

conclusion, the author—using the apt pseudonym “Innocence is as Innocence Does”—offers one final recommendation to De Cobain:

Either it is a clear act of cowardice for a man confronted with a blackmailer to betray his own innocence, or else the public is doing a grave injustice to De Cobain. The fact is that [the accused] have no right to force on the general public the odious task of distinguishing in an issue, which [the accused] have wilfully [*sic*] confused.<sup>62</sup>

Scholars have identified “Letters to the Editor” as useful sites for examining the ways in which readers constructed identities within the margins of the text. These readers may have sought to register independence from the dominant values of the magazine, or, as in the case of this example, could have been looking for reassurance.<sup>63</sup> Nevertheless, this particular editorial segment disrupts the notion of the *PMG* editor as a monolithic entity. Moreover, it presents the impression that the general readership also believed innocence to be defined by one’s state of mind and one’s behavior. It seems that for De Cobain to disprove any semblance of *unnatural* sexuality he had to provide evidence of normal masculinity.

More telling are the opinions expressed immediately following the postponement of De Cobain’s expulsion. The *PMG* articulated its criticism of the House thus: “De Cobain may now be congratulated on having made the House of Commons look thoroughly and consummately foolish.”<sup>64</sup> The *PMG* took notice of the House’s indeterminacy, and recognized it as evidence of general Parliamentary incompetence. The article ends with a question that would come to define the press’ position on the De Cobain scandal: “is it not now plain that the only workable theory for all such cases is that an innocent man has no right to flee from justice, and if he does he so abdicates his primary right to be assumed innocent?”<sup>65</sup> On 26 July 1891, *Reynolds’* once again associated De Cobain with Lord Arthur Somerset and Cleveland Street, stating that the Orange member for Belfast continued to evade his trial as he waited on a dissolution of parliament “to save him from the disgrace of being expelled, as he has presumed a good deal on his knowledge that the Government shielded the Cleveland-street criminals.”<sup>66</sup>

The final episode of the De Cobain scandal in September 1891 undercut any semblance of innocence. On 17 September the *PMG* published an exclusive interview with De Cobain, who at the time was living in Boulogne. Historians of print journalism have identified this turn towards interviewing as an example of the Americanization of the British press—a shift away from the British style of journalism that respected privacies and domestic sanctities, to the relentless Americanized craze “for novelty and excitement.”<sup>69</sup> The *PMG* justified the interview as an opportunity for De Cobain to “explain why, being an innocent man, he has so far behaved as a guilty one” on grounds that “these are things that the public wants to know.”<sup>70</sup> De Cobain recycled exhausted answers to questions like “Why did you run away?” and “Who are your accusers?” but he did declare that he would return to England “in two weeks, or it may be in two months,

no time is yet fixed.”<sup>71</sup> Before concluding the interview, the correspondent, “A.W.P.” asked the following question:

Am I right in telling the *public* two things—first, that you are the victim of a vile conspiracy by the Tory party; and secondly that you prefer remaining in comfort here until you think fit to give yourself up, rather than at once meet the charges against you?

De Cobain provided a direct and unsatisfying answer: “You are right in both assumptions, and I wish I dared give you more details.”<sup>72</sup>

De Cobain’s interview may have done well to placate the situation had *The Irish Times* not reported on fresh charges made against William Allen—one of the eight young men who had accused De Cobain of sodomy—for having distributed “indecent photographs.” Despite its Unionist leanings, *The Irish Times* reported that De Cobain’s friends had attempted to interfere with and destroy the evidence that the police had collected for his prosecution.<sup>73</sup> Elsewhere, the *PMG* abandoned any sense of neutrality: “A public man in England has only one guardian of his own honour in a court of law or outside it—himself... De Cobain must fulfill his promise or he must not expect to be [presumed innocent] any longer.”<sup>74</sup> Perhaps unsurprisingly, the indictments against William Allen were dropped on 19 September as “no charge was established against the prisoner.” Following the dismissal of William Allen, De Cobain reneged on his promise to return to England. On 25 November, the *PMG* reprinted an article from a Belfast paper entitled, “MR. DE COBAIN NOT GOING TO RETURN.” The article declared that De Cobain had indefinitely postponed his return to England owing to the existence of a deep-laid conspiracy set against him, and offered the following conclusion: “[De Cobain] has decided to abandon political life... and he deeply deplores the fact that he ever allowed himself to be induced to enter Parliament.”<sup>75</sup> In abandoning his political office—and, by association, the constituents he represented—De Cobain intimated to the general public that their growing distrust was well-founded.

Upon recommencement of Parliament in February 1892, A.J. Balfour immediately renewed the process of De Cobain’s expulsion. On 12 February, he gave notice of a motion that compelled De Cobain to attend Parliament or face dismissal. The Irish nationalist press mobilized the De Cobain scandal to condemn Balfour’s leadership. *The Freeman’s Journal* noted that “Balfour bungled the unpleasant De Cobain business” by presenting a resolution to expel De Cobain that “was drawn in such bad English” that an Irish member of the House “was obliged to put [the motion] in proper shape.” The irony behind an Irishman correcting an Englishman’s English was apparent: “It is the little things like this,” noted *Freeman’s*, “that show how unready a man Mr. Balfour is.”<sup>76</sup> Tim Healy, on the other hand, remarked that the House’s assiduous action towards De Cobain had protected Parliament from any allegations of “precipitate actions”; nevertheless, he offered one final argument in favour of further postponement. Healy considered the motion compelling De Cobain to attend the House to be “curious in



character” on grounds that “as soon as Mr. De Cobain landed on these shores he would be met by the detectives at Dover and arrested.”<sup>77</sup> In Healy’s view the House “should take steps to make it clear that the path for [De Cobain] would not be barred by policemen,” and moved that “this House will treat the attempt of any person whomsoever to prevent the said member from complying with its order as a contempt of House.” Belfast West representative, Thomas Sexton, agreed; yet, a seldom few could follow Healy’s logic.

The counterarguments made against Healy are telling of the attitude towards De Cobain. Over cheers, Liberal representative Sir William Harcourt, mindful of the impending general election, declared that

The truth is...[De Cobain] is a notorious fugitive from justice. *No one* could now believe that he was not a fugitive from justice. ...if he persists in absenting himself from vindicating his position, then the House must take steps towards the vindication of its own character.<sup>78</sup>

Facing significant opposition Healy retracted his amendment and the motion passed. The *PMG* agreed with Harcourt, noting that “as Sir William Harcourt rightly pointed out, De Cobain will be expelled not for disobeying an order of the House, but for remaining a persistent fugitive from justice.”<sup>79</sup> Up until that point, the dilatory treatment of the De Cobain expulsion exemplified Parliament’s policy of containment. This policy was engendered by the belief that if De Cobain returned to Britain and cleared his name after he had been expelled from government, perceptions of Parliament would have suffered. With the general election on the horizon, Harcourt considered the time ripe to “vindicate” the character of the House that had been hitherto sullied by De Cobain’s abhorrent behaviour.

The motion to expel De Cobain from Parliament passed unanimously on 23 February 1892. Even A.J. Dudgeon, De Cobain’s solicitor and principal agent in London and Dublin, had lost faith in De Cobain’s defense. In a letter to Fletcher De Cobain, Dudgeon described public opinion towards his brother’s scandal: “You have of course seen the action taken by the House of Commons respecting your brother,” he wrote on 15 July 1892, “and [he did] not obey the order of the House... this will be regarded by the general public as tantamount to a verdict of guilty.”<sup>80</sup> Dudgeon concluded on a grave note:

Even at the risk of dying in the dock your brother, if innocent, should [return] and clear himself from such a foul charge... ‘De Cobain is a fugitive from justice,’ [and] if this is regarded as greatly by the voices of the public he has only himself to blame... he owes a duty to his family and to those friends who have stood by him to the last... and now he should [find] courage and return. I am sorry to have to [state this] but after the [time] I have [invested in] the case it is [aching] to see your brother act as he is choosing.

Dudgeon's final phrase all but reproduces the commentary published in the pages of the press: "He should put his trust in Providence and face his enemies *even now* [original italics]." <sup>81</sup> Dudgeon's letter reveals more than just his vexations and waning confidence. His persistent reference to the opinion of the "general public," and the effect of "newspaper people" on public opinion, suggests that the perceptions of De Cobain's culpability, or innocence, relied heavily on the circulating printed material. As I have argued, by July 1892, few periodicals considered De Cobain's actions in response to the Crown's accusations to be appropriate, and it seems that his counsel did not either. Dudgeon's prose also reveals the ways in which De Cobain failed to meet the ethical prescriptions of his class and position. But by questioning De Cobain's course of action, and in alluding to De Cobain's intrinsic sense of "duty" and "courage," Dudgeon's statement suggests that a faint opportunity for redemption remained. Not least, Dudgeon substantiates the belief that a defendant's behaviour in response to accusations of gross indecency was as important as the accusation itself. Unbeknownst to Dudgeon, however, De Cobain had already embarked on a Red Star Line cruiser in May 1892 bound for the United States, and had established himself in Brooklyn, New York. Somnolent and destitute, De Cobain returned to Belfast in February 1893. Five weeks after his return, Head Constable Hussey arrested De Cobain at his home on Ormeau Road in Belfast. <sup>82</sup>

In contrast to the intensity of reporting during 1891 and 1892, the total number of articles covering the De Cobain trial was minor. <sup>83</sup> Periodicals that did choose to print material that focused on factual information, and as a result participated in a culture of reprinting. The *Illustrated Police News (IPN)*, a weekly British tabloid that focused exclusively on scandalous and sensational trials, speculated that "To the jury it must have been especially [painful], having regard to the fact that the prisoner at one time had the honour to be the representative of one of the divisions of that great city, of which no higher honour could be cast among any citizen." <sup>84</sup> Unsurprisingly, contemporary reports failed to mention the explicit act that De Cobain had been accused of committing, instead choosing to obscure details with nebulous descriptions.

Periodicals did not draw attention to the prospect of bias amongst jury members, despite the boisterous debate that had occurred in the House of Commons throughout 1891-92. Moreover, while the law of evidence did allow for the use of accomplice testimony, there is no evidence to suggest that the prosecution's case was regarded with suspicion, regardless of De Cobain's allegation that witnesses were bribed to perform perjury. It is also unlikely that juries were warned against accepting uncorroborated evidence as fact. <sup>85</sup> The rules governing corroborations were not universal in the nineteenth century, and thus allowed for significant discretion from the bench. <sup>86</sup> The circumstances of the De Cobain scandal, too, were quite unique; witnesses were at once victims, accomplices, corroborators, and extortionists. Unsurprisingly, their testimonies were not reproduced in print—probably due to the "offensive" nature of their accounts. It is clear, however, that the prosecution's case relied heavily on their testimony during the

trial, as “A number of witnesses, almost all young lads, were examined, [which] closed the case for the prosecution.”<sup>87</sup> The fact that the testimonies used against De Cobain were those of *young* men of inferior class standing surely worked to the prosecution’s advantage, as it had during the Cleveland Street affair, and as it would during the trials of Oscar Wilde.<sup>88</sup> The prosecution’s case could not have established that sexual acts did in fact occur, but the weight of witness testimonies, coupled with De Cobain’s dubious character, was enough to convince the jury of De Cobain’s guilt. In retrospect, an acquittal was practically and ideologically impossible, for such an outcome in the wake of Lord Arthur Somerset’s escape would have suggested to the Victorian public that innocence was not associated with one’s actions in response to an accusation. Had the jury cleared De Cobain they would have recognized De Cobain’s prevarication, deception, and prolonged flight as tolerable comportment. To tolerate such behaviour would have been directly at odds with Victorian adulation of bourgeois masculinity and decorum, and was therefore unimaginable.

## Conclusion

Following the conclusion of the Wilde trials in 1895, *Reynolds’* published an article that recalled the infamous cases of gross indecency from the 1880s and 1890s. It stated the following:

Sexual offences between males are a common practice among our leisured and cultured classes... the Boulton and Park scandal... the Cornwall and French case in Dublin, the Cleveland street atrocities, and the conviction of De Cobain. These came to the surface, but the police were perfectly aware of their existence long previously, and of the existence of many similar cases, as to which they had a difficulty of obtaining legal proof.

The final sentence included a modulation that accentuated the political implications of such scandals:

The offenders in all these cases were men of social position... and, curiously enough, all were Tories.<sup>95</sup>

*Reynolds’* commentary suggests that the presence of sex between men was a tacitly understood phenomenon. The intermittent disclosure of Parliamentary scandals made the public more aware of rampant immorality amongst governing men. Scandals rarely arose solely in the wake of a sexual indiscretion; most cases involved the crossing of class and gender boundaries, too. *Reynolds’* commentary also hints that these episodes of public impropriety were not seen as independent incidences. Furthermore, the regularity of scandals involving Conservatives meant that they represented a population under assiduous scrutiny. Indeed, the number of public uncovering of “indecent acts” committed by governing men would have made it all but impossible for publics to ignore

the presence of same-sex desires. For radical MPs like Tim Healy, scandals of this sort provided opportunities to leverage for political capital. If nothing else, these scandals acted as a mechanism through which concerned readers could experience a fleeting moment of catharsis, a safety valve for public sensibilities, and a moment of absolution for government offices.

It is therefore too simplistic to explain De Cobain's imprisonment as a consequence of Victorian repression of deviant sexualities. De Cobain was in many ways a double outsider, as well as an Orangist bulldog: he was not wanted by his own constituency managers, while in Westminster he was a militant evangelical not of the most clubbable sort. He was ultimately found guilty because he embodied an irreconcilable contradiction. On the one hand, De Cobain represented archetypal Victorian "manliness"; he embodied the stereotypical Protestant/capitalist "self-made" man ideal, while his support of the working-class interests gave him leverage in multiple spheres.<sup>96</sup> But on the other, De Cobain's story is one of performative failure. His contradictory comportment—namely, declaring his innocence whilst continuing to abscond from justice—was considered to be at odds with the expected behaviour of "public men." In the wake of a sequence of highly publicized scandals that produced undue scrutiny of the integrity of Parliament, De Cobain's refusal to return to face his accusers all but served as an admission of guilt that an all-male jury could not afford to ignore.

I have sought to redirect our attention away from De Cobain's trial and onto the lengthy period of scandal that preceded it. The De Cobain scandal resonated widely, as evidenced by the discourses offered by politicians, lawyers, journalists, and fervent moralists. With few exceptions, expressions of pious male indignation monopolized the pages of the periodical press. Much like with the primary actors involved in the Dublin Castle Scandal, the Cleveland Street affair, and the subsequent trials of Oscar Wilde, audiences rebuked De Cobain for failing to uphold the prescriptions of his class and position. For frenzied Victorian consumers of scandal, De Cobain's antics must have been as thrilling as they were instructive. The scandal communicated a punitive lesson about the expected behaviour of public men and the dangers associated with deviating from the prescribed standards of masculinity.

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<sup>1</sup> Benjamin Rosemond, *The Queen vs E.S.W. De Cobain, Depositions, Belfast Petty Sessions*, 23 February 1893, ANT-1-2-C-3-30, Public Records Office of Northern Ireland, Belfast, Ireland.

<sup>2</sup> *The Times*, 21 March 1893.

<sup>3</sup> David Saunders, "Victorian Obscenity Law: Negative Censorship or Positive Administration?" in *Writing and Censorship in Britain*, eds. Paul Hyland and Neil Sammells (New York: Routledge, 1992): 156.

<sup>4</sup> H.G. Cocks, *Nameless Offences: Homosexual Desire in the 19th Century* (London I.B. Tauris & Co., 2003): 79.

<sup>5</sup> William Cohen, *Sex Scandal* (Durham, NC: Duke University Press, 1996): 5-6.

<sup>6</sup> Montgomery Hyde, *A Tangled Web* (London: Constable, 1986): 208; Montgomery Hyde, *The Other Love* (London: Heinemann, 1970): 137-8; Brian Lacey, *Terrible Queer Creatures: A History of Homosexuality in Ireland* (Dublin: Wordwell Books, 2009): 150-1. Neil Bartlett, *Who Was That Man?: A Present for Mr. Oscar Wilde* (London: Serpent's Tail, 1988): 119; Ashley Robins, *Oscar Wilde: The Great Drama of his Life* (Portland, Oregon: Sussex Academic Press, 2011): 125-6; Clinton Elliott, *Hidden: The Intimate Lives of Gay Men Past and Present* (Bloomington, IN: Authorhouse, 2014): 67-8.

<sup>7</sup> See Margot Gayle Backus, "'Odd Jobs': James Joyce, Oscar Wilde, and the Scandal Fragment," *Joyce Studies Annual* (2008): 105-145; Eibhear Walshe, "The First Gay Irishman? Ireland and the Wilde Trials," *Eire-Ireland* 40 (2005).

<sup>8</sup> See, for example, Charles Upchurch, *Before Wilde: Sex Between Men in Britain's Age of Reform* (Berkeley and Los Angeles, CA: UCLA Press, 2009).

<sup>10</sup> Cocks, *Nameless Offences*, 6.

<sup>11</sup> H.G. Cocks, "Trials of Character: The Use of Character Evidence in Victorian Sodomy Trials," in *The Trial in History*, vol. 2, *Domestic and International Trials, 1700-2000*, ed. R. A. Melikan (Manchester, U.K.: Manchester University Press, 2003), 35-53.

<sup>12</sup> Bruce Dorsey, "Making Men What They Should Be": Male Same-Sex intimacy and Evangelical Religion in Early Nineteenth-Century New England," *Journal of the History of Sexuality* 24 (2015): 345-377. Despite concentrating on early nineteenth century New England, Dorsey does well to highlight the intricacies of meaning that surround homosexual scandals.

<sup>13</sup> Hyde, *A Tangled Web*, 208; Robert Henry Mair, ed., *Debrett's House of Commons, and the Judicial Bench* (London: Dean and Son, 1886): 49. De Cobain declares in "LOCAL GOVERNMENT TAXATION OF TOWNS INQUIRY COMMISSION," *Belfast News Letter*, 13 December 1876.

<sup>14</sup> Brian M. Walker, ed., *Parliamentary Election Results in Ireland, 1801-1922* (Dublin: Royal Irish Academy, 1978): 329; "THE GENERAL ELECTION," *Reynolds' Newspaper* 29 November 1885.

<sup>15</sup> Walker, "Parliamentary Elections," 329; Fergus Campbell, *The Irish Establishment, 1879-1914* (Oxford: Oxford University Press, 2009): 142-44.

<sup>16</sup> Jonathan Bardon, *A History of Ulster* (Belfast: Blackstaff Press, 1992): 406.

<sup>17</sup> Edward De Cobain, "The Disturbances in Belfast," *Evening Telegraph*, 6 August 1886.

<sup>18</sup> United Kingdom. Belfast Riots Commission, 1886. *Reports of the Belfast Riots Commissioners* (Dublin: Alexander Thom & Co., 1887): 264.

<sup>19</sup> "PREPARING FOR CIVIL WAR IN ULSTER," *Pall Mall Gazette*, 1 June 1886.

<sup>20</sup> "Action for Libel By Mr. De Cobain," *The Irish Times*, 24 March 1888.

<sup>21</sup> Edward De Cobain to Fletcher De Cobain, 2 March 1888, MS. 17,729/1, Fletcher De Cobain Papers, National Library of Ireland.

<sup>22</sup> Edward De Cobain to Fletcher De Cobain, 18 April 1888, Fletcher De Cobain Papers, MS. 17, 729/1, Fletcher De Cobain Papers, National Library of Ireland.

<sup>23</sup> HC Deb, 13 June 1890. *Belfast and District Trades' Union Council, 1881-1951: A Short History: 70th Anniversary* (Belfast: Belfast & District Trades' Union Council, 1951): 6-11.

<sup>24</sup> "The Letter from Mr. De Cobain, M. P., the Author of the Strikes Bill, Read at a Meeting of Shipley Gasworkers, and Which We Publish in Another Column, Is Certainly a Curious Document," *Yorkshire Factory Times*, 9 May 1890, 1.

<sup>25</sup> "THE SHAM STRIKES," *Reynolds' Newspaper*, 13 April 1890; "The Strikes Bill and Its Author," *Yorkshire Factory Times*, 23 May 1890: 7. *Reynolds'* later reprinted the speech of Mr. W.R. Cremer, which openly disavowed De Cobain during a demonstration at a bootmakers strike. Mr. Byron Reed, too, sent a number of letters to the editor denouncing his position.

<sup>26</sup> "MR. DE COBAIN, MP, AND HIS TENANTS," *Freeman's Journal*, 27 October 1890.

<sup>27</sup> "Absurd and Untenable," *Portsmouth Evening News*, 30 October 1890: 3; "UNIONIST VOTERS DISFRANCHISED AT BELFAST," *Daily Gazette For Middleborough*, 31 October 1890. In addition, *The Belfast News Letter*, *The Morning Post*, *The York Herald*, and *The Huddersfield Chronicle* printed notices of De Cobain's misconduct.

<sup>28</sup> "Copy of Warrant for the Arrest of Mr. Edward S. W. De Cobain, Member of East Belfast" (Copy of Warrant, London, 15 May 1891), 1.

<sup>29</sup> William Cohen, *Sex Scandal: The Private Parts of Victorian Fiction* (Durham, NC: Duke University Press, 1996): 7-10.

<sup>30</sup> "CAPTAIN VERNEY, M.P., Pleaded guilty yesterday," *The Times*, 7 May 1891, 9.

<sup>31</sup> Ben Griffin, *The Politics of Gender in Victorian Britain: Masculinity, Political Culture and the Struggle for Women's Rights* (Cambridge, UK: Cambridge University Press, 2012), 173; Mort, *Dangerous Sexualities*, 89.

<sup>32</sup> In an effort to contain this historiographical discussion I've listed the scholarship that has influenced this work: Angus McLaren, *Trials of Masculinity* (Chicago, IL: University of Chicago Press, 2008); John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven, CT: Yale University Press, 1994): 24-5, "Home and Away: The Flight from Domesticity in Late-Nineteenth-Century England Re-visited," *Gender & History* 27 (2015); Angus McLaren, *Trials of Masculinity*, and *Sexual Blackmail: A Modern History* (Cambridge, Massachusetts: Harvard University Press, 2002); Sean Brady, *Masculinity and Male Homosexuality* (Houndmills, UK: Palgrave, 2005); H.G. Cocks, *Nameless Offences*; Matt Cook, *London and the Culture of Homosexuality* (Cambridge, UK: Cambridge University Press, 2003).

<sup>33</sup> James Adams, *Dandies and Desert Saints: Styles of Victorian Manhood* (Ithaca: Cornell University Press, 1995): 98.

<sup>34</sup> Griffin, *The Politics of Gender in Victorian Britain*; Joseph Valente, *The Myth of Manliness in Irish National Culture, 1880-1922* (Chicago: University of Illinois Press, 2011): 8-14; Helen Smith, *Masculinity, Class and Same-Sex Desire in Industrial England, 1895-1957* (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2015).

<sup>35</sup> Matthew McCormack, "Conclusion," in *Public Men: Masculinity and Politics in Modern Britain*, ed. Matthew McCormack (Houndmills, UK: Palgrave Macmillan, 2007): 187-190; and Matthew McCormack, *The Independent Man: Citizenship and Gender Politics in Georgian England* (Manchester: Manchester University Press, 2005): 201-205. See Stefan Collini, *Public Moralists: Political Thought and Intellectual Life in Britain 1850-1930* (Oxford: Clarendon Press, 1991).

<sup>36</sup> Nathan Roberts, "Character in the Mind: Citizenship, Education, and Psychology in Britain, 1880-1914," *Journal of the History of Education* 33, 2 (2004): 185-88.

<sup>37</sup> Samuel Smiles, *Self-Help; With Illustrations on Character and Conduct* (London: S.W Partridge & Co., 1858): 279; William Davies, *A Fine Old English Gentleman, Exemplified in the Life and Character of Lord Collingwood: A Biographical Study* (London: Sampson Low, Marston, Low, and Searle, 1875), quoted in H.G. Cocks, "Abominable Crimes: Sodomy Trials in English Law and Culture, 1830-1889" (PhD Diss., University of Manchester, 1989): 142.

<sup>38</sup> Griffin, *The Politics of Gender in Victorian Britain*, 200.

<sup>39</sup> Cocks, *Nameless Offences*, 117.

<sup>41</sup> "Grave Charges Against Members of Parliament," *Pall Mall Gazette*, 15 April 1891 6.

<sup>42</sup> This sentence is uniform among every publication that reprinted the original brief for mid-April from the Central News Agency.

<sup>43</sup> "The Democrat in Parliament," *Reynolds' Newspaper*, 19 April 1891.

<sup>44</sup> HC Deb, 20 April 1891, Vol 352. In his private correspondence, Edward De Cobain spoke fondly of Colonel Saunderson, going as far as to refer to him as a "close friend."

<sup>45</sup> McLaren, *Sexual Blackmail*, 20; Cocks, *Nameless Offences*, 115. According to Herbert Maxwell, *Life and Times of the Right Hon. W. H. Smith, MP* (Edinburgh: William Blackwood & Sons, 1893): 160, Smith was known for his "sterling sound sense and perfect integrity," and was known as "Old Morality."

<sup>46</sup> HC Deb, 20 April 1891, Vol 352.

<sup>47</sup> Fletcher De Cobain Papers, Edward De Cobain to Fletcher De Cobain, 18 April, 1888. Throughout 1887 and 1888, Edward attempted to secure an appointment for his brother. In his letters he refers to his discussions with the Lord Chancellor, the First Lord of the Treasury, and his "influential friend," Colonel Saunderson. De Cobain was unsuccessful in his attempt to secure a patronage for his brother.

<sup>48</sup> *Ibid.*

<sup>49</sup> "Mr. De Cobain in his Defense: Letter from the Missing MP," *Pall Mall Gazette*, May 2 1891.

<sup>51</sup> "Occasional Notes," *Pall Mall Gazette*, May 2 1891.

<sup>52</sup> *The Times*, 15 May 1891.

<sup>53</sup> Cocks, *Nameless Offences*, 222.

<sup>54</sup> "Our London Letter," *Belfast News Letter*, 22 July 1891.

<sup>55</sup> Valente, *The Myth of Manliness in Irish National Culture, 1880-1922*, 54-55.

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- <sup>56</sup> Walker, ed., "Parliamentary Election Results in Ireland," 329. Gustav Wilhelm Wolff, a German-British shipbuilding tycoon with very little interest in working-class politics, was elected as a Conservative Unionist representative for Belfast East following De Cobain's expulsion. He would remain in that position, uncontested, until his death in 1913.
- <sup>57</sup> Brady, *Masculinity and Male Homosexuality*, 217.
- <sup>58</sup> "Mr. Cobain's Case," *Belfast News Letter*, 22 July 1891.
- <sup>59</sup> *The Times*, 23 July 1891 10.
- <sup>60</sup> HC Deb, 23 July 1891, Vol 356.
- <sup>61</sup> Ibid.
- <sup>62</sup> "What Ought One do When Blackmailed?" *Pall Mall Gazette*, 20 July 1891.
- <sup>63</sup> Lynne Warren, "'Women in Conference': Reading the Correspondence Columns in *Woman* 1890-1910," in *Nineteenth-Century Media and the Construction of Identities*, ed. Laurel Brake et al (London: Palgrave, 2000): 122-3.
- <sup>64</sup> "Occasional Notes," *Pall Mall Gazette*, 24 July 1891, 2.
- <sup>65</sup> Ibid.
- <sup>66</sup> "Democrat in Parliament," *Reynolds'*, 26 July 1891, 6.
- <sup>69</sup> Joel H. Wiener, *The Americanization of the British Press, 1830s-1914* (Houndmills, Hampshire: Palgrave Macmillan, 2011): 15.
- <sup>70</sup> "Will Mr. De Cobain Come Back?: An Interview at Boulogne," *Pall Mall Gazette*, 17 September 1891.
- <sup>71</sup> Ibid.
- <sup>72</sup> Ibid.
- <sup>73</sup> "The Charges Against Mr. De Cobain, MP," *The Irish Times*, 17 September 1891.
- <sup>74</sup> Ibid.
- <sup>75</sup> "MR. DE COBAIN NOT GOING TO RETURN," *Pall Mall Gazette*, 25 November 1891, 9.
- <sup>76</sup> *The Freeman's Journal*, 24 Feb., 1892, 5.
- <sup>77</sup> "Mr. De Cobain," *The Times*, 12 February 1892.
- <sup>78</sup> Ibid.
- <sup>79</sup> "Occasional Notes," *Pall Mall Gazette*, 12 February 1891.
- <sup>80</sup> Fletcher de Cobain Papers, National Library of Ireland, MS. 17, 444, A.J. Dudgeon to Fletcher De Cobain, 15 July 1892.
- <sup>81</sup> Ibid.
- <sup>82</sup> *The Times*, 20 February 1893.
- <sup>83</sup> Out of over 3,000 individual articles spanning the De Cobain scandal, I have only identified 215 articles published in 1893 pertaining to De Cobain's pre-trial and trial.
- <sup>84</sup> "THE DE COBAIN CASE," *Illustrated Police News*, 1 April 1893.
- <sup>85</sup> According to Cocks, it was not until 1908 (*R. v Tate*) that British courts instituted the universal practice of warning juries "not to act on uncorroborated evidence."
- <sup>86</sup> C.J.W. Allen, *The Law of Evidence in Victorian England* (Cambridge, UK: Cambridge University Press, 1997), 43-9; H.G. Cocks, "Wilde and the Law," in *Oscar Wilde in Context*, ed. Kerry Powell and Peter Raby (Cambridge, UK: Cambridge University Press, 2013), 303.
- <sup>87</sup> "THE DE COBAIN CASE," *Illustrated Police News*, 1 April 1893.
- <sup>88</sup> H.G. Cocks, "Making the Sodomite Speak: Voices of the Accused in English Sodomy Trials, c. 1800-1898," *Gender & History* 18 (April, 2006): 103-4.
- <sup>95</sup> *Reynolds'* 1895, quoted in Kaplan, "Sodom on the Thames," 255.
- <sup>96</sup> Alan Sinfield, *The Wilde Century: Effeminacy, Oscar Wilde and the Queer Moment* (New York: Columbia University Press, 1994): 68.