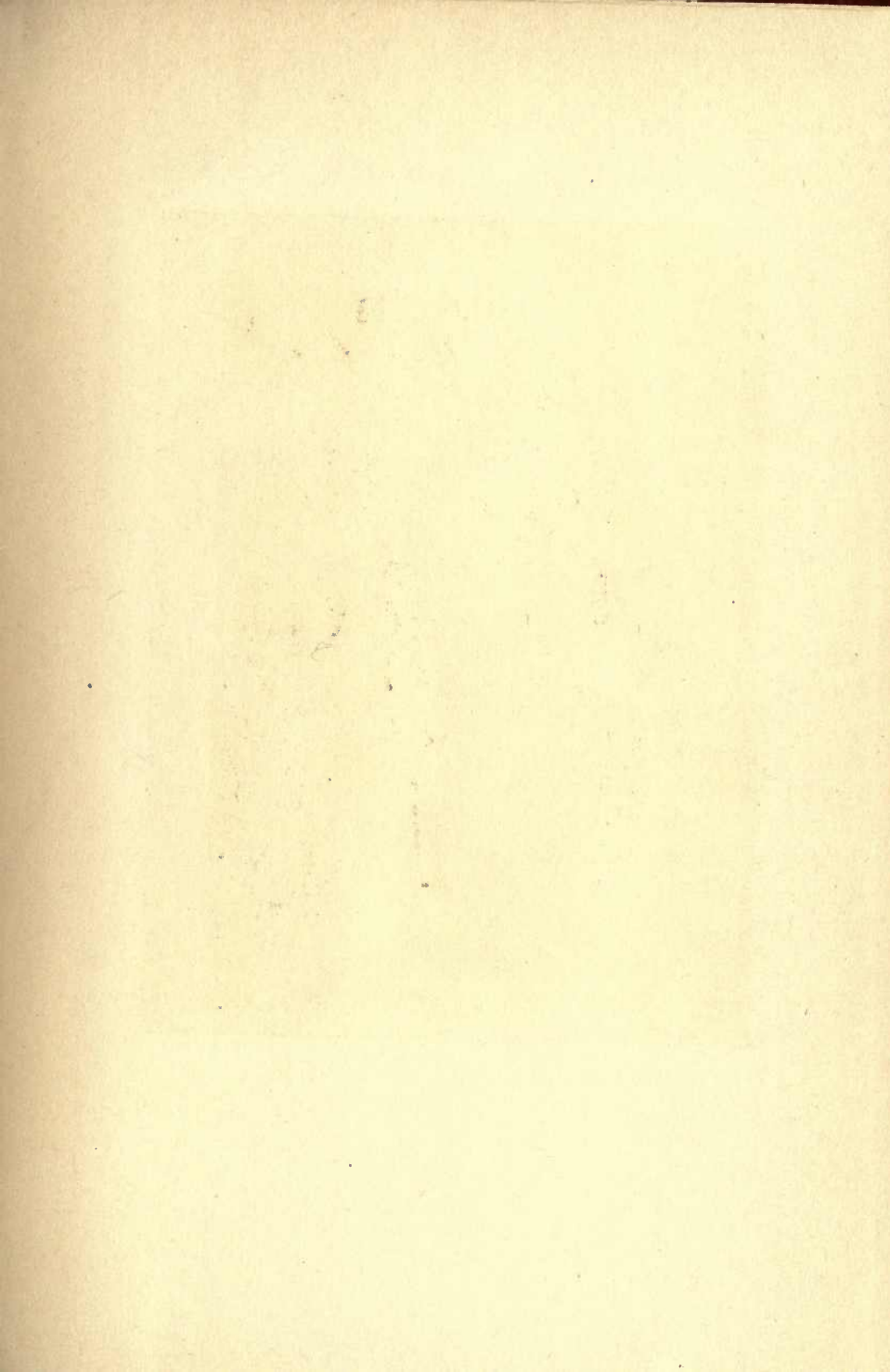
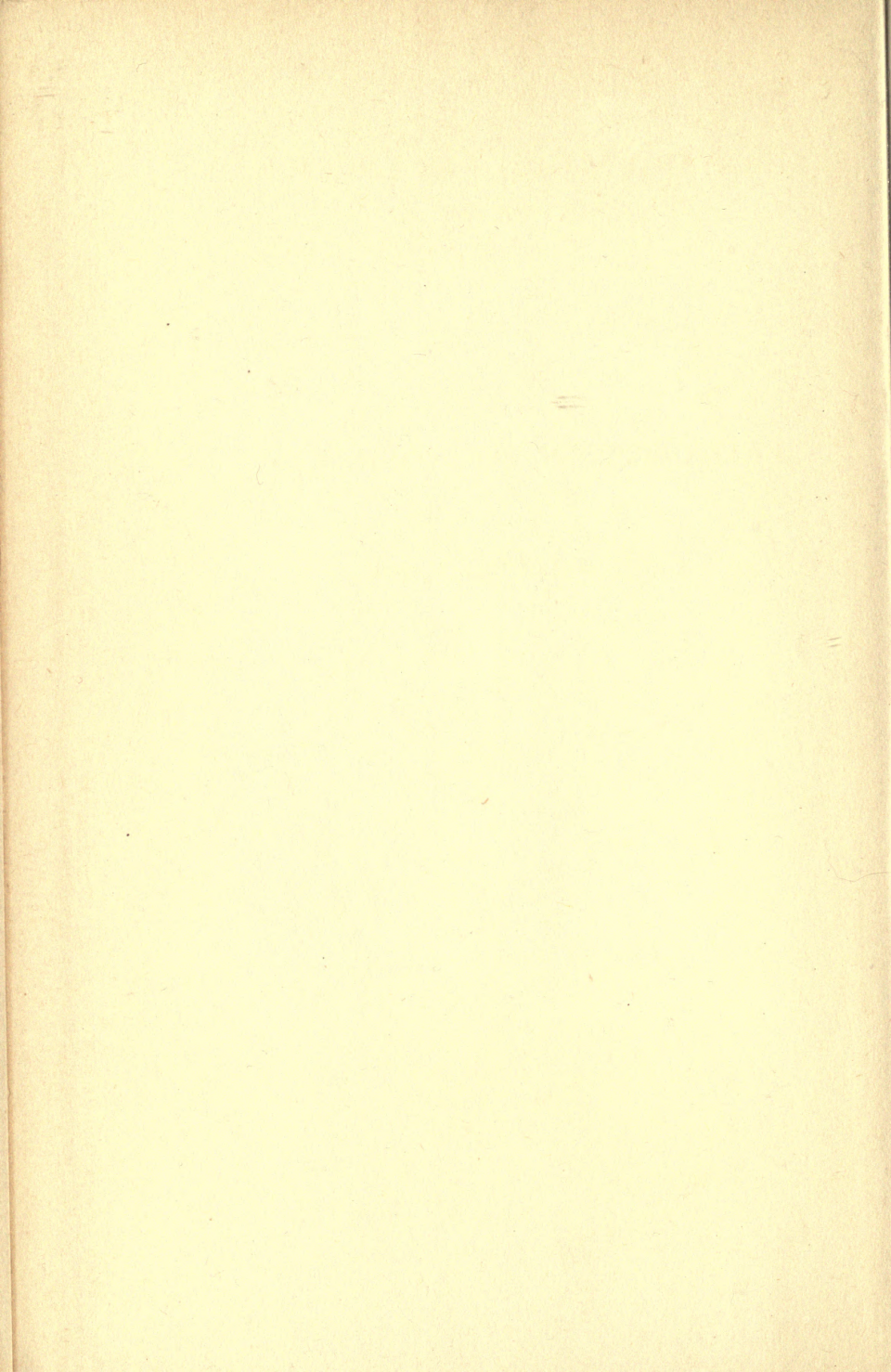




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HARVARD STUDIES IN ENGLISH
VOLUME VIII

ELIZABETHAN BOOK-PIRATES

BY

CYRIL BATHURST JUDGE

LONDON : HUMPHREY MILFORD
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ELIZABETHAN BOOK-PIRATES

BY

CYRIL BATHURST JUDGE



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TO MY WIFE
WHOSE INTEREST IN THE PIRATES
EQUALS MY OWN

*Haec alii sex
Vel plures uno conclamant ore.*

JUVENAL

PREFACE

SEVERAL years ago my attention was directed to the misfortunes of certain of the humbler and more irregular members of the printing trade who flourished during Elizabeth's reign, and this volume is the result of a search for new material concerning their ways and methods. In a final analysis of material it has seemed best to confine my efforts, in general, to a history of the repeated attacks on the privileges of men who printed under royal favor, and, in particular, to a record of the extensive piracy of psalm-books, A.B.C.'s, and grammars. While I have been careful to set down accurately the various misdemeanors of surreptitious printers and booksellers, perhaps even to the exclusion of their virtues, yet I am by no means in agreement with George Wither, who once wrote that "the meere Stationer is a dangerous excrement, worthy to be cutt off by the State; to be detested of all Schollers; to be shun'd of all the people, and deserves to be curst." Nor can I help feeling a little uneasy when the term "notorious book-pirate" is so casually used in connection with some of the names occurring within these pages. It is dangerous to judge sixteenth-century actions by twentieth-century standards, and I have not attempted to pronounce sentence on those who came into conflict with the authorities. After all, the Elizabethans had extraordinary skill in finding a correct solution to their own difficulties, certain of which are now set forth.

In connection with the preparation of my book I have had much friendly help and advice. Dr. C. J. Sisson first introduced me to Simon Stafford, and to him I make suit-

able acknowledgment. To Dr. W. W. Greg I owe special thanks for his kindness in giving me advance proof-sheets of the recently published *Records of the Court of the Stationers' Company, 1576-1602*. To the officials of the Public Record Office in London I am grateful for their courtesy in allowing me to print certain documents, and to the librarian of the Boston Athenæum, Miss Elinor Gregory, I am under obligation for her readiness to furnish me with much-needed information.

It remains only for me to mention two members of the faculty of Harvard University who have come to my assistance when difficulties have beset me. I am particularly indebted to Professor George Lyman Kittredge for help so freely and graciously given from the profound store of his learning. Finally I wish most of all to express my feeling of real gratitude to Professor Hyder E. Rollins for guiding me by his sound scholarship and genuine friendship to a successful completion of this work.

C. B. J.

CAMBRIDGE, MASSACHUSETTS
November 11, 1933

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ELIZABETHAN BOOK-PIRATES

CHAPTER I

The Printing Trade in England 1476-1532

IN THE centuries before the invention of printing the attitude of an author toward his work was not that of the holder of a property-right. In no case was any claim put forward for exclusive possession by copyright, although manuscripts were being constantly reproduced both by laymen and clerics.¹ Therefore, when Caxton set up his printing-press at Westminster in 1476, he created no new situation except that he was able to turn out copies by hundreds, whereas in former ages the scriptorium could produce in a like period but a single volume. In other words, during the earliest years of the new invention printers simply followed the custom of their predecessors, without thought of the author or his potential rights.²

But the sixteenth century, with its revival of learning and its consequent demand for more and cheaper books, soon brought new problems to author, printer, and publisher. Any great invention, whether it comes from the brain of Arkwright or Hargreaves, Bell, Edison, or Carnot, creates new conditions which sometimes revolutionize the social and industrial world. In the early stages of printing no control was necessary. The printers themselves

1. M. Renouard in his *Des Droits d'Auteurs* (Paris, 1838) states that in Paris and Orleans alone, during the middle of the fifteenth century, there were ten thousand copyists.

2. When Frobenius of Basle printed an edition of the *Adagia* of Erasmus it did not occur to him to ask permission to do so; in fact this act brought the two together, and Erasmus lived with Frobenius for some years thereafter in his house and at his expense. Cf. A. Birrell, *The Law and History of Copyright in Books* (New York, 1899), pp. 48-49.

were secretive about the new process,¹ hoping, perhaps, to monopolize it, or at least merely to satisfy the immediate requirements of their patrons and friends. This attitude, however, was not in accord with the eager spirit of the age. The demand for printed books was unceasing, and with it arose a new industry, simple in itself, but complex in its relations to political and economic forces.

In the first place the literary property of the author in nearly all cases began to be transferred to the printer or bookseller,² who in turn, to protect himself against growing competition, applied to his sovereign for the exclusive right to print certain special books. A. W. Pollard observes this tendency and sums up the matter by saying that "about the time of Caxton's death we begin to hear, first at Venice, afterwards in other Italian cities, and then, in the course of the next twenty years or so, in all the chief printing centres of Europe, of Privileges, by which on the petition usually of a printer, sometimes of an author or editor, other printers were forbidden to reprint the privileged work for a period of years, mostly ten, but sometimes not more than two."³ That this move was both politic and necessary in the case of a new industry no one can doubt, especially in the days when monarchs governed by divine right. And what is more significant still, we recognize the fact that such privilege was granted, in the main, not to authors to encourage

1. " 'Inventores primos id clam habuisse, omnesque secreti conscios, religione etiam jurisjurandi interposita, exclusisse, ideoque vastae molis opera perpaucis operariis fuisse concedita.' Maittaire, *Annal. Typogr.*, vol. i p. 4; and in p. 10 he cites a passage from an author, who explains the particulars of the discovery: 'Cum igitur Guttembergius ad sumptus refundendos damnatus fuisset, et ex eo simultates inter illum et Faustum magis exarsissent, ille autem interea artem vidisset et didicisset, siquidem inter tot operas, quae ad illam excudendam requiruntur fieri non potuit ut ea diutius occultaretur, quod etiam Deus procul dubio noluit, Moguntia Argentinam se contulit,' etc." — *Copyright and Patents for Inventions*, ed. R. A. Macfie (Edinburgh, 1879), p. 3.

2. Caxton was a notable exception to this rule in that he had the scholarship and inclination necessary to provide his own copy.

3. *Shakespeare's Fight with the Pirates* (Cambridge, 1920), p. 2.

them to write, but to printers to induce them to print suitable work already in manuscript. Too much emphasis cannot be laid on this peculiar lack of property-right, for in this particular point lies the difference between sixteenth and twentieth century ideas of the value of literary property. Obviously if the right to such property is lacking or in doubt, the theft of it cannot occur, and our book-pirates vanish into thin air, to appear again in the guise of more or less worthy citizens oppressed by the heavy hand of monopoly and special privilege. Certainly up to the middle of the sixteenth century, and perhaps beyond that time, the demand for Greek and Latin classical authors, chronicles, Dante, Boccaccio and Chaucer — to mention only a few — was far greater than that for living authors. In consequence, with a wealth of material at hand ready for printing, it is not surprising that publishers looked on the manuscript as theirs by right or to be purchased for a trifling sum. When we add to this the deep-rooted feeling against writing for money, we may arrive at a just estimate of the common attitude of the world towards literary property. With this distinction in mind, then, it is well to review briefly the social and economic conditions in England which led to extensive unrest in the book-trade and to its attendant evil, piracy.

The sixteenth century in England was essentially a period of absolutism. Guided by the hands of three strong rulers, Henry VII, Henry VIII, and Elizabeth, the country finally emerged from internal disorder and the grave threat of foreign invasion into a condition of peaceful security, well organized as a strong centralized monarchy. A country cannot endure the upheaval caused by a change in religion without much social unrest, nor can it prepare for and successfully withstand such a threat as the Spanish Armada brought to England's shores unless it suffers considerably in its economic life. The first of these conditions was important in that it gave the writers of England an ex-

tensive training in surreptitious printing and publishing of religious books; the second because an empty treasury forced Elizabeth to adopt that most doubtful of economic measures, the granting of special privilege to print by means of letters patent.

At the very beginning of the reign of Henry VII the book-trade was officially recognized, for on December 5, 1485, Peter Actors was appointed stationer to the king. The grant is remarkable because of its latitude and the absence of any restrictions:

Grant for life to Peter Actoris, born in Savoy, of the office of Stationer to the King; also licence to import, so often as he likes, from parts beyond the sea, books printed and not printed into the port of the city of London, and other ports and places within the kingdom of England, and to dispose of the same by sale or otherwise without paying customs etc., thereon and without rendering any accompt thereof.¹

Judging from the generous terms of the grant the demand for printed books far exceeded the supply. Moreover no censorship was necessary, nor did the question of foreign labor arise at this time. Certainly the stationers of English birth were not favored, since the king's stationer came from Savoy. Indeed "the position held by the foreigner in the English book-trade may easily be gauged from the fact that, with the exception of William Caxton and Thomas Hunte, the Oxford bookseller, we find no English name in the colophon of any book printed in or for England as printer or bookseller until about the year 1516."² Such was the normal beginning of the trade in printed books, although owing to the hostile attitude of the gilds this ideal condition was not to last long.

At this point a few words must be said about the gilds and the condition of industries as a whole in England during the time of Henry VII in order to understand the

1. Quoted from E. G. Duff, *A Century of the English Book Trade* (London, 1905), p. xiii.

2. *Ibid.*, p. xv.

future development and regulation of the book-trade. Up to the time of the Tudor period trade had been municipal rather than national and had been regulated accordingly. The formation of the craft-gild as a specialized branch of town-authority had occurred very frequently, and this unit had adequately fulfilled its duties. In such a gild there were three classes of men. The master was a substantial man and a householder, who both from his skill and from his position in the town could undertake the responsibility of carrying on his business. Then there was the journeyman, who was a skilled workman directly in charge of the apprentices. These last, indentured to the master for a period of not less than seven years — generally until they reached the age of twenty-four — were taught their trade, given board and lodging, and at the end of their term were made free of the company in which their master was enrolled.¹

When Henry VII came to the throne, the economic condition of the country was unsatisfactory, in spite of the fact that the warring factions of Lancaster and York had spared for the most part the towns and villages of England. Instead of developing trade and industry the gilds occupied themselves with strengthening their monopolies at the expense of the state at large. Henry saw that if the industries were nationalized they could be better controlled and would also contribute more to the state treasury. Therefore in 1503 he passed an act removing the control of the gilds from town-officials to state-officers.

No masters, wardens and fellowships of crafts or misteries nor any of them, nor any rulers of gilds and fraternities [shall] take upon them to make any acts or ordinances, nor to execute any acts or ordinances by them here afore made, in diminution of the prerogative of the King, nor of other, against the common profit of the realm.²

1. J. R. Green, *A Short History of the English People* (London, 1916), pp. 196-199.

2. 19 Henry VII, c. 7. Quoted in W. Cunningham, *The Growth of English*

The act went on to define the conditions under which ordinances might be passed, and ordered that in future they "should be examined and approved, no longer by the Mayor, as hitherto, but by the Chancellor, the Treasurer and Chief Justices of either Bench, or three of them, or by both the Justices of Assize, and further forbade the guilds to restrain their members from appealing to the King's Courts."¹

By this measure Henry definitely put an end to the system of "town-economy,"² which had by this time outlived its usefulness,³ and substituted a policy national in its scope and more suitable for the industrial growth of the nation. In addition, as Cunningham points out, the crown revived and pursued the traditional "protective policy against alien workmen, such as had come into vogue under

Industry and Commerce during the Early and Middle Ages (Cambridge, 1905), p. 511.

1. A. H. Johnson, *The History of the Worshipful Company of the Drapers of London* (Oxford, 1914), I, 169.

2. In the early days when the town was the economic unit the selection and pursuit of a single trade was essential. Laws were full of provisos that shoemakers should not be tanners, brewers coopers, cordwainers carriers, butchers cooks, or drapers "litsters." In fact a statute of Edward III states plainly: "All artificers and people of mysteries shall each choose his own mystery" and "shall henceforth use no other." 37 Ed. III, c.6.; cf. E. R. A. Seligman, "Mediaeval Guilds of England," *Publications of the American Economic Association* (November, 1887), pp. 77-78. In general then, the spirit of medieval legislation tended to limit the activity of the individual, to prevent any undue competition, and to stabilize the predominance of labor over capital. This system of single trades, however, was upheld by the liveried companies, and in a later chapter we shall see its enforcement give rise to the charge of extensive pirating of books on the part of Simon Stafford. Cf. *Star Chamber Eliz.*, S 7/22, Appendix B, pp. 165-181.

3. It is not within the province of this investigation to discuss the many and involved trade disputes of the Middle Ages, although they of necessity have some bearing on the subject in hand. Such quarrels were frequent and continuous throughout the centuries, and serve only to emphasize the fact that legislation aimed at the solution of labor troubles was as difficult then as now. However, it is important to remember that guild rules were only part and parcel of the common laws of England, and not merely independent legislation emanating from the crafts themselves. Dependence on the laws of the realm was essential, and statutes continually appear for the guidance and control of these fraternities.

Edward IV, and the struggle between the London crafts and the alien workers was at last decided by the victory of the guilds in 1523. The aliens were prohibited from taking more than two journeymen, and were forbidden to take aliens as apprentices; by a still more stringent clause, every alien handicraftsman in any part of the city or within two miles of it was to be under the search and reformation of the London wardens of his craft,¹ who were, however, to choose a stranger to act along with them in searching, viewing and reforming the aliens at their work and in assigning their trade marks. Similar powers were to be exercised by the craft-guilds, or, when no guild of the craft existed, by the borough authorities over alien workmen all over England."²

Now this policy was quite in accordance with the accepted ideas of the day, and was very properly enacted to increase the well-being of English craftsmen,³ who had fallen so far behind their Continental brethren, but it did not take into account the disturbance into which any rapidly growing industry might fall. Protection was necessary, for in the book-trade, especially during the first half of the sixteenth century, the advance was uneven, first because the supply of native craftsmen was inadequate and later because the field became overcrowded with men from other mysteries who were drawn away from the trades in which they were brought up.⁴ The situation was compar-

1. A forerunner of the more stringent law of 1586, under which the Stationers' Company was empowered to visit and search the premises of all printers and booksellers. The decree is given in full in E. Arber, *A Transcript of the Registers of the Company of Stationers of London* (London, 1875-94), II, 807-812. Cf. *Stafford vs. Burby & Dawson*, Star Chamber Eliz., S 7/22, Bill of Complaint, Appendix D, pp. 165-169.

2. *The Growth of English Industry*, p. 513.

3. See also the act of 1529, which repeated the provisions of the 1523 act and provided in addition that "no stranger artificer not a denizen which was not a householder the 15th of February last past shall not set up nor kepe any house, shop or chambre wherein they shall occupy any handy craft within this realm."

4. In the Drapers' Company, for instance, we find from their Repertories that two of their freemen were booksellers (Rep. F, fols. 26a, 96a), one was queen's printer — he was Christopher Barker — and two others were ordinary

able to the rise during the past century of our own railroad system in the United States. Aided at first by liberal government grants, the railroads expanded too rapidly. Many failures occurred because of manipulation of stock and other attendant evils, until stricter supervision brought order and a more cautious spirit. Finally after many vicissitudes the industry recognized the value, under intelligent legislation, of a normal and regular growth.

In reviewing the history of the first fifty years of printing in England we find the development logical and in harmony with the intellectual and historical advance of the nation. The Renaissance had stimulated the desire for literature in its various forms, while the strong hand of the Tudors guided when necessary the rising fortunes of the new industry. It was not until the Reformation was well under way that the Church authorities began to view the printed page with suspicion. Reformers who carried their reforms farther than the clerics deemed proper published their works secretly either at home or abroad and distributed them throughout England.¹ From this time onward the press was to be controlled more strictly, and authors and printers were to suffer many things from the ecclesiastical bodies of the opposing factions.

printers (Rep. F, fol. 96a; H, fols. 233a, 248b), and at least fifteen were stationers (Rep. H, fols. 18a, 243b, 293b). These citations refer only to printing and its allied trades. Many more might be quoted in other fields of industry.

1. Tyndale in 1524 translated the New Testament into English, but did not succeed in getting his version published until seven years later. Even then he was compelled to have the printing done in Marburg and to bring the copies back surreptitiously to England. He had intended to do the work of translation at the palace of the Bishop of London, but received neither aid nor encouragement from that prelate. In his preface to *The fyrst boke of Moses called Genesis* Tyndale tells of his trials, and on one occasion remarks: "My lorde answered me/ his house was full / he had mo then he coude well finde/ and advised me to seke in london / wher he sayd I coude not lacke a service/ And so in london I abode almoste an yere . . . [until I] vnderstode at the laste not only that there was no rowme in my lorde of londons palace to translate the new testament / but also that there was no place to do it in all englonde /" (*The First Printed English New Testament*, translated by William Tyndale, ed. Edward Arber, pp. 15-17).

CHAPTER II

The Printing Trade in England 1533-1603

WE HAVE observed the foreign printer serve his purpose in developing the English book-trade, and also his gradual elimination in favor of the native-born workman. Finally in 1533 an important act of Henry VIII definitely put a stop to all commerce in foreign-bound books. It provided:

That no persons resiant or inhabitant within this realm, after the said feast of Christmas next coming, shall buy to sell again any printed books, brought from any parts out of the king's obeysaunce, ready bound in boards, leather, or parchment upon pain to lose and forfeit for every book bound out of the said king's obeysaunce and brought into this realm and bought by any person or persons within the same to sell again, contrary to the act, 6s. 8d.

Nor might the aforesaid persons buy "of any stranger born out of the king's obedience, other than of denizens,¹ any manner of printed books brought from any the parts beyond the sea, except only by engross, and not by retail upon pain of forfeiture of 6s. 8d. for every book so bought by retail contrary to the form and effect of this estature."² The act also contained clauses for the reformation and redress of unreasonable prices, while in the preamble it explained in most candid terms that English printers and

1. I. e., foreigners admitted to residence in England and having certain rights.

2. Quoted in Duff, *Century*, pp. xxi and xxii, and R. R. Bowker, *Copyright, its History and its Law* (Boston, 1912), pp. 19-20.

booksellers were in the future to have a clear field. As an example of legislation guaranteed to protect an infant industry this document may be considered a model even in our own times.

Although such an enactment cleared the field for the English book-trade, it became increasingly apparent that Henry intended to keep the governance of this particular industry in his own hands. Indeed it was essential that he should do so, especially as the Reformation was constantly creating new and difficult problems in Church affairs. On November 16, 1538, another proclamation was issued warning all subjects of the realm that "the Kynges moste royall maiestie beinge enfourmed, that sondry contentions and synyster opinyone[s], haue by wronge teachynge and naughtye printed boke[s], encreaced and growen within this his realme of Englande," forbade the importation or sale, "without his maiesties speciall licence," of any English books printed outside of the country. The document then went on to state:

Item that no persone or persons in this realme, shall from henceforth print any boke in the englyshe tonge, onles vpon examination made by some of his graces priuie counsaile, or other suche as his highnes shall appoynte, they shall haue lycence so to do, and yet so hauynge, not to put these wordes *Cum priuilegio regali*, without addyng *ad imprimendum solum*, and that the hole copie, or els at the least the effect of his licence and priuilege be therewith printed, and playnely declared and expressed in the Englyshe tonge vnderneath them.¹

The significance of this document lies in the fact that here for the first time we meet with official censorship.

During his reign Henry VIII granted many special privileges to print certain books,² and it was the continua-

1. Pollard, *Shakespeare's Fight*, pp. 5-6.

2. The first recorded privilege was to Richard Pynson in 1518, and cf. also J. Lownes, *Historical Sketch of the Law of Copyright* (London, 1840), for citations of many other early privileges.

tion of this policy by the three succeeding Tudor sovereigns that brought so much distress to the rank and file in the printing-trade. The creation of a monopoly by the granting of special privilege did more to promote literary piracy than any single factor during the sixteenth century. At first the right to exclusive printing was given for only two years,¹ and afterwards for seven; but with the increasing monetary value of these grants the sovereigns began to extend the time and number of privileges until we find John Day and his son Richard in possession of letters patent from Elizabeth with the following inclusive rights:

Wheras also yo^r Ma^{tie} by Yo^r graces lres Pattente under Yo^r broade Seale (6) ² of Englande bearinge date at Gorham-bury the six and twentithe daye of Auguste in the Nynteenthe Yere of Yo^r Ma^{te} moste graciouse raigne did of yo^r especiall (7) grace certaine knowledge and mere mocōn graunte and give Licence and priuiledge vnto Iohn Daye, and Yo^r saide Subiecte Richarde Daye, and to the longer liver (8) of them for Terme of their lives, and to the Assignes of them and either of them to ymprinte or Cause to be ymprinted the A. B. C. wth the litle Catechisme (9) appointed by Yo^r Ma^{te} Iniunctions for the Institucon of Children, Straightly Charginge and fforbiddinge by Yo^r saide lres pattente all and singuler Yo^r (10) Subiecte as well Printers and bookesellers As also all other psons wth in Yo^r Realmes and Dominnōns that none of them Whatsoever duringe the lyves of (11) Yo^r saide Subiecte Iohn Daye and Richarde Daye, Or the longer liver of them, in any wise ymprinte or Cause to be ymprinted the saide A. B. C. (12) wth the Litle Catechisme in englishe, or the same so printed contrary to Yo^r Ma^{te} saide lres Pattente of Licence and Priviledge shall Sell put to (13) sale Sowe Stiche or bynde, or cause to be soule vttered or putt to Sale sowed Stiched or bounde beinge printed or to be printed by any other, then (14) the saide Iohn Daye and Richarde Daye or either of them or the assignes of them or either of them vppon

1. Such was the case with Richard Pynson.

2. The numbers in parentheses in this and in subsequent excerpts from Mss. refer to the lines in the documents.

payne of Yo^r Ma^te highe Indigna^on (15) and that every of-fendor contrary to the effecte and meaninge of Yo^r Ma^te saide lres Pattente shall forfait to yo^r Ma^te vse fforty shillinge of lawef^l (16) mony of Englande for eu^oy suche booke or booke or any pte of them so to be soule vttered or put to sale Stiched Sowed or bounde contrary to the (17) meaninge and effecte of yo^r Ma^te saide Licence and priuiledge.¹

That such a policy was certain to cause discontent may be readily surmised.² The less fortunate printer depended largely for his living on cheap books which had a general circulation throughout the country. Unable to bear the initial expense of issuing costly volumes, he had, for the most part, to fall back on grammars, catechisms and other similar books for which there was a steady demand. Consequently the withdrawal from the market of such a book as the *A.B.C. with the Little Catechism* caused great dissatisfaction. When in addition the grant was given to father and son, with the proviso that it could be assigned to others, a very dangerous precedent was set up. Even though the royal treasury was aided by the disposal of these privileges, no real benefit ensued which could be measured against the distress of a large number of workers. This particular grievance, however, did not arise during the reign of Henry VIII, troubled though it was by much harsh legislation along other lines.

When Edward VI ascended the throne, with the Duke of Somerset as Protector, the Protestant party came into full power. England became a refuge for Luther's persecuted followers, who arrived from the Continent by thousands, and disturbed the already unsettled trade conditions. Altogether it was a sad time for the country. Suffering among the poor was widespread, the debased coinage

1. Star Chamber Eliz., D 28/7, Bill of Complaint, Appendix A, pp. 149-151.

2. When John Day died in 1584, his son Richard immediately became involved in lawsuits rendered necessary to protect his privilege. Cf. Star Chamber Eliz., D 3/16, in Arber, *Transcript*, II, 753 ff.; Star Chamber Eliz., D 4/1, in Arber, *Transcript*, II, 790-793, and State Papers, Dom. Eliz., vol. 15, no. 39.

caused much hardship, and hatred of foreign immigrants at times threatened serious uprisings. Meanwhile the regulation of the book-trade continued. In 1549 proclamations were issued against papistical books, and the licensing of publications was more strictly enforced than ever before, as an order of the Privy Council for August 13, 1549, will show:

From hensforth no prenter sholde prente or putt to vente any Englishe booke butt suche as sholde first be examined by Mr. Secretary Peter, Mr. Secretary Smith and Mr. Cicill or the one of them, and allowed by the same.¹

When Mary came to the throne she had many reasons for wishing to control the book-trade. An ardent Catholic, her ambition was to turn the country back to the Roman Church, and later to marry Philip of Spain. That she succeeded in both these desires shows her strength of purpose, although the nation suffered exceedingly thereby. The following proclamation dated June 13, 1555, indicates to some degree her attitude toward printing and publishing at the time:

The kyng and quene, our souerayne Lord and Lady . . . mindyng to roote out, and extinguysh al false doctrine and heresies, straytly charge and commaunde, that no person or persons . . . from henceforth presume to brynge or conueye into this realme, any boke or bokes, wrytinges or workes, made or sette forth by, or in the name of Martyn Luther, Swinglius, John Caluyne, Melanchton, Erasmus, Peter Martyr, Hughe Latymer, Robert Barnes . . . John Bale, Myles Coverdale, Wyllyam Tyndale, Thomas Cranmer, . . . and the boke called Halles Cronycles, or anye of them, in the latyne tongue, Duche tongue, Englyshe tongue, or Frenche tongue, or any other lyke boke, paper, wrytynge, or worke . . . conteynynge false doctrine, contrarye, and agaynste the catholyque fayth, and the doctrine of the catholyque Churche.

And also that no person or persones presume to wryte, prynt,

1. Quoted in Duff, *Century*, p. xxv.

vtter, sell, reade, or kepe any of the sayde booke . . . set forth in englyshe to be vsed in the churches, of this realme, in the tyme of Kyng Edwarde the sixt, commonly called the communion booke . . . vpon payne yat euery offendour contrary to this proclamation shal incurre the daunger and penalties conteyned in the sayd Statute, and as they wyll auoyde their maiesties high indignation and displeasure, and further aunswere at their vttermost periles. And their maiesties by thys proclamation, geueth full power and auctoritie to all Bisshoppes and Ordinaries, and all Iustices of peace . . . [to] search out the sayd booke, wrytinges and workes, and for this purpose entre into the house or houses, closettes, and secret places of euerye person . . . suspected to kepe any such booke contrary to this proclamation.¹

History records a long list of unhappy victims who answered "at their vttermost periles" to the fury of Mary's purpose. Not content with destroying Protestant literature, she burned nearly three hundred of her subjects, while hundreds more suffered imprisonment in the miserable jails of the period.

Amidst all the repressive legislation in connection with the book-trade, the incorporation of the Stationers' Company on May 4, 1557, stands out as the one constructive measure of Mary's reign. The company had existed since 1403 as a city-craft, or joint-brotherhood, in which limners² and writers of text-letter combined for the furtherance of their allied mysteries. As no records before 1554 are extant, little is known of its early history.³ After the invention of printing the growing importance of the company naturally increased, until it stood ready to take its place with the other great chartered companies of London.

In this connection an interesting question arises. Did the Stationers' Company make the first move for incor-

1. Number 93 in the collection of the Society of Antiquaries of London; cf. Arber, *Transcript*, I, 52.

2. I. e., illuminators of manuscripts.

3. For the few isolated facts relating to the original Stationers' Company see Arber, *Transcript*, I, xix-xxiv.

poration; or did Mary in her desire to control more effectually the printing of books evolve this scheme as an additional weapon to use against the Protestants? Arber maintains that the desire for royal incorporation with consequent increase in honor and importance led the Stationers' Company to procure a charter from the queen,¹ but his view is challenged by A. W. Pollard,² who endeavors to refute his distinguished predecessor. He says:

Dr Arber based this view on a statement by Christopher Barker in 1582, in which he makes him [Barker] say that 'the Company *procured* a charter,' and italicizes the word 'procured.' But the statement, as he [Arber] quotes it on his next page, does not use the word 'procured.' What Barker said is: 'Moreover the printers and Stacioners of the same *obtained* a ch[art]re for a Corporacōn by reason of the disorder in pryntyng which did so greatlie encrease, to the ende we might restrayne many euilles which would haue happened in the saide profession.' Dr Arber contended that the disorders and evils were trade disorders and trade evils, but when Barker goes on to speak of avoiding 'the disordered behaiour of prynters and suche troubles that might grow by printing,' etc., we must surely interpret his language by the wording of the Charter itself, which says nothing about benefiting the trade, but bases the whole case for a charter on the need for dealing with prohibited books.³ When

1. Arber, *Transcript*, I, xxvi.

2. *Shakespeare's Fight*, pp. 10-12.

3. The translation of the original Latin text is as follows:

"The king and queen to all to whom etc. greeting. Know ye that we, considering and manifestly perceiving that certain seditious and heretical books rhymes and treatises are daily published and printed by divers scandalous malicious schismatical and heretical persons, not only moving our subjects and lieges to sedition and disobedience against us, our crown and dignity, but also to renew and move very great and detestable heresies against the faith and sound catholic doctrine of Holy Mother Church, and wishing to provide a suitable remedy in this behalf, of our special grace and from our certain knowledge and mere motion we will, give and grant for ourselves, to our beloved and faithful lieges . . . [97 names] . . . free men of the mistery or art of Stationery of our City of London, and the suburbs of the same, that they may be in fact, deed and name one body by themselves for ever, and one perpetual community incorporated of one Master and two Keepers or Wardens . . . and that they may have perpetual succession." Arber, *Transcript*, I, xxviii.

they said that they were actuated by a desire to suppress (what they considered) bad books, they told the truth, and there is no need to go behind their own statement.

Except in his criticism of Arber for substituting "procured" in place of "obtained,"¹ Pollard's reasoning seems to be sound. Undoubtedly the stationers desired a charter in view of the added protection and greater importance which such a gift would bring them, but we have no evidence that they ever made a request for incorporation. On the other hand, sufficient proof has been given that Mary, in her fierce and unrelenting desire to see all traces of Protestantism stamped out, chartered the company so that through it she might the more easily control the book-trade. Nor is additional confirmation lacking. In a proclamation dated June 5, 1558, we read as follows:

Whereas dyuers bokes filled bothe with heresy, sedityon and treason, haue of late, and be dayly broughte into thys Realme, oute of forreine countries and places beyond the seas, and some also couertly printed within this Realme, and cast abroad in sondrye partes thereof. . . . The Kyng and Quenes Maiesties . . . by this ther present proclamation declare and publyshe to all their subiectes that whosoeuer shal be founde to haue any of the sayde wycked and seditious bokes, or finding them, doo not fortwith burne the same, without showing or readyng the same to anye other person, shall in that case be reputed and taken for a rebell, and shall without delay be executed for that offense accordynge to thordre of marshall lawe.²

By this proclamation the Stationers' Company, which had the right of visit and search, was made an instrument for the apprehension of purveyors of "wycked and seditious

1. I think that Pollard is in error at this point. He fails to recognize the fact that Arber is speaking of two distinct accounts, one written by Christopher Barker in December, 1582 (Arber, *Transcript*, I, 114), and the other by Barker and Francis Coldock in May, 1583 (Arber, *Transcript*, I, 247). There is no question of Arber's having substituted one word for the other; both occur, as the documentary evidence shows.

2. Number 111 in the collection of the Society of Antiquaries of London; cf. Arber, *Transcript*, I, 92.

bokes," and had virtually the power of life and death over suspected persons. As the Stationers' Company, like the other companies of London, was directly answerable to the crown for its actions, a more powerful weapon against the queen's enemies could hardly be found. Had she lived, Mary undoubtedly would have used this organization very effectively in her efforts to harry and oppress her unfortunate subjects.

By the charter of incorporation the society consisted of a master, two wardens, and ninety-four freemen, and was to be known as "The Masters and Keepers or Wardens and Community of the Mistery or Art of Stationery of the City of London." The usual authorization was given to elect officers, hold meetings, make rules, own property, and otherwise act as a corporate body. The members were invested with the sole right to print throughout England, always excepting the holders of the royal grant of letters patent. In addition the wardens were empowered to search the premises of "any printer, binder or book-seller whatever within our kingdom of England and to seize . . . and burn . . . all and several those books which are printed contrary to the form of any statute, act or proclamation." Offenders were liable to three months' imprisonment and a fine of one hundred shillings, one half going to the crown, the other to the company.

The value of this charter to the Stationers' Company was important in two respects. Not only did it give members a virtual monopoly in printing; but also the right of search allowed the wardens to suppress any illegal or piratical books which might interfere in general with the well-being of the state, and in particular with the legitimate profits of the fellowship. On the part of the crown this policy was sound. The wardens of the company were far better fitted to search for unlawfully printed literature or secret presses than the bishops and justices of the peace, whose duty it had been to do so in former times.

The organization of the Stationers' Company was similar to that of the other guilds of the time. The master and wardens, elected annually by the freemen, were the chief officers, who directed the policy of the company. Most of the actual management fell to the two wardens, who had control of the finances and were responsible for the licensing of all books before entry in the registers. In addition they had charge of discipline, and conducted all searches for secret presses. The court of ancients, or assistants, presided over by the master and wardens, was originally composed of eight or ten of the senior members of the livery; but as the company increased in size its number grew larger, until in 1645 it contained twenty-eight men.¹ This governing body transacted all routine business, gave judgment in disputes between members, levied fines, and dispensed charity to the deserving poor of the company.² The freemen were of two classes: the livery and the yeomanry, the former perhaps more prosperous and influential than the latter; at any rate the liverymen were entitled to vote for the lord mayor and other officers of the city.³

Aside from the regular members we find a sort of honorary member, known as a "brother." Such a man might be a Continental workman or an Englishman from outside London.⁴

Finally came the apprentices, who ordinarily obtained their freedom in the company by serving at least seven years, provided that they were then twenty-four years old.⁵

1. Arber, *Transcript*, I, xlv.

2. For an authoritative and detailed account of the duties of the court see *Records of the Court of the Stationers' Company*, ed. W. W. Greg and E. Boswell (London, 1930), pp. x-xxxix.

3. Arber, *Transcript*, I, xl.

4. The foreign-born artisan was known technically as a "stranger," while, oddly enough, the native was called a "foreigner," because he came from beyond the liberties of the city.

5. Freedom was also obtained in three additional ways: (1) by *patrimony*, whereby any son born after his father had been made free could claim — without

With the confirmation of the stationers' charter by Elizabeth in 1559 began an era of even stricter censorship. The necessity for further regulation is not hard to understand in view of the troubled political situation still existing in England. Having adopted a middle course in establishing the Anglican communion, Elizabeth had to contend against both the Roman Catholics and the Puritans. Only by vigorous measures could she prevent the country's being flooded by literature from both these aggrieved bodies. Accordingly in her first parliament careful direction was given to printers and booksellers in the form of injunctions. The section most important for our purposes reads as follows:

51. Item because there is a great abuse in the printers of bokes, which for couetousnes cheifly regard not what they print, so thei may haue gaine, whereby arriseth great dysorder by publicatyon of vnfrutefull, vayne and infamous bokes and papers: The Quenes maiestie straytly chargethe and commaundeth, that no manner of person shall print any manner of boke or paper, of what sort, nature, or in what language soeuer it be, excepte the same be first licenced by her maiestie by expresse wordes in writynge, or by vi of her priuy counsel, or be perused and licensed by the archbysshops of Cantorbury and Yorke, the bishop of London, the chauncelours of both vnyuersities, the bishop beyng ordinary¹ and the Archdeacon also of the place where any suche shalbe printed, or by two of them, wherof the ordinary of the place to be alwaies one.²

The injunction goes on to state that the names of such as "allow the book" shall be printed at the end for a testimony of the allowance. Furthermore pamphlets, plays, and ballads, because they are likely to contain matter

serving any apprenticeship — on reaching the age of twenty-four years, freedom in the same company; (2) by *redemption* or *purchase*, usually upon payment of greatly increased fees; (3) *by being transferred* from another company, as in the cases of Christopher Barker and Simon Stafford.

1. I. e., an ecclesiastical judge as well.

2. Arber, *Transcript*, I, xxxviii.

“either heretical, seditious or vnsemely for Christian ears,” must first be approved by at least three commissioners from the ecclesiastical court. Finally all books dealing with “matters of religyon, or polycye or gouernaunce, that hath ben printed, eitheir on this side the Seas, or on thother side” are to be referred to the same commission for judgment. The order, however, excepts classical authors and works in other languages commonly used in schools and universities. For infringement of the injunction the penalty is punishment by the commissioners “as to the qualitie of the faulte shalbe thought mete.”

This document is remarkable for two excellent qualities, precision and moderation. Addressed specially to the wardens and Company of Stationers, it sets forth clearly how and what books might be licensed; and at the same time it provides penalties for violation of the ordinance, in proportion to the seriousness of the crime. One cannot help contrasting the temperate tone of this injunction with the impotent fury of Queen Mary’s last proclamation.¹

R. B. McKerrow² observes that for some years after 1559 a few printers used on their title-pages some such formula as “Set forth and allowed according to the order appointed in the Queen’s Majesty’s Injunctions” to indicate compliance with the order. Later “Seen and allowed,” or less frequently “Perused and allowed,” was the common form. This practice was by no means universal in the book-trade; and without doubt non-compliance with the injunction prompted the Star Chamber to issue a decree in 1566, whereby printers were bound over by certain sums of money to observe the law. While in theory it was necessary for the high dignitaries to read all doubtful books, actually the burden fell upon the master and wardens of the Stationers’ Company. If printing was to go forward at all, obviously a working basis had to be estab-

1. Arber, *Transcript*, I, 92.

2. *Shakespeare’s England* (Oxford, 1916), II, 218.

lished; and, therefore, the Stationers' Company gradually became the unofficial licensing authority for the ordinary run of books. That such was the case entries taken at random from the registers will show:

Receaved of Thomas purfoote for his lycense for pryntinge of a boke intituled *the Castell of Love*. vj^d¹

If the book happened to be an important one, an official authorization was often given, as in the following entry:

Receved of Thomas marshe for his lycense for pryntinge of a *breaffe cronenacle* made by John Stowe auctorysshed by my lorde of Canterbury / vj^d²

Under the date of 1636 Arber³ gives Sir John Lambe's notes as to the former practice of licensing books.

30 Elizabeth[ae]. 30 Junij 1588. The Archbishop gave power to Doctor Cosin Doctor Stallard. Doctor Wood. master Hartwell Master Gravett Master Crowley master Cotton and master Hutchinson, or any of them to license bookes to be printed:

Or any 2. of those following master Judson master Trippe, master Cole and master Dickens:

from 19^o Elizabeth[a]e till the Starrechamber Decree 28^o Elizabeth[ae]: many were licensed by ye master and Wardens, some few by ye master Alone, and some by the ArchBishop [of Canterbury] and more by the Bishop of London / The like was in ye former parte of ye Quene Elizabeths time / They were made a corporacon but by P[hilip] and M[ary]: /

In stating these facts and also in summarizing the injunctions issued in 1559, Sir John reveals to us the actual conditions under which licensing was carried on during Elizabeth's reign.⁴

1. Arber, *Transcript*, I, 265.

2. *Ibid.*, p. 272.

3. *Transcript*, III, 690.

4. For the original document see State Papers, Dom. Charles I, vol. 339, art. 87.

This moderate censorship of the press might well have sufficed for a calmer period of England's history, but the first half of Elizabeth's reign was a troubled and anxious time from both industrial and political points of view. Owing to the increase in the number of special privileges, literary piracy was flourishing, especially among the poorer men of the printing trade, who found work hard to get and ill paid. Furthermore the church, under the guidance of Archbishop Grindal, had been drifting toward puritanism, until John Whitgift was elevated to the see of Canterbury. A staunch upholder of the established church, Whitgift found it necessary to take severe measures against dissent. Largely in response to his efforts the Star Chamber, on June 23, 1586, issued a most important decree concerning the abatement of abuses in the printing-trade.¹

The chief requirements of this decree were as follows:²

(1) Every printer was to deliver a note of the number of his presses.

(2) No printing to be allowed anywhere save in London and the suburbs, with the exception of one press at Cambridge and one at Oxford.

(3) Presses might not be set up in obscure or secret places, and the Wardens of the Company were to have access to them at any time.

(4) The penalty for keeping a secret press was that it and the type used at it should be destroyed and the printer imprisoned for a year and disabled for ever from working save as a journeyman.

(5) No new presses were to be set up until the number of existing ones was diminished, and then the Archbishop of Canterbury and the Bishop of London were to decide who should be allowed to have one.

1. Three copies of the decree exist in State Papers, Dom. Eliz., vols. 190 and 192, and a fourth in Lansdowne MS. 905. Arber, *Transcript*, II, 807-812, printing from the oldest text, gives the document in full.

2. I quote from the excellent summary of R. B. McKerrow, *Dictionary of Printers and Booksellers* (London, 1910), pp. xiv-xv.

(6) No books to be printed unless allowed according to the Queen's injunctions, and perused by the Archbishop of Canterbury and the Bishop of London, but the Queen's printer was exempted from this rule, as also those privileged to print law books. These last were to be read by certain of the justices. For contravention of this regulation the same penalty was imposed as for keeping a secret press except that the imprisonment was only for six months and the offender does not seem to have been allowed to print even as a journeyman afterwards. A lesser penalty is also decreed against those who bind or sell unlicensed books.

(7) The wardens of the Company are allowed to search for secret presses and seize any found.

(8) The apprentices that might be taken are limited to three, two, or one, according to the master's rank in the Company, save in the case of the Queen's printer who may have six.¹

If by increasing the severity of the penalty the government could have put a stop to practices declared illegal by fiat, no doubt we should have seen an immediate disappearance of surreptitious printing and publishing. History, however, does not record such an easy method of reformation. Like so much of the Elizabethan legislation the ordinances governing the book-trade were not obeyed with any great regularity; and although the statute of 1586 served its purpose throughout the remaining years of the century, piracy continued to flourish, as events will presently show.

While the establishment of close censorship was undoubtedly bad for the printing-trade in that it stifled free competition, no general recognition of this economic factor prevailed. The guild system was still paramount, and regulation from within the monopoly was the accepted form of adjustment. Printing outside of London was practically non-existent, except in Oxford and Cambridge, where one press for each university was grudgingly allowed. On the

1. Arber, *Transcript*, II, 807-812.

other hand, the evil of monopoly created by letters patent was an immediate source of trouble between the poor printers and the wealthier holders of special grants. In evidence of this ill feeling we have an undated manuscript (written according to Arber about August, 1577) in which complaint is made that privilege is ruining printers and stationers. The document follows:

The Privilidges latelie graunted by her Majestie under her Highnes great seale of England to the persons hereunder written, conserninge the Arte of Printing of Bookes, hath and will be the over throwe of the Printers and Stacioners within this Cittie, beinge in nouber 175, besides their wyves, childrene, apprentices, and families, and thereby th'excessive prices of Bookes prejudiciale to the state of the whole Realme, besides the false printinge of the same.

Johne Jugge, besides the beinge her Majesties printer, hath gottene the privilidge for the printinge of Bibles and Testaments, the which was common to all the Printers.

Richard Tothill the printinge of all kindes of Lawe Bookes, which was common to all Printers, who selleth the same bookes at excessive prices to the hinderance of a greate nombre of pore studentes.

Johne Daye the printinge of A. B. C. and Catechismes, with the sole selling of theme by the collour of a Commission. These bookes weare the onelie releif of the porest sort of that Companie.

James Robertes and Richard Watkyns the printinge of all Alminackes and Pronosticaciouns, the whiche was the onelie releif of the most porest of the Printers.

Thomas Marshe hath a great licence for Lattene bookes used in the Grammer Scholes of Englande, the whiche was the generall livinge of the whole Companie of Stacioners.

Thomas Vautrolle, a stranger, hath the sole printinge of other Lattene bookes, as the Newe Testament and others.

One Byrde a Singingman, hath a licence for printinge of all Musicke Bookes, and by that meanes he clameth the printinge of ruled paper.

William Seres hath privilidge for the printinge of all Psalters,

all manner of Prymers Englishe or Latten, and all manner of Prayer Bookes, with the Revercione of the same to his sonne, who giveth not himself to our trade.

Fraunces Flower a gentleman, beinge none of our Companye, hath the priviledg for printinge the Gramer and other thinges, and hath the farmed it oute to somme of the Companie for one hundred poundes by the yere, which C^{li}. is raised in the inhaunsinge of the prices above th'accustomed order.¹

The names of thirty-five stationers and printers are attached, together with ten others not belonging to the Stationers' Company. Curiously enough we find John Jugg's name both as a patentee and as a complainant, a two-sided position rather difficult for him to explain. Another name making an odd appearance among the supplementary ten is that of Christopher Barker, who at the time was free of the Drapers' Company. Already the producer of two different versions of the Bible in 1576, Barker, on September 28, 1577, purchased from Sir Thomas Wilkes an extensive patent to print the Old and New Testament in English. It seems strange, therefore, that one month before becoming queen's printer he should be complaining against the hardships caused by special privilege.²

In reviewing the history of the printing-trade during the latter half of the sixteenth century it is possible to see a definite economic advance in its position. As a result of severe regulatory measures the Stationers' Company was incorporated by royal charter, with the consequent unification and stability of the art of printing. In addition we have in the stationers' registers a definite and invaluable record of early publications, with the attendant protection

1. Lansdowne MS. 48, No. 78, in *Archaeologia*, XXV (1834), 102-103; and cf. also Arber, *Transcript*, I, III.

2. I mention Barker's position not to cast suspicion on Arber's conjecture about the date of the document, but to urge caution in attributing incorrect motives to Barker himself. As the signatures are not autographs we may surmise that the petition was prepared without the knowledge or assent of certain men whose names appear there.

of copyright. While to an author of the time this advantage meant practically nothing except that he followed the rising fortunes of his publisher,¹ nevertheless the idea of property-right was being steadily developed during this period. So long as the book-trade was looked on with suspicion, as an industry to be suppressed and regulated, this protection of property was no small gain. Finally we must never forget that in the age-long controversy which has existed over copyright the battle was waged in its most acute form during the reign of Queen Elizabeth, and that much was done in this period to clarify the situation.

1. Cf. Pollard, *Shakespeare's Fight*, pp. 23-28, for a further discussion of the payment of authors.

CHAPTER III

John Wolfe and Roger Ward

FOR the sake of clarity it is necessary to define with some care the exact meaning of the word "piracy." The *New English Dictionary* gives the following definition, applicable to inventions as well as to literature:

The appropriation and reproduction of an invention or work of another for one's own profit, without authority; infringement of the rights conferred by a patent or copyright.

R. R. Bowker¹ explains the meaning of the word, when applied to the printed page, as follows:

[Piracy] is the comprehensive term now in common and legal use to mean the stealing of an author's work by reprinting it in full or in substantial part without the authority of the copyright proprietor, and is in fact an infringement at wholesale or otherwise of the author's exclusive right. This is of course prohibited by the law to the full extent of its jurisdiction and is punishable as prescribed in the law.

If we then think of the word "copyright" (which was of course unknown to Elizabethan ears)² as the right held by the patentees or by the persons who had entered their copies properly in the Stationers' Register, we shall be on safe ground with regard to the book-pirates of the sixteenth century.

1. *Copyright* (New York, 1912), p. 251.

2. Bowker thinks that Blackstone in his *Commentaries* of 1767 was the first user of the word, but I find Dr. Johnson using it (Boswell's *Life of Johnson* [Oxford, 1924], I, 292) in 1763.

Interesting and colorful as they often were, the writers and printers of obnoxious political and religious works are excluded by this definition. We may perhaps look on them as the ancestors of the Elizabethan pirates, for their methods in many cases are identical. Certainly the tradition of surreptitious printing was well established in Queen Mary's reign by such men as the London printer, Hugh Singleton, and Humphrey Powell, who, working on the Continent or in Ireland, used foreign type and fictitious imprints such as "Rome before the castel of S. Angel," or "Strasbourg at the Golden Bible."¹

Wynkyn de Worde, famous pupil and successor of Caxton, has the honor of making the first complaint of piracy.² He obtained from Henry VIII the exclusive privilege for the printing of Whittinton's *Syntaxis*, and brought out his edition of 1533, only to find that Peter Treveris was also reproducing this grammar from an earlier issue.³ This first instance of trouble between two rival printers is only one of a long series of disputes⁴ between privileged and unprivileged persons, culminating in the open revolt of Roger Ward and John Wolfe against the patentees. Mention has been made of extensive grants, ranging from two years to

1. H. R. Plomer, "The Protestant Press in the Reign of Queen Mary," *The Library* (1910), pp. 54-72.

2. Bowker, *Copyright*, p. 21.

3. Bowker calls the edition of 1533 a second edition, but in the *Short-Title Catalogue of English Books, 1475-1640* by Pollard & Redgrave (London, 1926) I find the date given as 1512. (No. 25541, Robert Whittinton, *Syntaxis*, Editio secunda de concinnitate grammaticus, 4°, W. de Worde, 1512.) There are eleven additional issues between 1512 and 1533. Treveris's edition is undated as in many of his other works (No. 25555 *Syntaxis*, 4° [Southwark], per me P. Treveris).

4. The absence of all records of the Stationers' Company before 1554 is a great loss in this respect. Only from casual remarks of men such as Christopher Barker do we know of the growing trouble over copyright. The earliest order of the High Commissioners addressed to the company is that of 1560; it directs the Wardens "to stay certain persons from printing the *Primers* and *Psalters* in English and in Latin, which had been licensed to William Seres." Cf. Arber, *Transcript*, V, 1.

the lifetime of the recipient,¹ and of the distress caused by such uneconomic methods of obtaining revenue for the crown. Even the holders of the letters patent realized to some extent the injustice of the situation,² although it was not natural for them to forego any of their rights until the smouldering fires of discontent burst openly into flame. To add to the unfortunate situation, a large number of apprentices taking up their freedom every year found themselves well equipped for carrying on their trade of printing, without much chance of permanent or properly paid work. Sporadic efforts were made by the Stationers' Company to remedy the trouble, notably in response to a petition of the poor men of the company, who requested:

- j · That they maie haue woorke.
- 2 · That noe woorke be put to forens or strangers
- 3 · That they maie be well and truelie paid for their woorke
- 4 · That the printers and others of this companie maie not be suffred to haue excessiue number of appñtice to the hindraunce of poore freemen of this mystery.
- 5 · That the ffrenchmen and straungers beinge Denizens maie not haue excessiue number of appñtice³

The answer on the part of the master, wardens, and assistants to these complaints was conciliatory and on the whole

1. Richard Tottell had a license to print all law books for his lifetime (1 Eliz., Part 4); William Seres, with reversion to his son, primers and books of private prayer, for their joint lives (13 Eliz., Part 7); Thomas Tallis and William Bird, all manner of songs of music, for twenty-one years (17 Eliz., Part 7); Francis Flower, as queen's printer, all books in Latin, Greek and Hebrew, for his life (16 Eliz., Part 9); and Christopher Barker, the Bible, the Book of Common Prayer, the Statutes of the Realm and all proclamations (19 Eliz., Part 8). These examples are typical of the latitude of Elizabeth's grants; others may be found in Arber, *Transcript*, II, 15, 16.

2. The Bishop of London, on June 1, 1583, writing to Lord Burghley said: "I was enformed [by the Wardens of the Stationers' Company] that printinge of lauffull bookes and suche as be nott otherwise appointed by hir Maiesties grauntes is not matter sufficient to maineteigne anye man withoute his losse." State Papers, Dom. Eliz., vol. 161, no. 1; and see also Arber, *Transcript*, I, 246.

3. Greg, *Records of the Court*, p. 4.

favorable. To the request for more work they made specific recommendations and promised adequate payment. However, the officers would not guarantee that foreigners or strangers should be deprived of the right to print and bind, for fear that buyers of books might place their orders outside of London. With regard to the taking of an excessive number of apprentices by printers of the company, remedy was promised when a definite offense should be brought to the attention of the proper authorities. In dealing with the strangers the officials likewise made no specific promises, merely contenting themselves with saying that "as in Discrecõn and good pollicie yt maie be. the best shalbe Don by the m^r and wardens from time to time for reliefe of the said poore bretheren." Perhaps the most important concession which the company made at this time was the granting to the poor men permission to print any lawful book "wherevnto noe other man hath right or whereof there is noe number remayninge by the fourmer printer vnsold." Finally it was promised that if a petitioner "shall make anie other reasonable request for his relief suche poore brother shalbe favourable and lovinglie heard and holpeñ." ¹

Such measures, however, were wholly inadequate and, in consequence, led by John Wolfe and Roger Ward, the younger and more turbulent spirits began to organize secretly for the printing of books in defiance of letters patent and contrary to the laws of the realm. Not only were books printed, published, and sold throughout the country; even the make-up of the volumes was copied, including the name of the patentee, his title-page, and his printer's device.

According to Lower,² John Wolfe came of old Sussex stock, and was a retainer of the family of Goring. In certain notes on his "insolent and contemptuous behavior" he is

1. *Ibid.*, p. 5.

2. *A History of Sussex*, I, 23.

described as a fishmonger,¹ probably, as McKerrow points out, by right of patrimony. However, our first knowledge of him in connection with printing comes when we find him apprenticed to John Day, on March 25, 1562, for a period of ten years.² Granted that he was twenty-four years old in 1572, his birth would have occurred about 1548. Of his apprenticeship we know nothing; but evidently he went abroad after his normal term expired, for in 1576 two *Rappresentazione* were printed in Florence "ad istanzia di Giovanni Vuolfio, Inglese."³ On May 16, 1579, an entry in the Stationers' Register makes it clear that Wolfe was back in London and engaged in publishing.⁴ Not long afterwards Wolfe set up presses of his own, and together with John Charlewood and Roger Ward, boldly began to print books belonging by right to the patentees. His conduct did not escape the attention of the authorities, for on June 19, 1581, Wolfe was bound over before the Privy Council not to print the *Accidences* belonging to Francis Flower.⁵ But he was not to be suppressed so easily. Keeping an outward form of obedience by entering such a book as *A Defence of the Olde and True Christianitie* under the license of the Bishop of London and Warden Dewes,⁶ he continued to pirate editions of the privileged men. Thrown into prison in 1582, Wolfe was released by the intercession of George Goring, who claimed him as his "man,"⁷ only to

1. State Papers, Dom. Eliz., vol. 15, art. 40.

2. "Recevyd of John Daye for presentinge of John Wolfe for to be his Apprentes for tenne yeres from the feaste of the Annuntition of our blessed lady saynte mary [March 25] Anno 1562. . . . vj^d" (Arber, *Transcript*, I, 172).

3. A. Gerber, in *Modern Language Notes*, XXII (1907), 129-135.

4. "Lycenced vnto him [Jhon Wolf] vnder thandes of the bishop of London and the wardens. A booke in Latin intituled. *Cohélet. seu concio Salamonis de summo hominis bono paraphrasi explanata*. The which booke is graunted to him condycionally that he shall haue it printed by Jhon charlwood. . . . vj^d" (Arber, *Transcript*, II, 353).

5. Acts of the Privy Council, N.S. XIII, 88.

6. Arber, *Transcript*, II, 401.

7. Lansdowne MS. 48, fols. 186-188.

find himself again in jail before the year ended, this time in the Clink.¹ An appeal to Sir Francis Walsingham on behalf of the unprivileged printers was followed by a counter-appeal from the wardens of the Stationers' Company. The poor men petitioned

That whereas they heretofore did exhibite their pitifull complaint to her highnes most honourable privie Councell for nedefull redres of many great wronges done vnto your poore oratours by a fewe priuiledged persons vsing the foresaide trade of printyng: And the same remayning remayning as yet in your honnours custodie, and not preferred whereby reformacon may be obteyned So it is right honourable that synce the xhi[bi]ting thereof, and notwithstanding that cause in controuersie betwene some of your oratours and the sayde priuiledged persons dependeth in sute in the high court of Starre chamber vndetermined: the same priuiledged men haue taken away sundrie your saide oratours goodes of great value, comitted some of their poore seruautes to diuerse prisons where some are yet remayning at ymportable charges to their great hinderaunce and vtter vndoing if this rigorous dealing be permitted.

In consideracon whereof it may please your Honour being a good Patrone of Justice and refuige for th[e] oppressed of your accustomed clemencie and at the humble contemplacon of many poore men to preferre their saide peticon that some good order may be taken there aboutes and that your Honnour will vouchsafe (in the meane tyme vntill oportunitie serue for he[a]ring of the cause) to adres your lettres for the release of those which are or shall be comitted to prison.²

On the other hand, in reply the wardens made supplication on behalf of the patentees as follows:

We your poore Orators ye Ancients of ye Company of ye Stationers are not ignorant (right honorable) yat your (1) honors are already ouerburdened wth ye most weighty affaires of the kingdome, and therefore being vnwilling (2) to adde any more

1. Arber, *Transcript*, I, 144.

2. State Papers, Dom. Eliz., no. 185, art. 104, and see also Arber, *Transcript*, II, 778.

businesse, or to be molestuous to your honors, have hetherto bene patient to our great hinderance (3) and would so haue continued, but yat through ye to importunate & vniust exclamations, and insolent behaviou^r of some (4) willfull & troublesome persons we are vrged & compelled thereunto. It hath pleased her Ma^{tie} (as her highnesse (5) progenitorie haue done, and all princes of Europe doe) to grant authoritie by her Irs Patents vnto some persons to (6) serve her highnes in ye Realme, by publishing such bookes, workes, & volumes as her Ma^{tie} by her speciall licence (7) in her said Irs patents hath giuen vnto them; for ye w^{ch} to their great charge, they haue or ought to haue (8) prouided presses, letters & other furniture requisite. All wth notwthstanding some of these vndernamed do print (9) those priuiledged Copies at their pleasure, and haue other as disordered as themselues, who runne vp & downe (10) to all ye faires and markets through a great part of ye Realme, and make sale of them; whose charges in cariage (11) wth their expences in Innes & Alehouses and other places considered, wth vehement suspition & some liklyhood (12) of further disorder they returne home more poore then they went out, & so spoile ye whole trade of ye Company (13) & deceaue her Ma^{ties} subiects wth bookes euilly & vntruely printed. The chiefe of these are Iohn Wolfe, Iohn (14) Charlewood, & Roger Ward printers: Henry Bamford compositor: Franck Adams a maker of writing tables, Williã (15) Lobley a Bookebinder: Abraham Kidson, Thomas Butter, & [William] Wright booksellers / Who are greatly animated (16) by one mr Robert Neale¹ a lawyer. These persons, notwth-standing their euill dealing haue generally beene (17) well in-treated, as if it may please your Honors you may see by this one example of Chr Barkar his dealing wth Iohn Wolfe.²

Thus, with Wolfe at the head of the malcontents, the battle raged fiercely. Christopher Barker, who led the cause for privilege, discovered that "John Wolf hath iij presses, and ij more since found in a secret Vau[l]t";³ but

1. Not "Neak," as Arber (*Transcript*, II, 779) interprets the name.

2. State Papers, Dom. Eliz., vol. 15, art. 38, and see Arber, *Transcript*, II, 779. Numbers in parenthesis indicate line references in the MS.

3. Arber, *Transcript*, I, 248.

on being taxed with this and other misdemeanors Wolfe refused to be moved by threats or bribes. The conversation between the two is such a human document that it must be quoted entire.

First about Easter last past twelue moneths Barkar wished John Wolfe to liue in / good order, for ye better increase of his wealth, as also of his credit, & not to / print mens copies priuiledged, nor to wthstand her ma^{ties} gracious fauour bestowed / vpon some of her most dutyfull subiects: Wolfe seeming to take good liking / thereof, promised if he might haue worke not to print any more any other / mens copies. Barkar then perswaded ye said Wolfe to translate his freedome from / ye Fishmongers to ye Stationers, that ye said Barkar & others might lawfully / set him on worke, & then he should be sure to haue all ye fauour yat reason / ably he could aske. Wolfe made promise so to doe though he ment nothing lesse / appeareth by ye sequele; whereupon Barkar although he greatly feared and / charged him, yat he was not able to print any thing for him yat might stand wth / his credit, left his owne presses vnwrought, & set him on worke, whereby he / earned of Barkar to ye value of 80^{li} & more, w^{ch} work was so vntruely / & euilly done, yat it was not onely to Barkars great hinderance, but an / exceeding discredit to all his owne labours. But now Wolfe finding him / selfe of more abillity then before, printed diuerse mens copies wthout exception / & thereupon hath growen much trouble. Notwthstanding all this vpon / ye 14. day of May last past, Barkar sent for ye said Wolfe, & demanded / of him why he printed ye Copies belonging to his office: he answered, Becaus / I will liue: but much more talk hauing past betwene them, Barkar / replyed saying, Wolfe, leaue your Macheuillian deuices, & conceit of / your forreine wit, w^{ch} you haue gained by gadding frō cuntry to / cuntry, & tell me plainly, if you meane to deale like an honest man: / what you would haue. Wolfe answered: Yf I should come into yo^r Company / I would haue allowance of my five Apprentices, I would be prouided whereon to / liue, & I would haue yat benefite w^{ch} now I haue in mine owne Company. / Barkar answered him, Touching yo^r . 5 . Apprentices, it is against our order, / yet for quietnes sake, I would be a meane as far as I can yat

you / shall inioy them. To prouide you a liuing, that is ye worke of God onely, / vpon whose prouidence you must depend, yet I dare promise you after a sort, / yat being of our Company you shall haue good & gainfull copies whereon / you may liue in measure, & yet not print other mens copies. Touching ye / lone of 20.^{li} w^{ch} you haue in yo^r Company; We Stationers are very poore / & haue no land, but ye house we sit in, and our whole stock is vnder 100^{li} / & yet I will do what I may to procure you 20^{li} thereof vpon good / security. Wolfe making obscure & doubtfull answeres hereunto, Barkar / willed him to take aduise and resolute himselfe what he would stand vnto. / And as for my copies w^{ch} you haue printed sd he you and I will reasonably agree. / But euen at that tyme, although Wolfe denied to haue any more of / Barkars Copies in Printing his seruants were in work of ye same, as / wthin .4. houres after was manifest. Whereupon Barkar gaue him / ouer, as a man vnreasonable to deale wthall. Further of Wolfe and / his confœderats misdemeanours they are partly touched in these / Articles following, w^{ch} in some part concerne aswell her Ma^{ty} as / your Honors, & therefore we most humbly pray, that they may / be considered of, as shall seeme best to your most godly wisdomes, / Vnto whose most honorable [*considerations*] determinations we / submit our selues humbly praying yat they may in some sort be restrained till ye Cōmissioners haue certified. /

Barkars offer out of his owne proper right for ye reliefe of / the poore of ye Company vpon condicions. /

The whole volumes of ye statutes wth their preambles, as they be / now extant.

The paraphrases of Erasmus to be read in Churches. /

The Queenes Iniunctions and Articles to be inquired of in / all parishes.

The Articles of religion agreed vpon in ye convocation to be / read of all ministers.

The Testament in ye volume called octauo cōmonly [named] to be mr Cheekes Testament. / ¹

1. State Papers, Dom. Eliz., vol. 15, art. 40, and see also Arber, *Transcript*, II, 780-781.

The document plainly shows that Wolfe was a radical, who resorted to any available means in order to harass his opponents. His boldness is only to be explained by the fact that the privileged men must have had some misgivings with regard to their position in the quarrel. Certainly they had the law on their side, but the genuine distress of the poorer printers and booksellers obviously demanded a remedy, which could only come about by the relinquishing of several of their patents. The defiance of Wolfe was based on three counts: in the first place, on the necessity of his earning a living; secondly, on his inherent right as a freeman of London to print books without necessarily being connected with the Stationers' Company; and, thirdly, on the ground that the queen had no right to grant privileges which pauperized the poorer men of the trade.¹ Moreover, in voicing his defiance, he declared in no uncertain terms his intention of reforming the entire mystery of printing. The following notes on his "insolent and contemptuous behavior" show plainly his methods:

(1) Wolfe being a fishmonger by ye Charter of the Stationers ought not to print at / all without her Ma^{ties} speciall licence. /

(2) Wolfe made suite for a priuiledge, w^{ch} being found too large & generall had ye / repulse, whereupon he printed what pleased him best of these mens offices and / priuiledges following.

First of ye Copies belonging to m^r Francis Flower /
 Item of the Copies of Thomas Marsh. /
 Item of the Copies of John Daye /
 Item of the Copies of william Seres. /
 Item of the Copies of Chr Barker her ma^{ties} printer /

1. The stationers themselves did not approve of the too free granting of special privilege, particularly when the holder of letters patent was not a member of the company. On one occasion, when a modest petitioner asked for the exclusive right to print "all balades Damaske paper and bokes in prose or meetre from the quantitie of one sheete of paper to xxiiij^{tie}," the master and wardens begged Lord Burghley to "haue pitie of them and not passe anie suche graunte" (Arber, *Transcript*, I, 468). Needless to say, the privilege was not granted.

(3) Wolfe being friendly perswaded to liue in order & not print mens priuiledged / copies, for w^{ch} to their great charge they had prouided presses, Ires, and other / necessities, answered he was a freeman & had as great a priuiledge / as any of them all, & yat he would print all their bookes, if he lacked work.

(4) Wolfe for his contempts against her ma^{ties} grants being cōmitted to ye Clink there resorted vnto him diuers poore men of sundry companies, as vnto one / to be a meane to make them rich. /

(5) Wolfe after being at liberty & his confederats, vowed themselves to wthstand her / ma^{ties} grante wholly, as one of them named Franck Adams said he was / bound in 100^{li} to follow that cause. /

(6) Wolfe gathered conuenticles of people in his house, in ye Exchange, & in / ye Church called St. Thomas of Acres so disorderly, yat some of themselues / fearing some hurley burley to followe, departed away, as they confessed. /

(7) Wolfe & some of his confederats affirmed openly in ye Stationers hall, yat it was lawfull for all men to print all lawfull bookes what cōmandement soeuer her Ma^{tie} gaue to ye contrary.

(8) Wolfe denied obedience to her Ma^{ties} cōmandements further then in ye written lawe / were contained, in matters specially of printing whereof he is now somewhat reconsidered / in words, neuerthesse in execution continueth ye same vnto this houre, saying he / will liue.

(9) Wolfe hath often times *delivered* most disloyall & un-reuerent speaches of her ma^{ties} gouer / nement, not once giuing her highnesse any honorable name or title, as She / is deceaued, she shall know she is deceaued, Also she is blindly lead, she is deceaued.

(10) Wolfe being admonished yat he being but one so meane a man should not p^resume to contrarie / her Highnesse gouernement Tush said he, Luther was but one man, and reformed / all ye world for religion, and I am that one man, yat must and will reforme / the gouernement in this trade, meaning printing and bookeselling. /

11 Wolfe & his confederats made collections of money of diuers her ma^{ties} poore / subiects, perswading them to ouerthrow all priuiledges, and being demanded why he did so, answered his purse was not able to maintaine so great a cause as yat / they had in hand.

12 Wolfe and his confederats incensed ye meaner sort of people throughout / the City as they went, yat it became a comon talke in Alehouses, tauernes / and such like places, whereupon issued dangerous, & vndutifull / speaches of her ma^{ties} most gracious gouernement.

13 We omit for tediousnes many such like disordred parts, as also how / through the so euill examples ye poore of our Company being animated / against their Elders, were ready to offer vs violence, euen when we were / together in our cōmon Hall studying to do them good; yea our seruants /also aswell Apprentices as Journemen became disobedient, and our Apprentices married wiues, and for a time did what they list. / ¹

The wonder of it is that Wolfe did not lose his head, or at least his ears, for such audacity. Perhaps the authorities took the statements with a grain of salt, feeling that the additional troubles caused by disobedient servants and married apprentices were sufficient to prejudice the honest wardens unduly.

In spite of Wolfe's bold words and rebellious actions he was found after all to have his price. Bought off by a share in Richard Day's patent, he suddenly gave up the struggle against the privileged printers and abandoned his effort to reform the trade. As the commission appointed by the Privy Council more delicately put it, "Wolf hath acknowledged his error and is releued with worke." ² Once accepted into the reputable circle of the Stationers' Com-

1. State Papers, Dom. Eliz., vol. 15, art. 39, and see also Arber, *Transcript*, II, 781-782.

2. State Papers, Dom. Eliz., vol. 161, art. 37, and see also Arber, *Transcript*, II, 784.

pany¹ his advancement was rapid. In appointing him a searcher for secret presses the company rather cruelly utilized his knowledge of his confederates' ways, but Wolfe did not seem to mind hunting down his former companions. Indeed, he is to be found, on July 10, 1588, riding to Croydon for a warrant for the arrest of Roger Ward, and being paid four shillings expense money.²

In 1587 he was appointed beadle to replace Timothy Rider, who could not execute the business of his office by reason of his infirmities. The position brought him six pounds a year, and later, on his petitioning the court, he was granted an additional four pounds.³ The company never failed to recognize his ability, and on several occasions advanced him money with which to carry on his affairs. On March 2, 1590, at a session of the court it was agreed

that Iohn Wolf shall pay what is due for all his copies that are sett downe to him & are vnpaid for then trañce / amountinge to xxxiiij^s or thereaboutē. / Out of the w^{tho}: xiiij^s iiij^d are to be Deducted for his paynes taken aboue his ordinary seruyce⁴

In the margin of the record is a note "vide ·3· Augusti in proñ año / Remitted wholly ·2 Augusti 1591 /." ⁵ Three years later he was made printer to the city of London; and in 1598, by his admission to livery in the company, we find his financial success assured.

Wolfe was only once more at variance with the authorities, and this time not altogether because of his own fault.

1. July 1, 1583. "Iohn Wolf Admitted A freman of this Cumpanie per Redemptione. iiij^s iiij^d tout payé" (Arber, *Transcript*, II, 688). This fee is the ordinary payment charged to apprentices for admission, not the higher sum often demanded of persons admitted by redemption.

2. Arber, *Transcript*, I, 527.

3. Greg, *Records of the Court*, p. 38.

4. *Ibid.*, p. 34.

5. *Ibid.*, p. 34.

The circumstances, however, are in keeping with his willingness to take chances for the sake of a quick profit. When the Earl of Essex was tried for treason, in 1600, one of the charges stated that he had permitted his name to be used in connection with a book offensive to Elizabeth. The volume proved to be Dr. Hayward's *The Life and Raigne of King Henrie IV*, published by John Wolfe, and dedicated to the Honorable, the Earl of Essex. Both the author and the printer were examined by Sir Edward Coke, the attorney-general, who brought out certain facts concerning Wolfe's part in the affair. It seems that when Hayward brought in the manuscript it contained neither the customary dedication nor an epistle to the reader.¹ In order to increase the sale Wolfe suggested dedicating it to Essex, who was just then about to start for Ireland to quell the rebellion which had broken out there. Thereupon Dr. Hayward sat down and wrote a short Latin dedication addressed to the earl, as well as an epistle to the reader, signed A. P. The book was published in February, 1599, and Wolfe promptly took a copy to Essex, but was unable to see him. In the meantime *The Life* suddenly became a great success. As Wolfe said, "never any boke was better sould or more desired that euer he printed then this boke was." In two or three weeks over five hundred copies had been sold, and the demand still continued. However, the enemies of Essex, always on the lookout for a chance to injure him, professed to see passages in the book which aimed at the overthrow of Elizabeth. Thereupon the Archbishop of Canterbury ordered the dedication removed from the book before any more copies could be sold.² For the second

1. For a more extended discussion of the facts in this case see H. R. Plomer's article in *The Library* (January, 1902), pp. 13-23.

2. THE / FIRST PART / OF / THE LIFE AND / RAIGNE OF KING HENRIE / THE IIII. / Extending to the end of the first / YEARE OF HIS RAIGNE. / Written by I. H. / [Printer's device of John Wolfe] / Imprinted at London by Iohn Woolfe, and / are to be solde at his shop in Popes head Alley, / neere to the Exchange. 1599. Plomer notes that all the quarto copies of this edition still contain the

edition, which appeared at Easter in a much altered form, Dr. Hayward had prepared an "epistle apologeticall"; but before this was actually printed and while the impression was being run off, the Stationers' Company seized all the stock and delivered it to the Bishop of London. This discreet prelate immediately had the entire edition burnt, so that not one copy ever reached the public. It is not difficult to understand Wolfe's part in this affair. To an author desirous of selling his book the advice of the publisher is generally received with gratitude, and Hayward, without a doubt, agreed willingly to Wolfe's plans. Had it not been for the prompt action of the wardens of the Stationers' Company, Wolfe might have been in serious trouble; as it was, he spent several weeks in prison because of his part in the affair. A contemporary writer, John Chamberlain, communicating with his friend Dudley Carleton, saw no harm in the book, although he recognized the foolishness of dealing with a possibly treasonable subject. The only other man who had good reason to be fearful of consequences was the licenser,¹ Samuel Harsnet; but, so far as is known, no harm came to him.

Shortly after this incident, Wolfe's career closed, for he died in the following year, leaving a prosperous business to his widow. Unlike many of her contemporaries, however, she did not carry on the trade, but transferred the stock to Adam Islip and later assigned many of her husband's copyrights to John Pindley.

From the meager array of facts concerning John Wolfe we do not get a very pleasant impression of him. In

dedication, in spite of Wolfe's assertion that he obeyed the archbishop. Fortunately a copy has recently come into my possession in which the dedication is missing (the signature A₂ which should immediately precede the epistle to the reader has been canceled) and, therefore, I am able to support Wolfe's contention in at least one instance.

1. "Master Woolff Entred for his copie vnder the handes of Master Harsnet and the wardens a booke called, the ffirste parte of the Life and Reign of Kinge HENRY the FFOURTHE extendinge to the ende of the ffirst yere of his Reign vj^d" (Arber, *Transcript*, III, 134).

his encounter with Christopher Barker he showed himself shrewd, evasive, and unreasonable. Bravery and aggressiveness were certainly not lacking in his character, nor can his business ability be questioned; but there is a sinister aspect to his sudden reformation and subsequent zeal in tracking down his former associates. In spite of prosperity and a busy career in the Stationers' Company he never entirely gave up his predilection for surreptitious printing, as his record in producing certain Italian books proves.¹ In fact, to the end of his life John Wolfe remained essentially an opportunist.

On the other hand, Roger Ward, his partner of earlier days, was frankly an irreconcilable. The son of Humphrey Ward, a husbandman of Ryton, Salop, Roger was apprenticed in 1566 to Thomas Marsh, a stationer of London; and from the fact that he was bound for nine years, we may assume the date of his birth as being about 1551.²

Ward's first entry in the Stationers' Register occurred on July 8, 1577, when he obtained license to print two ballads.³ Only two more entries under his name are to be found during the next five years, and these deal with ballads of the most trivial kind. Evidently Ward was not making his living by such publications, and we may assume that his illegal printing started shortly after the termination of his apprenticeship. Indeed, documents show that certain of the younger printers actually banded together in a secret organization to print and utter various books belonging to the patentees. Needless to say, the privileged

1. McKerrow, *Dictionary*, p. 298.

2. "Roger Warde the sonne of Humffrey Warde late of Ryton in the County of Saloppe husbandeman Deceased hath put hym self appretes to Thomas marshe Cytizen and stacioner of London / from the feaste of Anuntion of the virgen mary [March 25] 1566. nyne yeres . . . vjd" (Arber, *Transcript*, I, 291).

3. "Lycensed vnto him these ij ballates viz A Dittie declaringe by order of fate howe fickell Dame FORTUNE Dothe chaunge our estate iiij^d The giltes wight being wrongfullie imprisoned bewaileth his wofull estate iiij and a copy" (Arber, *Transcript*, II, 316).

members of the craft immediately took steps to suppress the revolt, which, as we have said before, was headed by John Wolfe and Roger Ward; and finally two of the offenders were brought before the Court of Star Chamber to answer for their crimes.

Because so many of the offenders against special privilege were summoned before this court, it is necessary to outline briefly its history and methods of procedure. Founded by Henry VII¹ to enforce order among his turbulent nobles, the Court of Star Chamber consisted of a committee selected from the royal council. This body gave judgment direct, without recourse to trial by jury, and became in course of time a regular tribunal to supplement the existing courts of law. Its purpose was primarily to give speedy justice to those who were unable to obtain it through the usual channels. In other words, application to the Court of Star Chamber meant an appeal directly to the sovereign. In the hands of a wise monarch such procedure was of untold advantage to the poor man, and the court justified its existence during the reign of Elizabeth. Under Charles I, however, the power of the court was so abused, in order to punish political opponents and to fill the depleted treasury, that when Cromwell assumed control of the government he abolished it entirely.² The proceedings of the court were similar to those of Chancery. A *bill of complaint* was brought by the aggrieved person, and the defendant replied to the charges with an *answer* or a *demurrer*. If the cause seemed just, special *interrogatories*

1. Of course the councilors of sovereigns had for many generations acted as a legal body to give judgment and render decisions in law, but in Henry's reign we find a special committee selected and their position regularized. It is sufficiently accurate, therefore, to say that the court was founded at this time. Cf. Green's *Short History*, pp. 302-303. The Court of Star Chamber must not be confused with the Court of High Commission, which was presided over by the High Commissioners in Causes Ecclesiastical, and established in the first year of Elizabeth's reign.

2. T. Amyot, "An Outline of the History of the Court of Star Chamber," *Archaeologia*, XXV (1834), 342-393.

were drawn up to which all witnesses and the accused had to answer. These answers, or *depositions*, formed the evidence by which the case was judged.¹ With this procedure in mind, we may now turn to an examination of our first trial in connection with literary piracy.

On February 7, 1581/2, an action² was brought by John Day against Roger Ward and William Holmes³ for printing the *A.B.C. with the Little Catechism* in violation of the privilege granted by royal letters patent. In the bill of complaint we find actual conspiracy charged in that

Diuerse euill disposed persons . . . have most wickedly and vndutifully caused hired and procured one Roger Warde a printer beinge but a poore man perswadinge him the fact was not punishable to imprinte the said *ABC with the little Catachisme* in great numbers. And the same so imprinted have caused the name of the said Iohn Day to be sett therto, in manner as he vseth to printe the same.

The bill goes on to state that William Holmes, well knowing the books to be illegally printed, has nevertheless "vttered, putto sale bownde Stitched and sowed the number of sixe hondereth," all of which is against the law.

From the wording of the bill, presumably the two defendants were to be let off lightly if they would reveal the principals who had instigated this act of piracy. But in spite of the moderate tone of the charge, with its implied leniency, neither Ward nor Holmes ever admitted that he had accomplices. In the preliminary answers to the complaint both men pleaded ignorance of the law, Holmes because of his youth and inexperience, and Ward because he

1. J. S. Burn, *Star Chamber: Notices of the Court and its Proceedings* (London, 1870), *passim*.

2. Star Chamber Eliz., D 3/16, Daye vs. Holmes et alios, in Arber, *Transcript*, II, 753-769.

3. Holmes had been apprenticed to John Harrison the elder, and was admitted a freeman of the Stationers' Company on July 22, 1580. After the trial he disappeared completely from the pages of the Register, and nothing more is known of him.

was in prison "by the harde Dealinge of some of the Companye of Stacioners." In addition Ward incorporated in his reply many of the grievances of the poorer men. Among other things he stated that

a verye small number in respecte of the reste of the Companye of Stacioners Prynters havinge gotten all the best bookes and Coppys to be printed by themselves by Priuiledge wherby they make bookes more De[a]rer then otherwise the[y] wolde be, and havinge lefte verye littell or nothings at all for the resydue of the Companye of the Prynters to lyve vpon, vnles they sholde worke vnder them for suche small wages as they of them selves please to geue them, whiche is not sufficiente to fynde suche workemen and their famylyes to lyue vpon, whereby they through their Priuiledges inritche themselves greatlye and become (some of them) greate purchesers of Landes and owners of large possessyons / And the reste of the sayd Prynters beinge manye in number and moste of them howshoulders so extreme[ly] poore, that by reason of pretended Priuiledges and restraynte that happenethe therby can scarce earne breade and Drinke by their trade towards their lyuinge, a matter verye grevous and lamentable to the said poore prynters, and suche an enormitye to the Common welthe as if the same were eyther knowne vnto this honorable Courte, or vnto her Maiestie, This Defendante hopeth that the said pretended priuiledges wold be eyther restreyned or some suche good order taken as the residue of her maiesties pore Subiectes Printers might by some meanes get their lyuings in their said trade.¹

The boldness of such language is worthy of comment, as is also the admission that "beinge in Prison in the Compter in Wodestrete London . . . for the releif of hymselfe his wiffe and famylye, as he toke it he lawfully might without offence," he ordered his servant "to imprinte the said *A.B.C.*, which Duriinge the tyme of his said Imprisonment was Done accordinglye." In other words, Ward pleaded guilty to the offense as charged, but attempted to justify himself through the iniquity of the complainant.

1. Arber, *Transcript*, II, 756.

The examination of William Holmes was short and decisive. He admitted that he at last understood the law protecting the patentees, and that he had bound, stitched and sold five hundred copies of the *A.B.C.* However, he was loyal to his friends and refused (or was unable) to mention the names of any others who might have aided Ward in his venture.

When Ward came to be examined, the whole situation gradually was brought to light. Twenty-one searching questions were asked him, and from his replies we are able to piece together an intelligible account of the transaction. Stripped of their legal verbiage the most important interrogatories are as follows:

(2) How many of the *A.B.C.*'s did you print, and who was your principal in the affair?

(4) Why did you use John Day's mark and name, and who made you the mark?

(5-7) How many of the books did you sell and to whom?

(8) Did you not know that John Day had the exclusive privilege to print the *A.B.C.*?

(11-12) At whose instigation did you start this illegal printing, and were you told that it was lawful so to print?

(13) Who helped you with the actual work of printing?

(14-16) Who supplied your materials, and did such persons say that they would take certain copies in payment for the debt you incurred in printing so many copies?

(17) How many copies are yet unsold?

(18) Was the type yours, or did you borrow it, and how many reams of paper did you use?

(20) How many copies have you sent out to be sold in the country, or at your shop in Shrewsbury, and to whom did you send?

(21) Were the copies dried in your house, and if not where was this done?

In his answers to these questions it is to be supposed that, in the main, Ward told the truth, although he was evasive at times. Moreover, his memory conveniently failed him on certain important points, and at no time did he admit that he had confederates in his work. In any case the evidence gives us a clear insight into the methods employed by certain of the rebellious printers. Ward's answers to the above interrogatories tell the whole story.

To the second interrogatory Ward said that he had printed 10,000 copies of the *A.B.C.*, but that the venture was his own idea.

To the fourth he was unable to answer, but he admitted that the printer's mark was copied by a Frenchman "Dwelling within the blackfriars whose name he knoweth not."

To the fifth, sixth, and seventh he said that he sold 500 copies to William Holmes, 3000 to Hunter¹ "of the bridge," and that he sent 1500 to Shrewsbury to his shop, where his servant John Legge disposed of them.

To the eighth he admitted that he knew John Day held letters patent from the Crown even before he printed the book in question.

To the eleventh and twelfth he denied knowing that it was unlawful to print the *A.B.C.*, and again insisted that he was alone in the venture.

To the thirteenth he said that "one Adam [Islip]² a seruant of

1. John Hunter was a draper and bookseller who dealt chiefly in ballads. He was born in 1549, but practically nothing is known of him aside from his connection with this trial. In his deposition he admitted buying eleven double reams of the *A.B.C.* from Ward (McKerrow, *Dictionary*, p. 147).

2. Originally bound to Hugh Jackson, Adam Islip was transferred, on October 7, 1578, to Thomas Purfoote for the remainder of his apprenticeship. Apparently his connection with Ward did not prejudice the authorities against him to any extent, for he was admitted a freeman to the company on June 8, 1585 (Arber, *Transcript*, II, 87, 694).

Master Purfottes dyd lende him some letters wherewith he im-
prynted the said boke.”

To the fourteenth, fifteenth, and sixteenth he stated that Mas-
ter Echard and Thomas Man supplied him with paper on trust,
and that being in debt to William Holmes he furnished him with
500 copies of the book. He denied, however, that these three
men provided materials and money with the proviso that they
should receive certain of the volumes in payment.

To the seventeenth he admitted that only 200 copies were un-
sold, these being imperfect.

To the eighteenth he said that the type was not all his; some
had been borrowed from Thomas Purfoote¹ — without his
knowledge — and had not yet been returned. With regard to
paper, he had used about twenty reams.

To the twentieth he admitted sending John Legge, his servant,
to Shrewsbury with 1500 copies; but he denied selling any to
chapmen.

To the twenty-first he stated that the imprints were not dried
or gathered in his house, but were conveyed secretly to the
dwellings of Hunter and Holmes. The copies which Legge took
to Shrewsbury were assembled in that town.

Such are the details of Roger Ward's first experiment in
the piracy of privileged books; and one cannot help being
amazed at the magnitude of the transaction. To print
secretly 10,000 copies, and to dry, bind, and dispose of
them indicates ability and organization of no mean order.
Although Ward stoutly denied that he had any partners
in the transaction, it is plain that he must have had help
from others. His prosecutors also knew it, as their ques-
tions indicate, but no amount of pressure could make
Ward divulge their names.

1. Thomas Purfoote, senior, was born in 1518. He was a charter member of
the Stationers' Company, with a long and honorable record in the book-trade.
If an entry, in 1615, in the Record is correct, he must have been at least ninety-
seven years old when he died (Duff, *Century*, pp. 125-126).

Interrogatories were also administered to Thomas Man,¹ John Hunter, Abraham Newman² and Thomas Purfoote, but little additional information was gained. Newman said frankly that he delivered paper to Ward, and was to receive in exchange 2500 books. Furthermore, he revealed the fact that Ward had cast a new set of type, probably in anticipation of the printing of the *A.B.C.* When questioned, Thomas Purfoote stated that he knew nothing at all about the affair; and insisted that his type had been taken by Adam Islip without his consent. It was not until Nicholas Dyos³ testified that the names of Ward's subordinates appeared. In the course of cross-examination Nicholas finally admitted that he, together with Henry Jefferson, Henry Hasylwoode, and another, "one John his other name he knoweth not," worked together in printing the book. Altogether there was a very effectual conspiracy of silence on the part of the witnesses.

The result of the trial is not definitely known,⁴ but in December, 1582, Christopher Barker mentions Ward in Ludgate prison, where "he doth alreadye pretend at the least to be a prysoner, to defraude men of their right, and to avoide his Due desertes." The inference seems plain that Ward was ordered by the court to make restitution to

1. Thomas Man, senior, was apprenticed to John Harrison the elder in 1567, and obtained his freedom sometime before July 17, 1576. He dealt almost exclusively in theological books, and was one of the richest and most influential men in the Stationers' Company (McKerrow, *Dictionary*, p. 184).

2. Abraham Newman was a draper and bookseller of London. Nothing is known of him aside from his brief appearance in this trial.

3. Nicholas Dyos was admitted a freeman of the Stationers' Company on May 6, 1587. As he was only eighteen years old at the time of the trial, his youth seems to have saved him from any penalty (Arber, *Transcript*, II, 699, 753-769).

4. In a petition to Lord Burghley, dated August 27, 1583, the wardens of the Stationers' Company mention the fact that Ward is bonded in two separate sums of money not to print any more disorderly books and to deposit in Stationers' Hall all that he has so printed. They complain that he has forfeited the bonds and still continues to print. Without doubt they are referring to his punishment for having pirated John Day's *A.B.C.* Cf. Lansdowne MS. 38, art. 15, fols. 38-39, and see also Arber, *Transcript*, II, 785-86.

John Day, but that he remained in prison, probably as a debtor, rather than pay his fine. Certainly he was not in jail in October of the same year, for Barker at that time reported his defiance of the law on another count. Writing to Lord Burghley he reported that

comminge to the howse of one Roger Warde A man who of late hathe shewed himselfe very contemptuous againste her Maiesities high prerogatiue and offering to comme into his pryntinge house to take notice what he did, the saide Roger Warde fainnyng himselfe to be absente, hys wyfe and seruantes keepeth the Dore shutte againste them [i. e., the two wardens, Barker and Coldocke], and said that none should comme there to searche.¹

However, the secret organization was broken up after Ward's trial, for on July 18, 1583, the commissioners appointed to enquire into printing disorders reported that "those that haue presses and complaine against the patenties are not aboute iiii / Wolf hath acknowledged his error and is releved with worke."² Arber thinks that the four malcontents were probably Roger Ward, John Charlewood,³ Robert Waldegrave, and Thomas East,⁴ but there is no positive proof of their identity.

This airing of grievances on both sides did much to clarify the troubled situation and to prepare the way for the stricter legislation which was to come; and in the meantime the Stationers' Company made an honest effort to relieve the poverty of the poorer members of their craft. In a manuscript dated January 8, 1583/4, a list of books

1. Arber, *Transcript*, II, 776-777.

2. State Papers, Dom. Eliz., vol. 161, art. 37, and see also Arber, *Transcript*, II, 784.

3. Charlewood was a member of the Grocers' Company until about 1574, although he was engaged continuously in the printing-trade from 1562-1593. "In one of the Marprelate Tracts it is stated that, as printer to the Earl of Arundel, he had a press in the Charterhouse" (Duff, *Century*, p. 26).

4. East is best remembered as a printer of music, and from the fact that in 1577 he took Henry Chettle, the future dramatist, as his apprentice (McKerrow, *Dictionary*, p. 96).

presented by the patentees for the use of the poor contains no less than eighty-two titles.¹ While many of these were books of only passing interest, nevertheless the deliberate giving up of privileged works shows that the company had the interest of all its members at heart. After all, the patents had been purchased, one must suppose, at a fair market price, and the assignment of them to unprivileged members represented a worthy act on the part of the patentees.

To Roger Ward, however, these concessions made no difference at all, for he kept on with his pirated editions. In a complaint endorsed August 27, 1583, another appeal was directed to Lord Burghley against him, on this occasion because he was violating the privilege which William Seres had assigned to seven "poore yonge menne" of the company. In the petition Ward was denounced as a "most daungerous persone" and "a man without all gouernement."²

Whether or not anything was done about this particular violation of privilege, it was not until 1585 that Ward again found himself a prisoner, this time in the Counter in Woodstreet.³ On May 1, 1586, the Privy Council directed that he be tried before the Bishop of London,⁴ but if such a trial occurred there is no record of it. However that may be, he was released from jail on October 19, by order of the Archbishop of Canterbury, on condition that he pay all charges connected with his imprisonment.⁵ Possibly Whitgift felt that the Star Chamber decree, which had been passed a few months before, would be perfectly adequate to control in the future any disorders such as Ward

1. Lansdowne MS. 905, fols. 280-283, and see also Arber, *Transcript*, II, 786-789.

2. Arber, *Transcript*, II, 786.

3. A man named Hyde was paid one shilling for conveying him there (Arber, *Transcript*, I, 510).

4. Council Register, Eliz., VI, 70-71.

5. Arber, *Transcript*, II, 39.

had been guilty of. Legislators the world over are inclined to think that the passage of a law means automatic obedience on the part of the citizens.

To the Stationers' Company, however, the release of Ward meant immediate trouble; and, in consequence, they prepared for emergencies by searching his house just before he regained his freedom. The minutes of the court show the wisdom of this measure.

Whereas the wardens on monday the 17 day of october 1586 · vpon serche of Roger wardē house dyd fynd there in printinge a book in verse intytled Englande albion ^r beinge in english and not aauthorised to be printed / w^{ch} he had ben forbidden to prynte / aswell by the ·L· archb. of Canterburye as also by the Wardens at his own house. / Item they found there in printinge the grāmar in 8^{uo} belonginge to the p^ruilege of m^r ff flower Item certen formes readie sett of the cathechismes belonginge to Ric^o dayes p^ruilege. and of the prȳmers belonginge to Willm Seres p^ruilege by her ma^{tie}s l^res patentē. Item Psalter calender ready sett. and certen other formes redy sett of other mens copies · And forasmuche as all this he hath doñe contrarye to the late decrees of the hon^oable court of starre chamb. The said Wardens seised iij heapes of the said Englande albyon. and the firste leafe of the grāmer in 8^{uo} and iij presses and diu^{se} other pcellē of pryntinge stuffe by vertue of the said decrees and accordingly brought them to the stacōners halle Whereuppon yt is nowe concluded & ordered accordinge to the said decrees · / That the said presses and pryntenge stuffe shalbe made vnservyceable defaced & vsed in all pointē accordinge to the teno^r of the decrees aforesaid: / ²

The example of his total disregard for the rights of his fellow-craftsmen and his contempt for the recent Star Chamber decree show clearly the necessity for watching Ward closely at all times. That he was able to produce

1. As Greg points out, this book can only be Warner's *Albion's England*, which was properly entered on November 7, 1586, by Thomas Cadman under the authority of the Archbishop of Canterbury (Arber, *Transcript*, II, 458).

2. Greg, *Records of the Court*, p. 20.

pirated editions while he himself remained in jail marks him as bold and resourceful; in fact, there is every indication that the secret organization had not yet been entirely broken up. In observing the succession of illegal acts committed by Ward it is difficult to understand why the Stationers' Company — in view of the stringent legislation just enacted — did not succeed at this time in stopping his activities once for all. A possible explanation is that he had influential friends who interceded for him, and this supposition is strengthened by a letter of the Privy Council¹ in which mention is made of Ward's strong assertion of his innocence. Nor must it be thought that he dealt only in pirated books. The Register shows a continuous record of entries² which have to do with items such as the allowance of copies, presentation of an apprentice, and other routine business. Evidently Ward used these measures to cover up his secret activities elsewhere.

In 1588 we get two fleeting glimpses of Ward's troubles, once in July when John Wolfe rode to Croydon³ for a warrant to apprehend him, and again in September when the company paid ten shillings to an officer on the staff of the Archbishop of Canterbury in behalf of Roger Ward. The latter entry⁴ is obscure, but it seems to indicate that another of Ward's presses was on its way to Stationers' Hall to be destroyed.

During the next two years Roger was untroubled by the authorities, but his respite came to an end on July 4, 1590, when the searchers found more contraband material, which they carried off to be defaced. Ward's ingenuity in secreting his press and letters is characteristic, and shows

1. Arber, *Transcript*, II, 805-806.

2. *Ibid.*, pp. 146, 525, 539, 561, 699, 706.

3. *Ibid.*, I, 527.

4. "Item paid the xvjth of September [1588] to master Cole an officer of my Lord of Cantuburyes for Roger Ward aboute the presse that was conuayed out of Lothberye and Southwarke Spytte x^s/" (Arber, *Transcript*, I, 526).

the extremes to which he was driven by the Stationers' Company. The minutes of the court give the details as follows:

whereas vppon serche lately made by thappointm^t of y^e w^rdens It was found that Roger warde had contrary to thorder of y^e cūpany & decrees of y^e starre chāber printed the Christian sacrifice beinge forbidden by my lordē grace of Canterbury / and burtons sermon, and a treatise of a Reformed churche and had a forme standing Redy to goo to y^e presse of the iijth Leafe of y^e grāmar in Vii^o. And did also kepe & conceale a presse and other printing stuff in a Taylors house neere adioynge to his own howse and did hyde his letters in a henhouse neere St Sepulchres churche exp⁹ssely ag^t the decrees of the star-chāber All the wth stuffe wth other his printing stuff were brought to the stac⁹ hall according to the said decrees And yt is nowe therfore concluded thall (*sic*) all his presses and printinge instrum^{te} shalbe defaced & made vnserviceable for printing accordinge to the said Decrees.¹

This last offense was more serious because Ward had been discovered printing Puritan literature, a crime which would immediately bring him under the displeasure of Whitgift. However, beyond losing his press² Roger suffered no further penalty at that time, although he was carefully watched.

How quickly such surveillance was rewarded may be seen from the minutes of March 3, 1590/1, when the wardens again reported a seizure of illegally printed material. This time Ward's assistants had been caught and questioned, with the result that the Company received valuable information concerning his methods.

Roger Ward Whereas yt is manifestly proved by the testimonie of Iohn leighe, and Thomas Streete,³ that Roger Ward about half a yere past, Did contrary

1. Greg, *Records of the Court*, p. 34.

2. It cost the company thirty shillings, fourpence to deface his press and letters (Arber, *Transcript*, I, 541).

3. Thomas Streete was apprenticed on September 6, 1591, and made a free-man on October 2, 1598 (Arber, *Transcript*, II, 176, 722).

to the decrees of y^e Starrechamb, erect and conceale a printinge presse wth other printinge furniture in the house of one ofeild a Tann⁹ by the bankside in Southw^rk, and therewth printed the sermon of Repentance, and the grāmer in 8· contrary to the said decrees, The leaves of wth booke were fetched wett from the printing house by m^r platt & the said leigh fetched the said sermons so printed from platt^e house to Roger Ward^e house. And the said leigh confesseth that Anthony hill and henry Iefferson wrought vpon the grāmer, and that they did ij daies w^k vpon a heape & wrought vpon it about a moneth and wrought about 8 leaves. And the said Streete confessith that they printed about xj or xij leaues of the grāmer and that all the latin pte thereof was fully fynished & that they had a newe vineyat to the first leaf, And whereas the said presse wth about iij formes of l^res in Diu⁹se sort^e & iij cases wth other printing stuff were ·2· m⁹cij 1590^r found at hāmersmyth by m^r warden Cawood m^r harrison thelder & m^r watkins & by them seised & brought to the stacōners hall by vertue of y^e said Decrees. Yt [is] nowe ordered & agreed in full court holden this day in the said hall by force of the said decrees, That the said presse letters Cases & printing stuff shall presently be Defaced & made vnserviceable for printinge according to the Decrees aforesaid / ²

It is to be noted that owing to the vigilance of the searchers, Ward did not succeed in selling much of the material discovered in these last two seizures. Very wisely, too, the company had adopted a more practical method of dealing with this recalcitrant; they now destroyed his presses and type, a much more effective way of preventing pirated editions from appearing. In addition, Ward spent another term in jail for his act, although the Stationers' Company still seemed to regard him with a tolerant eye and actually gave his wife ten shillings to help him while there.³ Such an action shows clearly that the company had no real

1. I. e., new style, 1591.

2. Greg, *Records of the Court*, pp. 36-37.

3. "Item paid to Roger Wardes wife when he was in prison to relieve him x^s," cf. disbursements from July 15, 1591 to July 15, 1592 (Arber, *Transcript*, I, 555).

enmity against Ward; they merely chastened him when occasion demanded, and tried to curb his illegal methods as much as possible. When the trouble and expense¹ connected with one of Ward's outbreaks are observed, no one can doubt the patience and kindness of the company toward its unruly members.

How long Ward remained in prison is not known, but his fortunes were at a low ebb during the next few years. On September 6, 1591, at his request in writing, the Stationers' Court transferred John Lee, one of Ward's apprentices, to the service of John Charlewood.² About two years later Roger pawned his press to the company for twelve pounds, ten shillings.³ He was able to repay five guineas toward the redemption of it in 1594, when he appears to have taken away his press and part of his printing stuff; for the remainder of his material is carried on the company's books, apparently as an asset. The entry is interesting, showing as it does the make-up of a sixteenth-century printer's stock.

Item the Remayn[d]our of Roger Wardes printinge stuffe viz. 4 forme of the *Catechisme* in 8 [vo] / 4 paire of Chases⁴ 3 of them of wood, and thother of yron One paire paire of newe cases⁵ with somme Englishe letter⁶ in them and iij ymposinge boardes be-inge nowe a pawne for vij¹¹ v^s the residue of the xij¹¹ x^s lente vnto him the last yeare as appeareth in that accountp.⁷

1. The following entries are typical of the costs incurred in one of the seizures of Ward's presses:

"Item paide to master Bedelles man for the copies of vj witnesses examined about Roger Wardes presse, taken at Hammersmith and the copie of Roger Wardes bond, all in the chest in the hall vj^s /"
 "Item paid for goinge to Lambethe Diuerse tymes this yere [1590-1591] about Wardes busines and others. viij^s /"
 "Item paide for defasinge Roger Wardes presse and other his stuffe. ij^s viij^d /"
 (Arber, *Transcript*, I, 546-548).

2. Greg, *Records of the Court*, p. 39.

3. Arber, *Transcript*, I, 566, 568.

4. A frame for holding composed type for page or sheet.

5. Receptacle with compartments for capitals and small letters.

6. We often call this type "black letter." 7. Arber, *Transcript*, I, 575.

If the wardens expected any reformation in Ward's character, they were mistaken, for no sooner had he received his press than his secret operations began anew. However, the results were the same as before, and he was promptly taken into custody.

In full Court holden this day yt is ordered as folowth. viž. fforasmuche as Roger Ward hath of Late erected twoo presses in seu⁹all obscure place, for printinge contrary to the decrees of the starchamber, and hath employed the same wth other printinge stuffe in pryntinge the prȳmers and other thinge contrary to her maiesties priuilege and the said decrees, and did also sett a forme at the temple of part of a booke not alowed, and hath also otherwise offended wth the said stuff. Yt is therfore ordered by vertue of the said decrees, that accordinge to the same the said presses wth the rest of the said printinge stuff shalbe defaced and made vnserviceable for printinge And the stuff thereof so defaced to be redeliu⁹ed to the said Roger.¹

Where Ward managed to procure his second press is a mystery, for he was presumably so poor that he could not redeem his stuff from pawn. Possibly there were complications about doing so, and he felt it wiser not to bring himself to the attention of the company. In this connection it is remarkable that a "poore man for gyvinge knowledge of Roger wardes presse and letters" was paid thirty shillings.² As this amount was very large, we may assume that the patience of the wardens was growing short, and that special efforts, on this occasion, were made to seize him.

This last episode ends Ward's career. He must have died between 1596 and 1598, for on March 6³ of the latter date we find "Helen Ward of London widowe late wife of Roger Ward late citizen and Staconer of London"⁴ taking

1. Greg, *Records of the Court*, p. 53.

2. Arber, *Transcript*, I, 579.

3. New style.

4. Arber, *Transcript*, II, 224.

an apprentice. From the formal entries in the Register, from official documents, and from facts in the minutes of the Stationers' Court, it is hard to form a correct estimate of the character of this unruly man. Of course we see only his vices and none of his virtues, but he cannot have been wholly bad. While he was designated as a "man without all gouvernement," the extraordinary patience of the company with his various misdemeanors makes us think that he had good qualities after all. Certainly he was not a finished printer — the records often mention his disorderly work¹ — nor did he add much to literature by his discrimination in selecting works for publication. Perhaps his only virtue lay in the fact that by his lawlessness he aided certain of the oppressed members of the Stationers' Company to obtain rights which otherwise would never have been granted them.

1. Probably his most startling example of carelessness was in omitting the eighth commandment from the decalogue, and then inserting it after the tenth. Cf. J. P. Collier, *Illustrations of Early English Literature* (London, 1864), II, i, ii.

CHAPTER IV

Piracy of A.B.C.'s and Accidences

IN SPITE of the fact that John Day had proved in the Court of Star Chamber his exclusive right to print the *A.B.C.*,¹ the privilege was looked upon with envious eyes by many of his less fortunate fellow-craftsmen. When it is recalled that Roger Ward sold illegally almost 10,000 copies, the extent of the circulation of the book may be readily imagined. Designated as an official text by Elizabeth in her injunctions for the instruction of children, the volume was used in every school in the kingdom; and, in consequence, Day enjoyed a large and steady income from this particular privilege. When John Day died on July 23, 1584, his son Richard promptly assigned the right of printing the *A.B.C.* to five of the younger members² of the Stationers' Company who had been most active in the rebellion against the patentees. This piece of strategy was well calculated to protect Day against further inroads on his privilege, and to give him a tactical advantage if such assaults should again occur.

Nor did the new representatives of privilege have long to wait for trouble. Before a year and a half had passed, Richard Day and his assigns became involved in two lawsuits,³ the object of which was to protect their patent from violation by other members of the company. On this occasion, however, the quarrel was waged, not by the older

1. Cf. *ante*, Star Chamber Eliz., D 3/16, Daye vs. Holmes et alios.

2. Edward White, William Wright, Thomas Butter, John Wolfe, and Francis Adams were the assigns (Arber, *Transcript*, II, 790).

3. Star Chamber Eliz., D 4/1 (Arber, *Transcript*, II, 790-793), and Star Chamber Eliz., D 28/7, Appendix A, pp. 149-155.

and more respectable members against the lawless younger element, but rather by friend against fellow-craftsman. Undoubtedly the feeling was general that the grants to the patentees were too liberal, and that no man had the right to hand down, after his death, a monopoly in any one book. The question of property-right was still far from clear in the minds of the stationers themselves, and it was not to be wondered at that a test case arose shortly after the death of John Day. The wording of the royal grant was perfectly plain: it gave "to John Daye and Richard Daye, and to the longer liver of them for terme of their lives, and to the assigns of them, and either of them,"¹ the privilege of printing the *A.B.C. with the Little Catechism*. In addition it forbade anyone else to print the book.² The legal status of privilege had been upheld in the case of Day vs. Ward and Holmes, but now the right of succession and assignment was to be put to the test.

When one finds such respectable names as those of Thomas Man, John Harrison the elder,³ and William Ponsonby⁴ among the defendants in these two lawsuits, the

1. Richard Day's patent eventually reverted to the crown, for we find James I, on October 29, 1603, granting it to the Stationers' Company, with a subsequent renewal on March 8, 1615/6 (Arber, *Transcript*, III, 679).

2. Star Chamber Eliz., D 4/1; Star Chamber Eliz., D 28/7, Bill of Complaint.

3. A member of the Stationers' Company at the time of its incorporation, John Harrison was clothed in 1564. During his long connection with the company he was three times master and three times warden. He died in 1617 (Duff, *Century*, p. 67). As there were four "John Harrisons" alive at the time of Elizabeth's death, it is well to distinguish them at this point. John II (I follow Arber in this designation) is believed to have been the half brother of John I. He was constantly breaking the rules of the company, and we shall discuss his troubles in a later chapter. John III was the son of J. Harrison the elder (John I); John IV was the son of John II. The terms elder, younger, and youngest were used in the Stationers' Register for John I, II, and III, with no special distinguishing mark for John IV, except that he spelled his name with two r's, while the others were not always accustomed to do so. After John Harrison the youngest died, in 1604, John IV took on the appellation of "the youngest."

4. William Ponsonby was probably the most distinguished publisher of the Elizabethan era. Apprenticed to William Norton in 1560, he was made free of

situation seems to be different from that of previous acts of piracy. Without a doubt the impression was general throughout the company that it was lawful, or at least safe, to print the *A.B.C.* after the death of John Day; for no less than eighteen defendants were summoned to answer for their supposed misdemeanors.

The first case was brought before the Star Chamber during the Michaelmas term of 1585.¹ In the bill of complaint Richard Day set forth the terms of his patent, and then continued as follows:

After which letteres Patentes so by your Maiestie graunted as aforesaid, the said John Day is deceased, and your said subiecte Richard Day, by his sufficiente dede Indented beareing date in the six and Twentie yere [i. e. between 23 July (the date of his father's death) and the 16 November 1584] of your Maiesties raigne hath nominated and appointed the residue of your said subiectes (that is to say) Edward Whyt[e], Willyam Wright, Thomas Butter, John Wolfe and frauncis Adams to be his Assignes and Deputies for the executing of your Maiesties said letters pattentes, who presuming that they should quietly and peaceably enjoye the benyfite of your Maiesties said graunte, Haue to their great Costes, expences and Charges made provision for all thinges necessarie for the due execution of the same.²

He next brought charges (1) that within the space of ten months Humphrey Frank and Anthony Hill had printed 4000 *Psalms in Metre with notes to sing them*; (2) that Thomas Dunn and Robert Robinson had within the space of eight months printed 10,000 *A.B.C.*'s; and (3) that Henry Carr, Thomas Man, Simon Waterson, Thomas Cadman, John Perin, Sampson Clarke, William Leake, Thomas Gosson, Yarath James, Walter Mantell, and John

the Company of Stationers on January 11, 1570/1. His most important publications were Sidney's *Arcadia*, Spenser's *Faerie Queene*, and North's *Plutarch*. He was elected warden in 1599, and died four years later during the plague year of 1603 (McKerrow, *Dictionary*, pp. 217-218).

1. Star Chamber Eliz., D 4/1, in Arber, *Transcript*, II, 790-793.

2. Arber, *Transcript*, II, 791.

Harrison, junior, had within the space of a year uttered, put to sale, bound, stitched, and sewed 2000 *Psalms* and 10,000 *A.B.C.*'s. Finally, he asked that all the defendants be brought into court to answer to the complaint, and to receive such punishment as the law should award.

To this bill of complaint six of the defendants¹ returned a demurrer in which they pointed out that

the said compleynantes wold drawe these poore defendantes into matter of contempt charginge them with the breache of the said severall decrees presумыnge by the scope of ther bill that euery man ought to take knowledge of the said decrees Thes defendantes vpon like reason and farre better cause saien that the said compleynantes then ought likewise to knowe that it was longe after those supposed decrees viz in the xxth yeare of her highnes said reigne [1578] emongest other thinges ordered by the authoritie of her highnes said court of Sterre Chamber and the lordes of her maiesties most honorable privie counsell (which order doth still remayne in full force and effect) that no bill of complaint shalbe exhibited in to this most honorable court vnles the same shalbe signed by the hand of a Serieant at the lawe or Reader in court and the word Reader to be put to it And therefore for so muche as this bill of compleint now exhibited by the said compleynantes against thes defendantes into this most honorable court is in contempt of the said order, and the auctoritie of this most honorable court, not beinge signed nor subscribed with the hand of a Serieant at lawe, nor Reader in court, nor the word Reader put into it But which [has] the name of R. Grafton who is neither Serieant at the lawe nor ever was Reader in court Thes Defendantes therefore for that cause and vpon other the incertenties and insufficiencies of the said Bill of compleint do demurre in lawe and demand iudgement of this most honorable court if they shalbe inforced to make an answeere vnto the said Bill of compleint And prayen to be dismissed owt of the same with ther reasonable costes charges and expenses in the lawe in this behalfe by them most wrongfully susteyned.²

1. Hill, James, Clarke, Man, Harrison, and Robinson.
2. Arber, *Transcript*, II, 792-793.

No other documents are available in the case, and, with a single exception, the punishment of the defendants is uncertain.¹ Obviously the penalty of a twenty-shilling fine for every copy printed was only a grim jest as far as the defendants were concerned. On the other hand, it is doubtful if the point of law cited in the demurrer was sufficient to bring about a dismissal of the charge. The fact that R. Grafton was neither a serjeant-at-law nor a reader in court could hardly throw out the case entirely, although the complainants might be compelled to resubmit their bill of complaint. Time, to the defendants, was necessary for a disposal of their stock; and this technical objection was simply a clever device for putting off their trial. Inasmuch as the case dragged on until after the Star Chamber decree of June 23, 1586, we must assume that the decision was deliberately left to the Stationers' Company for settlement in its own court. This assumption is borne out by the punishment given to Anthony Hill in the Stationers' Court on October 22, 1586.

Whereas Anthonye Hill sythence the makinge of the late ordonance in the moste honorable Courte of Starrechamber w^{ch}e are exemplyfied vnder the greate seale of England Concerninge Reformation of abuses (& stablishinge of good orders) in printinge & bookesellinge, Hathe transgressed the said ordonnaunce in dyvers thinge & soe incurred the danger of punyshem^t of ymprysonmente & other forfaytures accordinge to the qualitey of his offence. Nowe for asmuche as the said Ordonnaunce haue not bene putt in execucōn againste the said Anthonye for this offence / Yt is ordered by the said decrees, that the said Anthonye shall not at any tyme hereafter by himself or any other by his procurem^t keepe any pryntinge howse of hys owne as m^r, (excepte he be admytted therevnto accordinge to thorders of

1. Arber (*Transcript*, II, 790) thinks "the demurrer apparently put an end to the case," but a recital of the events to follow gives us a little more light on the situation.

the said decrees) but onely to worke & lyve as a Journeyman & workeman for wages in the trade & facultye of pryntinge

By me Anthony hill

Hijs Testibus. { *Richard watkyns*
 { *Thomas Purfoote Iunior . /*¹

It is important to note that Hill was convicted of a violation of the Star chamber decree, but that sentence was not passed on him in the high court. Evidently the case was turned over to the company for judgment, as a matter more suitable for its jurisdiction. When we consider the troubled state of affairs in England at this period, such a decision seems eminently proper. With the threat of the Armada occupying the minds of statesmen, it is not likely that they wished to concern themselves with petty squabbles over copyright.

Anthony Hill's punishment was fairly severe, even though the chances of becoming a master-printer at the time were exceedingly remote. Already overcrowded, the trade had been further limited by the recent decree regulating printing; and in order to diminish the excessive number of printers the Star Chamber had declared that [no] person or persons shall hereafter erect or sett vp any presse or other instrument of pryntinge, tyll the excessiue multytude of Prynters hauinge presses already sett vp, be abated, dyminished, and by death gyvinge ouer, or otherwyse brought to so small a number of maisters or owners of pryntinge houses, beinge of abylyty and good behayour, As the Archbishop of Canterbury and Bishop of London for the tyme being shall therevpon thinck requisyte and convenyent for the good service of the Realme, to haue somme more presses or ynstrumentes for pryntinge erected and sett vp.²

If the other defendants were punished, no record remains; nor, indeed, have we any proof of their guilt or

1. Greg, *Records of the Court*, p. 20.

2. State Papers, Dom. Eliz., vol. 190, art. 48, and see Arber, *Transcript*, II, 809.

innocence. From the fact that so many thousands of the *Psalms* and *A.B.C.'s* were printed, we may assume wrongdoing on the part of certain of them, although evidence is lacking. In all probability the guilty printers were fined and their books confiscated. The patience and restraint of the Stationers' Company in dealing with refractory members has been noted in the case of such a persistent offender as Roger Ward, and we have no reason to suppose that the harsh terms of the Star Chamber decree were invoked against the rest of those cited in the bill of complaint. The lack of complete documentary evidence is exasperating. No less than fifteen men were summoned as defendants; of these only six made a technical denial of the charge by filing a demurrer, and finally, as far as can be ascertained, but one suffered any penalty. Before dismissing all the rest, however, for lack of evidence — and in that case entering for them a verdict of “not guilty” — it will be well to examine an entry in the warden's accounts under the year 1587–1588.

Item receaved of dyvers persons for their bookes which were seized by the newe Decrees of the Starre Chamber, and mentioned in the foote of the laste yeeres accoumpte, That is to saye, for the moytye which was lymitted and agreed to be answered to the Cumpanye, the somme of xv^{li} xix^s ij^d / As by a partyculer byll shewed forth at the exhibytinge of this Accoumpte appeareth.¹

These fines, carried over from the year 1586–1587, may well represent forced contributions from certain of the fourteen defendants about whose punishment we know little or nothing.

Perhaps if we allow the subsequent careers of these men to act as character witnesses for them, we may arrive, in some cases, at a just estimate of their value to the community. After all, quite apart from the question of

1. Arber, *Transcript*, I, 524.

technical guilt or innocence, the attack on Richard Day's privilege was really a test case to see how far the right of assignment could be carried.

In the lives of Humphrey Frank, John Perin, Henry Carr, and Walter Mantell we find nothing discreditable. Thomas Man was an influential and a prosperous member of the Stationers' Company, as was Simon Waterson. William Leake, aside from a fine of fourpence for keeping his shop open on a holiday,¹ seems to have been a law-abiding citizen.²

Of rather more uncertain character was Thomas Gosson. While he led a normal and busy life, taking apprentices, publishing ballads and plays, and otherwise plying his trade, on three occasions we find him in trouble with the authorities. His first appearance, as defendant in Richard Day's suit, has already been noted; his second lay in his attempt to enter a ballad which was not considered proper for Elizabethan ears. The entry occurs on March 7, 1591, and reads as follows:

"Entred for his copie *a ballad of a yonge man that went a wooying &c.* Abell Jeffes to be his printer hereof PROVDYED ALWAYS, that before the publishinge hereof the vndecentnes be reformed. vj." ³

The entry is crossed off the register, and in the margin the following note is written: "Cancelled out of the book, for the vndecentnes of it in Diuerse verses." As a corollary to this slip on the part of Gosson, we find his next entry licensed by the Bishop of London and both the wardens of the company. However, he seems to have learned his lesson, for the title of his copy on this occasion is *Nyne obseruacons howe to reade profitablie / and to vnderstand truly*

1. *Ibid.*, II, 859.

2. In this trifling fault he was not alone: William Ponsonby, Toby Cooke, John Wight, Robert Walley, and William Brome were also fined for the same offense.

3. Arber, *Transcript*, II, 576.

everie booke / Chapter / and verse / of the holye bible. In 1596 he was again in trouble with the company for buying catechisms which had been improperly printed; and this time he was ordered to pay a fine of twenty shillings,¹ a fairly heavy penalty unless some more serious offense lay behind the purchase.²

Yarath James was also concerned with certain irregularities in the book-trade, aside from his connection with Richard Day's patent. Never a member of the Stationers' Company, he made his living as a bookseller, and evidently was not scrupulous about the books he offered for sale, since he was mentioned by Robert Robinson³ as having bought, in 1585, one hundred copies of a pirated edition of Francis Flower's *Accidence*. Again in 1590 he was in trouble over an edition of *An Harmony of the Church*, which had been confiscated by the order of the Archbishop of Canterbury. According to the entry, they were "bookes taken from him before the decree" (that is, the Star Chamber decree of 1586), so that he was allowed to have them back, in 1591, on payment of forty shillings.⁴

Sampson Clarke, likewise, was a man not above suspicion where pirated books were concerned. Made free of the Stationers' Company on March 26, 1583,⁵ he dealt, in a small way, with ballads and plays. Apart from being defendant in the suit under discussion, he was also named by Robert Robinson as one of the booksellers who sold pirated

1. Arber, *Transcript*, II, 826.

2. McKerrow in his *Dictionary*, p. 115, says that "Thomas Gosson was one of those who sold the pirated copies of John Day's *Psalmes* and the *ABC and Little Catechisme* [Arber, ii. 791], for which he was fined 20s. on October 11th, 1596 [Arber, ii. 826]." As the alleged offense mentioned in Arber, II, 791, occurred in 1585, it is highly improbable that the Stationers' Company waited for over ten years before disciplining the offender. Moreover, the fine was levied in 1596 for buying catechisms, while the trouble in 1585 was brought about through selling them. We must certainly recognize the fact that the two entries are entirely unrelated.

3. Star Chamber Eliz., F 2/17, in Arber, *Transcript*, II, 794-800.

4. Arber, *Transcript*, I, 543, 545, 550.

5. *Ibid.*, II, 687.

copies of the *Accidence* during the summer of 1585.¹ Although very few entries are found in the Register under Clarke's name, we are familiar with him today because of two publications: Thomas Lodge's *Tryed experiences of worldlie abuses*, and *The First and Second Part of the troublesome Raigne of King John of England*.²

The ten defendants just mentioned may, then, be classified as good, or indifferent; John Harrison the younger, Thomas Dunn, Robert Robinson, and Thomas Cadman were definitely bad.

John Harrison the younger was constantly in trouble for breaking the rules of the Company, as the following entries will show:

"Receaved of John Harrison the younger for fyne for thatt hee had bound John Holland his apprentize without firste presentinge him accordinge to the orders of this Companye. . . xij^d"³

"Receaved of master John harrison the yonger for not servinge the rentership v^{li}"⁴

"Receaved of him for his parte for that he and Thomas man haue begun to printe a booke against order. which is *an answer to A confutation concerning NYCOLLES* xij^d"⁵

While these offenses are not serious, they indicate the inability of Harrison to conform to the rules of his company, and we may well picture him as headstrong and unheeding of the rights of others. In the case of his refusal to serve as collector of the company's rents, he is not alone. The duties must have been arduous and disagreeable, and we find several other members willing to pay the heavy fine of £5 in order to escape them. Quite apart from these petty

1. "To the xj [interrogatory, Robert Robinson] saith he thinketh he / hath in his custodye and in his shoppe / abote the nomb of C of the said / bokes and to his Rebane one Clerke / had abote CCCCC of the said boke / of this deft one garret Iames abote / the numb of C of the said bokes and / the Rest this dft dyd vtter in his / shoppe he Remembreth not to / whome /" (Star Chamber Eliz., F 2/17).

2. McKerrow, *Dictionary*, p. 70.

3. Arber, *Transcript*, II, 828.

4. *Ibid.*, p. 829.

5. *Ibid.*, p. 854.

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Edw. Robins.

LAST PAGE OF ROBERT ROBINSON'S DEPOSITION

From the original manuscript in the Public Record Office, London

misdeemeanors, however, John Harrison's part in the piracy of Sidney's *Arcadia*, in 1599, shows his definite alignment on the side of those who opposed law and order in the book-trade.¹

Little is known of Thomas Dunn — he is not even listed in McKerrow's *Dictionary* — and in that little we find nothing to his credit. Apprenticed to Henry Middleton, he received his freedom on October 8, 1579, but no record of his publications exists in the Registers. As defendant in the two Star Chamber cases of 1585 he was accused of pirating both the *A.B.C.* and the *Accidence*; and after his appearance in these actions he vanished completely, until his name appeared for sentence in the Stationers' court. At that time (November 3, 1586) he was forbidden ever again to print except as a journeyman, and was debarred from keeping any printing-house of his own.² It is quite probable that he abandoned his trade at this point, and sought other means of livelihood.

Unfortunately there is no record of Robert Robinson's apprenticeship, nor of his admission to the freedom of the Stationers' Company. From his own testimony, in 1585, we learn that he served as an apprentice for eight years, and afterwards worked as a journeyman-printer for five more,³ and so we may conclude that his freedom was recorded in the lost Register.⁴ In addition to suits brought against him by Richard Day and Francis Flower, Robinson was in trouble on four separate occasions for disorderly printing.⁵ As the following items show, the company did

1. As this case is important in the history of piracy, the details will be taken up in a later chapter.

2. Greg, *Records of the Court*, p. 21.

3. Arber, *Transcript*, II, 796.

4. The records of apprentices, freemen, and book-entries for the years 1571-1576 are missing from the documents of the Stationers' Company.

5. By the term "disorderly printing" we must understand books carelessly or incorrectly printed, as well as those printed contrary to privilege. Very often it is impossible to tell wherein the offense lies.

not spare him when he was found guilty of breaking rules and regulations.

"Item that Robert Robinson shall pay for the lyke offence [i. e. buying and dispersing *Psalms* disorderly printed] iij^{li} to whiche he yeildeth and promiseth to pay yt within ten Dayes after e[a]ster next [March 31, 1594] iij^{li} paid 13^s 4^d 15 Julij 1594." ¹

"Yt is ordered that he shall paie v^s for a fine for printinge *the merchanttailours prentise Indentures* contrary to order The said fine to be paid at or before the next Court Day v^s solutum ·7· februarij [1597]." ²

"Robert Robinson for Disobedience and other Disorder. is Committed to ward and ordered to pay v^s for A fine v^s paid." ³

"YT IS AGREED that he shall paye ij^s for a fine: for printinge a *brief* Disorderlye ij^s paid." ⁴

Robinson was obviously a troublesome member, and one to be watched constantly. However, the chastisement he received at the hands of the wardens did not seriously impair his fortunes, for we find him, in 1596, being admitted into the livery of the company.⁵

The last of the defendants, Thomas Cadman, appears to have been a quarrelsome individual as well as a law-breaker. The company assessed him three shillings fourpence on one occasion for selling Powell's edition of *Nostradamus*, and on another mulcted him of half a crown for "gyvinge of John hynde vnsemely wordes."⁶ For keeping his shop open on St. Luke's day (October 18) 1564, he was fined tenpence halfpenny, and later six shillings ninepence for an offense not stated. Altogether he must have been a constant source of trouble to his fellow-workers and to the company.

1. Arber, *Transcript*, II, 821.

2. *Ibid.*, p. 826.

4. *Ibid.*, p. 862.

6. Arber, *Transcript*, I, 216-217.

3. *Ibid.*, p. 860.

5. *Ibid.*, p. 872.

With this brief review of the later activities of the defendants in the case of Star Chamber Elizabeth, D 4/1, we may proceed to an informal judgment of their guilt or innocence. While it is true that John Wolfe, because of his knowledge of illegal methods, must have known with some exactness the men who were capable of pirating the *A.B.C.*, nevertheless, we cannot feel sure that the wholesale arraignment of the more turbulent spirits among the printers was not simply a device to prevent further piracy. In other words, it is reasonable to suppose that the fifteen men concerned were taken up on suspicion, rather than on definite evidence of wrong-doing. All the available facts have been set forth. We know that Anthony Hill was convicted in the Stationers' Court for the offense in question, and we have almost conclusive proof that several other men were fined for the same fault. Exactly who they were is an impossible question to decide, although my opinion inclines toward John Harrison the younger, Thomas Dunn, Robert Robinson, and Thomas Cadman. At any rate, by their subsequent actions these last proved themselves ready to adopt illegal methods of printing when the opportunity offered; therefore they may be considered the most likely offenders.

While Richard Day and his assigns were prosecuting the fifteen defendants in Star Chamber, they were compelled to bring another suit to protect their patent — this time against John Harrison the elder, Richard Boyle, and William Ponsonby.¹ In the bill of complaint, after a recitation of the terms of the privilege, the accusation went on to say that the defendants

knowinge also of yo^r Ma^{te} saide Ires Pattente and of the Contentē of the same, In Contempte of yo^r Ma^{tie} and of yo^r moste (26)² Royall Prerogative, and auctoritie, and in contempte also of the saide Decree made in that behalfe have for the space of

1. Star Chamber Eliz., D 28/7, Appendix A, pp. 149-155.

2. The figures in parentheses indicate line references in the document.

one Yere nowe laste paste (27) sondrie and many tymes secretly incurraged diu⁹s lewde and evill disposed psons to ymprint greate numbers of the sayde Booke called the A.B.C. w^h the (28) litle Catechisme in englishe so graunted as aforesayde by yo^r Ma^{te} saide Ires Pattente vnto yo^r saide Subiecte Richarde Boyle and his assignes, and the (29) same booke so printed contrary to yo^r Ma^{te} expresse Comaundem^{te}, and well knowne so to be by the saide Iohn Harrison the elder Richarde Boyle and Willm (30) Ponsonby they the saide Iohn Harrison Richarde Boyle and Willm Ponsonby have notwthstandinge put to sale w^hin the space of one Yere nowe (31) laste paste as aforesaide the number of fifteene Thowsande of ye saide Booke (that is to saye) either of them have vttered put to sale bounde Stiched or Sowed (32) the number of five Thowsande of the saide booke, to the greate Losse and hindraunce of yo^r saide Subiecte and to the evill example of all others insomuche (33) that excepte yo^r moste excellent Ma^{tie} wth the advyse of the Righte honorable the Lorde of yo^r privie Counsaile sittinge in the saide highe (34) Courte of Sterr Chamber doe take some speedye Order for the punishm^{te} of the sayde offenders accordinge to the decrees aforesayd the saide Contempteose (35) and disobediente psons, together w^h diu⁹s suche others as themselves ar will not refraine to attempte the breakinge of all other Yo^r Ma^{te} Comdem^{te} (36) contayned in any the like yo^r Ires Pattente to the defacinge of yo^r Ma^{te} princely prerogative in that behalfe and to the vtter ou⁹throwe of the (37) saide science of Printinge^r

Here was piracy on a large scale, and it was no wonder that Day and his friends were desperately anxious to check the inroads on their privilege. Within the year, to lose the profits on 25,000 copies of the *A.B.C.* must have been a staggering blow to the newly formed syndicate of Richard Day and his assigns.

The answer of William Ponsonby fairly represents the attitude of a great number of printers and stationers of the period. Coming as it does from a man who had an honorable and distinguished career in the Stationers' Company,

his reply bears all the marks of honest indignation at being accused of a crime of which he is innocent. He admits frankly that he sold the books openly, having paid ready money for them, but he denies any consciousness of wrongdoing. However, recognizing the fact that ignorance of the law is no excuse, he submits himself to the consideration of the court and suggests that the complainants sue him at common law. Evidently the charge that he encourages certain lewd or evilly disposed persons in contempt of the Star Chamber decree rankles in his mind, for this particular accusation is indignantly denied. Ponsonby also enumerates the grievances of his fellow-workers, who are so oppressed by the encroachment of special privilege that they despair of earning a living.

Because of the importance of this document in showing the attitude of Ponsonby toward his accusers, the major portion of it is reproduced below.

The (1) said defendaunt then for answere therto saieth that he havinge heretofore served as an apprentice to the art or misterie of pryntyng or of beinge a Stacioner & havinge sithence (2) his terme of apprentishippe expired painefully laboured & travailed wherin he could by all honest meanes and accordinge to the dutie of a good & faithfull Subiect to gett his lyvyng by (3) such art & mistery as he hath bene trayned vp in and hopinge that he havinge served accordinge to her Ma^{ties} lawes and the custome of the city of London might after his apprentishipe (4) ended have bene suffered to have occupied the said trade & mistery wherin he hath bene trayned vp frely and wthowt any manner of contradiction for & towarde the mayntenance of (5) him selfe & family as other her Ma^{ties} Subiecte have done in the same & the like trades & misteries And therefore this defendaunt thinkinge it lawfull for him to trade & exercise the said (6) mistery & facultie in respect of his apprentishippe & educacōn therin & by reason of the auncient customes and liberties of this realme beinge the inheritance of her highnes Subiecte (7) and by force of the statut made for artificers in the fiveth yeare of her Ma^{te} reigne hath therefore wthin the tyme lymtyed in the said

bill of compleint hoping to inioye that (8) benefitt that others have done vttered put to sale bound & stitched a certen number of bokę called the A.B.C. the certentie wherof he doth not remember w^h bokę of (9) whose pryntyng they were he then knewe not, nor sithence but by report this defendaunt kepinge an open shoppe in the city of London hath bought for his ready mony of such as (10) have brought the same into his shoppe to be sold as it was lawfull for this defendaunt to do professinge a Stationers trade when others w^h have not bene brought vp (11) in the said trade or mistery do at ther pleasure the like in vttering almost infynyte numbers therof w^howt any reprehension w^h this defendaunt did as a comōn thing (12) vsed w^hin the city of London not knowinge nor vnderstandinge of the said supposed decre nor yet that such letters patentę were graunted to any but by report but this defendaunt thought and (13) yet is pswaded that it was & yet is lawfull for him to buy and vtter the said bokę by the lawes and customes of this realme w^h his buyenge vttering and sellyng of the said (14) bokę was not done by this defendaunt in contempt of her Ma^{ties} prerogative nor of her highnes said decre mencioned in the said bill of compleint as the said compleynantę (15) do most untrewly surmise for this defendaunt saieth that at the tyme of the sellyng and vttering of the said bokę he did not knowe nor vnderstand of any such decre (16) as in the said bill is mencioned And therefore if thorough the ignorance of this defendaunt he hath done any thinge contrary vnto the said decre (if any such be) he most humbly submitteth (17) him selfe to the grave consideracon of this most honorable court hopinge in that he hath not wilfully opposed him selfe against the same nor that the same was (18) notoriously published (as penall lawes many tymes be) though they be inacted by pliaiment, that the Subiectę may the better take vnderstandinge of them & avoide (19) the penaltie of them that therefore his offence therein (if any be) is the more easy to be pdoned And hopeth that he hath not offended her Ma^{ties} letters patentę (20) therin for albeit that this defendaunt hath put to sale certen of the said bokę yet neither did he him selfe imprynt the same nor to his knowledge bought them of any that (21) did imprynt them And as vnto the force and validitie of the said letters patentę prohibitinge all her Ma^{ties} Subiectę other then such as be

licensed by the said letters (22) patentē to prynt or cause to be imprinted the said A.B.C. or litle catechisme this defendaunt therto saieth for so moche as the same is a matter w^{ch} concerneth her (23) highnes roiall prerogative he humbly referreth him selfe to the consideraçon of this most honorable court verely pswadinge him selfe that how farre soever her (24) Ma^{te} prerogative doth extend in this behalfe yet that her princely pleasure is not (if the grieffe here of were well knowne to her most Excellent highnes that (25) the private comoditie of some fewe pticuler p^{rs}ons & some of them such as were never brought vp nor trayned in that mistery shold be hurtfull to the comon wealthe (26) or worke the vndoinge of a great number of her dutefull Subiectē w^{ch} have no other trade to lyve by [w^{ch}] nor were brought vp in no other callinge therby to advaunce (27) and inritche a fewe & by that meanes to take away the trade of lyvyng of a great multitude w^{ch} were a decaye to her highnes comon Wealthe & to ther owne (28) vtter vndoinge This defendaunt therefore doth most humbly pray that by order in this most honorable court he and others trayned vp in the said facultie may (29) notwithstandinge the said decre and letters patentē be suffered to imprint the said booke & to vtter and sell the same at ther pleasure as in former tymes it (30) hath been vsed & so moche the rather bycause that he from his youth hath bene brought vp taught and instructed in the said mistery wthowt the w^{ch} he & (31) a great number of others can not be able to lyve not knowinge els how to imploy them selves And towchinge the patentee if he fynde him selfe if he be grieved [*proved*] (32) & able to maynteyne his graunt in such sort as may therby forbarre and wthdrawe from this defendaunt and others ther trade and lyvyng that then he do comence (33) such sute as by the comon lawes of this realme he may in that respect do And further this defendaunt saieth that he hath not in any respect encouraged any (34) lewd or evill disposed p^{rs}ons in contempt of the said decre or of her highnes royall prerogative to imprint any of the said booke nor to put any of them to (35) sale contrary to her Ma^{te} expresse comaundement as in the said Bill of compleint is most maliciously obiected against this defendaunt All w^{ch} matters (36) this defendaunt is ready to averre and prove as this most honorable court shall award And praieth to be dismissed

owt of the same wth his reasonable (37) costę charges and expencę in the lawe in this behalfe by him most wrongefully susteyned.¹

Ponsonby also entered a demurrer to the bill of complaint, based on the same technical objection which Anthony Hill and his co-defendants had employed, namely, that the bill was void through the exhibiting of it with R. Grafton's name attached. As Ponsonby employed the same man — one Yelverton — for his counsel as did the defendants in *Star Chamber Elizabeth, D 28/7*, we may conclude that the defense in both cases was to run along similar lines. In addition we may understand that R. Grafton, never having been a serjeant-at-law or reader in court, was being put in his place by an authorized member of the legal fraternity.

No other documents are available in this case, and in consequence we cannot tell what disposition was made of it. Concerning John Harrison the elder and Richard Boyle² we hear nothing further, not even that they replied to the charge. From the fact that William Ponsonby admitted printing 5000 copies of the *A.B.C.*, we may assume his technical guilt, but unless he was one of the "dyvers persons" fined under the new decree of the *Star Chamber*³ we have no record of his punishment. With regard to the other two defendants certain questions immediately arise. Were they concerned with the remaining 10,000 *A.B.C.*'s, or did Richard Day exaggerate when he claimed that 15,000 had been illegally printed? Did they appear before the court, and were they then dismissed because of their innocence, or because sufficient evidence for conviction was not brought against them? My opinion

1. Appendix A, pp. 151-154.

2. Richard Boyle was admitted to freedom in the Stationers' Company on September 15, 1584 (Arber, *Transcript*, II, 692). He was a bookseller who appears to have dealt in Puritan literature (McKerrow, *Dictionary*, p. 46).

3. Arber, *Transcript*, I, 524.

is that they did print the copies as charged, but that it was impossible to convict them, as in the case of so many of the defendants in the previous action. One suspects John Wolfe of having fairly accurate information with regard to his former friends who had been active in surreptitious printing; but when the real grievances of the members of the company are taken into account, it can readily be understood that the more reputable printers were likely to come off scot-free in an action of this sort. In other words we may assume that a Scotch verdict was given: "Not proven, but don't do it again."

At about the same time that Richard Day and his assigns were having so much trouble over the violation of their patent, another member of the privileged class was also called on to protect his rights. On December 15, 1573, Francis Flower had obtained from Elizabeth the office of queen's printer, with the right to print Latin, Greek, and Hebrew books. This grant included "not only all and singuler Grammer bookes Greeke or Latten althoughe entermixte in any manner with the Englishe tonge [but] also the C[h]artes Maps and all suche like Writinges . . . Necessarye or by any meanes Convenient to be vsed."¹ Flower had no intention of using his privilege except as a source of income, for on the day following the granting of letters patent, he assigned his rights to Christopher Barker, John Wight, William Norton, John Harrison,² Garrat Dewes,³ and Richard Watkins.

This privilege had been a source of discontent to the poorer printers ever since it was granted, for Flower had no

1. Star Chamber Eliz., F 2/17.

2. Presumably this man is John Harrison the elder.

3. It is hard to find a satisfactory spelling for this man's name. As he was the eldest son of an immigrant from Holland, his nationality must have added to the confusion. McKerrow spells it D'Ewes or Dewes, while the clerk of the Stationers' Court finds "Dewce" a good phonetic rendering (cf. Greg, *Records of the Court*, p. 33). In a border embodying the devices of the five patentees, that of Garrat Dewes is represented by two dice-players throwing a "deuce."

connection at all with the printing-trade; he was merely a gentleman who farmed out his patent for £100 a year, and who took no interest in the well-being of the company. In a document written about August, 1577, the printers set forth their grievances concerning such grants, and mentioned specifically that of Francis Flower.¹ Especially lucrative was the Latin *Grammar*² (commonly called the *Accidence*), and many envious eyes were cast upon the yearly profits rolled up by this little volume.

Accordingly, when the outbreak of piracy occurred in 1585, Francis Flower's patent was immediately attacked. He and his assigns promptly retaliated, and in November of the same year Thomas Dunn and Robert Robinson were brought before the court of Star Chamber to answer for having printed 2500 of the books called the *Accidence*, contrary to the laws of the realm.³

In his answer to the bill of complaint Robert Robinson admitted printing and disposing of a certain number of the *Accidences*, but, as in the other cases we have noted, he denied the validity of the patent. This questioning of the extent of royal prerogative was based on the supposition that "her highnes mynde or pleasure [was] not that the pryvate commoditie and gayne of a fewe particular persons should be hurtfull to the common wealthe, or cawse the Decaye and vndoing of a greate number of her poore and faithfull subiectes brought vpp in this trade and facultie of pryntinge."⁴ Furthermore, the defendant went on to plead that inasmuch as he thought it lawful to print the book, his only offense was that of ignorance of the law.

1. "ffraunces fflower a gentleman beinge none of our Companye hathe privilidg for pryntinge the Gramer and other thinges / and hathe farmed it oute to some of the Companie for one hundred poundes by the yere / which C¹¹ is raised in the inhaunsinge of the prices above thaccustomed order /" (Lansdowne MS. 48, fols. 180-181, and see Arber, *Transcript*, I, 111).

2. This grammar was based on the original Latin grammar of John Colet, with syntax by William Lily.

3. Star Chamber Eliz., F 2/17.

4. Arber, *Transcript*, II, 797.

For that fault he hoped to be dismissed from the court with a warning not to offend again.

It is to be noted that the defendants in these particular cases never failed to bring up the real grievance which lay behind their acts of piracy. Manifestly, their hope was to influence the court to deal leniently with them, or to persuade the Stationers' Company to provide them with a decent means of livelihood. Robinson said that he "Did not thinke that thorough the gredye and covetous Desire of a fewe (who spare not to the Impouering of a greate number to enriche them selves) suche poore men as this Def^t is should be forced (after so longe service Done, so greate paynes taken, and so manye yearē spent to learne their occupacion) to seake some other meanes and wayes to lyve or ells to be servauntē vnto theise and suche lyke patentees and their Deputies During all their lyfe."¹

Robinson's answer was not sufficient in the eyes of the law, and in consequence the trial moved on to his examination. In this case twelve interrogatories were submitted to him on behalf of Francis Flower and Christopher Barker, the chief complainants. In a modernized form the questions follow.

(1) Have you not heard of a Star Chamber Decree which forbids the printing or sale of any book belonging to a privileged person?

(2) Have you not heard in the Stationers' Hall or elsewhere that it is not² lawful for one man to print books granted by privilege to another?

(3) Have you not often heard that sundry persons have been punished for printing books unlawfully?

1. Arber, *Transcript*, II, 796. In connection with this document an error may be noted in the reader's name at the end. The reader was Morice, not "Monce" as Arber prints it.

2. Arber (*Transcript*, II, 797) has misread this word, and prints "now," an error which would make it appear as if, by common opinion, the freemen *did* think it lawful to print privileged books.

(4) Do you not know that the assigns of Francis Flower are bound in great sums of money to pay the said Francis an annuity of £100 a year for the privilege of printing his books?

(5) Do you think it best for the Stationers' Company to print all books in common? If so, give your reasons.¹

(6) Do you not know that Francis Flower and his assigns have the sole privilege of printing the *Accidence*?

(7) Have you not, without the permission of Francis Flower and his assigns, printed the *Accidence*; and have you not also on the first leaf of the book caused a form of Her Majesty's letters patent to be printed, wherein you have inserted that it shall not be lawful for any schoolmaster to teach the youth from any other *Grammar*?

(8) Do you not feel that the whole company would be immediately impoverished, if all copyright restrictions were removed?

(9) Have you not printed at least 2000 copies of the *Accidence* within the last three months?

(10) Have you not printed the said book, or parts of it, since you were served with a subpoena to appear in this court?

(11) Tell, as nearly as you can, where the books are which you printed; if you have sold them give the names of the buyers.

(12) State whether you were brought up as an apprentice to learn to print the book called the *Accidence*, as a means whereby you might get your living.²

From the above interrogatories it is evident that Robinson was to be examined on his attitude of mind toward piracy, as well as on the actual commission of the deed. That the complainants were willing to hear his views on the subject of community printing speaks well for their fair-

1. Evidently Robinson had been giving his views on how the company should be run. It is interesting to see this early example of plans for a coöperative enterprise. In his answer to this interrogatory, Robinson gives a good exposition of his ideas.

2. Star Chamber Eliz., F 2/17, Interrogatories (Arber, *Transcript*, II, 797-798).

ness of mind. Perhaps they hoped, by airing the subject thoroughly, to create a better understanding among the freemen of the company. Christopher Barker certainly was a just man, and one to whom his associates might well look when trouble occurred.

The examination of Robert Robinson took place on November 17, 1585. On being sworn, he made answer to the several interrogatories as follows:

To the first he said that before the bill of complaint was submitted to him he did not know of the Star Chamber decree touching the reformation of disorders in the printing and uttering of books.¹

To the second he said he had learned "by speches abrode and not in the Stacioners hall" that it was not lawful for one man to print books granted by privilege to another.²

To the third he admitted hearing of punishments for printing books unlawfully, but "he hath not often h[e]ard thereof."

To the fourth he said that he knew the assigns of Francis Flower were bound in great sums of money to pay the said Flower £100 yearly for the exclusive privilege of printing certain books.

To the fifth he said it was his honest opinion that if books such as the *Accidence* were free to be printed by any member of the company, much good would result. The reasons he gave were twofold: first, because the removal of this type of book from the restriction of privilege would enable the poorer men to have steady work, and, second, because the price to the consumer would be lessened by a halfpenny. He mentioned the fact that when the grammar was farmed out to the assigns of Francis Flower, they had raised the price of each volume by this amount in order to pay Flower his yearly rent of £100.³

1. This denial was customary in the case of almost all of the defendants.

2. To admit that he had heard such news in Stationers' Hall would have brought additional trouble to him from the company.

3. This last observation of Robinson shows conclusively that the ultimate consumer suffered in the days of Elizabeth just as he does in our own times.

To the sixth he said he had heard that Francis Flower's assigns held their patent under the great seal, for the sole imprinting of the *Accidence*, and that all others were thereby prohibited from printing the book.

To the seventh he admitted printing, without license from Flower or his assigns, certain copies of the book in question, in order to maintain himself and his family, driven to do so, he insisted, through sheer necessity. He then acknowledged that he had copied the first leaf of the book exactly, or as he more diplomatically put it: "He causyd not anything or matter to be imprinted on the first leafe of the said bokes other then is commonly vsyd by the patentes."

To the eighth he said that if the officers of the company managed the business properly, the abolition of special privilege would be of great benefit to all the members, and not so disastrous as certain ones seemed to think.¹

To the ninth Robinson replied that he and his partner, Dunn, had within the last three months printed 1700 or 1800 of the *Accidences*. He admitted printing them contrary to letters patent, but again referred to his extreme poverty in extenuation for so doing.

To the tenth he denied having printed any more copies since the subpoena had been served on him.

To the eleventh he said that he had about 100 of the books concealed in his shop, and still unsold. To the best of his remembrance he had disposed of 500 copies to Sampson Clarke, and 100 to Yarath James;² the rest he had sold from his shop to persons unknown to him.

To the twelfth he declared that he had been brought up as an apprentice to learn to print books, and to do as his master ordered him.³

1. By this answer Robinson hit out shrewdly at the officials of his company, especially at Christopher Barker, queen's printer and complainant, who was at that time junior warden.

2. Sampson Clarke and Yarath James were co-defendants in Richard Day's suit (Star Chamber Eliz., D 4/1) against Thomas Dunn, Robert Robinson, and others for alleged piracy of the *A.B.C. with the Little Catechism*.

3. I am unable to understand the special significance of this last interroga-

In reviewing the evidence in the case, it is obvious that Robert Robinson could not escape from the facts. His wisdom in admitting, without reserve, every detail of his fault stands somewhat in his favor, although his reputation was at no time of the best. Certainly his plea of poverty must have had some weight with the authorities, for they were seldom vindictive and always tried to help the unfortunate member. With regard to his punishment we are again unable to find any evidence; probably the remaining *Accidences* were confiscated, and a fine was levied. That he was imprisoned by order of the Star Chamber is unlikely, for in the court record of the Stationers' Company under the date of August 22, 1586, we find this entry:

yt is agreed that he [Robert Robinson] shall print one imp^o-
sion for the cūpany. of the myrro^r of mans life w^{ch} was bynnemans
copie. p^ovided that noñe but suche as be free of this cūpany haue
any pte thereof. Also he p^omiseth to pay vj^d in the li of the said
Impression towards the relief of the poore according to thorder
in y^t behalf.¹

On September 22 of the same year Robinson made his first entry in the Register as follows:

“Receaved of him for printinge *the gouernance of vertue* to
th[e]use of the cumpanie, beinge an old copie printed by John
Daye Anno 1566. Entred by warrant of the wardens handes to
thold copie vj^d.”²

Obviously the wardens were helping Robinson to make an honest living, although they safeguarded themselves by giving him only such books as belonged to the company.

As we have seen, Thomas Dunn's punishment was severe

tory, to which Robinson gave such a guarded answer. At first glance the question seems to call for an answer to the effect that he learned to print the *Accidence*, as an apprentice, with the expectation of making his living out of that particular book; but there must have been more behind the situation than that.

1. Greg, *Records of the Court*, p. 19.

2. Arber, *Transcript*, II, 457.

enough to cause his probable withdrawal from all connection with the printing-trade. Sentence was evidently pronounced in accordance with a man's character, rather than with an arbitrary equality of justice. Although Robinson was troublesome enough on occasion, he survived to become a liveried member of the company, while Dunn disappeared from sight.

One more case¹ is worthy of consideration at this time, in that a new defense was brought in answer to the charge of piracy. The complainants were again Francis Flower and his assigns, and the defendants Robert Bourne, Henry Jefferson, and Edward Smythe, who were accused of having pirated 2000 copies of the *Accidence*. As an apprentice to Roger Ward, Jefferson must have been well versed in the art of surreptitious printing; indeed, he helped Ward to produce the pirated edition of John Day's *A.B.C.* in 1582.² Probably for this reason he was hired by Robert Bourne at a weekly wage to assist in turning out an illegal edition of the *Accidence*. Bourne seems to have been the leader in the enterprise, although a kind of partnership existed among the three men. Edward Smythe was a mysterious individual of whom we know nothing. He may have been simply an apprentice or a helper; in either case his name dropped out of the suit and that of Lawrence Tuck appeared when the offenders were punished.

The action was brought during the Hilary term of 1586, and Bourne and Jefferson returned a joint answer. In it they recited the usual complaint of the poor men against privilege, and in addition they made the following charges:

And this defendant³ further saith that beside the wronge donne to him and others by theis particuler Letters patentes, that the comon welth receyveth hurte thereby as he hopeth manyfestlye

1. Star Chamber Eliz., F 7/7 (Arber, *Transcript*, II, 800-804).

2. Cf. the testimony in Star Chamber Eliz., D 3/16 (Arber, *Transcript*, II, 768).

3. The answer is cast as if one defendant were replying.

to prove, for by this kynd of monopoly theis booke beinge brought into one or somme fewe mens hands the said pryuyledged personnes often rate the prizes [prices] thereof. very nere double somuch as others might well aforde the same, And howsoever the same are printed with defaultes, they must be bought where otherwise amonges choice, the subiectes might make their choice of the best and best cheape for their advantage, which is beneficiall to the commen welth which nowe they can not do to their hurte. Vppon which reasons and other of like ymportance this Defendant hathe hard it credibly reported, that by the opynyon of diuers lerned in the lawes of this Realme, such grauntes by Letters patentes are voide, which this defendant doth humbly prairie (because the case is brought nowe in question) that it may receyve somme ordynary triall and Judgement according to the ordynary course and rules of the commen Lawes of this Realme, wherewithall this Defendant, and all others being in the like cases touched ought to rest satisfied / ¹

The charge that the monopolists furnished an inferior article at an exorbitant price was one which we can readily understand; and we also recognize the soundness of the argument which advocated a choice on the part of the buyer. Furthermore, when the defendants denied the validity of the patent and threatened to take the case back to common law, a new point of attack was developed.

No other papers are available in this case, but luckily the decision appears in the minutes of the Stationers' Court. The privileged men were too powerful, and, by invoking the recent Star Chamber decree, completely overpowered their opponents. In a court held on November 3, 1586, the following decision was given:

Whereas the wardens on Mondaye the laste daie of October 1586. did by vertue of the late decree of the Starre chamber exemplied vnder her ma^{te} greate seale of England Seise one presse & certain lres & printinge stufte in the Countye of Midd belonging to Roberte Bourne, Henrye Iefferson & Lawrence

1. Arber, *Transcript*, II, 803.

Tuck or to some of them, for that they contrarye to the said decree had printed therewth the Grammer belonginge to thassignes of m^r ffranceꝝ fflower by vertue of her ma^{te} līes patentę to him in that behalfe graunted / Whiche beinge broughte to the Stationers hall accordinge to the said decree. / Yt is nowe ordered & decreed by force of the same, that the said Presse letters & printinge stuffe shalbe made vnseruiceable defaced & vsed in all pointę accordinge to the said decree / And alsoe yt is ordered and decreed that the said Robert Bourne Henrye Iefferson & John danter Gilbert Lee & Thomas dunne and all others that wroughte vpon thimpression of the said booke, shall from henceforth be Dyshabled to prynte, otherwyse then as Iourneyemen in pryntinge, & shall never hereafter keepe any printinge howse to their or any of their owne behoof / but be vtterlie barred therefrom accordinge [to] the said Decrees. / ¹

John Danter and Gilbert Lee appear to have been drawn into the affair, although no evidence is available concerning the actual details of their misdemeanors.

With this case we end the early controversy over the *A.B.C.'s* and the *Accidences*. When we look back on the troubled state of England during the years 1585-1586, it is not difficult to understand why such an outbreak of piracy occurred. The country at large was unsettled by threats of war with Spain; Whitgift was storing up trouble for himself by his repressive measures against the Puritans, and the Babington plot was already disturbing the church and the state. Unemployment increased the discontent of the poorer people, and legislation aimed at alleviating such conditions was not satisfactory. However, the immediate causes of such a pronounced revolt in the printing-trade may be traced to two happenings. The first was the death of John Day; the second the Star Chamber decree of 1586. When the printers realized that privileged books could be handed down from father to son, and in consequence be withdrawn entirely from the trade, they immediately re-

1. Greg, *Records of the Court*, p. 21.

belled against such a condition of affairs. Also the poorer men felt that the Star Chamber would support privilege more often than it would aid them in getting a living, and, therefore, they resolved to challenge the extensive granting of letters patent. Without doubt Queen Elizabeth was at fault in her liberal gifts to the patentees, but a true sense of proportion in such matters comes only with the perspective of years. The officers of the Stationers' Company, even though alarmed at the threats against their rights, very fortunately acted in a wise and generous fashion when trouble came, and thereby saved the situation at this time.

CHAPTER V

Robert Waldegrave

BY FAR the most colorful figure in the history of book-piracy of the sixteenth century was Robert Waldegrave. Not only did he succeed in vexing the authorities for many months in connection with the printing of the Marprelate tracts, but later, on transferring his activities to Scotland, he issued there an edition of Sidney's *Arcadia*, which he vended in London to the great annoyance of William Ponsonby, the rightful publisher. Concerning the matter of Martin Marprelate, it is sufficient to give the bare facts, inasmuch as the offense was politico-religious; with regard to the *Arcadia* a more detailed examination of the case is necessary.

Robert Waldegrave — or Walgrave, as his name was occasionally spelled — was the son of Richard Waldegrave, a yeoman, of Blackley in Worcestershire. Apprenticed to William Griffith¹ on June 24, 1568, he served for eight years, and presumably received his freedom about 1576.²

1. "Roberte Walgrave the sonne of Rychard Walgrave late of Blacklay in the Countye of Worcestre yeoman Deceased hath put hym self appretes to Wyllyam greffeth Cetizen and stacioner of London / from the feaste of the nativite of saynte John bapteste [24 June] anno 1568 viij yeres . . . vjd" (Arber, *Transcript*, I, 372).

2. As the records for this year are missing, no documentary evidence is available concerning the exact date of his freedom. In this connection, Arber makes a curious error in asserting (*Transcript*, V, li) that in 1565 Waldegrave was deprived of his presses for the printing of unlicensed books. Robert could hardly be engaged in such business three years before being bound as an apprentice to learn the trade; and, in addition, if his term were a normal one — as we have every reason to suppose — he was in 1565 only thirteen years old. The date should be 1585, that period just before the famous Star Chamber decree, when so much surreptitious printing was rife.

Two years later his first publication appeared,¹ and from that time onward he occupied himself chiefly with printing religious works² of an increasingly Puritan color.

Waldegrave's first serious offense against the regulations of the Stationers' Company occurred in 1582, when he was discovered to be infringing on the privilege of William Seres. That he was bound over in the sum of £40 not to print anything in violation of this patent shows us the gravity of his crime.³ Moreover it links him definitely with the band of malcontents who were endeavoring to withstand the invasion by special privilege of the rights of the poorer printers.⁴ When Seres addressed an appeal to Lord Burghley, in October, 1582, concerning the encroachment on his patent, he undoubtedly had Waldegrave in mind. In this petition he said that

One John Wolfe a fyshemonger assocyatinge hym self and incensynge them [certayn disordered, perverse, and daungerous persons] they chaunged their myndes⁵ and ever synce the said Wolfe and somme of them haue laboured and yett doe laboure to overthrowe all suche priviledges as her maiestie hath graunted or can graunte

Wherevpon the said Comyttees⁶ fynding them so disordered would haue bound them to appere before her maiesties most honorable pryve counsell which they agreed and promysed to doe but after conference had with their Abettors they vtterly refused the same and doe still prosecute their said Compleynte to her maiesties most honorable pryve counsell garnyshinge the same with pretences of the libertyes of London and the comon

1. "Lycenced vnto him [Robert Walgrave]. A booke intituled. *A Castell for the soule* iiii^d" (Arber, *Transcript*, II, 328).

2. Arber, *Transcript*, II, 362, 371, 391, 402, 415.

3. Arber, *Transcript*, I, 501, 507, 512, 517.

4. Cf. the extract of the commissioners' order concerning the stationers (State Papers, Dom. Eliz., vol. 161, art. 37 in Arber, *Transcript*, II, 784-785).

5. The rebels had at first agreed not to attack privileged persons if work were given them.

6. A single member of a board or commission was at this time called a "committee," in distinction from our modern use of the term.

welthe of the sayd company and sayenge that the quene was deceyved¹ by those that were meanes for obteyninge of such priviledges.²

When one recalls that William Seres had the sole right to print primers and psalters, and also all books of private prayers, one can well imagine that every effort was made to suppress Waldegrave's activities in connection with the revolt of the younger members of the fraternity. Writers on the Marprelate controversy have failed to recognize the fact that Waldegrave was already virtually an outlaw in printing circles some five years before he published John Udall's *Diotrephes*, and that the zeal with which the Stationers' Company hunted him down was aroused, not only by the exhortation of the primate Whitgift, but also because of the patentees' fear and dislike of Waldegrave for his part in the organized conspiracy against privilege. Both Roger Ward and Robert Waldegrave were marked men; and while the officers of the company showed their usual forbearance in the treatment of the two individuals,³ nevertheless justice was not unduly seasoned with mercy when Waldegrave subsequently came into conflict with the clerical authorities.

In 1584 Waldegrave was allowed to print copies entered by Timothy Rider and John Harrison, junior,⁴ and in the following year he was permitted to enter a book on his own account "vpon this Condycon neuertheles that the said Robert before he goo in hand to print yt shall procure it to be Authourised accordinge to her maiesties Iniunctions."⁵

1. For Wolfe's utterances in this controversy see the notes on his insolent and contemptuous behavior in chapter III.

2. Arber, *Transcript*, II, 772.

3. The leniency with which Ward was treated has been noted in a previous chapter; in the case of Waldegrave, we find him, in 1584, borrowing £5 from the treasury of the company against his bond of £40 (Arber, *Transcript*, I, 504, 506, 508).

4. Arber, *Transcript*, II, 430, 435.

5. *Ibid.*, p. 444.

Obviously the wardens were taking no chances with his subject-matter, knowing as they did his intimate connection with the Puritan sect.

During the years 1586-1588 Waldegrave made eight entries in the Register, although from such notations as "entered in full Court," and "vpon condicon that they be Lauffull and belong to no other,"¹ it may readily be imagined that his books were scrutinized for controversial material as well as for improper presentation. The last entry — that of May 13, 1588 — is not completely filled out, but is simply set down as "a copie whereof he is to bringe the title."² Under the circumstances the record is mysterious, for Waldegrave was certainly not in a position to supply the title for a book on May 13, nor even to make such an entry for himself on that date.

The cause of his disability arose from the following circumstances. For some time past Waldegrave had been engaged in the surreptitious printing of Puritan literature; and when this proceeding came to the knowledge of the Stationers' Company, searchers were sent out, on the night of April 16, 1588, to his printing-house at the sign of the Crane in Paul's Churchyard to investigate the situation. Unable to gain entrance by the doors of the house, the pursuivants finally succeeded in breaking through the main walls and in discovering a number of copies of the dialogue entitled *The State of the Church of England laid open*, more commonly known as *Diotrephes*, written by the famous Puritan divine of Kingston-on-Thames, John Udall. When the assault on his house was at its height, Robert Waldegrave managed to escape, carrying with him a box of type "under his cloke." The invaders seized "A presse with twoo paire of Cases with Certen pica Romane and pica Italian letters, with diu⁹s booke" and carried them off to the Stationers' Hall, while John Wolfe, who

1. *Ibid.*, pp. 449, 455.

2. Arber, *Transcript*, II, 490.

had been in charge of the raid, hurried to Whitgift at Croydon to report the capture.¹

On the following morning Waldegrave and his wife conveyed the box of type to Mistress Crane, a widow, who lived in Aldermanbury near the Guildhall, London. This good lady, who was a friend and benefactor to all the reformers, took charge of the box for three months until Waldegrave's wife fetched it for her husband.² The Puritan printer evidently realized that his press and letters would never be returned to him, and, therefore, he took pains to rescue a valuable and essential portion of his equipment from the raiders.

This precaution on the part of Waldegrave proved to be wise, for in a court held on May 13, the stationers promptly ordered the destruction of all his materials.

whereas m^r Coldock warden, Tho woodcock, oliu⁹ wilke and Io wolf on the 16 of April last, vpon Serche of Robt walgraues house, did seise of his and bringe to the Staccōn⁹s hall accordinge to the late decrees of y^e [*same*] Starre chamber and by vertue thereof, A presse . . . wth diu⁹se booke⁹ entituled: The state of the churche of England laid open in A conference betwene Diotrephe(s) a byshop. Tertullus a papist, demetrius an Vsurer, Pandocheus an Inkep and Paule a p⁹cher of gods woord ffor y^t y^e said Walgraue wthout aucthority and Contrary to y^e said decrees had printed the said book yt is nowe in full Court holden this day ordered & agreed by force of the said decrees [C] & accordinge to y^e same. That y^e said booke⁹ shalbe burnte and the said presse letters and printinge stuffe defaced and made vnserviceable accordinge to the said Decrees.³

1. The story of this assault on Waldegrave's printing-house is given in full in Herbert-Ames's *Typographical Antiquities*, II, 1145. It may be most conveniently referred to in Arber's edition of *Diotrephe*, pp. xii, xiii. For Wolfe's journey to the palace of the archbishop see Arber, *Transcript*, I, 528.

2. Arber, *An Introductory Sketch to the Martin Marprelate Controversy*, 1588-1590 (London, 1879), p. 86, and see also W. Pierce, *An Historical Introduction to the Marprelate Tracts* (New York, 1909), p. 153.

3. Greg, *Records of the Court*, pp 27-28

It was not long after his flight from London, however, that Waldegrave obtained another press and more type. Thus equipped, he succeeded in printing — probably at Kingston-on-Thames, under the protection of John Udall — a tract of John Penry, entitled *An exhortation vnto the governours, and people of hir Maiesties country of Wales*. As this publication appeared toward the end of April, it is evident that Waldegrave lost no time in setting to work. But the difficulties and dangers of the situation were soon brought home to him, for the Stationers' Company sent an expedition, on June 10, to Kingston in the hope that they might find him there. Possibly they would have done so if the venture had not been more or less of a holiday for all concerned.¹ Nevertheless, Waldegrave deemed it advisable to move, and, accordingly, he took up his lodging with Mistress Crane at her country house in East Molesey, not far from Kingston. After staying for three weeks, Waldegrave and Penry departed, to return again about Michaelmas. It was during this second sojourn at East Molesey that *The Epistle* was printed, from new Dutch letters brought over from the Continent. This famous pamphlet proved an instantaneous success; but with success came increasing danger, and before two months had elapsed the two conspirators moved on again, this time to Fawsley House, near Northampton, the home of Sir Richard Knightley.

When the press and letters arrived at this haven of

1. The items in the Register — especially that for supper — cause one to feel that the searchers at least gained healthy appetites from their efforts, even though they did not succeed in catching Waldegrave:

“Item paid the xth of June for a Dynner when bothe the wardens, master watkyns, and master Denham, and the Pursuyvant with John wolf, Thomas Strange and Thomas Draper wente to Kingston. iiiij^s ij^d /
 Item the same mens supper at Kingston x^s vj^d /
 Item to the poore woman whose house was serched at Kingston ij^s /
 Item the boatehire to and from Kingston. xiiij^s /
 Item for twoe lynckes the same tyme. viij^d /”

(Arber, *Transcript*, I, 528).

safety, Waldegrave immediately busied himself in setting up the second pamphlet. The wide circulation of *The Epistle* had assured Martin of a good reading public for his next venture, and the size of the edition was only limited by the ability of the Puritan printer to produce sufficient copies under such adverse circumstances. Secrecy was essential to the publishers of the tracts, and this condition made the work even more difficult. Even though they were surrounded by loyal friends and sympathizers, both Penry and Waldegrave knew that the authorities were not far behind them; therefore, the work was hurried forward without cessation. As Waldegrave's assistant became ill through lack of proper exercise, the printer himself was obliged not only to set up the type, but also to assist in getting out the finished volume of *The Epitome*.

Meanwhile, the agents of Whitgift had succeeded in tracking Martin to the house of Mistress Crane in East Molesey, and, in consequence, Sir Richard Knightley began to grow very uneasy about his own position. Accordingly, it was decided to remove the printing material from Fawsley House and to store it in a new place of safety. The change was made about Christmas-time in 1588, and the press and letters were next deposited in the house of Master John Hales, who lived at the White Friars in Coventry. From that place were published the broadside best known as *The Mineralls*, Penry's own pamphlet, *The Supplication*, and finally toward the end of March, 1589, the reply to Bishop Cooper's *Admonition*, which bore the title *Hay any Worke for Cooper?* One thousand copies of this last work were printed and distributed from Coventry, largely through the efforts of Robert Waldegrave alone.

But the work was too difficult and dangerous to suit Waldegrave, and upon completion of the edition of *Hay any Worke for Cooper?* he gave up his position as printer of the Marprelate publications. Obviously worn out by the long hours and close confinement, he was unwilling, or

unable, to continue the hazardous occupation. In addition he probably realized that no mercy would be shown him by the clerical authorities, in view of his past record. The deposition of Henry Sharpe¹ bears out the fact of Waldegrave's condition.

In the Easter week [March 23-29, 1589], this Examinee being with his Father in lawes at Wolston, Wal[de]grave came thither, and dyning with this Examinee, after they walked into the fields, and there this Examinee asking him, "What newes," he answered, "that now all was dispatched, and that the Milne was not going" (for that was the Phrase of ye printing) "that he wolde no longer meddle or be a dealer in this Course, partly because" sayth he, "all the Preachers that I have conferred withall do mislike yt, but chiefly for that he had now gotten the thing he had long desired," which was Master Cartwrights Testament against the Jesuits as Master Penry told this Examinee afterwards, and said "he wo[u]lde go [and] print yt in Devonshire." Furthermore this Examinee asking him, how it chanced that he looked so palely, he answered "that one of Master Hales men kept him so closely at worke, that for that tyme, he had lyved as in a Prison, and could not haue oftentimes warme meate."

Whether or not Waldegrave went into Devonshire is uncertain. Penry reported him as being in the Huguenot city of Rochelle about the middle of May, 1589, but he disappeared from sight until he turned up in Scotland in the early part of the following year. Once established in Edinburgh, his troubles were at an end; for King James, recognizing his ability and needing a good craftsman, appointed him king's printer before the year was over.²

Concerning the further adventures of the Marprelate press, little more need be said. From Coventry the equipment was moved to the secluded village of Wolston, six miles east of its former hiding-place. There, in Wolston Priory, the house of Roger Wigston, the work was con-

1. Arber, *Introductory Sketch*, pp. 99-100.

2. *State Papers, Scot.*, vol. 46, no. 73.

tinued under the direction of John Hodgkins,¹ who had been engaged by Humphrey Newman, a staunch Puritan and one of the chief distributors of the tracts, to take the place of Waldegrave. With Hodgkins came two young assistants, Valentine Simmes² and Arthur Thomlyn,³ both good workmen and not overscrupulous in their profession.

After printing *The Just Censure and Reproofe* (*Martin Senior*), Hodgkins determined to move the press from Wolston, having good reason to fear that the authorities were close on his track. Therefore, under cover of night, all the printing materials were loaded on a cart, straw was piled all around to conceal them, and the little band moved forward in search of a safer hiding-place. Unfortunately, when they were passing through Warrington in Lancashire, an awkward mishap occurred, trifling in itself, but attended later by serious consequences. In unloading the cart some of the type was spilled, and, in spite of the efforts

1. This man was never a member of the Stationers' Company. He is described in Arber's *Introductory Sketch* as a saltpeterman. For his part in the Marprelate affair he was tortured and condemned to death, but there is no evidence that the sentence was carried out.

2. Apprenticed to Henry Sutton, stationer, of London, Simmes received his freedom in 1585. From the beginning of his career he was constantly in trouble with the authorities for the illegal printing of books. In addition to his work on the Marprelate tracts, he was caught, in 1595, printing *Accidences*, and his press was destroyed. Again, in 1599, he came under the company's displeasure in connection with certain unauthorized satires. He is best remembered today for his work on certain plays of Shakspeare. In 1597 he printed for Andrew Wise the first quarto of *Richard the Second* and the first quarto of *Richard the Third*; in 1600 he produced the second part of *Henry the Fourth* and the first quarto of *Much Ado about Nothing*; and four years later he brought out for Mathew Lawe the second edition of the first part of *Henry the Fourth* (McKerrow, *Dictionary*, pp. 245-246).

3. Aside from his work with Hodgkins, nothing is known of Thomlyn. He was to receive £8 a year, with meat and drink, for the enterprise which ended so unfortunately for him a few weeks later at Manchester. In his last examination by the lord chancellor he was only able to sign his name by a cross, and we may presume that the tortures of the rack, which preceded his questioning, had left him physically incapacitated (Pierce, *Introduction to the Marprelate Tracts*, p. 185).

of Hodgkins to explain away the mysterious parcels as containing "shott," certain curious onlookers must have identified the contents of the boxes. Undismayed, however, by this catastrophe, Hodgkins proceeded on his journey without delay, and found accommodation for his press in Newton Lane, a mile from Manchester. On Monday, August 11, the press was set up, and work was immediately begun on *More Work for the Cooper*. But the end was near at hand. Three days later while working in fancied security, the men were suddenly interrupted by officers of the law, who seized all their materials, and haled the unfortunate printers off to prison.¹

Thus ended the activities of Martin Marprelate's secret press, for with this capture the publications virtually ceased. It is true that John Penry succeeded in printing one more pamphlet, *The Protestatyon*, but the work was too hazardous to be persisted in any longer, and the Puritans thereafter directed their efforts into other channels. Whether or not we agree with the Martinists in their methods of revolt against the tyranny of the ecclesiastical dignitaries, we cannot fail to admire the ingenuity and daring of this early struggle for the freedom of the press.

While the unhappy victims of Whitgift's anger were being interrogated in London, Robert Waldegrave had found safety in Scotland, and honorable occupation under the ægis of King James. That he had good reason not to love the Stationers' Company was only too apparent in view of his experiences with that brotherhood; that he was not above issuing a pirated edition has been proved by his infringement of William Seres's patent. Therefore, it is not surprising to find him some years later attacking the privilege of one of the most important printers of London.

1. All the facts in this account may be found in Arber's *Introductory Sketch* and in William Pierce's *Historical Introduction to the Marprelate Tracts*. With regard to the narrative, I have followed closely Pierce's sequence of events, as well as his admirable interpretation of the documentary evidence.

In 1598 William Ponsonby published a third edition of Sir Philip Sidney's *Arcadia*. Revised by the Countess of Pembroke, and enlarged by the addition of *The Defense of Poesie, Astrophel and Stella*, certain other sonnets, and *The May Day Masque*, the volume was a fine and costly example of good craftsmanship.¹

On September 1, 1599, "a certain Rowland White, confidential agent to Robert Sidney, brother of the dead poet, wrote to his patron from London: '*The Arcadia* is now printed in Scotland, according to the best edition, which will make them good cheap, but is very hurtful to Ponsonby, who held them at a very high rate. He must sell as other men do, or they will lye upon his hands.' This was not idle gossip. Another edition, also calling itself the third, had indeed appeared in the market, and was selling for six shillings a copy.² Like Ponsonby's, it was a folio, and it bore upon its title-page the imprint: Edinburgh. Printed by Robert Waldegrave. Printer to the Kings Majestie, Cum Privilegio Regio, 1599. Ponsonby at once instituted inquiries into this act of piracy and seized all the copies that remained unsold."³

At this time Ponsonby was junior warden of the Stationers' Company; therefore, he used all the means at his disposal to discover the offenders, who, in consequence, were soon apprehended. They proved to be John Legatt, the Cambridge printer,⁴ William Scarlett,⁵ Richard Banck-

1. Plomer, in his article on "The Edinburgh Edition of Sidney's *Arcadia*," *The Library* (March, 1900), p. 196, proves that the printing was done by Richard Field.

2. Ponsonby was charging nine shillings for his edition.

3. Plomer, *The Library* (March, 1900), p. 196.

4. Legatt was apprenticed to Christopher Barker, by whom he was presented for his freedom on April 11, 1586 (Arber, *Transcript*, II, 696). On November 2, 1588, he was appointed printer to Cambridge University, in succession to Thomas Thomas, and consequently inherited the long-standing feud between the university and the Stationers' Company (McKerrow, *Dictionary*, pp. 172-173).

5. Scarlett was at one time servant, or apprentice, to John Legatt. In the bill of complaint he was called a bookbinder, but in his own testimony he gave

worth,¹ John Flaskett,² Paul Lynley,³ and John Harrison the younger. As haste was essential in a matter of this kind, the culprits were promptly arraigned before the Court of Star Chamber to answer for their supposed misdemeanors. Even though Robert Waldegrave was outside the jurisdiction of the laws of England, Ponsonby evidently hoped, by appealing to the high court, to settle his suit more quickly. That such was not the case will be evident from the proceedings which are now to be investigated; indeed, the final decision was not given until 1602, after the matter had been transferred from Star Chamber to the Master of Requests and the Recorder of London, who in turn handed the affair over to the Stationers' Court.⁴

In the bill of complaint⁵ Ponsonby, after setting forth the terms of his patent, made accusation that the defendants

combyning themselfe & confederating together as men lothe to be restrayned by any order desireing libertie and how to evade & be out of the daunger of the said Decree the same being (18) made by yo^r Ma^{ties} expresse cōmaundem^t & out of any other good order or governance have of late since yo^r Ma^{ties} last generall pdon contrarie to the said decree & ordinaunce im-

his occupation as butler and caterer to Trinity Hall in Cambridge. Aside from his one adventure in connection with the pirating of the *Arcadia*, he did not again come into conflict with the authorities.

1. Originally a draper, Banckworth established himself as a bookseller in 1594. In spite of his connection with the *Arcadia* case he was admitted a freeman to the Stationers' Company on June 3, 1600 (McKerrow, *Dictionary*, pp. 17-18).

2. Flaskett was also free of the Drapers' Company, but was transferred to the Stationers' in 1600 together with Banckworth. Flaskett and Paul Lynley were partners, and on the death of the latter, in 1600, Flaskett succeeded to the business (McKerrow, *Dictionary*, p. 105).

3. Apprenticed to William Ponsonby on August 6, 1576, Lynley took up his freedom May 16, 1586. His former connection with Ponsonby undoubtedly gave him the opportunity to pass on information concerning the intended reissue of Sidney's *Arcadia*. Lynley died between March 17 and April 14, 1600, before the final settlement of the case (McKerrow, *Dictionary*, pp. 176-177).

4. Greg, *Decrees and Ordinances of the Stationers' Company* (London, 1928), p. 404.

5. Star Chamber Eliz., P 5/6, Appendix B, pp. 156-158.

printed or caused to be imprinted divers (19) of the said bookes called *Arcadia* either in Cambridge or in yo^r highnes Citie of London or in some other place wthin yo^r highnes realme of England And to the intent yo^r highnes lawes and the said decree should not (20) take hold of them they have in the first page & title of the booke sett downe the same booke to be printed in Edenborough wthin the realme of Scotland wth the Kinge privedge there Where indeed it was printed by them or (21) by their procurem^t here in England And they have also not regarding the said ordinance & Decree bounde stitched & solde divers of the said bookes so vnlawfully printed knowing that by right & order of the Company of Stationers & by the decree herd in this most honorable co^r^{te} the said booke Doth (22) appertaine only vnto yo^r subiect as his coppie.¹

Clearly Ponsonby was perplexed as to where the pirated edition was printed, but in order to be on the safe side he assumed in his bill that the work was done in England. Plomer has decided the question² by proving that Waldegrave did actually print the volume in Edinburgh, and that in all probability Scarlett was right in saying "he heard that John Harrison had brought some of them by sea to London."

In their answer³ the defendants simply made formal denial of the charges, and prayed that the indictment against them be dismissed. From the brevity of the document it is evident that the nature of the defense was to be reserved until the trial.

In the interrogatories administered to William Scarlett the usual searching questions were asked, by which the defendant was virtually forced to incriminate himself, or to take refuge, as well as he could, in vague and evasive replies. The more important of these follow:⁴

1. Appendix B, pp. 156-158.
2. Plomer, *The Library* (March, 1900), pp. 199-201.
3. Appendix B, pp. 158-159.
4. I have been unable to see copies of the interrogatories administered to William Scarlett, or his replies to them. My information, therefore, depends on Plomer's article in *The Library* (March, 1900), pp. 196-198.

(1) Was it by your procurement or at your charge that the Edinburgh edition of the *Arcadia* was printed?

(2) Was the *Arcadia* printed in Scotland or in England? If in England, was the work done at Cambridge or elsewhere? If in Scotland, was the work done at Edinburgh or elsewhere?

(3) Have you sold any copies of the book, and if so, how many?

(4) Do you know of any others who have sold copies, and how many have been disposed of in all?

(5) Were the books wholly printed in England or only partially so?

(6) Was the title-page printed in Cambridge or in London?

(7) Do you know when the work was begun, and when it ended?

(8) Were you not sent into Scotland by the other defendants for the express purpose of arranging with Waldegrave to print the *Arcadia*, and did he not receive a sum of money for so doing?

(9) Give the names of those for whom you acted.

(10) If the edition was printed in Scotland tell how and by whom it was brought into England.

(11) How do you make your living, and whom have you previously served?

To these pertinent and inclusive questions Scarlett gave carefully guarded answers. Luckily for him the authorities did not have the case well in hand and were evidently hoping to extract only enough information from him to incriminate the more important defendants.

Scarlett denied that he had been paid to go to Scotland in order to negotiate with Waldegrave for an edition of the *Arcadia*, although he did admit having taken the journey "this time two yere." While in Edinburgh, moreover, he acknowledged that he had seen Waldegrave, who had spoken about his intention to print a new edition of Sid-

ney's famous book. He also claimed to know nothing of the printing, and supposed that the work was done in Edinburgh; nor could he give any information about how the copies turned up in London even if they had been supplied from Scotland, except that he had heard of John Harrison's bringing some of them by sea.

With regard to the disposal of the books in London, Scarlett was a little better informed. He admitted the sale of eighteen copies to Banckworth, and of two to Cuthbert Burby. An additional score of copies had been seized by William Ponsonby, and he had seen six of the books in question at Legatt's shop in Cambridge. In answer to the interrogatory concerning his employment, he said that he had formerly been a servant (i. e., an apprentice) to John Legatt, but was, at the time of his examination, butler and caterer of Trinity Hall in Cambridge.

Unfortunately the deposition of Legatt is missing; otherwise many points in the trial would be clearer. It is not difficult, however, to follow the connection between Scarlett's visit to Edinburgh and the appearance two years later of a pirated edition of the *Arcadia*. Whether or not the Cambridge apprentice journeyed to Scotland for the definite purpose of negotiating with Waldegrave is beside the point. The theory is certainly tenable that two friends with a common grudge against the Stationers' Company might well arrange such a business deal. On the other hand, it is quite as likely that in the exchange of trade-news between Scarlett and Waldegrave the idea was born. When it is recalled that Paul Lynley was formerly apprenticed to William Ponsonby, the source of the information concerning the intended issue of a new London edition becomes apparent.

Plomer has established the fact that the type used in printing the pirated *Arcadia* was identical with that employed by Waldegrave in his *Acts of the Parliament of Scotland*, published in 1598 at Edinburgh. With Scarlett's

admission that John Harrison brought certain copies to London "by sea," the chain of events is complete, and only one question remains unanswered. Did Waldegrave print the title-page, or was the book sent down in an incompleated condition to be finished and bound later in London or at Cambridge? With no evidence forthcoming on this particular point, it is reasonable to suppose that Waldegrave finished the book before he shipped it to his accomplices in England. Two processes would be saved in this way, and the disposition and sale of the book would be expedited. Of course, if the danger of seizure was very great, prudence would suggest sending the copies without a title-page; but Waldegrave had nothing to fear from the authorities in England, and such caution would doubtless seem unnecessary to him.

One other phase of this bold attempt at piracy deserves mention. Plomer thinks that both parties suffered heavily by the venture — a condition of affairs which probably held true for Ponsonby — but what of the remainder of the pirated edition? In the trial only forty-six copies were accounted for — a very small fraction of the issue — and this disclosure leads one to realize that the remaining books were in some way disposed of by the syndicate. As events will show, John Harrison finally admitted the possession of 500 copies, and probably there were as many more distributed among the other defendants. While all were fined for their participation in this venture, the assessments were not heavy; certainly Waldegrave, safe in Scotland, must have profited largely by the transaction.

In spite of the incompleteness of the evidence it is possible (thanks to Dr. Greg's recent transcription of Register B) to follow this case to its conclusion in the Stationers' Court. Begun on November 23, 1599, in Star Chamber, the action dragged on until the final settlement in the Stationers' Court on May 8, 1602. During this period several events had happened to change the situation for the

defendants. Paul Lynley had died, and the two members of the Drapers' Company, Flaskett and Banckworth, had been transferred to the Stationers'. With these altered conditions, a compromise was evidently sought by Ponsonby, who must have grown weary of delay in the matter. The high court of Star Chamber had referred the case without decision to the Master of Requests and the Recorder of London, who, in turn, recognizing that three of the defendants were properly under the jurisdiction of a chartered company, had very willingly turned over the dispute to the Stationers. Compromise was necessary on the part of the master and the wardens, who had to deal carefully with the recalcitrant defendants. However, by first dealing with Banckworth and Flaskett— who, we may suppose, were more amenable to discipline—the harassed officers gradually arrived at a settlement. Evidently the last two-named men had been won over to the Stationers' Company by very definite promises of generous treatment; otherwise it is difficult to understand their willingness to be translated from one company to the other.

The proceedings of the Stationers' Court on November 20, 1600, are given below in full, not only to present the decision with respect to Banckworth and Flaskett, but also to show the attitude of John Harrison junior.

Whereas the cause dependinge in her maties honorable Courte of Star Chambr betwene willm Ponsonby pl againste Io Legatt printer for ye vniu^sitie of Cambridge willm Scarlett Iohn harrison, Ric⁹ Bankworth and Iohn flaskett, was referred by the said Courte to m⁹ Roger Wilbraham Esquire m⁹ of Requeste & m⁹ Iohn Croke Esquire Recorder [*of the Citye*] of London who haveinge Called the pties before them, and heard ye cause Debated by theire Learned Counsell, and findeinge the Thre Laste Defendte to bee Dwellers in London and free of this Company, haue referred soe muche of ye said bill as only concⁿeth theis Thre Laste named defendte to be heard and ended by the maister and wardens of this Companie And whereas ye said m⁹ &

wardens haveinge confered w^t their Assistentē therein haue Called y^e p^l w^t y^e said three Defendtē before them sundry tymes aboute ye same cause And att their firste meetinge found them all contented, to stand to their order therein, But at their second meetinge the said Iohn harrison absented himselfe & appeared not notwithstandinge he had reasonable warninge thereto, and att y^e Third meetinge he vtterlye refused to stand to their order in y^e cause & wthdrue himselfe, soe as they could neither heare nor end y^e cause betwene y^e p^l & him Wherevpon y^e said m^r wardens & Assistentē vpon conference had w^t y^e p^l and the said Richard Bankworth & Iohn fflaskett, findeinge them contente for their pte to stand to the order of y^e said m^o wardens & Assistentē touchinge y^e p^omisses haue therefore proceeded to heare and end y^e said cause betwene them and haveinge heard y^e same, and fyndeinge [by] y^e seu^oall confessions of y^e said Richard Bankworthe and Iohn fflaskett y^t they haue boughte c^otaine of y^e bookes mencōned in y^e said bill, vid^e y^e said Richard Bankworth eightene of y^e said Scarlett & y^e said Iohn fflaskett 25tie of the said harrison, whereby they haue on their pte in y^e Iudgemente of the said m^o wardens & Assistentē wronged y^e p^l & broken y^e decree of y^e said hon^oable Courte / Yt is therefore ordered by y^e said m^o wardens & assistentē y^t y^e said Ric Bankworth & Iohn fflaskett, for a full end of y^e said sute & controu^osie forasmuche as conc^oneth only them Twoo shall pte & pte lyke betwene them paie or cause to be paid To y^e said will^m Ponsonby toward his dam^os and charges herein, The sōme of [vj^{li} (?)] [v^{li}] of Lawfull Englishe money, vid^e xx^s thereof presently. And ffouretie shillings more thereof on y^e xxvth Daie of December nexte and fortie shillings more thereof on y^e xxvth Daie of m^oche next /

(in margin) 2^o April 160i m^r fflasket hath paid his pte viz L^s Acknoledged in Court by m^r Ponsonby Teste Ri: Collins.¹

The penalty was certainly very moderate, but without doubt the court only wished for a definite settlement of the case. John Harrison's attitude toward the whole situation was indicative of the delicate nature of the negotiations which must have gone before. He was frankly indifferent

1. Greg, *Records of the Court*, pp. 80-81.

to the efforts of his confreres, and took no pains to disguise that fact.

In course of time, however, Harrison eventually resigned himself to the chastisement of the court, for on July 21, 1601, the minutes record his punishment.

M^r Iohn Harrison the yonger beinge present submitted himself to stand to the order of the said m^r wardens and Assistentę touchinge the Cause betwene him and m^r Ponsonby: referred hither by m^r wilbraham / m^r of Requestę / And m^r Croke Recorder /. Also he confesseth he had v^o of the bookes of Arcadia printed in Scotland or elsewhere by Walgraue

m^r Ponsonby beinge present also submitteth himself to stand to thorder of the said m^r wardens and Assistentę touchinge the said Cause

(*in margin*) While the Cause was in Debatinge: m^r Ponsonby and m^r Harrison were in the outer plour

Wherevppon after the Delibat hearinge of the said Cause betwene the said m^r Ponsonby & m^r Harrison yt ys ordered by the said m^r wardens and Assistentę. That the said m^r Harrison shall paye to m^r Ponsonby toward his Charges and Damages the sōme of Tenne poundę of lafull money of England for the full endinge of the said Cause onely betwene them Twoo: The said sōme to be paid in forme followinge viž. in the feast of St Michaell tharchangell next ffortye shillings / And from thensforth quarterly xl^s vntill the said sōme of x^{li} be payd And the said m^r Ponsonby to prosecute no further sute herein against m^r Harrison yf he pforme the said payementę. /.¹

The clerk of the court had an eye for the dramatic situation when he noted in the margin of his paper that "while the cause was in debatinge: mr Ponsonby and mr Harrison were in the outer parlour." Possibly Harrison was wondering whether his profits from the 500 pirated copies would entirely disappear into the pocket of Ponsonby; in any case the topics of conversation must have been singularly limited.

1. Greg, *Records of the Court*, p. 82.

With the confessions and the fines of three defendants recorded, the officers of the company must have felt that the case would soon be settled. However, Richard Banckworth suddenly repudiated his agreement with Ponsonby and refused to pay his fine. In the minutes of October 19, 1601, the court drew up a memorandum of this refusal, which they forwarded to the city authorities. Evidently the disposition of the case had been left to the Stationers' Court for settlement in an unofficial manner. If trouble arose, the civil authorities were again prepared to take a hand in the matter. The entry is as follows:

A draught of A certificat concernyng m^r Bankworths refusall to pforme thorder betwene m^r ponsonby & hym was Redd at this Court. And lyked of by the Court And ordered to be wrytten forth and signed by the m^r & wardens and so sent to the m^r of Request & m^r Recorder ¹

Unfortunately no further record of Banckworth's repudiation exists, but, as his subsequent career was marked by several other offenses ² against the rules of the company, it may be concluded that the wardens made no great effort to protect him from the civil authorities on this particular occasion. Oddly enough, however, he was admitted to livery the following year,³ an occurrence which clearly shows that his quarrel with the company had been patched up.

To adjust their differences with John Legatt and William Scarlett was a more difficult matter for the Court of Assistants. These men were outside the jurisdiction of London, and, in addition, were under the protection of the University of Cambridge. Moreover, numerous disputes had occurred in the past between the Stationers' Company and

1. Greg, *Records of the Court*, p. 83.

2. Cf. Arber, *Transcript*, II, 822, 823, 832, for a list of his fines.

3. "3 Iulij 1602, Richard Bankworth sworne and admitted into the lyuerie of this companie ij^{li}/" (Arber, *Transcript*, II, 874).

the university authorities, so that concessions were unlikely from that quarter. Nevertheless, in some way or other ¹ Legatt and his former apprentice were induced to plead guilty, and to submit to the judgment of the Court of Assistants. The importance of this submission may well be estimated when we note that the sentence was given on Sunday (May 8, 1602) before a full court.

Inter Willm̃ Ponsonbie ex vna pte Et Ioheñ Legatt
ex altera pte /

The said pties yeild themselues & agree to stand to thorder and determinacōn of the m^r wardens & assistentę wrytten in the m^ogent for the controu^sies & matters Dependinge in the Courte of Starre chamber betwene the said w^m Ponsonbie p^r and the said Io: Legatt & others Defte and for all other sutes betwene them or any of them / M^r Legatt vndertaketh Aswell for himself as for his Man that hathe an Accōn againste m^o Ponsonbie: Viz' that his man shall stand to thorder of y^e M^r wardens & Assistentę aforesaid for the Accōn And m^r Ponsonbye lykewyse vndertaketh for his pte /

Vppon the hearinge of the causes & controu^sies aforesaid yt appeareth that m^r Legatt in Dealinge wth the sale of the bookes of Arcadia prynted in foraine D^mons & brought into England Hathe hindred the said w^m Ponsonbie (whose Cotype yt is) and Doñe againste the Decrees of the Courte of starchamber and contrarye to thordinances of the Companie of Stac^o, w^{ch}e m^r Legatt ought to obserue beinge A freman of the said Companie, And yt is ordered & Determined by the said m^r wardens & Assistentę that m^r Legatt shall presentlie paye to m^r Ponsonbie toward his Charges & Dañages iij^{li} vj^s viij^d, And that vppon payment thereof m^r Legattę Eightene bookes w^{ch}e were seysed in Scarlette handes and remaininge in the hall shalbe redelyu^ed vnto [*the said*] m^r Legatt / And that all sutes Dependinge in the said Courte of Starchamber or at the Comōn Lawe betwene the

1. It must be remembered that the Star Chamber still held each defendant in jeopardy. Probably this threat had much to do with their pleading guilty before the Stationers' Court, especially as the matter of punishment seems to have been fairly well understood on both sides.

sayde w^m Ponsonbie and Io: Legatt and betwene the said Scarlet & m^r Ponsonbie and the matters and causes thereof shall cease and be no further prosecuted, And the Accōns at the Comōn lawe to be Discontynued or Wthdrawen ¹

This nominal sentence proved that the company was satisfied with a formal expression of guilt on the part of the two Cambridge defendants. To demand a fine of £3/6/8, and at the same time to return eighteen books worth six shillings apiece, was not a heavy penalty. Ponsonby had succeeded in stopping the importation of the pirated edition of the *Arcadia*, and no doubt he was well content with his victory.

Thus ended the second exploit of Robert Waldegrave in his battle with privilege in England. As a conspirator against the existing laws he is clearly to be condemned, but one cannot help admiring his resourcefulness and ingenuity in outwitting the authorities on these two occasions. When Waldegrave returned to London, in 1603, on the accession of James I to the throne of England, he had no need to fear on account of his former transgressions, being high in the favor of his sovereign. After making a single entry in the Register ² on June 11, 1603, Waldegrave's name disappeared from the pages, for he died shortly after that date.

1. Greg, *Records of the Court*, pp. 87-88.

2. "Entred for his copie vnder the handes of the Lord Byssshop of London and the wardens *The Tenne commaundementes with the Kynges Armes at Large quartered as they are. . . vjd*" (Arber, *Transcript*, III, 237).

CHAPTER VI

Simon Stafford

MENTION was made in the previous chapter of two members of the Drapers' Company who were transferred to that of the Stationers. The relations between these two rival crafts were peculiar, and constituted a source of trouble which, increasing during the latter half of the sixteenth century, finally culminated in the Star Chamber case of Stafford vs. Burby and Dawson.¹ With the changing economic conditions of the age, the gild system was being rapidly undermined, and old laws and customs discarded in favor of legislation more in keeping with the spirit of progress. Of necessity, when the system of "town-economy" changed to a plan more national in scope, the old established institutions suffered severely. But the gilds did not relinquish their rights without a struggle. In order to maintain the prestige of centuries — and in some cases to fight for their very existence — the strong companies preyed upon the weak unceasingly; and in turn the less vigorous crafts fought back with whatever weapons came to their hands.

One of the chief causes of complaint lay in the fact that the freemen of the larger companies had encroached on the trade of the smaller fraternities. By the "custom of the City of London" a freeman might engage in any occupation other than that to which he was brought up. Thus if a man free of the Drapers' Company chose to do so, he might pursue the calling of a pewterer, a woadmonger, or

1. Appendix C, pp. 160-164; Appendix D, pp. 165-181.

a barber-surgeon.¹ Protected by the rights of his own company, such a man was immune from visit and search by members of another craft, although he might be making bad pewter, vending indifferent dyes, or shaving aldermanic faces with a very dull razor.

By virtue of their strength and antiquity the great companies had permeated the whole industrial system of London, a condition not harmful under the old methods of regulation, but certainly calculated to retain the former ideas of monopoly and trade restraint. When the rules of the craft-gilds began to break down under the economic pressure of the time, Elizabeth sought a remedy in her famous Statute of Apprentices, of 1563.² By this act a man was forbidden to work at a trade unless he had served for seven years at it as an apprentice, or to employ a journeyman who had not been so bound; wages were carefully regulated, and hours of labor fixed by law, in the summer from five in the morning until seven or eight in the evening, and in winter from dawn to dark.

Such a measure was intended to settle the troubled conditions of industry, but it did not succeed in solving the real problem, the encroachment of one trade upon another. When a man who was a draper by patrimony entered the printing-trade, he still owed allegiance to his own company, paid his yearly dues to that body and, in general, had his whole social life therein. This state of affairs was contrary to the spirit of the statute, although it was in accord with the "custom of London," a privilege highly prized by the citizens.³

In certain cases, the difficulty caused by a man's plying one trade while being free of another was solved by setting

1. See Johnson, *History of the Drapers*, II, 165, for members of that company who worked at the above trades.

2. 5 Eliz., c. 5.

3. The Statute of Apprentices really aimed to restore conditions which existed in the time of Edward III, when a boy was bound to a particular trade and was expected to occupy himself with it for the rest of his life (cf. 37 Edward III, c. 6, quoted on p. 8 n).

him over or translating him to the company in which his real work lay. This solution, of course, was effective only when all persons concerned were agreeable to the change, a state of affairs which, for various reasons, did not always exist. It can be readily understood that the Drapers' Company was averse to giving up its members to the Stationers' Company, in view of the fact that the latter guild was growing more powerful every day. Nevertheless, certain translations were made from time to time, notably in the case of Christopher Barker,¹ who was queen's printer for over twenty years.

Born about the year 1529, Christopher Barker was originally a member of the Drapers' Company, but in middle life he turned his attention to the printing-trade.² His first entry in the Register occurred in 1569, when he published *Serten prayers of my Lady Tyrwhett*.³ On December 23, 1573, he was made one of the assigns of Francis Flower, who had recently been granted a patent for printing books in Latin, Greek, and Hebrew;⁴ and four years later he purchased from Sir Thomas Wilkes the royal letters patent which gave him sole privilege of printing the Bible, the Book of Common Prayer, the Statutes of the Realm, and all Proclamations.⁵ Having cast his lot definitely with the printing fraternity, Barker clearly felt it his duty to transfer his allegiance; therefore, armed with a letter from Secretary Walsingham he asked to be translated to the Stationers' Company. "After consultation with divers Booksellers, free of the Drapers' Company, his request is granted, on condition that he pays his yearly

1. "Master Christofer Barker printer to the Quenes maiestie. Receuyed of him for his admission freman of this Cumpanie beinge Translated from the Cumpanie of Drapers to this Cumpanie (quarto die Iunij, 1578) iij^a iiij^d" (Arber, *Transcript*, II, 677).

2. McKerrow, *Dictionary*, p. 18.

3. Arber, *Transcript*, I, 398.

4. Cf. *ante*, p. 31 n.

5. This transaction was merely a business agreement between two people, but, by the usual legal fiction, the appointment was granted ostensibly on account of Barker's great improvement in the art of printing.

Quarterage to the Yeomanry Box; that he gives fees to the Clerk and Beadle, as well as £4 for a hogshead of wine for the Election Dinner; and that he shows friendship to Booksellers who are still free of the Drapers' Company." ¹

The stationers, who had for some time past been insisting that active printers become members of their gild, evidently received Barker with satisfaction, for he was made free of the Stationers' Company on June 4, 1578, and three weeks later admitted to the livery.² Barker's subsequent career was honorable and distinguished, both in his printing-shop and as an official of the company; in fact, he was the outstanding figure amongst his fellow-craftsmen until his death in 1599.

The connection between Christopher Barker and the Star Chamber case now to be investigated lies in the fact that Simon Stafford was apprenticed to Barker before his translation. Consequently, Stafford was made free of the Drapers' Company, although he knew no other trade than that of printing. With these two gilds at odds, it is clear that a man in such a position must inevitably suffer in the ensuing warfare. As the drapers were the chief offenders in their encroachment on the other trades, the rival companies, failing relief by legislation,³ concentrated their attack on the members of that company. The situation was very involved, for the drapers sometimes protected their fellow-craftsmen, and on other occasions permitted them to be translated to the aggrieved company. To add to the complication of the matter, trade conditions were unsatisfactory and work was hard to find, especially for the poorer members of the gilds.

1. Johnson, *History of the Drapers*, II, 170.

2. Arber, *Transcript*, II, 677, 865.

3. In answer to a petition drawn up by fourteen of the smaller crafts, a bill was presented to parliament "reciting the statutes of 37 Edward III and 5 Elizabeth, cap. 5, which had prohibited the exercise of any art or Mystery save by such as had been apprenticed to the same; but the Bill was lost in the Upper House" (Johnson, *History of the Drapers*, II, 166-167).

On the other hand, it must not be forgotten that the number of master-printers in England was strictly limited,¹ so that a freeman had little chance of becoming his own master in the printing-trade, except upon the death of one of these proprietary members.² This involved condition of affairs meant, then, that if a freeman of another mystery was acceptable to the Stationers' Company, they would admit him to their fellowship, provided that the brother-company was willing to let him go. If an amicable arrangement could not be made, the man in question had little redress, unless outside influence was brought to bear upon his case.

In just such an awkward position was Simon Stafford placed, and through no fault of his own. Born about 1561,³ he was apprenticed to the former draper, Christopher Barker, for more than seven years;⁴ and naturally, when his term expired, he was made free of the Drapers' Company, although, of course, a printer by training. As was proper for a man with such preparation, he began his career in London by establishing himself as a publisher and bookseller.⁵ However, judging by a solitary entry in

1. In 1582 Christopher Barker wrote Lord Burghley that there were twenty-two printing-houses in London (Arber, *Transcript*, I, 144), where eight or ten would suffice. In 1586 the number had increased to twenty-five, but by the Star Chamber decree of that year no more were permitted; and, in consequence, except for secret presses, this number remained fixed for over fifty years.

2. The pleasant series of pictures which Hogarth later drew of the industrious apprentice who married his master's daughter did not apply in the printing-trade of the sixteenth century. In Elizabeth's time it was the widow of the master-printer who had all the suitors, for only by marrying her could a man possess his own printing-house out of his normal chance of succession (see H. G. Aldis, *The Cambridge History*, IV, 443).

3. In a deposition sworn to by him on June 27, 1598, Stafford said that he was "of the parishe of St Peters, London, Prynter, & free of the Company of Drapers within the same Cytty, aged xxxvij yeeres or therabout" (Appendix D, p. 176).

4. Appendix D, p. 178.

5. These terms were practically synonymous in the sixteenth century, although printing and publishing were recognized as different trades. While almost all printers were publishers, the reverse statement was not true; for very

the Register¹ under the date of February 9, 1596, Stafford did not make a success of his business. Confirmation of his failure comes from the repertories² of the Drapers' Company, for in 1597 "Simon Stafford, a poor printer by trade, 'being troubled by the Stationers so that he could not set up his said trade,' is given charity, while the Archbishop of Canterbury is moved to procure" assurance that he be no longer troubled.³ The "charity" consisted of £3/6/8 in cash and a promise of £50 from Sir Richard Champion's legacy, provided he obtained sureties for his good faith.⁴ He did obtain the guarantors, and it must be supposed that the promise was fulfilled, for Stafford promptly bought a printing-press and applied for permission to use it.

But the officers of the Stationers' Company, secure in the rights bestowed on them by the Star Chamber decree of 1586, flatly refused to allow Stafford to print anything; nor would they entertain the idea of his being translated to their company. From the size of the grant to Stafford, and from the fact that several distinguished men supported him in his action, it was evident that the drapers were determined to make a test case of the matter. Negotiations were at a standstill until the wardens of the Stationers' Company conceived the idea of searching Stafford's printing-house. The raid was carried out on the night of March 13, 1598, and it produced results of a rather startling order. Although no contraband was discovered in Simon Stafford's shop, the searchers found in the house next door — formerly occupied by William Barley, but at the time of

few publishers were printers (cf. McKerrow, "Booksellers, Printers, and the Stationers' Trade," *Shakespeare's England*, II, 223-224).

1. "Symon Stafford Entred for his copie vnder the handes of the wardens. The black Dog of newgates Lamentation for all his knauery. vilany bribery and Conny catchinge to the Tune of 'Huttons Deldul' vjd" (Arber, *Transcript*, III, 58).

2. The repertories were the minute-books of the Drapers' Company.

3. Repertory H, fols. 233a, 225a as quoted in Johnson, *History of the Drapers*, II, 170-171.

4. Repertory H, fol. 233a.

the raid in possession of Roger Pavier¹ — four thousand pirated copies of *The Accidence*. Needless to say, they carried off Stafford's press and the illegal volumes for sequestration at Stationers' Hall.

Angered by this treatment, Stafford promptly swore out a warrant against the two wardens for forcible entry and theft. In order to circumvent his attack the officers of the Stationers' Company succeeded in quashing the indictment and in entering a complaint in Star Chamber against Stafford, Barley, Edward Venge and Thomas Pavier² for an offense against Richard Day's privilege.

This summary of the facts shows how matters stood, on June 26, 1598, at which time the defendants were brought before the high court to make their depositions. For a complete record of the case the following documents should be available:

(1) A bill of indictment preferred by Simon Stafford at a sessions held in the Old Bailey against Thomas Dawson and Cuthbert Burby. This bill charged unlawful entry and theft on the part of the two wardens of the Stationers' Company. The date is uncertain, but according to Stafford the charge was brought "about Easter last past" (1598).³

(2) Affidavits sworn to (May 5, 1598) by Thomas Dawson in which he states that Thomas Pavier, William Barley, and Ed-

1. Very little is known of Roger Pavier. From the fact that his apprentice, Thomas Pavier, was mentioned (Arber, *Transcript*, II, 725) as being a draper, when he was translated, in 1600, to the Stationers' Company, one may be certain that Roger was a member of the drapers' guild. In his deposition (Appendix D, pp. 173-176) Thomas Pavier spoke of his master and himself as booksellers, but the term was crossed out, evidently because the court objected to its use.

2. It is somewhat disconcerting to find Thomas Pavier's name on the list of defendants, when one would naturally look for Roger's. The authorities evidently felt that they had a better case against the apprentice, who, as it turned out, admitted that he "dyd . . . bynde styche & sell certen Accydecnce prynted by Walter Venge and Iohn Daynter contrary to the said decree." However, there is no ostensible reason — in view of later evidence — why both names should not have appeared. Probably policy dictated the omission of Roger Pavier's name.

3. The document is missing.

ward Venge printed and sold ten or eleven thousand copies of the *Accidence* in violation of John Battersby's patent. These affidavits¹ are referred to by Stafford and Barley in their bill of complaint against Burby and Dawson²

(3) A bill of complaint issued by Stafford and Barley bringing a charge of perjury against the two wardens of the Stationers' Company, Burby and Dawson. The bill³ (endorsed June 8, 1598) demands that they be brought into court to answer such a charge.

(4) Interrogatories to be administered to William Barley, Thomas Pavier, Edward Venge, and Simon Stafford touching their supposed contempt and misdemeanors against the order and decree of the Star Chamber.⁴ The document is endorsed June 16, 1598.

(5) The depositions of Barley, Pavier, and Stafford in answer to the above interrogatories.⁵ The documents are endorsed June 26-27, 1598. On this occasion Edward Venge escaped questioning because he was absent "in the contry," no doubt disposing of the *Accidences* which were causing all the trouble.

It will be noticed that two documents are missing, and that the bill of complaint against Burby and Dawson is a sort of cross-petition issued, in the heat of the struggle, as a counter-attack.⁶ Nevertheless, the evidence in the case is fairly complete, and what is most satisfactory of all, the decision of the court is preserved in the records of the recently published portion of the Stationers' Register B.⁷

The thoroughness with which the searchers carried out their raid on the houses of Stafford and Roger Pavier

1. The affidavits are missing.

2. Appendix D, p. 167.

3. Star Chamber, Eliz., S 7/22, Appendix D, pp. 165-169.

4. Star Chamber, Eliz., S 83/39, Appendix C, pp. 160-164.

5. Star Chamber, Eliz., S 7/22, Appendix D, pp. 169-181.

6. Of course the bill of indictment preferred "at a Sessions holden in the olde bayly about Easter last past" would not appear in the Star Chamber records, nor have I been able to find any trace of it elsewhere.

7. Greg, *Records of the Court*, p. 64.

showed definite animus against the suspected men. In the bill of complaint issued by Stafford and Barley, the story is told in graphic terms, a feature not often present in Elizabethan legal documents.

Soe it is yf it may please yo^r moste (18) excellent Ma^{tie} that one Cutbert Burby and Thomas Dawson of the Cittie of London Stacōners and diverse others to yo^r sayd subiect yett vnknowne Confederatinge and Conspiringe together to seke the ove^rthrowe and the vndooinge of (19) yo^r sayd Subiect his wife and famyly, the sayd Cutbert Burby Thomas Dawson (one Cole) ¹ and others in their Company to yo^r Subiect vnknowne in all to the number of sixe psons att London aforesayd that (20) is to say in the pish of S^t Peeters in Cornehyll London the thirteenth Day of March nowe last paste in the fortith yeere of yo^r Ma^{ties} most gracōus Raigne Did very riotously rowtously and vnlawfully assemble and (21) gather themselves together being armed and arayed wth seu⁹all weapons aswell invasive as defensive and then and there did very riotously rowtously and vnlawfully enter into yo^r sayd Subiect Symon Stafford his (22) workinge howse in the pish of S^t Peters aforesayd wthin fowre dayes after his wife was delivered in Childbirth to her great feare in that Case, and then and there ded forcibly and riotously take and Cary away wth them (23) of there owne extort power and wronge yo^r sayd Subiecte printinge lres together wth diverse other tooles and instrum^{te} to the value of xx^{tie} pounds or therabout^e and the same have and doe deteyne from yo^r sayd Subiecte (24) Contrary to all right and Course of Iustice.²

If the charges of Stafford can be believed, the Stationers' Company made an illegal entry into his house. Stafford claimed that when his printing-shop was searched, on March 13, 1598, the officers did not have a warrant, nor did they procure it until two days afterward.³ Moreover,

1. Space left blank and "one Cole" added later.
2. Appendix D, pp. 166-167.
3. "Neither had the sayd Cutbert Burby and Thomas Dawson or either of them any warrant at all to take or seise the said lres vntill the fifteenth day of the sayd March last past (1598)." (Appendix D, p. 168).

Stafford maintained that Cuthbert Burby, "beinge sworne vpon the holye Evangelest," had committed "voluntary willfull and corrupt periuries" in stating that the 4000 copies of the *Accidence* had been found in the house "of one Simon Stafford," whereas they were actually discovered "in an other howse next adioyninge . . . beinge in the tenure and possession of Roger Pavio^r." Whatever the authorities may have thought about the juxtaposition of printing-press and pirated books, their natural desire to make a fool-proof case should not have led them to distort the evidence. Clearly Stafford was being "troubled by the Stationers Company," and the process was not a particularly scrupulous one.

Several times in past years Sir Edward Stafford¹ had spoken with the Archbishop of Canterbury concerning the plight in which Simon found himself, and the prelate had promised to use his influence with the Stationers' Company in behalf of the poor draper, provided that assurances could be given of proper apprenticeship and general ability. In spite of the archbishop's good offices, however, the stationers refused Stafford permission to maintain a press, because of his being a draper.²

1. Sir Edward Stafford, the eldest son of Sir William Stafford, of Grafton and Chebsey, Staffordshire, was born about 1552. He was resident ambassador to France from 1583 until 1590. Two years later he received his M.A. from Oxford, and became a bencher at Gray's Inn. After serving one term in parliament as member from Winchester (1592-93), he apparently retired from public service. He married (1) Robserta, the daughter of "one Chapman," by whom he had a son William and two daughters; and (2) Dowglas, daughter of William, first Baron Howard of Effingham, by whom he had two sons who probably died young. I have not been able to trace the connection between Sir Edward and Simon Stafford. As the former died intestate in 1605, that possible means of connecting the two is not available. Probably Simon was a distant relation in whom Sir Edward was interested, both because of his kinship and by reason of the difficulties into which the unfortunate printer had fallen.

2. Stafford's testimony, Appendix D, p. 177. The bitterness of the quarrel may be well understood from this refusal on the part of the stationers. Ordinarily the lightest wish of the archbishop would have been law to the Stationers' Company.

If the stationers and the drapers had not been engaged in a struggle for supremacy, the position of Simon Stafford would have been eminently sound. From the very fact of his status as a freeman of the city of London, he was entitled to certain privileges not accorded to men in other parts of the kingdom. These rights, carefully set down by Stafford in his bill of complaint, were as follows:

That Where there is and hath been by all the times (1) wherof the memory man is not to the Contrary—a very auncient good and laudable Custome had and vsed in and w^hin the Cittie of London and the Lib^oties therof that every appentice that shall be bound by Indenture inrolled in the (2) Chamber of the Cittie of London accordinge to the Custome of the sayd Cittie of London to serve any p^oson or p^osons being free of the same citty: & vsinge one art or mistery, but beinge ffree of an other trade or Mistery and shall serve his sayd (3) Master as his appentice in the arte trade or misterye w^{ch} his Master vseth accordinge to such time or terme of yeeres as shall mutually be agreed vpon by either ptie after the sayd time or terme of yeeres expired, the same (4) appentice shalbe made free of the same Cittie of London of the selfe same Trade art or mistery wherof his sayd Master whome he served as aforesayd was free, not w^hstandinge he vsed an other arte trade or misterie (5) Duriinge the time of his appentizshipp w^hin the same Cittie; And where also by one othe like auncyent good and lawdable Custome had vsed and allowed w^hin the sayd Cittye of London and the Lib^oties therof from time wherof (6) noe memory of man is to the Contrary, all and every such p^oson or p^osons as by service or otherwise shall be made free of the sayd Citty of London of any one trade art or mistery had and vsed w^hin the sayd Cittie and the Lib^oties therof, (7) shall or lawfully may Duriinge his or their life by the Custome of the sayd Cittie vse exercise or Occuypye eyther the sayd Trade wherof he was made free as aforesayd or any other art trade or mistery had or vsed (8) w^hin the sayd Cittie of London and the Lib^oties therof att his and their will and pleasure, w^hout any lawfull lett trowble disturbance or Interrupcōn of any p^oson or p^osons whatsoever.¹

1. Appendix D, pp. 165-166.

After failing to obtain redress from the archbishop, Stafford then turned to the lord mayor and aldermen of London for aid, but the Stationers' Company evaded their inquiries by saying that from the charter of their corporation and by a decree of Star Chamber, Stafford had no right to exercise the trade of printing. Always zealous in behalf of the rights of the city, the London council went into the case very thoroughly, and, in May, 1597, ordered the recorder and certain learned counsel to examine the matter with a view to clarifying the whole situation. Among other things, they certified that Simon Stafford had been apprenticed to Christopher Barker, a draper, for seven years and had learned the printing-trade in due course of his service. Therefore, they recommended that, in accordance with the custom of the city and by the laws of the land, he be allowed to use the art of printing.¹

In consequence of the favorable report of the lord mayor and aldermen, the archbishop was pleased to permit Stafford to use a press "so as he dyd not prynte any other bookes then such as were good & lawfull." This permission of His Grace of Canterbury must have been a great blow to the Stationers' Company, for it squarely opposed their ordinances and the principles for which they were fighting. It was necessary, then, for the wardens to find some way to check Stafford's activities, and to bring the case into open court. Their next move consisted in the obtaining of an injunction on August 4, 1597, which prohibited the draper from printing, because of his supposed violation of the Star Chamber decree. The strategy which lay behind this action is plain. If Stafford did not vacate the injunction, his press would remain idle; if, however, he did print anything without permission the court had the right to cite him for contempt. And at this point Simon Stafford erred, for by his own admission² he set up a press

1. Stafford's testimony, Appendix D, pp. 177-178.

2. Appendix D, p. 176.

on January 14, 1597/8, in Black Raven Alley,¹ and there "dyd imprynt *the sollempne passion of the Sowles love* (by Nicholas Breton) & a ballad lycenced by m^r John Dixie Chapleyn of the reuerend father in god Rich[ard] L[ord] Bishop of London . . . and also certen damaske² paper."³ In his examination Stafford was questioned at some length concerning these three items, and he succeeded in explaining his actions, at least to his own satisfaction. The damask paper had been printed at the request and charge of John Harrison, junior, by an agreement made before the injunction of the court; the bishop's chaplain had apparently obtained a proper license for the ballad, and Nicholas Breton's name was sufficient to establish the respectability of the other publication.

An entry in the minutes of the Stationers' Court under the date of January 27, 1597/8, shows to what lengths the company was prepared to go in order to prevail against the

1. There were three streets of this name in the latter part of the sixteenth century. One lay south out of Upper Thames Street (at No. 104 P. O. Directory) near Fishmongers' Hall, in Bridge Ward Within. Its former name seems to have been "Puppes aley" (26 H. VI), or "Popys alley" (33 H. VIII). A second, known as Black Raven Court, extended south out of Leadenhall Street in Aldgate Ward, and was also called Black Raven Alley in a document written in 28 Eliz., 1586. A third ran west out of Coleman Street, near London Wall, in Coleman Street Ward. H. A. Harben, *A Dictionary of London* (London, 1918).

2. The expression "to print damask paper" is obscure; in fact no citation of the word appears in the *N. E. D.* before 1673. F. C. H. (*Notes and Queries*, second series, VIII (1859), pp. 430-431), in explaining the meaning of the word, quotes the Copyright Act of 8 Anne, c. 19, as follows: "The sheets of every pirated book should be forfeited to the lawful proprietors of the work, and the proprietors should 'damask' the said sheets and make waste paper of them." He suggests also that the verb "to damask" is derived from the French *démasquer*, meaning to unmask, i. e. to change the appearance of. Although the proprietors received the forfeited sheets, they were not allowed to use them as letterpress, but were to deface or cancel them. We should say today that Stafford damasked or canceled certain forfeited sheets for Harrison, who was then free to use them as waste paper. In 1583 mention was made (Arber, *Transcript*, II, 784) that the poorer printers had "libertie of Damaske paper," and this commission executed for John Harrison, junior, was evidently a small favor granted Simon Stafford as an aid to him in his distress.

3. Appendix D, p. 179.

drapers. Plainly the whole fraternity was united in its effort against Simon Stafford and William Barley, for the following motion in connection with the affair was made in full court:

Vppon a motion made at this Court by the pties p^ruileged for the gram̃ers and accidenc̃e yt is Concluded that the Company shall Ioyne in charge of sute wth them in any sute against Willm Barley and Symon Stafford for the strengethninge and Execucōn of [the] Decrees of the Starre chamber for their offence cōmittēd against the said Decrees. /¹

But a strong suspicion that Stafford and Barley were surreptitiously printing grammars on the new press did not mean that the two men could be convicted. Therefore, in the hope of finding the necessary material evidence, the wardens decided to raid Stafford's press. This search was made on March 13, 1597/8, some six weeks after the decision of the court recorded above. Even then the results were far from satisfactory, for Barley in the meantime had moved out of the house next door to Stafford's and the raiders found the premises occupied by Roger Pavier and Thomas his apprentice. Inasmuch as the object of the raid was to connect the supposedly illegal press of Stafford with pirated grammars, the two wardens must have been much annoyed to find no grammars at all in Stafford's work-shop and Barley not even an occupant of the adjoining house. Whatever may have been thought of the extraordinary coincidence which placed a suspected press next door to a house containing four thousand illegally printed books, a definite connection between the two circumstances had to be established before a conviction could be brought about. And this definite link the Stationers' Company failed to find.

Concerning the events of the night of March 13, there is ample evidence from three witnesses. Of course the details

1. Greg, *Records of the Court*, p. 60.

vary, especially in the case of William Barley, who was not present at the time, but "had hard" of the affair. Unfortunately the document containing the interrogatories is in very poor condition, and a good part of the seventh question — that one pertaining to the raid — is illegible; but enough remains so that the situation may be understood. The interrogatory is as follows:

Item did not one Thomas Dawson & Cuthbert Burby they being both of the said Companie of Stacons / and accompanied wth a messenger and a Constable on or about the xiiijth day of March last past / repayer to the howse of Symon Stafford and the howse of William Barlie two of these Examinatē to make serch for bookes printed contrarie to the said decree? And did they not then and there find diu^s of the said bookes called Accedences or 〈introducōns to〉 Gramm⁹ printed contrarie to the 〈said decree〉 & letters Patentē therof granted to the said Iohn Batersby? did they not signify vnto yow that they came by appointnt of the wardens of the Company of Stacons according to the said decree to search and seize the said booke & letters & Presse employed in printing the same? And did yow not thinke or know that they so did? did not yow then vse speches 〈saying yow〉 cared not for the decree the same being as yow affirmed against the law and that yow would indite them at the next sessions that should take away the said letters? ¹

Both Thomas Pavier ² and Simon Stafford,³ in their depositions, agreed that Thomas Dawson and Cuthbert Burby, accompanied by a messenger — "one Cole" — and a constable, arrived on March 13, 1597/8, at the houses of Stafford and Roger Pavier to search for illegally printed books. They also admitted that certain *Accidences* were found in Pavier's house, and also a press and letters in Stafford's. However, both denied that the press had been used for printing the pirated edition. Furthermore they

1. Appendix C, pp. 163-164.

2. Appendix D, pp. 173-176.

3. Appendix D, pp. 176-181.

claimed that Burby and Dawson did not signify by what authority they made the search. If these witnesses can be believed, clearly the raid was carried out in an arbitrary and high-handed fashion. During the course of the invasion harsh words were exchanged on both sides, but unfortunately they are not on record by reason of the defective portion of the interrogatory, and because each deponent simply denied that he "dyd vse any such speches as bee mencōned in the last pte of this Inter[rogatory] or any speches to any such effecte."¹

When asked who printed the books, Stafford said he thought that John Danter and Walter Venge did so, aided by Roger Pavier. At the same time he indignantly denied having had any part in the scheme; and he seems to speak sincerely, even though his actual words are concealed by the dry legal phraseology in which the clerk wrapped his testimony.

William Barley, whose evidence was second hand, said he had heard that the books were found in Stafford's house and that the searchers had told Stafford and Pavier of their coming by authority of the Stationers' Company.² Barley's entire testimony was unsatisfactory, probably because he was handled so roughly by the court. The pages of his deposition are full of corrections and elisions, and on one occasion he was caught trying to evade a question concerning his former misdemeanors.

When asked if he had ever been bound over in the ecclesiastical court for printing or selling books unlawfully,³ he first answered that "he was at twoe or 3 tymes bounde before the highe Comissioners in causes ecclesyastycall concⁿing pryntinge or sellinge of booke vnlawfully, but the tyme or tymes when he was so bounde or when he was first, or the cause or causes why he was so bounde he cannot nowe cⁿtenly depose; and further to this Inter[rogatory]

1. Appendix D, pp. 175, 180.

2. Appendix D, pp. 171-172.

3. Appendix C, pp. 160-161.

he sayth not.”¹ After being urged to express himself more exactly, Barley was finally able to remember that “the first tyme was for that he had sold a booke of ij^d of her ma^{te} pgress to Cowdrie in Sussex & the second time was for that he had sold balladde wherein the safe and happie return of the right ho[norable] therle of Essex, Erle marshall of England was wished or prayed for when his honor went the Cales voyage.”² On the whole, Barley’s testimony did little toward clarifying the situation, and one wonders that the high court spent so much time on evidence concerning twopenny pamphlets and peppercorn ballads.

Of the many searching questions asked the three defendants, the last series was clearly the most important to the inquisitors.

Do you know that an attachment was awarded by this honorable court at some time during the last term against Edward Venge for supposed contempt? Do you know whether or not the said Edward Venge is now going about the country selling or dispersing *Accidences*, and if so is he doing this by any means or persuasion on your part?³

In their answers to this interrogatory there was perfect unanimity on the part of Barley, Pavier, and Stafford. They all knew that Edward Venge had been cited for contempt; but they had no suspicion of his going about the country to sell *Accidences*, nor did they, if such a thing were true, persuade him to take part in such nefarious business. Half-truths, evasions and forgetfulness — but what else could be expected of men who were invited to incriminate themselves beyond chance of mercy?

With regard to the actual printing of the *Accidences*, Thomas Pavier admitted that they were printed contrary to decree by Walter Venge and John Danter, and he also agreed that his part of the transaction was that of binding,

1. Appendix D, p. 170 n.
3. Appendix C, p. 164.

2. Appendix D, p. 170.

stitching and selling certain of the books; nevertheless, he maintained that the work was done solely for his master, Roger Pavier, and not for his own gain.¹

From the evidence submitted in this trial it is plain that the purpose of the Stationers' Company in bringing the action was a threefold one. In the first place Simon Stafford was to be punished for flouting the rules of the company by obtaining from the Archbishop of Canterbury a special permission to set up a press. Secondly, the drapers were to understand that their freemen could not with impunity enter into competition with the regular members of the printing fraternity. Thirdly, John Battersby's patent² was to be protected from the depredations of the book-pirates.

In the case of Simon Stafford, the stationers receded from their position, and finally agreed to accept him in their company as a master-printer. This decision, no doubt, was brought about by the persuasion of certain members of the royal council who were interested in Stafford. A copy of the order, preserved in the minutes of the Court of Assistants, is as follows:

The copie of the Counsells order sett downe touchinge
Stafford · die Dñce · 10 Sept^o 1598.

Sunday · At y^e Court at Grenewiche the 10. of September
present ·

.L. kep	.L. Buckhurst
.L. Admirall	m ^r . Comptroler
.L. Chamblen	m ^r . Secretary
.L. North	S ^r . Io. ffortescue

It is ordered by their llp vppon the hearinge of the cause betweene Symon Stafford and the Company of Stationers · That

1. Appendix D, p. 174.

2. On April 6, 1597, Battersby had purchased Francis Flower's patent, which, as we have seen, included the *Accidence* (39 Eliz., Part 10, and cf. also McKerron, *Dictionary*, p. 27).

forasmuche as y^e said Stationers haue offered before their honors to receaue the said Stafford to be of their Cōmunalty and Corporacōn yf he will chaunge hym self from the Company of Draps whereof he nowe is. and to procure him to be admitted a maister printer accordinge to the Decree of the hon⁹able Court of Star-chamber of the 23 of Iune 1586. Therefore the said Stafford shall Desiste from erectinge any printe and shall not vse the same as a maister printer vntill he shalbe admitted & made a ffreeman & member of the said Corporacōn of Station⁹s & be elected & admitted A prynter to prynte accordinge to y^e said Decree. And that the sayd Station⁹s for their ptes shall readyly & frely admitt him so to Printe yeilding him self to be of their Corporacōn as aforeseid

Concordat Cū originali

Sic signatur ·
originalis
Copia · /

Ex^r · per · Th · Smithe ^r

Having settled that Stafford should be translated, the Stationers' Company ordered his press and letters to be returned to him. The ceremony, which is described in the minutes of March 5, 1599, must have been rather impressive, for much formality entered into the proceedings:

5^{to} marcij

At a court holden this day ·yt was concluded that Symon Stafford, accordinge to my lord[e] kepers order shall haue his printinge stuff Redeliu⁹ed vnto him w^{ch}e was seised in or about the begynnyng of marche 1597 /8 w^{ch}e Redeliu⁹y is made in respect of the said order and that he hathe accordinge to the same entred into bond to her ma^{te} vse in thoffice of the starre chamber [not] to printe [*nothinge*] Contrary to the decrees of that Court.

W^{ch}e Printinge stuffe Were Redeliu⁹ed vnto him accordingly the xijth day of march 1598 /9.

viž ·

All the letters, and partē of a printinge presse, and all the rest of the goodē and stuffe whiche Were seised, and brought from the

1. Greg, *Records of the Court*, p. 64.

said Symon Stafford by vertue of the decrees of the starchamber or otherwise

Receuyed by me *Simon Stafford* accordingly.

Witnesse[s] hereof

Ri: Collins

present at the doinge hereof

m ^r newbery · m ^r	} wardens	m ^r watkins
m ^r Binge		m ^r dawson
m ^r ponsonby		m ^r man / ^r

Simon Stafford clearly won his battle against the Stationers' Company, for he was admitted as a freeman to their fraternity on May 7, 1599, without payment of the high fee usually demanded of those who were translated from one company to another.² This solution was eminently satisfactory to both parties, and might well have been arrived at without involving Stafford in an acrimonious law-suit. However, as we have observed, the struggle for supremacy between stationers and drapers was the primary motive in the whole affair.

After Simon Stafford's position had thus become regularized, his troubles were at an end. On November 5, 1599, he joined in a profitable transaction with Edward Venge to print the *patheway to learne to write & Read wrytten hand*, a book which had been entered as Venge's copy a short time before.³ In 1600, aided by a Lady Stafford, he erected a house,⁴ and from that time onward made numerous entries in the Register. His copies consisted, in the main, of pious works—many of them attacks on

1. Greg, *Records of the Court*, p. 68.

2. "7 Maij, 1599: Symon Stafford Sworne and Admytted A freeman of this Company beinge orderly putt ouer from the Companye of Drapers to this Companye . . . [no sum stated]" (Arber, *Transcript*, II, 723).

3. Greg, *Records of the Court*, p. 75.

4. Arber, *Transcript*, III, 703. More than likely this reference is to the wife of Sir Edward Stafford, whose good offices in behalf of Simon have been noted before.

popery.¹ Although Stafford was accepted without reserve, an entry in the Register, under the date of December 14, 1604, shows that the wardens were still a little uneasy with regard to material touching on the *A.B.C.*

Symon Stafford: Entred for his copy vnder thandes of the Wardens. A booke called *the Keye of Distinction conteyninge sundry brief rules and observations to teache the vnskilful to reade &c with certen rules of numeracon annexed &c.* But this entrance is vppon this condicon that he shall neuer prynt *the A.B.C.* with yt to the hinderance either of *the prymer* or *the spelling A.B.C.* yf he doo contrary herevnto Then this entrance to be void.²

Stafford occupied himself with printing and publishing until 1626, as many entries prove. After that year, however, his name appears only in assignments to other stationers, from which it is evident that with increasing years he retired from active business. In Sir John Lambe's notes,³ made in 1635, the statement occurs that George Purslowe "succeeded Simon Stafford about 5 yeeres since [i. e. 1630]," but in another place an abbreviated line is found, apparently to the effect that Purslowe bought Stafford's printing-house in 1614.⁴ In view of the evidence in the Register, however, the latter memorandum must be erroneous. Simon Stafford was alive on September 4, 1632, when he assigned two sermons to Henry and Moses Bell;⁵ after that date nothing more is known of him.

With regard to the second objective of the stationers in their suit against Stafford and Barley, ample evidence is found that the company was successful. From the archives

1. Arber, *Transcript*, III, 216, 217, 218, 314, 385, 403.

2. *Ibid.*, p. 278.

3. Lambe was strongly opposed to any freedom of the press, and in his inquiries preliminary to the Star Chamber decree of July 11, 1637, he collected much important information concerning the printing-trade. His material is in the form of rough notes, which are available in Arber, *Transcript*, III, 699-704.

4. Arber, *Transcript*, III, 701, 703.

5. *Ibid.*, IV, 285.

of the Drapers' Company¹ it may be noted that, between 1600 and 1602, no less than fourteen members were translated to the Stationers' Company. These men, like Simon Stafford, were engaged in the book-trade, and were, no doubt, well satisfied to make the change, although, to other crafts in London, the relinquishing of ancient rights conferred on freemen by the custom of the city must have been particularly galling. By establishing a monopoly in the printing-trade,² the stationers had won a clean-cut victory over the drapers in this particular instance, but elsewhere the gild system was rapidly breaking down under the advance of new ideas.

The third aim of the trial — that of protecting John Battersby's patent — did not result in any great triumph for the forces of law and order. From Stafford's bill of complaint we learn that ten or eleven thousand copies of the *Accidence* had been surreptitiously printed,³ while only four thousand were recovered from Roger Pavier's house on March 13, 1598. Evidently the journey of Edward Venge through the counties culminated in the sale of the remaining six or seven thousand copies.

As far as records go, Barley and Stafford seem to have

1. Repertory H, fols. 51a, 293b; Wardens' Accounts (1603-04), fol. 11a, and see also Arber, *Transcript*, II, 725, 726.

2. The influence of the Stationers' Company in civic affairs at this time was very great, as the following entry in the London County Council letter-book shows:

"At this Court was read a petition of the Mr, Wardens and Assisstante & Comūnalty / of the Staconers London for suppressing of Hawkers who do openly cry about the / strete small pamphlette. Whereupon it was thought fitt and soe ordered by this Court / that an act as is desired by the said Staconers be drawn by aduise of their / Councel, to be presented to the Com Councell" (Letter book of the London County Council, QQ fol. 876, Journal 40).

3. "This Examine sayeth that one Edward venge of golding lane in the pish of S^t Giles wthout Creplegate and Willm Barley and Thomas Pavier of S^t Peters pish in Cornehill London have printed and sold or Cawsed to be printed and sold tenne or xi thowsand bookes Called Accidence sithence the xxiiith day of August last [1597] in Contempt and Contrary to the sayd order and decree" (Appendix D, p. 167).

cleared themselves of the accusation brought against them; indeed, the chances are about even that they were innocent of any direct connection with the pirating of the *Accidences*. It will be remembered that Thomas Pavier's evidence assigned the printing of the books to Walter Venge and John Danter. Thomas maintained that he merely stitched certain of the copies for the use of Roger Pavier, in whose house they were found.¹ No punishments are recorded for any of the men in question, nor for Edward Venge, who on his return from the country made two entries in the Register, as if nothing out of the ordinary had happened.² From the fact that Thomas Pavier was admitted a freeman to the Stationers' Company by translation, and four years later took livery,³ it may be presumed that his offense was also condoned.

While the absence of definite records does not necessarily mean that the offenders were unpunished, it is surprising that John Danter's name does not appear somewhere in the minutes of the court. The stationers were in the habit of dealing severely with the incorrigible members of their craft, and Danter's record was such that he normally could not hope to escape punishment for any offense committed against privilege. The son of John Danter, a weaver, from the town of Eynsham, in Oxfordshire, he was born probably about 1567. As an apprentice to John Day he was bound for eight years from September 29, 1582, but in 1588, by the consent of Day's widow (then Mistress Stone), he was transferred to Robert Robinson.⁴ During his apprenticeship Danter became involved in the pirating of

1. The act of printing the *Accidences* was, of course, a more serious offense than stitching, binding and exposing them for sale, for a bookseller might easily purchase unbound copies without the knowledge of their illegal origin. However, in view of the accurate information which was furnished at the trial, one cannot feel that the Paviers were ignorant of the source of their supply.

2. Arber, *Transcript*, III, 146.

3. *Ibid.*, II, 725, 875.

4. *Ibid.*, II, 114, 151.

Richard Day's *Grammar*, and by order of the wardens of the Stationers' Company was forever barred from becoming a master-printer.¹ Luckily for him this sentence was modified a year or two later, and after his admission as a freeman on September 30, 1589, he entered into partnership with William Hoskins and Henry Chettle. Evidently the alliance was not particularly successful, for late in 1591 Danter set up a press for himself at Duck Lane, near Smithfield, where he busied himself in printing ballads and other works of a similar nature.

Danter was unable to keep out of trouble, however, and on March 3, 1593, a warrant was sworn out for his arrest.² What his fault was, it is impossible to say, for no evidence has turned up to explain his seizure. Possibly he was merely haled into court for disorderly printing or the publication of some scurrilous ballad.

On February 6, 1594, John Danter "Entred for his Copeye vnder thandes of bothe the wardens a booke intituled *a Noble Roman Historye of Tytus Andronicus*,"³ thereby burdening himself with a new phase of piracy. Probably the wardens would not have recognized his act as such, for the book was entered fairly in the Register, and a mere author had no rights in the matter.⁴ When the ful-

1. Cf. *ante*, p. 88.

2. Arber, *Transcript*, I, 561.

3. Arber, *Transcript*, II, 644.

4. When the author of a play had sold his manuscript to the manager of the playhouse, his interest in the transaction generally ceased. In most cases the theatrical authorities endeavored to keep plays away from the printers, feeling that publication might injure the receipts of the theatre. However, in the absence of any law protecting the property-right of author or manager, plays were sometimes published without the sanction of the owners. As an illustration of the situation, we observe Philip Henslowe, in 1599, offering — in order to effect the abandonment of publication — a bribe of £2 to a publisher, who had secured a playhouse copy of *Patient Grissell*, by Dekker, Chettle and Haughton (cf. *Henslowe's Diary*, p. 167, as quoted in Sidney Lee's *A Life of William Shakespeare* (London, 1908), p. 49 n.). It must not be supposed, however, that authors or owners were entirely helpless with regard to their literary property. For a further discussion of this point see A. W. Pollard's *Shakespeare Folios and Quartos* (London, 1909), pp. 1-12.

minations of the Star Chamber and the restrictions of the Court of Assistants over the matter of grammars and accidences are considered against the quiet significance of this entry, the irony of the situation leaves one without words.

In 1596, Danter got himself into serious trouble over the printing of a Roman Catholic devotional book called *Jesus Psalter*. For this offense he was jailed, and his press and letters were destroyed.

x^o die Aprilis 1597 anno 39 R. Elizabethæ

present m ^r Harrison	m ^r	m ^r	Bysshop	m ^r Bynge
m ^r Stirrop	} wardens		m ^r Coldocke	m ^r Cooke
m ^r dawson			m ^r newberye	m ^r Man · /
			m ^r Cawood	

Whereas there were latelie in lent last found in the house of Iohn Danter Two printinge presses and certen letters pica, and pica Roman, and other sorte of letters in fourmes and cases, wth were employed in printinge of a booke called Iesus psalter, and other thinge without auctoritie, which presses and letters were by vertue of the decrees of the starre Chamber seised and brought to the Stacioners hall wth certen leaves of the said booke / Yt is nowe, accordinge to the said decrees ordered in full Court holden this daye, that the said presses and lres shalbe defaced and made vnserviceable for pryntinge, as the said decrees in suche cases appointe.¹

Like his other disreputable friends, John Danter was not only a trouble to the stationers, but also a considerable expense. On this occasion the wardens laid out twelve shillings, eightpence for fetching him from the Counter, bringing his press to Stationers' Hall and journeying to Lambeth to report his capture.²

In spite of the seizure of his press Danter managed, at some time during the year 1597, to print a pirated edition of *Romeo and Juliet*. An examination of the quarto shows

1. Greg, *Records of the Court*, p. 56.

2. Arber, *Transcript*, I, 580.

that it was set up with two distinct fonts of type, the first worn but readable, the second in a much worse condition. Plomer remarks of the copy that "never was a masterpiece ushered into the world in a worse manner."¹ This printing of *Romeo and Juliet* shows that Danter had succeeded in procuring another press. If such evidence were not at hand, the truth of Thomas Pavier's statement concerning the printing of the *Accidences* might be more open to question. However, until a copy of the pirated grammar has been identified as coming from this press of Danter, we shall not know whether to assign the printing to him or to Simon Stafford.

John Danter's part in pirating the 10,000 copies of the *Accidence* has already been discussed, but his punishment has been left in doubt. From the fact that "widow Danter," on December 24, 1599, made an assignment of a book to William White² it is probably accurate to say that his death occurred sometime in 1598, very shortly after the conclusion of the Star Chamber case. As a book-pirate Danter was notorious, and the Stationers' Company were not likely to overlook his latest breach of their laws; therefore, when we fail to find any record of his offense, it is reasonable to suppose that if guilty he was beyond reach of earthly punishment before sentence was passed on him.

It is also surprising that the company did not follow up Edward Venge after his return from the country, for his activities were well known to the wardens. Always opposed to the privileged members, he was in trouble with the authorities on several occasions over violation of the patentees' rights. On September 1, 1595, he was ordered to bring into Stationers' Hall "all suche leaves as are printed of the second Impression of *the Catechisme* aboueseid / to be ordered and disposed as the next court shall determine / And that he shall neuer meddle with the printinge sellinge

1. *The Library*, 1906, p. 153.

2. Arber, *Transcript*, III, 153.

byndinge or stytchinge of the same or any parte thereof / Also he agreeth to performe this order and the order that the next court shall sett downe herein." ¹

In spite of this solemn warning, Edward Venge was caught during the following year with a secret press "by Bisshopps hall in the countye of miðd̄ (i. e. Middlesex)." ² This time the wardens showed him no mercy, as the following judgment indicates.

xiiiij^{to} die Marcij 1596 (/7) · Anno 39 R̄ie Elizabeth.

fforasmuche as Edward Venge and his complices Erected and vsed a printinge presse by Bisshopps hall in the countye of miðd̄. And withe the same prynted. prymer. Catechismes, and Almanacke contrarye to her maiesties prohibicōn and the decrees of the starre chamber. whiche presse with certen pica and Romaine, Englishe, and other letters, and certen printed leaves of the prymer to the quantitie of 4 or 5 Reames, were found there and seised and brought to Stacioners hall accordinge to the said decrees, on the viijth daie of this instant march 1596 · Ytt is therefore ordered att a full Court holden this 14 of marche 1596. Thatt accordinge to the said decrees the said presse and l̄res. shalbe sawed in peece melted and defaced and made vnseruicable for pryntinge / ³

What effrontery to print pirated catechisms on the property of the good Bishop of London! And no doubt the impression confiscated the previous year came from the same place.

On October 19, 1601, Venge was again before the Court of Assistants, where he was "inioyned by them to desist henceforthe from printinge the pathway to learne to wryte & Read Wrytten hand: with the ·A·B·C·: contrary to her

1. Arber, *Transcript*, II, 824.

2. Plomer has identified Bishop's Hall, or Bonner's Hall as it was sometimes called, as a house which formed part of the manor of Stebenhuthe (Stepney), granted by Richard II to the Bishops of London. "A Secret Press at Stepney in 1596," *The Library* (July, 1903), pp. 236-242.

3. Greg, *Records of the Court*, p. 56.

ma^{te} p^{ri}uilege & l^{es} p^{re} graunted to Ric[hard] Daye w^{ho} were here shewed vnto him /”¹ It is to be hoped that the sight of Day’s patent had a good effect on Edward Venge, but whether for this cause or on account of other reasons, his irregular activities ceased, and, in consequence, little more is known of him. The last entry bearing his name occurs on December 2, 1605; after that no evidence is available until — on March 15, 1615/6 — we find his widow entering one of his old publications.²

Of Walter Venge, the other culprit in the actual printing of the *Accidences*, little is known. Possibly he was brother to Edward, or at least some relation. By calling he was a grocer, although he followed the trade of bookselling and printing from 1584 until 1598, as the mention of him by Simon Stafford and Thomas Pavier indicates. That he was an irregular member of the printing fraternity is proved by his connection with the Stafford case, and by the fact that he made only two entries in the Register between the dates just cited.³ Luckily, an entry in the minute-book of the Grocers’ Company, for July 23, 1585, gives us a clue to the whole situation.

Vpon humble suit of Walter Venge agreed that he shall be released from this Company and set ouer to the Stationers.⁴

Unquestionably Walter Venge was one of those unfortunate men trained as a printer, but owing allegiance to the grocers’ gild. From the absence of any entry in the stationers’ records it is certain that he was refused admission to their company, even though the grocers had released him. A man in such a position would inevitably drift into surreptitious printing, unless, like Simon Stafford, he had influence behind him. Venge’s shop was in

1. Greg, *Records of the Court*, p. 83.

2. Arber, *Transcript*, III, 306, 584.

3. *Ibid.*, II, 436, 439.

4. Minute-book of the Grocers’ Company, vol. I, fol. 371, dorse.

Fleet Lane, over against the Maidenhead, but without doubt his real activities lay elsewhere.

Although the punishment of the alleged offenders in this action is in doubt, little can be gained in speculation concerning their actual guilt. The Stationers' Company definitely succeeded in gaining the ascendancy over the Drapers, and by the fulfilment of this desire were clearly content to compound the lesser trouble of the pirated *Accidences*. On the whole, the solution of the difficulty of divided allegiance "by translation" was both wise and prudent; for the gild system, under the national advance in power and enterprise, was rapidly becoming outworn and inoperative.

CHAPTER VII

Conclusion

WITH the conclusion of Simon Stafford's case, the investigation of irregularities in the printing-trade during Elizabeth's reign comes to an end. It remains, therefore, to review briefly the situation as a whole, and to draw certain conclusions from the evidence presented.

Three questions naturally arise in connection with the subject. Why did piracy break out in such a virulent form during the latter half of the sixteenth century? Why did surreptitious printing persist for so long a time in spite of the most determined efforts to prevent it? And finally by what means was the situation brought under control?

In the first place, the chief cause of extensive book-piracy lay in the crushing monopoly established by the privileged few, to the detriment of the great body of printers. Supported as this economic situation was by all the resources of the Stationers' Company, the London authorities, and the laws of the realm, acute social unrest was the immediate result; for the offenders against the patentees, goaded by lack of opportunity and poverty, created a new class of petty criminal, disturbing to the forces of law and order, and a continual embarrassment to the more conservative members of the fraternity. For this troubled condition of affairs Elizabeth was largely to blame. Even though she granted letters patent to certain of her favored subjects — as she had an inherent right to do — the immediate disorders caused by this unwise policy should have been an unmistakable warning to her to abandon such ill-advised methods of showing favor. The exclu-

sive right to print law-books, for instance, should no more have been allotted to a single individual than the sole privilege of making bread. In other words, the printing-trade was not, and never has been, a natural monopoly. Elizabeth's prodigality in issuing letters patent may be compared to the act, some years later, of Charles I, when he granted to the Massachusetts Bay Company a portion of land in America between two designated parallels of latitude extending from the Atlantic coast westward to the Pacific Ocean.¹

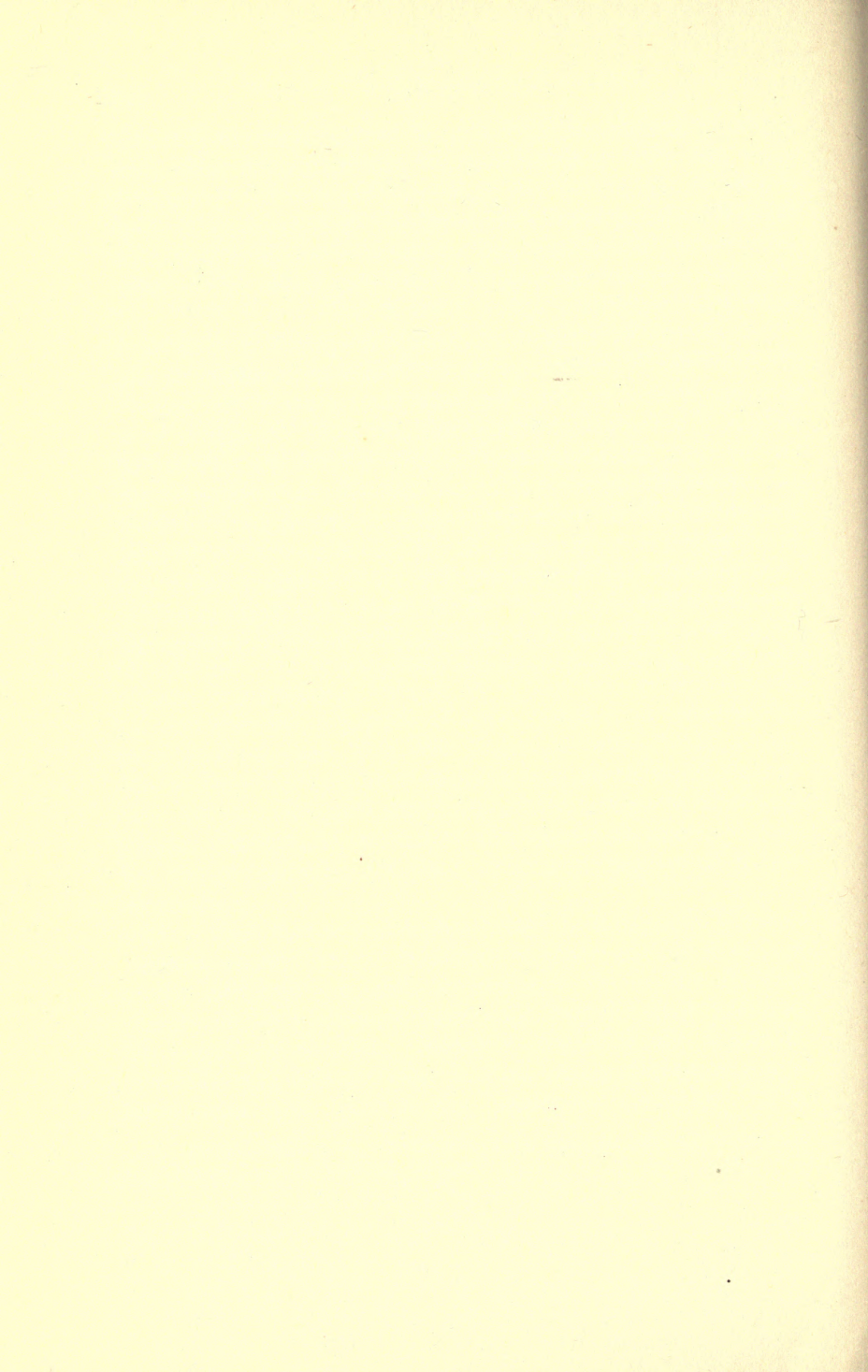
The long continuance of book-piracy clearly resulted from unwise methods of attempting to curb the evil. That England was torn by religious unrest and endangered by serious threats of foreign invasion may perhaps explain the situation in part, but the fact remains that a grave error in policy was committed by the queen and her council when they attempted, by increasing severity of legislation, to wipe out the sporadic epidemics of piracy which were rife throughout the land. History does not record any instances of permanent success by means of oppressive laws, for the essential injustice of legal tyranny invariably defeats its own aims. One sees today, in other fields, a tendency toward this type of repressive governmental regulation, but it is doubtful whether such methods will have any greater measure of success in the twentieth century than did the severity of the Star Chamber decrees of Elizabeth's time.

How then was the situation finally controlled? The immediate answer to the question — especially with regard to the limitations of this discussion — lay in the decisive victory of the Stationers' Company over the rival crafts, as illustrated by the Star Chamber case of Simon Stafford. It will be remembered that in 1600 many men were translated from other guilds to the Stationers' Company. The

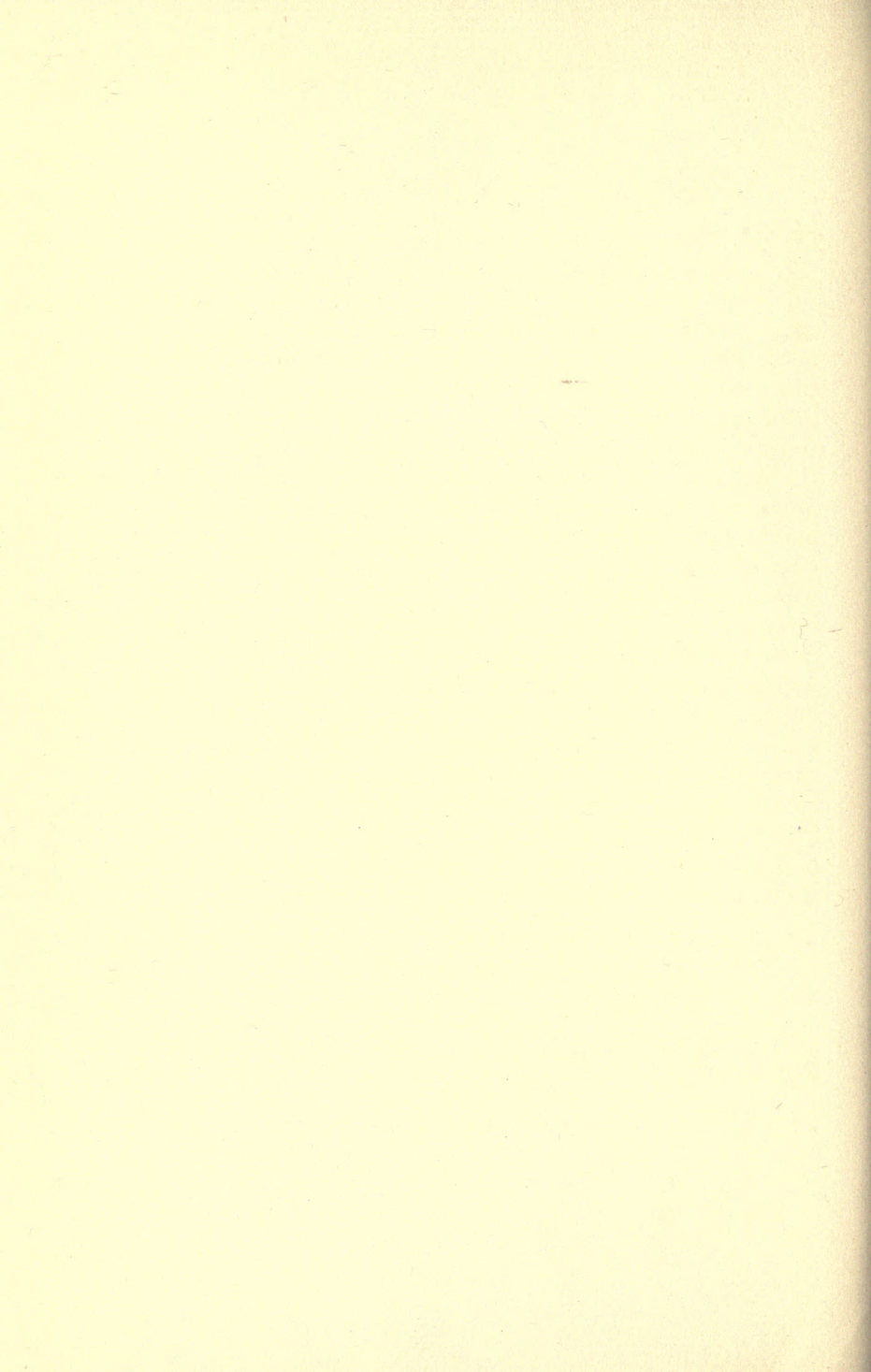
1. *Records of the Governor and Company of the Massachusetts Bay in New England* (March 4 and 14, 1628/29), I, 3-19.

subsequent diminution of attack on special privilege thereafter can only be attributed to wise and reasonable procedure on the part of the governing body of the stationers. With the inclusion of all those in the book-trade under their supervision, the master and wardens were able to work out a satisfactory solution, within their own order, of the difficulties and problems which beset them.

No history of English literature is complete without a study of the humbler and more irregular members of the printing fraternity, for they have their place in the preservation of our most enduring monuments. Though it be a far cry from the necessity which lay behind the pirating of grammars and accidences to the sincerity of purpose which brought forth Milton's *Areopagitica*, yet the germ of freedom existed in both concepts. If the so-called "notorious book-pirate" was instrumental at all — even by his transgression of existing laws — in advancing the freedom of the press, he may perhaps be forgiven the material wrongs inflicted on his more prosperous brethren.



APPENDICES

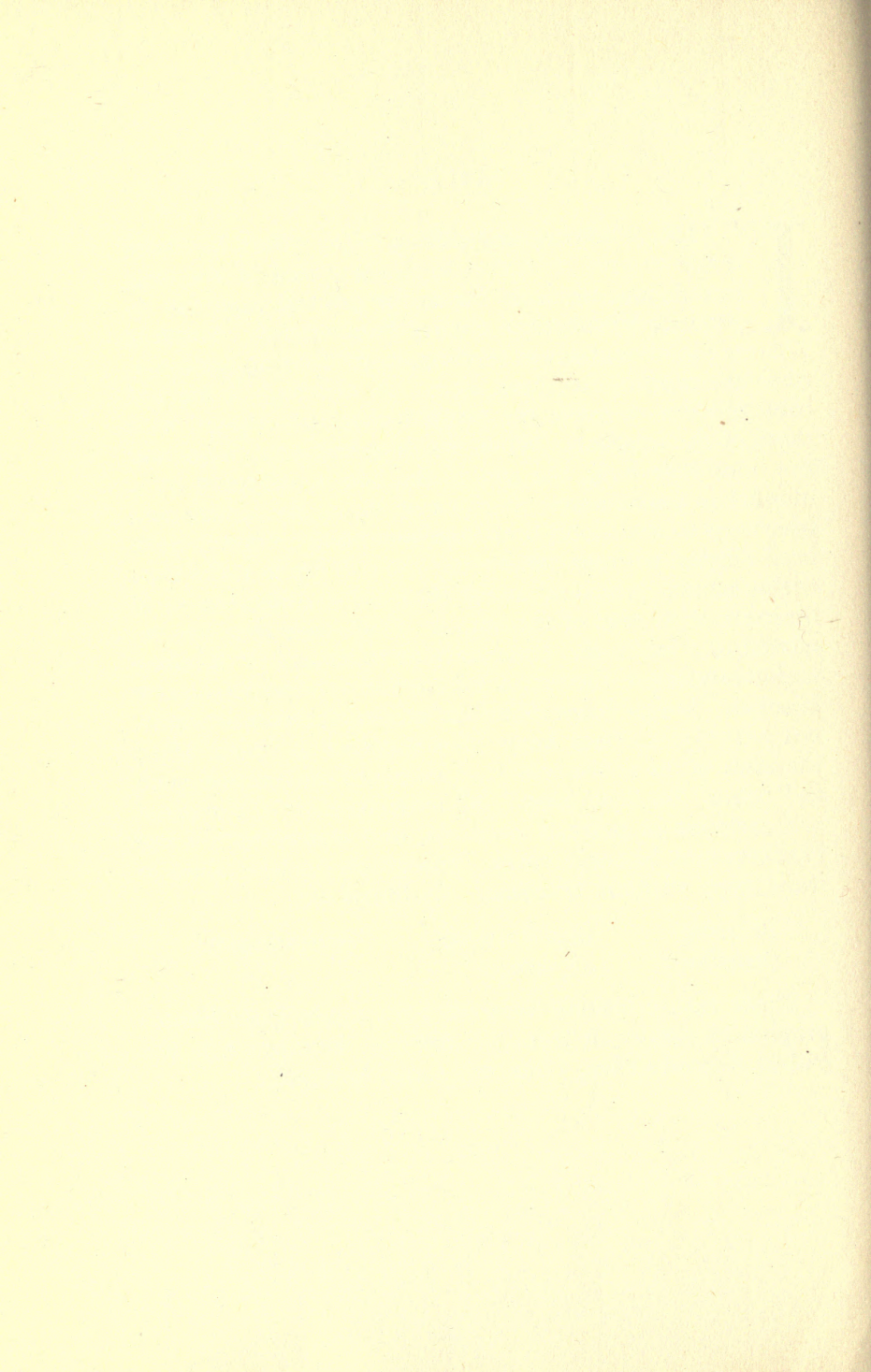


NOTE

IN THE following appendices every effort has been made to give an accurate transcription of the original documents in so far as the printed page can reproduce Elizabethan cursive handwriting. Absolute accuracy in all matters of spelling, word-division, punctuation and capitals has been aimed at, although it has not been possible to make the printed pages correspond with those of the originals. When the documents are large and the lines very long, the end of the line is indicated by a number in parentheses. Because of the many cancels and insertions all additions, both interlinear and marginal, have been aligned without comment. Cancels are in italic type within square brackets, unless they are so numerous as to interfere with ease of reading, in which case they are removed to a footnote. Emendations necessary for a better understanding of the text are in roman type within square brackets. Insignificant deletions and small errors are omitted entirely. Letters have been supplied in italics when the haste of the scribe caused an awkward contraction, such as "prntg" for "printing." All mutilations in the original are enclosed in pointed brackets, and letters within the brackets may be conjectural. Autograph signatures are in italic type without brackets. To illustrate:

<i>printing</i>	⟨mutilations⟩	[emendations]
[<i>deletions</i>]	<i>signatures</i>	

These transcriptions have all been made from photographic facsimiles or from the original documents in the Public Record Office, Chancery Lane, London.



APPENDIX A

Star Chamber Elizabeth D 28/7

DAY ET AL. vs. PONSONBY ET AL.

I. Bill of Complaint

To the Queenes moste excellent Ma^{tie}

Moste humbly shewethe vnto Yo^r excellent Ma^{tie} yo^r faithfull and obediente Subiecte Richard Daye Edwarde White William Wrighte Thomas Butter Iohn (1)^r Wolfe and ffrauncis Adams Cittizens and Stacion^{rs} of yo^r Ma^{te} Cittie of London That wheras in the eighthe Yere of yo^r Ma^{te} moste graciouse raigne, emongste other (2) thinge in Yo^r high and moste honorable Courte of Sterr Chamber it was decreede thate Noe pson shall Sell vtter putto sale bynde Styche or Sowe, any (3) Booke or Coppies printed or to be printed contrary to any Ires Patent^e or Ordin^{nces} passed or sett forthe or to be passed or set forthe by yo^r moste excellent Ma^{te} (4) Gra^{nte} Comission or aucthority vppon payne of fforfaiture of all suche booke and Coppies, and for eu^{ry} booke twentie shillinge As by the saide decree remayninge (5) in the saide Courte (emongste other thinge it dothe and maye at large appeare And Wheras also yo^r Ma^{tie} by Yo^r graces Ires Patent^e vnder Yo^r broade Seale (6) of Englande bearinge date at Gorchambury the six and twentithe daye of Auguste in the Nynteenthe Yere of Yo^r Ma^{te} moste graciouse raigne did of yo^r especiall (7) grace certaine knowledge and mere mo^{con} graunte and give Licence and Priuiledge vnto Iohn Daye, and Yo^r saide Subiecte Richarde Daye, and to the longer liver (8) of them for Terme of their lives, and to the Assignes of them and either of them to ymprinte or Cause to be ymprinted the A. B. C. wth the little Catechisme (9) appointed by Yo^r Ma^{te} Iniunctions for the Institu^{con} ² of Children, Straightly Charginge and fforbiddinge by Yo^r saide Ires Patent^e All and singular Yo^r (10) Subiecte as well Printers and booke-sellers As also all other psons wthin Yo^r Realme and Dominn^{ons} that none of them Whatsoever duringe the lyves of (11) Yo^r saide Subiecte

1. Numbers in parentheses indicate line references in the MS.

2. I.e. Instruction.

John Daye and Richarde Daye, Or the longer liver of them, in any wise ymprinte or Cause to be ymprinted the saide A. B. C. (12) wth the Litle Catechisme in englishe, or the same so printed contrary to Yo^r Ma^{te} saide Ires Pattent^e of Licence and Priviledge shall Sell put to (13) sale Sowe Stiche or bynde, or Cause to be soule vttered or putt to Sale sowed Stiched or bounde beinge printed or to be printed by any other, then (14) the saide Iohn Daye and Richarde Daye or either of them or the assignes of them or either of them vppon payne of Yo^r Ma^{te} highe Indignaçon (15) and that every offendor contrary to the effecte and meaninge of yo^r Ma^{te} saide Ires Pattent^e, shall forfait to yo^r Ma^{te} vse fforty shilling^e of lawef^{ll} (16) mony of Englande for eu^y suche booke or book^e or any pte of them so to be soule vttered or put to sale Stiched Sowed or bounde contrary to the (17) meaninge and effecte of yo^r Ma^{te} saide Licence and priviledge, and shall also abyde suche Penalties fforfaitures Punishm^{te}, and order of bonde As by the Decrees (18) before mencōned is expressed As by Yo^r Ma^{te} Ires Pattent^e emongste diu^s other thinge more at large it dothe and maye appeare After W^{ch} Ires Pattent^e (19) so by Yo^r Ma^{tie} Graunted as aforesayde The saide Iohn Daye is deceased, and yo^r saide Subiecte Richarde Daye by his sufficiente deede Indented bearinge (20) date in the six and twentieth yere of yo^r Ma^{te} raigne Hathe nominated and appointed the residewe of yo^r saide subiect^e that is to saye, Edward Whyte (21) Wiltm Wrighte Thomas Butter Iohn Wolfe, and ffrauncis Adams to be his assignes, and Deputies for the executinge of yo^r Ma^{te} saide Ires (22) Pattent^e Whoe p^rsuminge that they shoulde quietly and peaceably enjoy the benefit of yo^r Ma^{te} saide Graunte have to their greate Cost^e expences, and (23) Charges made p^rvision for all thinge necessary for the due execuçon of the same But so it is if it please yo^r moste excellente Ma^{tie} that Iohn (24) Harrison thelder Richarde Boyle, and Wiltm Ponsonby Stacion^s. and inhabitinge W^{hin} Yo^r Ma^{te} saide Cittie of London knowinge and vnderstandinge (25) of the Decree aforesaide, and knowinge also of yo^r Ma^{te} saide Ires Pattent^e and of the Content^e of the same, In Contempe of yo^r Ma^{tie} and of yo^r moste (26) Royall Prerogative, and auctoritie, and in contempe also of the saide Decree made in that behalfe have for the space of one Yere nowe laste paste (27) sondrie and many tymes secretly incurraged diu^s lewde and evill disposed p^rsons to ymprinte greate numbers of the sayde Book^e called the A. B. C. wth the (28) litle Catechisme in englishe so graunted as aforesayde by yo^r Ma^{te} saide Ires Pattent^e vnto yo^r saide Subiecte Richarde Daye and his assignes, and the (29) same book^e so printed contrary to yo^r Ma^{te} expresse Comaundem^{te}, and well knowne so to be by the saide Iohn Harrison the elder Richarde Boyle and Wiltm (30) Ponsonby they the saide Iohn Harrison Richarde Boyle and Wiltm

Ponsonby have notwithstandinge put to sale w^hin the space of one Yere nowe (31) laste paste as aforesaide the number of fifteene Thowsande of ye saide Booke (that is to saye) either of them have vttered put to sale bounde Stiche or Sowed (32) the number of five Thowsande of the saide booke, to the greate Losse and hindraunce of yo^r saide Subiecte and to the evill example of all others insomuche (33) that excepte yo^r moste excellente Ma^{tie} wth the advyse of the Righte honorable the Lord of yo^r privie Counsaile sittinge in the saide highe (34) Courte of Sterr Chamber doe take some speedye Order for the punishm^{te} of the sayde offenders accordinge to the decrees aforesayd the saide Contempeose (35) and disobediente psons, together w^h diu^s suche others as themselves ar will not refraine to attempte the breakinge of all other Yo^r Ma^{te} Comndem^{te} (36) contayned in any the lyke yo^r Ires Pattente, to the defacinge of yo^r Ma^{te} princely Prerogative in that behalfe and to the vtter ou⁹throwe of the (37) saide science of Printinge In tender Consideraçon of the p^rmise⁹ Maye it please yo^r moste excellente Ma^{tie} to graunte vnto yo^r saide Subiecte Yo^r moste (38) graciouse writt of Subp^a to be directed vnto the saide Iohn Harrison thelder Richard Boyle and Willm Ponsonby therby Comaundinge them and (39) eu⁹y of them at a c⁹ten daye and vnder a c⁹ten payne therin to be limited psonally to appere before yo^r moste excellente Ma^{tie} in yo^r saide moste (40) Highe Courte of Sterr Chamber then and ther to answer to the p^rmise⁹ and to resceive and have suche punishm^{te} for their saide Contempte (41) in that behalfe As by the sayd decree and by the lawes and Customs of this Realme they oughte to have And yo^r saide Subiecte accordinge as they ar of dutie bounde (42) shall dayly praye vnto almightie god for Yo^r moste excellente Ma^{tie} in Peace, Healthe, quietnes and moste Royall estate longe to Raigne. / (43)

R. Grafton

II. Answer of William Ponsonby

Iur iiij ffebr A^o
RRe Eliz xxiiij
Marshe

The answer of Willm Ponsonby defend^t to the Bill of compleint of Richard Day Edward White Willm Wright Thomas Butter Iohn Wolfe and ffraunce Adams compl^{te}

The advauntage of excepçon to the incertentie and insufficiencie of the said Bill of compleint and of the matters therin conteyned to this defendaunt at all tymes here after saved The (1) said defendaunt then for

answere therto saiet̄h that he havinge heretofore served as an apprentice to the art or misterie of pryntyngē or of beinge a Stacioner & havinge sithence (2) his terme of apprentishippe expired painefully laboured & travailed wherin he could by all honest meanes and accordinge to the dutie of a good & faithfull Subiect to gett his lvyngē by (3) such art & mistery as he hath bene trayned vp in and hopinge that he havinge served accordinge to her Ma^{ties} lawes and the custome of the city of London might after his apprentishipe (4) ended have bene suffered to have occupied the said trade & mistery wherin he hath bene trayned vp frely and w^howt any manner of contradiction for & towardē the mayntenance of (5) him selfe & family as other her Ma^{ties} Subiectē have done in the same & the like trades & misteries And therfore this defendaunt thinkinge it lawfull for him to trade & exercise the said (6) mistery & facultie in respect of his apprentishippe & educaçon therin & by reason of the auncient customes and liberties of this realme beinge the inheritance of her highnes Subiectē (7) and by force of the statut made for artificers in the fiveth yeare of her Ma^{ty} reigne hath therfore w^hin the tyme lymtyed in the said bill of compleint hopinge to inioye that (8) benefitt that others have done vttered put to sale bound & stitche a certen number of bokē called the A. B. C. the certentie wherof he doth not remember w^h bokē of (9) whose pryntyngē they were he then knewe not, nor sithence but by report, this defendaunt kepinge an open shoppe in the city of London hath bought for his ready mony of such as (10) have brought the same into his shoppe to be sold as it was lawfull for this defendaunt to do professinge a Stacioners trade when others w^h have not bene brought vp (11) in the said trade or mistery do at ther pleasure the like in vttering almost infynyte numbers therof w^howt any reprehension w^h this defendaunt did as a cōmon thinge (12) vsed w^hin the city of London not knowinge nor vnderstandinge of the said supposed decre nor yet that such letters patentē were graunted to any but by report but this defendaunt thought and (13) yet is pswaded that it was & yet is lawfull for him to buy and vtter the said bokē by the lawes and customes of this realme w^h his buyenge vttering and sellyngē of the said (14) bokē was not done by this defendaunt in contempt of her Ma^{ties} prerogative nor of her highnes said decre mencioned in the said bill of compleint as the said compleynantē (15) do most vntrewly surmise for this defendaunt saiet̄h that at the tyme of the sellyngē and vtteringē of the said bokē he did not knowe nor vnderstand of any such decre (16) as in the said bill is mencioned And therfore if thorough the ignorance of this defendaunt he hath done any thinge contrary vnto the said decre (if any such be) he most humbly submitteth (17) him selfe to the grave consideraçon of this most honorable court hopinge in that he hath not

wilfully opposed him selfe against the same nor that the same was (18) notoriously published (as penall lawes many tymes be) though they be inacted by pliamēt, that the Subiecte may the better take vnderstandinge of them & avoid (19) the penaltie of them that therfore his offence therin (if any be) is the more easie to be p̄doned And hopeth that he hath not offended her Ma^{ties} letters patentē (20) [*ther*] therin for albeit that this defendaunt hath put to sale certen of the said booke yet neither did he him selfe imprynt the same nor to his knowledge bought them of any that (21) did imprynt them And as vnto the force and validitie of the said letters patentē prohibitinge all her Ma^{ties} Subiecte other then such as be licensed by the said letters (22) patentē to prynt or cause to be imprinted the said A. B. C. or litle cathechisme this defendaunt therto saieth for so moche as the same is a matter w^{ch} concerneth her (23) highnes roiall prerogative he humbly referreth him selfe to the consideraçon of this most honorable court verely pswadinge him selfe that how farre soever her (24) Ma^{te} prerogative doth extend in this behalfe yet that her princely pleasure is not (if the grieffe here of were well knowne to her most Excellent highnes that (25) the private comoditie of some fewe pticuler p̄sons & some of them such as were never brought vp nor trayned in that mistery shold be hurtfull to the comon wealthe (26) or worke the vndoinge of a great number of her dutefull Subiecte w^{ch} have no other trade to lyve by [*w^{ch}*] nor were brought vp in no other callinge therby to aduance (27) and inritche a fewe & by that meanes to take away the trade of lyvyngē of a great multitude w^{ch} were a decay to her highnes comon Wealthe & to ther owne (28) vtter vndoinge This defendaunt therfore doth most humbly pray that by order in this most honorable court he and others trayned vp in the said facultie may (29) notw^hstandinge the said decre and letters patentē be suffered to imprynt the said booke & to vtter and sell the same at ther pleasure as in former tymes it (30) hath bene vsed & so moche the rather bycause that he from his youth hath bene brought vp taught and instructed in the said mistery wthhowt the w^{ch} he & (31) a great number of others can not be able to lyve not knowinge els how to imploy them selves And towchinge the patentee if he fynde him selfe if he be grieved [*proved*] (32) & able to maynteyne his graunt in such sort as may therby forbarre and w^hdrawe from this defendaunt and others ther trade and lyvyngē that then [*they*] he do comence (33) such sute as by the comon lawes of this realme he may in that respect do And further this defendaunt saieth that he hath not in any respect encouraged any (34) lewd or evill disposed p̄sons in contempt of the said decre or of her highnes royall prerogative to imprynt any of the said booke nor to put any of them to (35) sale contrary to her Ma^{te} expresse comaundement as in the said Bill of compleint is most mali-

ciously objected against this defendaunt All wth matters (36) this defendaunt is ready to averre and prove as this most honorable court shall award And praieth to be dismissed owt of the same wth his reasonable (37) costē charge and expence in the lawe in this behalfe by him most wrongefully susteyned. / (38)

Yelverton Reder

III. Demurrer of William Ponsonby

The demurrer of Willm Ponsonby defendaunt vpon the bill of compleint of Richard Daye, Edward White. Willm Wright, Thomas Butter Iohn Wolfe & ffraunce Adams compleynante

The said defendaunt saieth that for so moche as the said compleynāte have in ther said Bill of compleint alledged, that in the eight yeare of (1) her highnes reigne emongest other thinge in her highnes most honorable court of Sterre chamber it was decreed that no pson shold sell (2) vtter put to sale bynde stitche or sowe any boke or coppies prynted or to be prynted contrary to any letters patentē or (3) ordinaunce passed or sett forth or to be passed or sett forth by her most Excellent ma^{ties} graunt cōmission or auctoritie vpon payne (4) of forfeiture of all such booke & coppies and for every boke twenty shillinge as by a decre remaynyng in the said court (5) emongest other thinge it doth and may more largely appeare by pretence wherof they wold drawe this defendant into contempt (6) charginge him wth the breache of the same presумыnge that any man ought to take knowlledge therof This defendant vpon / (7) like reason saieth the said compleynāte ought likewise to knowe that it was longe after that supposed decre ordered (8) by the auctoritie of her highnes said most honorable court of Sterre chamber and the Lordē of her Ma^{ties} most (9) honorable privy counsell wth order doth still remayne in full force and effect That no manner of pson or psons (10) whatsoever shold from and after the tyme of the said order makeinge exhibit any manner of bill of compleint / (11) into this most honorable court vnles vnto such bill so exhibited ther were subscribed the name of some such (12) as had bene a Reader in one of the fower howses of court And therefore for asmoche as this Bill of compleint (13) now exhibited by the said compleynāte against this defendant into this most honorable court is in contempt of (14) the said order and the auctoritie of this most honorable court exhibited not havinge subscribed vnto the same (15) the name of any such pson as hath bene a Reader in one of the said

fower howses of court but is subscribed (16) wth the name of one R. Grafton who yet never was Reader in any of the same howses This defendant (17) therefore for that cause and vpon other the incertenties and insufficiencies of the said Bill of compleint (18) doth demurre in lawe and demaund iudgement of this most honorable court if he shalbe inforced to make (19) any answer vnto the said bill of compleint And praieth to be dismissed owt of the same wth his reasonable (20) costē charge and expence in the lawe in this behalfe by him most wrongefully susteyned (21)

Yelverton Reder

APPENDIX B

Star Chamber Elizabeth P 5/6

WILLIAM PONSONBY *vs.* JOHN LEGATT ET AL.

I. Bill of Complaint

To the Queenes most excellent Ma^{tie}

Most humbly complayning sheweth vnto yo^r excellent Ma^{tie} yo^r highnes faithfull and obedient subiect William Ponsonby Citizen and Stationer of London That whearas by a Decree made in this yo^r highnes most honourable (1) courte of Starre Chamber the three & twentieth of Iune in the eight & twentieth yeare of yo^r highnes most happie raigne It was amongst other thinge then & their decreed that no person or persons should imprint or cause (2) to be imprinted any booke worke or Coppie contrary to any allowed Ordinaunce sett Downe for the good governaunce of the Company of Stationers wthin yo^r highnes said Citie of London Vpon paine to haue all such presses (3) Ires & instrumente as should be employed or vsed in printing any such bookes or Coppies to be defaced and made vnseruiceable and the offendo^{rs} therein to be disabled for ever after to vse or exercise or take benefite by vsing or (4) exercising of the arte of printing And moreover to sustaine six monethes imprisonm^t wthout baile or mainprise And moreover that every such person as should sell vtter or putt to sale wittingly binde stitche or sowe or wittingly (5) cause to be sold vttered putt to sale bound stitched or sowed any such bookes or coppies whatsoever should suffer three moneths imprisonment for his or their offence As in & by the said Decree doth & may appeare And wheras (6) also amongst divers other Ordinaunces made and sett downe for the good governaunce of the said company of Stationers wthin the said Citie of London the five & twentieth Day of Iune in the yeare of o^{ur} Lo: God one thousand (7) five hundred sixtie & two and according to the Statute in that behalfe made in the Parliam^t holden at westmst on the five & twentieth Day of Ianuarie in the ninetenth yeare of the raigne of yo^r highnes most noble progenitor king Henry (8) the seaventh examined & approved

1. Westminster.

by the then Lord high Thresourer of England and by the then cheife Iustice of either bench for the time being it was ordayned that no man should imprint or cause to be imprinted any booke (9) quare or paper w^{ch} should not be first allowed to be imprinted and then openly shewed to the Maister & wardens of the said company of Stationers for the time being and by them assigned to him for his Coppie and the (10) name thereof being so licensed entred in the Register booke of the said Company wth a prohibicōn that it should not be lawfull for any person to put to sale binde or stiche any such bookes or papers as should be printed by any person not (11) so licensed wth a declaracōn that the said Ordinaunce should extend to all such as should print binde sell or stiche any bookes or papers the coppie wherof by right and order of the said company should apptaine to any other (12) person whether the bookes so sold were printed wthin this Realme or wthout Now so it is may it please yo^r most excellent Ma^{tie} that yo^r Subiect heretofore having procured to himselfe one coppie or booke compiled by S^r (13) Phillip Sydney knight deceased intituled *Arcadia* did first according to the said Ordinaunce obtaine the same to be allowed by the now Lord Archbishoppe of Canterburie and openly shewed the same to the Mais- ters (14) and wardens of the said company of Stationers for the time being And the said booke was by them assigned vnto yo^r Subiect for his coppie and the name of the said booke so licensed entred by the Clerke (15) of the said company in the register booke of the saide company Wherby of right and by order of the said Company the sole and only imprinting of the said booke should & doth appertaine vnto yo^r said subiect for & during (16) the tearme of his naturall life yet One John Legatt a printer of Cambridge & Willm [*Richard*] Scarelett a booke binder there Richard Banckworth & Iohn ffaskett Citizens & Drapers of London Paull Lynley & Iohn Harryson $\frac{y}{y}$ (17) younger Citisens and stationers of London combyning themselfe & confederat- ing together as men lothe to be restrayned by any order desireing libertie and how to evade & be out of the daunger of the said Decree the same being (18) made by yo^r Ma^{ties} expresse cōmaudem^t & out of any other good order or governance have of late since yo^r Ma^{ties} last generall p^{on} contrarie to the said decree & ordinaunce imprinted or caused to be imprinted divers (19) of the said bookes called *Arcadia* either in Cambridge or in yo^r highnes Citie of London or in some other place wthin yo^r highnes realme of England And to the intent yo^r highnes lawes and the said decree should not (20) take hold of them they have in the first page & title of the booke sett downe the same booke to be printed in Edenborough wthin the realme of Scotland wth the Kinge priveledge there Where indeed it was printed by them or (21) by their procurem^t here in England And they have allso not regarding the said

ordinance & Decree bounde stitched & solde divers of the said bookes so vnlawfully printed knowing that by right & order of the Company of Stationers & by the decree herd in this most honorable co^{rt}e the said booke Doth (22) appertaine only vnto yo^r subiect as his coppie^r. In Consideracōn of w^{ch} premises and for that the said misdemesnors & offence are very dangerous for example (23) yf the same should not be severely punished May it therefore please yo^r most excellent Ma^{tie} to graunt vnto yo^r said subiect yo^r highnes severall writte of Sub pena to be directed vnto the said Iohn (24) Leggate [*Richard*] Willm Scarlett Richard Banckworth Iohn ffaskett Paull Lynley & Iohn Harryson therby cōmaunding them & every of them at a certaine day & vnder a certaine paine therein to be limited (25) personally to appeare before yo^r highnes counsell in yo^r high Court of Starchamber then & there to answere to the premises and to receive such punishm^t therein as their demeritē in this behalfe have deserved (26) And yo^r highnes said subiect shall continually pray for yo^r longe & prosperous raigne over vs (27)

yelverton.

II. Answer of John Legatt et al.

Iur 3 decembris Anno 42 Elizabeth Regine
Willm Mill

Iur 29 Ianuarij Anno predict p w^m Scarlett
Willm Mill

The Aunsweres of Iohn Leggatt Willm Scarlett ² Richard Banckworth, Iohn ffaskett, Paull Lynley and Iohn Harrison ³ defendtē to the Bill of Complaynt of William Ponsonby Complaynante /

The said defendtē not acknowledging any thing materyall or effectuall in the said Bill of Complaynt Concernyng them or any of them to be true. / And saving to them all Advantages to the faultes vntruethes and impfeccōns in the same / saye that to all and eu^{ry}e the Combynacōns and Confedracyes, and to all and eu^{ry}e other the Misdemeanor^e and Offences supposed by the said Bill of Complaynt examynable in this honorable Courte, that they nor any of them is thereof guilty in

1. [*as aforesaid and not regarding the said ordinance or decree.*]

2. Written over a cancel of two words, *Richard Scarlett*. The same error was made in the bill of complaint.

3. John Harrison the younger.

maner and forme as in the said Bill of Complaynt is alleaged / All wth the said Def^{te} are readye to averre and prove as this honorable Courte shall awarde and praye to be dismissed from this Co^{rt}e wth their Costes and Expences wrongfullye sustayned in this behalfe. /

*John hele*¹

1. The final *e* in this word is unusual, but the signature of the eminent Serjeant-at-Law is authenticated by other examples. After being entered at the Inner temple Hele became Lent Reader in 1591. Called to the degree of Serjeant-at-Law in 1594, he became Queen's Serjeant in 1602. On the accession to the throne of James I Hele's patent was renewed and he was knighted during the coronation. For further details of his life see H. W. Woolrych, *Lives of Eminent Serjeants-at-Law* (London, 1869), I, 172-185.

APPENDIX C

Star Chamber Elizabeth S 83/39

INTERROGATORIES TO BE ADMINISTERED TO EDWARD
VENGE, WILLIAM BARLEY, THOMAS PAVIER, AND
SIMON STAFFORD.

R xl^o
16 Iunij
1598^r

Interrogatoryes to be ministred vnto
Edward Venge, William Barlie, Thomas
Pavior, & Symon Stafford touching their
Contempts & the misdemeano^rs by them
comitted against the Order & decree of
this Court heretofore made. /

1. Inp^rmis do yow not know of a decree of this
Honorable Court made the three & Twentith day
of Iune in the eight & Twentith yeere of
the Raigne of o^{ur} sou^{er}aigine Ladie the Quenes
Ma^{tie} that now is for the direc^{cion} &
gou^{ernm}^t of such psons as should vse the
arte or misterie of printinge or selling of
Bookes? And how long is it sinc yow first
were acquainted wth, or knew of the said
decree, haue yow neuer seene any Copie of
the said decree or hard therof?. /
 2. Item have yow [*not*] heeretofore byn
bound in any some or somes of money or
penaltie, and how often before the high
Comisson^{rs} in causes eccl^{eal} ² or some of
1. Written in another hand.
 2. Ecclesiastical.

them concerninge your Printinge or sellinge of bookes vnlawfullie or other breakinge of the said decree, when were yow so bound first, and how often sinc & for what Cause and Causes were yow so bound, sett them downe specallie _____ 1

3. Item do yow not know or haue hard that amongst oth^r things in the said decree Conteyned, it is ther ordered that eu^{ry} pson which after the said decree made, should erect or sett vpp any Presse for printing of bookes should within tenn dayes next after such setting vpp therof bring a trew note or Certificate therof vnto the Master & Wardens of the Companie of Stacon⁹s in London vppon such payne as in the said decree is lymited Haue you [*not*] at any tyme sinc the said decree made sett vpp any such Presse or Presses? If you haue when did yow sett the same vpp, & where. And haue yow according to the said decree brought any such note thereof vnto the Master and Wardens of the said Companie w^hin the said tyme so therein lymited
4. Item do yow not know that (for the dyminishing of the excessive number of Printers) it is also in the said decree ordered that no pson or psons should after the said decree made, erect or sett vpp any such Presse but such as the Master and Wardens of the Company of Stacon⁹s for the time being (by the direction of the Arch Bishopp of Canterburye and Bishopp of London for the tyme being when they should thinke it fitt for the good service of the Realme to have more erected) calling the Assistant^e of the said Companie before them should make choyse of, being free Stacon⁹s and w^{ch} within fourteene dayes of such elecc^on shalbe p^resented by the said Master Wardens & foure others at the least of the Assistant^e of the

1. A cancel.

said Companye before the high Comisson⁹s in causes Eclēall^r or sixe or more of them wherof the said Arch Bishopp or Bishopp to be one and should therevppon be by them allowed and admitted to be a master or Gou⁹nor of a Presse or printing house vppon such payne as in the said decree is lymtyed. Have yow at any tyme heretofore bin so elected and allowed? of what Company in London are yow free?

5. Item do yow not know that it is also in the said decree ordered that no pson or psons shall prynt or cause to be ymprinted or suffer by any means to his knowledge his presse or letters to be occupied in printing of any booke worke or Copie against the true intent and meaninge of any letters patent^e Comissions or phibicons vnder the great seale of England or contrarie to any allowed Ordinance sett downe for the good gou⁹nement of the Companye of Stacon⁹s wthin the Citie of London vppon payne to have their letters and presses therein employed to be defaced and other paynes in the said decree conteyned And that eu⁹y such pson as shall wittinglie sell or bynd any such bookes shall suffer three monthes ymprisom^t, And that it shall be Lawfull for the Wardens of the said Companie for the tyme being or any two of the the said company therevnto by them appointed to search in all such places where they shall haue reasonable cause of suspicōn, and (all) bookes printed contrarie to the meaning of the said decree to seize to her Ma^{ties} vse and to cary to the Stacon⁹s hall in London, And also that it shalbe lawfull for the said Wardens or any two by them thereto appointed wthout lett or interrupcōn of any pson to enter into any such place and to search take & carye away all Presses & letters sett vpp or ymployed contrarie to the meaninge of the said decree to be defaced

6. Item did not yow or some for yow or by yowr pcurer^t sithenc the fourth day of August last past imprint or cause to be imprinted or suffer yowr presse or letters to be employed in printinge of any booke or bookes worke Copie or other thinge being no printer allowed according to the said decree And what were those Bookes Copies & oth^r things? And what number therof were there printed? Did not yow sinc the said fourth day of August last past imprint or cause to be imprinted, or suffer yowr presse or letters to be employed in printing of one booke comonlie called the Accedenc or introduccōn to Gramm⁹ contrary to the said decree of this Ho: Court and also contrary to her highnes letters patents of priviledg for printing therof granted to one Iohn Batersby vnder the great seal of England, How many of the said Bookes have yow or any other in yo^r privitie so printed or caused to be printed sinc the said fourth day of August last past and how have yow and they disposed of them? who bare the Charge or were aidge assistinge or contributorie to the Charg therof? sett downe their names as also who hath wittinglie sould or bound or stitched any such Bookes?
7. Item did not one Thomas Dawson & Cuthbert Burby they being both of the said Companie of Stacon⁹s / and accompanied w^h a messenger and a Constable on or about the xiiijth day of March last past repayer to the howse of Symon Stafford and the howse of William Barlie two of these Examinat^e to make serch for bookes printed contrarie to the said decree? And did they not then and there find diu⁹s of the said bookes called Accedences or (introduccōns to) Gramm⁹ printed contrarie to the (said decree) & letters Patent^e therof granted to the said Iohn Batersby? did they not signify vnto yow that they came by appointnt of the wardens of the Company of Stacōners according to the said decree to search

and seize the said booke & letters & Presse ymployed in printing the same? And did yow not thinke or know that they so did? (Whose)... (the) said letters were.....did not yow then vse speches (saying yow) cared not for the decree the same being as yow affirmed against the law and that yow would indite them at the next sessions that should take away the said letters? ¹

- 8 Item did yow not at sometime sithence preferre (any) Bill or bills of Inditem^t against the said Thomas Dawson & CuthBert Burby for their entering into the said Staffords or Paviers howse and.....and carrying away to the Stacōn⁹s hall the said letters employed in printing of the said Accedence contrary to the said decree & letters Patent? ²

[The remainder of this document, except for a few isolated words and phrases, is illegible. Eleven lines remain, but damp stains, small tears, and a general raggedness of condition preclude any accurate transcription. However, the sense can be indicated from the evidence of the three examimates who testify. Interrogatories 9 and 10 should read approximately as follows:]

- 9 Have you allowed to be printed or caused to be printed any book, copy, or other printed matter unlawfully against the said decree since you knew that an attachment was awarded against you by this honorable court?
- 10 Do you know that an attachment was awarded by this honorable court at some time during the last term against Edward Venge for supposed contempt? Do you know whether or not the said Edward Venge is now going about the country selling or dispersing Accidences, and if so is he doing this by any means or persuasion on your part?

yelverton

1. The final sentence in this interrogatory has been crossed out.
2. The last sentence is illegible.

APPENDIX D

Star Chamber Elizabeth S 7/22

STAFFORD *vs.* BURBY AND DAWSON

I. Bill of Complaint

To the queenes Most excellent Ma^{tie}.^{1/}

Humbly Complayninge showeth and informeth yo^r most excellent Ma^{tie} yo^r faithfull and obedient Subiecte Symon Stafford of London Drap and Willm Barly of London Drap, That Where there is and hath been by all the times (1) wherof the memory man is not to the Contrary a very auncient good and laudable Custome had and vsed in and w^{thin} the Cittie of London and the Lib^{ties} therof that every apprentice that shall be bound by Indenture inrolled in the (2) Chamber of the Cittie of London accordinge to the Custome of the sayd Cittie of London to serve any pson or psons being free of the same citty: & vsinge one art or mistery but beinge ffree of an other trade or Mistery and shall serve his sayd (3) Master as his apprentice in the arte trade or Misterye w^{ch} his Master vseth accordinge to such time or terme of yeeres as shall mutually be agreed vppon by either ptie [*shall*] after the sayd time or terme of yeeres expired the same (4) apprentice shalbe be made free of the same Cittie of London of the selfe same Trade art or Mistery wherof his sayd Master whome he served as aforesayd was free not wthstandinge he vsed an other arte trade or misterie (5) Duringe the time of his apprentizshipp w^{thin} the same Cittie, And where also by one othe like auncyent good and lawdable Custome had vsed and allowed w^{thin} the sayd Cittye of London and the Lib^{ties} therof from time wherof (6) noe memory of man is to the Contrary, all and every such pson or psons as by service or otherwise shall be made free of the sayd City of London of any one trade art or mistery had and vsed w^{thin} the sayd Cittie and the Lib^{ties} therof (7) shall or lawfully may Duringe his or their life by the Custome of the sayd Cittie vse exercise or Occupy eyther the sayd Trade wherof he was made free as aforesayd or any other art trade or mistery had or vsed (8) w^{thin} the sayd

1. Bill endorsed June 8th 40 Eliz.

Cittie of London and the Liberties therof att his and their will and pleasure w^hout any lawfull lett trowble disturbance or Interrupcōn of any p^{er}son or p^{er}sons whatsoever w^h vsages and Customs and all othe^r lawfull (9) Customs of the sayd Cittie have been in times past confirmed to them by act of p^{ar}lament and otherwise as by the Record^e extant reddey to be showed for that purpose it doth and may appeere. And where yo^r sayd Subiect (10) Symon Stafford many yeeres passed [*was passed*] was bound by Indenture inrolled in the Chamber of London accordinge to the Custome of [*the Citty of*] the sayd Citty of London to one Christopher Barker of the (11) Cittie of London drap who then and longe before that time, & long after vsed the arte or mistery of a Stationer or printer and noe other arte or mistery and then was her Ma^{tie}s Printer to serve the sayd Christopher Barker (12) in the sayd trade arte or mistery of a Stationer or printer by the Time or terme of Tenne yeeres from the time that he was first bound and beinge so bound did serve the sayd Christopher Barker as his M^r by and (13) for all the sayd time or terme of tenne yeeres att the sayd arte trade or mistery of Stacōners or Printers w^hin the sayd Cittie of London, After w^h terme ended yo^r sayd subiect was made free of the sayd Cittie of (14) London of the sayd Trade arte or misterie of the Draps of London wherof his sayd master was free as aforesayd accordinge to the Custome of the sayd Cittie. By force wherof yo^r sayd Subiect did (as by the Custome (15) of the sayd Cittie of London he lawfully might doe) set vpp vse and exercise the sayd Trade arte or misterie of printinge w^hin the same Cittie of London and did furnish himselfe to his very great Cost^e and Charges (16) w^h presse, cases, Chases frisket^e composinge stickes, gallyes, flowers, letters and all other necessary implem^{en}t^e tooles and instrum^{en}t^e meete and necessary for the sayd Trade or mistery of printinge and did Carefully and diligently (17) apply himselfe his servant^e and family in the sayd arte or trade of printinge for and towards the gettinge of an honest livinge and the mainteyning of himselfe his wyfe Children and family. / Soe it is yf it may please yo^r moste (18) excellent Ma^{tie} that one Cutbert Burby and Thomas Dawson of the Cittie of London Stacōners and diverse others to yo^r sayd subiect yett vnknowne Confederatinge and Conspiringe together to seeke the ove^rthrowe and the vndooinge of (19) yo^r sayd Subiect his wife and famyly, the sayd Cutbert Burby Thomas Dawson (one Cole)^r and others in their Company to yo^r subiect vnknowne in all to the number of sixe p^{er}sons att London aforesayd that (20) is to say in the pish of S^t Peeters in Cornehyll London the thirteenth Day of March nowe last paste in the fortith yeere of yo^r Ma^{tie}s most gracōus Raigne Did very

1. Space left blank and "one Cole" added later.

riotously rowtously and vnlawfully assemble and (21) gather themselves together being armed and arayed w^h seu⁹all weapons aswell invasive as defensive and then and there did very riotously [*and*] rowtously and vnlawfully enter into yo^r sayd Subiecte Symon Stafford his (22) workinge howse in the pish of S^t Peters aforesayd w^hin fowre dayes after his wife was delivered in Childbirth to her great feare in that Case, and then and there ded forcibly and riotously take and Cary away w^h them (23) of there owne extort power and wronge yo^r sayd subiecte printinge Ires together w^h diverse other tooles and instrum^{te} to the value of xx^{tie} pounds or theraboute and the same have and doe deteyne from yo^r sayd subiecte (24) Contrary to all right and Course of Iustice, And they the sayd Cutbert Burby and Thomas Dawson not beinge thus satisfied, but of their wicked and malicōus Inclinacōn seekinge and practisinge to bringe yo^r sayd (25) Subiecte w^hin Compasse of Contempt or disobedience of this most ho: and High Co^rte and most wrongfully and Iniuriously to bringe them in daunger of imprisonment or some other Corporall punishment they the sayd (26) Cutbert Burby and Thomas Dawson did make seu⁹all Affidavitē remayninge of Record in this most honorable Co^rte in mann⁹ and forme followinge viz the sayd Thomas Dawson the fifte day of (may)^r (27) fortith yeere of yo^r Ma^{ties} most gracoūs Raigne beinge sworne and deposed in this most ho: Co^rte before the ordinary officer of the same Corte did vpon his Corporall othe say and (depose that)^r (28) order and decree sett downe by this most ho: Co^rte the xxiiijth day of Iune in the xxviiijth yeere of yo^r Ma^{ties} Raigne towchinge the lawfull printinge and sellinge of bookes³ (29) Contrary to the sayd order and decree vpon paine of Imprisonment as by the same order and decree appeereth This Examine sayeth that one Edward venge of golding lane in the pish of S^t Giles w^hout Creplegate (30) and Wiltm Barley and Thomas Pavio^r of S^t Peters pish in Cornehill London have printed and sold or Cawsed to be printed and sold [*or Cawsed to be printed and solde*] tenne or xi thowsand bookes Called Accidence sithence (31) the xxiiijth day of August last in Contempt and Contrary to the sayd order and decree And they doe dayly Contynue there sellinge of the sayd bookes vnlawfully w^hout licence of her Ma^{ties} Patentee or of the M^r and wardens of the Company (32) of Stacioners in [*and*] that behalf. / In w^h othe and deposition the sayd Thomas Dawson hath Committed most wicked wilfull and Corrupt periury ffor in truth yo^r sayd Subiect William Barly hath not since the sayd xxiiijth day (33) of Auguste laste paste printed and sold or Cawsed to be printed and sold any

1. Rest of line illegible, but read "last paste in the."

2. Rest of line illegible.

3. Rest of line illegible.

bookes Called accidence neither did the sayd William Barly sell at all nor doth dayly Contynue the sellinge of any such bookes as in the sayd Affidavit of the sayd (34) Thomas Dawson is supposed and affirmed neither hath the sayd Thomas Pavie^r printed & sold or Cawsed to be printed & solde any accedence as by the said Affdt is affirmed, And the sayd Cutbert Burby beinge likewise sworne vppon the holye (35) Evangelest by and before the ordinary officer of this Co^rte the xxvth day of May nowe laste paste did vppon his Corporall othe say and depose as followeth in these wordes vz^t That he the sayd Examine together wth one Thomas Dawson (36) they both beinge of the Company of Stacioners wthin the Citie of London and beinge therunto deputed by the wardens of the sayd Company of Stacioners did accordinge to a decree of this ho: Co^rte made the xxiiijth day of Iuly in thee (37) xxviiijth yeere of the queenes Ma^{ties} Raigne that nowe is, on or about the xiiijth day of March last paste repaire to the howse of one Simon Stafford in London beinge a drap and noe free Stacion⁹ to make serche for bookes there printed (38) Contrary to her highnes Ires pattent^e therof granted to one Iohn Battersby and findinge there fowre thousand bookes or therabout^e Called Accidence very deceitfully printed and wthout Licence Contrary to the said decree and Ires patent^e (39) did accordinge to the said decree seize the Ires employed in printinge of the sayd Bookes and Carried them to the stacioners hall there to be defaced &c as by the sayd Affidavit remayninge of Record in this most ho: Co^rte yt doth and may more (40) at large appeare, In w^h othe and deposition the sayd Cutbert Burby hath likewise Committed wicked willfull and Corrupt piury ffor in truth the sayd fowre thousand Bookes or therabout^e called Accidence were not found in the (41) howse of yo^r sayd Subiect Symon Stafford but in an other howse next adioyninge to the howse of yo^r sayd Subiect beinge then in the tenure and possession of Roger Pavio^r neither were the sayd Ires in the (42) sayd Affidavit mencōned caried to the Stacioners hall the sayd xiiijth day of March laste paste neither had the sayd Cutbert Burby and Thomas Dawson or either of them any warrant at all to take or seise the sayd Ires vntill (43) the fifteenth day of the sayd March last past, And yett by Color of the sayd seu⁹all Affidavit^e made as aforesayd and by force of an order therevppon grounded and made in this ho: Co^rte the thirtieth day of May nowe (44) last paste there was an attachment granted forth of the same Courte against yo^r sayd subiect^e to this effect that they should p⁹sently appeare in the sayd Co^rte to be examined vpon such Interrogatories as should be (45) ministred vnto them by meanes wherof yo^r sayd subiect^e have been putt to very great Trowble Cost^e and expence in the Lawe wthout any iust Cawse or Colo^r so to doe. / In tender Considera^çon wherof and for that the (46)

sayd Riotte Rowtte voluntary willfull and Corrupt piuries and misdemeanors aforesayd are displeasinge to allmightie god and directly Contrary to the Lawes and statutes of this yo^r highnes Realme and therefore (47) most daungerous to be suffered least by the impunity of the sayd offenders others of like wicked disposicōn might take encoragment to committ the like offence, May it please yo^r most excellent Ma^{tie} to grant vnto yo^r (48) sayd subiect yo^r highnes most gracoūs writt of sub pena to the sayd Cutbert Burby and Thomas Dawson to be directed Comaunding them and either of them att a c^ontaine daye and vnder a c^ontaine paine (49) theirin limited psonally to appeare before yo^r Ma^{tie} and yo^r ho: Councell in yo^r highnes Courte of Starchamber then and there to aunswere to the premisses and to stand to such order and determenacōn as to (50) yo^r highnes ho: counsell there shall seeme meete and Convenient and yo^r Subiecte shall dayly pray to god for yo^r Ma^{tie} in all peace and psperitie longe to Raigne and rule over vs. / (51)

fuller

*II. Depositions of William Barley, Thomas Pavier,
and Simon Stafford*

[Folio 1a

Carew

Capt. 26 die Iunij A^o
RRñe. Eliz &c xl^{mo}
[Sup Inter ex pte]

Willm Barley of Gracious Streete ¹
w^hin the Cytty of London &
[Drap Citizen and] ffree of the Company
of the Drapers of the same Cytty
aged xxxij yeeres or thereabowte ²
sworne and ex^oid ³

To the first Inter ⁴ he sayth That he
doth knowe of the decree of this ho co^rt in this Inter
mencōned & that he first knewe of the same
Decree abowt sixe yeeres agone And
saythe he hath seene a Coppie of the same
Decree but neu^o dyd read it

1. Gracechurch Street.
2. A legal formula. It does not imply any uncertainty as to Barley's age.
3. Examined.
4. Interrogatory.

To the second Inter he sayth That he this ext^r was at twoe [*or 3*] seu⁹all tymes bounde before the highe Comissioners in causes ecclesyastycall abowt the [*concerning pryntinge or*] sellinge of booke the first tyme was for that he had sold a booke of ij^d of her ma^{te} pgress to Cowdrie in Sussex & the second time was for that he had sold balladde wherein the safe & happie return of the right ho therle of Essex Erle marshall of England was wished or prayed for when his honor went the Cales voyage and more [*further*] to this Inter he sayth not²

To the 3 Inter he sayth That he doth knowe that emongest other thinges in the sd decree Conteyned it is there ordered that eu⁹y pson wch after the sayd decree made should errechte or sett vp any presse for printing of bookes should w^hin tenne dayes next after such settinge vp thereof bringe a trewe note or c⁹tifycatt thereof unto the m^r & wardens of the Company of Stacyon⁹s in London vpp^o such payne as in the said decree lymitted and this Ext sayth that he this Ext for his owne pson hath not at any tyme since the said decree made sett vp any such presse or presses [*& therefore was not bound to bringe any note*]

[Folio 1b]

To the iiijth Inter this Ext sayth he doth knowe that yt is so ordered in the sayd decree as ys menconed in this Inter And further this Ext sayth that he this ext was not at any tyme heretofore so ellected or allowed of as ys mencōned in the sd decree And this

1. Examine.

2. Barley's first answer to this interrogatory was very vague. It went as follows: *To the second Inter he sayth That he this ext was at twoe or 3 seu⁹all tymes bounde before the highe Comissioners in causes ecclesyastycall concerning pryntinge or sellinge of booke vnlawfully, but the tyme or tymes when he was so bounde or when he was first or the cause or causes why he was so bounde he cannot nowe c⁹tenly depose sett downe and further to this Inter he sayth not.* The amended answer was written over this cancel and down the left hand-side of the folio.

Ext sayth further that he this ext is free of the Company of Draps in london.

To the vth Interr he sayth he doth knowe that yt is allso in the sd decree so ordered as ys mencōned in this Inter

To the 6. Inter he sayth That neyther he this Ext nor any for him or by his pcurem^t dyd sythence the iiijth daye of Auguste last past imprynte or cause to be imprinted or suffer his presse or hres to be ymployed in printing of the sd booke comonly called the Accidence or introduccōn to Gramãr or any other booke or bookes worke Coppye or other thing neyther dyd he this ext beare the charge nor was ayding assyting or Contributory to the charge therof nor layd out any money thereabowtę to this dftę owne vse And further or more [*he sayth*] to this Inter he thinketh he ys not to aunswear

[Folio 2a

To the vijth Inter he sayth he hath hard That one Tho. Dawson and Cuttb⁹te Burby being bothe of the sayd Company of Stacyon⁹s and accompanied wth a messinger and a constable dyd on or about the xiiijth day of Marche last past repayre to the howse of Symon Stafford & to the howse [*of*] wherein Roger Pavyo^r then dwelte [*wch sometymes was in this extę*] there to make searche for bookes [*there*] prynted contrarye to the sd Decree [*&*] and as this ext hard (for this ext himself was nott then there) they did fynde in the sd Pavyo^{rs} howse dyvers of the sd booke called Accidence or introduccōns to Grammar wch had byn printed contrarye to the sd decree and hres pattentę therof graunted to the sayd Iohn Battersbye. And as this ext hard the sayd Dawson and Burby dyd signefye vnto the sd Stafford and Pavyo^r that they the sd Dawson & Burby came by appoyntm^t of the wardens of the company of Stacyon⁹s accordg to the sd decree to

[Folio 2b

searche and seize the sd bookes & Ires & presses employed in prynting the same & as this ext hard they so dyd acordingly & as this ext hard founde in the sd Stafford^e howse certen [*prynting*] prynting stufte or Ires of the sayd/ Stafford^e [*& not of the sd Pavyo^{rs}*] only [*But*] But neyther this ext nor any other in this exts hearing dyd vse any such speches as bee mencōned in the last pte of this Inter or any speches to that effecte.

To the 8. Inter he sayth Thatt he this ext dyd not at any Sessions synce preferre any bill or billes of Indyctm^t against the sd Tho Dawsō and Cuttbert [*Burby*] Burby for any such cause as in this Inter ys mencōned ¹

and further

[*Folio 3a*]

to this Interr he cannott depose.

To the 9th Inter he sayth That he this ext hath not allowed prynted or caused to be ymprynted any booke cobby or other thing vnlawfully against the sd decree synce he knewe that an attachm^t was awarded against this ext by this honorable Courte as by this Inter ys supposed

To the xth Inter he sayth he doth knowe that an attach^t was awarded by this ho Co^{rt} the last terme against Edw: Venge for the sd supposed contempte ² in this Inter menconed And further sayth that the sd Edw Venge doth not absent him self by the meanes mocons or pswasion of

1. [*their ther then entring into the howses of the sd Stafford & Pavyo^r & taking & Carrying away to the Stacyon⁹s hall the said of any Ires employed in prynting of the sd accidence contrary to the sd decree and Ires Patten^te*]

2. [*& where the same Venge nowe ys or remayneth this ext doth not knowe but sayth that the sd Venge doth not absent himself*]

this ext ⁊ neyther doth this ext knowe where the sd
Venge nowe is or remayneth nor whether the
sd Venge doth [*goe abowt*] in the Contry
selle or dispers accydençe or no. / [*as is also
supposed*]

William Barley

Cap die et
Aō pred

[*Folio 3b*]

Thomas Pavyo^r of Gracious streete ⁊
w^hin the Cytty of London Apprentyce to
Roger Pavio^r [*Bookseller*] aged xxviiij
yeeres or thereabowtē sworne and examyned. /

To the first Inter he sayth Thatt about
three yeeres agone he dyd heare that [*such*]
a decree was made in this ho Co^rte for the
dyrecōn and gouⁿem^t of such p^ons as should
vse the arte or misterie of printing or selling
of booke [*as is menconed in this Interr*] but
this ext dyd neu^o knowe theeffecte of the same
decree or any pt thereof till about a fortnight
nowe past & then he hard some pt of the same
decree reade. And more he sayth not to this Inter.

To the second Inter he sayth That he this ext was
nott at any tyme heretofore bounde in any some or
somes of money or penaltie before anye of her ma^te
highe Comission^os in causes ecclesiastycall concⁿing
prynting or selling of bookes vnlawfully or any
other breakinge of the sayd decree / .

To the 3. Inter he sayth he doth not knowe
neyther hath he hard that any suche matter
is conteyned in the sayd decree as ys mencōned
in this Interr But whether any such
matter be conteyned or not conteyned in the sd
decree This [*deft*] ext sayth that he this ext
hath not at any tyme made or sett vpp any
presse or presses for Prynting of any bookes.

1. [*and further to this Inter he refuseth taketh himself vnder reformacō not bounde
to answe^re*]

2. [*in Bookseller now by being turned made over as an*]

To the iiiijth Inter he sayth he doth not knowe whether any such matter as is menconed in this Inter be conteyned in the sayd decree or no. but whether there be or not This ext sayth that he this Ext hath not at any tyme heretofore byn so ellected & allowed of as ys menconed in this Inter neyther ys this Ext as yet free of any Company in londō.

[Folio 4a]

To the vth Inter he sayth he doth not knowe but hath nowe of late [*synce this styrr in this Co^rte*] hard that yt is so ordered in the sd decree as ys menconed in this Inter.

To the 6 Interr he sayth That neyther he this [*def^t*] ext nor any for him or by his pcuremt dyd sythence the iiiijth daye of Augst last past imprynt or cause to be ymprinted or suffer [*any*] his presse or lres to bee ymployed in prynting of any Accidence or any other booke or booke worke coppie or other thinge neyther hath this ext any presse or lres But this Ext sayth that he this ext dyd sythence the iiiijth of August last past bynde styche & sell certen Accydençę prynted by Walter Venge and Iohn Daynter contrary to the sd decree & that he this ext dyd so bynde styche and selle the same Accidence to the vse of Roger Pavyor only & not to this exte owne vse And more sayth not to this Inter / .

To the vijth Inter he sayth That one Thos Dawson and Cuttbert Burby they beinge bothe of the sayd Company of Stacyoners and accompanied wth a messinger and a constable dyd on or about the xiiijth daye of Marche last paste repayre to the howses of Symon Stafford & Roger Pavio^r to make serche there for bookes prynted contrarye to the said decree & that they dyd then fynde in the howse wherein the sd Pavyo^r then dwelt (& wherein wm Barlye dyd dwell before that tyme) dyvers of the sd bookes called Accidence or introductions to Grammar wch were printed contrary to the said decree

[Folio 4b]

as this ext thincketh & contrary to the Ires pattente
 graunted to the sayd Iohn Battersbye and sayth that
 the [*presse* &] Ires & instrum^{te} therunto belonging
 founde by the sd Dawsō
 and Burby in the sayd Staffordē howse were
 the Ires and instrum^{te} of the sayd Stafford
 as this ext thincketh & neu^{ly} employed by the sd
 Stafford to this extē knowledg in the prynting
 of any Accidence or any other booke or booke
 worke Coppye or other thinge vnlawfully And
 further this ext sayth that the sd
 Dawson and Burby dyd not signefye vnto him
 this ext or vnto any other to this extē knowledg
 that they came by appoyntm^t of the wardens of
 the Companye of Stacyoners according to the
 sayd decree to serche and seize any bo(oke)
 or any Ires & presses employed in prynting the s(ame)
 neyther doth this ext thincke or knowe that
 they so dyd Neyther dyd he this ext
 nor anye other in this extē hearinge vse
 any such or like speches in effecte as bee
 mencōned in this Inter

[Folio 5a]

To the viijth Inter he sayth Thatt he
 this ext dyd not at anye tyme preferre
 anye bill or billes of Indyctm^t against the
 sayde Tho: Dawson & Cuttbert Burby
 for any such cause as is mencōned in
 this Inter

To the 9th Inter he sayth Thatt
 he this ext hath not allowed printed or
 caused to bee ymprinted any booke Coppye or
 other thing vnlawfully against the sd decree
 at any time / .

To the xth Inter he sayth he knoweth that an
 attachem^t was awarded by this honorable Co^{rt}
 the last tearme against Edward Venge
 for such contempte as is supposed in this
 Inter. And where the sd Edward Venge
 now ys or remayneth, or whether the sd Edw:
 Venge goeth nowe abowt in the Contry to sell
 or dispirse anye accidence

as is supposed or no this ext knoweth not
 But this Ext sayth that he the sd Edward
 Venge doth not so doe, or absent himself
 by the meanes or pswasion of this Ex^t
 And more he knoweth not to this Inter

[Folio 5b]

Thomas Pavier

Cap 27 Iunij

[Folio 6a]

Ao 40 Eliz Rne

Symon Stafford of the pische of S^t
 Peters London Prynter & free of the Company of
 Draps [*in Londō*] w^hin the same Cytty
 aged xxxvij yeeres or therabtē sworne and exãied

To the first Inter he sayth That he doth
 knowe of the decree in this Inter mencōned
 And this [*def*] ext knewe thereof w^hin very
 short tyme after the same dēcree was made And
 sayth he hath seene a Coppie of the same
 Decree & hath a Cōppie of the same decree
 in his custody.

To the 2 Inter he sayth Thatt he this [*def*]
 Ext hath not heretofore byn bounde
 in any some or somes of money or
 penaltie before the highe Comission⁹s in
 causes ecclesyastycall or any of them
 [*conc⁹g*] for any matter or cause whatsoever

To the 3. Inter he sayth that amongst
 other thinges in the sd decree conteyned it is
 there ordered that eu⁹y psō wch after the sd
 decree made should errechte or sett vp
 any presse for printing of bookes should
 w^hin tenne dayes next after such setting
 vp therof bring a trewe note or c⁹tifycatt
 therof vnto the m^r and wardens of the
 Company of Stacyon⁹s in Londō vppō such
 payne as in the sayd decree is lymitted
 And this Ext sayth that synce the sd
 Decree made that ys to saye the xiiijth of
 Ianuary nowe last past he this Ext
 dyd in blacke raven Alley in londō
 sett vp a presse for printg w^h tres

[Folio 6b]

& other necessary instrm^{te} and thinges therunto apteyning And that on the xxijth daye of the sd monthe of Ianuary he this Ext dyd vnder his hand in wryting delyver seu^{al} notes therof vnto the m^r & eu^{ry} of the wardens of the sd Company & prynted a book gen^{ally} well liked of intytuled the sollempne passion of the Sowles love And this ext sayth that the sd presse so by this ext sett vp as aforesd is nowe remayning in this Ext^e howse in Grace street wherin this ext nowe dwelleth

To the iiiith Inter he sayth [*That so much as ys sett downe*] he doth knowe that ytt is also in the sayd decree so ordered as ys mencōned in this Inter And confesseth that he this ext hath not at any tyme heretofore byn ellected & allowed to errecte or sett vp any such Presse as aforesd in such sorte as in the sd decree it ys ordered But for declara^{cn} of a truthe this Ext (vnder the reformacō of this ho Co^t) sayth that S^r Edw: Stafford Kt was at dyvers tymes a Suto^r for this Ext to the most reverend father in god the L Archbishopp of Canterbury his Grace that bycause this ext had for the space of twentie Yeees then paste byn brought vp & exercised in the arte & trade of prynting under m^r Barker her Ma^{te} Prynter his Grace would be pleased to admytt this Ext to errecte & sett vp a presse & to use the trade of printing for himself wch his grace pmisd to doe. so that the m^r & wardens of the Company of Stacyoners would certifye his grace that this ext had byn broughte vp and s^{ved} as an app^{ntyce} in that trade the space of vij yeeres: To wch p^{pose} this Ext by himself and frende was a suto^r to the sd Stacyoners Who neu^gtheles refused to make any such certifycat to his Grace bycause this Ext was free of the Company of [*Stacyon^{rs}*] Draps wheruppō this Ext made suyte to the then L mayo^r & Aldermen of Londō: to call the sd m^r &

[Folio 7a

wardens of the Company of Stacyon^s before them to shewe cause Why this ext albeit he was [were] free of the company of Draps might not sett vp a presse & exercise the trade of prynting as dyd m^r Barker her ma^{te} prynter this Ext^e m^r being also free of the sd Company of Draps And the sd Stacyon^s then alleaged that by the Charter of their Corpora^{cn} & by reason of a decree in this ho Co^rte this ext was not to be admytted therunto. wheruppō the sd L may^{or} & Aldermē in May 1597 ordered that m^r Recorder & the lerned Councill of the Cytty should heare & examyne that matter & make report to them of their opynions therein who amongst other thinges certefyed that they founde that this Ext was free of the draps & that his m^r xrofer Barker thoughe free of the draps yet vsed altogether prynting & therein chyefly broght vp this ext his apprentyce vij yeeres & more & that therefore bothe by the customes of the cytty & lawes of the lande yt seemed vnto them that this ext might lawfully vse the arte of prynting as any Stacyon⁹ might doe & the arte of a Stacyon⁹ whereuppō & vppō a Ire wrytten & sent in that behalf to his Grace by the sd then L mayo^r & Aldermē the Cobby wherof is reddey to be sheued foorth to this ho Co^rt & vppō conference had by his Grace wth her ma^{te} Attorney gen^lall conc^g the same, & the sd decree in this ho Co^rte his Grace was pleased to pmytt this ext to vse the sd trade of prynting so as he this ext dyd not prynte any other bookes then such as were good & lawfull or to that effecte And further this ext sayth that he is free of the Company of Draps And more sayth not to this Inter

[Folio 7b]

To the vth Inter he sayth it is trewe that yt is so also ordered in the sayd decree as ys mencōned in this Inter

To the 6. Interr he sayth That sythence the iiijth day of August last past he this ext dyd imprynt the aforesd booke intituled the sollempne passion of the Sowles love & a ballad [*intytuled*] lycenced by m^r Iohn Dixie Chapleyn of the reuerend father in god Rich. L Bishop of Londō; & also this ext synce the sd iiijth day of August last past ymprynted certē damaske paper Wch sd booke, ballad & damaske pap be all the booke or bookes Worke cobby or other thing that this ext or any for him or by his pcurem^t dyd sythence the sd iiijth day of August last past imprint or cause to bee imprynted or suffer his presse or tres to bee employed in printing [*of any book or bookes worke Coppye or other thing*] And further this Ext sayth that Iohn Daynter Stacyoner & Walter Venge free of the Company of Groc^s dyd sythence the iiijth day of August last past imprynt dyvers bookes (howe many he cannott say) comonly called the Accidence or introduccions to Gramãr contrary to the sd decree of this ho Co^rte & also contrary to her highnes tres pattente of pryvedge for prynting therof graunted to one Iohn Battersby vnder the great Seale of England, & that Roger Pavyo^r m^ochant & Edw Veng were (as this ext hard) contributory to the charg therof And further to this Inter or to any pte therof this Ext cannott depose.

[Folio 8a]

[Folio 8b]

To the vijth Inter he sayth That Tho. Dawson and Cuttbert Burby they being bothe of the sd Company of Stacyon^s and accompanied wth A messenger and a constable dyd on the xiiijth day of marche last past repayre to the howses of him this ext & of the sd Roger Pavyo^r there to make searche for bookes printed contrary to the sayd decree and dyd then fynde

in the howse of the sd Pavyo^r (but not in the howse of this ext) dyvers of the sd booke called Accydence or introductions to Grammar Wch had byn prynted contrary to the sd decree by the sd Iohn Daynter & Walter Venge, [at] & wth their presse & lres as this ext thincketh. To the charge of the [*sd Roger Pavyo^r & Edw Venge as this ext thincketh*] pryntg of wch sd booke the sd Roger Pavyo^r was contributory as this Ext allso verely thincketh And further this Ext sayth he doth not remember that the sd Dawson & Burby dyd signefy vnto this Ext that they came by appoyntm^t of the wardens of the Company of Stacyon^s according to the sd decree to make such serche & seysure as ys mencōned in this Inter neyther doth this Ext thincke or knowe that they so dyd neyther dyd he this Ext then vse any such speches as be mencōned in the last pte of this Inter or any speches to any such effecte.

[Folio 9a]

To the viijth Inter hee sayth that he this Ext dyd at a Sessions holdē in the olde bayly abowt Easter last past preferre onely one bill of Indyctm^t & no more against the sd Dawsō & Burby [*for ryotously entring*] for that they the xiiijth day of March nowe last past dyd [*as this ext thought with force & armes ryotously & unlawfully*] enter into the [*shopp or*] workhowse of this ext & from thence wthout his consent take away his prynting instrmtē and this Ext sayth that he this ext only gaue evydence vppō the same Indyctm^t to this effect viz that the sd Dawsō & Burby [*entered*] the sd xiiijth day of Marche entred into this extē workehowse & from thence against this extē

will dyd take certen prynting instrm^{te}
of this Ext w^{ch} had not byn imployed
by this ext or by any for him or by his pcurem^t
or consent in the prynting of any vnlawfull
or vnlycensed booke and more or other
evydence this ext dyd not gyue vppō
the sd Indyctm^t to this Extē knowledg.

[Folio 9b

To the 9th Inter he sayth that he this
Ext hath not allowed prynted or caused
to bee ymprynted any booke Coppye or
other thing vnlawfully against the sd decree synce
he knewe that an attach^t was
awarded against this ext by this hono:
Co^rte to answer to his supposed
contempte in this Inter mencōned other then
[And] only a lyttle
damaske paper wch he prynted for
& at the request & charge of one Iohn Harrison
the younger A Stacyon⁹
this ext being form^{ly} bounde to the sd harrisson
so to doe.

To the xth Inter hee sayth he doth knowe
that an attacht was awarded by this ho
Co^rte the last terme against the sd Edw:
Venge for such supposed contempte as
is menconed in this Inter but where
the sd Edw: Venge nowe is or remayneth
or whether the same Venge doth goe from
place to place in the Contry to selle or disperse
any Accidencē or no this Ext doth
not knowe but this ext is sure that none of
these things are done by the sd Edw:
Venge by the meanes or pswasion of this ext
And further to this Inter he cannott depose.

Simon Stafford

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