

'Stolne and Surreptitious': Heywood as a Test Case

WILLIAM PROCTOR WILLIAMS

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In the eighth and final quarto edition of If You Know Not Me in 1639 Thomas Heywood claims that 'some by stenography drew / The plot: put it in print, scarce one word true' so that the text of the first quarto, and therefore all previous quartos, was defective. This article investigates the means by which this 'piracy' could have been done and provides an initial testing of such theft using a small portion of the text in performance.

When Heminges and Condell said in the First Folio, 'where (before) you were abus'd with diverse stolne, and surreptitious copies, maimed, and deformed by the frauds and stealthes of injurious imposters that expos'd them: even those, are now offer'd to your view cur'd, and perfect of their limbes' (F1, A3r), or when Bernard Alsop and/or Lawrence Chapman said in 'The Printer to the Reader' of the 1620 quarto of *The Two Merry Milke-Maids*, 'It was made more for the Eye, then the Eare; lesse for the Hand, then eyther: and had not false Copies trauail'd abroad (euen to surbating¹) this had kept in; for so farre the Author was from seeking fame in the publishing, that hee could haue wisht it bound about with the Ring' (A2r), they opened up avenues of textual speculation down which we have travelled diversely for more than two hundred years. Warning signs on any of those avenues, however, have been posted by Peter Blayney,² and we should be wary of overvaluing play texts as textual/publishing commodities. How much effort and capital would have been invested in acquiring a document which was but lightly valued by the book trade and perhaps the reading public? With that in mind, what are the possible means by which a play text might be stolen in the period before 1642?

The first and most obvious avenue is that of real or alleged theft of a copy, typically manuscript, of the text which was then published (meaning either the generalized or the specific sense of the word). Certainly such theft did happen, though often it was merely claimed as an excuse for bringing out another, often different but sometimes identical, edition of the work (e.g., Sir

William Proctor Williams (wpw@uakron.edu) is emeritus professor of English at Northern Illinois University and adjunct professor of English at the University of Akron, Ohio.

Thomas Browne's *Religio Medici*, 1642 and 1643 editions).³ When an author or a publisher cries 'stop, thief!', it is sometimes the case that he is also the thief, but clearly some outright theft of documents did take place.

The second, and probably the most vexed with drama, is the stealing of a text by using the memories of some actors who have performed in the play, perhaps aided by the parts they had been given, to reconstruct the text of a play. Again, there is little doubt that some memorial reconstruction did go on, though this form of textual theft has probably been given more credit than it actually deserves. Scholars have suggested that this method of textual theft occurred in the printing of several plays, most notably Q1 *Hamlet*, but these are hard cases to prove, with almost no corroborating testimony from author, company, or subsequent publisher to support them.

The third method, and the one which concerns us here, is, as Heywood calls it in his 'To the Reader' from *The Rape of Lucrece* (1608), being 'coppied onely by the eare' (A2r). That is, the text is taken down by a person or persons in the theatre while the play is being performed, using some method of recording oral language, or, perhaps, no method at all. It is certainly the case that Englishmen of the sixteenth and seventeenth centuries were accustomed to taking copious notes of sermons, sometimes coming close to verbatim transcriptions, of which some preachers complained when their sermons found their way into print without the preacher's authority. G.I. Duthie⁴ and Adele Davidson⁵ have thoroughly investigated the use of shorthand or stenography to capture text as performed, but have not, I think, reached any satisfactory conclusions.⁶ And although Heywood will claim that some of his plays were stolen by 'stenography', the *OED* lists no uses of either 'stenography' or 'shorthand' before the mid-1630s, save for John Willis's use of the word in the title of his book called *The Art of Stenographie* (1602). I believe Heywood and other authors at the time were using the word as a nod to a flashy new technology, much the way 'digital' gets tossed around today even when it is inaccurate. There were, of course, other ways to have things 'coppied onely by the eare', and Frances Henderson points out, 'in republican Rome where, because of the inadequacy of the Tironian notes,⁷ the custom was to place several *notarii* in different parts of the senate; later they would compare notes and concoct a final, collective, fair copy'.⁸ And that, by a course which I hope will become clear, leads us to the heart of my essay.

Sometime before July 1605 Thomas Heywood's play, *If You Know Not Me You Know No Body: or, The Troubles of Queen Elizabeth* (we now call it 'The First Part' but that was not the case in the seventeenth century) was

performed almost certainly by Queen Anne's Men, of which Heywood was a member, and probably at either the Curtain or the Boar's Head theatres.⁹ By 6 July 1605 Nathaniel Butter had obtained a copy of the text of this play by some means, for he entered it in the Stationers' Register licensed by Abraham Hartwell¹⁰ on that date and before the end of the year had published the first quarto edition; he would publish seven more editions of the play in 1606, 1608, 1610, 1613, 1623, 1632, and 1639.¹¹ Five editions in eight years and eight editions in thirty-four years indicate considerable popularity for the play, at least in print (only *The Spanish Tragedy* and *Mucedorus* had more editions in equivalent spans of time). Heywood wrote a 'Prologue' to *If You Know Not Me* probably at the time of the play's revival by Queen Henrietta's Men in 1633, but certainly before 29 August 1635 when a collection which contained it, called *Pleasant Dialogues and Drammas ... With divers Speeches (upon severall occasions) spoken to their most Excellent Majesties, King Charles, and Queene Mary* was entered in the Stationers' Register by Richard Hearne and published by Hearne in 1637. The Prologue is prefaced in *Pleasant Dialogues* with this statement by Heywood: 'A Prologue to the Play of Queene Elizabeth as it was last revived at the Cock-pit,¹² in which the Author taxeth the most corrupted copy now imprinted, which was published without his consent' (R4v). The same Prologue, with minor textual variants, was printed in the eighth and final quarto of *If You Know Not Me* in 1639, and the relevant section reads:

Yet well receiv'd, and well perform'd at first:
 Grac'd, and frequented; and the cradle age
 Did throng the seats, the boxes, and the stage
 So much, that some by stenography drew
 The plot: put it in print, scarce one word true:
 And in that lameness it hath limped so long.
 The author, now to vindicate that wrong,
 Hath took the pains, upright upon it's feet
 To teach it walk: so please, you sit and see't. (A2r)

Heywood often said things which modern scholars are inclined to take with more than a grain or two of salt, and W.W. Greg says of the textual changes found in Q8 that they are 'superficial and evidently lacked authority'.¹³ Much as one does not like to disagree with Greg, a full textual collation of all eight quartos clearly indicates that what Heywood says about this play is substantially true. Except for the removal of the profanity proscribed by the 'Acte

to restraine Abuses of Players' of 1606, which indicates that a play has been revived after that date, as Gary Taylor has demonstrated,¹⁴ almost all of the changes in the final quarto are authorial and very many appear to be the correcting of mishearing and/or transcribing. For example: 'surcharge' for 'survive', 'hot' for 'hit', and 'do' for 'you'. Also, when one considers the full text of 'To The Reader' from *The Rape of Lucrece* (1608), just three years after Q1 of *If You Know Not Me You Know No Body*, we can perhaps see Heywood, stung by the textual theft of the latter play, publishing this play to prevent a repetition:

It hath beene no custome in mee of all other men (courteous Readers) to commit my plaies to the presse: the reason, though some may attribute to my own insufficiencie, I had rather subscribe, in that to their seuere censure, then by seeking to auido the imputation of weakenes, to incurre a greater suspition of honestie: for though some have used a double sale of their labours, first to the Stage, and after to the presse, For my owne part, I heere proclaime my selfe euer faithfull in the first, and never guiltie of the last: yet since some of my plaies have (vnknown to me, and without any of my direction) accidentally come into the Printers handes, and therefore so corrupt and mangled, (coppied onely by the eare) that I have bene as vnable to know them, as ashamde to chalenge them. This therefore I was the willinger to furnish out in his natiue habit: first beeing by consent, next because the rest have been so wronged in beeing publisht in such sauadge and ragged ornaments: accept it Curteous Gentlemen, and prooue as fauourable Readers as wee have found you gracious Auditors.

Yours, T. H. (A2r)

Here we see Heywood in 1608 making the complaint he would repeat in his Prologue to *If You Know Not Me Part 1* in 1638, and that clearly puts quite a new light on his claims.

Authors can say anything when they are charging that their work has been stolen, but are their claims plausible? One way to determine this allegation is to attempt to replicate the method cited in their claims, and I initially attempted to do just that at a recent Blackfriars conference. As some of you may know, a great advantage of the Blackfriars conferences is that one may give papers which employ actors to supplement one's discussion. On the other hand, a great disadvantage of the Blackfriars conferences is that papers may not be longer than ten minutes, or thirteen minutes if one uses actors. No matter; here was a chance to actually test, rather than merely speculate

about, dramatic texts ‘copied onely by the eare’. I was assigned four graduate students¹⁵ from the American Shakespeare Center/Mary Baldwin College MFA program in Shakespeare and Performance to serve as my actors. I asked them to perform two passages from *If You Know Not Me You Know No Body: or, The Troubles of Queen Elizabeth*, on book, as naturally and swiftly as they would any other play on the Blackfriars stage, and to do one performance before my four-minute paper and do the other performance immediately after I stopped reading. The text they used, and which is reproduced in this essay, is from my edition of the play for the Oxford edition of Heywood’s works. The copy-text for this edition is Q8 of 1639. In addition, I was provided with two experienced graduate students¹⁶ to act as play thieves, much in the way the ancient Romans used several *notarii* to take down Senate speeches. These two were also in the MFA program at Mary Baldwin, and although they had considerable experience with Shakespeare and a few of his contemporaries, both in the classroom and on stage, they knew nothing about this play and very little about Heywood. I told them nothing about the play, including its title, and they knew nothing else about the play until the actors began performing it, and were merely told to get down as much of the text as they could. They placed themselves in one of the upper galleries with a list of the names of the characters (to assist them with getting speech prefixes down), and discovered that they would see the performances twice, and that they were to be as surreptitious as possible so that the actors did not assault them as they left, if not before. Although they recorded separately, they met in a local coffee shop immediately after the performance to compare and reconcile their versions and produced one text. They were told to guess at what they either missed or could not clearly hear.

The two performed passages from *If You Know Not Me You Know No Body Part One* were:

Passage One

Roles: Winchester, Bedingfield, Queen Mary, Sentlow

1.2.

WINCHESTER And well remembered. Is't not probable That she in Wyatt's expedition, And other insurrections lately quelled, Was a confederate? If your highness Will your own estate preserve, you danger	50
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- Must prevent, and cut off such as could
Your safety prejudice. 55
- BEDINGFIELD Such is your sister,
A mere opposite to us in our opinion; and besides,
She's next successive, should your majesty
Die issueless, which heaven defend.
- OMNES Which heaven forbid. 60
- BEDINGFIELD The state of our religion would decline.
- QUEEN My Lord of Tame and Chandos,
You two shall have a strict commission sealed,
To fetch our sister, young Elizabeth,
From Ashridge, where she lies, and with a band 65
Of armed soldiers, to conduct her up to London,
Where we will hear her.
- SENTLOW Gracious queen, she only craves but to behold your face,
That she might clear herself of all supposed treasons,
Still protesting she is as true a subject to your grace, 70
As lives this day.
- WINCHESTER Do not you hear, with what a saucy impudence
This Sentlow here presumes?
- QUEEN Away with him, I'll teach him to know his place,
To frown when we frown, smile on whom we grace. 75
- WINCHESTER 'Twill be a means to keep the rest in awe,
Making their sovereign's brow to them a law.
- QUEEN All those that seek our sister's cause to favor,
Let them be lodged.
- WINCHESTER Young Courtney, Earl of Devonshire, 80
Seems chiefly to affect her faction.
- QUEEN Commit him to the Tower
Till time affords us and our council breathing space
To meditate on these affairs of state.

*Passage Two**Roles: Winchester, Princess Elizabeth, Sussex, Howard*

2.1

- WINCHESTER Madam, perhaps of me you censure hardly,
That was enforced in [this] commission. 60
- ELIZABETH Know you your own guilt, my good Lord Chancellor,
That you accuse yourself? I think not so;
I am of this mind, no man is my foe.
- WINCHESTER Madam, I would you would submit yourself unto her
Highness. 65
- ELIZABETH Submit, my lord of Winchester? 'Tis fit
That none but base offenders should submit.
No, no, my lord, I easily spy your drift;
Having nothing whereon you can accuse me,
You seek to have myself myself betray, 70
So by myself, mine own blood should be spilt.
Confess submission, I confess a guilt.
- [WINCHESTER] What answer you to Wyatt's late rebellion?
Madam, 'tis thought that you did set them on.
- ELIZABETH Who is't will say so? Men may much suspect, 75
But yet, my lord, none can my life defect.
I, a confederate with those Kentish rebels?
If I saw, or sent to them, let the Queen take my head.
Hath not proud Wyatt suffered for his offence,
And in the purging both of soul and body for heaven, 80
Did Wyatt then accuse Elizabeth?
- SUSSEX Madam, he did not.
- ELIZABETH My reverend lord, I know it.
- HOWARD Madam, he would not.
- ELIZABETH O, my good lord, he could not. 85
- SUSSEX The same day Throgmorton was arraigned at Guildhall
It was imposed on him, whether this princess had a hand
With him or no. He did deny it;
Cleared her fore his death, yet accused others.
- ELIZABETH My God be praised, this is news but for a minute old. 90

[WINCHESTER] What answer you to Sir Peter Carew in the West—
The western rebels?

ELIZABETH Ask the unborn infant, and see what that will answer,
For that and I are both alike in guilt.
Let not by rigor innocent blood be spilt. 95

WINCHESTER Come, madam, answer briefly to these treasons.

ELIZABETH Treason, lords? If it be treason to be the daughter
To th'eight Henry, sister to Edward, and the next of blood unto
My gracious sovereign, the now Queen, I am a traitor. If not, I
Spit at treason. In Henry's reign this law could not have stood. 100
O, heaven, that we should suffer for our blood.

To give you some notion of what the textual history of these passages is and to provide some point of comparison with the results of this test case, the following is a select collation of the acted text against the other seven Qs (Q8 is the control text) showing what appear to me to be hearing errors.

Passage One

- 1.2.54. owne state] ~ estate Q1–2, Q6; own estate Q3–5
- 1.2.54. danger / Must prevent,] must foresee fore-danger, Q1–2, Q6–7; must foresee fore-dangers, Q3–5
- 1.2.55. such] all ~ Q1–7
- 1.2.55. could] would Q1–7
- 1.2.60. forbid] defend Q1–7
- 1.2.63. strict] firme Q1–7
- 1.2.65. *Ashbridge*] *Ashbridge* Q1–7
- 1.2.84. To meditate on these affaires of state.] *om.* Q1–7

Passage Two

- 2.1.59. of me] *om.* Q1–7
- 2.1.70. You] Do Q1, Q3–5; Doe Q2, Q6–7
- 2.1.76. defect,] detect, Q1–2, Q7; detect. Q3–6
- 2.1.78. I] ~ ere Q1–7
- 2.1.86. *Throgmorton*] *Frogmorton* Q1–7
- 2.1.86. at] in the Q1–7

2.1.93. and] *om.* Q1–7

When my two textual thieves had finished their work and given me their stolen text, I collated it against Q8. I did not attempt to reconcile their lineation with that of Q8 since I watched them at work and saw that they assumed a regular blank verse metre for the entire text and, of course, that is not the way Heywood worked. I also think that some of their guesses were almost as interesting as were their accurate recordings of the spoken text. I include nearly complete listings of the variants they produced in order to give a sufficiently complete picture of interesting difficulties of this sort of text. I also do not provide any sort of commentary, at this stage, since I feel that might prejudice the results. For these select collation notes, Q8 is the control text, and SS = Stolen Script.

Passage One

- 1.2.51 Wyatt's expedition] wildest extremes and other SS
 1.2.52–3 insurrections lately quelled, / Was a] Expeditions ~ SS
 1.2.54. Will your own estate preserve] would continue reign SS
 1.2.55. you] Your SS
 1.2.55. such as could] what your SS
 1.2.55. prejudice] should prevent. SS
 1.2.56. opposite] object SS
 1.2.57–9. to us in our opinion; and besides, / She's next successive, should your
 majesty Die issueless, which heaven defend.] Of those that would her make /
 Next successor of your state. SS
 1.2.61. our] *om.* SS
 1.2.61. would] *om.* SS
 1.2.61. decline] defines SS
 1.2.65. *Ashbridge*] *Tunbridge* SS
 1.2.65. where she lies,] *om.* SS
 1.2.68. Gracious] Our ~ SS
 1.2.68. she] *om.* SS
 1.2.68. behold] see SS
 1.2.70–1. Still protesting she is as true a subject to your grace, / As lives this
 day.] *om.* SS

- 1.2.74–75. I'll teach him to know his place, To frown when we frown, smile on whom we grace.] who have moved me / Frown upon frown and driven the smile from my face. SS
- 1.2.77. Making their sovereign's brow to them a law.] Who dare presume to test against your law SS
- 1.2.78–79. those that seek our sister's cause to favor, / Let them be lodged.] who seek favor of my sister let / My watch discover and prevent their plots. SS
- 1.2.84. To meditate on these affairs of state.] Are means to keep safe affairs of state. SS

Passage Two

- 2.1.61–3. my good Lord Chancellor, / That you accuse yourself? I think not so; / I am of this mind, no man is my foe.] Mind that your accuse our sovereign sister. SS
- 2.1.66–72. of Winchester? 'Tis fit / That none but base offenders should submit. / No, no, my lord, I easily spy your drift; / Having nothing whereon you can accuse me, / You seek to have myself myself betray, / So by myself, mine own blood should be spilt. / Confess submission, I confess a guilt.] I will not submit myself / I have not betrayed my sovereign / Come not to accuse me. SS
- 2.1.75–81. Men may much suspect, / But yet, my lord, none can my life defect. I, a confederate with those Kentish rebels? / If I saw, or sent to them, let the Queen take my head. / Hath not proud Wyatt suffered for his offence, / And in the purging both of soul and body for heaven, / Did Wyatt] Look not / On me with suspicion. / I have not conspired with those Kentish rebels. / The Queen take my head for Wyatt's offence, / Did he accuse Elizabeth? SS
- 2.1.83. O] No SS
- 2.1.86. *Throgmorton*] *Morten* SS
- 2.1.87–8. It was imposed on him, whether this princess had a hand / With him or no.] He was asked what / Hand the princess had in the plot. SS
- 2.1.90. but for a minute old.] bears well SS
- 2.1.91. Sir Peter Carew in the West—] *om.* SS
- 2.1.93–5. and see what that will answer, / For that and I are both alike in guilt. / Let not by rigor innocent blood be spilt.] what part he had / In his father's crime. The like guilt / Lies on my pure and spotless soul. SS
- 2.1.97. If it be treason to be] Treason from SS

2.1.98–104. and the next of blood unto / My gracious sovereign, the now Queen,
 I am a traitor. If not, I / Spit at treason. In Henry's reign this law could not
 have stood. / O, heaven, that we should suffer for our blood.] My gracious
 sovereign's sister? / Her reign is so unstable and madly crazy / Where she will
 turn she spits treason. / And such it is that we should suffer / Our reputation
 to be stained so. SS

And what can one conclude from all this? First, I conclude that I need to repeat this experiment with a much larger sample and slightly different textual thieves. Second, it seems reasonable to assume that play-texts could be filched with nothing more than two or three people experienced with the workings of theatre, paper, and writing instruments, a little low cunning, and the expenditure of a shilling, or perhaps a shilling and six pence, for admission to the theatre for multiple performances. What probably was not required was any form of shorthand or rapid writing. Second, the risk and the cost would probably not be worth it unless the play being stolen was notably popular, since against the £4 to £6 which might be realized by the sale of the text to a stationer would be counted the two or three shillings of expenses and the risk to life and limb. There is also, I suppose, the possibility that the publisher may be involved in some way since if one searches the ESTC for Thomas Heywood between 1590 and 1640 one gets 109 items but only three of them, *If You Know Not Me Part 1* (all eight editions), *If You Know Not Me Part 2* (all four editions), and *The Rape of Lucrece* (all five editions), are published by Nathaniel Butter, and Heywood, actively or passively, seems to have had much more to do with Nicholas Oakes, John Oakes, William Jaggard, and Isaac Jaggard than any other stationers. What this means I do not know at this stage, but I do know that it is almost certainly the case that we should believe what authors say, and particularly what Heywood says, about the publication of their works, more than is currently the case in the scholarly world. And perhaps I should end with the assertion: 'Believe what old Tom Heywood says'!

Notes

- 1 Surbating is 'the action of making the hoofs or feet sore by walking; foot-soreness' (OED).

- 2 Peter W. M. Blayney, 'The Publication of Playbooks', John D. Cox and David Scott Kastan (eds), *A New History of Early English Drama* (New York, 1997), 383–422.
- 3 See Jonathan F.S. Post, 'Browne's Revisions of *Religio Medici*'. *SEL: Studies in English Literature* 25 (1985), 145–63.
- 4 G.I. Duthie, *Elizabethan Shorthand and the First Quarto of King Lear* (Oxford, 1949).
- 5 Adele Davidson, *Shakespeare in Shorthand: The Textual Mystery of King Lear* (Newark, 2009).
- 6 Tiffany Stern also deals with the matter of note takers but reaches no more satisfactory conclusion in her 'Sermons, Plays and Note-Takers: *Hamlet* Q1 as a "Noted Text"', *Shakespeare Survey* 66 (2013), 1–23.
- 7 A system of shorthand said to have been invented by Cicero's scribe Marcus Tullius Tiro.
- 8 Frances Henderson, 'Reading and Writing, the Text of the Debates', Michael Mendle (ed.), *The Putney Debates of 1647* (Cambridge, 2001), 41.
- 9 See G.E. Bentley, *The Jacobean and Caroline Stage*, 7 vols (Oxford, 1941–1968), 1:158–9.
- 10 Abraham Hartwell (1553/4–1606), was at one time secretary to John Whitgift, archbishop of Canterbury, and was also in some way connected to Richard Bancroft, bishop of London. In one or the other of these capacities he served the bishops' need for a licenser for books for publication (*Oxford Dictionary of National Biography*). For a fuller description of how the system worked see my "'vnder the handes of...": Zachariah Pasfield and the Licensing of Books', Marta Straznický (ed.), *Shakespeare's Stationers: Studies in Cultural Bibliography* (Philadelphia, 2012), 63–94.
- 11 They are W.W. Greg, *Bibliography of the English Printed Drama to the Restoration*, 4 vols (London, 1939–59) #215 (a)–(h) and ESTC 13328–13335.
- 12 This theatre is the Cockpit in Drury Lane, probably better known as the Phoenix. See Bentley, *Jacobean and Caroline Stage*, 6: 47–77.
- 13 Greg, *Bibliography*, 1.339.
- 14 Gary Taylor and Jowett, 'Zwounds Revisited: Theatrical, Editorial and Literary Expurgation', Taylor and Jowett (eds), *Shakespeare Reshaped 1606–1623* (Oxford, 1993), 51–106.
- 15 The actors were Brian Falbo, Kim Maurice, A.J. Sclafani, and Michael Wagoner, and I offer them my great thanks.
- 16 Charlene Smith and Dane Leasure, and my thanks to two remarkable thieves.