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Source: *Shakespeare Quarterly*, Vol. 56, No. 1 (Spring, 2005), pp. 51-75

Published by: [Folger Shakespeare Library](#) in association with [George Washington University](#)

Stable URL: <http://www.jstor.org/stable/3844026>

Accessed: 22/08/2011 12:27

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# Henry Carey's Peculiar Letter

ANDREW GURR

IN NOVEMBER 1596 RESIDENTS OF THE LIBERTY OF THE BLACKFRIARS asked the Privy Council to stop James Burbage and his company at the Theatre from using his new playhouse in their precinct. This well-known petition contains some puzzling statements. The petitioners complained, for instance, that

... all players being banished by the Lord Mayor from playing within the Cittie by reason of the great inconveniences and ill rule that followeth them, they now thincke to plant them selves in liberties.<sup>1</sup>

What seems strange here is not the company's plan to start growing in the liberty of Blackfriars, but the claim that the Lord Mayor had recently banned playing inside the city. No papers survive to say when or even that such a ban was issued. The authority that normally sent out such orders was not London's mayor but the Privy Council, acting for the monarch. Yet the thirty-four petitioners—residents of the afflicted liberty—should have known what they were saying. They were led by Lady Elizabeth Russell, sister-in-law to William Cecil, Lord Burghley, who chaired the Privy Council. The others included Richard Field, the printer from Stratford who had issued Shakespeare's narrative poems in 1593 and 1594. Though the claim that the Lord Mayor had banned playing in the city does echo twenty years of mayoral complaints to the Privy Council, it is distinctly mysterious. Just which Lord Mayor was it who took authority to initiate this unique ban on playing inside the city? Had the Privy Council, which had resisted Guildhall's pleas before, nothing to say about it and no say in it?

Henry Carey, the first Lord Hunsdon, Lord Chamberlain, and the Privy Council member who might have been most concerned, had died in July, some months before the petitioners set down their complaint. Burbage's new indoor playhouse was built for use by the company that Carey himself had set up in May 1594 as the Lord Chamberlain's Men. At the time of the petition, William Brooke, Lord Cobham, Carey's successor as Lord Chamberlain, was less interested in helping Carey's company, now the second Lord Hunsdon's; it may even have been Brooke's objection that, in the same year as the petition, made them change the

<sup>1</sup> E. K. Chambers, *The Elizabethan Stage*, 4 vols. (Oxford: Clarendon Press, 1923), 4:319–20.

name of their most celebrated new creation, Sir John Oldcastle, to Sir John Falstaff.<sup>2</sup> Brooke, himself a resident of the Blackfriars precinct, was unsympathetic to the company's scheme, as was the younger Carey, since his signature appears on the petition immediately below Lady Russell's. Both Brooke and George Carey would surely have known whether or not the Lord Mayor had recently managed to impose a ban on playing inside the city.

Asking why the petitioners should have attributed such a ban to the Lord Mayor rather than to the Privy Council takes us back deep into the story of a power struggle that entangled Shakespeare's company through its first years. I believe the ban may have been laid down in May 1594, when Henry Carey as Lord Chamberlain and Charles Howard, the Lord Admiral, first set up their two new companies. In effect, I think, the Lord Chamberlain's and the Lord Admiral's Men were created by their patrons as a duopoly to replace the monopoly of the former Queen's Men. I have written elsewhere about their scheme to create a pair of new companies and give them fixed playing places in the suburbs.<sup>3</sup> It was then, I believe, that they agreed to accept a ban on playing inside the city and to send their two companies off to play only in the suburbs. There the Lord Admiral was in authority, and two playhouses, the Rose (in Surrey) and the Theatre (in Middlesex), were already in regular use. Confining playing to the suburbs of Middlesex and Surrey would keep it out of the Lord Mayor's jurisdiction, and as a result, they no doubt hoped, might halt the stream of mayoral pleas to ban all playing everywhere.

The idea that Carey and Howard, in concert with the Lord Mayor, set up an agreement in 1594 for playing in and around London has significant implications. While in the absence of key documents such an idea is only a hypothesis, the clearest reading of the evidence suggests that the two authorities of central and city government worked together to settle their differences over which locations the professional playing companies could use then and in the future. That hypothesis, considered along with the surviving documents, also suggests that the agreed solution continued to be an issue after the two companies began playing in 1594. The story of the Privy Council and city government's power struggle over plays colors this reading.

<sup>2</sup> See, for instance, Gary Taylor, "The Fortunes of Oldcastle," *Shakespeare Survey* 38 (1985): 85–100.

<sup>3</sup> See Gurr, "Privy Councilors as theatre patrons" in *Shakespeare and Theatrical Patronage in Early Modern England*, Paul Whitfield White and Suzanne R. Westfall, eds. (Cambridge: Cambridge UP, 2002), 221–45. Charles Howard was Lord Chamberlain through 1584 until he became the Lord Admiral, when the chamberlainship passed to Carey, his father-in-law. The term *duopoly* for the two companies is Richard Dutton's, though he cautiously marks it as not affirmed until 1598 in the Privy Council's surviving orders (*Mastering the Revels. The Regulation and Censorship of English Renaissance Drama* [Iowa City: U of Iowa P, 1991], 111). I offer a summary of some of the consequences of establishing a duopoly in 1594 in *The Shakespeare Company 1594–1642* (Cambridge: Cambridge UP, 2004), 1–40.

Seen from a long historical perspective, the success of Shakespeare's company in the years following its creation appears an obvious step in the unstoppable growth of professional playing and the production of the great plays they contributed to English (and later global) culture. The political maneuvers surrounding the duopoly's establishment, however, suggest that their creation was far more risky and their success more doubtful than we would like to think. That the Lord Chamberlain's Men were denied the use of an indoor playhouse in the Blackfriars until 1608 affirms that risk. Extant papers from the 1570s onward show that quite a few mayors had unsuccessfully pleaded with the Privy Council to ban playing in London.<sup>4</sup> They were forced to plead because it was the Council that issued orders about playing, as it did for all theater closures resulting from increases in the number of plague deaths. Surviving letters show the Council allowing playing, for instance, on 23 December 1578 (a letter also going to the magistrates of Middlesex and Surrey, where the custom-built playhouses stood), 18 November and 3 December 1581, 11 April 1582, and 26 November 1583. Banning or staying orders, mostly because of plague, survive from 7 May 1587, 25 July 1591, 28 January 1593 (for plague, including Middlesex and Surrey), and 3 February 1594. After 1594, orders about playing went only to magistrates in the two counties, bypassing the city itself.<sup>5</sup> I suspect that something happened in that year, in a strange consonance with the Blackfriars petition, which allowed the Privy Council to stop regulating playing inside the city even as it continued to close other public venues in an attempt to limit the spread of the plague.

What may be the key document in the struggle between the pro-playing Privy Councillors and the anti-playing mayoralty is preserved in the *Remembrancia* of the City of London, a patchy but vital transcription of letters written to and from Guildhall. This collection includes a copy of a letter sent on 8 October 1594 by Lord Chamberlain Henry Carey from his Privy Council office at Nonsuch Palace to the Lord Mayor, Sir Richard Martin, at the Guildhall.<sup>6</sup> The letter implies that Shakespeare's company wanted an indoor playhouse from the outset; it may also explain why Lady Russell and her co-signatories believed that it was the Lord Mayor who had stopped playing inside the city. Composed less than five months after Carey's playing company had been established, while the first chill of the coming winter was in the air, it delivered a blunt request in his characteristically curt and businesslike manner.

<sup>4</sup> See Chambers, 4:271–316.

<sup>5</sup> Chambers, 4:319, 325, 332–33.

<sup>6</sup> The letter from Carey to Martin is reprinted in *Malone Society Collections: Part I* (Oxford: The Malone Society, 1907–), 1:1, 73–74, hereafter cited as MSC. The *Remembrancia* were the records kept by the City Remembrancer, who from 1586 to 1605 was Giles Fletcher. Of the nine volumes, Volume 1 covers 1579 to 1592, and Volume 2 covers 1593 to 1609.

After my hartie comendacions, where my nowe companie of Players have byn accustomed for the better exercise of their qualities, & for the service of her Majestie if need soe require to plaie this winter time within the Citie at the Crosse kayes in Gracious street. These are to require & praye your Lordship the time beinge such as thanks be to god there is nowe no danger of the sicknes) to permitt & suffer them soe to doe; The which I praie you the rather to doe for that they have undertaken to me that where heretofore they began not their Plaies till towards fower a clock, they will now begin at two, & have don between fower and five and will nott use anie Drumes or trumpettes att all for the callinge of peopell together, and shalbe contributoryes to the poore of the parishe where they plaie accordinge to their habilities And soe not dowing of your willingness to yeeld hereunto, upon their reasonable condicions I comitt yow to the Almightie. Noonesuch this viiiith of October 1594.

Your lordships lovinge freind

H. hounsdon

To my honorable good freind Sir Richard Martin knight Lord mayor of the Citie of London.<sup>7</sup>

The archivist who transcribed the *Remembrancia* at Guildhall, probably Giles Fletcher, marked the letter with a marginal note that reads "For players to bee suffred to play within London." On the face of it, as Chambers and many others have interpreted it, Carey was simply asking that his new company be permitted to perform its plays through the winter at the city's Cross Keys inn, an indoor venue often used for playing in previous years. Six of the players who were drawn into the new Lord Chamberlain's company in 1594 are on record as having played at the Cross Keys with Strange's Men on 5 November 1589.<sup>8</sup> Evidently they objected to now being forced to play through the winter at their assigned open-air playhouse in the northern suburbs. In other words, the impetus was their reluctance to use only the Theatre in Middlesex's Shoreditch as their licensed location.

Henslowe's *Diary* shows that the Admiral's had been playing through that summer at the Rose to the south in Surrey. A surviving order of the Council in 1598 specifies the Theatre and Rose as the venues of the Lord Chamberlain's and the Admiral's Men respectively, saying that the two companies could play nowhere else, but in 1594 the Chamberlain's Men thought differently. They had been used to performing indoors through the winters of previous years, but now were required to perform out of doors all the year round. This seems to indicate that someone, either the Lord Mayor or the Privy Council, had recently excluded them from playing within the city limits. If it was not a mayoral order, Carey would not have needed

<sup>7</sup> *Remembrancia*, quoted here from MSC, 2:33; Chambers reprints the letter with some alterations, for instance, adding a mark to open the parenthetical phrase in the third sentence that in the *Remembrancia* version has only the closure (4:316).

<sup>8</sup> Chambers, 4:305–6.

to ask for the Lord Mayor's permission, and the Blackfriars petitioners in 1596 would not have needed to jog the Council's memory. Nothing survives to say that, in all his years as Lord Chamberlain, Carey ever made a similar request. It does seem that, as the new companies' first winter drew on, Carey's players were pestering him because they preferred the indoor location they had used in previous winters to their outdoor amphitheater.

But the wish to play indoors in winter is only a minor element of the letter's subtext. Its chief impetus, both for the company and for Carey, stems from the probability that playing at the city's inns had recently been banned, as the petition from Blackfriars residents was to claim. The most likely reason for Carey to make such an exceptional request must, I believe, have come from an agreement made between the Lord Mayor and the two Privy Councillors when they made themselves patrons of the duopoly companies—an agreement to ban all playing within the city limits. Such an agreement would correspond to their licensing of the two suburban playhouses. Carey's aim was not just to secure wintertime comfort for his players and their customers but to test the possibility that, despite the ban on playing at the city inns, the issue might still be open to change. Had there been no prior agreement between the Council and the Lord Mayor, there would have been no need for Carey to seek mayoral consent to a breach of the new ban.

It appears, therefore, that Carey was laying down a blatant challenge to the incumbent Lord Mayor. His letter is crucial as evidence largely because not a single Privy Council document has survived from the period between 27 August 1593 and 1 October 1595. Consequently we can only guess at what orders the Councillors may have issued when the duopoly of the Lord Chamberlain's and the Lord Admiral's Men was first set up, as I propose it was, in May 1594.<sup>9</sup> The documentary evidence that does survive, however circumstantial, suggests that the two Privy Councillors who made themselves patrons of the new companies included in their

<sup>9</sup> The absence of Privy Council records for 1594 leaves uncertain the date of the duopoly's establishment, and much depends on one's interpretation of the Carey letter. Ancillary evidence about the two patrons, however, is very persuasive. The new companies both appeared at the end of May 1594, and the deal was acknowledged in 1598 to keep the duopoly sharing exclusive rights to perform in London and for the queen. That it was firmly in place before that is evident in the court's records of their sole access to royal performances, as it is in their exclusive use of the Rose and the Theatre. Indeed, considering that the Chamberlain's and Admiral's Men took almost equal shares in performances at court from 1594 till 1600, the choice of plays for the winter of 1596, when, in Brooke's only occasion as Chamberlain, he allocated all six performances to the Shakespeare company, might be seen as an apology for the Falstaff trouble. A separate testimony is that someone with real clout set up the two companies' repertoires of plays in 1594, because all of Marlowe's plays appear to have gone to the Admiral's and all the early Shakespeares to the Chamberlain's, gathering them in from several older companies. See Andrew Gurr, "The Great Divide of 1594" in *Words That Count: Essays on Early Modern Authorship in Honor of MacDonald P. Jackson*, Brian Boyd, ed. (Newark: U of Delaware P, 2004), 29–50.

new deal, first, a concession to the Lord Mayor to ban playing at London's inns and confine it exclusively to the suburbs outside the Lord Mayor's jurisdiction; and, second, an agreement licensing only the two playhouses with which members of the companies had family affiliations. The Lord Chamberlain's company included Richard Burbage, son of the Theatre's owner, and the Admiral's was led by Edward Alleyn, son-in-law of the Rose's owner. Privy Council letters of 19 February 1598 and 22 June 1600, quoted below, specify the Rose and the Theatre as the two licensed playing places in the London suburbs of Surrey and Middlesex. An order of June 1600 and another of 31 December 1601 replaced those theaters with the Globe and the Fortune. All of the later orders were directed to the county magistrates, not to the Lord Mayor.

These later orders provide one strong reason for believing that the issue of earlier licenses must have accompanied or closely followed a ban on playing inside the city. The absence of Privy Council papers between 1593 and 1595 argues that the original ban was laid down during that gap. The Council's strict regulation of playing both before and after 1594 makes it almost unthinkable that they should have abnegated their authority in this one instance and left it to the Lord Mayor to issue the ban. Since nothing in the *Remembrancia* speaks of such a ban, the Blackfriars petitioners were most likely echoing the vague recognition that the ban was a matter of agreement between city and government, one maintained (and celebrated) by the city. Carey's letter makes it at least likely that the duopoly and the ban on playing inside the city were established as part of a deal made four years before it was reaffirmed and recorded in the Privy Council minutes of February 1598.<sup>10</sup>

By 1595, Carey had been Lord Chamberlain for nearly ten years, taking on the role when his son-in-law Charles Howard moved up to become the Lord Admiral. Both men had been supporters of playing since the early 1580s. Carey had made James Burbage his servant some years before becoming Lord Chamberlain, after Burbage left Leicester's Men to work as the impresario owner of the Theatre. Carey did not set up any company under his own name until 1594, probably a policy decision made because he was responsible for all professional playing. Nor had his ally Howard acted as patron to a playing company while he was Lord Chamberlain, but made Edward Alleyn his servant and started a new company under his name only upon giving up the chamberlainship. Alleyn retained the Lord Admiral's livery in later years when he moved from the Admiral's to perform with Strange's Men, an act that must reflect, if nothing else, Howard's interest in the player. Carey and Howard made a convenience of the "service" they had from James Burbage and Edward Alleyn. Using them to anchor the new companies made good sense, as did

<sup>10</sup> The main point of the order of 19 February 1598 (Chambers, 4:325) was to forbid an intrusion on the existing duopoly by a third company.

the licensing of the two playhouses with their family connections and their location in counties where Howard had leverage with local magistrates. Carey and Howard held concerted views about what needed to be done to protect the Chamberlain's obligation to entertain the queen. A duopoly with playhouses licensed for them in the suburbs was an exceptionally neat solution to several problems, as we shall see below. This fact, when seen in the wider context of Carey's letter, makes it difficult to believe that the duopoly came into being accidentally or gradually over a period of time.

Carey's letter is most remarkable because it was written at the height of the twenty-year struggle between several Lord Mayors and the Privy Council over professional playing in London. Extant letters offer occasional glimpses into the long-running negotiations between the two authorities. The Lansdowne papers, for instance, contain a strong letter from Lord Burghley to Martin during his brief tenure as Lord Mayor between July and September 1594, criticizing "the small care yt seamed was had emongest yow of the government of the estaite of the Cittye (as in not seking good and godlie meanes, for preventing the contynewaunce and increase of the infeccion of the plage and not providing for the poore Souldiers & others that swarmed in multitudes in *your* streetes."<sup>11</sup> Archbishop Whitgift, as a Privy Councillor and head of the church, was involved in the matter of playing as early as 1589. On 6 March 1592 the then Lord Mayor, Sir William Webbe, invited him to consult with "certein of our Brethren the Aldermen" on the use of obscenities in plays.<sup>12</sup> On 18 March it was Martin, along with an alderman from the Grocers, who was instructed to open discussions with the Master of the Revels.<sup>13</sup> Sadly, no other record of these discussions has survived.

Carey's subtext hints at some intricate political scheming by the Privy Council in response to the complaints about playing.<sup>14</sup> The letter's origins may lie in recent mayoral attempts to link the midsummer 1592 apprentice riots in Southwark to the

<sup>11</sup> MSC, 1:2, 211.

<sup>12</sup> MSC, 1:1, 70.

<sup>13</sup> Chambers, 4:309.

<sup>14</sup> Conflict over plays between the Privy Council and the Court of Aldermen became apparent as early as May 1572, when the Court objected to a Council order "written," as the minute reported, "in the favor of certein persones to haue in there howses, yardes, or back sydes, being overt & open places, such playes, enterludes, commedies, & tragedies as maye tende to represse vyce & extoll vertue, for the recreacion of the people" (Chambers, 4:269). Unlike the 1598 order specifying the suburban playhouses, this was not an attempt at licensing. In November 1583 the Court itself recorded making an allowance for the new Queen's Men to play in the city "at the sygnes of the Bull in Bushoppesgate streete, and the sygne of the Bell in Gratioussstreete and nowheare els within this Cyttye" (Chambers, 4:296). The Bull, which also staged prizefights, was an outdoor venue, while the Bell may have been an indoor venue like the Cross Keys. Negotiations between the Council and the Court often involved some give-and-take, as I believe they did with the duopoly scheme.



Rose on Bankside.<sup>15</sup> Behind that evidence of the conflict over playing stands the other subtext—that the Lord Chamberlain's Men in 1594 objected to the requirement that they use their open-air playhouse through the winter. We shall consider later why the Admiral's company was more ready to accept winter playing at the Rose.

Subtexts are always open to debate, and readings are necessarily hypothetical. Nonetheless, Carey's letter and a few other documents preserved in the *Remembrancia* and elsewhere present patches of evidence enabling us to identify what led to the establishment of a new pair of companies in 1594, what followed from it, and what other circumstances might inform the subtext of Carey's letter. If there was an agreement in that year between the Council and the Lord Mayor to ban playing in the city, it constituted a major step forward in several ways. It had something substantial for both sides in the dispute, offering a cure for more than two decades' worth of problems between them. Freeing the city from playing entirely would have given the mayoralty a victory that would release the Privy Council from the city's chronic complaints. For the other side, the suburbs had enough purpose-built playhouses to give the players somewhere to perform, allowing them to fulfill the one major duty the Lord Chamberlain could not ignore—to supply the queen and court with professional performances each year. Some such agreement was certainly reached at one point or another during this period, because the inns had been closed as places for staging plays seemingly by 1596 and certainly before 1598, when the duopoly was in full swing.

The chief inspiration behind Carey's letter was probably pressure from his new company, reluctant to play outdoors in winter, since nobody else would have specified the use of the Cross Keys. That, plus Carey's irritation at having to voice such a request, may help to explain its terseness. But more likely he was equally irked by doubts about whether the mayoralty would stick to the new agreement that I hypothesize. Perhaps what stimulated him to write was his company's objection to this aspect of the deal between the Councillors and the Lord Mayor. He may also have intended to test how rigidly the mayoralty was going to maintain the agreed terms and to test their solidity, especially once he knew who the next Lord Mayor was going to be.

That knowledge must have given Carey good reason to doubt whether the agreement would endure. A full set of rearrangements between the two sides, if established in May 1594 as I have suggested, could have been nothing like a simple or final concord. Both negotiating parties were members of governing councils, working committees—and committees rarely achieve a complete and lasting consensus.

<sup>15</sup> For an engaging if rather fanciful account of the occasion for these riots, see Richard Wilson, *Will Power: Essays on Shakespearean Authority* (Detroit: Wayne State UP, 1993), 22–46.

The Lord Mayor changed annually, and there was no guarantee that any mayor would uphold an agreement reached by his predecessor. Both sides were fluid. The Privy Council's impatience with the professional companies emerged in July 1597, when yet another letter of complaint arrived from the Lord Mayor, and the Council issued an order to close all the suburban playhouses and pull them down—an order that the councillors themselves soon forgot.<sup>16</sup> Guildhall's mix of committee views shows up in the varying degrees of hostility expressed in successive mayoral letters, and still more in the reluctance of individual aldermen in the livery companies to support the mayoral stance against playing. Charles Whitney has produced ample evidence from the records of the Bakers', Plasterers', Clothworkers', and Tallow-chandlers' companies to show that the well-known antagonism of successive mayors toward playgoing and their annual letters of complaint to the Privy Council received little backing from the handicraft guilds.<sup>17</sup>

Whitney identifies John Spencer, a wealthy clothworker and alderman, as an especially antitheatrical voice in the Court of Aldermen, and it was Spencer who Carey knew would be the incoming Lord Mayor at Michaelmas 1594. Spencer's letters to the Privy Council show him as utterly opposed to all professional playing and as the most antagonistic of all the mayors to the Privy Council's support for professional companies. In the years preceding 1594, he had already made himself less than a favorite of the Council. An alderman of the Clothworkers' guild from 1587, he served as sheriff in 1583–84, pursuing papists with such ardor that he wrongly incarcerated a group of the queen's musicians, including Antonio Bassano.<sup>18</sup> Carey's own mistress, Aemilia Lanier, was a Bassano, and Carey's knowledge of the incident just might have influenced his attitude toward Spencer. Essentially a merchant trader, Spencer was accused in 1591 of engrossing the entire English trade with Tripoli for himself. In April 1598, while he was still mak-

<sup>16</sup> The thinking behind the Privy Council's drastic order of 28 July 1597 has been much debated (by Glynne Wickham and William Ingram, among others), but nothing conclusive has been found to explain what prompted it. See Glynne Wickham, *Early English Stages 1300–1660*, 2d ed., 3 vols. in 4 (London: Routledge and Kegan Paul; New York: Columbia UP, 1966–91), Vol. 2 (1576–1660), Pt. 2, 9–29; William Ingram, "The Closing of the Theaters in 1597: A Dissenting View," *Modern Philology* 69 (1971–72): 105–15; and Andrew Gurr, *The Shakespearian Playing Companies* (Oxford: Clarendon Press, 1996), 106–10. Carey was out of the story by then, but Howard was present and signed the order.

<sup>17</sup> Charles Whitney, "Usually in the werking Daies': Playgoing Journeymen, Apprentices, and Servants in Guild Records, 1582–92," *SQ* 50 (1999): 433–58.

<sup>18</sup> *Calendar of State Papers, Domestic Series, of the Reign of . . . Elizabeth, 1581–90*, ed. Robert Lemon and Mary Ann Everett Green, 12 vols. (London: Longman, 1856–72), 2:198–202, hereafter cited as *CSPD, Eliz.* For other information about Spencer and his activities as a businessman, (including his nickname, "Rich Spencer"), see the entry titled "Spencer, Sir John," in the latest edition of the *Oxford Dictionary of National Biography*, ed. H.C.G. Matthew and Brian Harrison, 60 vols. (Oxford and New York: Oxford UP, 2004), 51:861–62.

ing his presence felt at Guildhall, the Privy Council ordered him to surrender his share of £200 for the cost of goods pirated (as "spoile") from Italian traders by his ship the *David*.<sup>19</sup> He turned his house, Crosby Place in Bishopsgate Street, into London's most sumptuous mansion, yet his own parsimony and animosity were notorious.<sup>20</sup>

Like all London's mayors, Spencer was knighted during his one-year term of office, an odd fallout from the uniquely short-lived lordship that the mayors enjoyed. He received no other honors from Burghley's government. Whitney identifies Spencer as the chief target of Dekker's *Shoemaker's Holiday*, which captures Spencer's personality in the character of Sir Roger Oatley, the Lord Mayor who appears in the opening scene objecting to his daughter's alliance with the earl of Lincoln's nephew. Dekker's image of the grim Oatley is set in opposition to the cheerful Simon Eyre, the model of what Eyre's own handicraft apprentices regarded as a good and generous mayor.<sup>21</sup> Spencer made a particularly easy target for Dekker's satiric attack. In March 1599, when Dekker began the play, Spencer was in the public eye because of his only daughter Elizabeth's marriage to William, the second Lord Compton, later the first earl of Northampton. On the face of it, Spencer's marrying his daughter to Lord Compton was the reverse of Oatley's insistence that his "girl" was "[t]oo mean" for the earl of Lincoln's nephew, since "Poor citizens must not with courtiers wed."<sup>22</sup> But Spencer's quarrels with Lord Compton were a public joke. In March the lord actually had Spencer put into Fleet Prison for maltreating Compton's betrothed and, more pointedly, for refusing to pay the agreed-upon dowry.<sup>23</sup> In the previous January, John Chamberlain had written to Dudley Carleton that "Yt is geven out that the Lord Compton shall marry our Sir John Spencers daughter of London on these conditions that he geve him £10000 redy mony with her, and redeeme his land that lieth in morgage [*sic*]

<sup>19</sup> *Acts of the Privy Council of England, New Series*, ed. John Roche Dasent, 32 vols. (London: His Majesty's Stationery Office, 1890– ), 28:397–98, 454, 604. A marginal note to the letter of 23 July 1598 to Spencer is marked "Sir John Spencer's contumacy" (604). Charles Howard as Lord Admiral must have had a hand in the *David* affair, since his office brought him enormous rewards from a share in the profits of piratical privateering. When Spencer's time in office ended, the Council ordered his successor, Stephen Slany, to inquire into Spencer's sale of offices during his mayoralty.

<sup>20</sup> Crosby Place was a notable enough edifice to be transferred in pieces in the eighteenth century for reconstruction on the riverfront in Chelsea. In 2004 it was restored and reopened as a Tudor show-house.

<sup>21</sup> Charles Whitney, "The Devil His Due: Mayor John Spencer, Elizabethan Civic Antitheatricalism, and *The Shoemaker's Holiday*," *Medieval and Renaissance Drama in England* 14 (2001): 168–84.

<sup>22</sup> Thomas Dekker, *The Shoemaker's Holiday*, ed. R. L. Smallwood and Stanley Wells (Manchester, UK: Manchester UP; Baltimore: Johns Hopkins UP, 1979), 83 (1.1.11–12).

<sup>23</sup> CSPD, *Eliz.* (1598–1600), 5:169. Elizabeth Spencer Compton's first son, born in 1601, was baptized Spencer Compton.

for £18000 more."<sup>24</sup> The magnitude of such sums shows Spencer's eagerness to marry Elizabeth into the aristocracy and also explains his reluctance to pay the price.

On 15 March, John Chamberlain wrote that "Our Sir John Spenser of London was the last weeke committed to the Fleet for a contempt, and hiding away his daughter, who they say is contracted to the Lord Compton, but now he is out again and by all meanes seekes to hinder the match, alledging a precontract to Sir Arthur Henninghams sonne: but upon his beating and misusing her, she was sequestred to one Barkers a proctor and from thence to Sir Henry Billingsleyes where she yet remaines till the matter be tried."<sup>25</sup> Billingsley had succeeded Spencer as Lord Mayor. Later in the year Lord Compton, evidently a keen playgoer, smuggled Elizabeth away from Crosby Place in a baker's basket.<sup>26</sup> In 1601, when Elizabeth's first daughter was born, Chamberlain wrote that "the hardhead her father relents nere a whit."<sup>27</sup> The ex-Lord Mayor, a notorious skinflint yet owner of the most sumptuous house in London, was a ripe subject for London gossip. Four months after Spencer's stay in the Fleet, the Admiral's Men paid Dekker £4 for the playscript and then quickly put it on stage.

Whitney suggests that the play's satire of Spencer is "good nature[d]," but that seems too mild a reading.<sup>28</sup> Dekker has Simon Eyre in his civic generosity build Leadenhall for the city, while Oatley is presented as a miser. When Spencer died in 1610, he confirmed the accuracy of Dekker's portrayal by leaving none of his enormous wealth for city or public uses. His son-in-law Compton spent it instead.<sup>29</sup> Spencer was an object of hatred to Londoners who were less affluent than he was, which meant almost everyone, including some Privy Councillors, not least Carey. Dekker's choice of a play in praise of handicraft apprentices, whom the mayoralty regarded as the city's poorest and most disruptive citizens, a play in which a gang of apprentices armed with cudgels outface a gathering of gentry with swords, suggests that he had an agenda hostile to the London authorities, with more than a hint of approval for the apprentice rabble-rousing near the Rose that upset Guildhall in

<sup>24</sup> *The Letters of John Chamberlain*, ed. Norman Egbert McClure, 2 vols. (Philadelphia: The American Philosophical Society, 1939), 1:67.

<sup>25</sup> Chamberlain, 1:73.

<sup>26</sup> Versions of the baker's basket had already appeared onstage with Falstaff's laundry basket in *Merry Wives* and in a parody of *Romeo and Juliet* at the Rose in Haughton's *Englishmen for my Money* of 1598. Elizabeth Spencer did not, however, suffer either Falstaff's or the Haughton gull's fate.

<sup>27</sup> Chamberlain, 1:124.

<sup>28</sup> Whitney, "The Devil His Due," 180.

<sup>29</sup> The wittily self-interested Sir John Harington wrote to Compton in 1610 when Spencer died, recommending that Compton visit Bath to improve his health and bring his inheritance with him (*The Letters and Epigrams of Sir John Harington . . .*, ed. Norman Egbert McClure [Philadelphia: U of Pennsylvania P, 1930], 141–42). Harington lived at Kelston, three miles from Bath.

1592 and after. Dekker's portrait of Spencer in *Oatley*, while carefully avoiding any direct allusion, has a distinct air of triumphalism about it.

The varying attitudes to playgoing held by the different mayors has been obscured more than a little by the failure of Chambers and others to record the mayors' names when transcribing their letters.<sup>30</sup> It is clear that other mayors took a much less stringent view than Spencer's on what had to be done about plays and playing. Several meetings between aldermen and Privy Councillors in 1592 and 1593, involving Richard Martin and especially William Webbe, the Lord Mayor from October 1591 to 1592, may have helped to generate the Privy Council's duopoly scheme and the ban on the use of London inns. Carey's peculiar letter, written in the knowledge that Spencer was to be the next Lord Mayor, sits like a cherry on top of a fruity mix of political maneuvers over whether and where the professional companies could play.

If, as I hypothesize, the May 1594 deal between the two Privy Councillors on the one side and Cuthbert Buckle as Lord Mayor on the other included the Council's acceptance of a permanent ban on the use of city inns for plays, then it was a brilliantly elaborate new arrangement with far-reaching implications. The duopoly companies would play only in the suburbs, with Privy Council authorization for each to use a licensed playhouse. No other companies would be allowed. (The order of 1598 was prompted by the intrusion of a third company.) The mayor and the Court of Aldermen should have been delighted to enforce the accompanying ban on playing inside the city. The authorities in Surrey and Middlesex, now responsible for regulating playing in their jurisdictions, would have to bow to this ruling, since Carey's partner and son-in-law, Charles Howard, the Lord Admiral, had become Lord Lieutenant of Surrey in 1585 and, from 1580, had chaired the commissions for the peace that ruled the magistrates and justices in both Surrey and Middlesex. He thus held direct sway over the two counties where the suburban playhouses stood. Such power was a major convenience, as was the more personal fact that Alleyn had worn Howard's livery for the past dozen years, while Burbage (owner of the Theatre in Middlesex and father of Richard, who led Carey's company) had worn Carey's livery for even longer. From the player's point of view the whole deal was an adjustment made to suit a set of alliances that were already in place.

In such an adjustment the biggest gain for the Privy Councillors, besides limiting the number of companies competing for attention in London and thus perhaps

<sup>30</sup> The best-known transcription of the papers with a direct bearing on playing in London is in Chambers (Appendix D, "Documents of Control," 4:287–335), but he does not include the names of the signatories at Guildhall. His own versions of the *Remembrancia*, edited with W. W. Greg for the Malone Society in 1907–11, are more helpful and less modernized in transcription.

reducing mayoral complaints, would have been that the Lord Chamberlain could fulfill his duty of entertaining the queen with good plays at Christmas more amply than before. Previously, one company—the Queen's Men—had held a near-monopoly on playing in London and for the queen. Set up in 1583 to promote playing quality, that company had been in serious decline since the death of Richard Tarlton, its clown, in 1588. With Alleyn and the Marlowe plays in one new company and Shakespeare and his plays in the other, the two Councillors knew there was now good hope of a high standard of plays at court. Having two companies licensed to play in the London suburbs was a better insurance against failure to deliver plays at Christmas than when the Queen's Men and other companies were competing for London places in the face of Guildhall's attempts to suppress them. The Court of Aldermen had in 1583 reluctantly allowed performances by the Queen's Men at city inns, but that concession was long dead, and new companies had overtaken the Queen's in quality. The break-up of some companies during the plague of 1593, and the more recent deaths of several patrons and consequent disappearance of the companies they had patronized, made the need for a new arrangement urgent in the spring of 1594 if the Lord Chamberlain was to continue fulfilling his royal duties.

Carey's letter was sent to his "good freind" Martin early in October, probably because by then Carey knew all too well the view of playing held by the next Lord Mayor, who was to take office on 29 October. Martin had become Lord Mayor in July, when the incumbent, Cuthbert Buckle, died unexpectedly. If Carey and Howard drew up an agreement with Buckle, it would have been made in late spring. Martin's views were known to Carey because he had been the Aldermen's representative in negotiations with the Lord Chamberlain's executive officer, Edmund Tilney, since 1592. When, in September, Spencer was elected the next mayor, his hostility toward plays would have seemed to threaten the Privy Councillors' rearrangement. Carey could have guessed that the incoming Lord Mayor was likely to renew the annual complaint to the Council about playing. We can speculate that his letter went to Martin three weeks before Spencer became Lord Mayor in the hope that a positive reply from Martin might forestall whatever Spencer would write when he assumed office.

Sir Richard Martin was a wealthy magnate, one of the queen's two official goldsmiths. He was Warden of the Mint in 1560 and became Master in 1580, a post he held till his death in 1618.<sup>31</sup> In 1593 he sued the executors of the earl of Leicester's estate for more than £2000 long owed him for his contributions to the earl's

<sup>31</sup> John Chamberlain reported that he was "very neere an hundred yeares old" at his death (Chamberlain, 2:105); in fact he was 84, two years younger than Charles Howard, who outlived him by seven years.

grandeur.<sup>32</sup> He was not, however, comparable to Spencer as a wealthy businessman and entrepreneur, and he was removed from his aldermanship in 1602, allegedly for debt. First made alderman in 1578, he served as sheriff in 1581, and Lord Mayor twice, both times completing the term of someone who had died in office—first in May 1589, when Martin Calthorpe died, and again in early July 1594, in place of Cuthbert Buckle. As a member of the Court of Aldermen, he had been involved in several dealings with Whitgift and then with Tilney as they sought to find a way to satisfy Guildhall's desire to have all professional playing banned. On 12 April 1593 he was one of two aldermen sent to the Council to negotiate the closing of all places of assembly in order to limit the spread of plague and the danger of more apprentice riots, "towching the presente suppressinge of bearebaitinge, bowling alleyes, and such like prophane exercises within this Cytie, and the liberties thereof, and other places neare adioyninge."<sup>33</sup> In both functions he was deeply engaged with the question of what to do with public playing. In 1594 he served on a commission with other aldermen who had been mayors, John Hart and William Webbe, and several Privy Councillors, including Charles Howard. Martin knew the two Privy Councillors most concerned, just as Carey and Howard knew Martin's views about playing in the city. Neither Martin nor his predecessor, Buckle, is on record as issuing letters of complaint against playing.

It is unthinkable that Martin would have failed to respond to Carey's letter, but either he chose not to do so in his official capacity, or else Fletcher did not have Martin's response transcribed, since no reply is noted in the *Remembrancia*. It may be that Martin did not wish to inscribe any formal acceptance or rejection of the request. That he did not consent to Carey's request, though, becomes obvious in the light of James Burbage's actions the following winter, when he set about building a new indoor playhouse in the liberty of the Blackfriars—inside the city but safe from the Lord Mayor.

This sequel to the Cross Keys plea strongly indicates the thinking of Burbage and his tenant company about where they wanted to perform plays at this time. The company's wish that Carey might get them access to the Cross Keys evidently had behind it the weight of their desire to leave their open-air playhouse for the winter and to play indoors. They had been able to do so in previous years until playing at the city's inns was banned, and now they wanted to continue the practice. James Burbage himself, despite the consequent loss of his rents from the Theatre, clearly shared the view that the company ought to have an indoor venue for the winter, since, when Carey's appeal for permission to play at the Cross Keys was rejected, he

<sup>32</sup> CSPD, Eliz. (1591–1594), 386–87.

<sup>33</sup> Chambers, 4:314.

drew on his own financial resources to build an indoor theater in the Blackfriars liberty. We know that Carey, who lived in the Blackfriars precinct himself, gave Burbage's revised plan at least his tacit backing from the outset.<sup>34</sup>

For Shakespeare's company, the remarkable significance of constructing the Blackfriars playhouse has emerged only slowly. Burbage's creation of his new indoor playhouse in 1596 has traditionally been seen as fortuitous compared with the building of the Globe in 1599 from the remains of the Theatre. For Burbage to invest all his spare cash in the Blackfriars used to be seen as a sad but insignificant accident in comparison with the amphitheater that Jonson called "the *Globe*, the *Glory of the Banke*."<sup>35</sup> In fact, when linked with Carey's letter asking for use of the Cross Keys in 1594, the Blackfriars construction that started in the winter of 1595 indicates that both the company and its chief backer expected to operate on the old system, playing outdoors through the summer and indoors in winter, a system that in the event could not be reinstated until 1608. The unique arrangement into which the Shakespeare company, now the King's Men, entered when Richard Burbage retrieved possession of the Blackfriars playhouse in 1608 fulfilled the wish for a roofed winter playing-place voiced fourteen years earlier in Carey's letter to Martin.

The preference of Burbage and the Shakespeare company for switching venues between summer and winter seems a little eccentric, if only because the other half of the duopoly apparently had no similar ambition, and because no indoor playhouse besides the Blackfriars was built until 1617. Yet after 1608 the two-playhouse policy helped the King's Men to dominate London theater for thirty-four years (or forty-eight years if one counts from 1594), as long a continuous run as any company in English history. Indoor playing during the winter seems to have been adopted as company policy within its first five months. We can only speculate on why Alleyn's company, in contrast, was happy to use the Rose throughout the year. Possibly Alleyn was loyal to his father-in-law, Henslowe, and his profits; possibly he preferred the larger playing space and the larger audience capacity that the open-air playhouse offered compared with the upper rooms of city inns. Conceivably he may even have thought that the journey to the Rose on Bankside, either by ferry or over London Bridge, was less muddy than tramping northward through London's streets to the Theatre in Shoreditch. The Admiral's Men's preference is a subject that invites further investigation.

<sup>34</sup> Carey wrote to the seller of the Blackfriars property in January 1596, "vnderstanding that you have all redie parted with part of your howse to somme that meanes to make a playe howse in yt" (MSC, 2:1 [1913], 123). Carey died six months later, on 22 July, and without his support the new playhouse became a lost cause.

<sup>35</sup> Ben Jonson, "An Execration upon Vulcan," *Works*, ed. C. H. Herford and Percy and Evelyn Simpson, 11 vols. (Oxford: Clarendon Press, 1925–47), 8:208.



The idea that the establishment of the duopoly and the ban on city playing happened together in 1594 is necessarily conjectural. There is no hard evidence of a ban by the city or of the Privy Council's original license for the two suburban playhouses in Shoreditch and Bankside to which later orders refer. These should have gone out in May 1594 from the Council to the magistrates of Middlesex and of Surrey, but the papers are lost. The Guildhall *Remembrancia* are equally silent about a mayoral ban on plays inside the city in 1594. In the absence of the Privy Council's own register for the period between August 1593 and October 1595, nothing survives to indicate what orders may have been issued during that crucial time. Nonetheless, the circumstantial evidence is heavy and consistent across a wide range of related features.

First, if the deal set up by the two Councillors in May 1594 had been negotiated with that year's Lord Mayor, Cuthbert Buckle, his death in July would have put the whole agreement at risk, particularly once Spencer was elected the next mayor. That is no doubt why Carey's letter was written early in October, before Spencer's installation, to test Martin's position. Carey may have been hoping to anticipate and override Spencer's known opposition to playing by soliciting a favorable response from the current office-holder. If his appeal was rejected, both parties would know where they stood. Carey may have felt that Martin would not be so bold as to deny his request, and that this small concession over playing inside the city would help to weaken the next mayor's position.

If so, the ploy did not work. Guildhall's *Remembrancia* show that the new Lord Mayor was quick to register his objections, first to the Swan, then under construction in Paris Garden on suburban Bankside, and more broadly to the staging of plays anywhere. Only five days after his inauguration, on 3 November, Spencer wrote to Lord Burghley, head of the Privy Council, asking for the closure of all playing places in the vicinity of London. His letter was the most forthright of any mayor's until then. He began with the obvious cause, in righteous indignation over Francis Langley's construction of the Swan, begging Burghley "to bee a means for vs rather to suppressse all such places built for that kynd of exercise then to erect any more of the same sort."<sup>36</sup> He confronted the justification "alleadged by soom for defence of these playes that the people must haue soom kynd of recreation & that policie requireth to divert idle heads & other ill disposed from other woorse practice," arguing that the plays' "vnchast fables, lascivious diuises shifts of cozenage & matters of lyke sort" did nothing of the kind.<sup>37</sup> Above all, he wrote, careful to remind Burghley of the recent riots in Southwark, playhouses had become meeting-places

<sup>36</sup> MSC, 1:1, 75. A complete transcription of Spencer's letter of 3 November 1594 to Lord Burghley appears in MSC, 1:1, 74–76.

<sup>37</sup> MSC, 1:1, 75.

"for all vagrant persons & maisterles men that hang about the Citie, theeues, hors-stealers whoremongers coozeners connycatching persones practizers of treason & such other lyke."<sup>38</sup>

As an alderman and sheriff in the earlier 1580s, Spencer had been deeply involved in efforts to control apprentice behavior. This may have been when his opposition to playing hardened into implacable hatred. He included in his letter the standard arguments that irreligious views in the plays corrupted "our apprentices and servants" and that the crowds of playgoers hindered trade. He concluded,

I thought it my duetie beeing now called to this publike place to infourm your good *Lordship* whome I know to bee a patrone of religion & lover of virtue & an honourable a friend to the State of this Citie humbly beeseaching you to vouchsafe mee your help for the stay & suppressing not only of this *which* is now intended by directing your *lettres* to the Iustices of peace of Middlesex & Surrey but of all other places if possibly it may bee whear the sayed playes ar shewed & frequented.<sup>39</sup>

He opened his attack with his objections to the new Swan, possibly to emphasize the Council's evident failure to allow only the two playhouses in the suburbs. Apprentice riots in Southwark strengthened his case for having all playing-places shut down. Although asking that the magistrates of Middlesex and Surrey be ordered to close their playhouses, he made no mention of any previous deal with Buckle or the licensing of the Rose and the Theatre. Possibly he made no mention of an agreed ban because he felt his request should override any such deal.

Some of his letter's vehemence may have come from his anger at the brazenness of Carey's request, but it may also reflect his knowledge that Carey and Howard had already managed to create an arrangement that, while limited and limiting, was also successfully protecting the playing companies. As Whitney describes Spencer's angry letter,

It can be read in two ways: either at face value as an emphatic call for the suppression of all public stage-plays, or as a strategic effort to oppose the post-plague increase in theatrical activity that was beginning. If the former, Spencer would be refusing to go down the road that most of his colleagues had either already favored or would favor—accepting suburban performances in exchange for a ban in the city. If the latter, the subtext would be a willingness to cooperate if the Privy Council were really to demonstrate that it was serious about limiting the London theater to two companies in the suburbs.<sup>40</sup>

<sup>38</sup> MSC, 1:1, 75.

<sup>39</sup> MSC, 1:1, 76.

<sup>40</sup> Whitney, "The Devil His Due," 175.

Since there is no record of the Privy Council doing anything in reply to Spencer's letter, it is understandable that, two weeks before his year in office ended, he should write again, on 13 September 1595, confirming the first of Whitney's readings by calling for the "present stay & finall suppressing" of all playing.<sup>41</sup> Whitney hails that "finall" as the first such totalizing request by any Lord Mayor.<sup>42</sup> Spencer wanted an immediate closure that would become a permanent one. Happily, the Council ignored him.

Another body of evidence about the Privy Council's activities—evidence about the closing of public places in time of plague—throws further light on relations between the two sets of authorities and also supports the likelihood that the duopoly and the ban coincided in 1594. Plague stoppages strained mayoral and Council actions painfully and chronically, and spilled messily into the concern over playing. Spencer's hatred of playing was only the most colorful feature of a long tradition of mayoral complaints to the Privy Council that started before 1576, when the first durable playhouse, the Theatre, came into use, and intensified in the early 1580s, when Spencer first took office as an alderman. The rise of playing by the professional companies in London was a bone of contention, associated with the plague epidemics, and soon joined them in becoming a chronic irritant in the never-well-oiled mechanism of relations between the Council and Guildhall.

The need for an authority with the power to close all places of public assembly when plague threatened was recognized in the London-centered system of reporting plague deaths established in 1553. It required the growing number of parishes in London and its surroundings—113 parishes in and around the city by 1625—to declare weekly totals of deaths from the plague so that the grand total could provide a basis for ordering closures. Since most of the new parishes spread well beyond the Lord Mayor's authority, the regulation of plague closures had to come from the Council. A set of Council orders setting out the counting system was printed in 1592 and reissued in 1593, 1594, 1603, and 1625, the worst of the plague years. One set of orders related to the country outside London, another to London and its immediate environs.<sup>43</sup> The London orders were mostly produced by Guildhall, but because the city did not control the suburbs and the liberties it was the Privy Council that had to authorize the execution of these orders. Not infrequently the Lord Mayor would urge the Council to close all places of assembly, including the suburban playhouses, because the number of plague deaths was

<sup>41</sup> MSC, 1:1, 76. Whitney, "The Devil His Due," 176–77; Whitney quotes from Chambers, 4:318.

<sup>42</sup> Whitney, "The Devil His Due," 176–77.

<sup>43</sup> Much of the best information about the plague can be found in F. P. Wilson's *The Plague in Shakespeare's London* (Oxford: Clarendon Press, 1927), 14–16. Wilson's appendix deals with the weekly "bills of mortality" (189–208).

climbing. In the early 1590s, closures became an issue not only because of plague but, equally pressingly, because of apprentice riots. The two issues interlocked once various mayors equated playhouses and the crowds they drew with places where apprentices were thought to hatch their plots to run riot.

The riot that occurred in Southwark on Midsummer's night, 11 June 1592, by apprentices from the Clothworkers, Spencer's own livery company, was immediately reported to the Privy Council by Lord Mayor William Webbe. Writing the morning after the night's affray, he was blunt, declaring that the Knight Marshal's men, acting on a warrant from Carey himself, had mishandled the situation.

Beeing informed of a great disorder & tumult lyke to grow yesternight abowtt viij of the clock within the Borough of Southwark, I went thither with all speed I could, taking with mee on of the Sherifes, whear I found great multitudes of people assembled together, & the principall actours to bee certain servants of the feltmakers gathered together out of Barnsey street & the Black fryers, with a great number of lose & maisterles men apt for such pourposes. Whearupon having made proclamation, & dismissed the multitude, I apprehended the chief doers and authors of the disorder, & have committed them to prison to bee farther punished, as they shall be found to deserve. And having this morning sent for the Deputie & Constable of the Borough with Divers other of best credit, who wear thear present, to examine the cause & manner of the disorder, I found that it began vpon the serving of a warrant from my Lord Chamberlain by on of the Knight Mareschalls men vpon a feltmakers servant, who was committed to the Mareschallsea with certein others, that were accused to his Lord by the sayed Knight Mareschalls men without cause of offence, as them selves doe affirm. For rescuing of whome the sayed companies assembled themselves by occasion & pre-tence of their meeting at a play, which bysides the breach of the Sabboth day giveth opportunitie of committing these & such lyke disorders.<sup>44</sup>

Webbe's letter is a cool and clear statement of the affray as he witnessed and heard about it. He does no more than affirm that the playhouse, probably the Rose, was an enabling factor in the riot, and closes with a polite request to say what else, if anything, should be done to punish the offenders. The Privy Council's response, eleven days later, was to place a closure order on all public assemblies, including those at plays. Specifying the troubles in the city, it ordered the Master of the Rolls for Middlesex to "take order that there be noe playes used in anye place neere thereabouts, as the Theator, Curtaigne, or other usuall places where the same are comonly used, nor no other sorte of unlawfull or forbidden pastymes that drawe together the baser sorte of people, from henceforth untill the feast of St. Michael." <sup>45</sup> Letters also went to the Lord Mayor and to the magistrates of Surrey, the warning to

<sup>44</sup> Chambers, 4:310.

<sup>45</sup> Chambers, 4:310–11.

Surrey specifying the parishes of Newington (for the Newington Butts playhouse), Kentish Street, Bermondsey Street, the Clink, Paris Garden (for the Swan), and the Bankside (for the Rose).

The subsequent riots that Spencer reported during the year he was Lord Mayor must have seemed no less a threat to both governing authorities. The troubles started during the daytime on 13 June 1595, just after Midsummer's night, with apprentices upsetting stalls at Southwark Market in a fracas over the price of butter and at Billingsgate Market over the price of mackerel. They rioted again on 23 June, again over food prices, 1595 being a year of dearth even more severe than 1593 or 1594. Spencer's report on that affray was secondhand but potent. His report took evidence from bystanders, noting

Examination of Rich. Edery, porter of the Marshalsea, Henry Robinson, girdler, and Garret Saxton, shoemaker, all of Southwark. Edw. Flower, husbandman of Knightsbridge, being at Robinson's shop door, said there was a great stir in London with the apprentices for the good of the Commonwealth; that 1,800 of them had pulled down the pillories in Cheapside and Leadenhall, and set up a gallows against the door of the Lord Mayor, whom they would hang if he dared come out, but he dared not; and that 3,000 were lying in the fields, with bills and clubs, to rescue the apprentices if anything were done to them.<sup>46</sup>

The numbers were probably exaggerated, and those questioned seem to have relished Spencer's timidity in keeping to his house when threatened, probably a mark of the low level of popular support he enjoyed. Though the testimonies made no mention of the playhouses, that did not stop Spencer from including them in his complaint to the Privy Council.

Perhaps inevitably, control over public gatherings at plays and over apprentice riots merged with the question of regulating crowds because of the plague. The danger of spreading the plague made every place where people could congregate in large numbers a chronic worry to the authorities. In his second pamphlet on coney-catching, published in 1592, Robert Greene wrote about cutpurses whose "gaines lies by all places of resort and assemblies therefore their chief walkes is Paules, Westminster, the exchange, Plaies, Bear-garden, running at Tilt, the L. Maiors day, any festiuall meetings, fraies, shootings, or great faires."<sup>47</sup> Playhouses and baitings could draw people in thousands, and, given that plays were staged during the working day, such assemblies were taken to consist chiefly of idlers and of pickpockets, who had good reason to enjoy large crowds. The mayoralty was quick to start

<sup>46</sup> Spencer's report on the 1595 Southwark riots is quoted here from *CSPD, Eliz. (1595–1597)*, 4:63.

<sup>47</sup> Robert Greene, *The Second part of Conny-catching* (1592), ed. G. B. Harrison (London: The Bodley Head Quartos, 1926), 30.

nudging the Privy Council to order closures when plague deaths began to rise, and ostensibly asked for the playhouses to be closed simply because of their capacity to draw crowds. In 1592 and 1595 letters from Lord Mayors Webbe and Spencer used crowds as a reason to argue for playhouse closures on the grounds that apprentices gathered there to plot their riots.

In my reading of this evidence, the terms of this struggle over staging plays in London is explained most clearly by the various locations of which the mayors complained. Up to 1594 the professional companies used the city inns for playing as frequently as, and perhaps even more frequently than, the purpose-built playhouses, the Theatre, the Curtain, the Rose and sometimes Newington Butts. In 1583 the Lord Mayor granted the Queen's Men permission to play at the Bull and the Bell (both city inns), and "nowheare els within this Cyttye."<sup>48</sup> Robert Greene wrote that "A Good fellowe that was newly entered into the nipping craft. . . . In the Christmas holydaies last came to see a play at the Bull within Bishops gate."<sup>49</sup> Various anecdotes about Tarlton, a Queen's man, locate him at the outdoor Bull and Bel Savage, as well as in the suburbs at the Curtain and the Theatre.<sup>50</sup> According to a complaint by Lord Mayor Hart in a letter of 6 November 1589, Strange's Men had played the previous day at the Cross Keys, as noted above. Carey's peculiar letter tried to renew that traditional practice.

For the next few years after 1594 the Lord Mayors turned to the suburban playhouses as their targets in place of the city inns. Letters written before May 1594 assume that plays were being staged inside the city as frequently as at the purpose-built playhouses. On 12 November 1589 the Privy Council wrote to Archbishop Whitgift about the profanities used in "comon playes and enterludes in and about the Cyttye of London."<sup>51</sup> Any performance "in . . . the Cyttye," apart from those given by the boy company still playing at Paul's, had to take place at one of the city's inns. Within the next year Whitgift stopped the Paul's company from playing, though more because Lyly had been using material about the Marprelate pamphlets than because Whitgift was himself hostile to playing. His main concern was over playing on sermon days and the Sabbath. On 25 July 1591 he was on the Council when it wrote letters to stop plays from being staged on the Sabbath, one to the Lord Mayor about the city inns and others to the "Justices of Midlesex and Surrey" about the suburban playhouses.<sup>52</sup> On 3 February 1594 the Council wrote a letter, preserved in

<sup>48</sup> MSC, 2:3, 314.

<sup>49</sup> *The Thirde & Last Part of Conny-catching* (1592), ed. G. B. Harrison (London: The Bodley Head Quartos, 1926), 37.

<sup>50</sup> The anecdotes appear in the second section, "His sound city iests," of *Tarltons Jests* (London, 1638).

<sup>51</sup> Chambers, 4:306.

<sup>52</sup> Chambers, 4:307.

the *Remembrancia*, to Cuthbert Buckle announcing their ban on all playgoing “in & about London” because of the plague.<sup>53</sup> That letter is the last surviving document from the Council on the topic of playing within the city limits.

The next known letter to arrive at Guildhall was Carey’s to Richard Martin as Lord Mayor. Sent from the Privy Council offices at Nonsuch Palace, the letter was written by Carey in his role as Lord Chamberlain and not on behalf of the full Council. Spencer’s subsequent letter of 3 November 1594 asks for the Council to suppress not only Langley’s new Swan “by directing your letters to the Iustices of peace of Middlesex & Surrey but of all other places, if possibly it may bee, whear the sayed playes ar shewed & frequented.”<sup>54</sup> He must have known that an arrangement was in place to allow playing at the Theatre and the Rose. His second letter of 13 September 1595, written not long before his tenure expired, reiterates the complaint about playgoing crowds leading to meetings of “the refuse sort of evill disposed & vngodly people about this Cytie haue oportunitie hearby to assemble together & to make their matches for all their lewd & vngodly practizes,” and concludes with the observation that these people “ar now rettorned to their old haunt & frequent the Plaies (as their manner is) that ar daily shewed at the Theator & Bankside.”<sup>55</sup> Spencer’s targets had narrowed to the Rose and the Theatre. He asked the Council specifically for letters about the playhouses to be sent to the magistrates of Surrey and Middlesex. A marginal note in the *Remembrancia* summarizes this letter’s contents as “Toutching the putting doune of the plaies at the Theater & Bankside which is a great cause of disorder in the Citie.”<sup>56</sup> Playing at city inns was no longer the issue. Similarly the Council’s order of 22 July 1596 restraining public playing for fear of plague, written on the day Henry Carey died, was directed only to the magistrates of Middlesex and Surrey, bypassing the city.<sup>57</sup> Carey’s letter of 8 October 1594 seems, then, to have been a blatant attempt to ignore what both the Council and the Lord Mayor well knew—that the ban on playing at city inns such as the Cross Keys had already been laid down, no doubt as the Council’s explicit concession to the mayoralty.

If the Privy Council did agree to ban all playing at the inns early in 1594, the genesis of its shift of target can, I think, be identified in a letter sent by Lord Mayor William Webbe to Whitgift in February 1592. Probably he wrote to the Archbishop because he knew Carey’s and Howard’s views and thought Whitgift

<sup>53</sup> Chambers, 4:314.

<sup>54</sup> Chambers, 4:316–17, esp. 317.

<sup>55</sup> Chambers, 4:318. This letter is usually attributed to the new Lord Mayor, Stephen Slany, but Whitney shows it to have been Spencer’s (“The Devil His Due,” 184n).

<sup>56</sup> Chambers, 4:318.

<sup>57</sup> Chambers, 4:319.

would be more receptive to another attempt to restrict playing. Webbe's position is identifiable because he never mentions the suburbs and advocates banning plays only from "this Citie."<sup>58</sup> In Charles Whitney's reading of this letter, Webbe "implicitly broaches an arrangement whereby plays would be limited to the suburbs. In forming their new companies in 1594, then, Carey and Howard may have had Webbe's idea in their minds from the beginning, and may have approached the city from that standpoint."<sup>59</sup> That inference makes good sense. As we have seen, Webbe was Lord Mayor for the year from Michaelmas 1591, and had to deal with the Southwark riot in 1592. His criticism then of the heavy-handed marshals directed by Privy Councillor Carey may have become part of his thinking. Whitgift, as a Privy Councillor himself, may well have passed the idea on to Carey and Howard as a compromise between the positions held by Spencer and his allies on the one hand—to suppress all plays everywhere—and by Carey and Howard on the other—to continue the players' free run of the city and suburbs on the grounds that they served the queen. At a time when London plays and playgoing were becoming more popular than ever, in spite of the long closures during the dreadful plague epidemic of 1593, something had to be done, and much discussion of the problem must have been aired at both committees. The central peculiarity of Carey's letter is that it so crudely ignores Webbe's idea and the consequent agreement, if there was one.

As it happened, Spencer's rule as Lord Mayor had an effect on his successors that he could not have intended. Henry Billingsley wrote a letter as Lord Mayor on 28 July 1597 that took much of its wording from Spencer's. But that turned out to be the last of the long sequence.<sup>60</sup> In Whitney's words, "Spencer's approach, to which the city remained committed in 1597, helped write the city out of anything resembling a partnership in regulation."<sup>61</sup> Two subsequent Privy Council orders about playing confirm this observation. An order of 19 February 1598, directed only to the magistrates of Middlesex and Surrey, sought to prevent a third company from setting itself up in London as a rival to the companies already licensed to play in the city. Instigated by Charles Howard, the order affirmed quite emphatically that

licence hath bin graunted unto two companies of stage players retayned unto us, the Lord Admyral and Lord Chamberlain, to use and practise stage playes, whereby they might be the better enhabled and prepared to shew such plaies before her Majestie as they shalbe required at tymes meete and accustomed, to which ende

<sup>58</sup> Chambers, 4:307–8, esp. 308.

<sup>59</sup> Whitney, "The Devil His Due," 175.

<sup>60</sup> MSC, 1:1, 78.

<sup>61</sup> Whitney, "The Devil His Due," 178. On 28 July 1597 the Lord Mayor and aldermen wrote to the Privy Council, and on the same day the Council wrote to the justices of Middlesex and Surrey to suppress all playhouses (Chambers, 4:321–22). See note 16 above.



they have bin cheefelie licensed and tollerated as aforesaid, and whereas there is also a third company who of late (as wee are informed) have by waie of intrusion used likewise to play, having neither prepared any plaie for her Majestie nor are bound to you, the Masters of the Revelles, for perfourming such orders as have bin prescribed and are enjoyned to be observed by the other two companies before mencioned. Wee have therefore thought good to require you vppon receipt heereof to take order that the aforesaid third company may be suppressed and none suffered heereafter to plaie but those two formerlie named belonging unto us, the Lord Admyrall and Lord Chamberlaine, unless you shall receave other direccion from us.<sup>62</sup>

Henry Carey's son George, who had become Lord Chamberlain at his father's death, was evidently maintaining his father's policy under pressure from Howard. To transfer the official title of Master of the Revels to the magistrates of Middlesex and Surrey in letters that ignored the London mayoralty entirely would have been one of Howard's sardonic jokes, made in recognition of his success in finally securing the plan of 1594 without giving the Lord Mayor grounds to write more complaints. It was Howard who now had control of London playing, as his interventions in 1600 to have his company's playhouse license transferred from the Rose to the Fortune make clear. On 12 January he wrote a warrant marked "Att the Courte, at Richmond," specifying that "my Servant Edward Allen" should be allowed to build the Fortune. On 8 April Howard, George Carey, and Cecil signed a letter to the magistrates of Middlesex confirming the warrant that authorized the nearly completed Fortune.<sup>63</sup> The Council's major order on 22 June reaffirming the Admiral's license at the Fortune and the Chamberlain's at the Globe was a bald reassertion of the deal that I am proposing was set up in 1594. In the order of 22 June, the Council took care once again to placate Guildhall by renewing the ban on playing at inns: "And especiallie yt is forbidden that anie stage plaies shalbe plaied (as sometimes they haue bin) in any Common Inn for publique assemblie in or neare about the Cittie."<sup>64</sup> That was the flip side of the licenses for the Globe and the Fortune. To add emphasis to its authority and its act of appeasement, the order specified that it should be written out a number of times, and that "seuerall Coppies shall be sent to the Lord Mayor of London, and to the Iustices of the Peace of the Counties of Middlesex and Surrey."<sup>65</sup>

<sup>62</sup> Chambers, 4:325. The eight members of the Council who issued this letter included the Lord Chamberlain (George Carey) but oddly not the Lord Admiral himself.

<sup>63</sup> Chambers, 4:326, 328.

<sup>64</sup> Chambers, 4:329–31, esp. 331.

<sup>65</sup> Chambers, 4:331. A footnote to the relations between the Council and the mayoralty over playing is a letter the Council sent to the Lord Mayor on 11 March 1601, ordering him to check that the boy companies were observing the Lenten closure. Since his lack of authority over the two liberties concerned was well known to both parties and Howard was present at the meeting that issued it, the letter seems to have more than just a hint of dismissive arrogance in it.

It thus appears that Carey's letter to Martin in 1594 was affirming several things. The most obvious was his company's readiness to alter the times of its performances, ostensibly to appease mayoral hostility to late closing. More likely such readiness reflects the standard accommodation to the earlier arrival of darkness in wintertime, offered now so as to seem like a concession to Guildhall. Large crowds emerging in darkness in a central thoroughfare like Gracechurch Street would be a concern to the authorities. Somewhat less obvious is the way the letter shows Carey's willingness to do what his new company asked of him. Clearly they had expressed their regret at losing access to the city inns for playing in winter. Carey must have acknowledged that, seeing at the same time that the request for access to the Cross Keys gave him an opportunity to test the strength of the agreement with the mayoralty.

His company apparently felt that the much greater capacity of the open-air playhouses in the suburbs did not outweigh the convenience and comfort during the winter of a roofed venue inside the city. Carey took that seriously enough to give his support for James Burbage's plan in the following winter to build in the Blackfriars liberty. In its own way that plan accomplished the goal first proposed in Carey's letter to Martin, but without the obvious affrontery of Carey and his testing of the ban less than six months after it was instituted. A new playhouse in the Blackfriars did entail playing inside the city, but it escaped the ban by copying the example of the nearby Paul's playhouse with its location in a liberty free from the Lord Mayor's control. Playing at the Cross Keys in the winter of 1594 would have meant flouting the ban quite flagrantly. Playing at the Blackfriars a year later was an evasive tactic that achieved precisely the same outcome without breaking the agreement between the Privy Council and the mayoralty of the sort I have hypothesized.

In 1594 Burbage's Theatre was eighteen years old, and its lease had only three more years to run. The Rose, eleven years younger, had undergone a substantial enlargement only two years before. That may be another reason why the Lord Admiral's Men made no attempt to imitate the Chamberlain's and forsake the Rose during the winter. Throughout the previous two winters the Rose had been well used, and the idea of changing locations seasonally may not have appealed to the Admiral's as much as it did to the Chamberlain's. Possibly Alleyn did not believe in the Burbages' larger vision, which took another fifteen years to realize, when, as the King's Men, they had much greater clout than in 1596. The final irony of the King's Men setting themselves up to play seasonally at the Globe and the Blackfriars was that in 1608, the same year they agreed on that system, King James sold the whole Blackfriars precinct to the city. This commercial deal gave the city fathers the power to close down playing inside Blackfriars, but it came too late. By then the royal valuation on playing, with every company in London now taking its name from a royal patron, removed the power of intercession both from the Lord Mayor and from the Privy Council.