



# The Shakespeare OXFORD Newsletter



Vol. 40: No. 4

"No army can withstand the strength of an idea whose time has come." – Victor Hugo

Fall 2004

## Was Thomas Watson Shake- speare's Precursor?

By Eric Lewin Altschuler, M.D., Ph.D.  
and  
William Jansen

One of the most important questions for Shakespeare scholars, traditional Stratfordian or Oxfordian, is to try to account for the early life and works of the author of the Shakespeare plays. The problem is particularly difficult for Stratfordians, who must adopt the position that William Shaksper came to London, sat down, and wrote the Shakespeare Canon with not even a precursor. Such a notion, which stretches credulity in theory, also is in complete contrast to known data provided by the early history of that certified precocious genius, Wolfgang Amadeus Mozart, whose early works contain much juvenilia and a relatively orderly progression leading to his adult masterpieces.

For Oxfordians there is a problem as well: while there may be some similarity between the handful of juvenile poems we have of Oxford's and the lines in Shakespeare's plays and poems, they in no way predict the magnificent quality and quantity of the Shakespeare Canon. One potential solution open to Oxfordians, but not Stratfordians, is to consider that Oxford may have written under other pseudonyms prior to using the name "William Shakespeare."

In this paper we summarize and extend upon work we recently published in peer-reviewed journals<sup>1-7</sup> and delivered in conference presentations,<sup>8-12</sup> exploring the possibility that the remarkable English poet and translator Thomas Watson (d. 1592)

*(cont'd on p. 13)*

## Shakespeare's Audience: A Reassessment of the Stratfordian View

By Richard F. Whalen

Shakespeare's audience was "predominantly a working class audience," insisted Professor Alfred Harbage of Harvard in 1941, and that view has continued to prevail among the leading commentators on Shakespeare's theater. They see the dramatist as a commoner writing plays to be performed for commoners.

An analysis of performance records, however, does not support that view.

Harbage's 1941 book was the first on the subject. In *Shakespeare's Audience*, he argued his case strenuously and in detail. The audience for Shakespeare plays, he wrote, "was that of the Rose, the Theatre, the Curtain and the Globe." (87) Not the court or the private theaters. The audiences, in his view, were primarily craftsmen, shopkeepers and merchants, including some "gentry, professional men and officials," plus the occasional aristocrat from one end of the social scale and peddlers and laborers from the other end. (60-64)

The "true patrons of Elizabethan drama," he emphasized, were "the anonymous thousands who dropped their pennies in the gatherer's box." (141) A penny bought standing room among the groundlings in front of the stage in the public theaters.

Except for a tiny but significant minority, the great majority of orthodox scholars share Harbage's view. In their introductions to the plays they describe at great length the history and layout of the public theaters and the staging of plays there, especially at the Globe and the Rose. In rare mentions of audiences, they describe them as drawn from the entire population of London, mostly commoners. They barely mention performances at Court or the private theaters.

Some examples:

In the *Riverside Shakespeare*, G. Blakemore Evans describes "The Theatrical Setting" as the Globe theater, with only the briefest mention of "on tour" and "in the private theaters" and "frequently at Court" with no elaboration at all. (14-16) For Evans, this has the virtue of situating the man from Stratford in the theater of which he became a minority shareholder. But it ignores not only the public theaters that flourished for more than a decade before the Globe was built in 1599 but also fully half of the Shakespeare canon, which Stratfordians themselves date before the Globe was built.

In the Norton edition of the complete works, Stephen Greenblatt describes the public theaters and only mentions in passing that Shakespeare plays were also performed at Court. (49)

In the HarperCollins edition, David Bevington describes the history and layout of the public and private theaters but says nothing about their audiences, nor about performances at Court. (xlili)

In his Overview for the Signet editions, Sylvan Barnet mentions the audience for Shakespeare plays but very briefly and only in the public theaters: "The audience—the *public* taste as understood by the playwright—helps to determine what the play is." (xlvi) (Emphasis added.)

In the Folger series, the co-editors open the section on "Shakespeare's Theater" by recognizing the "great variety of locations," but simply list the court, the universities, the Inns of Court, private manors and tours in the provinces. The so-called "private" theaters, such as the Blackfriars, get one paragraph on their physical layout. (xxxii) But the editors devote the rest of the nine-

*(cont'd on p. 7)*

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## Paul Nitze, RIP

By Gary Goldstein

Paul H. Nitze passed away on October 19<sup>th</sup> at the age of 97 at his home in Washington, DC. A funeral service was later held at Washington National Cathedral.

Ambassador Nitze was a fervent Oxfordian, supporting research and publication activities as well as public debate to advance the Oxfordian cause. In 1991, he introduced Charles Beauclerk at a meeting of the Friends of the Folger Shakespeare Library. Soon after, he wrote the Foreword to Richard Whalen's hardcover text, *Shakespeare: Who Was He?*, published by Greenwood Praeger, now in its 7<sup>th</sup> printing.

A long-time member of the Shakespeare Oxford Society, Nitze also participated in promotional efforts with the news media as well as in educational programs, such as GTE's 1992 television program on the authorship issue, *Uncovering Shakespeare*. In addition, Nitze helped fund publication of Oxfordian research for distribution to institutions of higher education, such as the semi-annual journal, *The Elizabethan Review*, from 1993 to 1999. For his achievements, he was honored at a special dinner on October 10<sup>th</sup> at the 2002 conference of the Shakespeare Oxford Society.

Of greater significance was Paul Nitze's contributions in shaping U.S. diplomatic and military strategy during the Cold War. His career, which began on Wall Street as an investment banker and included government service under eight presidents, was capped this April with the christening of a destroyer bearing his name, a signal honor for the former Secretary of the Navy.

As director of the State Department's policy planning staff in 1950, he helped frame the strategy of building up U.S. military forces to keep the Soviets contained in Eastern Europe. He later advised President Kennedy on the Berlin and Cuban missile crises and also served as Secretary of the Navy during the Vietnam War.

In response to President Jimmy Carter's 1979 Strategic Arms Limitation Treaty (SALT) with the Soviet Union, Nitze

organized other prominent conservative Democrats onto the Committee on the Present Danger. They contended the treaty could not be verified and would enable the Soviets to strengthen their nuclear arsenal. Carter withdrew the SALT II treaty when the Soviets invaded Afghanistan in 1979.

Nitze was in charge of negotiating reductions in intermediate range missiles with the Soviet Union in 1981 for President Ronald Reagan. The negotiations were marked by a July 1982 "walk in the woods" near Geneva, Switzerland, with the Soviet negotiator, Yuli Kvitsinsky, that produced a compromise breakthrough.

The Johns Hopkins School of Advanced International Studies in Washington was founded in 1943 by Nitze and the late former Secretary of State Christian Herter. In 1957, Nitze conceived the idea of attaching a "think tank" to the school, now called the Johns Hopkins Foreign Policy Institute. Three years later, he helped Johns Hopkins University raise \$4.2 million for the SAIS building, which was named for Nitze and his first wife, Phyllis Pratt Nitze, in 1986.

Secretary of State Colin Powell spoke in tribute to Nitze's long government service at a banquet just before his death. Recalling their time working together in the Reagan administration, when Powell was national security adviser, Powell said sitting with Nitze at the same table "was like having Moses at the table." Powell later issued a statement remembering Nitze as a personal mentor, "a giant of U.S. foreign and defense policy and an inspiration" to State Department employees.

President Reagan awarded Nitze the Presidential Medal of Freedom, the highest civilian honor in the United States, in 1985.

Born in Amherst, Mass., Nitze grew up in Chicago, graduated from Harvard University in 1927 and worked for 12 years as an investment banker at Dillon Read & Co., before taking his first government post in 1940 in Franklin D. Roosevelt's administration.

## Fixing An Academic Fiasco

By James Brooks

Two academically respected journals have within the past year published highly favorable reviews of Brian Vickers's recent book *'Counterfeiting' Shakespeare: Evidence, Authorship, and John Ford's Funerall Elegye*. The reviews appeared in *Shakespeare Quarterly* (Hugh Craig)<sup>1</sup> and in *Sixteenth Century Journal* (John Lee).<sup>2</sup>

Both Craig and Lee offer high praise for the thoroughness and high quality of Vickers's scholarship in disproving the attribution of *A Funerall Elegye in Memory of... William Peeter* to Shakespeare and in showing that it is, in fact, the work of John Ford. Combining linguistic and statistical analysis, Vickers successfully demonstrates the methodology of modern authorship studies.

The reviews are of interest to Oxfordians on several counts. First, Oxfordians have dodged a bullet. The refutation of Don Foster's attribution of *A Funerall Elegye* to Shakespeare refutes what some orthodox scholars (those who deign to consider the Shakespeare authorship issue at all) were happy to seize upon as a "smoking gun" against the Oxfordian hypothesis. In light of Oxford's death in 1604, a valid attribution to Shakespeare would eliminate Oxford as Shakespeare because the elegy was composed for William Peter, who was killed in January 1612 following a quarrel over the sale of a horse.<sup>3</sup> The elegy was entered in the Stationers' Register on 13 February 1612.<sup>4</sup>

Foster's attribution had gained sufficient acceptance within the community of Shakespearian scholars that it appeared (generally prefaced with disclaimers) in the latest Shakespeare editions published by Norton, Addison-Wesley, and Riverside. Foster has since withdrawn his attribution and Lee indicates Colin Burrow's *The Poems*, published subsequently by Oxford University Press, has omitted *A Funerall Elegye*. Vickers suggests in his preface<sup>5</sup> that two documents that appeared as his book went into production were instrumental in influencing Foster's capitulation: Hugh Craig's essay in the online journal, *Early Modern Literary*

*Studies*<sup>6</sup>, and Giles Monsarrat's essay in *Review of English Studies*.<sup>7</sup>

Second, Oxfordians have a hero in this tale. *'Counterfeiting' Shakespeare* contains a great deal of material describing the course of the debates in the scholarly community. Concerning one aspect of this debate, Vickers notes that Oxfordian Richard Kennedy was the first to raise the possibility that Ford authored the poem.<sup>8</sup> Vickers tells us that Kennedy communicated his views in a posting to the Shakespeare Electronic Conference in March 1996<sup>9</sup>, and that, while Kennedy is an Oxfordian, he "never mentioned the Oxford authorship theory, concentrating all his attention on arguing that the *Elegye* was not Shakespeare's but Ford's." Foster, however, attempted to discredit Kennedy by pejoratively labeling him as an Oxfordian and arguing that Kennedy had a large stake in rejecting the attribution to Shakespeare.<sup>10</sup>

Perhaps the outcome of the elegy attribution incident offers Oxfordians hope that issues they raise in the future on the Shakespeare authorship question can be debated and resolved on the merits of the evidence without the Stratfordian side bringing in *ad hominem* arguments.

Third, the favorable acceptance of Vickers's research furnishes Oxfordians with a possible opportunity to employ in their own studies those methods the academic community considers appropriate for a sound analytical approach to research on authorship attribution. Provided the methods were applicable to the specific problem under investigation, doing so would at least eliminate methodology as a basis for criticism. This is not to suggest, however, that Vickers's methods are the only ones capable of producing valid results; other scholars have also produced fine work. In addition, a number of recent papers provide evidence that authorship attribution problems are attracting increasing interest in the academic community.<sup>11</sup> Some of the techniques described in this work may eventually prove to be useful in illuminating the Shakespeare authorship question.

Finally, independent of whether one would enjoy absorbing the details of

Vickers's methodology and his relentless assault on Foster's position, most readers will find the extensive epilogue, "The Politics of Attribution,"<sup>12</sup> a fascinating description of the failure of the academic community to make an independent scholarly evaluation of Foster's claims. Also, Lee's review cites an additional bonus of general interest: "Lying within *'Counterfeiting' Shakespeare* is a very helpful introduction to Shakespeare's language and Elizabethan English."<sup>13</sup>

### Endnotes

1 Hugh Craig, review of Vickers 2002, *Shakespeare Quarterly*, 54:312-314, 2003.

2 John Lee, review of Vickers 2002, *Sixteenth Century Journal*, XXXIV/4: 1158-1160.

3 Brian Vickers, *'Counterfeiting' Shakespeare: Evidence, Authorship, and John Ford's Funerall Elegye*, (Cambridge, 2002), p. 60.

4 Vickers, p. 59.

5 Vickers, xxi.

6 Hugh Craig, 'Common-word frequencies, Shakespeare's style, and the Elegy by W. S.', <<http://www.shu.ac.uk/emls/08-1/craistyl.htm>>.

7 Giles D. Monsarrat, *A Funeral Elegy: Ford, W. S., and Shakespeare*, *Review of English Studies*, vol. 53, no. 210

8. Vickers, p. xix.

9 Vickers, p. 436.

10 Vickers, p. 437.

11 *Chance*, a journal of the American Statistical Association, devotes its Spring 2003 issue to the subject of authorship attribution (five articles); other examples include Labbe and Labbe, 2001; Yang et al., 2003; Benedetto, Caglioti, and Loreto, 2002; Khmelev and Tweedie, 2001.

12 Vickers, pp. 422-65.

13 Lee, p. 1160.

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Labbe, C. and D. Labbe, Inter-Textual Distance and Authorship Attribution Corneille and Moliere, *Journal of Quantitative Linguistics*, 8: 213-231, 2001

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Monsarrat, Giles D., *A Funeral Elegy*: Ford, W. S., and Shakespeare, *Review of English Studies*, vol. 53, no. 210

Vickers, Brian, 'Counterfeiting' Shakespeare: Evidence, Authorship, and John Ford's Funeral Elegy, Cambridge, 2002

Yang, Albert C. C. et al., Information Categorization Approach to Literary Authorship Disputes, *Physica A*, 329: 473-483, 2003

Dr. James Brooks recently retired from a 30 year career dealing with national security, including nearly 20 years as a senior executive in the Office of the Secretary

of Defense in the Office of the Director, Program Analysis and Evaluation. His research interests include the use of statistical methods for assessing the correspondence between the markings in Oxford's Bible and references to the Bible in the plays of Shakespeare. Dr. Brooks received a B.S. in physics from the California Institute of Technology and holds a Ph.D. in physics from the University of California, Irvine.

## Oxfordian News

By Gary Goldstein

### De Vere Society Book on Oxford

The De Vere Society has just published a 370-page book of essays on the life and work of the Earl of Oxford, entitled, *Great Oxford* (ISBN:0-9520842-79-1), brought out by Parapress. For a detailed list of articles, go to the publisher's website at [www.parapress.co.uk](http://www.parapress.co.uk). For US buyers, the price is \$30, which includes shipping and handling.

### Shakespeare Authorship Conference Proceedings

The University of Tennessee Law Review will publish the papers presented at the school's June authorship conference in their January 2005 issue. The single issue cost is \$10; postage is \$3. Oxfordians wishing to order copies can do so by sending their checks to:

The University of Tennessee  
College of Law  
Tennessee Law Review  
1505 W. Cumberland Ave., # 337  
Knoxville, Tennessee 37996-1801

### In Memoriam

We mourn the passing this autumn of Michael Peer, whose achievements helped advance the Oxfordian case for authorship in Europe and the United States. These include producing a 50-minute TV documentary "The Shakespeare Conspiracy" for the German TV network Osterreichischer Rundfunk, which was later distributed throughout America and Great

Britain. Mr. Peer also contributed toward a definitive dating of *The Tragedie of King Richard II* for the De Vere Society Dating Project. At the time of his death, Michael was at work on an Oxfordian film project.

### British Library Puts Shakespeare Quartos On-Line

Shakespeare lovers and scholars can now browse through some of the earliest editions of the plays, courtesy of The British Library.

More than 90 high-resolution digitized copies of the first editions of 21 Shakespeare plays have been put on online at [www.bl.uk/treasures/shakespeare/homepage.html](http://www.bl.uk/treasures/shakespeare/homepage.html). They can be magnified and compared side by side.

The quartos date back to the early 1590s. The online collection also includes sound clips, supporting notes, images, and commentaries.

### Harvard Prof's Biography of Shakspeare Published

Stephen Greenblatt of Harvard University, and general editor of the Norton edition of Shakespeare, published *Will in the World: How Shakespeare Became Shakespeare*, in September to mostly laudatory reviews in national media such as The New York Times, the Boston Globe, and the New Yorker magazine, among others. A review of the book will appear in the next issue of the Shakespeare Oxford Newsletter.

Below are excerpts from the Globe and New Yorker reviews.

From the September 26<sup>th</sup> Boston Globe review (p. D8), by William E. Cain, an English professor at Wellesley College.

"Vividly written, richly detailed, and insightful from first chapter to last, Stephen Greenblatt's fascinating biography of Shakespeare is certain to secure a place among the essential studies of the greatest of all writers. But *Will in the World* is also a disquieting book, because ultimately it is based less on hard fact than on conjecture and speculation, much of it credible and convincing, much of it not. "The materials for a Shakespeare biography are extremely limited. We have some documents, records, property transactions, and brief references to Shakespeare by his contemporaries, but not a great deal beyond that. Except for his last will and testament, there are no personal papers, no diary or letters, no manuscript of a play or poem in the author's hand. So little is concretely known that a few scholars, amateur historians, and skeptics have even made the giddy but unjustified claim that someone else—Francis Bacon, the earl of Oxford, and Queen Elizabeth are among the nominees—is the real author of Shakespeare's plays.

...

"From time to time Greenblatt makes clear that he knows he is close to giving a local habitation and a name to airy nothings, as when he considers the story that Shakespeare fled Stratford and made his way to London because he was in trouble for deer poaching. "The question," says

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Greenblatt, "is not the degree of evidence but rather the imaginative life that the incident has." Later, as he identifies the possible real-life figures to whom Shakespeare may be referring in the sonnets, he concedes he is "groping in the darkness of biographical speculation."

"So why even attempt a biography of Shakespeare? Because we crave contact with the person whose powers of perception, representations of consciousness, and uses of language exceed those of which any mortal seems capable. But, as a person, Shakespeare is beyond our grasp. "Will in the World" is thus a wonderful work of the imagination, an engaging and risk-taking evocation of a Shakespeare who may have been the man whom Stephen Greenblatt describes but who, quite simply, may not have been that man at all."

From the *New Yorker* magazine review by Adam Gopnik, a staff editor, in its September 13<sup>th</sup> issue.

"It is well known that the first reference to Shakespeare as an author is a bitterly poisonous attack that Greene penned on his deathbed, in 1592. Greene was the charismatic center of the group of college-educated writers who had come down to London from Oxford and Cambridge in the fifteen-eighties. Although Marlowe was the most impressive writer among them, Greene was the wits' wit, their Peter Cook, the man they all looked up to even in the absence of any work equal to his talent. When the

ailing, impoverished Greene condemned Shakespeare as "an upstart Crow, beautified with our feathers," who is "in his own conceit the only Shakescene in a country," the charge was clear: this newcomer was a plagiarist, a hustler, an egotist who first courted and then stole from the real talents.

"Greenblatt makes two arguments about this ugly business. First, that the Greene attack is a reflection of Shakespeare's early absorption into Greene's circle—there was no other circle worth being absorbed into, and Shakespeare's competitive admiration for Marlowe especially is written all over his plays—and of the anger of Greene and his group at Shakespeare's refusal to give them the deference they felt they deserved. They began by taking in the young countryman player and, Greenblatt observes, "probably thought that he was rather naïve and guileless and that they could easily take advantage of him." Soon they discovered that the naïve young outsider was just as ambitious as they were, and far more able and adaptable.

"Greenblatt's more profound argument is that a lasting record of Shakespeare's engagement with Greene lies in the figure of Falstaff, and in the relationship between Falstaff and Hal. "The deeper we plunge into the tavern world of Falstaff," he writes, "the closer we come to the world of Greene; his wife, Doll; his mistress, Em; her thuggish brother, Cutting Ball; and the whole crew."

All the contemporary accounts emphasize Greene's wit, his enormous appetite for food and sack, his size, and his habit of haunting brothels and taverns. The contemporary records of Greene are so Falstaffian that one exasperated inventory of his masquerades seems to come right out of "Henry IV": "a wild head full of mad brain and a thousand crotchets: a Scholar, a Discourser, a Courtier, a Ruffian, a Gamester, a Lover, a Soldier, a Traveler, a Merchant, a Broker, an Artificer, a Butcher, a Pettifogger, a Player, a Cozener, a Railer, a Beggar, an Omnigatherum, a Gay Nothing."

"This identification is a triumph of biographical criticism and a proof of its real value. The point, as Greenblatt emphatically argues, is "not to strip away the reimagining, as if the life sources were more important than the metamorphoses but, rather, to enhance a sense of wonder at Shakespeare's creation . . . that took elements from the wasted life of Robert Greene and used them to fashion the greatest comic character in English literature." One need not accept the identification to value the discovery. Biographical criticism may be a practice without certainties, but it is not a game without rules. Each time we come closer to Shakespeare's life, we escape from the aridity of formal criticism or the cheap generalities of social history into a recognizable world of real experience."

## Letter to the Editor

### Malvolio's Yellow Stockings

To the Editor:

In regards to C. Richard Desper's article, "Allusions to Edmund Campion in Twelve Night," in the spring 1995 *Elizabethan Review*.

I am interested in Campion's connection with Christ's Hospital where he was a pupil before going up to Oxford University in 1557; it is well-known here as the Bluecoat School, where the boys have worn yellow stockings as well as their blue coats since Tudor times.

Malvolio's yellow stockings feature prominently in the play and it has occurred to me that the connection with Campion could be intentional. Christ's Hospital was established as a Protestant school (not Puritan) by King Edward VI, yet Campion later became a Jesuit. Shakespeare and his London contemporaries would undoubtedly think of Campion's education as a progression from Christ's Hospital to St. John's College, Oxford and eventually to [the Catholic seminary at] Douai.

The references to yellow stockings in the play can be found at:

II.v.166, 171 Malvolio, 201 Maria  
III.ii.71, Maria  
III.iv.27-28, Malvolio, 49 Olivia  
IV.i.339 Malvolio

Yours,  
Sidney Rosenbaum  
Radlett, United Kingdom

## Shakespeare Fellowship Conference Held in Baltimore October 7-10

By James Sherwood

From mid afternoon on Thursday, October 7 through Sunday evening, October 10, the Shakespeare Fellowship held its Third Annual Conference in Baltimore attended by some forty registrants at more than two dozen scheduled events. Held at the Hilton Doubletree Inn at the Colonnade in Baltimore, it was luxury in comfort and gourmet in menu.

Newcomer Thomas Regnier delivered a well-received keynote address on "Shakespeare's Law." Principal speakers included Drs. Charles Berney, Ren Draya, Marty Hyatt, Alan Nelson, Kevin Simpson, Roger Stritmatter and Daniel Wright, plus Charles and William Boyle, Barbara Burris,

Gordon Cyr, Jonathan Dixon, Ron Halstead, Ron Hess, Ken Kaplan, Alex McNeil, Art Neuendorffer, William Niederkorn, Terry Ross and Hank Whittemore.

Dr. Draya's study of Sixteenth Century Letter Writing and William Niederkorn's survey of Abel LeFranc's contribution to authorship studies were among the many memorable papers. LeFranc's advice was well taken: "Fight for truth – not victory."

Dr. Nelson revealed his new study on the books that vanished after being licensed by the Stationer's Registry; he continued to encourage Oxfordian scholarship. In addition to the individual presentations, Alex McNeil's "Oxford Jeopardy" based

on the game show and a debate featuring Stritmatter and Whittemore versus Nelson and Ross were popular.

The conference afforded attendees ample opportunities for entertainment. The Baltimore Shakespeare Festival presented *Julius Caesar*, the Australian trio Kinetic Energy performed twice, and Michael Dunn introduced Charles Dickens to his fans.

The Fellowship elected its former president, Dr. Berney, as its new president, and has launched a Foundation.

Lynne Kositsky and Roger Stritmatter were applauded for making a congenial group most welcome in Baltimore.

## Summer 2004 Prince Tudor Seminar

By Daniel Wright

As part of its annual summer series of week-long studies dedicated to a protracted study of issues within Oxfordianism and Shakespeare authorship theory, Concordia University hosted a lively seminar this past August that was dedicated to close examination of the pros and cons of the so-called Tudor Heir thesis. Participants included CU Professor and Director of the Shakespeare Authorship Studies Conference, Dr Daniel Wright; Dr Helen Gordon; Dr John Varady; Dr Paul Altrocchi; Dr Earl Showerman; Dr Kevin Simpson; Marguerite Gyatt, Hank Whittemore; Bill Boyle; Patricia Urquhart; Wenonah Sharpe and Mark Jackson.

The seminar brought together, in convivial circumstances, representatives of a variety of approaches to reading the Sonnets, and all enjoyed the opportunity to share insights and learn from one another during the ambitious week of study and discussion. The primary focus of the week was on Hank Whittemore's soon-to-be-published 900-page examination of the Sonnets, *The Monument*, which looks at the

Sonnets with a keen eye to deriving meaning by a comparison of the vocabulary used by Shakespeare in his Sonnets with that of the vocabulary used by Shakespeare in his dramatic works in addition to reviewing Shakespeare's words and phrases as they were understood and employed in other works of the time. In this respect, Mr Whittemore's study marked itself as worthy of particular interest to the participants as it strives to avoid the pitfalls of so much previously published Sonnets' criticism that proceeds from impressionistic readings of the poems divorced from any intimate understanding of Shakespeare's choice of language as that language was used by Shakespeare and his contemporaries. Other occasions for study during the week included a presentation by Dr John Varady in the university lecture theatre that argued against an evidentiary foundation for a Tudor Heir thesis; a Power Point program provided by Stephanie Hopkins Hughes of a rarely-seen portrait of Mary Browne, the wife of the 2<sup>nd</sup> earl of Southampton and, ostensibly, the mother of Henry

Wriothesley; a slide presentation by Dr Helen Gordon that examined compositional patterns in the Sonnets; and Dr Paul Altrocchi's analysis of the enigmatic Gheeraerts portrait of an unknown woman, fabulously and mysteriously dressed (as well as apparently pregnant) that hangs at Hampton Court.

Seminar participants, who resided on the university campus during the seminar, also enjoyed outings during the week to Powell's City of Books; a trip to a professional soccer match; a visit to the historic riverside home of John and Patricia Urquhart for a late night dinner and relaxation; and a day trip to the Cascade Mountains as well as excursions to Multnomah Falls and Vista House atop Crown Point in the Columbia River Gorge.

The week's study concluded with a picnic on the closing afternoon and the determination of all to return to continue their Oxfordian studies with the week's focus at the August 2005 seminar to concentrate on the Shakespeare histories.

(cont'd from p. 1)

page section to the public theaters.

The private theaters, the Blackfriars in particular, drew a mostly aristocratic audience able to afford an entry price that was five to ten times that of the public theaters. Unlike the huge public theaters, which were open to the sky, the private theaters were indoors and much smaller, usually a banqueting hall in a building. Performances could be held in the evening by candlelight, as they were at court.

Professor Andrew Gurr has made himself the leading spokesman for the orthodox view. He has written three overlapping books on the subject and an essay for the Norton edition. His focus is also on the acting companies and theater buildings, and he assumes an audience mostly of commoners in the public theaters. In a rare exception, he writes in *The Shakespearean Stage, 1574-1642* (1970) that "to please royalty was a major aim of the companies." (19) That's the aim of acting the companies, however, not the playwright.

He shows his bias in the opening words of his *Playgoing in Shakespeare's London* (1987): "This book...examines the evidence for the nature of playgoers and playgoing at the *commercial* playhouses in London from 1567 to 1642. (Emphasis added.) And he says that "Alfred Harbage's *Shakespeare's Audience* comes near to my purpose" with some reservations about its scope. (xiii)

Although his book is entitled *Shakespeare and His Theater* (1964), Professor Gerald Eades Bentley of Princeton says almost nothing about the audiences for Shakespeare plays. In *Shakespeare, a Biographical Handbook* (1961), he says that "it was the public theaters and their audiences that Shakespeare had in mind for most of his plays." Except for a few late plays that might have been written for the Blackfriars stage, "nearly nine-tenths of Shakespeare's dramatic output was designed for presentation in his company's public theaters, the Theatre, the Curtain and the Globe." (130)

E. K. Chambers's view of Shakespeare's audience is also the conventional view—commoners in a public theater watching a play written by an actor. In his two-volume *William Shakespeare: A Study of Facts and Problems*, he says that his playhouse was "at first the Theatre or Curtain, then the

Globe." (1:76) No mention of the court or private theaters.

In his four-volume *Elizabethan Stage*, he does grant that "the milieu of the Court had its profound effect in helping determine the character of the Elizabethan play." (1:3) But he means the patronage and protection provided by the queen and noblemen to the acting companies. He never describes the "profound effect" or explores how the court may have influenced the character or writing of Elizabethan plays. At another point, he mentions in passing that Queen Elizabeth saw plays when she was on progress or at a wedding or a banquet at a nobleman's house. (1:214) Nowhere in his six volumes on Shakespeare and the Elizabethan stage does he analyze or discuss whether the Shakespeare plays were written primarily for Elizabeth and aristocrats or for the public theaters.

In fact, he betrays a bias against, or a willful turning away from, court performances. In the first sentence of his 300-page section on the acting companies, he apologizes because he fears that he has lapsed too often "into the arid annals of performances at Court or in the provinces." (2:3) He fears, no doubt, a lapse that might take the focus away from the public theaters.

The overwhelming message from orthodox scholars is that the Shakespeare plays were written primarily to be performed for a popular audience in the public theaters.

The records, however, do not support that view. The major source for the locations of Shakespeare play performances, and thus make-up of the audiences, are Chambers's six volumes on Shakespeare, the theaters and the acting companies, and he is by far the leading authority on Shakespeare's theater. His transcriptions and compilations of the primary source documents have never, with very few minor exceptions, been challenged, although some of his interpretations have drawn significant challenges. Scattered throughout the nearly three thousand pages of the six volumes are the records telling where the Shakespeare plays were performed.

When play performance records are extracted from the wealth of data compiled principally by Chambers, the documentary record throws grave doubt on the orthodox view that the Shakespeare plays were written

for a popular audience in the public theaters. Although sparse and fragmentary, the surviving records show the following:

- 30 performance records for aristocratic audiences at court, the upscale private theaters, the universities and manor houses; plus three probables.

- 12 performance records for the popular audiences at the public theaters; plus four probables.

Thus, the number of records that refer to performances before aristocrats is 2-1/2 times the number of records that refer to public performances, a ratio orthodox scholars apparently decline to recognize. Granted the records are incomplete, still the preponderance of certain evidence that is available argues against the orthodox conclusion that the Shakespeare plays were written primarily for the public theater audiences. (See the section on Methodology and Tabulation at the end of this paper.)

Four objections could be made.

First, the records are so sparse and incomplete that the numbers are too small to be significant for a period covering two decades. That's true. Scholars estimate that at least three hundred lost, anonymous plays were performed, some of them probably many times. Henslowe alone names 170 anonymous plays that have been lost, as Bentley points out in *The Profession of Dramatist in Shakespeare's Time, 1590-1642* (14-16). And Henslowe's records are only for one acting company among many. Still, the performance records remain the only certain documentary evidence, and they do not support the Stratfordian view of Shakespeare's audience.

Second, performances of named plays at court and in private theaters were more likely to have been recorded so the number is higher than that for public theaters. Perhaps, but by the same token the number could be still higher for Shakespeare plays at court. Records for many performances at court do not identify the plays, which could have been Shakespeare plays with their sophisticated language and topicalities for the sophisticated audiences.

A third objection might be that several public theaters were open many weeks in the course of a year, so there had to be many more performances for popular audiences.

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Henslowe's Diary, for example, shows that the Admiral's Men performed scores of plays in the public theaters, although most were anonymous, lost plays, and none were identified as Shakespeare plays. So, infer the orthodox scholars, the same must have been true for the Lord Chamberlain's Men, whom they call "Shakespeare's company," and therefore they too must have performed many plays in the public theaters, including a presumably significant number of Shakespeare plays, and so the number for public theater performances would be much higher. But their conclusion is not based on certain evidence in the records; it is based on inference on top of inference, which may or may not be valid.

Finally, orthodox scholars might argue, the Stratford man was an investor in the Globe and therefore, since he was the dramatist, he must have been writing primarily for its audience and for audiences at the earlier public theaters in the 1590s. But that's a Stratfordian inference that may or not be true; and it is plausible (although not convincing) only if the Stratford man is accepted as the dramatist.

The orthodox dissenters from the prevailing academic position are a tiny but significant minority. They are Professors Alvin Kernan, Ann Jennalie Cook and Glynne Wickham. Their dissent is significant because they are mainstream Shakespeare scholars, although they are not Shakespeare biographers.

Kernan, once a professor at Yale and Princeton, states flatly that the dramatist had the court in mind when he wrote the plays. Although he limits his study to the court of King James, his observations apply equally well, if not better, to the court of Queen Elizabeth. In his 1995 book *Shakespeare, the King's Playwright: Theater in the Stuart Court, 1603-1613*, he argues that although Shakespeare (his Stratford man) may have originally produced his plays on the public stage, he knew they would be performed before the king and his court.

"Shakespeare," he says, "had the court and its interests very much in mind when he wrote." (xx) Indeed, Kernan moves even closer to the Oxfordian view. He says the Shakespeare plays had to be topical commentaries on court politics:

The courtiers and the royal patron would inevitably regard them not only as entertainments but as comments on the political and social concerns of the moment. Even had he wished to avoid politics, Shakespeare was forced to become a political playwright willy-nilly, by virtue of court performance....The plays take up hot political and social issues." (xix-xx)

Apparently realizing that this is dangerous territory, Kernan tries to qualify his conclusions: "What Shakespeare said about contemporary issues depends on our interpretation of what the plays actually say, or said, to his courtly audiences, and this is shaky ground." (xxi) Kernan's sentence sounds shaky, too. He recognizes that he is going against the conventional view: "Our democratic age will resist even a partial transformation of Shakespeare into a courtly servant and a recipient of patronage." His roots, says Kernan, a bit lamely, "still lay in the public theater." (xxii)

The second dissenter, Ann Jennalie Cook, is professor emerita of Vanderbilt University. She takes issue with Harbage's extreme "common man" view and argues that the audience for the Shakespeare plays was "the privileged playgoer of Shakespeare's London," which is the title of her 1981 book. She emphasizes the popularity of plays for the upper classes and especially at Court: "Despite the frequency of plays at the schools and universities, the Inns of Court, and the great halls of the wealthy, the Court itself held center stage when it came to dramatic performances. Year after year the records testified to the popularity of the players." (113)

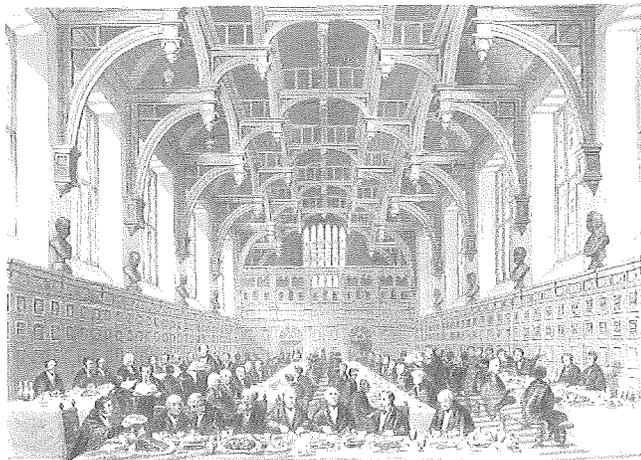
Cook also says that even in the public theaters most of the audience were not commoners: "The privileged playgoer probably dominated the huge public theaters." Only they had afternoons free and could afford to attend plays regularly. (9) The privileged playgoers, she concludes, "offered a challenge to the finest playwrights of the age. Perhaps those playwrights would not now be considered the finest of any age

without the continuing patronage of the privileged." (167) Thus, the Shakespeare plays were written for an aristocratic audience.

In her epilogue, Cook moves perilously close to postulating Shakespeare as an aristocrat writing for aristocrats: "The complex philosophical, theological, or aesthetic ideas embedded in a Shakespearean play are not merely an unconscious reflection of the accepted thought of the day.... More likely, they typify the effort of a superb dramatist to engage the minds as well as the emotions of an intelligent audience...many of whom were sophisticated and accomplished." (274)

The third minority scholar is Glynne Wickham, emeritus professor of drama at the University of Bristol. He published extensively on the English theater. In *Early English Stages, 1300 to 1660*, he criticizes theater historians who have "lavished attention upon the Globe and the Blackfriars but have in general chosen to neglect or disregard the Great Chamber, the Great Hall, the Banquet House and other centres of play production at Court." (148) In his view, the aristocratic audience at Court was the norm and aim of the acting companies, and so by extension of the dramatists. Performances in the public theaters "were justified from 1574 onwards as a means of 'exercising' or rehearsing in preparation for performances at Court." (149) But he too adds the necessary hedge: "Notwithstanding notable and extensive sallies into less sophisticated places of public recreation," which he calls "vulgar public gamehouses." (130)

To these modern-day dissenters might be added the dramatist himself. Five Shakespeare plays have a play within the play, and in all five the audience for the embedded play is aristocratic. *The Taming of the Shrew* itself is a play within a play that is performed for an aristocratic audience and a drunken Christopher Sly (in the Induction) at a lord's house. The clown and other commoners in *Love's Labor's Lost* perform the "Nine Worthies" skit in act five for the king and his entourage. In *A Midsummer Night's Dream*, artisans turned actors perform the "Pyramus and Thisbe" skit for the Duke and other aristocrats at his



*Middle Temple Hall was one of the banqueting halls that served as theaters for Shakespeare plays performed for royals and aristocrats.*

palace. In act four of *The Tempest*, spirits perform for Ferdinand, son of the king of Naples, and Miranda, Duke Prospero's daughter. And, of course, in *Hamlet* the visiting actors perform *The Murder of Gonzago* for the king and his court. Shakespeare's plays within plays are all for aristocratic audiences. Kernan notes that in these plays "the players are as base as the audience is noble." (195)

That the audience for Shakespeare plays was primarily aristocratic has eluded almost all orthodox Shakespeare scholars. On meager evidence they make the playwright into a man of the public theater, a commoner writing primarily, if not exclusively, for the groundlings in the pit and the tradesmen in the galleries of the public theaters, especially the Globe.

A reassessment, however, shows that their position is not supported by the documentary records of Shakespeare play performances that they themselves have compiled. There are more records, sparse and fragmentary though they be, for performances for Queen Elizabeth and King James and their courtiers, and for the privileged playgoers at manor houses, the universities, law schools and the smaller, private theaters, like the Blackfriars. By this imperfect measure, the playwright's primary audience was composed of royalty, the nobility, educated aristocrats, their retainers and court officialdom—all well-versed in the power politics, court intrigues, English history and the continental cultures of France and Italy, all of which figure prominently in the Shakespeare plays.

For all these reasons, I conclude that the

author of the plays wrote primarily for that audience, which the 17<sup>th</sup> Earl of Oxford knew well—but William Shakspeare of Stratford did not.

(Editor: An early version of this paper was delivered at the 2003 conference of the Shakespeare Oxford Society in New York City.)

## METHODOLOGY AND TABULATION

This paper is an analysis and critique of the orthodox view of Shakespeare's audience. The tabulation compiles only the performances of Shakespeare plays that are accepted by the orthodox scholars, including even suspect records that they accept. Thus the tabulation includes twelve performance records that the notorious forger, John Payne Collier or his associate, Peter Cunningham, said they discovered. Those records may well be forgeries.

The tabulation combines records of specific performances and more general records, such as quarto title pages that tell in general where a play had been performed. Mention of place of performance on the title page of a quarto counts as one performance for that play, although of course there were undoubtedly more. No one knows how many more.

The tabulation runs through 1613, a year of many performance records. The number of records drops off sharply after that, and it becomes problematic whether the locales for performances later than 1613 can be taken to indicate the primary audience the dramatist had in mind.

The "Campbell/Quinn" citation refers to *The Reader's Encyclopedia of Shakespeare*, edited by Oscar James Campbell with Edward G. Quinn, 1966. It is the source for most of the performances reported by individual theatergoers.

### Performances of Shakespeare plays for audiences of nobility and aristocracy

– At the court of King James in 1604-5

and 1611-12 per Revels Accounts pages "discovered" by Cunningham: *The Moor of Venice (Othello)*, *Measure for Measure*, *The Merry Wives of Windsor*, *The Plaie of Errors (The Comedy of Errors)*, *Love's Labour's Lost*, *Henry the Fifth*, *The Merchant of Venice*, *The Tempest*, and *The Winters Nightes Tale (The Winter's Tale)*.

– At Whitehall palace in 1613 for the wedding of Lady Elizabeth, the king's daughter, per Chamber Account (see also probables): *The Tempest*, *Othello*, *The Winter's Tale*, *Caesars Tragedie (Julius Caesar)*, *Much Ado About Nothing*.

– As noted on quarto title pages, performed for Queen Elizabeth or King James: *Love's Labour's Lost*, *The Merry Wives of Windsor*,

– At manor houses: *Titus Andronicus* in 1596 at the manor of John Harrington per a letter by Jacques Petit, *Love's Labor's Lost* in 1604-5 at the house of the Earl of Salisbury or Southampton per a letter from Walter Cope to Robert Cecil endorsed 1604, *Pericles* in 1610 at a mansion of Sir John York per Campbell and Quinn (627) who give no primary source, *Pericles* and *King Lear* in 1610 at the mansion of Sir John York per evidence in a trial at Nidderdale, Yorkshire.

– At universities: *Hamlet* at both Oxford and Cambridge per Q1 title page, and *Othello* at Oxford in 1610 per Campbell/Quinn who do not identify the primary source.

– At law schools: *The Comedy of Errors* in 1594 at Gray's Inn per Gesta Grayorum, and *Twelfth Night* in 1602 at Middle Temple, per John Manningham's diary.

– At Blackfriars: *Othello* per Q1 title page.

– At Blackfriars (probably): *Sir John Oldcastle (Henry IV Part One)* in 1600 to entertain the Flemish ambassador at a banqueting hall per a letter from Rowland Whyte to Sir Robert Sidney, and *Pericles* in 1607-8 as seen by the Venetian ambassador who paid twenty crowns for his theater party per trial evidence in Italy.

– At a private theater: *Hamlet* per Q1 title page "...divers times performed ...in the citie of London."

[Probable records of Shakespeare performances for aristocratic audiences: *The*

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## First Dutch Shakespeare Authorship Conference

By Jan Scheffer and Sandra Schruijer

The First Dutch International Conference on the Shakespeare Authorship Question was held in Utrecht from July 8-10, 2004, and included Oxfordian, Stratfordian, Baconian, and Marlovian researchers. The conference was organized by psychiatrist Jan Scheffer and psychologist Sandra Schruijer, both members of the De Vere Society, and professionally assisted by art historian Mieke Breij. Thirty people attended the conference, which was held at the University of Utrecht, in the Sweelinckzaal, a lecture room named after the famous Dutch composer.

The program consisted of presentations by keynote speakers Daniel Wright, Robert Detobel and Elizabeth Imlay, four individual papers by Odin Dekkers, Charles Berney, Jan Scheffer, Sandra Schruijer, a presentation by four high school students, a performance by actor Michael Dunn, a book presentation by Pieter Helsloot and a roundtable session with speakers and audience. A social program included a visit to the National museum of "Musical Clocks and Barrel Organs," where the director gave solo performances using a variety of the museum's instruments.

Daniel Wright, Professor of English at Concordia University, opened the conference with a paper that criticized Michael Woods recent biography as a Stratfordian strategy to bring out a new "Shakespeare" biography every two years of the Stratford man. In an eloquent and convincing argument, Wright made clear that Wood's claims for William of Stratford as Shakespeare, closely examined, in reality undermine the orthodox case and provide arguments *pro* Oxford. These concern the extensive though totally uncorroborated speculations Michael Wood makes about Shaksper's hidden Catholicism. Wood, on close examination, actually does the orthodox case a disservice.

Odin Dekkers, Professor of English Literature at the University of Nijmegen, introduced the theory of Shakespeare scholar John Mackinnon Robertson (1856-1933) that Hamlet was the result of Shakespeare reworking an earlier play by

Thomas Kyd. Robertson argued that only *A Midsummer-Night's Dream* can be entirely attributed to Shakespeare. Most other plays attributed to William Shakespeare were to varying degrees the product of a composite authorship, in Robertson's view. Robertson used an apparatus of metrical tests to analyze the Shakespeare canon, which he claimed was scientifically objective. He became the leader of the "disintegrationists" and fought single authorship believers, such as Baconians and Oxfordians. Robertson believed that by disintegrating the canon, i.e. purifying it by deleting those texts by authors of a lesser quality, Shakespeare's genius would become more visible. Odin Dekkers related Robertson's efforts to his rationalist and anti-religious views.

Robert Detobel, researcher and editor from Frankfurt-am Main, Germany, gave a talk on the plausibility that the death of Edward de Vere was a *felo de se* (suicide), the arguments being the absence of a will—and of a tomb—the silence of a well known contemporary chronicler, John Chamberlain, and the fact that from the inquisition post mortem it appeared that, a week before his death, Edward de Vere took some measures to safeguard land for his son Henry and his wife. The statute *Quia Emptores*, dating back to the 13<sup>th</sup> century, was cited extensively by Detobel in order to illustrate that seizure of property by creditors when the land was leased was difficult if not impossible in the absence of a will. Shakespeare refers to the paradigmatic suicide case in *Hamlet*, Act V Scene 1, and also with regard to Ophelia. It appears that Oxford had the foresight to protect his property from wardship and equally prevented his other property from confiscation by transferring chattels and goods to a trustee to the use of his wife—widow—Elizabeth Trentham. The absence of a tomb relates to what Milton, Basse and Jonson ('*thou art a monument without a tomb*') mention about Shakespeare.

Four high school students from the St. Odulphuslyceum in Tilburg presented a project they conducted with their teacher in English, Jan Beesems. They had organized a working session with their class, in which

different subgroups of students were asked to defend one candidate as the true author of the Shakespeare canon: Christopher Marlowe, Francis Bacon, Edward de Vere or William Shaksper. That day the total group of students searched for more information on the Internet, prepared their cases and presented their arguments in a plenary session where several teachers and the school principal was present. The four project leaders acted as the jury and rated the quality of the arguments.

The importance of the De Vere Society's Dating Project cannot be overestimated: it aims to provide reliable evidence for the composition dates of the entire Shakespeare canon. Although E.K. Chambers' termed his own list "provisional," it has become the foundation of the Stratfordian claim that 17 plays were not only published but consequently must also have been composed after 1604, after Oxford was dead. In an inspiring paper, Elizabeth Imlay (writer and publisher, Tunbridge Wells, UK) argued that any Shakespeare work should be rationally and scholarly examined with respect to the dating of its creation, and if correctly done this often leads to a dating as much as 20 years earlier than supposed, with a concomitant, significant change in its historical and political relevance.

Imlay gives as an example *Love's Labor's Lost*, a play the style of which would have been out of fashion for 20 years according to orthodox dating. Alternatively, "fashion" and political events work as "daters" of the plays. The ambitious Dating Project involves an elaborate, rigorous treatment of all individual plays in form and style in a similar fashion, where the collaboration and interplay between these scholars should provide for sufficient standardization and objectivity—which is necessary if the project is to withstand academic scrutiny.

The final day of the conference featured the official presentation of a book written by DVS member Pieter Helsloot, entitled, *Edward de Vere; Onvermijdelijk Shakespeare* (Edward de Vere; inevitably

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*Hotspur* (*Henry IV Part One?*) and *Sir John Falstaff* (*Henry IV Part Two?*) in 1612-13 for the wedding at court of Lady Elizabeth, and *The Merry Wives of Windsor* in 1597 at Windsor Castle per Campbell/Quinn who do not identify the primary source (532).]

### Performances for popular audiences at the public theaters

– At the Globe: *Titus Andronicus* and *The Taming of the Shrew* in 1594 per Henslowe's diary, *Julius Caesar* in 1599 per Thomas Platter's travel diary, *Richard the Second* in 1601 per a deposition after the Essex uprising and also before 1608 per title page of Q4, *Othello* in 1610 per a German traveler and also before 1622 per title page of Q1; also *Macbeth*, *Cymbeline* and *The Winter's Tale* in 1611 per Simon Forman's report "discovered" by Collier; *All Is True* (*Henry VIII*) in 1613 per a letter from Sir Henry Wotton to Sir Edmund Bacon.

– At the Curtain: *Romeo and Juliet* in 1598 per a reference by John Marston.

[Probable records of Shakespeare performances for the general public: *1 Henry 6* with Talbot, and Nashe's reference in *Pierce Penniless* c. 1592 to Talbot in a play seen by at least 10,000, but without date or place; *Romeo and Juliet* per Q1 (1597) and Q2 (1599) "...often (with great applause)

played publicly..."; *Pericles* in 1609 per an anonymous pamphlet "...amazed I stood to see...."; and *Henry V* per the allusion to "this wooden O" in the Prologue. The allusion, however, may not refer to the Globe. The passage reads: "Can this Cockpit hold the vasty fields of France? Or may we cram within this wooden O the very casques that did afright the air at Agincourt." The Cockpit and the wooden O are thus the same place. Henry VIII built the Cockpit, an arena for cock fights and other entertainments for aristocrats as part of the Whitehall palace complex. (OED)]

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Richard F. Whalen, a past president of the Shakespeare Oxford Society, is the author of *Shakespeare: Who Was He? The Oxford Challenge to the Bard of Avon*, now in its seventh printing from Greenwood/Praeger. His research articles and book reviews have appeared in the Shakespeare Oxford newsletter for almost a decade, and also in *The Oxfordian* and in *Harper's Magazine*.

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Shakespeare). The publisher, Aprilis, was present to celebrate the occasion. It is hoped that the book's publication in Dutch will contribute to a growing awareness in the Netherlands of the existence of the Shakespeare Authorship Question and the Oxfordian case.

Jan Scheffer, psychiatrist and psychoanalyst, Utrecht, Holland, in his paper distinguished among the different aspects of trauma, mourning and bereavement that Hamlet experiences, involving the loss of a father and mother, the latter to Claudius, a carefree existence, and his perspective on the throne, to which conflict is added when Hamlet is informed by the Ghost of the true nature of his father's death—murder. He has the impulse to revenge, both on Claudius and his mother, but needs to control and postpone this, and

when his friends arrive and confront him with reality he makes the only escape that one can reasonably make: act crazy.

The only way to survive mentally from the life at court with all its intrigues—Oxford's arranged marriage and his relationship to his father-in-law not excluded—was by acting and creating a different reality as a playwright. In the plays, however, reality in a disguised form returns when, for instance in *Hamlet*, the mousetrap—a play within a play—returns. Scheffer argues that as he aged, Oxford suddenly must have realized that the death of his father may very well not have been "of a hunting incident" but by murder, and that he needed to get this out of his "system." Derek Jacobi has mentioned that *Hamlet* was written as a man's personal history—not as a play. To Oxford writing and acting

must have been therapeutic, something Ogburn also suggests.

When Hamlet says: "would not this, sir, and a forest of feathers, if the rest of my fortunes turn Turc with me, with provincial roses on my raxed shoes, get me a fellowship in a cry of players?" Horatio: "half a share." Hamlet: "a whole one, I." This refers to Oxford (Turc) in 1590 attempting to obtain custody of Waltham Forest. Finally, the Dutch word for feather is 'veer' (pronounced: vere), also as in Greene's *Groatsworth of Wit* "...beautified with our Vere's" (!) Oxford visited the Netherlands three times and cannot have missed the Dutch meaning of his family name (e.g., his son was named Sir Edward Veer).

Sandra Schruijer, Professor of Organizational Psychology at the University

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of Tilburg, provided a social-psychological analysis of the debate between Stratfordians and non-Stratfordians. Based on a preliminary reading, she observed that insofar as there is a debate, it demonstrates a relational conflict rather than a task conflict—a task conflict debating the different positions and perspectives so as to gain a better insight and a relational conflict being about defeating the opponent. Stratfordians and non-Stratfordians compete on the same dimension (who knows best who was the author of the Shakespeare canon). It goes together with group serving biases that seem to be more characteristic for the Stratfordian position than for non-Stratfordians (e.g. by using particular rhetorical constructions and by referring to their academic status compared to non-Stratfordians).

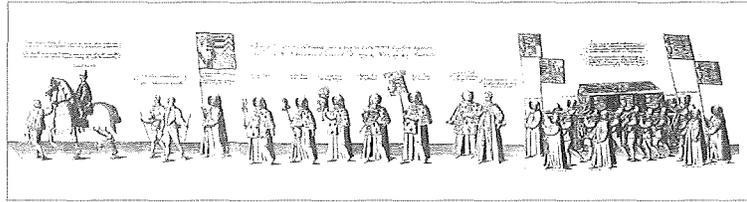
Non-Stratfordian work is referred to as anti-Stratfordian, both by Stratfordians as well as by many non-Stratfordians, as if having a different opinion equals being against those who think different. Sandra suggested several ways forward: to work within the boundaries of academic convention using discourse and to leave room for doubt (e.g. by not assuming that Oxford is the author). Moreover, to pursue questions other than the authorship issue, and to try to collaborate with Stratfordians on small projects, fostering inter-personal trust, and to establish contact with other academic disciplines. Finally, to engage young people.

Writer and performer **Michael Dunn** (Los Angeles, USA) gave his award winning performance, "Sherlock Holmes and the Shakespeare Mystery." The audience accompanied Sherlock Holmes on a journey organized around the mystery of who the man behind the name Shakespeare was. The performance, a combination of acting and multimedia presentation, ended the second day of the conference and preceded a joint dinner in a quite different yet also attractive location with high painted ceilings, where more mysteries were solved and undoubtedly created.

The papers will be published in English, edited by Jan and Sandra, and be available at the Second Dutch International Conference, June 17-18, 2005, which will be held again in Utrecht. For more information, go to their website: [www.shakespeare-whowashe.nl](http://www.shakespeare-whowashe.nl).

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may have been Oxford's primary pseudonym immediately preceding the use of "Shake-speare." In addition, independent of any authorship identification issues, we present additional connections between Watson's work and the works of Shakespeare, and an appreciation of Watson's genius and place in Elizabethan literary and intellectual history.

The first issue which needs to be addressed is information regarding the biography of Watson himself. Curiously, it turns out that Watson scholars can find no evidence that Watson had either the educational qualifications he claims in frontis material to some of his works, or that he visited the Continent as claimed.<sup>12</sup> Indeed, precious little is known about Watson, not even his year of birth. Furthermore, for a prolific man of letters (see below), not a single letter of Watson's survives. Keeping in mind that absence of evidence is not evidence of absence, the lack of data from Watson's life certainly does not prove that Oxford wrote the works attributed to Watson. Nevertheless, it is at least intriguing that Watson's death in 1592 comes just before Shake-speare's public entrance the next year with *Venus and Adonis*.

The breadth and depth of Watson's *opus* is remarkably Shakespearean (his main publications are listed below). These works established him in his day and today as the greatest modern Latin poet and the finest English translator of Latin and Greek.<sup>13</sup> His *Hekatompathia* (1582), dedicated to Oxford, can be seen as the godhead of the English Renaissance. Watson's *Italian Madrigals Englished* (interestingly, IME for short) extends Watson's primal place in the English Renaissance to music as well as poetry. IME, along with Nicholas Yonge's *Musica Transalpina* (London 1588), represent the beginning of the short but significant period of the English madrigal school. Yonge specifically says that he did not translate the madrigal texts into English but that an unnamed Gentleman friend of his did. (We have previously examined the characteristics of Yonge's Gentleman,<sup>4,10</sup> which we consider to be a profile highly consistent with that of Oxford.)

(1) Translation of Sophocles's *Antigone* (Latin), 1581

(2) *Hekatompathia* (English), 100 love

sonnets 1582 (dedicated to Oxford)

(3) *Amyntas* (Latin), eleven, 100 line lamentations, 1585

(4) *Compendium Memoriae Localis* (Latin), 1585

(5) Translation of Coluthus's *Raptus Helene* (Latin

translation of Greek original), 1586

(6) *Meliboeus* (Latin), with English translation by Watson,

eulogy for Sir Francis Walsingham, 1590

(7) *Italian Madrigals Englished* (English), 1590

(8) *Amintae Gaudia* (Latin), ten 100-line epistles followed by eight 100-line eclogues, 1592

Watson's intellectual interests went beyond poetry, Latin, Greek, translation and music to a remarkable knowledge and interest in astronomy and astrophysics. This includes what is likely the oldest description, preceding Galileo's discovery by nearly 30 years, of the discrete nature of the stars of the Milky Way, in lines 3-4 of Sonnet 31 of the *Hekatompathia* (1582)<sup>5,6,11,12</sup>. The Sonnets of Watson's *Hekatompathia* have always been highly regarded, indeed, they are considered a model and forerunner for Shake-speare's *Sonnets*. The *Hekatompathia* Sonnets are typically preceded by prefatory material and quotes from classical sources. The author(s) of the prefatory material is not known for certain, but Watson and/or Oxford seem the most likely candidates.

The full text of the prefatory material and poem for Sonnet 31 are given below:

There needeth no annotation at all before this Passion, it is of it selfe so plaine, and easily conuayed. Yet the unlearned may have this helpe given them by the way to know what *Galaxia* is, or *Pactolus*, which perchance they have not read off often in our vulgar Rimes. *Galaxia* (to omit both the *Etimologie* and what the Philosophers doe write thereof) is a white way or milky Circle in the heavens, which *Ouid* mentioneth in this manner.

*Est via sublimis celo manifesta sereno  
Metamorph.*

*Lactea nomen habet, candore notabilis  
ipso. lib. 1.*

[It is manifest high in clear  
Heaven

has the name the Milky Way,  
notable for its whiteness.

(*Metamorphoses* I.168f)]

And Cicero thus in *somnio Scipionis*;

*Erat autem is splendidissimo candore  
inter flammis circulus elucens, quem  
vos (ut a Graiis accepistis)  
orbem lacteum nuncupatis.*

[And Cicero thus in *Scipio's dram*; There was also in the most splendid whiteness between the stars a circular figure shining forth, which you (*as received from the Greeks*) call the Milky Way (*de Republica* VI. Xvi.)]

*Pactolus* is a river in *Lidia*, which hath golden sandes under it, as *Tibullus* witnesseth in this verse,

*Nec me regna iuant, nec Lydius aurifer  
amnis. Tib. lib. 3.*

[Neither a kingly realm, nor a gold bearing river in Lydia delights me. *Tibullus* III.iii, 29.]

Who can recount the vertues of my deare,  
Or say how farre her fame hath taken flight,

That can not tell how many starres  
appare

In part of heav'n, which *Galaxia* hight,  
Or number all the moates in *Phebus*  
rayes,

Or golden sandes, wheron *Pactolus*  
playes?

And yet my hurts enforce me to confesse,  
In crystall breast she shrowdes a bloudy  
hart, which hart in time will make her  
merits less

Unlesse betimes she cure my deadly  
smart:

For nowe my life is double dying still,  
And she defamed by suffrance of such ill;  
And till the time she helps me as she  
may,

Let no man undertake to tell my toyle,  
But only such, as can distinctly say,  
What Monsters *Nilus* breedes, or *Affricke*  
soyle;

For if he doe his labour is but lost,  
Whilst I both frie and freeze twixt flame  
and frost.

The opening comment of the prefatory material seems tongue-in-cheek given the revolutionary nature of what is to follow. Next, it is made clear that the poem will

(cont'd on p. 14)

(cont'd from p. 13)

discuss the heavenly Milky Way. The quotes from ancient masters of poetry and prose such as Ovid and Cicero seem to indicate that the make-up of the Milky Way is an age-old and worthy question which had not yet been answered. The denouement then comes in lines three and four of the Sonnet. Lines five and six of the poem would seem to reinforce the extremely large, but discrete nature of the stars as components of the Milky Way, as does the word "recount" in line one. The word "farre" in line two may indicate prescient knowledge of the vast distance at which the Milky Way lies.

Sebastian Verro in his 1581 *Physicorum Libri X*<sup>14</sup> also describes the Milky Way as a collection of discrete stars. But the discrete nature of the stars of the Milky Way was likely somehow known to Watson before 1582 or 1581, as Sonnet 31 in *Hekatompathia* also appears in *Looking glase for Louers* (British Museum accession number Harleian MS 3277), an earlier, and perhaps non-randomly titled, version of the *Hekatompathia*<sup>6,11,12</sup>.

A number of issues arise from *Hekatompathia* Sonnet 31, among them: (1) The English clearly had good optical instruments by 1582 and the ability to use them for distant viewing (which may have been helpful in the defeat of the Spanish Armada in 1588). (2) How did Watson know that the Milky Way was made up of a large number of discrete stars? Perhaps Watson learned this from the research of Thomas Digges (c.1546-1595) or his father Leonard Digges (c.1521-c.1574) with their perspective glass. Regardless, Watson's first description of the composition of the Milky Way remains one of the most beautiful.

In general, astronomy seems to have been an important topic and interest for Watson: in Epistle 3 of his *Amintae Gaudia* (1592), Watson discusses the mechanism of lunar eclipse, and in Eclogue 4 of *Amintae* (lines 375-383), Watson makes a clear reference to the new star in Cassiopea (SN 1572A).

(*Amintae Guadia*, Ep. 3, ll 14-16)  
saepe quidem similes ecliptica luna  
labores  
sustinet, atque subit turbatos anxia  
vultus,  
a Phaebi radiis terrae dum pellitur  
umbra.

Indeed in eclipse the moon often undergoes such toils, and anxiously experiences a disturbed countenance when banished by earth's shadow from Phoebus' rays.<sup>15</sup>

(*Amintae Gaudiae* Ep. 4, ll 375-383)  
.....stella nova est (animo si forte tenetis)  
iam pridem per me sita propter Cassiopaeae  
lucentem cathedram, sphaeraeque infixae supremae,  
dedecus astrologis sciolis, et sonitibus horror.  
dum proprium circa centrum gyratur, in illum  
scintillas populum spargit, qui subiacet Arcto.  
Utque facem Veneris, tegit hanc quoque lividus albor'  
utque est lucidior, sic est spaciosior omni  
sydere constanti, et flammis aequata secundis

There is a new star, as perhaps you recall, which I have already placed near Cassiopeia's bright chair, set in the outermost sphere, an embarrassment to the astrological smatterers, a source of terror to the guilty. And while it wheels about its own fixed center, it showers sparks on that people which dwells beneath the North Star. And a white pallor tinges it, just as it does Venus's planet, just as it is a brighter, so is it larger than any fixed star, reckoned among the propitious heavenly bodies.<sup>16</sup>

There are non-trivial and positivist—i.e., explicit—connections between Watson and Oxford. To start, Watson dedicated his *Hekatompathia* to Oxford, a work considered one of the most important of the English Renaissance and indeed, stands at its threshold. The null hypothesis in Shakespearean studies is not only that Oxford was not the author of Shakespeare's works, but that he was a minor, essentially

irrelevant, "off-the-stage" figure. Given this perspective, it seems highly surprising that the *Hekatompathia* would have been dedicated to him.

There is a further connection not only to Watson but the works of Watson to Oxford, the importance of which has not fully been appreciated, in the manuscript *Tears of Fancie, or Love Disdained*.<sup>17</sup> *Tears of Fancie* is a collection of sixty sonnets. The author is not stated in full; only the initials 'T.W.' are given. Usually, T.W. is taken to indicate that Thomas Watson wrote *Tears of Fancie*. Indeed, taking the positivist approach so rigorously championed by Stratfordians, the author of *Tears of Fancie* must be someone with the initials TW. Watson is the most likely candidate. Given the quantity, quality and style of the poetry in *Tears of Fancie*, there are few others with the initials TW, or any initials, to whom *Tears of Fancie* could be attributed.

Now, the sixtieth and final number in *Tears of Fancie* is extremely similar to a poem on folio 16 of Rawlinson manuscript 85 at the Bodleian Library (see Figure 1). The transcription of Rawlinson MS 85, f. 16 is given below along with the *Tears of Fancie* Sonnet 60. *Tears of Fancie* 60 seems to be a version of Rawlinson 85, 16, adapted in the style of the sonnets in *Tears of Fancie*.

Rawlinson MS 85, f. 16 (Figure 1)

Who taught the first to sighe alas my  
harte? Love  
Who taught thy tongue the woeful  
wordes of playnete? love  
Who fylled your eyes with tears of  
bitter smarte?  
Who gave thee greefe and made thy  
ioyes to faynte?  
Who fryste did paynte with coulors  
pale thy face?  
Who fyrste did breake thy sleeps of  
quiet rest?  
Above the rest in courte who gave the  
grace?  
Who made the stryve in honour to be  
beste?  
In constante thoute to byde so firm  
and sure,  
To scorn the world regarding but thye  
freendes?  
With patient mind each passion to  
endure?

In one desire to settle to the ende.  
 Love then thy choyce wherin such  
 choyce thou binde  
 As nought but deathe maye ever  
 change thye minde.  
 Finis Earle of Oxenforde

Though I  
 seem strange

*Tears of Fancie 60*

Who taught thee first to sigh, alas,  
 sweet heart? love  
 Who taught they tongue to marshall  
 words of plaint? love  
 Who fill'd thine eyes with tears of  
 bitter smart? love  
 Who gave thee grief and made thy  
 joys so faint? love  
 Who first did paint with colors pale  
 they face? love  
 Who first did break thy sleeps of  
 quiet rest? love  
 Who forc'd thee unto wanton love  
 give place? love  
 Who thrall'd thy thoughts in fancy so  
 distress'd? love  
 Who made thee bide both constant  
 firm and sure? love  
 Who made thy mind with patience  
 pains endure? love  
 Who made thee settle steadfast to the  
 end? love  
 Then love thy choice, though love be  
 never gained,  
 Still live in love, despair not though  
 disdained.

A minimal positivist analysis would require that the author of the *Tears of Fancie*, someone with the initials TW, adapted Rawlinson MS 85, 16 for the final number of the collection. This suggests that Thomas Watson thought highly enough of Oxford's poetry to sample it for the final number in *Tears of Fancie*, also implying a continued association of Watson to the finest poet of the time. One must also speculate that Oxford wrote both Rawlinson MS 85, 16 and *Tears of Fancie* 60, as well as the rest of *Tears of Fancie*, if not the other works of Thomas Watson.

Moreover, the words "Thou I seem strange" below Oxford's signature in Rawlinson MS 85, 16 are the first words to the anonymous poem on Rawlinson MS 85, 17. One must therefore consider Oxford to

Who taught the first to sighe alas my heart? love  
 Who taught thy tongue, of wefull wordes of plainte  
 Who fylled your eyes with teares of bitter smarte  
 Who gave thee griefe and made thy ioyes so fainte  
 Who first did painte wth colors pale thy face  
 Who first did breake thy sleepes of quiet rest  
 Who forc'd thee vnto wanton love give place  
 Who thrall'd thy thoughts in fancy so distress'd  
 Who made thee bide both constant firm and sure  
 Who made thy minde wth patience pains endure  
 Who made thee settle steadfast to the ende  
 Then love thy choyce though love be never gained  
 Still live in love despair not though disdained  
 Finis Earle of Oxenforde

"Who taught the first to sighe." (Rawlinson MS 85, fol.16v, reprinted with the kind permission of the Bodleian Library, University of Oxford.)

be a possible author of this poem, or at least someone who was deeply steeped in the poetry milieu of the time.

Rawlinson MS 85, f. 17

Though I seem strange sweet friend be  
 thou not so;  
 Do not annoy theyself with sullen will.  
 My heart hath vowed although my  
 tongue say no  
 To be then own in friendly liking still.  
 Thou seest we live amongst the lynx's  
 eyes  
 That pries into each privy thought of  
 mind  
 Thou knowest right well what sorrows  
 may arise  
 If once they chance my settled looks  
 to find.  
 Content thyself that once I made an  
 oath  
 To shield myself in shroud of honest  
 shame  
 And when thou list make trial of my  
 troth,  
 So that thou save the honor of my  
 name.

And let me seem although I be not  
 coy  
 To cloak my sad conceits with  
 smiling cheer;  
 Let not my gestures show wherein I  
 joy  
 Nor by my looks let not my love  
 appear.  
 We silly dames that false suspect do  
 fear  
 And live within the mouth of envy's  
 lake  
 Must in our hearts a secret meaning  
 bear  
 Far from the rest that outwardly we  
 make.  
 So where I like I list not vaunt my  
 love;  
 Where I desire there must I feign  
 debate.  
 One hath my hand another hath my  
 glove,  
 But he my heart whom most I seem  
 to hate.  
 Thus farewell friend I will continue  
 strange;  
 Thou shalt not hear by word or  
 writing aught  
 Let it suffice my vow shall never  
 change,  
 As for the rest I leave it to thy thought.  
 There are also significant connections  
 between Watson and Shake-speare.  
 Pearlman<sup>18</sup> noted the intellectual debt of  
 Shakespeare to Thomas Watson. For  
 example:  
 In time the Bull is brought to ware the  
 yoake  
*Hekatompathia* Sonnet 47, line 1  
 Pedro: Well, as time shall trie,  
 In time the savage Bull doth bear  
 the yoake.  
*Much Ado About Nothing* I.1.260-61  
 We have noted a number of connections  
 between Watson and Shake-speare to add  
 to those pointed out by Pearlman. First,  
 there is a striking similarity between Sonnet  
 38 in Watson's *Tears of Fancie, or Love  
 Disdained* and Shakespeare's *Henry VI Part  
 3* (1595).  
 For shes obdurate, sterne,  
 remorseles, flintie (*TOF* 38.14)  
 (cont'd on p. 16)

Thoughts &  
 time strange

(cont'd from p. 15)

thou sterne, obdurate, flinty,  
rough, remorseless (3H6  
1.4.142)

While one cannot be certain that Shakespeare was in Watson's debt for that line, the occurrence in both of "obdurate, sterne, remorseless and flintie(y)" seems to go beyond coincidence. Furthermore, it appears that Shakespeare succeeded in improving upon Watson's line with a simpler cadence while adding an alliteration.

Some other echoes of Watson in Shakespeare include:

My gentle bird, that sang so sweet of late  
*Hekatompathia*, Sonnet 16, line 1

Bare ruin'd choirs, where late the  
sweet bird sang  
*Shake-speare's Sonnet*, Sonnet 73,  
line 4

As well as the following:

love is a wanton child, and loves to  
brall  
*Hekatompathia*, Sonnet 89, line 11  
why then, o bralling love!  
*Romeo and Juliet* I.1.176

In addition, given the astronomical interests of both Watson<sup>5,6,11,12</sup> and Shakespeare<sup>1,11</sup>, it is fascinating to see that Thomas Watson's phrase "when my Sheesunne" (*Hekatompathia* Sonnet 9, line 6) is echoed by Shakespeare, who replaces the Sun with its nearest planet—"be brief my good She-Mercury" (*Merry Wives of Windsor* II.2.80). Indeed, the *Oxford English Dictionary* records Watson as the first to use the word "Sheesunne" and Shakespeare the first to use "She-Mercury."

Finally, after our presentation at the 7<sup>th</sup> Edward de Vere Studies Conference,<sup>10</sup> the Reverend John Baker (Centralia, WA) pointed out to us a possible acrostic for Watson in Shakespeare's Sonnet 76: starting in line four the first letter of each line spells out "T. Watsoand" (see below). We associate the ending of "and—rather than simply "n"—as correlating perfectly with the phrase in line seven that "every word doth almost tell my name." The underscoring is ours and we think that "Watso-and" sounds essentially the same as "Watson," while also only almost telling the name of the author of the Sonnets.

#### Sonnet 76

Why is my verse so barren of new  
pride,  
So far from variation or quick change?  
Why with the time do I not glance  
aside  
**T**o new-found methods, and to  
compounds strange?  
**W**hy write I still all one, ever the  
same,  
**A**nd keep invention in a noted weed,  
**T**hat every word doth almost tell my  
name,  
**S**howing their birth, and where they  
did proceed?  
**Q** know, sweet love, I always write of  
you,  
**A**nd you and love are still my  
argument.  
So all my best is dressing old words  
new,  
Spending again what is already spent:  
For as the sun is daily new and old,  
So is my love still telling what is told.

In summary, Watson was one of the most important figures of the English Renaissance, a master of poetry, translation, Latin, Greek and music, with Shakespearean breadth and depth to his work. Conversely, little information survives about Watson's life. In addition to his extensive literary work, Watson apparently had great knowledge and interest in astronomy, describing the discrete nature of the stars in the Milky Way nearly 30 years before Galileo.

Non-trivial connections exist between Watson and Oxford: Watson dedicated his *Hekatompathia*, a work which stands at the Godhead of the English Renaissance, to Oxford, while the similarity of Oxford's poem on Rawlinson MS 85, 16 to *Tears of Fancie* 60 suggests Oxford as an author of that poem, if not of *Tears of Fancie* and the rest of Watson's works.

Non-trivial connections also exist between Watson and Shakespeare, including clear allusions to Watson by Shakespeare, noted above. An anagram in Shakespeare's Sonnet 76 is somewhat suggestive of Watson as a pseudonym for the author of the Shakespeare Canon. Further study of the works of Watson and his connections to both Oxford and Shakespeare are warranted.

#### Endnotes

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(cont'd on p. 24)

## Two New Oxford Documents

By Nina Green

**Editor's Note:** Two hitherto unnoticed documents—both unsigned and in a secretary hand—relating to Oxford's role in the Danvers escheat case in 1601/2 were located by Nina Green in the spring of 2004 using the online catalog of the Essex Record Office.<sup>1</sup> Both are catalogued by the Essex Record Office as a single document (D/DRg 2/26), although they are actually two separate documents. In light of this discovery, these documents call for a re-examination of this fascinating legal case which took place late in Oxford's life.

### I.

#### Oxford and the Danvers Escheat

On 8 February 1601 Robert Devereux, 2<sup>nd</sup> Earl of Essex, led an ill-planned and ill-fated rebellion in the streets of London. It was crushed by the end of the day. On 19 February Essex was tried and convicted of high treason, and on 25 February he was executed.<sup>2</sup>

Some of Essex's followers suffered the same fate. Among them was Sir Charles Danvers. On 5 March 1601 Danvers was tried and found guilty of high treason, and on 18 March 1601 he too was executed.<sup>3</sup>

As a legal consequence of his attainder, Danvers' lands reverted to the Crown,<sup>4</sup> and from this escheat flowed events in which Edward de Vere, 17<sup>th</sup> Earl of Oxford, played a part.

According to one of Oxford's extant letters, Sir Charles Danvers owned lands in six different counties: Wiltshire, Gloucestershire, Oxfordshire, Leicestershire, Northamptonshire, and Yorkshire. The value of the lands which escheated to the Queen should thus have been considerable. However, a commission set up shortly after Danvers' execution to inquire into the value of the lands found that the Queen was entitled to a mere 26 shillings.<sup>5</sup>

In an undated memorandum from 1601-2, Oxford explained that this unprecedented result had come about because the commission had been manipulated by the Queen's kinsman Sir Edmund Carey, who had married Sir Charles Danvers' mother:<sup>6</sup>

*First, that [Sir Edmund Carey] abused*

*the commission, it is proved, whereas he should have used the same for the benefit of her Majesty, he made it an instrument to defraud and exclude her from all Sir Charles Danvers' lands.*

*Secondly, whereas there were sufficient commissioners, he wrought so that they did not appear, and so made a tales<sup>7</sup> gathered out of a number of his own servants and tenants, which was an extreme injury and abuse offered to her Majesty.*

*Thirdly, he caused and countenanced a lawyer, whose name I take to be Hyde, to plead against her Majesty, notwithstanding that the sheriff opposed against it, her Majesty having none there to plead for her.*

*Fourthly, he procured the Lord Treasurer's<sup>8</sup> letters to this effect, that all favour should be showed to Sir Edmund Carey, and that his witnesses should be accepted.*

*All which approve her Majesty to be greatly abused, with many proofs more, as in their place shall be declared.<sup>9</sup>*

Oxford undertook to recover for the Queen the rightful value of the Danvers lands which had escheated to her and of which she had been defrauded by Sir Edmund Carey's manipulation of the commission. In this project he was initially backed by Sir Robert Cecil. In a letter written on 4 December 1601, Oxford reminds Cecil that it was he who had first prompted Oxford to involve himself in the matter:

*I cannot conceive, in so short a time & in so small an absence, how so great a change is happened in you, for in the beginning of my suit to her Majesty I was doubtful to enter thereinto, both for the want I had of friends and the doubt of the Careys, but I was encouraged by you, who did not only assure me to be an assured friend unto me, but further did undertake to move it to her, which you so well performed that, after some dispute, her Majesty was contented.<sup>10</sup>*

In another letter written in January 1602, Oxford again reminds Cecil of his earlier backing of the project, and dates the time of Cecil's initial assistance to "almost a year" past, that is, to shortly after Sir Charles Danvers' attainder and execution in March 1601:

*It is now almost a year sithence, by the promises of your help and assistance, when the escheat of Danvers was found nothing for her Majesty (26 shillings excepted), that I did undertake to recover it. Now, brother, I do not by these letters make challenge of your words, for if you list to forget them, my putting in remembrance will be bitter and to small purpose.<sup>11</sup>*

The cause of Cecil's reversal of his position is not far to seek. As Oxford says, he himself had initially been reluctant to undertake the project for "doubt of the Careys." It must have been immediately apparent to Oxford that Sir Edmund Carey had manipulated the commission, and that any attempt to upset the commission's verdict would be directly opposed by the Queen's powerful kinsmen, the Careys. But with Cecil professedly on his side telling him he had the Queen's blessing, Oxford had gone forward.

In retrospect, Oxford probably considered this a mistake. Not only did Sir Edmund Carey prove to be an unscrupulous and violent opponent, but the Queen herself was reluctant to see the commission's verdict overturned, even though she had been defrauded by it, because the beneficiaries of that verdict were her close kinsmen. She therefore led Oxford on with promises for months, while at the same time failing to provide him with the legal document he required in order to prosecute the matter on her behalf.

As Oxford's letters indicate, Oxford's plan was that the Queen would grant him her interest *de bene esse*<sup>12</sup> *quantum in nobis est*,<sup>13</sup> that is, she would grant him provisionally whatever interest she herself held in the Danvers lands by way of escheat. Once this formal grant of assignment of the Queen's interest to Oxford had been made, Oxford would then be in a legal position to challenge the commission's verdict that the value of the Queen's interest in the escheated Danvers lands amounted to a mere 26 shillings.

But as Oxford's letter of 22 March 1602 to Sir Robert Cecil indicates, despite her verbal promises, the Queen never made the formal grant:

*(cont'd on p. 18)*

(cont'd from p. 17)

*It is now a year sithence, by your only means, her Majesty granted her interest in Danvers' escheat. I had only then her word from your mouth. I find by this waste of time that lands will not be carried without deeds. I have twice therefore moved her Majesty that it would please her to grant me that ordinary course de bene esse quantum in nobis est whereof there are more than an hundred examples; mine answer is that I should receive her pleasure from you, but I understand by Cawley that she hath never spoken thereof.<sup>14</sup>*

Oxford does not specify the manner in which he twice moved the Queen to make the formal grant, but it would appear that he spoke to her personally about it, and that she assured him that he would have an answer from her via Sir Robert Cecil. However, Oxford's servant Michael Cawley, when sent by Oxford to ask Cecil whether he had had any word from the Queen, had been informed by Cecil that the Queen had never mentioned the matter.

One could interpret this information in one of two ways. It is possible that the Queen had simply decided that endless delay was her best tactic, and had promised Oxford an answer through Sir Robert Cecil but had never given it. It is also possible that the Queen had spoken to Cecil, and that he had counselled her against making the grant to Oxford since it would offend her kinsmen, the Careys.

Whichever was the case, the result was the same for Oxford – he had wasted time, energy, and money in pursuing a chimera for an entire year, and had made powerful enemies in doing so. As he put it in the same letter to Cecil:

*Now therefore, the matter having been directed by this course for a whole year's space and come to no better terms, my desire is to know her Majesty's pleasure touching her patent de bene esse, whether she will perform it or no. If not, then have I been mocked; if yea, that I might have answer, whereby I may upon reason quiet myself, and not upon weariness. Howsoever, an answer shall be most welcome unto me, now being the best expectation of my tedious suit, thinking therein my time lost more precious than the suit itself.<sup>15</sup>*

One should not gather from this that nothing had been going on during this entire

year with respect to the Queen's interest in the Danvers lands. Quite the contrary. Much had been going on, all of it, in Oxford's view, deliberately counterproductive to the Queen's interest. In an unprecedented move, the matter had been referred to a hearing by judges. In his letter to Cecil of 4 December 1601, Oxford lays this delaying tactic at the door of the Queen's Attorney General, Sir Edward Coke:

*The attorney hath had a device, indeed (as you know if you list), by referring it to judges to delay the cause whereby, wearing me with an unreasonable time, he might procure an agreement (whereto I will never agree) or else an extenuation or utter overthrow of her Majesty's liberality towards me.<sup>16</sup>*

In a later letter, Oxford reminded Cecil of what had transpired after two such judicial hearings:

*The matter hath been heard, according to the order, with much ado twice before the judges, and many also standers-by did hear the same; there, in open apparence, her Majesty's title was questionless. The Lord Chief Justice [Sir John Popham], upon this (as inform I was made believe), was to have taken the opinion of the rest of the judges, and conferring it with his own, to have made up a report to her Majesty. As for the judges' report, they were never called unto it, and the principal points to confirm her Majesty's title never opened or moved but, contrary, kept back, so that under their hands the Lord Chief Justice hath made no report. Yet something he hath done out of his own breast that is secret and I cannot learn.<sup>17</sup>*

Thus, after two judicial hearings, which were totally unprecedented in a matter involving the escheat to the Crown of the lands of an attainted traitor, the judges had never been called upon to deliver their report, despite the fact that in those hearings the Queen's right to the escheated Danvers lands had been found to be beyond question. Even worse, Oxford had heard hints that the Lord Chief Justice, Sir John Popham, had secretly done something on his own initiative, another entirely unprecedented tactic.

Oxford had called on Cecil to urge the Queen to call for the judges' report:

*Now for so much as I understand it is*

*meant to delay the report, to the end to get a composition of her Majesty and so to bring all my hope in her Majesty's gracious words to smoke, I am earnestly to solicit her to call for the report, which I should not have needed to do if gospel had been in the mouths of the Lord Chief Justice and the Attorney, who did assure me that, at the next hearing, which then was appointed the second day of this term, it should have a full end.<sup>18</sup>*

However Oxford's request fell on deaf ears, whether because Cecil failed to act or whether because the Queen failed to act, or both, is not known.

In addition to these unprecedented judicial maneuvers, which it seems obvious were undertaken by Coke and Popham on Sir Edmund Carey's behalf, Sir Edmund Carey also used violence to thwart Oxford's pursuit of the Queen's interest in the Danvers lands. In the memorandum referred to earlier from 1601/2, Oxford states that Sir Edmund Carey had been responsible for a "tumultuous assault" at the lodgings of Oxford's servant Michael Cawley, who had been acting on Oxford and the Queen's behalf in the Danvers case:

*That there were of the guard in the tumultuous assault at Cawley's lodging, it is true, but for want of time their names yet cannot be so soon learned, yet thus much is known, that he is a keeper (I know not whether in Waltham forest, or where else), but it is very true, as shall be upon straiter inquire and more respite of time found out.<sup>19</sup>*

Moreover, Sir Edmund Carey had illegally procured Oxford's servant Michael Cawley to be outlawed for debt, thus putting Cawley in a position to be arrested at any time:

*The sixth point, that [Sir Edmund Carey] hath done it upon malice to Cawley for following her Majesty's service, thus I prove it:*

*An outlawry was made on Michael Cawley in a foreign county. The law is it should be at the church-door of his own parish and in the county where he was born and dwelleth, but when men would steal it privately out, without the knowledge of the party, they take such unjust courses whereof this is one, and if any judge had been in town it had been a matter but of 40s*

[shillings] to have reversed it, but no judge being in town they have taken thereby advantage.

*The outlawry did not appertain to Sir Edmund Carey; if he came by it, it was that he bought it, or else, to countenance it, useth his own name, which is plain champerty.*<sup>20</sup>

*Besides, I do not think that any private man, upon his own authority, without the Council's or other sufficient warrant, can in so tumultuous a sort break into the house or lodging of any man, all which of these things Sir Edmund Carey hath done.*<sup>21</sup>

Oxford thus claims that through Sir Edward Carey's means, Oxford's servant Michael Cawley was illegally outlawed for debt, thus subjecting Cawley to arrest and preventing Cawley from following the Danvers escheat case on Oxford's and the Queen's behalf.

As a result of these illegal tactics on Sir Edmund Carey's part, and as a result of the Queen's vacillation and delay, the Careys prevailed, and Oxford and the Queen received nothing from the Danvers escheat, apart from the 26 shillings originally awarded to the Queen by the commission that had been manipulated by Carey.

One might well ask what Oxford had hoped to get out of the Danvers escheat. He outlines his proposal, an extremely fair and generous one, in a letter to Cecil in January 1602:

*Last of all, I shall desire you to remember that I craved of this escheat only what I could recover in Wiltshire and Gloucestershires, leaving to her Majesty the lands of Oxford, Leicester, Northampton and Yorkshire, which is of much more value.*<sup>22</sup>

Thus Oxford wanted, in return for all the time, money, and effort he was prepared to expend on the Queen's behalf, only the escheated Danvers lands in Wiltshire and Gloucestershire. The Queen would have the rest of the escheated Danvers lands which, as Oxford says, were "of much more value."<sup>23</sup>

In addition, if he were successful in the matter of the Danvers escheat, Oxford promised that he would then be able to secure for the Queen an even greater financial benefit:

*Yea, moreover, I will say to you that I must inform, this case hath opened her*

*right to a far greater matter than this of Danvers, if her Majesty's right and interest be not cunningly suppressed, and therefore I hope her Majesty, after so many gracious words which she gave me at Greenwich upon her departure, exceeding this which I expect, will not now draw in the beams of her princely grace to my discouragement and her own detriment.*<sup>24</sup>

Thus, in Oxford's view, the Danvers escheat case had brought to light an even greater fraud against the Queen. It involved the lands which had been inherited by Sir Charles Danvers through his mother Lady Danvers, now the wife of Sir Edmund Carey, and which should also have escheated to the Queen along with the lands that Sir Charles Danvers had inherited from his late father. Oxford wrote:

*Again I know and well perceive how that this escheat of Danvers shall be made a great matter, to cross my good hap and to obscure the rest of the lands which descend from the mother on Latimer side to her Majesty, which is as clear her Majesty's as this.*<sup>25</sup>

Oxford may have known about these lands which descended to Sir Charles Danvers through his mother, Lady Elizabeth Danvers (nee Neville), because Oxford, like Lady Danvers, was related to John Neville, last Baron Latimer, from whom these lands had descended.<sup>26</sup>

Oxford's letter to Cecil of January 1602, in which he mentions these matters, is filled with a mixture of hope and apprehension:

*But I hope better (though I cast the worst), howsoever, for finis coronat opus, and then everything will be laid open, every doubt resolved into a plain sense. In the mean season, I now, at the last (for now is the time), crave this brotherly friendship that, as you began it for me with all kindness, so that you will continue in the same affection to end it. And so I will end, these things only desiring you to remember, that you may know I do not forget how honourably you dealt with her Majesty at what time you first moved her, showing how, out of nothing to her (for so in manner it was found), if by mine industry I could of this nothing make something, she should yet give a prop and stay to my house.*<sup>27</sup>

Oxford hoped that through the Danvers escheat the Queen might "yet give a prop

and stay" to the Oxford earldom, but was apprehensive that others would:

*bring all my hope in her Majesty's gracious words to smoke.*<sup>28</sup>

Oxford "hoped better" but "cast the worst," and it was "the worst" which resulted. Oxford received nothing from the Danvers escheat. Like so many of the Queen's promises to Oxford, this one too had proved to be nothing but smoke. It was the last unfulfilled promise of a lifetime of such promises by the Queen to Oxford. In little more than a year she would be dead, and it would be up to her successor, King James I, to confer on Oxford some of the benefits which the Queen had denied him throughout her reign.<sup>29</sup>

## II

### Two New Documents Concerning the Danvers Escheat

It is always exciting when new documents concerning Oxford come to light to add to our knowledge, particularly when the documents concern the latter years of Oxford's life, about which relatively little is known.

The two hitherto unnoticed documents relating to Oxford's role in the Danvers escheat case in 1601/2, described in Part I, are catalogued by the Essex Record Office as a single document (D/DRg 2/26), although they are in reality two separate documents.

A brief description of each of the two new documents will clarify its role in supplementing what is already known from Oxford's other writings concerning the Danvers escheat.

#### The new memorandum

The first of the two documents is a two-page memorandum describing the wrongful arrests suffered by Oxford's secretary and servant, Michael Cawley, at the hands of Sir Edmund Carey while Cawley was pursuing the Danvers escheat case on behalf of Oxford and the Queen. It supplements an already-known memorandum of 1601/2 written by Oxford himself to justify and prove accusations against Sir Edmund Carey that he had earlier made by letter:

*So that there is nothing written in my*

*(cont'd on p. 20)*

(cont'd from p. 19)

letter but I justify with authority and proof [in this memorandum], whereby it appeareth that Sir E. Carey carrieth a malicious and spiteful tongue in his head and hath notably abused her Majesty in defacing her title and interest to the traitor's lands, Sir Charles Danvers.<sup>30</sup>

Oxford's letter of accusation against Carey has been lost, but his memorandum just quoted from survives, and in it Oxford refers specifically to additional "proof" which will be offered by Michael Cawley himself. Oxford writes:

*The second point.*

*That Cawley was put in danger, and how he was evil dealt withal, I leave it to Cawley, who can make proof thereof.*<sup>31</sup>

Oxford says that he will leave it up to Cawley himself to "make proof" of how he was "put in danger" and "evil dealt withal" by Sir Edmund Carey. The two-page memorandum recently noticed in the Essex Record Office would appear to be Cawley's "proof."

### The new letter

The second document is a draft letter from Oxford to the Queen, asking her to grant him her interest in the escheated Danvers lands *quantum in nobis est*. This draft letter supplements several extant letters by Oxford to Sir Robert Cecil, in which Oxford describes the nature of his plan to act on the Queen's behalf to reverse the findings of the commission (which held that the Queen's interest in the Danvers lands amounted to a mere 26 shillings), provided that the Queen would grant him her interest *quantum in nobis est*. Although the draft letter is unsigned, the unique nature of the situation described in it makes it clear that the draft letter can pertain to no one but Oxford.

### The writer of the memorandum and the draft letter

Since their contents pertain to matters which directly and exclusively concern Oxford and his servant Michael Cawley, it is a logical inference that the documents are in the hand of either Oxford or his servant Michael Cawley, who is twice described in the memorandum as Oxford's secretary.

Judging from the contents of the two documents, one might expect that the

memorandum was written out by Cawley, and the draft letter to the Queen by Oxford. However, that is almost certainly not the case. There are many indications that both documents were written out by the same person. The handwriting is a clear and forceful secretary hand, and many letter formations are common to both documents, including a capital "C" with a distinctive shape, an occasional small Greek "e," and unusually long descenders in the formation of the letters "f" and "s."

In addition, the writer uses three different forms of the letter "h" in both documents, the first a fat-bellied "h," which often descends far below the line on which it begins, the second a rather small neat form of the same letter, and the third a rather unusual "h," in which the lower portion of the letter is a figure-8 shape. That all three different forms of "h" occur in both documents is an unusual feature which strongly suggests that both were written out by the same person.

Other features which suggest that the same writer wrote out both the memorandum and the draft letter is the capitalization of "A" in words not usually capitalized, and the use of two rather uncommon abbreviations, "Agt" for "against" and "wthoute" for "without."

The spellings in the memorandum and letter are also consistent with the hypothesis that both were written out by the same person. Many words are spelled identically in both documents, including "been" (spelled "ben" and occasionally "bene"), "attorney," "beinge," "breake," "detayned," "howe," "last," "false," "most," "nuche," "seing," "suche," "yor," and "monethes" for "months." Given the vagaries of Elizabethan spelling, these consistent spellings are strong indicators that the same writer wrote both the letter and the memorandum.

Was that writer Oxford or Cawley? The possibility that Oxford himself wrote out both documents is easily dismissed for two reasons. First, Oxford's extant letters are all written in an italic hand, and while it is likely that Oxford also wrote a secretary hand, so far no example of it has yet been found that can definitively be said to be Oxford's.<sup>32</sup> Second, the most cursory of comparisons establishes that Oxford's

spellings and those found in the new memorandum and letter are significantly different.

Forexample, Oxford's characteristic and unusual spelling of "like" as "leke" is not found, nor is Oxford's characteristic and unusual spelling of "should" as "showld." Moreover in hundreds of usages of the word "your" in his extant letters Oxford never spells it "yor," a spelling used consistently by the writer of the new memorandum and letter. Similarly, Oxford uses the word "suit" dozens of times, but never spells it "suyte" or "suite," as does the writer of the memorandum and letter. Oxford also never uses the spelling "said," which is the preferred spelling of the writer of the memorandum and letter.

A number of clues suggest that the writer of both documents was Oxford's secretary and servant, Michael Cawley. As mentioned earlier, the first of the two documents is a two-page memorandum entirely concerned with the illegal arrests and other wrongs suffered by Michael Cawley at the hands of Sir Edmund Carey while Cawley was pursuing the Danvers escheat case on behalf of Oxford and the Queen. It is natural to suppose that Cawley himself wrote it, particularly in light of Oxford's January 1601/02 memorandum which states that Cawley will offer such "proof."

One objection to this conclusion is the fact that the memorandum is not written in the first person. However, it appears from internal evidence in the memorandum that there was some confusion in the writer's mind both as to whether the memorandum should be written in the first or third person, and whether it should be written from Oxford's perspective or from Cawley's. The memorandum is prefaced by this heading:

*A breif note howe Cawley [my servaunte] hath ben vsed by Sir Edmonde Carye & others since he followed Davers escheate for [yor] ^her\ ma{ies} tie & the Earle of oxenforde*

The words which the writer has crossed out in this heading suggest that he had originally conceived of it as a memorandum from Oxford to the Queen ("yor ma{ies} tie") about what had happened to Cawley ("my servaunte"). That idea was speedily abandoned, and both "my servaunte" and

“yor ma{ies} tie” were crossed out in the heading, “her ma{ies} tie” was substituted, and the words “& the Earle of Oxenforde” were added at the end of the line.

That writing an account in the third person was not an altogether easy task for Cawley is evident from the many crossings out and interlineations throughout the memorandum. It is noteworthy that these occur principally in places in which Cawley is forced to speak of himself in the third person in relation to his lord and master, Oxford. In one section of the memorandum, Cawley even appears to have momentarily forgotten that he is writing in the third person and has written the word “I” with the words “the said Cawley” interlined above it.

### The author of the draft letter

If Cawley wrote out the memorandum, then Cawley also wrote out the draft letter from Oxford to the Queen, which is the second of the two documents catalogued as D/DRg 2/26 because, as indicated above, the letter formations and spellings establish that the same writer wrote out both documents. This conclusion is bolstered by the fact that Michael Cawley was Oxford’s secretary.

However, although Cawley both composed the memorandum and wrote it out, it is clear that Cawley did not compose the letter, but merely wrote it out as Oxford dictated it to him. The sophisticated vocabulary of the letter is of a different order from the vocabulary in the memorandum, and corresponds to the sophisticated vocabulary of Oxford’s other extant letters. The same is true of its complex but clear syntax.

For example, the letter is headed “To desire her Majesty.” This use of “desire” is common throughout Oxford’s letters during his entire lifetime, from his earliest extant letter in English written in 1569 (“And at this time I am bold to desire your favour and friendship”)<sup>33</sup> to his last extant letter to Sir Robert Cecil written in 1603 (“I most earnestly desire your Lordship to procure an end of this my suit”).<sup>34</sup>

Moreover, the letter begins:

*That consideringe by Acte of p{ar}liament [by] made in the 33th yere of yo{r} highnes fathers raigne you maye graunte*

*mee [damve] yo{r} title to danvers land{es}*

Again, the use of “considering” is a typical locution found in many of Oxford’s letters:

*considering that my youth is objected unto me, and for every step of mine a block is found to be laid in my way*<sup>35</sup>

*and considering (if her Majesty will have a just consideration of the premises) I am to challenge and expect somewhat*<sup>36</sup>

*considering the veins and humours of this world*<sup>37</sup>

*considering our old acquaintance, familiarity heretofore, & alliance of houses*<sup>38</sup>

*yet considering your manifold causes, I think it best to forbear*<sup>39</sup>

*considering how this cause hath been carried*<sup>40</sup>

The letter continues:

*w{hi}ch cannot be dishonorable in regard there are infinite p{re}sident{es} of suche graunt{es}*

The appeal to legal precedents is found in other letters of Oxford’s:

*It is a common course, notwithstanding any office found against the Queen, that her Majesty granteth concealed lands in this course, whereof there are many yearly precedents*<sup>41</sup>

*The course (which seldom or never hath been used before) in this cause, to refer it to the judges, how prejudicial a precedent I know not to her Majesty hath been observed*<sup>42</sup>

The foregoing examples, taken from the beginning of the letter, demonstrate that its sophisticated vocabulary and style are typical of Oxford’s other extant letters. However, the strongest point of comparison is with Oxford’s letter to Cecil of 22 November 1601:

*My good brother, in that I have not sent an answer to your last letter as you might expect, I shall desire you to hold me for excused sith, ever sithence the receipt thereof, by reason of my sickness, I have not been able to write. And whereas you do conceive that I have been carried too much by the conceits of Cawley, I do assure you there is no such thing. I have used him, and so do still, as a follower of my business, wherein I do not find any cause to blame, but rather, recommend his diligence. For counsel, I have such*

*lawyers, and the best that I can get as are to be had in London, who have advised me, for my best course, to desire that her Majesty would grant me her warrant signed for the drawing of a book mentioning what her pleasure is to grant me concerning the escheat of Sir Charles Danvers (de bene esse, quantum in regina est), whereby shall ensue no prejudice unto any of the pretenders which suggest to be interested in any of the said lands in regard that, if the Queen have no title, there passeth nothing to me. It is a common course, notwithstanding any office found against the Queen, that her Majesty granteth concealed lands in this course, whereof there are many yearly precedents, so that her Majesty, granting this to me, granteth but her own interest which, in effect, had been nothing, considering how this cause hath been carried, and so likely to have been obscured forever if it had not been my hap to have stirred therein.*<sup>43</sup>

The foregoing letter from Oxford to Cecil so closely parallels the content, vocabulary, and syntax of the new draft letter that further comparison would be superfluous.

The new draft letter thus accords with all Oxford’s other extant letters and memoranda on the subject of the Danvers escheat, and is assuredly a letter dictated by Oxford personally to his secretary Michael Cawley, whose accompanying two-page memorandum also deals with the Danvers escheat from the perspective of the wrongs Cawley suffered at the hands of Sir Edmund Carey while pursuing the Danvers escheat on the Queen and Oxford’s behalf. Both new documents supplement our knowledge of yet another attempt by Oxford to restore the fortunes of the earldom in the last years of his life, an attempt doomed to failure by the vacillation and empty promises of the Queen.

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(cont’d on p. 22)

(cont'd from p. 21)

## Endnotes

<sup>1</sup>The author's discovery was first announced on the internet discussion group Phaeton on 4 April 2004. The online catalogue of the Essex Record Office is at <http://seax.essexcc.gov.uk/login.asp>.

<sup>2</sup>Lacey, Robert. *Robert Earl of Essex: An Elizabethan Icarus*. London: Weidenfeld and Nicolson, 1971, pp. 286-297, 300-10, 315.

<sup>3</sup>Lacey, pp. 315-6. Sir Charles Danvers (1568?-1601) was the eldest son and heir of Sir John Danvers of Dauntsey, Wiltshire, and Elizabeth Neville, youngest daughter and co-heiress of John Neville, last baron Latimer. See *Dictionary of National Biography*, 1917 ed., vol. V, pp. 486-91.

<sup>4</sup>An attainted person, that is, one convicted of treason and sentenced to death, according to the doctrine of corruption of blood could have no legal heir; thus, his property suffered escheat, an incident of feudal law whereby a fief reverted to the lord when the tenant died without leaving a successor qualified to inherit under the original grant. See *Oxford English Dictionary*.

<sup>5</sup>Cecil Papers 181/99: Oxford to Sir Robert Cecil, January 1602.

<sup>6</sup>Sir Edmund Carey was the fifth son of Queen Elizabeth's first cousin (or according to some authors, her half-brother) Henry Carey, 1<sup>st</sup> Lord Hunsdon, see Mares, F.H., ed., *The Memoirs of Robert Carey*, Oxford: Clarendon Press, 1972, p. 90. The date of Sir Edmund Carey's marriage to Lady Danvers is apparently unknown; her first husband, Sir John Danvers, had died on 19 December 1593. See *Dictionary of National Biography*, 1917 ed., vol. V, p. 487.

<sup>7</sup>Originally, in plural, persons taken from among those present in court or standing by, to serve on a jury in a case where the original panel has become deficient in number by challenge or other cause, these being persons such as those originally summoned; loosely applied as a singular (a tales) to the supply of people so provided. See *Oxford English Dictionary*.

<sup>8</sup>Thomas, Lord Buckhurst.

<sup>9</sup>Cecil Papers 146/19, ff.146/19.

<sup>10</sup>Cecil Papers 89/148: Oxford to Sir Robert Cecil, 4 December 1601.

<sup>11</sup>Cecil Papers 181/99: Oxford to Sir Robert Cecil, January 1602.

<sup>12</sup>*To take or do any thing De bene esse, is to accept or allow it, as well done for present, but*

[on fuller examination] *to be allowed or disallowed, according to the Merit or Well-being of the thing in its own nature*. Blount, *Law Dictionary*, 1670, quoted in *Oxford English Dictionary*.

<sup>13</sup>Quantum in nobis est = so far as in us lies.

<sup>14</sup>Cecil Papers 85/103: Oxford to Sir Robert Cecil, 22 March 1602.

<sup>15</sup>Cecil Papers 85/103: Oxford to Sir Robert Cecil, 22 March 1602.

<sup>16</sup>Cecil Papers 89/148: Oxford to Sir Robert Cecil, 4 December 1601.

<sup>17</sup>Cecil Papers 85/103: Oxford to Sir Robert Cecil, 22 March 1602.

<sup>18</sup>Cecil Papers 181/99: Oxford to Sir Robert Cecil, January 1602.

<sup>19</sup>Cecil Papers 146/19, ff.146/19.

<sup>20</sup>In law, the illegal proceeding whereby a party not naturally concerned in a suit engages to help the plaintiff or defendant to prosecute it on condition that, if it be brought to a successful issue, he is to receive a share of the property in dispute. See *Oxford English Dictionary*. Oxford's implication is that Sir Edmund Carey "purchased" the outlawry of Michael Cawley from the person who had had Cawley outlawed for debt, apparently one Jerome Ham of Bristol (see ERO D/DRg 2/26). The *Calendar of State Papers* records on 7 December 1603 "a grant, in reversion to Jerome Ham and John Barker, of price wines in the port of Bristol, for 38 years". This may be the same person who procured the outlawry of Oxford's servant Michael Cawley.

<sup>21</sup>Cecil Papers 146/19, ff.146/19.

<sup>22</sup>Cecil Papers 181/99: Oxford to Sir Robert Cecil, January 1602.

<sup>23</sup>In fact Oxford may have been prepared to settle for much less. In the new draft letter discussed in the second part of this article, Oxford says that he will give the Queen £5000 for the lands in Wiltshire and Gloucestershire.

<sup>24</sup>Cecil Papers 181/99: Oxford to Sir Robert Cecil, January 1602.

<sup>25</sup>Cecil Papers 181/99: Oxford to Sir Robert Cecil, January 1602.

<sup>26</sup>John Neville, 4<sup>th</sup> Lord Latimer, who died in 1577, was the son of Dorothy de Vere, sister of the 14<sup>th</sup> Earl of Oxford. (See pedigree of Latimer of Snape). Oxford is presumably referring to a clause in Lord Latimer's will which provided that the Latimer lands would be inherited by the eldest sons of Lord Latimer's four daughters and

co-heirs. The attainted Sir Charles Danvers would thus have inherited from his mother, Lady Danvers, the Latimer lands, but since he could not inherit them because of his attainder, those lands legally escheated to the Queen as well, a fact which had so far been kept from her.

<sup>27</sup>Cecil Papers 181/99: Oxford to Sir Robert Cecil, January 1602.

<sup>28</sup>Cecil Papers 181/99: Oxford to Sir Robert Cecil, January 1602.

<sup>29</sup>The fate of the escheated Danvers lands for the remaining year of Queen Elizabeth's reign is apparently unknown. However although Queen Elizabeth was reluctant to claim her rights because of her Carey kinsmen, it would appear that King James had no such compunctions. The fact that King James restored the escheated Danvers lands to Henry Danvers, Sir Charles Danvers' brother, in 1605 indicates that King James considered that the escheated lands had come into his own possession on his accession to the throne of England in March 1603. See *Dictionary of National Biography*, vol. V, 1917 ed., p. 488.

<sup>30</sup>Cecil Papers 146/19, ff. 146/19.

<sup>31</sup>Cecil Papers 146/19, ff. 146/19.

<sup>32</sup>On the author's website at [www3.telus.net/oxford](http://www3.telus.net/oxford) the hypothesis is advanced that the annotations in a secretary hand in a copy of Halle's Chronicle were written by Oxford.

<sup>33</sup>BL Lansdowne 11/53, ff. 121-2: Oxford to Lord Burghley, 24 November 1569.

<sup>34</sup>Cecil Papers 100/108: Oxford to Sir Robert Cecil, 19 June 1603.

<sup>35</sup>Cecil Papers 8/12: Oxford to Lord Burghley, 3 January 1576.

<sup>36</sup>BL Harley 6996/22, ff. 42-3: Oxford to Lord Burghley, 25 October 1593.

<sup>37</sup>Cecil Papers 172/81: Oxford to Sir Robert Cecil, 21 October 1595.

<sup>38</sup>Cecil Papers 76/34: Oxford to Sir Robert Cecil, 2 February 1601.

<sup>39</sup>Cecil Papers 182/23: Oxford to Sir Robert Cecil, 11 May 1601.

<sup>40</sup>Cecil Papers 89/124: Oxford to Sir Robert Cecil, 22 November 1601.

<sup>41</sup>Cecil Papers 89/124: Oxford to Sir Robert Cecil, 22 November 1601.

<sup>42</sup>Cecil Papers 85/103: Oxford to Sir Robert Cecil, 22 March 1602.

<sup>43</sup>Cecil Papers 89/124: Oxford to Sir Robert Cecil, 22 November 1601.

## Transcripts of New Oxford Documents

The first two pages of the document constitute the memorandum describing Cawley's difficulties in the Danvers escheat affair; the third page is a draft letter from Oxford to the Queen.

**Editor's Note:** Transcription symbols used:

[ ] indicates words crossed out in the original, but legible

[...] indicates words crossed out and illegible

<xxx> indicates illegible text which has been conjecturally restored

{ } indicates expansion of words

abbreviated in the original

^ \ indicates words interlined in the original

[^ \ my \ ] indicates words which are both interlined and crossed out

An example of interlined and crossed out

text written above other crossed out text is  
[& to make him [^& to <vndo> him\]\  
desiste from prosecution of Davers]

### [FIRST PAGE: CAWLEY MEMORANDUM]

A breif note howe Cawley [my servaunte]  
hath ben vsed by Sir Edmonde Carye &  
others since he followed Davers escheate  
for [yor] ^\her\ ma{ies}tie & the Earle of  
oxenforde

firste Cawley in Iulie last was arested by  
Sir Edmonde Caryes procurement at the  
Suyte of one Ierome ham & was by the  
gent{lemen} of the Inner Temple ^\firs\  
rescued The morrowe aftere by [Sir] one  
^\Gorge\ Baynards procurem{en}t his  
servant by A false suggestion A warrant  
was directed fro{m} the Lo{rd} maior &  
the Recorder to bringe the said Cawley oute  
of the [Sessions h] Temple liberties vnto  
the sessions house and was by the said  
warrant againe apprehended & by the said  
gent{lemen} Againe Rescued #

The{n} the said Cawley repaired vnto  
the Co{ur}te ^\lyinge the{n}\ at  
grenew{ich} vnto the Earle of Oxford{es}  
Lodginge in the frierye [there] where  
attendinge ^\on\ his lo{rd} & m{aste}r  
vntill xi of the Clockke that night the said  
Baynard not w{i}thoute the privitie of his  
m{aste}r Sir Edmonde & by his  
procurem{en}t caused [many] wache to be  
layed at the Earles lodginge for the said  
Cawley by diuerse of his owne men &  
sondry of the La{die} Scropes me{n} and  
so Chased the said Cawley vnto his lodginge  
where they besett the house and sayed that  
they had the Lorde Chamberlaines warrant  
for the said Cawley and caused one of the  
m{ar}shalls me{n} (blank) [to to put in] to  
Arise oute of his bedd & to put the said  
Cawleys name in A blancke warrant & [to  
<vse> &] ^\to\ <go> apprehend the saide  
Cawley The said m{ar}shalls ma{n}  
therevppo{n} went vnto Cawleys lodginge  
& brake ope{n} dores & [entered] searched  
the house for the said Cawley & founde him  
and Caried him to the marshalls warde  
[where] ^\at 12 of the clocke in the night\  
from whence by A speciall message fro{m}  
Sir Edmond Cary The said Cawley was  
Caried vnto the marshalsey by water by 3 of  
the Clocke in the morninge where he had  
not remayned scarce one houre but Sir

Edmonde Cary entered an Action of the  
Case Ag{ains}t the said Cawley of 5000<sup>li</sup> &  
w{i}thoute the privy of the said ham,  
Charged the house w{i}th his action alsoe,

2 The said Earle complayned hereof to  
her ma{ies}tie wherevppo{n} Sir Edmonde  
was called before m{aste}r Secretary Cecill  
& Sir Iohn Stanhope whoe blamed muche  
Sir Edmonde forentering into these Courses  
and take order for settinge Cawley at libertie  
and graunted him protecc{i}on Ag{ains}t  
all Arest{es} for six monethes /

3 Notw{i}thstandinge the said Cawley  
was Againe Arested in london after he had  
protecc{i}on by the said Baynard{es}  
procurement Sir Edmond{es} s{er}vant and  
detayned almoste A whole daye & at last by  
S{i}r Iohn fortescue delivered The  
serieaunte confessinge ^\before S{i}r  
Io{hn} fortescue\ that the said Baynard  
promised him v<sup>li</sup> for the said Areste #

4 The morowe after this arest the said  
Cawley was attached Againe by some of  
the Baylifes of midd{lesex} who  
p{re}sentlye vppo{n} the [said] sight of the  
said protecc{i}on [Caused] discharged the  
said Cawley but confessed that they were  
sett on by A ma{n} of Sir [Edd] Edmond  
Caryes namely the said Baynarde & not by  
ham And the said ham was at Bristole at the  
3 last tymes of arest so that calley was thrise  
arested w{i}thoute hams privytye

### [SECOND PAGE: CAWLEY MEMORANDUM]

Since that tyme the said Baynarde  
assaulted the said Cawley in flete streete  
and had not 2 ministers taken hold of him he  
had w{i}th his dagger stabbe<d> the said  
Cawley w{hi}ch was proved by the said 2  
ministers before the lord Tre{sore}r & the  
lo{rd} Cheif Iustice by oathe #

Afterward{es} the said Cawley early in  
A mor{n}inge was assaulted Againe & had  
henot slipped oute of theire hand{es} beinge  
3 vnknowe{n} fellowes he had ben  
murdered no doubtte by some of theire  
procurem{en}t{es} the said Cawley  
havinge no faction or Quarrel w{i}th any  
others #

Since that by false suggestions vnto the  
Lord Tresorer they procured his allowance  
to breake ope{n} the said Cawleys studdye  
as though he had ben A Traitor or fellon  
and so caried Away all the said Cawleys

writing{es} the most of them concerned  
Davens cause & some l{ett}res of the Earles  
w{hi}ch muht (sic) give the worlde cause  
to mistrust [^&my\] [the] said [<lord> &  
<m{aster}>] ^\honorable\ Earle [that I]  
^\in<vsinge> Cauley\ beinge his secretary  
& solicitor should [in my absence] have  
[my] his Studdye broke upp & searched in  
suche manner The like p{re}sident hath not  
ben shewed except in Cases of Treason #  
(blank) or suspiation thereof

The{n} I ^\the said Cawley\  
was called before the lls by warrant vnder ix of theire  
hand{es} where he before he was attached  
voluntarily appeared & there was layed to  
his Charge An incitem{en}t of one Atkinson  
Ag{ains}t the Lord Tresorer & [the] some  
other Councillors To complaine vnto her  
ma{ies}tie ^\of sondry abuses\  
wherevppo{n} daye was give{n} by the lls  
at the Lord Kepers to the said Cawley to  
make his apparance at Richmonde where  
order was give{n} vnto the keep{er} of  
newgate to bringe Atkinson sure to in sure  
to accuse Cawley ^\<and at the... kept the  
... did... Cawley...>\ There they mett  
& Cawley acquitted himself of all those  
false accusations & was w{i}th favour &  
good opinion of the lls discharged /

Now the said Cawley is by the Q{ueens}  
Attorney Ioyned in A Slanderous bill  
importinge many misdemeanors comitted  
by the said Cawley Comby{n}inge w{i}th  
the said Atkinson w{hi}ch [bi]  
informac{i}on is exhibited in the Attorney  
gen{era}ll his name ^\in the Stare  
Chamber\ And A pursevaunt sent by the  
said Attorney to serve cawley w{i}th  
processe w{hi}ch is done of purpose to vex  
& molest the said Cawley [& to make him  
[^& to <vndo> him\] desiste from  
prosecution of Davers cause as plainly  
appeares [b] aswell by divers offers made  
vnto the said Cawley of reward{es} to  
forsake the said Earle & And (dittography)  
to accept of 500<sup>li</sup> recompence to betray his  
lord & m{aste}r] and to impoverishe &  
vndoo him havinge spent in the suite of  
Davens above 200 marck{es} havinge had  
no allowance of her ma{ies}tie at all for the  
space of 15 monethes [but followed at]  
besid{es} diu(er)se plott{es} are layed to  
Arest the said Cawley havinge [h] ^\noe\  
p{ro}tecc{i}on of purpose to make him

(cont'd on p. 24)

desiste fro{m} followinge of this cause [hav] seinge that they cannott [<vex and>] Allure him to forsake the p{ro}secution of this cause by promise of reward{es} w{hi}ch <havinge bene>\* offered him to the value of A 1000 marck{es} if he would have betrayed the Earle his lo{rd} & m{aste}r in this cause as shalbe proved directly

\*remaining text in this paragraph written sideways down left margin of page

### [THIRD PAGE: DRAFT OXFORD LETTER]

[To desire her ma{ies}tye]

That consideringe by Acte of p{ar}liament [by] made in the 33th yere of yo{r} highnes fathers raigne you maye graunte mee [danve] yo{r} title to danvers land{es} w{hi}ch cannot be dishonorable in regard there are infinite p{re}sident{es} of suche graunt{es} except It shalbe dishonorable to graunt it vnto mee[and that they will prove it A dishonorable acte made bbut]neither p{re}iudiciall to Danvers that p{re}tendeth to be interested in the land{es} for y<sup>t</sup>the effecte of yor ma{ies}ti{es} graunte <must> must (dittography) be quantu{m} in nobisest soo that yf nothinge be escheated there nothinge passeth Therefore I humble desire yo{r} ma{ies}ti{es} graunte of

thescheated land{es} [in Wiltes{hire} & Glouc{ester} <held>] & all othe{r} escheates due vnto yor highnes by danvers Attainder And I shalbe contented to yelde vnto yor highnes the some of 5000<sup>h</sup> soe sone as I shall ^\have\ recovered the said landes And thincke myselfe muche bounde\* vnto yo{r} ma{ies}tie for the graunte ^\<lett>\ fall oute what shall happe{n} /

As the case is now managed by yor Attomey by waye of resseience w{hi}ch bredeth nothinge but delays w{i}thoute any profit to yor ma{ies}tie as the experience of xiiij<sup>nc</sup> monethes past doth manifest There will never come any profit to yo{r} highnes nor to mee in respect I knowe this course of resseience was devised to breake the necke of the cause in that nowe the Attomey requires A newe case to be Agreed on betweene yor ^\ma{ies}ti{es}\ Counsell my counsell and davers counsell It is most evident that davers Counsell will never Agree to Any case Ag{ains}t themselves except my Counsell <will> loine w{i}th yor highnes counsell to Agree to A false case to ov{er}throwe yo{r} title otherwise It shall remaine in dispute & so by degrees forgotte{n} & ouerslipt & nothinge come of it

Yf <it> please yor ma{ies}tie to make me A graunte of yor Interest I ca{n} followe it in A iudiciall course w{i}th expedie{i}on And the{n} yo{r} ma{ies}tie shall see howe

you have bene vsed in ^\other\ yo{r} titles of greater moment

[The last case was made by yor Attomey and collected oute of davers deed{es} w{hi}ch ought to have ben by [him &] the Attomey made Autenticall or detayned to yor ma{ies}ti{es} vse [beinge the] seinge they belonged vnto yor ma{ies}tie by davers Attainder]

\* An otiose 't' ('botunde') appears in this word in the original.

Transcription by Nina Green.

(cont'd from p. 16)

17. T.W., *Tears of Fancie, or Love Disdained*. (1593) Huntington Library, STC 25122.

18. Pearlman E. "Watson's *Hekatompathia* [1582] in *The Sonnets and Romeo and Juliet*." *English Studies* 1993; 74: 343-351.

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## Shakespeare Oxford Newsletter

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