THE COPYRIGHT OF HERO AND LEANDER

By W. W. GREG

The complexities and uncertainties of copyright at the end of the sixteenth and in the first half of the seventeenth century are well illustrated in the history of Hero and Leander. Although in his edition of Marlowe Tucker Brooke commented, as he was bound to do, on a sequence of events that evidently puzzled him, the evidence of the successive entrances and editions has never, so far as I am aware, been presented as a connected whole. I do not suppose that the full story behind the records will ever be known, but a chronological statement may at least indicate the gaps in it, and serve as a basis for some not too hazardous conjecture.

The earliest record is an entrance of 28 September 1593, about four months after the poet's death:

John Wolf. Entred for his copye vnder thandes of Mr. Murgetrod and bothe the Wardens a booke intituled-Hero and Leander, beinge an amorous poem devised by Christopher Marlow. Wolf does not appear to have followed up this entrance, though he evidently possessed a manuscript of the work and had got it licensed. The earliest recorded edition appeared five years later, being 'Printed by Adam Islip, for Edward Blunt. 1598'. Whether this edition was published as a result of some unregistered agreement between Blount and Wolf, as Tucker Brooke assumed, is uncertain: the evidence on the point is contradictory and will be considered later. Blount dedicated the book to Sir Thomas Walsingham in an epistle in which, after reflecting upon the duty owed to the

1 Oxford, 1910. The relevant remarks will be found in the brief introductory notes to Hero and Leander and The First Book of Lucan (pp. 485-7 and 642-3). That I quote only to disagree must not be taken as disparagement: our understanding of the records and of conditions of publication has grown in the last thirty years. L. C. Martin's edition of Marlowe's Poems (Methuen, 1931) is not helpful in this respect, since he merely follows Tucker Brooke. The recent and extensive work by John Bakeless called The Tragical History of Christopher Marlowe (for a sight of which I am indebted to Professor F. S. Boas) contains nothing to the point.

2 Thomas Walsingham of Scadbury Manor, Chislehurst, knighted 1597, was a cousin of Sir Francis, Elizabeth's Secretary of State, who died in 1590. He befriended Marlowe, and the poet was believed to be residing with him when summoned by the Privy Council shortly before his death. Marlowe's papers are perhaps more likely to have remained at Scadbury than anywhere else, but Blount gives no hint of whence he got them.

3
dead by their friends, he says: 'By these meditations (as by an intellectuall will) I suppose my selfe executor to the unhappily deceased author of this 'Poem'. These words may, of course, be taken in a merely metaphorical sense, and such an interpretation is no doubt favoured by his rather casual reference to 'this unfinished Tragedy' that 'happens under my hands to be imprinted'. On the other hand, they might be, and as we shall see later perhaps were and possibly should be, taken to imply some general claim over the unpublished works of the author.\(^1\)

This first edition of *Hero and Leander* was clearly issued before 2 March 1597/8, on which day Blount parted with the copy.\(^2\) The entry runs:

**Paule Lynlay.** Assigned ouer vnto hym from Edward Blount, by consent of the Wardens, a booke in Englishe called Hero and Leander.

This was followed the same year by an edition of the poem ‘Begun by Christopher Marloe; and finished by George Chapman . . . Printed by Felix Kingston, for Paule Linley, and . . . solde in Paules Church-yard, at the signe of the Blacke-beare. 1598’.\(^3\) No separate licence or entrance seems to have been thought necessary for Chapman’s continuation now printed for the first time, but we may perhaps conjecture that it was the fact of Linley’s having obtained possession of it that led Blount to surrender his rights in the original fragment. Linley had acquired the Black Bear (after the death of its owner Thomas Woodcock in 1594) jointly with

\(^1\) In the Society’s *Dictionary of Printers and Booksellers, 1557–1640* (ed. R. B. McKerrow, p. 39), it is said that Blount ‘was a friend of Christopher Marlowe, and published several of his books’. His epistle to Walsingham certainly implies friendship, but he does not appear to have been connected with any work but the present. I have relied on the Society’s Dictionaries (McKerrow’s, 1557–1640, and Flomer’s, 1641–1667) for a number of statements in the course of this article, but I have tried to check these where possible, as reliance cannot always be placed in them. Indeed, I have repeatedly had to deviate from these authorities in order to render more exactly the evidence of the Stationers’ Registers and other documents that they purport to summarize.

\(^2\) Tucker Brooke argued that because, by what he called ‘Elizabethan reckoning’, the assignment was made on 2 Mar. 1597 and the title-page is dated 1598, therefore Blount had already parted with the copy when his edition appeared. He was of course mistaken.

\(^3\) Tucker Brooke mentions a ‘third 1598 edition, the existence of which is not quite certainly established’, but he does not specify the evidence on which he relied. The S.T.C. knows nothing of it.

\(^4\) Woodcock died on 22 Apr. 1594, but his widow Isabel probably kept on the business for some months. According to McKerrow’s Dictionary (p. 176) Linley and Flasket ‘succeeded to the business’ in 1595, but the exact date seems uncertain. Isabel Woodcock presented her husband’s apprentice Robert Finch on 3 Mar. 1594/5, and on 26 June following put over his
The Copyright of 'Hero and Leander'

John Flasket, with whom he seems to have remained in partnership till his own death in March or April 1600, after which on 26 June his copies were turned over to Flasket. The entry runs:

**John Flasket.** Entred for his copies by consent of our Maister and Mr. Man warden these bookes and partes of bookes folowynge whiche were Paule Lynlayes.

... Hero and Leander with the j. booke of Lucan by Marlowe. . . .

The same year Flasket produced his first edition. Its title-page is peculiar: 'Hero and Leander: Begunne by Christopher Marloe: Whereunto is added the first booke of Lucan translated line for line by the same Author'. In spite of this it includes Chapman's continuation, while the Lucan is a distinct publication with a different printer and bookseller. Flasket produced another edition (of *Hero and Leander* only) in 1606.

Edward Blount, the original publisher, had apparently been a personal friend of Linley's, for he benefited under his will. Flasket remained at the Black Bear for some years after his partner's death, but though he continued in business till 1613, he probably gave up the shop to Blount in 1608, and along with it Blount seems to have regained control of *Hero and Leander*, though there is no trace of any assignment in the Register. About this time Blount was associated in several enterprises with a young stationer William Barrett of the neighbouring Green Dragon; and the next edition of the poem was published by them jointly in 1609, to be followed in 1613 by yet another printed for them by William Stansby.

John Wolf, who had originally registered Marlowe's portion of the work in 1593 and had apparently done nothing more about it, died in 1601, but his copies remained for many years in the possession of his widow Alice. If Wolf made any arrangement with Blount in 1598 it had evidently been forgotten, for the work was still on his books, and when at last his widow made over 'the copyes of John Wolfe her husband' to John Pindley on 27 April 1612 (with a supplement on 22 June) 'Hero and Leander' duly appeared among them. Pindley, who had been Wolf's apprentice, had fellow apprentice Thomas Wydowes to him; but it was not till 9 Feb. 1595/6 that she assigned her husband's copies to Linley. On 24 June 1600 Thomas Woodcock's son Simon was bound apprentice to Linley's partner John Flasket. Flasket had only been translated from the Drapers on 3 June; he is said to have had a book-stall in St. Paul's Churchyard as early as 1594, but could not legally have taken an apprentice till admitted to the Company. (Actually Lawrence Lisle was put to serve his term with Flasket as early as 20 Nov. 1599, but he was formally bound to Linley. McKerrow's Dictionary (p. 177) is quite wrong on this point.)
recently set up as a printer (in partnership, it is said, with John Beale), but he died before 2 November 1613 when the widdowe Pindley assigned the stock of her late husband to George Purslowe, and once more 'Hero and Leander' appears in the list of copies. It is unlikely that any right to the copy could have been established after all these years, and it presumably only figured in these lists because the title still stood in Wolf's stock-book. Indeed, Pindley during his short tenure ignored the copy; Purslowe, on the other hand, may have tried to make something out of it. For when in 1617 another edition was published by Blount (this time alone, his association with Barrett having apparently come to an end in 1613) it was printed for him by G. P(urslowe), and so was a further edition in 1622. It looks as though Purslowe (who had recently set up in business on the strength of the stock acquired from Pindley and a press bought from Simon Stafford) had threatened

1 The muddled account in Plomer's Dictionary, s.v. Beale, and the sketchy one in McKerrow's, s.v. Pindley, are inconsistent. This is scarcely surprising, since there is some discrepancy in the sources they summarize. These are the memoranda apparently made by Sir John Lambe in preparation for the Star Chamber decree of 1637, preserved in the State Papers Domestic and printed by Arber, iii. 700-4. But Lambe's notes themselves are not always reliable: he says that Beale bought Pindley out in 1634!

2 Tucker Brooke was apparently unaware of these two assignments.

3 Tucker Brooke records, without having seen it, an edition of 1616, but gives no details. It is not listed in the S.T.C., and may of course be no more than a variant.

4 They made joint entrances on 26 Nov. 1610, 19 Jan. 1610/1, 15 May 1612, and 11 July (? Aug.) 1613. Their connexion was probably severed in the autumn of 1613, for the last entry was cancelled and the copy re-entered to Blount alone on 20 Oct.

5 Lambe's memoranda indicate in one place (iii. 703) that Purslowe bought his printing office of Stafford in 1614, in another (iii. 701) 'about 5 yeeres since', which according to Arber would mean 1610. Since Purslowe and not Stafford appears in a list of master-printers dated 9 May 1615 (iii. 699) I think the former date must be correct (McKerrow, pp. 222, 255, notwithstanding). Moreover, one of Stafford's devices (McKerrow 281) was used by Purslowe in 1617, and another (295 3) as early as 1615 (in S.T.C. 10). (The fact that the printing of a book was reserved to Stafford on 22 June 1626 does not prove that he still owned a press, for printing rights were sometimes farmed—as by Richard Jones.) Lambe's second memorandum runs: 'Mrs. Pursloe widow of George Pursloe who succeeded Simon Stafford about 5 yeeres since neuer admitted neither capeable'. I suspect that 'who succeeded Simon Stafford' is merely parenthetical and has nothing to do with the rest of the entry. If so, 'about 5 yeeres since' would be the date at which Elizabeth Purslowe took over the business on her husband's death. George Purslowe is last heard of in 1632, so that, if the memorandum is correctly dated 1635, '5 yeeres' must be an error for '3 yeeres'. If however the note was made in 1637 (the date of the Star Chamber decree for which Lambe was collecting materials) '5 yeeres' would be correct. (Lambe's dates are admittedly often in error, and this makes the dating of the
to make trouble and been bought off by being given the ‘workmanship’.

Next on 3 November 1624 the following entry was made in the Register:

**Sammuell Vicars.** Assigned ouer to him by Mr. Blount and Thomas Thorpe all their estat and interest in a booke called Hero and Leander begun by Christopher Marlowe and finished by George Chapman

and a year later the further entry:

**Mr. Hawkins.** Entred for his copie at a Court holden the 27 of December 1625 a booke called Hero and Leander begun by Christopher Marloe and finished by George Chapman, which copie came to the Company by the death of Samuel Vicars.

It is a surprise to find Thorpe’s name connected with the copy (in what is in fact his last appearance in the Registers). The only plausible explanation seems to be that he had been connected with the publication of the Lucan, which was associated with *Hero and Leander* in the assignment to Flasket in 1600, but of which nothing had been heard since. Vicars was a young stationer just starting in business, who most likely fell a victim to the plague of 1625, and apparently left neither heirs nor a will, so that by custom his copies fell to the Company. Hawkins published one edition in 1629, printed for him by A(ugustine) M(athewes), Purslowe failing to maintain his pretensions, if he ever had any. After the death of Hawkins (who is last heard of in December 1633) his widow Ursula made a particular assignment of *Hero and Leander* to William Leake on 6 June 1637 (his other copies were disposed of to Mead and Meredith the following year).

Leake memorandum itself uncertain. The very entry on which Arber relied for the date 1635 states that John Dawson succeeded his uncle Thomas ‘about 26 yeeres since’, whereas we know that he petitioned the Archbishop of Canterbury for the place on 23 Jan. 1620/1 (iii. 689) ! If 26 is an error for 16, this would support 1637 of the memorandum. To return to the Purslowes: it was of course Elizabeth who was ‘neuer admitted neither capabele’ as a printer; a later addition to the entry records that ‘Haviland, Yong, and Fletcher haue this’, i.e. now fill Purslowe’s place as master-printer.

1 Such a compromise was not uncommon. When in Mar. 1599 Markham’s *Discourse of Horsemanship* was in dispute between James Roberts and William Wood, the Court ordered that the copy should belong to Wood, in accordance with his entrance on 6 Nov. 1598, but that Roberts should ‘durnge his life haue the woorkmanship of the printinge thereof’ (Court-Book B, fol. 470b).  

2 Or ‘according to a former constitution in suche case made’: see the entrance to the Company of Robert Dexter’s copies on 28 Nov. 1603.

3 The statement on this point in McKerrow’s Dictionary (p. 133) is wholly incorrect. The bulk of the copies were transferred on 29 May 1638, but these too eventually passed to Leake, 25 Jan. 1638/9.
The Copyright of 'Hero and Leander'

had an edition printed for him by Nicholas Okes and issued it before the end of the year, thus concluding the seventeenth-century editions, which cover a period of just forty years.

From what has already been said it will be clear that the story of Hero and Leander cannot be dissociated from that of the translation of the First Book of Lucan's Pharsalia. The original entrance of this was made the same day as and immediately before that of Hero and Leander:¹

John Wolf. Entered for his copy under the names of Mr. Murgetrod and both the Wardens a book intituled Lucanis Firste Booke of the Famous Civill Warr betwixt Pompey and Cesar, Englished by Christopher Marlow.

But again Wolf did nothing with the copy, unless he privately conveyed it to Blount, as may possibly be implied in the rather mysterious first edition seven years later. If so Blount did nothing with it. The title-page of the only known edition runs: 'Lucans Firste Booke translated line for line, by Chr. Marlow. At London, Printed by P. Short, and are to be sold by Walter Burre at the Signe of the Flower de Luce in Paules Churchyard, 1600.' In spite of this imprint the book begins with an epistle by Thomas Thorpe in which he writes as though he were the publisher. This epistle is addressed 'To his kind, and true friend: Edward Blunt.' Thorpe was yet another young stationer, who had taken up his freedom in 1594 but had as yet made no entrance in the Register. Of his relations with Blount we have, so far as I am aware, no information whatever.² The epistle is full of expressions of friendship, but it is written in a facetious vein, and it is not clear whether what begins ostensibly as chaff—'Blount: I purpose to be blunt with you'—is not in fact intended for bitter sarcasm. Indeed it contains phrases that seem deliberately meant to wound: such as 'sweat with the invention of some pithful dry jest or two which you may happen to utter', or 'commend nothing least you discredit your (that which you would seeme to haue) judgement'. And since one object of the epistle was to honour 'the memory of that pure Elementall wit Chr. Marlow', it may not improbably have been written as a counterblast to Blount's dedication of Hero and Leander, in which he at least appeared to claim to be 'executor to the unhappily deceased author'. Indeed, when Thorpe says that Marlowe's 'ghost or Genius is to be seene walke the Churchyard [sc. Paul's] in (at the least) three or foure sheets [of paper]',

¹ Wolf registered a third copy at the same time—a book of tables of interest!
² Except that Jonson's Sejanus, originally entered to Blount, was before publication assigned to Thorpe on 6 Aug. 1605.
The Copyright of 'Hero and Leander'

he may possibly be alluding to the slender bulk of Blount's publication. If this interpretation is correct it detracts from the weight of his evidence when Thorpe writes: 'This spirit was sometime a familiar of your own, 'Lucan's first booke translated; which (in regard of your old right in it) I 'haue rais'd in the circle of your Patronage.' This has naturally been taken as evidence that Blount had acquired the copyright of the Lucan from Wolf—and therefore presumably that of Hero and Leander also. But, if sarcastically meant, it would rather appear to imply an invasion by Thorpe of what he pretends to be Blount's claim to all Marlowe's literary remains.

It is not the least of the puzzles connected with this work that, as we have seen, Flasket's edition of Hero and Leander purports to include the translation of Lucan, though in fact it does not do so—at least not in any integrated manner. But Flasket's edition is of course presumably later than the transfer of 26 June, and that transfer couples the Lucan with Hero and Leander. Unless therefore we are to disbelieve the record, we are bound to assume that Linley, who was dead by 14 April, already laid claim to the Lucan and was probably planning to issue both copies. There would seem then to be very little doubt that Thorpe's edition of the Lucan (if we may speak of it as his despite the imprint) had appeared early in the year, and that Linley had somehow and for some reason acquired the remaining stock with a view to appending it to the reprint of Hero and Leander that Flasket in fact published after his death. The Lucan is certainly sometimes found

1 I have no description of the book at hand, but if there were 30 lines to a page, it would run to 32 pages, or four sheets. But from the wording of the epistle, the full text of which will be found at the end of this article, it is perhaps more likely that by the 'ghost' or 'spirit' is to be understood the manuscript of the Lucan walking the Churchyard in search of a publisher. Supposing the 694 lines of the Lucan filled four foolscap sheets (of four pages each) there would have been 43 or 44 lines to a page, and this agrees almost exactly with the writing of the Massacre at Paris fragment in the Folger Library, though whether that is really in Marlowe's hand is of course uncertain.

2 Sidney Lee, writing of Thorpe in his introduction to the Oxford Press facsimile of 'Shakespeare's Sonnets, 1609' (1905), called the dedication 'somewhat flamboyant' but swallowed it whole. Of Thorpe's venture he wrote: 'In 1600 there fell into his hands a "private" written copy of Marlowe's unprinted translation of the first book of Lucan. Thorpe... interested in his find Edward Blount, then a stationer's assistant like himself, but with better prospects. Through Blount's good offices, Peter Short printed Thorpe's manuscript of Marlowe's Lucan, and Walter Burre sold it at his shop in St. Paul's Churchyard.' In a note he added: 'Blount had already achieved a modest success in the same capacity of procurer or picker-up of neglected "copy". In 1598 he became proprietor of Marlowe's unfinished and unpublished Hero and Leander, and found among better-equipped friends in the trade both a printer and a publisher "for his treasure-trove." I am pleased to notice that nearly forty years ago I marked this farrago of incorrect statement and dubious conjecture with a large query.'
The Copyright of 'Hero and Leander'

alone, though sometimes apparently in conjunction with the *Hero and Leander* of the same year. Nevertheless Thorpe would seem to have maintained his title to the copy—and incidentally to have had a long memory—if it was indeed his connexion with the edition of 1600 that led to his sharing in the assignment to Vicars almost a quarter of a century later.

The main problem is the part played in the story by Edward Blount, who made assignments of *Hero and Leander* in 1598 and 1624 without ever registering his own right to the copy, though he published one edition in 1598 and four or more between 1609 and 1622. For his recovery of the copyright in 1609 we are at liberty to imagine an unregistered assignment from Flasket at the time he took over the latter's shop in St. Paul's Churchyard, probably in 1608. It is less easy to explain his original possession of the copyright in 1598. Again an unregistered assignment from Wolf is the most obvious solution; but in this case we have the contradictory evidence of the claim implied by Wolf's widow in the assignment of 1612. This objection can only be met by the unsatisfactory hypothesis that the fourteen-year-old transaction had been forgotten. We might, indeed, be forced to this conclusion were it necessary to take seriously the statements made by Thorpe in his dedication of the Lucan. But I have suggested that their meaning is not what has hitherto been assumed. On the whole, therefore, it seems more likely that Blount published the poem in defiance

1 The S.T.C. treats Thorpe's Lucan as part of Flasket's *Hero and Leander* (17415). Tucker Brooke put forward a quite different interpretation, one that would make the Lucan the later of the two. 'Flasket's original design may have been to produce an edition of the Marlovian part of *Hero and Leander*, supplemented by the Lucan. Such an intention may have preceded the arrangement with Linley, and would naturally, in that case, have been altered when the possession of Chapman's long continuation of *Hero and Leander* rendered it unnecessary to eke out a thin volume by the insertion of the Lucan. The latter work, being then of no immediate consequence to Flasket, would seem to have been acquired and at once printed by Thomas 'Thorpe.' I need hardly point out the many improbabilities in this flight of fancy: suffice it to ask how Flasket can have had control of the Marlowe fragment apart from Chapman's continuation, and if there was a change of plan why he did not alter the title-page. There is of course no basis for Tucker Brooke's supposition that by the assignment of 2 Mar. 1597/8 Blount made over to Linley his rights in *Hero and Leander* 'and presumably in Lucan as well.'

2 Tucker Brooke's suggestion 'that some kind of loose partnership existed between Blount and Linley and later between Blount and Flasket' is too vague to be helpful.

3 Had the list in the assignment been compiled from a search of the Registers, an unentered transfer would have necessarily escaped observation, but in that case the list should have included the Lucan as well as *Hero and Leander*. The source must have been some schedule kept by Wolf himself of copies in which he thought it worth while maintaining his title.
The Copyright of 'Hero and Leander'

of Wolf's five-year-old entrance—as Thorpe two years later published the Lucan. Indeed we do not know how long the Court would have held an entrance to remain operative if not followed by publication. But since Wolf does not seem to have made any protest at the apparent infringement of his rights, there may have been more than one would at first suppose in Blount's claim to stand in some position of authority with respect to whatever papers Marlowe left behind him.

Thorpe's epistle is so important for the understanding of the position, that the reader had best be left to form his own judgement of it. I therefore copy it here from Tucker Brooke's edition.

TO HIS KIND, AND TRUE FRIEND: EDWARD BLVNT.

Blount: I purpose to be blunt with you, & out of my dulness to encounter you with a Dedication in the memory of that pure Elementall wit Chr. Marlow; whose ghost or Genius is to be scene walke the Churchyard in (at the least) three or foure sheets. Me thinks you should presently looke wilde now, and growe humorously frantique vpon the tast of it. Well, least you should, let mee tell you. This spirit was sometime a familiar of your own, Lucans first booke translated; which (in regard of your old right in it) I haue rais'd in the circle of your Patronage. But stay now Edward (if I mistake not) you are to accommodate your selfe with some fewe instructions, touching the property of a Patron, that you are not yet possest of; and to study them for your better grace as our Gallants do fashions. First you must be proud and thinke you haue merit inough in you, though you are ne'er so emptie; then when I bring you the booke take physicke, and keepe state, assigne me a time by your man to come againe, and afore the day be sure to haue chang'd your lodging; in the meane time sleepe little, and sweat with the invention of some pitiful dry jest or two which you may happen to utter, with some little (or not at al) marking of your friends where you have found a place for them to come in at; or if by chance something has dropt from you worth the taking vp weary all that

1 This question has both a positive and a negative aspect, for an entrance was at once a permission for the copy-holder to publish the book and a prohibition of anybody else publishing it. I am not aware of any ordinance or custom that determined how long either permission or prohibition should remain in force, but in practice the terms may not have been the same. Thomas Purfoot entered Sleidanus's epitome of Froissart in 1580 and so far as we know did not print it till 1608 (S.T.C. 11399): but it is very unlikely that the Court would have upheld the validity of an obstructive entrance for anything approaching a like period. By an order of 1587-8 (Arber, ii. 43) if a book was out of print the Court could call upon the copy-holder to reprint it within six months, and if he failed to do so could get it reprinted for the Company, allowing however certain compensation to the copy-holder: but this is a rather different matter.

2 The days in which Wolf flew the Jolly Roger were gone ten years and more. The year of Marlowe's death saw him printer to the City of London, and that of the publication of Hero and Leander saw him of the Livery.
come to you with the often repetition of it; Censure scornfully enough, and somewhat like a trauailer; commend nothing least you discredit your (that which you would seeme to haue) judgement. These things if you can mould your selfe to them Neithe I make no question but they will not become you. One speciall vertue in our Patrons of these daies I haue promist my selfe you shall fit excellently, which is to giue nothing; Yes, thy loue I will challenge as my peculiar Obiect both in this, and (I hope) manie more succeeding offices: Farewell, I affect not the world should measure my thoughts to thee by a scale of this Nature: Leaue to thinke good of me when I fall from thee.

Thine in all rites of perfect friendship,

THOM. THORPE.