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 978-0-521-80730-2 - The Shakespeare Company, 1594-1642  
 Andrew Gurr  
 Excerpt  
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## CHAPTER I

*The plan of 1594*

## THE LAW OF WRIT AND TAKING LIBERTIES

One drama playing constantly in Shakespeare's time was the liberty people took with the law. In May 1594 staging plays in London, until then a fairly lawless activity attacked by the Lord Mayor but defended by the Privy Council, started for the first time to play an institutionalized role in London. The Lord Chamberlain, Henry Carey, first Baron Hunsdon, serving on the Privy Council as protector of the queen's access to professionally mounted plays, introduced a new idea. It fulfilled the Chamberlain's chief duty by setting up two new companies, each of them with a quasi-monopoly of playing in London. The duopoly's membership was drawn from the best available resources, and Carey licensed a specific playhouse for each of them to use. He made himself patron of one company while his fellow Privy Councillor, his son-in-law Charles Howard, the Lord Admiral, took on the second. Howard, having spent the four years after his appointment as Lord Admiral in 1584 cracking bureaucratic heads together to get the English navy into a shape that could outface the Spanish Armada, knew what had to be done, and was probably the chief deviser of the idea. Each of the new companies got half of the best players and plays then available. Each was allocated to a specified suburban playhouse, Carey's to the Theatre north of the city, owned by the chief player's father, and Howard's to the Rose in the south on Bankside, owned by its chief player's father-in-law. They knew what they were doing, because the Theatre's owner, James Burbage, had worn Carey's livery for the last twelve or more years, and the son-in-law of the Rose's owner, Edward Alleyn, had worn Howard's for nearly as long. The Lord Mayor was appeased by a ban on players using city inns. Now plays could be confined to the two counties north and south of the city where Howard controlled the local magistrates.<sup>1</sup> That little drama started

<sup>1</sup> For a more detailed study of the duopoly idea, and Howard's position in Surrey and Middlesex, see Gurr, 'Privy Councillors as Theatre Patrons', in *Shakespeare and Theatrical Patronage in Early*

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the two companies on the longest careers that any players enjoyed up to the 1642 closure and the Civil War.

Creating this new scheme meant taking liberties with official writ. Whether Carey and Howard knowingly contrived their drastic bending of the *status quo ante* we cannot be sure, but the delicate precision with which the new set-up was established does suggest they were both working to appease the anger of the city fathers against the players, and had seen how in the face of that the Lord Chamberlain might continue enacting his office's most sensitive duty, providing the queen with her Christmas shows. The crucial novelty in the idea was to allocate each company to a suburban playhouse, and with it ban the players from using any of the inns inside the city.

The two companies set up to run as a duopoly of playing in London were given similarly strong repertoires of plays, Shakespeare to the one and Marlowe to the other, but their ideas about the playhouses allocated to them proved markedly different. While Howard's men were content to play at their open-air Rose all the year round, Carey's almost immediately started looking for somewhere indoors to use through winter. That meant returning inside the city to the inns, in spite of Carey's plan that they would vacate the city for the suburbs. The Shakespeare company ran for forty-eight years, inspired by a scheme that its members conceived within the first months of its existence to circumvent in winter the new ban on plays being staged inside the city. Co-supreme from the outset as one of London's only two sets of licensed players, its status grew largely thanks to its first and best author, Shakespeare, but what secured its lasting fame was in large part the company's decision to evade Carey's ban on playing inside the city.

Carey, showing some inconsistency, gave his own support to the first attempt at circumventing the new plan within five months of setting it up. On 8 October 1594, as winter approached, he wrote a letter to the Lord Mayor asking him to allow 'my nowe companie of Players' to perform indoors inside the city for the winter, at the Cross Keys Inn in Gracechurch Street. Invoking the old story of the need to serve the queen, he wrote asking if they could be permitted 'to plaie this winter time within the Citie at the Crosse kayes in Gracious street'.<sup>2</sup> Gracious (Gracechurch) Street was

*Modern England*, ed. Paul Whitfield White and Suzanne Westfall, Cambridge University Press, 2002, pp. 221–45. No papers about the 1594 deal survive, but the Privy Council reaffirmed its policy in 1598 and in 1600 (the orders are quoted in Appendix 2.7 and 2.13), when the Globe and Fortune replaced the Theatre and the Rose as the licensed playhouses.

<sup>2</sup> See Appendix 2.3.

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1. An engraving of Henry Carey, first Baron Hunsdon, Lord Chamberlain 1584–96, first patron of the Shakespeare company.

in the heart of the city. Since the incoming Lord Mayor, John Spencer, who began his rule on 29 October, was known to be deeply hostile to any playing, Carey cannot have seriously expected to have such a request granted so soon after he had agreed to ban playing at city inns. His letter took a liberty with the new law he had himself just set up. The Lord Chamberlain never, before or after, made such a request of the Lord Mayor. The duopoly's monopolizing predecessor, the Queen's Men, had performed at several city inns, notably the Bull and the Bel Savage, as well as at the playhouses, the suburban Theatre and Curtain. After 1594 the only inns used for playing,

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the suburban Boar's Head and Red Bull, had to be converted from inns to full-time playhouses. Carey was trying to flout his own new agreement with the Lord Mayor. The letter's recipient, the stand-in Lord Mayor Sir Richard Martin, gave no formal reply, but Spencer's understandable response was a letter objecting to plays anywhere.<sup>3</sup>

So the next winter Carey gave his support to a revised plan, to build a winter playhouse inside a city liberty where the Lord Mayor had no power. That was the company's liberty with the new law. Like the St Paul's churchyard, site of the city's only other indoor playhouse, the Blackfriars was a free precinct in the city centre a mere couple of hundred yards south-west of the cathedral. An earlier playhouse had run there for fourteen years. Building a new playhouse in the Blackfriars was a brilliantly original idea. The concept was radical, and was almost certainly the idea of the owner of the playhouse now licensed for the Chamberlain's, James Burbage. He would bypass the Lord Mayor entirely and get his patron to back a replacement for the wintertime inns in the form of a permanent indoor playhouse located outside the Lord Mayor's control. Playing indoors inside the city would attract the wealthier clientele of gentry and lawyers at the adjacent Inns of Court who occupied the financial heights in winter, becoming a supplement to the open-air Theatre. Burbage was probably self-assured enough to expect he could keep the Theatre open after its lease expired and run both playhouses, one for the summer and one for the winter, as the company finally did twelve years later.

Shakespeare may have laid the company's golden eggs, but James Burbage built the goose's nest. He was a Londoner deeply experienced in playing and in playhouse management (Appendix 2.1). His thinking was progressive and adventurous. He may even have felt that the day of the larger-capacity amphitheatres was passing and that the brighter future of theatre lay

<sup>3</sup> Charles Whitney has documented the exchanges between the Privy Council and Spencer in 1594–5. For a summary of Spencer's anti-theatre activities, plus the likelihood that Dekker attacked him with *The Shoemaker's Holiday*, setting lavish Simon Eyre against his harshly class-conscious predecessor as Mayor, see Whitney, 'The Devil his Due: Mayor John Spencer, Elizabethan Civic Antitheatricalism, and *The Shoemaker's Holiday*', *Medieval and Renaissance Drama in England* 14 (2001), 168–85. Only five days after his inauguration in 1594 Spencer wrote to the Council renewing the call to suppress all public plays. He picked out the Swan, then being built without the sort of licence that the nearby Rose had just gained. His next letter in September 1595 was uncompromising in its demand 'for the present stay & finally suppressing' of all playing, 'aswell at the Theator & Bankside as in all other places about the Cytie' (Appendix 2.4). Spencer renewed the attack two years later in July 1597 on behalf of the new Mayor Henry Billingsley, copying verbatim from the earlier letters. That was the last letter from the mayors over playing, so some tacit accord must have been reached in that year. Dekker's mockery of the bad Lord Mayor in *The Shoemaker's Holiday* in 1599 has a distinct air of triumphalism.

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indoors. By 1594 he was thoroughly familiar with the difficulties of running an open-air playhouse through the London winter. Most likely, as Carey's letter requesting access to the Cros Keys indicates, he just wanted a smaller winter venue for the company to augment his existing outdoor playhouse. At least the Blackfriars would be available if he failed to renew the Theatre's lease when it expired in April 1597. The site owner, Giles Allen, had already told him that he would refuse any extension.

Either way, Burbage certainly saw the future of playing exclusively as a London business. Whereas the previous monopoly company, the Queen's Men, had routinely toured the whole country, playing at a variety of city venues including city inns and the Theatre, each of the new duopoly companies did little touring after 1594 except in summer. The Chamberlain's hardly toured at all, and when they did they mainly visited grandees at their country houses, with a few towns on the way. The new licences for the London venues meant forsaking the touring from which the adult companies grew and setting their now-licensed feet permanently in London.

Judging by a letter of 9 January 1596 from Carey, who lived in the Blackfriars, Burbage's new plan had at least his tacit backing.<sup>4</sup> With Carey's support Burbage took over the two properties that were to make the space for his new playhouse in a deed of sale dated 4 February 1596. He got part of an old stone-built hall in the Blackfriars precinct, knocked down the partitions making the fencing-school and tenements that then filled it, and built his new playhouse inside. That cost him £600, and the rest of his financial resources went into stripping it all out and building the tiring house, stage, and three levels of curved galleries. It was not on the same site as the early Blackfriars theatre, and it gave him a grander space: seven upper rooms, 'sometyme being one great and entire room', reached by a winding stair at one end from the yard outside, with a series of other small rooms in adjacent spaces. The playhouse with its curved galleries was constructed inside a hall measuring 66 feet by 46 with a stone floor and a high roof. It had been the upper frater of the original Dominican Friary, built at the end of the thirteenth century and big enough to be used for meetings of Parliament in Richard II's time. If Carey and Burbage had got their plan through in 1596 the Globe might never have been built, and London playing would have moved indoors far earlier than it did.

<sup>4</sup> *Malone Society Collections* 11.1, 1913, p. 123. Carey wrote to the seller, 'understanding that you have all redie parted with part of your howse to somme that meanes to make a playe howse in yt'.

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The plan failed because on 22 July Henry Carey died. As Thomas Nashe wryly reported a little later, the players had great hopes while he lived, but ‘however in their old Lords tyme they thought there state settled, it is now so uncertayne they cannot build upon it’. They were already building on it, and the plan misfired with horrible effects on the Burbage finances and therefore the company’s backing. Carey’s son George, who as the second Lord Hunsdon became the company’s new patron, had less reason than his father to back this new venture, because he lived literally next door to it. The Blackfriars was a wealthy neighbourhood, with the social slice of residents displayed in Jonson’s *Alchemist*, from Sir Epicure Mammon to Dapper, Druggier, and the Puritan brethren. Enough of them were hostile to professional players and a playhouse in their neighbourhood to stop Burbage’s plan in its tracks.

In November 1596 ‘the inhabitants of the precinct of the Blackfryers, London’ drew up a petition, which they presented to ‘the right honorable the Lords and others of her Majesties most honorable Privy Councell’. It declared

that whereas one Burbage hath lately bought certaine roomes in the same precinct neere adjoining unto the dwelling houses of the right honorable the Lord Chamberlaine and the Lord of Hunsdon, which romes the said Burbage is now altering and meaneth very shortly to convert and turne the same into a comon playhouse, which will grow to be a very great annoyance and trouble, not only to all the noblemen and gentlemen thereabout inhabiting, but also a generall inconvenience to all the inhabitants of the same precinct, both by reason of the great resort and gathering together of all manner of vagrant and lewde persons that, under cullor of resorting to the playes, will come thither and worke all manner of mischeefe, and also to the great pestring and filling up of the same precinct, yf it should please God to send any visitation of sickness as heretofore hath been, for that the same precinct is already growne very populous; and besides, that the same playhouse is so neere the Church that the noyse of the drummes and trumpetts will greatly disturbe and hinder both the ministers and parishioners in tyme of devine service and sermons . . . now all players being banished by the Lord Mayor from playing within the Cittie by reason of the great inconveniences and ill rule that followeth them, they now thincke to plant them selves in liberties.<sup>5</sup>

Thirty-one residents signed it. The first was the dowager Lady Elizabeth Russell, a well-known pillar of the local church, whose vicar, Stephen Egerton, was another signatory. Lady Russell, widow of the Thomas Hoby who translated Castiglione’s *Courtier*, was sister-in-law to William Cecil, who chaired the Privy Council. The second signature was ‘G. Hunsdon’,

<sup>5</sup> Chambers, *Elizabethan Stage*, IV, 319–20. For a full quotation, see Appendix 2.5.

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2. The second figure from the left at the front, looking back, is the white-bearded Earl of Nottingham, Charles Howard. Next to him, carrying the white rod of the Chamberlain's office in his right hand, is George Carey, Lord Chamberlain, second Lord Hunsdon and second patron of the Shakespeare company.<sup>6</sup>

the company's new patron. Another was Richard Field, formerly from Stratford, the printer of Shakespeare's *Venus and Adonis* and *The Rape of Lucrece*. They made a strong pressure group. With Henry Carey's death the plan lost its only substantial supporter.

The Chamberlain appointed to replace Carey was Lord Cobham, who had little reason to feel benevolent to the ex-Lord Chamberlain's Men, since they had recently staged to great acclaim a play which made fun of his ancestor, Sir John Oldcastle. Cobham forced them to change the name to Falstaff. Although not a Privy Councillor, Cobham could have voiced an opinion about the petition to the Council since it affected the official policy about licensing playhouses. He was certainly a lot less likely than his predecessor to support the Burbage plans, although the award to the new Lord Hunsdon's Men of all the six plays at court that Christmas may have been some sort of official compensation.<sup>7</sup> So the Council upheld the

<sup>6</sup> Most of this information comes from an article by the Earl of Ilchester in *The Walpole Society* ix (1920). The painting is in the possession of Lord Sherborne.

<sup>7</sup> An account of Cobham's short rule as Chamberlain, with a letter protesting about his mistreatment of another courtier during the performance of a play by Hunsdon's at court on 27 December 1596, is

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petition, and Burbage lost the hope he had built on. Now the Burbage finances were locked up in a useless property. That was a true disaster for the company, because the Theatre's 21-year lease expired in April 1597, and the landlord rejected all pleas to renew it (Appendix 2.6). James Burbage himself made no attempt to retrieve the Theatre's timbers, to which he had a doubtful claim. He died in February 1597, three months after the Blackfriars petition was upheld and two before the Theatre's lease expired, leaving his sons the problem of getting a renewal of the Theatre's lease and no time to do anything about it. So in April the company lost the second of their possible venues. The Theatre was left, as Everard Guilpin mournfully put it later that year, in 'darke silence and vast solitude', and the company's secure basis in London was gone.

A company of Elizabethan players had to work as a team, and it is misleading to pick out individual members as the key creative forces, but two in particular need special note. One of course was Shakespeare, who as a team member from the outset seems to have supported and perhaps promoted the company's thinking beyond his direct contribution of plays and playing.<sup>8</sup> The other was their sponsor and landlord James Burbage. He did far more for the company than father its first leading player and provide its first playhouse. It was almost certainly his plan that ultimately guaranteed the company its supremacy. Builder of the Theatre in 1576, he had already been Henry Carey's man for a dozen years when the duopoly companies were established. The team's life, following a policy Burbage laid down, depended on and can be traced most clearly through its most material assets, its playhouses. Its patrons changed, and all of them impacted on the company's policies, but it was Burbage's plan to use two playhouses seasonally that finally guaranteed its premier place in London.

The next patron, Carey's son George, did much less for the company than his father. He was not at first made Lord Chamberlain in succession to his father, so during Cobham's seven months in office they were Hunsdon's Men. The company retrieved its original name when Cobham died in March 1597 and George was quickly made Lord Chamberlain. He remained patron till 1603 when King James took the company under his gilded wing barely two weeks after coming to his new treasure, London, a striking

in Paul Whitfield White, 'Shakespeare, the Cobhams, and the Dynamics of Theatrical Patronage', in *Shakespeare and Theatrical Patronage in Early Modern England*, pp. 64-89. Cobham died on 5 March 1597 and was quickly replaced by George Carey.

<sup>8</sup> Identifying any distinctive contribution by Shakespeare to the company's ethos, apart from his tangible contributions of money, plays, and performing, is speculative, but he cannot have argued with the policies he helped finance, and he must have mediated several times through a dozen years over the company's relations with the stormy Jonson.



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3. King James I, the Shakespeare company's third patron, by an unknown artist (NPG 549).

mark of his priorities in his new regime.<sup>9</sup> The king's support was the best insurance any company could hope for. Through James's twenty-two years and the seventeen of his son Charles the company stood supreme in England as the King's Men.

In 1596 with Henry Carey's death and the collapse of the Blackfriars scheme the company had little time to make new plans. Old Burbage's

<sup>9</sup> Carey was ill through the last years of Elizabeth's reign, and in 1601 Sir John Stanhope was made Vice-Chamberlain to carry out his official duties. James was quick to take over his company, and seems to have been so closely engaged with making his own choice that he gave them as an extra sharer a favoured player from Edinburgh, Lawrence Fletcher. See entry in Appendix 1.

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will in 1597 bequeathed his outdoor playhouse to his elder son Cuthbert, who eventually demolished it, giving its timbers and fittings to make the frame of its replacement, the Globe (Appendix 2.10), and his new indoor playhouse to Richard. Not for another eleven years could the two Burbage sons add the Blackfriars to the Globe and at last realize their father's plan to give the company two playhouses for alternating summer and winter use.

When ejected from the old Theatre in April 1597 the company moved to its only slightly younger open-air neighbour the Curtain. Renting the Curtain was a company expense that gave the Burbage sons, now the company's only backers, none of the income they needed to get a new playhouse of their own. For twenty months, while the company enjoyed some of its greatest successes on stage,<sup>10</sup> Cuthbert struggled to secure a fresh lease of the Theatre from Giles Allen, without success. So the brothers made the litigious decision to pull the playhouse down and re-erect it elsewhere (Appendix 2.10, 2.11). By mid-1599 the company was playing at the Globe, built from the Theatre's framing timbers in Southwark next to the Rose and open to the winter air.

The years at the Globe from 1599 to 1608 brought the company a great rise in status. In that rich time two major innovations strengthened the original two-playhouse plan. The first was the king's patronage. The second was the new financial system, explained at length in chapter 3, where five company sharers joined with two Burbages to become co-owners of the company's rebuilt playhouse. By 1608 the Burbages could give the Globe's co-owners, the holders of shares in the playhouse whom Chambers calls 'housekeepers', a matching number of shares in the Blackfriars so that their rental income could be sustained while their outdoor playhouse was not in use. In August 1608, with the previous winter when the Thames froze for six weeks still in mind, the company was able to repossess the Blackfriars. All playhouses were closed for plague at the time, and their occupiers financially worried, but the company was the King's Men. James gave them £40 to help them through the lengthy plague closure while they reorganized. For the next thirty-four years they played seasonally, in the summer at the open-air Globe and through each winter at the roofed Blackfriars, in belated accomplishment of the plan James Burbage first conceived in the summer of 1594. Rebuilding the Globe after the fire of 1613, for all its needless extravagance, was the company's renewal of the original Burbage plan to change playhouses with the seasons.

<sup>10</sup> Falstaff was an instant hit late in 1596; *Romeo and Juliet* was being quoted by Inns of Court students, according to Marston, in 1597, and in 1598 Francis Meres listed twelve of Shakespeare's plays as evidence for England's excellence in drama (Appendix 2.9).