the proceedings go on with ostensible technical accuracy; and we have the herald's cries: "*Soit la bataille, et victoire à ceux qui ont droit!*" What would not Lord Campbell have made of it all!

How Mr. Greenwood, in the face of all this matter, can say that Mr. Devecmon's assertion "is an astounding perversion of the fact," I cannot understand. He must have written in total oblivion, or ignorance, of the matter upon which Lord Campbell founded *his* amazing dicta. If there is "no law at all in Webster's play," Lord Campbell has cited none from Shakespeare; and Mr. Greenwood's handling of the matter, in view of the use he has made of Lord Campbell's egregious treatise, calls for somewhat serious reprehension. Evidently he had no idea of the nature of the grounds on which Campbell proceeds. He speaks of "a few legal terms thrown in here and there." What did Campbell produce from Shakespeare? If the trial in Webster is an "absurd travesty of a trial, where each and everybody—judge, counsel, witness, or spectator—seems to put in a word or two just as it pleases him," what, in the name of honest controversy, is the trial in THE MERCHANT OF VENICE, which Lord Campbell alleged to be "conducted according to the strict forms of legal procedure"? Upon Lord Campbell's scandalous deliverances Mr. Greenwood founds his main case. Will *he* venture to discriminate between Shakespeare's law case and Webster's? And if Lord Campbell is entitled to ascribe to Shakespeare a full knowledge of the procedure of trial by battle on the sole ground of his use of the word "craven," and to make this unspeakable absurdity part of his case for Shakespeare's "profound and accurate knowledge of law," upon what critical principle does Mr. Greenwood sweep aside the actual trial by battle in Webster, with all its technicalities?

I am not concerned to go into the question of the accuracy of Webster's or Massinger's phraseology: that

is neither here nor there. Even Campbell, in flat contradiction of his own claims, admitted inaccuracies in Shakespeare; and Mr. Greenwood, in turn, fatally pressed by Mr. Devecmon, makes further admissions, forgetting that they absolutely destroy his own case, which rested not upon mere citation of legal matter in Shakespeare, but upon the repeated claim that Shakespeare's law was impeccable, never open to demurrer or writ of error, and therefore possible only to one within the freemasonry of the profession. It may be left to either lawyers or laymen to judge for themselves whether there is not much more show of legal knowledge and recourse to legal phraseology in Webster than in Shakespeare. From twenty-three of Shakespeare's plays Lord Campbell can cite on the average only two or three legal allusions apiece: Webster's one play yields over thirty. I do not for a moment pretend that they exhibit "deep" or "accurate" knowledge: I leave these follies to the other side, who profess to certify a playwright's lawyership on grounds that would move a policeman to derision. The question is whether Webster's multitude of "legalisms" do not, by every principle on which Lord Campbell proceeded in his extracts and his comments, exhibit tenfold more preoccupation with legal matters than do Shakespeare's, and, by mere variety of allusion, far more "knowledge."

I have dealt thus far only with one of Webster's plays—apart from the incidental citations I have made from him in common with other playwrights in dealing with Lord Campbell's proofs. But an almost equal abundance of legal allusion is found in APPIUS AND VIRGINIA, as the following citations show:

> Were you now
> In prison, or arraign'd before the senate
> For some suspect of treason;
>
> (i, 1.)
>
> Virginius, we would have you thus possess'd,
> We sit not here to be prescrib'd and taught,

Nor to have any suitor give us limit
Whose power admits no curb.

(i, 3.)

Is my love mispriz'd ?

(ii, 3.)

Hadst thou a judge's place above all judges
That judge all souls, having power to sentence me.

(*Ib.*)

Your rashness we remit.

(*Ib.*)

Blind misprision.

(*Ib.*)

I'll produce
Firm proofs, notes probable, sound witnesses,
Then, having with your lictors summon'd her,
I'll bring the cause before your judgment seat,
Where upon my infallid evidence
You may pronounce the sentence on my side.

(*Ib.*)

The cause is mine ; you but the sentencer
Upon that evidence which I shall bring.
The business is, to have warrants by arrest
To answer such things at the judgment bar
As can be laid against her : ere her friends
Can be assembled, ere himself can study
Her answer, or scarce know her cause of summons,
To descant on the matter, Appius may
Examine, try, and doom Virginia.

(*Ib.*)

The most austere and upright censurer
That ever sat upon the awful bench.

(iii, 1.)

If you will needs wage eminence and state
Choose out a weaker opposite.

(*Ib.*)

First, the charge of her husband's funeral, next debts and legacies, and lastly the reversion.

(iii, 2.)

The term-time is the mutton-monger in the whole calendar.
Do your lawyers eat any salads with their mutton ?

(iii, 2.)

Deny me justice absolutely, rather
Than feed me with delays.

(*Ib.*)

My purse is too scant to wage law with thee :
I am enforc'd be mine own advocate.

(*Ib.*)

to let you know,
Ere you proceed in this your subtlement,
What penalty and danger you accrue
If you be found to double.

(*Ib.*)

Having compounded with his creditors
For the third moiety.

(*Ib.*(

Your reverence to the judge, good brother.

(iv, 1.)

May it please your reverend lordships.

(*Ib.*)

Now the question
(With favour of the bench) I will make plain
In two words only without circumstance.

(*Ib.*)

Here's her deposition on her death-bed.

(*Ib.*)

If that your claim be just, how happens it
That you have discontinu'd it the space
Of fourteen year ?

(*Ib.*)

I shall resolve your lordship.

(*Ib.*)

Where are your proofs of that ?
Here, my good lord,
With depositions likewise.

(*Ib.*)

For your question
Of discontinuance : put case. . . .

(*Ib.*)

I bend low to thy gown, but not to thee.

(*Ib.*)

Let us proceed to sentence.

(*Ib.*)

Over and above all this resort to forms of trial, the habit of legal phraseology and legal allusion, as we have seen, pervades the Elizabethan drama to an extent which implies a general proclivity in the people. Even the many parallels above presented to the citations of Lord

Campbell from Shakespeare give but an inadequate idea of the extent of the practice ; and at the risk of wearying the reader I will transcribe for him a string of the legalisms and references to law and litigation in a single play of Ben Jonson's—THE MAGNETIC LADY.

Compass. He is the prelate of the parish here. . . .
Makes all the matches and the marriage feasts
Within the ward ; draws all the parish wills,
Designs the legacies. . . .
For of the wardmote quest he better can
The mystery, than the Levitic law.

Lady Loadstone. He keeps off all her suitors, keeps the portion
Still in his hands, and will not part withal
On any terms.

[Many references to this]

Compass. Master Practice here, my lady's lawyer
Or man of law (for that is the true writing),
A man so dedicate to his profession
And the preferments go along with it. . . .
So much he loves that night-cap ! the bench-gown
With the broad gard on the back ! these shew a man
Betroth'd unto the study of our laws. . . .
He has brought your niece's portion with him, madam,
At least, the man that must receive it, here
They come negociating the affair ;
You may perceive the contract in their faces,
And read the indenture.

Sir Diaphanous. I have seen him wait at court there, with his maniples
Of papers and petitions.

Practice. He is one
That over-rules though, by his authority
Of living there ; and cares for no man else :
Neglects the sacred letter of the law ;
And holds it all to be but a dead heap
Of civil institutions : the rest only
Of common men, and their causes, a farrago
Or a made dish in court ; a thing of nothing.

Compass. And that's your quarrel with him ! a just plea.

Lady Loadstone. Will Master Practice be of counsel against us ?

Compass. He is a lawyer and must speak for his fee,
Against his father and mother, all his kindred,

His brothers or his sisters ; no exception
Lies at the common law. He must not alter
Nature for form, but go on in his path ;
It may be, he'll be for us. . . .
He shall at last accompt for the utmost farthing
If you can keep your hand from a discharge.

Sir Moth. The portion left was sixteen thousand pound :
I do confess it as a just man should. . . .
Now for the profits every way arising.
Well sir, the contract
Is with this gentleman, ten thousand pound.
An ample portion for a younger brother . . .
He expects no more than that sum to be tender'd
And he receive it : these are the conditions.

Practice. A direct bargain, and sale in open market.

Sir Moth. And what I have furnish'd him withal o'the by
To appear or so, a matter of four hundred
To be deduced upon the payment. . . .
Draw up this
Good Master Practice, for us, and be speedy

Practice. But here's a mighty gain, sir, you have made
Of this one stock : the principal first doubled,
In the first seven year, and that redoubled
In the next seven, beside six thousand pound,
There's threescore thousand got in fourteen year,
After the usual rate of ten in the hundred,
And the ten thousand paid . . .

Sir Moth. . . . 'Tis certain that a man may leave,
His wealth or to his children or his friends ;
His wit he cannot so dispose by legacy. . . .

Compass. He may entail a jest upon his house,
Or leave a tale to his posterity,
To be told after him.

Practice. . . . The reverend law lies open to repair
Your reputation. That will give you damages !
Five thousand pound for a finger, I have known
Given in court ; and let me pack your jury.
. . . Sir, you forget
There is a court above, of the Star Chamber
To punish routs and riots.

Compass. . . . There's no London jury but are led,
In evidence, as far by common fame
As they are by present disposition

. . . a man
Mark'd out for a chief justice in his cradle.

Practice. . . . I am a bencher, and now double reader

Compass. But run the words of matrimony over
My head and Mistress Pleasance's in my chamber ;
There's Captain Ironside to be a witness,
And here's a license to secure thee.—Parson
What do you stick at ?

Palate. It is afternoon, sir,
Directly against the canon of the church.

Sir Diaphanous. I saw the contract and can witness it.

Compass. Varlet, do your office.

Serjeant. I do arrest your body, Sir Moth Interest,
In the King's name, at suit of Master Compass,
And dame Plancentia his wife. The action's enter'd,
Five hundred thousand pound. . . .

Lady Loadstone. I cannot stop
The laws, or hinder justice : I can be
Your bail, if it may be taken.

Compass. With the captain's,
I ask no better.

Rut. Here are better men
Will give their bail.

Compass. But yours will not be taken. . . .

Serjeant. You must to prison, sir,
Unless you can find bail the creditor likes.

Compass. Bring forth your child, or I appeal you of murder.

Prac. The law is plain : if it were heard to cry,
And you produce it not, he may indict
All that conceal it, of felony and murder.

Polish. . . . Here your true niece stands, fine Mistress Compass,
To whom you are by bond engag'd to pay
The sixteen thousand pound, which is her portion
Due to her husband, on her marriage-day.
I speak the truth, and nothing but the truth. . . .

Ironside. You'll pay it now, Sir Moth, with interest. . . .

Sir Moth. Into what nets of cozenage am I cast
On every side ? . . . What will you bate ?

Compass. No penny the law gives.

Sir Moth. Yes, Bias's money.

Compass. What, your friend in court!
I will not rob you of him, nor the purchase.

Lady Loadstone. . . . There rests yet a gratuity from me
To be conferr'd upon this gentleman,
Who, as my nephew Compass says, was cause
First of the offence, but since of all amends.
The quarrel caused the affright, the fright brought on
The travail, which made peace; the peace drew on
This new discovery, which endeth all
In reconcilement.

Compass. When the portion
Is tender'd, and received.

Sir Moth. Well, you must have it;
As good at first as last.

The whole play, in fine, is the working out, without resort to courts, of a dispute in law. Plays in a similar taste will be found in Chapman, Heywood, Dekker, and Massinger, who were not lawyers, and in Middleton, who was. But, as it happens, no such play of pervading legal intrigue is to be found in Shakespeare. In no Shakesperean play, indeed, apart from the MERCHANT OF VENICE, is there to be found nearly so much reliance upon and reference to a legal interest as is to be seen in Chapman's first play, THE BLIND BEGGAR OF ALEXANDRIA, where a question about a mortgage alleged to be forfeited recurs half a dozen times, with long discussions about "statutes" and "assurances" such as Shakespeare nowhere indulges in. Where Shakespeare merely uses legal phrases, as often as not metaphorically, the other dramatists introduce actual matters of litigation.

Apart from the endless allusions to concrete litigation in Tudor literature, again, we find in the writings even of the theologians constant evidence of the legalist habit of mind. They often put religion in lawyer-fashion, knowing their readers would so relish it. Thus Bishop

Hooper, answering Bishop Gardiner on the subject of the Eucharist, writes of

> the promise of God . . . of the which . . . these Sacraments be testimonies, witnesses ; as the seal annexed unto the writing is a stablishment and making good of all things contained and specified within the writing. This is used in all bargains, exchanges, purchases, and contracts.
>
> When the matter entreated between two parties is fully concluded upon, it is confirmed with obligations sealed interchangeably, that for ever those seals may be a witness of such covenants as hath been agreed upon between the both parties. And these writings and seals maketh not the bargain, but confirmeth the bargain that is made. No man useth to give his obligation of debtor before there is some contract agreed upon between him and his creditor. No man useth to mark his neighbour's ox or horse in his mark before he be at a full price for the ox, or else were it felony and theft to rob his neighbour. Every man useth to mark his own goods, and not another man's ; so God, in the commonwealth of his church, doth not mark any man in his mark, until such time as the person that he marketh be his. There must first be had a communication between God and the man, to know how he can make any contract of friendship with his enemy, the living God.[1]

In a similar vein he handles the Ten Commandments :

> Forasmuch as there can be no contract, peace, alliance, or confederacy between two persons or more, except first the persons that will contract agree within themselves upon such things as shall be contracted . . . ; also, seeing these ten commandments are nothing else but the tables or writings that contain the conditions of the peace between God and man, Gen. xix, and declareth at large how and to what the persons named in the writings are bound unto the other . . . ; it is necessary to know how God and man was made at one, that such conditions could be agreed upon and confirmed with such solemn and public evidences, as these tables be, written with the finger of God. The contents whereof bind God to aid and succour, keep and preserve, warrant and defend man from all ill, both of body and soul, and at the last to give him eternal bliss and everlasting felicity.[2]

[1] *Answer to the Bishop of Winchester*, Parker Soc. vol. p. 136.

[2] *Declaration of the Ten Commandments :* pref. " Unto the Christian Reader," 1550.

And this comes from an evangelical writer, a martyr, much prized in the generation following him.

After this we can understand how a later divine, Thomas Adams, could deliver in a sermon the "legal" passages cited from him by Mr. Judge Willis, and candidly quoted by Mr. Greenwood,[1] who can offer no better semblance of a rebuttal than the suggestion that Adams had "*probably* looked into some law books, and *perhaps* been thrown into legal company." Now, the passages cited are so technical that, had Lord Campbell found them in Shakespeare, he would have reckoned them "the best stakes in his hedge," as Hooker would say. And if it be rational to explain Adams's law by the "probably" and the "perhaps" above cited, why, in the name of reason and consistency, should not the same suggestion hold in the case of Shakespeare?

It is idle on Mr. Greenwood's part to fall back on an appeal to the "intelligent and unprejudiced reader" to go through the plays and poems and note "the persistence, the accuracy with which he makes use of legal terms and legal allusions, in season and out of season," and all the rest of it, "and then say if he thinks these expressions, culled from the sermons of Thomas Adams, furnish anything like a parallel case to that which we have been considering." The intelligent and unprejudiced reader will reply (1) that the expressions of Adams are more technically lawyerlike than anything in Shakespeare, and (2) that parallel cases to Shakespeare's are furnished by half a dozen of the dramatists whom we have put in evidence, and whom Mr. Greenwood, like Lords Campbell and Penzance and the other lawyers, had never thought of examining—the only difference being that Jonson and Webster and Chapman show much *more* knowledge of and interest in law than does Shakespeare.

Mr. Greenwood's answer to me on the subject of THE DEVIL'S LAW CASE is a sufficient proof that he had adopted

[1] *The Shakespeare Problem Restated*, pp. 392–3.

the conclusions of Lord Campbell without studying his exposition. I will not believe, unless he makes affidavit to that effect, that he thinks the trial-scene in the MERCHANT OF VENICE is lawyerlike in comparison with that in Webster's play. His attack on that is a mere distortion of the issue. He has prodigally and blindly endorsed alike Lord Campbell and Mr. Castle and the other legalists —save where he candidly avows (p. 381) that he " cannot attach much weight to the judgment of a critic [Mr. Churton Collins] who sees the trained lawyer's hand in TITUS ANDRONICUS " on the strength of such items as " affy," " warrants," " *suum quique*," " seizeth," " fee," " purchase," and so forth. But it is just on such things as these that the case of Campbell is mostly built up. It includes even far weaker items. If such data be disallowed, nine-tenths of his book goes by the board at once.

Replying to Mr. Devecmon, Mr. Greenwood strangely protests (p. 400) against what he calls the " curious idea " that " a dramatist cannot be a lawyer unless he makes his ladies and laymen speak in the language that a trained lawyer would employ," Mr. Devecmon having shown that Shakespeare did not do so. At this line of argument I must express my astonishment. Twice over, Mr. Greenwood has in effect surrendered his case. Proceeding as he does upon Lord Campbell's deliverance, without examining the absurd evidence by which it is supported, he at a pinch throws over that evidence while still insisting upon the judge's finding. Met by Judge Willis with *more* technical legalisms than Shakespeare's in the writings of a divine of Shakespeare's day, he denies that such instances furnish " any analogy with the case of Shakespeare."

It is not (he goes on) a question of the mere use of legal phrases or maxims, such as " acknowledging a fine," " a writ *ad melius inquirendum*," " *non est inventus*," " *noverint universi*," " seised," " *volenti non fit injuria*," " tenants at will," " tenants

in capite," "bargain and sale," and the like. The question is, whether Shakespeare, when we consider his works as a whole, does not exhibit such a sound and accurate knowledge of law, such a familiarity with legal life and customs, as could not possibly have been acquired (or "picked up") by the Stratford player; whether it be not the fact, as Richard Grant White puts it, that "legal phrases flow from his pen as part of his vocabulary, and parcel of his thought"? *It is not to the purpose* to compile mere lists of legal terms and expressions from the pages of *other* Elizabethan writers, and those who do so simply display an *ignoratio elenchi*, as the old philosophers would say. [1]

I regret to have to say that there is something worse here than *ignoratio elenchi;* but I will not characterise it further than by use of the phrase of the distinguished living statesman who pronounced certain political arguments to be samples of the "black arts of surrebuttal and surrejoinder." Mr. Greenwood has simply sought to change the issue while professing to argue it. It *is* a question of "the mere use of legal phrases or maxims"—or, still worse, of the inferences to be drawn from mere scoffing allusions to the practices of lawyers. Campbell did not scruple to found on *these* as proofs of an inside familiarity with legal life. He actually cited the phrase "crow like a craven" as proof of a technical knowledge of the law of wager by battle. Beyond such ineptitudes as these, he could cite *only* the use of legal phrases, apart from a very few claims as to legal knowledge being implied in the plots of plays. To all the ineptitudes of Campbell's case Mr. Greenwood is committed when he founds on the deliverances which Campbell so justified. If Mr. Greenwood means to assert that a "sound and accurate knowledge of law" is to be proved in the plays *apart from* the use of legal phrases, he is talking, I must say, even more heedlessly than Campbell, for Campbell did at least make a parade of evidence in respect of the legal phrases. Had Campbell found "writ *ad melius inquirendum*" in Shakespeare he would have made it the head-

[1] Work cited, p. 395.

stone of the corner. It is really carrying special pleading beyond the bounds of professional licence to turn round as Mr. Greenwood does, after staking his whole case on a judgment[1] *founded* on a "mere list of legal terms and expressions," and assert that lists of other men's legal terms and expressions count for nothing as against an alleged general knowledge of law in the Shakespeare plays for which he has no other evidence worth mentioning.

I am at a loss, I confess, to know finally what Mr. Greenwood does mean; for in this very passage, disparaging mere legal phrases, he resumes the claim that "legal phrases flow from Shakespeare's pen as part of his vocabulary and parcel of his thought." Does he mean that other men's legal phrases flowed from their pens in some other way? If so, whose? The plain truth is that Mr. Greenwood had never looked at the legal phrases of the other Elizabethan and Jacobean dramatists. Had he done so, he would not have written his book. Indeed I cannot believe that if, instead of taking Campbell's mere dictum at second hand from Lord Penzance, he had merely gone through the Shakespeare plays *ad hoc* in the critical spirit in which he approached the Shakespeare biography, he would ever have dreamt of formulating for himself any legalist theory. Reading the trial scene in the MERCHANT OF VENICE, he would have said of that, as he quite irrelevantly says to me concerning the DEVIL'S LAW CASE, that it "contains no law at all." He dismisses with just contempt the "legal" phrases cited by Mr. Churton Collins from TITUS ANDRONICUS, and agrees with Mr. Castle that the play "seems to do everything that a lawyer would not do, and leave undone everything that he would." I am curious to know whether he would say otherwise of the MERCHANT OF VENICE, which Mr. Castle does not examine. But the phrases cited by Mr. Collins from TITUS are not a whit more

[1] Lord Penzance, be it remembered, merely quoted Campbell, making no investigation of his own.

nugatory than most of those founded upon by Campbell. Furthermore, on his unfortunate presupposition that what eminent lawyers affirm in his favour about law in Shakespeare must be true, Mr. Greenwood has committed himself to Mr. Castle's special claim about the use of "colour" in Shakespeare, which we have seen to be as worthless as Campbell's and Grant White's claim about "purchase," and Campbell's case in general.

Mr. Greenwood's respect for legal opinion vanishes, of course, when it goes against his thesis. We have seen how he treats the dicta of Mr. Devecmon. I fancy that any open-minded lawyer who has followed the discussion will give Mr. Greenwood short shrift—if I may so mix professional metaphors. In his impatience of the other lawyer's contradiction, he unwittingly falls foul of a fellow legalist, Senator Davis. From that writer Mr. Devecmon quoted the admission that "Antony in speaking of the real estate left by Cæsar to the Roman people, does not use the appropriate word 'devise.'" Upon which Mr. Greenwood retorts (p. 403) that the dramatist was not "so absurdly pedantic" as to make Antony use a correct legal expression when the "left" of North sufficed. Then he proceeds to quote "the critic" as saying that the expression "unto your heirs for ever" was unnecessary. "Really, really!" exclaims Mr. Greenwood, "This is just a little irritating." Perhaps; but the offence comes from Senator Davis, who affirms in general the profundity and accuracy of Shakespeare's legal knowledge, not Mr. Devecmon, who denies it! And only thirty pages earlier (p. 374), Mr. Greenwood had cited *this very Senator Davis* as one giving weighty testimony to Shakespeare's command of a legal vocabulary in which "no legal solecisms will be found." If then the irritating phrase is, as Mr. Greenwood protests, "surely an argument fit only for the least intelligent of readers," the protest should go to the right address.

When he repugns against Mr. Devecmon's criticisms

of Shakespeare's law, Mr. Greenwood merely cuts the bough on which he sits. In an amusing footnote he quotes from my book on TITUS ANDRONICUS the phrase, "putting a few necessary caveats." "No lawyer," he comments, "would speak of 'putting a caveat.' The legal term is to '*enter* a caveat.'" And the compiler of his index sternly clinches the matter by the entry, "Robertson, Mr. J. M., betrays his ignorance on law, 372, note." The most amusing item of all, perhaps, is that I happen to have spent four and a half years of my youthful life in a law office. But it was a Scotch office (to say nothing of the fact that I was immensely more interested in literature than in law); and in Scotch law they do not, to my recollection, speak of "caveats," which word is therefore for me simple English, and not "jargon." "Enter a caveat" is a phrase well entitled to the latter label. But let Mr. Greenwood's and the indexer's judgment stand: what then becomes of Mr. Greenwood's attempted rebuttal of Mr. Devecmon?[1] He really cannot have it both ways. If he insists that no lawyer would say "put a caveat," he has quashed his own objection to the argument that Shakespeare makes his characters talk law as no lawyer would. He does not deny that Shakespeare makes Queen Catherine "challenge" a judge, as lawyers "challenge" jurors. Then Shakespeare was no lawyer. It is idle for Mr. Greenwood to say that "challenge" was used in a general sense. What about "caveat"? . . .

[1] At one point, I will offer Mr. Greenwood my humble literary support against Mr. Devecmon, my ally. Mr. Devecmon criticises Shakespeare's use of "statutes" in *Love's Labour's Lost*, i, 1. "A statute," he objects, "is an act of the legislature." It was really other things as well! Apart from its perfectly legitimate application to the laws of a college, the word was habitually applied in Shakespeare's day to "statutes marchant" &c. *without* the defining term. I think my ally is in the wrong for once—in the course of an argument in which he is overwhelmingly in the right.

I am not concerned to follow Mr. Greenwood through the rest of the difficulties in which he has enmeshed himself. It is sufficient to repeat that he cannot without self-stultification plead that the laxities of Shakespeare's law do not prove him to have been no lawyer. The summing-up of Campbell, upon which Mr. Greenwood proceeded, was to the effect that Shakespeare *did* invariably use legal terms—that is, make his characters use them—as a trained lawyer would. It was Mr. Greenwood's citation of that and similar enormities of nonsense that enabled Mark Twain to die contented in the Baconian faith. The breakdown of Campbell's case at the first serious push tells of the levity with which it was framed. But if we allow Mr. Greenwood to recall Campbell's extravagances and restate the proposition as he will, it is annihilated for every candid student by that comparison of the Shakespeare plays with those of his contemporaries which has been made in these pages, and which neither Campbell nor Mr. Greenwood attempted.

When, then, Mr. Greenwood winds up his legal chapter by citing the passage about "common" and "several" from LOVE'S LABOUR'S LOST (ii, 1), and the similar passage from the Sonnets, and triumphantly puts the questions, "Did the provincial player, the 'Stratford rustic,' write such sonnets as those [*i.e.* the various 'legal' sonnets] I have quoted? Is it *his* law which appears in Venus's allusion to a common money bond, or in the various passages of LUCRECE? Did *he* write the travesty of 'Hales *v.* Petit' in HAMLET? Did *he* discourse of common of pasture' and 'severalty' in LOVE'S LABOUR'S LOST? Is it to *him* that we owe the thousands (!) of legal allusions scattered throughout the plays?"—to the whole series of challenges we answer, Yes!—with the qualification that "thousands" should be "dozens." On the very previous page Mr. Greenwood had obliviously cited an allusion to a "several" in the First Part of SIR JOHN OLDCASTLE. Was *that* play written by a lawyer? The jesting

figure about "common" and "enclosed" ground, applied to a woman, occurs twice in Dekker's HONEST WHORE (Pt. II, iv, 1). Was *that* written by a lawyer? In Bacon's APOPHTHEGMS Mr. Greenwood will find a sufficiently free jest about "common and several" ascribed to Sir Walter Raleigh. Was Raleigh a lawyer? And can Mr. Greenwood doubt that such stories were widely current in Shakespeare's day? In his own words, "I think not. *Credat Judæus*"; or let us rather say, "*Credant judices*"—Campbell and Penzance!

The other items in Mr. Greenwood's challenge are as void as this. We have seen them one and all put down on test. His final affirmation of "profusion of legal phraseology and wealth of legal knowledge," made *without* any judicial comparison of Shakespeare's plays with other men's, will not, I trust, be repeated after such a comparison has been laid before him. But I am moved to put two additional challenges, after the model of his. (1) If "Shakspere" the actor *were* a "Stratford rustic," why on earth should that rustic, of all people, be supposed to be ignorant of the rurally notorious facts about the usage of "common" and "several"? (2) But why, on the other hand, should Shakespeare, coming to London in early manhood and living there till near his death, be singled out for rusticity any more than Bacon? Myself born a rustic, I have some interest in the answer.

CHAPTER VII

THE ALLEGED CLASSICAL SCHOLARSHIP OF THE PLAYS

(I) *Lord Penzance* and *Mr. Donnelly*

ONE province of our inquiry, that constituted by the argument from "legal knowledge," has been traversed, not without tedium. Two others remain to be explored. The "legal" argument is backed up by the "classical"—the argument from the "classical scholarship" said to be revealed by the Plays; and both are sought to be corroborated by the citation of "coincidences of thought and phrase" in the Shakespearean plays and Bacon's works. We are now to deal with the "classical" position.

The dialectical experience will be found to be curiously similar to that which we have undergone. The pervading fallacy of the legalist argument has been, in a word, that of incomplete induction. The quality of lawyership has been assigned to one playwright mainly by inference from a study of his plays alone; when a wider survey proves that he had no special proclivity or accomplishment. Where a form of testing *has* been gone through, it has been carelessly and misleadingly applied. Substantially the same error we shall find made in respect of the inference that the plays of Shakespeare exhibit wide classical scholarship because they contain classical allusions and classical commonplaces. For in this case also the conclusion has been drawn without resort to the comparative method, which would reveal non-classical sources for Shakespeare's small classical knowledge.

Much of the discussion, indeed, proceeds on the assump-

tion that the commonplaces of antiquity are unique, and incapable of being independently invented by other peoples, whereas it is of the very nature of commonplaces to be universal. Such tropes as that of "a sea of troubles," such saws as "time tries all," "your father lost, lost his," and so forth, have been seriously cited as ideas possible only to men who knew them by classic quotation. The late Professor Churton Collins, while repeatedly conceding that such phrases are mere coincidences of ordinary reflection, claimed that the saw "Fat paunches have lean pates" (L. L. L. i, 1) is "*undoubtedly* from the anonymous Greek proverb" to the same effect. It was a current English proverb, and is found in two forms in Dekker's OLD FORTUNATUS:

> For a lean diet makes a fat wit.
>
> (i, 2).
>
> I am not fat.
>
> *Andel.* I'll be sworn thy wit is lean.
>
> (ii, 2).

Even as regards less common sayings, common sense and common experience remind us that a hundred lessons of life are learned and briefly recorded by common folk to-day even as they were by the ancients. An old friend of my own, a Scotch foreman carpenter, once remarked to me, with regard to his function as foreman, "I can say, 'Come on, chaps'; I canna say, 'Go on.'" I am very sure he knew nothing of the classic *Docet tolerare labores, non jubet:* the idea was as natural to him as to any ancient. And in the case of a writer so obviously given to sententious phrase as the author of the Shakespearean plays and poems, common sense might admit the probable spontaneity of many items of every-day reflection that happen to have been penned in antiquity. Antithesis and alliteration, again, are natural devices in all languages. Learned Professors—Mr. Churton Collins and Mr. Lowell, for instance—cannot read such a line as:

> Unhouseled, disappointed, unaneled,

without suspecting reminiscence of Greek sets of terms beginning with the privative *a*. Now, not only are lines of sequences of words in "un" common in Spenser,[1] they are common in Fairfax's translation of Tasso's JERUSALEM DELIVERED (1600), and still more common in Daniel's CIVIL WARS :

> Unseen, unheard, or undescried at all.
> Fairfax, B. i, st. 65.
>
> Unseen, unmarked, unpitied, unrewarded.
> *Id.* B. ii, st. 16.

Daniel has :

> Uncourted, unrespected, unobeyed.
> B. ii, st. 52.
>
> Unheard and unarraigned.
> B. iii, st. 23.
>
> Undaunted, unaffeared.
> B. iii, st. 76.
>
> Unsupported and unbackt.
> B. iii, st. 79.

There is no reason to infer here any reminiscence of Greek tragedy : the device goes back to Chaucer, and might be independently reinvented. Daniel and Fairfax were not Greek scholars.

The main stress of the "classical" case, of course, is laid upon direct classical allusions and upon non-proverbial passages which may fairly be described as quotations. But in this connexion also the inference of original scholarship is often quite uncritically drawn. Even Shakespearean scholars in some cases seem to fail to realise how much popular knowledge of classical matters was scattered by both homilies and popular plays in the Tudor period, apart from the publication of translations. Some of the Interludes are notably abundant in their classical allusions. That of THE TRIAL OF TREASURE, printed in black-letter in 1567, has references, often discursive and explanatory, to Diogenes, Alexander, Antisthenes, Pythagoras, Pegasus, Morpheus, Hydra,

[1] See refs. in *Montaigne and Shakespeare*, 2nd ed. p. 299.

Hercules, Hector, Tully, Epicurus, Crœsus (thrice), Esop, Aristippus, Prometheus, Solon, Adrastia, Circe, Dionysius, Tarquin Superbus, Heliogabalus, Helen, Thales, and Cressida, to say nothing of gods and goddesses. It contains such passages as these :

> The advice of Aristippus have in your mind
> Which willed me to seek such things as be permanent. . .
> For treasures here gotten are uncertain and vain,
> But treasures of the mind do continually remain.
>
> Thou never remembrest Thales his sentence,
> Who willeth men in all things to keep a measure,
> Especially in love to incertainty of treasure.

The remarkable interlude called THE FOUR ELEMENTS, with its elaborate argument to prove the roundness of the earth its discussions of natural phenomena, its introduction of the scholastic " Nature Naturate," and its frequent allusions to " cosmography," is a notable reminder that the stage even in the time of Henry VIII could be a source of popular culture as well as of entertainment.[1]

In this fashion, people who could not read might have some acquaintance with the lore of " clerks " ; and common folk whose reading did not go beyond homiletic works could easily meet with a multitude of classical allusions, sufficiently explained. Tyndale's translation of the ENCHIRIDION MILITIS CHRISTIANI of Erasmus, printed in 1533 by Wynkyn de Worde, is a small storehouse of such lore, the many allusions of Erasmus being

[1] Dr. C. W. Wallace, after the most thorough research yet made upon the subject (*The Evolution of the English Drama up to Shakespeare :* Berlin, Reimer, 1912), confidently decides that *The Four Elements* and several of the better Interludes ascribed to Heywood were written by his predecessor Cornish. It may well be so ; but documentary evidence seems still to be lacking. Dr. Wallace holds that the best Interlude work was produced for the court ; and that this play is " evidently " by Cornish (p. 17). Yet it lacks the dramatic character which he ascribes to Cornish's work. In any case, as printed, it appears to have been intended for general performance.

marginally "glossed" by the translator with long elucidations. Thus the English reader was brought into much contact with Plato, reading, for instance, the famous similitude of the cave, and getting accounts of Phocion, Apelles, Crates, Alcibiades, Hesiod, and of Catullus, besides mythic personages such as Prometheus and Pandora, Proteus, Ajax, Achilles, Æneas, Ixion, Tantalus, Hercules and Hydra, Ulysses and the Sirens, &c. &c. Similar allusions must often have been made in the pulpit, though the later Puritan school would tend to shun the scholarly liberalism of Erasmus. In the treatise of the Minister Northbrooke AGAINST DICING, DANCING, PLAYS AND INTERLUDES (1577) there are scores of quotations from both Fathers and pagan writers, with exact translations and much elucidatory comment, embracing a wide range of classical allusion. In the face of such a variety of ordinary sources for matters of ordinary classical knowledge, it is a sufficiently reckless course to credit Shakespeare with scholarly knowledge on the score of the very ordinary classical references in his plays.

Here again, orthodox writers are as deep in fallacy as any of the Baconians. Long ago, Dr. Farmer proved to the satisfaction of the scholars of his generation that the author of the Plays had little classical scholarship, and that the instances put forward by Upton, Lewis Theobald, and others, were all reducible to English sources. The contrary thesis, however, has been zealously revived in recent times by two strongly anti-Baconian scholars, the late Professor Fiske and the late Professor Churton Collins, who drew upon the previous argumentation of Dr. Maginn and Professor Baynes. Having elsewhere[1] discussed at length the "classical" case put by these critics and by Mr. Greenwood, I will first deal with it mainly as it is put by Lord Penzance, who proceeds uncritically upon the data given him by

[1] See the author's *Montaigne and Shakespeare*, 2nd edition, 1909; per index.

Mr. Donnelly and upon the sweeping assertions of several "orthodox" scholars. For Lord Penzance, who could not believe that the Plays were written by the Stratford actor, it is quite certain that their author was "master of French and Italian as well as of Greek and Latin, and capable of quoting and borrowing largely from writers in all these languages," and this mainly because the assertion is made by certain "orthodox" scholars, though he attaches no weight whatever to the authority of these scholars when they contemptuously repudiate the Baconian theory. And he appears to attach equal weight, on the classical question, to the authority of Mr. Donnelly, who appears to have had no classical scholarship whatever. Yet he accepts at the same time,[1] on the authority of Mr. Halliwell-Phillipps, the statement that Shakespeare's "acquaintance with the Latin language throughout his life was of a very limited character," though Mr. Halliwell-Phillipps grounds this verdict largely if not mainly on the internal evidence of the Plays. Lord Penzance does not seem ever to have asked himself what critical method means.

The first piece of evidence offered by him to prove the classical scholarship of the author of the dramas is the familiar citation from 1 HENRY VI (i, 6) :

> Thy promises are like Adonis' gardens,
> That one day bloom'd and fruitful were the next.

It is almost needless to say that Lord Penzance does not once glance at the critical case for the attribution of the HENRY VI plays—Part I in particular—in large measure or wholly to other hands than Shakespeare's. Here he is in accord with the whole Baconian school. Mr. Greenwood, I think, is the only "anti-Stratfordian" writer who realises that a large portion of "Shakespeare" is alien matter; that TITUS ANDRONICUS, for instance, is non-Shakespearean; and that Shakespeare merely wrought

[1] P. 50.

over the HENRY VI group. Lord Penzance was quite unaware, apparently, that a large number of Shakespearean critics, for over a century, have ascribed the bulk of 1 HENRY VI to Marlowe, Peele, and Greene.

But even as to the significance of the particular passage under notice he has, as usual, made no critical investigation. It suffices for him that Mr. Grant White, whose treatment of the Baconian problem he regards as utterly uncritical, made the astonishing assertion that "no mention of any such garden in the classic writings of Greece and Rome is known to scholars, as the learned Bentley first remarked."[1] Even this grossly erroneous passage Lord Penzance quotes without any first-hand investigation, for he goes on [2] to write :

> A recent commentator, James D. Butler, has found out the source of this allusion, says Mr. Donnelly. He pointed out that the couplet might have been suggested by a passage in Plato's *Phædrus*, which he translated thus : "Would a husbandman (said Socrates) who is a man of sense, take the seeds which he values and wishes to be fruitful, and in sober earnest plant them in some garden of Adonis, that he may rejoice when he sees them in eight days appearing in beauty ? "

Now, the very passage here cited from the PHÆDRUS was actually produced by Mr. Grant White in 1869 in his essay on "Glossaries and Lexicons" (reprinted in his STUDIES IN SHAKESPEARE, 1885). There, improving slightly on his note to the passage in his first edition of Shakespeare—where, however, he had already fathered the negative statement on Bentley, and cited Milton's allusion—Mr. Grant White blunderingly writes :

> The mention of Adonis' gardens in *Henry VI*, Pt. I, Act i, Scene 6, *gave Bentley the opportunity* of remarking that there is no authority for the existence of any such gardens, in Greek or Latin writers ; the κῆποι Ἀδώνιδος being mere pots of earth planted with a little fennel and lettuce, which were borne by women on the feast of Adonis, in memory of the lettuce-bed where Venus laid her lover. But Spenser, writing before Shakespeare, says :

[1] Note *in loc.* in his ed. of Shakespeare. [2] P. 60.

> But well I wote by tryale that this same
> All other pleasant places doth excell,
> And callèd is by her lost lover's name,
> The Garden of Adonis, far renown'd by fame.
>
> . . . . . .
>
> Daily they grow and daily forth are sent
> Into the World.
>
> *Faerie Queene*, Book III, Canto 6, st. 29, 36.

And the scholar-poet Milton calls Eden

> Spot more delicious than those gardens feigned
> Or of revived Adonis or renowned
> Alcinous.
>
> *Paradise Lost*, ix, 440.

But, after all, Shakespeare, or the author of the First Part of *King Henry VI*, whoever he was, whether from knowledge or by chance, was more correct, or rather less incorrect, than Spenser or Milton. He does not speak of the gardens of Adonis as a place, or as a spot: he only compares speedily redeemed promises to "Adonis's gardens, that one day bloomed and fruitful were the next." So Plato says in his *Phaedrus*:

> Now do you think that a sensible husbandman would take the seed that he valued, and, wishing to produce a harvest, would seriously, after the summer had begun, scatter it in the gardens of Adonis for the pleasure of seeing it spring up and look green in a week? [1]

When all is said, however, the whole theorem remains a mare's nest. The "gardens of Adonis" referred to in the PHÆDRUS are just the proverbial κῆποι Ἀδώνιδος, the baskets or pots or trays of lettuces or herbs borne by women at the feast of Adonis. What the worshippers did was to plant seeds (or put young plants) in earth, in their trays or pots—here employing a primitive form of "sympathetic magic," now well understood by anthropologists,[2] for the promotion of all plant life. Even as Mr. Donnelly discusses Grant White without reading him, and Lord Penzance copies Mr. Donnelly's citations without reading Mr. Grant White, Mr. Grant White in

[1] *Studies in Shakespeare*, 1885, pp. 296-7.

[2] *See* the classical references and the anthropological explanation in Dr. Frazer's *Adonis, Attis, Osiris*, 1906, ch. ix.

turn had cited Bentley without reading *him*. Bentley's note has no reference whatever to the play. It is to be found in his edition of Milton,[1] wherein he sets forth his theory that PARADISE LOST was (not written by Bacon! but) edited by a fraudulent and incompetent personage who committed many blunders and many forgeries. The allusion to the gardens of Adonis *or* Alcinous gives Bentley the opportunity to convict this imaginary villain at once of bad taste and bad scholarship; and the note is a standing warning of what a scholar may come to under the spell of a fixed idea.

> Our Editor [says Bentley] confesses that those gardens were feigned. Why then brought in here at all? What *Deliciousness* can exist in a fable? or what proportion, what compare, between Truth and Fiction? And then for Solomon's Garden, which he makes real, not mystic, contriv'd it seems for the *sapient King's Dalliance*, our Editor might have had more Sapience than to introduce such silly and prophane Ideas. But if these exceptions do not fully detect his Forgery, what follows, certainly will. He supposes the *Garden of reviv'd Adonis* to be some magnificent and spacious Place, like that of *Alcinous* in *Homer*. There was no such Garden ever existent or even feigned. Κῆποι Ἀδώνιδος, the Gardens of Adonis, so frequently mentioned by Greek writers, Plato, Plutarch, &c., were nothing but portable earthen Pots, with some lettuce or fennel growing in them. On his yearly Festival, every woman carried one of them for *Adonis's* worship, because Venus had once laid him in a lettuce bed. The next day they were thrown away; for the herbs were but raised about a week before, and could not last for want of root. Hence the *Gardens of Adonis* grew to be a proverb of contempt for any fruitless, fading, perishable affair. And now is not a *Garden of Adonis*, a Pot with a few Herbs in't, a proper comparison for the Garden of Paradise? They that can believe Milton guilty of such Ignorance, have not the opinion of his Learning, which I profess to have.

Thus Bentley, cracked but learned still. Mr. Grant White cannot have seen this note, which has no shadow of connection with the passage in 1 HENRY VI, and applies solely to that in Milton. So far from denying that there were references in the classics to "Gardens of Adonis,"

[1] 1732, 4to. Pp. 282-3.

Bentley gives an exact account of what those references convey, contending—rightly enough, at the height of his hallucination, save as regards an overlooked passage in Pliny—that there was no classic mention of *such* Gardens of Adonis as are described by Milton. Had Bentley known his Spenser as he knew his classics, he would have realised that Milton had simply followed his predecessor's wrong lead—unless he and Spenser had alike been misled by Pliny or some Italian poet.[1] Upon this subject there was a comprehensive brawl among the Shakespearean commentators of the eighteenth century, duly recorded in the variorum editions. The only excuse to be made for Spenser and Milton is the passage in Pliny (xix, 4) :

> Antiquitas nihil prius mirata est quàm Hesperidum *hortos* ac regum Adonidos Alcinoi,

which Bentley might justly have dismissed as a mere utterance of Roman error, cited to justify that of two English poets. Mr. Grant White, overlooking all this, and knowing nothing about the point in question, blunderingly applied Bentley's negative to the use of the phrase in 1 HENRY VI, where it is *not* applicable, since the lines there, as he sees later, are loosely compatible with the classic description. In the end, accordingly, he claims for the dramatist a scholarship more accurate than that of Spenser and Milton. But he is still astray. The very nature of his conclusion, raising as it does the question *how* the young Shakespeare could have acquired a wider and more exact scholarship than Milton's, might have startled him into distrust of the whole theorem of the classic scholarship of the author of the Plays. His own, clearly, was neither wide nor exact. If on the one hand he had but consulted the variorum edition, and on the other either looked up Bentley's note, or but turned to

[1] Warton, who does not seem to realise the nature of Spenser's error (*Observations*, ed. 1807, i. 122), mentions no Italian source, but I have some vague recollection of one.

the old Classical Dictionary of his countryman, Professor Anthon, he would have learned that "the expression Ἀδώνιδος κῆποι became proverbial, and was applied to whatever perished previous to the period of maturity"—as is witnessed by the ADAGIA VETERUM, p. 410. The passage in 1 HENRY VI is simply a loose application of this proverbial phrase, and expressly excludes knowledge of the PHÆDRUS, where "eight days" are allowed for the growth of the plants.

Such then, on analysis, is the foundation for Lord Penzance's assertion that "William Shakespeare (if he was the author) had so far progressed in his studies by the month of March 1592, as to have *mastered the Greek language thus early*; and that he had pushed his reading in directions not traversed by the ordinary run of classic readers." We are witnessing a game of literary blind-man's-buff. Nobody in the whole discussion, not even Bentley, turned monomaniac, has drawn a sane inference. Bentley, knowing the classical facts, cannot believe that Milton was ignorant of them. The clear fact is that both Spenser and Milton—the latter copying the former, or both following an Italian poet—were *misled* by the bare traditional phrase, and created in imagination an idea which had no conformity with its historical origin. Spenser commits his error repeatedly—in the FAERIE QUEENE, B. II, c. x, st. 71; in the motto to the canto before cited; in Stanza 39 of the same canto; and in COLIN CLOUT'S COME HOME AGAIN, l. 855. Nor was he the only Elizabethan who so erred. So ripe a scholar as Ben Jonson, probably following Spenser, has the phrase:

> Remember thou art not now in Adonis' garden, but in Cynthia's presence.
>
> *Cynthia's Revels*, v, 3.

Where Spenser, Jonson, and Milton fell short, it was not by dint of deep scholarship that the playwright came nearer the truth. An unquestioning acceptance of Mr. Grant White's fallacious note, and of the fallacies appended

thereto by himself and the Baconians, serves as passport to the wildest generalisations concerning the scholarship of the playwright. It is all in the air. The writer of the lines in 1 HENRY VI was probably Marlowe, who was no very deep classicist, and was here merely employing a classic commonplace. But Shakespeare, much less of a classicist still, *might* very well have known it as such.

In this connection it may be well to note a cognate error on the part of Mr. Grant White, whose fundamental mistakes as to the legal and classical knowledge in the Plays have given so much countenance to the Baconian theory, which he contemned. In the same essay on "Glossaries and Lexicons," dealing with Achilles' speech in TROILUS AND CRESSIDA (iii, 3) as to the eye being unable to see itself, he quotes from Plato's FIRST ALCIBIADES this passage :

> We may take the analogy of the eye. The eye sees not itself, but from some other thing ; for instance, a mirror. But the eye can see itself also by reflection in another eye ; not by looking at any other part of a man, but at the eye only ;

remarking that the "similarity of thought between it and Achilles' speech . . . seems quite inexplicable, except on the supposition that Shakespeare was acquainted with what Plato wrote." Now, as Mr. Grant White ought again to have remembered, the commentators long ago pointed out, on the similar passage in JULIUS CÆSAR (i, 2), that in Sir John Davies' poem NOSCE TEIPSUM (1599), the classicism about the eye being unable to see itself is fully elaborated (Grosart's ed. i, 20, 25) :

> It is because the mind is like the eye
> Through which it gathers knowledge by degres—
> Whose rays reflect not, but spread outwardly :
> Not seeing itself when other things it sees.
>
> Mine eyes, which view all objects, nigh and far,
> Look not into this little world of mine,
> Nor see my face, wherein they fixed are.

That Shakespeare[1] had read Davies' poem, whether or not he found the idea there for the first time, is nearly certain, in view of the fact that in TROILUS AND CRESSIDA he twice uses the phrase "spirits of sense," which is thrice used in NOSCE TEIPSUM. But, further, as I have elsewhere pointed out,[2] the classicism about the eye was available to him in Cicero's TUSCULANS, which had been translated by Dolman in 1561; and the expatiation on this and other themes in the speeches of Achilles and Ulysses, and in the analogous passages in MEASURE FOR MEASURE (i, 1), could all have been derived by him from Davies *plus* passages in Cicero and Seneca which lay to his hand in Florio's translation of Montaigne. The late Professor Churton Collins, who independently advanced the reference to Plato's FIRST ALCIBIADES for the same purpose, has wasted his labour like Mr. Grant White, for lack of resort to the comparative method.

Returning to Lord Penzance, we find him accepting as perfectly conclusive the allegation of Charles Knight, who in turn was no classical scholar, that

> the marvellous accuracy, the real and substantial learning, of the three Roman plays of Shakespeare, present the most complete evidence to our minds that they were the result of a profound study of the whole range of Roman history, including the nicer details of Roman manners, not in those days to be acquired in a compendious form, but to be brought out by diligent reading alone.[3]

Over such utterances one has a discouraging sense of the waste of time and thought set up in all fields of criticism by heedless assertion. No scholar will to-day grant a tithe of the claim made by Knight for Shakespeare in regard to Roman history, even if we put aside the consideration that JULIUS CÆSAR is probably founded on or inclusive of other men's work, of which, in the

[1] Whether or not we assume him to have written originally the whole of *Julius Cæsar*.

[2] *Montaigne and Shakespeare*, 2nd ed. pp. 95–105.

[3] *Biography of Shakespeare*, p. 61.

judgment of some of us, there are palpable remains in the extant play.[1] It is now perfectly well established that Shakespeare drew for his Roman plays mainly on North's translation of Amyot's Plutarch;[2] that where

[1] As to this problem, see Fleay's argument (*Life of Shakespeare*, p. 215) to the effect that the play is a condensation of two, a *Cæsar's Tragedy* and a *Cæsar's Revenge*. "That the present play has been greatly shortened," remarks Fleay, "is shown by the singularly large number of instances in which mute characters are on the stage; which is totally at variance with Shakespeare's usual practice. The large number of incomplete lines in every possible position, even in the middle of speeches, confirms this point." Fleay's theory has not been duly considered by later critics, though they have noted Gildon's remark that the play is rather a *Brutus* than a *Cæsar;* and though Craik had argued (*The English of Shakespeare*, 6th ed. p. 55) that "it might almost be suspected that the complete and full-length Cæsar had been carefully reserved for another drama." The question arises: If the play be a condensation, what and whose work does it condense? As we have no text before that of the Folio, it is impossible to say that Shakespeare has not taken up the composite performance of Dekker, Munday, Drayton, Webster, and Middleton, entitled *Cæsar's Fall* (or "The Two Shapes") mentioned in Henslowe's Diary, May 22, 29, 1602. Unless this can be excluded, the view that Drayton copied Shakespeare in the phrase about "the elements . . . so mixed" cannot be established. Professor MacCallum, in discussing the point in his *Shakespeare's Roman Plays*, takes no account of the possibilities of mixed authorship, though these are obtruded by the style of much of the play; and though a recognition of them would suggest a solution of the anomalies in the characterisation, on which he dwells.

[2] See Professor MacCallum's *Shakespeare's Roman Plays and their Background*, 1910, Appendices, as to the possible use of Appian (of which Bynniman's translation had been published in 1578) in *Julius Cæsar*, and the very probable use of it in *Antony and Cleopatra*. For *Coriolanus* there appears to be no source save North's Plutarch. But all along Shakespeare's own creative genius vivifies and expands his material, achieving what mere "culture" could never do. As to his possible knowledge of Garnier's *Marc Antoine* or the Countess of Pembroke's translation, of Garnier's *Cléopatre* or Daniel's translation, and of Garnier's *Cornélie* or Kyd's translation, see the same work, introd. §3. That Shakespeare recalled some lines of Kyd's version of Garnier's *Cornélie* in the speech of Antony to Eros, IV, xiv, 72, was long ago suggested by Steevens (Reed's ed. of Dodsley, 1780, ii, 263).

North errs, following Amyot, Shakespeare errs, following North; that at no point does he supplement him; and that, in his ignorance or disregard of chronology, he makes additional mistakes of his own. The blunder of making Lartius speak of Cato (COR. I, v, 59) as a contemporary or predecessor, is one of these. The blunder about "the napless vesture of humility" (COR. II, i, 224) is another, made through following North, who took Amyot's "*robbe simple*" to mean "a poor gown." The Baconians and the critics who persist in assigning TITUS ANDRONICUS to Shakespeare have alike failed to realise that the writer of the "*Candidatus*" passage in that play knew the fact that public men seeking office in Rome wore a white toga, whereas the writer of CORIOLANUS knew of no such usage. To ascribe to him profound and exact knowledge of Roman history in the face of such facts as these is but to exhibit superficiality and inaccuracy.

(2) *Mr. G. G. Greenwood*

In the whole of this discussion we have a standing illustration of the vitiating force of a prepossession. It was an idolatrous prepossession that set scholars like Upton and Theobald in the eighteenth century upon crediting Shakespeare with high scholarship. Farmer appreciated Shakespeare as much as they did; but his habit of comparative scholarship and his inductive faculty made clear to him their error. Later idolaters and Baconians alike have visibly hated him for his pains. "Anti-Stratfordians" like my friend Mr. G. G. Greenwood, setting out with a primary ideal of a highly "cultured" mind as being alone capable of writing "Shakespeare," clutch desperately at every semblance of classical knowledge which the plays and poems present; and, fiercely intolerant of any semblance of too-ready belief on the "Stratfordian" side, are profuse of their "certainlys" and "undoubtedlys" over the merest shadows

of evidence for their own faith. Mr. Greenwood, I see, takes me to task[1] for representing him as claiming to prove Shakespeare's familiarity with Horace on the strength of two lines of a hackneyed quotation, when in point of fact he had *in another passage* extended the two lines to four. I cheerfully allow the correction, noting afresh the absurd exiguity of the case as thus stated. Had Mr. Greenwood come to the thesis of the scholarship of the plays in the temper in which he handles what he calls the "tradition" of the authorship, he would have laughed to scorn the notion that a writer's "scholarship" is to be proved by a few scraps of translated quotation, all of the most hackneyed order. He labours to persuade us that when Shakespeare wrote "Most sure, the goddess," he must[2] have remembered, in the original, Virgil's "O dea certe!" Well, supposing the poet had remembered the whole passage, where is the proof of "scholarship"? Supposing that, without blenching over Mr. Greenwood's amusingly violent conjunction of Miranda's "certainly a maid" with Venus's "Virginibus Tyriis mos est," we allow that Shakespeare may well have read that and more of Virgil at school, how much nearer are we, in the name of common sense, to proving "wide familiarity with the classics," the now modified form to which Mr. Greenwood reduces his former claim of "remarkable classical attainments"?[3] On a perfectly straightforward induction, we are not entitled even to claim that the poet had "O dea certe" in mind. Such lines as Chapman's:

> Without all question, 'twas a God, the Gods are easily known,
> Trans. of *Iliad*, xiii, 69;

[1] *The Vindicators of Shakespeare*, (*n.d.*), p. 133.

[2] "It can hardly be doubted," are his words, p. 96.

[3] "The proof" that the dramatist had "a large knowledge of Latin," he originally declared, "is so cogent that it cannot be disputed" (p. 102)—this after deriding every "certainly" and "doubtless" of the "Stratfordians." The claim is simply ridiculous; and the assertion as to "a very fair amount of Greek" is no better.

> These ears and these self eyes approved
> It was a Goddess,
>
> *Id.* xxiv, 209–10 ;
>
> Straight he [Achilles] knew her [Athênê] by her eyes, so terrible they were.
>
> *Id.* i, 204 ;
>
> Whose [Aphroditê's] virtue Helen felt and knew, by her so radiant eyes,
>
> *Id.* iii, 415,

should serve to remind us that, apart from direct translations, Elizabethan *belles lettres* were steeped in classical allusion of every kind, and that no poet could miss knowing many such passages, whatever may have been his schooling. Mr. Greenwood, without going to Farmer for himself, does not scruple to cite from Mr. Churton Collins—whose judgment he elsewhere derides—the charge that Farmer is silent "on almost all the classical parallels which are really worth considering." That charge was disingenuous in the highest degree ; and Mr. Greenwood's reproduction of it without investigation is a confession of critical insolvency. Farmer dealt with all parallels of any importance that had in his day been put forward ; and Mr. Churton Collins has but advanced equally untenable parallels, of which Farmer could have disposed at a glance. The argument (of Mr. Collins) on which Mr. Greenwood relies seems to be that Shakespeare was as likely to have gone to Virgil or Ovid as "to spell out mediæval homilies and archaic Scotch." This again is mere misrepresentation on Mr. Collins's part. Stanyhurst's Virgil is not mediæval homily or archaic Scotch ; and Farmer's point was that the phrase could have *currency* in English. But the essential thing is that the passages founded on are never such as a poet would "go to" a classic for, but passages and phrases such as were in the mouths of all men who affected literature. Neither Mr. Collins nor Mr. Greenwood has made the slightest attempt to meet Farmer's point, that Taylor, the water-poet, who avowed his failure to get through

the Latin accidence, and his ignorance of all languages but his own, has a far greater number of classical allusions than occur in all the Shakespeare plays.

In his determination to deny the possibility of any use of translations by an Elizabethan dramatist, Mr. Greenwood, like Mr. Collins, falls into complete misapprehension and distortion of an opponent's statement. He thus represents me as having found a cheap "solution" for the small element of classical knowledge in the LUCRECE :

> Shakespeare, "having decided to write a LUCRECE as contrast to the VENUS,"[1] may have "had a translation made for him"! In this easy manner difficulties are jauntily disposed of *per saltum*.

Now, what I actually wrote was : "It is *not impossible, indeed,*" that Shakespeare may have had a translation made for him " . . . *but that hypothesis is unnecessary.*" The "indeed," one would suppose, must have led any reader, however hasty, to note the waiving of the possible plea. In the passage from which Mr. Greenwood quotes, I expressly proceed to indicate that, according to one testimony, there *was* a translation of the FASTI, published in 1570, and that there certainly were three "ballads," which might mean poems, or even plays, of any length. Of all this Mr. Greenwood's readers could have no notion from the kind of account he has given of my argument.

In this connection Mr. Greenwood endorses another of Mr. Collins's arguments which, upon any other issue, he would have seen to be worthless. Whereas I had spoken of "the many manuscript translations then in currency" of Latin poetry, he cites Mr. Collins's statement that in the British Museum MSS. "there are only two versions from *classical dramatists* which can be assigned to the sixteenth century," and that "this seems proof positive that classical translations could not have *circulated on a large scale.*" Mr. Collins's language might

[1] Ref. to *Montaigne and Shakespeare*, 2nd ed. p. 314.

almost have been specially chosen in order to obscure the problem. The reason for believing that MS. translations of Latin poetry were numerous in Shakespeare's day are manifold; and I confess to being astonished that any one, even in the ardour of an *idée fixe*, should doubt the likelihood. The argument from the lack of *preserved* MSS. is surprisingly uncritical. Lady Lumley's translation of the IPHIGENEIA IN AULIS, made about 1530, might well be preserved by her family; but who would lay store by a contemporary manuscript version of the FASTI made about 1590? That actual versions even of Greek plays were not all preserved we do know. Mr. Collins ought to have been aware that Peele translated one of the two IPHIGENEIAS of Euripides, and that *that* translation is not extant. But translations from Ovid, if not by noted poets, or if unmarked by special merit, would be much more likely to be let go as old scribblings.

It is a question of supply and demand. I have seen a number of French MS. versions, made in the eighteenth century, from the works of English deists, of which translations were printed. The MS. versions, which were fair copies, may, for aught I know, have been made either before or after those actually printed; in those days even printed deistical books soon became scarce through seizures and destructions; and fresh versions might readily be made by enthusiastic readers for their friends. Of the genuine and complete TESTAMENT DE JEAN MESLIER a good many MS. copies are known to have been current in the eighteenth century, but not till late in the nineteenth was one recovered for a printed edition. The MSS. seen by me were not in the Bibliothèque Nationale, but in a Paris bookseller's shop. If such MSS. translations from English into French were current in France in the eighteenth century, why should any one doubt that the habit of doing MS. versions of Latin poetry, certainly common since, was common in Shakespeare's day? Did Mr. Greenwood, I wonder, never

do such translations in his youth; and, if so, has he preserved them?[1]

The question of the source of the COMEDY OF ERRORS moves Mr. Greenwood to further exclaim against all who suggest that the author of the plays ever used a translation, though he is perfectly well aware that North's Plutarch was "certainly" used for the composition of the three Roman plays. Not content with insisting that Warner's translation of the MENÆCHMI is not to be traced anywhere in the COMEDY,[2] he protests against the natural surmise that the play is founded on the old HISTORIE OF ERROR recorded to have been played before Elizabeth "by the children of Powles" in 1576–77. "Nothing at all," says Mr. Greenwood, "is known about this early play." After all, we do know that there was such a play, and Mr. Greenwood should let that count for something. He has committed himself to a theory of the authorship of the plays by a man of whom he professes to know not even the name. Is all the latitude of hypothesis to be one way? But the question is otiose; and in the interests of rational Shakespeare-criticism I will simply indicate what seems to me the reasonable view of the genesis of the early play, as to which Mr. Greenwood appears to halt oddly between two opinions.

It is really not in the least necessary to find a given original for the COMEDY. The essential point is that it is a composite work. Any one who will carefully scan the first two scenes will note that in the first, which has 152 blank-verse lines, the double-endings are only 2 per

[1] I can remember doing, in my early teens, a punctilious translation of the Life of Hannibal (then my favourite hero) from Cornelius Nepos; and in my later teens, versions from Catullus, Horace, Boileau, &c. Three hundred years hence, doubtless, even those humble performances might be catalogued if they should then exist. But they certainly will not!

[2] This, of course, is no proof that Warner's version had not been used. I may point out to Mr. Greenwood, who is so contemptuous of any "manuscript" suggestion, that the printer's

cent ; while in the second, with 103 blank-verse lines, the double-endings number 25 —over 24 per cent. I know no theory of verse evolution which would ascribe the two scenes to the same hand in the same period. But whereas Shakespeare, like the preceding poets, can broadly be seen to have *increased* his proportion of double-endings as he progressed in his art, the first scene of the COMEDY, which has only three double-endings, is much better and more pregnant in style than the shorter second scene, which has twenty-five. No such diffuse verse as that is to be found in any unquestioned work of his at the time at which he used any such large proportion of double-endings.[1] The verse of the second scene, with all its double-endings, is mostly end-stopped—a sure mark of early work. Then the second scene is not Shakespeare's, to begin with ; and the disparity of styles is to be noted throughout the play.

Two alternative inferences are open. The play may have been one of collaboration, or it may have been an adaptation by Shakespeare of a previous work. There is certainly no trace of versification in the style of 1576 : the double-endings in the second scene could hardly be dated earlier than 1591 for any author ; and the theory of collaboration is therefore the more likely one. But on either theory we are relieved of the problem of the classic " source " ; for the collaborator may have known his Plautus without resort either to Warner or to the HISTORIE OF ERROR ; and it is the collaborator (or previous writer) who begins the Plautine work of the play.

By this strictly inductive line of inference we reach a view of Shakespeare's early work which clears up other

advertisement to Warner's translation (entered in 1594) expressly states that it had been circulated for some time in MS.

[1] His share in *Richard III*, where the double-endings are so numerous, has long been in dispute. I have always held that play to be but a partial recast of other men's work—Marlowe's and Kyd's, for choice.

mystifications. For my own part, I have always insisted on a loyal acceptance of Shakespeare's own express declaration that VENUS AND ADONIS was the "first heir of his invention";[1] and I have never been able to believe that he would have kept such a work by him for years unpublished. The only justifiable interpretation of his phrase is "the first work *planned and composed* by me." Standing to that interpretation, I have always argued that the dramatic work done by him before 1593 was but collaboration or adaptation. But I never held, as Mr. Greenwood so strangely assumes in his SHAKESPEARE PROBLEM RESTATED, that Shakespeare had done no dramatic writing before 1593. Mr. Greenwood puts the case thus :[2]

> Mr. J. M. Robertson, too, roundly asserts that we must take Shakespeare strictly at his word, and believes, since *Venus* and *Adonis* was the first heir of his invention, *that all the plays were written subsequently to that date.* If so, these eleven, twelve ["the Meres list"] or more dramas must have been composed by Shakespeare, and brought upon the stage (if not also published) between 1593 and 1598. If Mr. Robertson can believe this, he has indeed great faith, which seems to be reserved for the Stratfordian Gospel only, *Credat Judæus, non ego!*

I regret to observe that my friend, who is always so scrupulously respectful to the wildest theses of the Baconians, resorts to his "Credat Judæus" only when he is exclaiming at a "Stratfordian" thesis which he has entirely misunderstood, or at some point where his own view is demonstrably the irrational one.[3] It is his indiscriminating zeal for his own thesis of an absolutely unknown and untraceable author—in regard to whom his "faith" is truly transcendental—that has led him so hopelessly to misconceive me. Yet his own footnote to the very passage I have quoted shows him to have

[1] As to this see *Did Shakespeare write "Titus Andronicus"?* pp. 22-23.

[2] Work cited, p. 517.

[3] See above, p. 177.

had the facts in view. To the words above italicised by me he has appended the note :

> With this *alternative*, however, viz. that " Shakespeare for the best reasons would not regard as heirs of his invention plays in which he used other men's drafts or shared with others the task of composition " (*Did Shakespeare write 'Titus Andronicus'?* p. 29). It is suggested therefore that he had collaborators [I wrote " collaborators or draughtsmen "] for *The Two Gentlemen, Love's Labour's Lost, The Comedy of Errors*, the *Dream, Richard II*, and other early plays.

Thus Mr. Greenwood had my real opinion before him. What he oddly calls an alternative is the substantive thesis. Why then did he leave standing in the text his complete misconception of it? Apparently a fling at " the Stratfordian Gospel " could not be foregone. If Mr. Greenwood could only get his " Stratfordian " troubles out of his head, he would, with his power to recognise the non-Shakespearean character of TITUS ANDRONICUS, soon realize that the loyal construction of " first heir of my invention " brings everything into line. The only plays commonly dated before 1598 which we have good ground for pronouncing wholly Shakespearean in style are THE MERCHANT OF VENICE and HENRY IV. With Fleay, indeed, I am willing to date the first draft of TWELFTH NIGHT as early as 1594, agreeing with him that the play was certainly revised or rewritten later. It may, in my opinion, have been the LOVE'S LABOUR'S WON of Meres' list, though it only imperfectly answers to that title. But whether we assign that title to TWELFTH NIGHT or to MUCH ADO or to ALL'S WELL, and date the first form of any one of them before 1598; and whether or not we give Shakespeare the whole of the TWO GENTLEMEN[1] (I prefer to posit a foundation play by Greene), we have no difficulty about placing the plays in question between 1593 and 1598. On the other hand there can be no reasonable doubt that of the plays indicated by

[1] Some critics have doubted the genuineness of the entire play.

me as works of collaboration or adaptation a number were written before 1593, as were the HENRY VI group. I would only add that I see nothing of Shakespeare in TITUS, nothing in 1 HENRY VI, and next to nothing in the SHREW.

If the reader will keep in view these last propositions, he may be assisted in his scrutiny of the "classical" thesis, as put by Baconians and others. Quantitatively, the classical case, as regards direct classical allusions and quotations, points precisely to the most doubtful of all the plays published as Shakespeare's in the Folio. This alone is surely a reason for vigilant examination of the general ascription to the dramatist of a "wide knowledge of the classics." Mr. Greenwood, who is so confident about the Latin scholarship of the playwright, agrees with me in dismissing TITUS and most of the HENRY VI group; and I do not see how he can differ from the mass of critical opinion as to the SHREW; yet it is on these plays that the bulk of the classical case, which he supports, is founded. But it is only rarely that we need even recall this particular ground for demurrer. The Baconian case, as we have thus far examined it, and as it presents itself in the writers dealt with in the following sections, consists in imputing classical scholarship for every semblance of a classical allusion, and generally collapses on the first application of comparative tests.

(3) *Dr. R. M. Theobald*[1]

Dr. Theobald follows up Mr. Donnelly in this as in other matters, naturally making the most of what had been said by idolatrous commentators, in particular Mr. and Mrs. Cowden Clarke, of the "miraculous" quality of the classical learning shown in the plays. Taking these and other pronouncements as unchallenged, taking Leigh Hunt's verdict (that Shakespeare's poetry is if

[1] *Shakespeare Studies in Baconian Light*, ed. 1904, ch. xiii.

anything "too learned") as one which "completely disposes of Milton's uncritical lines," and without saying a word of the old ESSAY ON THE LEARNING OF SHAKESPEARE by Dr. Farmer, he proceeds in the customary Baconian way to claim that Shakespeare, the actor, cannot have had the scholarship thus ascribed. "The poet was assuredly no untutored child of nature, but a scholar and a man of the world." "The unbiassed, uncritical [*sic!*] reader of the poems must inevitably conclude that the Poet *was* a learned man, and that neither genius, nor good fellowship, nor cribs can account for the classic element in his writings." "There can be no doubt that if there were no controversial necessity for maintaining that William Shakespeare was a very" [who said *very*?[1]] "imperfectly educated man, if it could be proved that he . . . had had a university education and acquired a complete mastery of the classic languages and literature, . . . no one would hesitate to accept the very strong indications of scholarship in the poems as . . . entirely characteristic of such antecedents and training."

Such are the preliminary assertions: let us come to the proofs. After all his parade of asserted abundance of classic learning and allusion in the plays, Dr. Theobald dutifully proceeds to repeat,[2] after Mr. Donnelly and the rest:

1. The argument which we have fully dealt with above (p. 189), helplessly copied from Richard Grant White, as to the derivation from Plato of the passage in TROILUS

[1] Mr. Greenwood, noticing in his *Vindicators of Shakespeare* my demurrer to his assumption that the view opposed to his ascribed ignorance and complete lack of culture to the Poet, pleasantly observes that I "admit" I do not entertain such an idea; but adds: "Such an idea has been held and maintained by many" (p. 136). What I want to know is, who were they?

[2] For most of his references, he admits, he is "indebted either to Stapfer or Lewis Theobald." Work cited, p. 305. I take his selection as showing what Baconians are disposed to stand to.

about the eye not seeing itself. On that head, no further refutation is needed.

2. Next comes the other well-worn plea from the "most profound and philosophic discussion" in HENRY V (I, ii, 180–213), "of the mutual dependence of different offices and functions in a government, which is compared to the structure of a harmonic combination in music. This idea," we are dogmatically assured, "is taken from a portion of Cicero's long lost treatise DE REPUBLICA, a fragment of which is preserved by St. Augustine." Charles Knight is of course quoted, to the effect that "the lines of Shakespeare are more deeply imbued with Platonic philosophy than the passage of Cicero," so that Shakespeare had inferribly read Plato's REPUBLIC in the original.

We have here the standing illustration of the childish position that Shakespeare had read deeply in the Greek and Latin classics, only to produce a few references to commonplaces which had for centuries been themes of didactic writing. He is assumed on the one hand to have gone to Augustine for the fragment of Cicero, though he gives no other sign of having read the DE CIVITATE DEI; and he is held on the other hand to have read Plato's REPUBLIC, though he nowhere else seems to quote it. Knight solemnly averred that the passage "develops unquestionably the great Platonic doctrine of the Tri-unity of the three great principles in man with the idea of a State." It is all a futile mystification. The Baconians cannot even pretend that the passage is duplicated in Bacon: they do but take for granted that, being "classic," it must be from Bacon's pen. Obviously, the passage is ultimately traceable to Augustine's quotation from Cicero; and if Shakespeare *had* seen that in the original, his small Latin might suffice to translate it. But it is idle to make such an assumption in regard to a passage so likely to be dilated upon by divines and moralists. Richard Grant White, whose

far-fetched parallel between Plato and the TROILUS passage has fooled the Baconians to the top of their bent, swung to the other extreme when he wrote[1] that "it is more than superfluous to seek, as some have sought, in Cicero's DE REPUBLICA the origin of this simile; for that book was lost to literature, and unknown, except by name, until Angelo Mai discovered it upon a palimpsest in the Vatican, and gave it to the world in 1822." A professed commentator might have been supposed to know that Lewis Theobald in his notes on his edition cited the very passage in question from the DE CIVITATE DEI. "Cicero," adds White, "very probably borrowed the fancy from Plato; but it was not Shakespeare's way to go so far for that which lay near to hand." *This* opinion is ignored by the Baconians. They might indeed reply that the expressions "through high and low and lower, put into parts, doth keep in one concent . . . like music," do point specially to Cicero's "Sic *ex summis, et mediis et in infimis interjectis* ordinibus, *ut sonis . . . consensu dissimiliorum concinere;* et quæ harmonia a musicis . . . in civitate concordiam." But the reasonable inference is that the passage had often been applied to politics by previous writers.

The passage cited from HENRY V is followed by the well-known one on the polity of the bees, which Malone long ago showed to be substantially derived from EUPHUES AND HIS ENGLAND. But there are other clues. The theme of "the state of man" is handled afresh in TROILUS, which the Baconians do not cite in this connection. But both passages suggest very distinctly reminiscences of Elyot's BOKE OF THE GOVERNOUR, or of some discourse or discourses which drew upon that and upon Lilly. Elyot insists on "degree," and "higher and lower," and he combines with his thesis the illustration of the bees' commonwealth. The first chapter of THE GOVERNOUR

[1] *Essay on Shakespeare's Genius*, pref. to ed. of Works, vol. i, p. ccxxv.

sets out with a pointed discrimination between "publike weale" and "commune weale," the latter term being condemned (with an obvious aim at Sir Thomas More) as suggesting "that every thinge should be to all men in commune." Elyot dwells on

> the discrepance of *degrees*, whereof proceedeth ordre. . . Moreover, take away *ordre* from all things, what should then remayne? Certes nothynge finally, except some man would imagine eft soones *Chaos*. . . . Where there is any lacke of ordre needes must be perpertuall conflicte; and in thynges subiecte to Nature *nothynge of hym self only may be norisshed;* but when he hath destroyed that wherewith he doth participate by the ordre of his creation, he himselfe of necessite must then perisshe, whereof ensueth universal dissolution. . . .
>
> Hath not [God] set *degrees* and estates in all his glorious workes? Fyrst in his hevenly ministres, whom . . . he hath constituted to be in divers *degrees* called hierarchies. Beholde the four elements whereof the body of man is compacte, how they be set in their places called spheris, *higher or lower*, . . . so that in every thing is ordre, and without ordre may be nothing stable or permanent, and it may not be called ordre, except it do conteyne it in *degrees, high and base*. . . And like as . . . the fire which is the most pure of elements . . . is deputed to the highest sphere or place. . . .

In the second chapter follows an account of the life of the bees:

> *lefte to man by nature*, as it seemeth a perpetuall figure of *a just governance or rule*, who hath among them one principall Bee for their governeur, who excelleth all other in greatness, yet hath he no prick or stinge. . . . The capitayne hym selfe laboureth not for his sustenance, but all the other for him; he only seeth that if any drone or other unprofitable bee entreth into the hyve . . . that he be immediately expelled from that company. . . .

Compare Shakespeare:

> While that the armed hand doth fight abroad
> The advised head defends itself at home.
> For government, through *high and low and lower*
> Put into parts, doth keep in one concent. . . .
> Therefore doth heaven divide
> The state of man in divers functions. . . .

To which is fixed, as an aim or butt,
Obedience ; for so work the honey bees,
Creatures that *by a rule in nature*, teach
The act of *order* to a peopled kingdom.
They have a king. . . .
Who, busied in his majesty surveys . . . .
Delivering o'er to executors pale
The lazy yawning drone.

Henry V. i. 2.

When that the general is not like the hive,
To whom the foragers shall all repair,
What honey is expected ? *Degree* being vizarded,
The unworthiest shows as fairly in the mask.
The heavens themselves, the planets and the centre,
Observe *degree*. . . .
And therefore is the glorious planet Sol
In noble eminence enthroned and sphered. . . .
O, when *degree* is shaked
Which is the ladder to all high designs,
Then enterprise is sick ! How should communities,
Degrees in schools, and brotherhoods in cities. . . .
But by *degree*, stand in authentic place ?
Take but *degree* away, untune that string
And hark, what discord follows ! each thing meets
In mere oppugnancy. . . .
Great Agamemnon,
This *chaos*, when *degree* is suffocate,
Follows the choking. . . .

Troilus and Cressida, i, 3.

It does not follow that Shakespeare had Elyot directly in mind when he wrote : the general topic is obviously likely to have been commented often between Elyot's day and his. Long before Elyot and Lilly, Bartholomew had discoursed imaginatively of the bees in his cyclopædia *De proprietatibus rerum* ;[1] and a hundred homilists must have handled the theme. But *some* line of connection between Elyot and Shakespeare there surely was ; and there is no need to make the latter resort to Augustine for ideas so certainly current in his own tongue, whether

[1] See the extracts from Berthelet's ed. (1535) of Trevisa's trans. in Dr. Seager's *Natural History in Shakespeare's Time*, 1896, pp. 32–33.

written or spoken. The Baconians should be the last people to dispute that Shakespeare had read and remembered either Elyot's treatise or others which drew from it and from Bartholomew. Had they found any such "echoes and correspondencies" between Shakespeare and Bacon, they would have been glad to rest their whole case upon them. For the rest of us it is sufficient to say that Shakespeare certainly did thus utilise English books and discourses; and that, this being clear, it is worse than idle to ascribe to him Greek and Latin erudition to account for his knowledge of a few classical commonplaces. And still more futile, in this connection, is the Baconian hypothesis. Dr. Theobald does not make out one verbal coincidence between Shakespeare and Bacon in respect of the "Platonic" passages, familiar as were the commonplaces they set forth.

3. Dr. Theobald reproduces the parallel between Hamlet's

> Lay her i' the earth,
> And from her fair and unpolluted flesh
> May violets spring!

and Persius'

> Non nunc e manibus istis,
> Non nunc e tumulo, fortunatâque favilla,
> Nascentur violae?

As I have elsewhere[1] pointed out, the second and third lines cited from Persius are quoted by Montaigne in his essay OF GLORY, and are duly translated by Florio (1603). As there are a number of clear echoes of Montaigne in HAMLET, the reasonable presumption is that Shakespeare found them there. But

4. Shakespeare speaks of "method in madness" in HAMLET, II, ii, 207; M. FOR M., V, i, 63; and LEAR, IV, vi, 178–9. This Dr. Theobald refers to Horace:

> Insanire paret certâ ratione modoque,
> *Sat.* II, iii, 271;

[1] *Montaigne and Shakespeare*, 2nd ed. 1909, section on "The Learning of Shakespeare," p. 329.

citing in this connection Bacon's "cum ratione quâdam et prudentiâ insanirent" (NOV. ORG. pref.), and an extract in the PROMUS from Horace, SAT. II, iii, 120. *This* item Shakespeare might very well have known with "small Latin." But the first two Books of the Satires had been twice translated in English—by Lucas Evans in 1564, and by B. L. in 1567; and the whole of the Satires, with the Art of Poetry and the Epistles, by Thomas Drant in 1567.

5. As might have been expected, the "undiscover'd country" lines in HAMLET are by Dr. Theobald as by his predecessors affirmed to be "evidently taken from Catullus"; though Dr. Theobald does not repeat Mr. Donnelly's exploit with the "brief candle" rendering of *brevis lux*. I must repeat here, what I have pointed out elsewhere, that the old commentators cited for the line in question the phrase in Sandford's translation of Cornelius Agrippa (*circa* 1570: described by Steevens as "once a book of uncommon popularity"): "The countrie of the dead is irremeable, that they cannot return"; and the parallel in Marlowe's EDWARD II:

> Weep not for Mortimer,
> That scorns the world, and as a *traveller*,
> Goes to *discover* countries yet unknown.

The Catullus derivation is thus one more delusion.

6. Dr. Theobald, however, undertakes to show "many other quotations from Catullus." He cites from 2 HENRY IV, I, i, 47, the phrase "devour the way," claiming to be the first to refer it to "its classic source" in Catullus (xxxiii):

> Quare, si sapiet, viam vorabit.

The variorum edition would have informed him that Blackstone and Malone between them traced it to Nemesian—

> latumque fuga consumere campum.

But it would further have referred him to Job xxxix:

"He swalloweth the ground with fierceness and rage," and to Ben Jonson's SEJANUS (v, 10, near end):

> With that speed and heat of appetite
> With which they greedily devour the way
> To some great sports.

It was evidently a current trope, like Ariel's "I drink the air."

7. Parallels between Miranda's "I am your wife" speech (TEMPEST, III, i, 83) and Ariadne's cry in Catullus' EPITHALAMIUM PELEI ET THETIDOS (158 *sq.*):

> Si tibi non corda fuerant connubia nostra, &c.;

and again between Catullus' *lenta vitis* lines (IN NUPTIAS JULIÆ ET MANLII, 106 *sq.*) and Adriana's

> Thou art an elm, my husband, I a vine,
> (*Comedy of Errors*, II, ii, 176 *sq.*)

are really not worth discussing. The image is of universal vogue, *e.g.*:

> As the Vine married unto the Elme
> With strict embraces.
> Daniel, *Complaint of Rosamond*, 1592, ll. 829–30.

And it is nearly always those universally current tropes that are cited to prove Shakespeare's classical scholarship.

8. Of course the lines:

> What stronger breastplate than a heart untainted?
> Thrice is he arm'd that hath his quarrel just
> (*2 Henry VI*, III, ii, 232),

must be derived from the equally familiar lines:

> Illi robur et aes triplex
> Circa pectus erat.
> Horace, *Carm.* I, iii, 9–10.

In vain did Malone point out that in LUST'S DOMINION, an old play probably in part by Marlowe (*circa* 1588) occur the lines:

> Come, Moor; I'm arm'd with more than complete steel,
> The justice of my quarrel.

Those cited from 2 HENRY VI are almost certainly

non-Shakespearean. In any case they are *not* the equivalent of the Horatian phrase.[1]

9. Dr. Theobald naturally affirms that the allusion to Roman lachrimatories in ANTONY (I, iii, 63) is "very remarkable" for its "classic learning," "referring as it does to usages not likely to be familiar to an unlearned writer." It is as likely to have been known to English readers in Shakespeare's day as the Roman usage of burning the dead.

10. "When Aegon begins the story of his life with :

> A heavier task could not have been imposed
> Than I to speak my griefs unspeakable"
>
> (*Com. Er.* I, i, 32),

says Dr. Theobald, "the poet *must* certainly have had in his mind the well-known line of Virgil :

> Infandum, regina, jubes renovare dolorem."

And if he had, he was only referring to one of the most hackneyed lines in Latin literature, which he had paraphrased to his hand in Marlowe and Nashe's DIDO, 1594 :

> A woeful tale bids Dido to unfold,
> Whose memory, like pale Death's stormy mace,
> Beats forth my senses from this troubled breast.

But in neither case do we have a close resemblance.

11. "In the same speech," adds our Baconian, "when he says :

> For what obscured light the heavens did grant
> Did but convey unto our fearful minds
> A doubtful warrant of immediate death.

[1] In discussing many other passages of plays which I believe to have been only worked over, adapted, or collaborated-in by Shakespeare, I make no attempt to meet the Baconian argument by suggesting other authorship. To such a consideration Baconians seem to be impervious ; and in nearly every case they can be easily confuted even on their own lines. But as I have in some cases pointed out the non-Shakespearean character of passages stressed by them, I think it well to explain that omission to say the same thing in other cases where it would apply does not mean acceptance of the passage discussed as really Shakespearean.

the poet is reproducing Virgil's

> Praesentemque vires intentant omnia mortem."

It is not necessary to discuss such a "reproduction."

12. The allusions to "Sybil," Xantippe, and the swelling Adriatic in the SHREW (I, ii, 70), prove to Dr. Theobald that the poet's mind is "full of classic illustration"; and we are reminded that Bacon refers to "Sybilla"[1] in his essay on DELAYS. All this is truly remarkable classical learning! The fact that most good critics are of opinion that the SHREW was *not* by Shakespeare will naturally have no influence with Baconians.

13. The references to the "many-headed multitude" in CORIOLANUS (II, iii, 17) and to the "blunt monster with uncounted heads" in 2 HENRY IV (Induction, 18) are of course declared to be "derived from Horace—*Bellua multorum es capitum.*" The Baconian is as usual unaware that in Elyot's GOVERNOUR (1531) occurs the remark that the Athenian democracy "moughte well be called a monstre with many heedes" (B. i, c. 2); and that "many-headed multitude" occurs in Sidney's ARCADIA (B. ii). Yet he might have learned the latter fact from Bartlett's FAMILIAR QUOTATIONS. Without going to either Elyot or Sidney, Shakespeare could have got the tag from a previous play. It occurs in the first part of Marlowe's TAMBURLAINE (Pt. I, iv, 3)

> A monster of five hundred thousand heads;

also in THE TROUBLESOME RAIGNE OF KING JOHN:

> The multitude, a beast of many heads,
> Hazlitt's *Shakespeare Library*, Part II, vol. i, p. 290;

and in Daniel's poem (1595) on THE CIVIL WARS (ii, 12):

> This many-headed monster Multitude;

[1] Bacon of course wrote "Sibylla." Shakespeare in the *Merchant* (i, 2) spells "Sibilla"; and in *Othello* (iii, 4) "Sybill." But in the non-Shakespearean *Shrew* also (i, 2) we have "Sibell" and "Zentippe"; and in *Titus* (iv, 1) "Sibel."

to say nothing of the later plays which show it to have been a common expression. And Bacon quoted Horace too!

14. Juliet's lines:

> Thou mays't prove false: at lovers' perjuries
> *They say*, Jove laughs,

"may have been taken either from Tibullus or Ovid," says Dr. Theobald, with comparative moderation. The implication is that when Shakespeare puts a "they say" into the mouth of a girl he is writing something which he does *not* know to be a common saw, and is importing a classical quotation from his own reading. Dr. Theobald admits that "in Marlowe there is a metrical version:

> For Jove himself sits in the azure skies
> And laughs, below, at lovers' perjuries."

This he learned from one commentator, and, being convinced that Bacon wrote Marlowe, is willing to mention it. From Malone he might have learned that the phrase occurs also in GREENE'S METAMORPHOSIS. And if he had read Lilly's ENDIMION he would have noted (i, 2):

> If the gods sit unequal beholders of injuries, or laughers at lovers' deceits, then let mischief be as well forgiven in women as perjury winked at in men.

15. The same inveterate unwisdom is shown in the citation of Lewis Theobald's note to the jocular direction of Launcelot in the MERCHANT OF VENICE (II, ii, 42): "Turn upon your right hand at the next turning, but at the next turning of all," &c. The commentator suggested that it "seemed to be copied" from Terence's ADELPHI, iv, 2. It is simply *not* copied. It is a piece of such fooling as spontaneously goes on in all countries, at all times. Those who thus strive to credit the dramatist with classical learning make him a pedantic fool, who from wide reading harvests only commonplaces and trivialities. Such was neither Shakespeare nor Bacon.

16. Proceeding on his own learning, Dr. Theobald writes that the "sentiment" of the passage:

> If our virtues
> Did not go forth of us, 'twere all alike
> As if we had them not,
>
> *M. for M.* I, i, 34,

"appears to have originated" in Horace's

> Paullum sepultæ distat inertiæ
> Celata virtus.
>
> *Od.* iv, 9.

The sentiment in question is the same as that put in the mouth of Ulysses in TROILUS (III, iii, 96 *sq.*) and it "originated" before Horace. It is substantially put by Cicero, DE AMICITIA, 19. It is developed afresh by Seneca, DE BENEFICIIS, B. v. And if Shakespeare had not met with it—as probably he did not—in the current translations of those treatises, he had it all to his hand, with a thousand other classic saws, in Florio's translation of Montaigne.[1] But it would be folly to suppose that such a maxim as *Frustra habet qui non utitur*, given in the ADAGIA of Erasmus, had not been a thousand times quoted before Shakespeare. The argument that "nothing is seen here to be made for itself . . . the noblest creatures have need of the basest, and the basest are served by the noblest," is elaborated by De Mornay in his treatise on the Truth of the Christian Religion, translated by Sidney and Golding in 1587 (ed. 1604, p. 18); and must have been many times employed. In this passage, be it noted, we have the argument found in HENRY V, with the phrase, "so many and so divers pieces . . . so coupled with one another, making one body, and full of so apparent *consents* of affections." The general sentiment that men are not made for themselves is a standing theme:

> As learned men have remembered, saying, we be not borne solely to ourselves, but partely to the use of our Countrey, of our

[1] See *Montaigne and Shakespeare*, 2nd ed. pp. 95–104.

Parentes, of our Kinsfolkes, and partly of our Friendes and Neyghboures. . . .

Stafford, *Brief Conceipt of English Pollicy*, 1581, N.S.S. rep. p. 15.

How certaine it is, both by the tradition of ancient and moderne judgments avowed, that everie man is not borne for himselfe. Ford, *Honor Triumphant*, 1606, first sentence.

The same Ciceronian maxim is employed twice over by Northbrooke in his TREATISE AGAINST DICING, DANCING, &c. (1577)—in the Epistle Dedicatory and in the text (Sh. Soc. rep. p. 57); with the addition of a similar saying translated from Plato, *Homines hominum causa esse generatos*. It was evidently a familiar exordium.

17. And this is the fitting comment on the set of parallels cited to Horace's *Extinctus amabitur idem* and *Virtutem incolumen odimus*. The phrase "I shall be loved when I am lack'd" (CORIOLANUS, IV, i, 15) is flagrantly proverbial. Such things are said everywhere by unlearned men who never read a line of Latin or even a translation of a classic. It is the very ecstasy of error that moves Dr. Theobald to write: "It is curious to note how frequently the word *lack'd* is used in the Shakespeare passages: it is the equivalent of *Extinctus*." Bacon's PROMUS, where the quotation is found, is a mere garner of proverbial and colloquial sayings.

18. "Catullus," says Dr. Theobald, "again turns up in the following:

> Be now as prodigal of all dear grace
> As nature was in making graces dear,
> When she did starve the general world beside,
> And prodigally gave them all to you.
>
> *L. L. L.* II, i, 9.

"In the 84th [should be 86th] Epigram, Lesbia is similarly complimented:

> Quae cum pulcherima tota est,
> Tum omnibus una omnes surripuit Veneres."

It would be hard to cite a sentiment more completely run to death in the whole world of amorous poetry.

Surrey's "Praise of his Love," developing this theme, is the type of a hundred Elizabethan lyrics.

19. Following his namesake, Lewis, Dr. Theobald refers the opening lines of TROILUS:

> I'll unarm again.
> Why should I war without the walls of Troy,
> That find such cruel battle here within,

to Anacreon: "'Tis in vain I have a shield," &c. Once more we are dealing with a poetic commonplace. *E.g.*:

> Why fearest thou thy outward foe,
> When thou thy selfe thy harme doste feede?
> *Tottel's Miscellany*, Arber's *rep.* p. 204.

It is mostly to such familiar sentiments that the Baconian references point, making "scholarship" a mere means of access to common metaphor. And we have the same thing in the deducing of Pandarus' comment on the Trojan warriors from Homer's episode of Helen on the walls of Troy, copied by Euripides and Statius and a score of poets more. Chapman's translation of the first seven books of the ILIAD appeared in 1598.

20. Following Lewis Theobald again, our Baconian refers Hamlet's "large discourse" (IV, iv, 36) to Homer (ILIAD, iii, 109; i, 343; xviii, 250); and notes that "the profound philosophical expression 'discourse of reason'" is "used by Bacon." The expression in question, as I pointed out long ago, occurs four times in Florio's translation of Montaigne, demonstrably read by Shakespeare while he was writing HAMLET. It is also found in Sidney and Golding's translation of De Mornay on the Christian Religion (1587); repeatedly in Fenton's translation of Guicciardini (1579); four times in Holland's translation (1603) of one essay ("Of Moral Virtue") in Plutarch's MORALIA, and frequently in other essays; to say nothing of Hooker (1594) and earlier writers such as Jewel and More. "Discourse" is an absolutely normal word in Tudor literature:

> Discourse of state and government.
> Fenton's ep. ded. to trans. of Guicciardini.

By the light of natural discourse.
Hooker, *Eccles. Polity*, B. I, ch. xiv, § 1.

If you desire to see me beat my breast. . . .
Then you may urge me to that sad discourse.
Heywood, *Fair Maid of the West*, v, 1.

The mind, which in discoursing reacheth far beyond all sensible things.
Sidney and Golding's trans. of De Mornay.
Ed. 1604, p. 7.

The manner of his [man's] discourse is but to proceed from kind to kind.
Id. p. 42.

The word occurs scores of times in Florio and Holland.

21. "The classic scholarship shown in TITUS ANDRONICUS is very remarkable," says Dr. Theobald. "This play is crowded with classic allusions." All scholarship seems to Dr. Theobald "very remarkable." But TITUS is not Shakespeare's work; and the allusion to Hecuba's killing of Polymnestor (I, i, 136) is from the hand of Peele.[1] If Lewis Theobald and Steevens, who dwell on the classic knowledge exhibited in the allusion to the burial of Ajax (I, i, 379), had done their work properly, they would have noted that the very phrase "wise Laertes' son" occurs in Peele's TALE OF TROY (1589, l. 362), where the quarrel and suicide of Ajax are lengthily described.

So much for Dr. Theobald's selection of classical parallels to prove the Baconian case. "The list," he writes, "might be very easily extended; but it is needless to do so." It would be useless: the whole "classical" case is hollow, the work of men with preconceived notions, seeking to buttress them by any semblance of proof. On the foregoing series of miscarriages there follows a final attempt to prove "classical knowledge" in the playwright from an alleged use of Latin idioms and

[1] See the point discussed in *Did Shakespeare write "Titus Andronicus"?* pp. 226–7.

grammatical forms, as set forth in Dr. Abbott's SHAKESPEREAN GRAMMAR. Such forms as "the mightiest Julius," "without all bail," "after" = *secundum*, "mere" = sheer, "my very friends," "your," as in

> Your serpent of Egypt is bred now of your mud by the operation of your sun ; so is your crocodile.
>
> *Antony*, II, vii, 29 ;

such forms as

> *What with* your help, *what with* the absent king ;
> *What with* the injuries of a wanton time,
>
> 1 *Henry IV*, v, i, 49

—these and other universally used idioms of the period are seriously cited as "classic footprints." The argument is not worth discussion. Even if such forms had all been classic in origin—which they were not—they had become part and parcel of common English speech, built up as that so largely was by men schooled in Latin, in ages when priests wrote interludes for the people, and preachers quoted from the Vulgate. The "your" form is put by Shakespeare in the mouths of carters and gravediggers, and we are asked to suppose that it stood for familiarity with Latin.

"Verray," which comes through French *vrai* and not by imitation of Latin usage, is already completely established in Chaucer, who uses it scores of times in BOECE alone : "Verray tears," "a more verray thing," "thilke *selve* welefulnesse" and "thilke verray welefulnesse," "verray blisfulnesse," "verray and parfit good," "false goodes . . . verray goodes," "verray good," "right verray resoun," "verray resoun," "no more verraye thing," "verray light," &c. &c. The usage remained fixed till Shakespeare's time. "Very" is a normal usage in Elyot in 1530, as in "my very son Esau." "Very God" was a standing term in the creeds ; and thus "very," with somewhat the force of "sheer" or "absolute," was constantly used in theology. It could be cited twenty times from one popular book : *e.g.* "very

corruption," "in very deed," "in very truth," "a very man," "verie goodness and wisdom," &c. (Sidney and Golding's trans. of De Mornay, ed. 1604, pp. 93, 97, 264, 271, 272, 273, 282, 295, 298, 329, &c. &c.). "Mere" = "pure" or "sheer" was in equally universal use, as will be shown in the next chapter. *Solvuntur tabulæ.*

Uneasily conscious that there are some notoriously awkward facts which he must face, Dr. Theobald avows :

> In writing these plays, it is probable that English translations were used *as a matter of convenience*, even though the writer *might have been* (*sic*) capable of going to the original sources. *My conviction is* that any unbiassed reader will not easily lose the impression that a poet who could so faithfully reproduce the spirit and *entourage* of classic events and persons must have studied them carefully in their most authentic setting. But when this impression does not arise, or is resisted, *I have no means of enforcing it by argument.*" [1]

Quite so. After all the confident bluster we have examined ; after all the "certainlys" and "undoubtedlys" ; after all the procession of quotations and sources in regard to which it is claimed that only one inference is open, we have the inept conclusion that the dramatist "probably" used translations "for convenience"—that Bacon, who so often wrote and so constantly quotes Latin, found it inconvenient to translate for himself. And in fine we have, *pro ratione*, the proposition : "My conviction is. . . . I have no means of enforcing it by argument." That is my case.

§ 4. *Mr. William Theobald*

In 1909 there was posthumously published, under the editorship of Dr. R. M. Theobald, THE CLASSICAL ELEMENT IN THE SHAKESPEARE PLAYS, by his cousin, the late Mr. William Theobald. In the editorial preface there is cited a particular coincidence (non-classical) of idea and phrase between Shakespeare and Bacon, with which I

[1] Work cited, pp. 308–9.