

## *The Stationers' Company and Constraints on English Printing*

To better acquaint readers with the way that early modern publishers thought about textual ownership, which directly impacts the way that herbals were produced, this chapter takes a deep look at the early history of English printing. Though such a history may appear to take us far afield from the specifics of the trade in botanical books, it provides an important context for the arguments I make in later chapters about specific herbals and demonstrates how the regulatory constraints upon the manufacture of all type of books in sixteenth- and seventeenth-century London affected the production of herbals. These regulatory constraints involve both the crown's early directed efforts to control the spread of seditious and heretical material and the customs of the City of London, which citizens and denizens were required to follow. Because the restrictions upon print publication changed dramatically in 1557 when a London civic organization identifying itself as the Stationers' Company became a corporation, scholars of herbals need to consider how these shifting circumstances both effected and affected how herbals could be produced and sold. In order to appreciate how herbals moved from the relatively small books of Bankes and his fellow stationers to the massive tomes of Joyce Norton or Richard Cotes, historians need to better understand the legal and political restraints that guided booksellers' decision-making processes. This chapter explains how the provenance of particular editions was largely determined by the shifting regulatory and economic contexts in which booksellers and printers operated.

The 1557 incorporation of the London Stationers' Company had its roots in the Company's efforts fifteen years earlier, when its members first approached Edward VI at the Convocation of Canterbury in March 1542 with a document petitioning for their right to govern the conduct of their trade.<sup>1</sup> The specific details of that petition, which was unsuccessful, remain

<sup>1</sup> Blayney, *Printers of London*, 514–515.

unknown, but the Stationers' efforts seemed to encourage the crown's increasing attention to the potential dangers in the medium of print, which already had prompted a series of royal proclamations designed to censor the publication of seditious material. Evidence of extant historical records suggests a growing desperation on the part of the English government to control the spread of undesirable information. The reforming reign of Edward VI had encouraged the spread of printed materials like vernacular bibles, homilies, and prayer books, which proved a major problem for the Catholic Queen Mary I. Casting about for solutions to the ever-increasing profusion of now-heretical texts, the Marian government may in 1557 have recognized in the Stationers' Company's petition of 1542 an opportunity for offloading an otherwise impossible undertaking: complete authority over printing, the most effective broadcast medium the world had ever seen. In exchange for keeping tabs on subversive material, incorporation allowed the Stationers' Company collectively to hold property in its own name, to conduct lawsuits on its own behalf, and to make ordinances to which their members were legally bound, without "molestation or disturbance" from other London companies or governing bodies.<sup>2</sup> London citizens had been practicing the trades of bookmaking and book-selling for centuries, but incorporation was the means through which the Stationers' Company of London officially took regulatory control over the craft and the technology of printing. After 1557, the procedures put in place to manage Stationers' licensing and insurance systems, including the optional policy of entering titles into the Stationers' Company Registers, radically changed booksellers' understanding of market forces. It is crucial, then, for scholars investigating the products of the early printed English book trade, particularly in the shifting mores of the sixteenth century, to consider the ways that the incorporation of the Stationers' Company altered the motivations of the printers and booksellers who produced books.

### **The Stationers' Company before 1557**

While the first recorded use of the term "stationer" referred to a bookseller in Bologna in the thirteenth century, the earliest use of the word in England suggests that "stationer" referred to almost anyone engaged in the business of making, finishing, or selling books.<sup>3</sup> Graham Pollard's

<sup>2</sup> Blayney, *Printers of London*, 927–935.

<sup>3</sup> Graham Pollard, "The Company of Stationers Before 1557," *The Library*, 4th Series, 18 (1937): 1–38; 2.

investigations into the manuscript documents of the City of London testify that, by the fourteenth century, "stationer" readily signified "parchem-eners" or parchment merchants, illuminators, and bookbinders.<sup>4</sup> The term is a curious choice, as the medieval Latin *stationarius* was used to describe any person in a fixed situation and did not signify any particular activity or craft associated with bookmaking or bookselling. Instead, what "stationer" suggested was the retail or commercial fixity of the agent concerned. Pollard surmises the term "emphasizes . . . the individual's importance as a dealer rather than a craftsman, as an intermediary between the producer and the public rather than an actual maker of the goods he sells."<sup>5</sup> Pollard's point is reinforced by George Unwin's exploration of the way the London economy came to differentiate its productive and distributive functions over the course of the sixteenth and seventeenth centuries.<sup>6</sup> In Peter W. M. Blayney's estimation, the term as it was used in 1417 and after probably meant something closely synonymous with the modern term "bookseller."<sup>7</sup>

In the fourteenth century and earlier, freemen of the City of London who employed the crafts of illumination and scriptwriting were members of a single *mistry* that included the "Writers of Court Hand and Text," legal clerks who wrote deeds and contracts.<sup>8</sup> In 1373, this latter group split to form their own company, the Scriveners, and, on July 12, 1403, the Textwriters' and Lymners' Company gained the Mayor and Aldermen's approval to superintend over all elements pertaining to their trade in the making, binding, and selling of manuscript books.<sup>9</sup> Over the next fifty years, however, the term denoting this Company in the Guildhall records varied considerably, from "Limners and Scriveners" in 1416, to "Scriveners, Limners and Stacioners" in 1417, to "Lymners and Textwriters" in 1423, and to "Lymnours and Stacioners" in 1433.<sup>10</sup> Regardless of nomenclature,

<sup>4</sup> Pollard, "Company of Stationers," 3.

<sup>5</sup> Pollard, "Company of Stationers," 5, but see Blayney's rejoinder in *Printers of London*, 8–10.

<sup>6</sup> George Unwin, *Industrial Organization in the Sixteenth and Seventeenth Centuries* (Oxford: Clarendon Press, 1904).

<sup>7</sup> Blayney, *Before the Charter*, 17.

<sup>8</sup> Blayney is careful to note that the medieval term "guild," while synonymous with "craft" in many of England's cities, did not apply in London, where "mistry," "craft," or "company" were the contemporary terms used to describe civic organizations that could train apprentices (*Printers of London*, 16–19).

<sup>9</sup> See Edward Arber, *A Transcript of the Registers of the Company of Stationers of London, 1554–1640 A.D.*, 5 vols. (London: Privately Printed, 1875–1894), 557. See also Pollard, "Company," 13–14. For a translation of the foundation document, see Blayney, *Printers of London*, 5.

<sup>10</sup> As Blayney explains, though the terms "scrivener" and "stationer" were sometimes confused, the Scriveners were a separate company and craft altogether, whose members engaged in activities similar to those of a modern solicitor (*Printers of London*, 1, 461–462).

however, the mystery that later became known as the “Stationers’ Company” had been in existence in London since 1403 and was consequently subject to the guiding customs of the City.<sup>11</sup>

Members of the Stationers’ Company could specialize in any one or more of the specific trades associated with bookmaking (text writing, illuminating, or bookbinding), the efforts of which were usually coordinated through the enterprises of a broker with a fixed, stationary retail shop. While most of the products of a fifteenth-century bookshop were labor-intensive and bespoke, stationers also imported bound works from abroad and carried secondhand books for ready purchase.<sup>12</sup> As the mystery that controlled the manufacture and retail selling of books in London, members of the Stationers’ Company were thus quickly able to appropriate the rapid influx of products that followed Gutenberg’s development of movable type and consequently the rapid spread of printed material in Western Europe. While the craft of text writing may have been threatened by the new technology, the efforts of limners and especially bookbinders remained in demand; as Pollard points out, “[bookbinding] remained for some time the last bottle-neck of handicraft through which the finished book had to pass.”<sup>13</sup>

There were two ways that English manufacturers and importers offered their commercial products for sale. The first was by retailing their goods directly to customers. This right to sell goods by retail was governed by civic custom, and towns and cities could restrict retailing as a carefully protected privilege held exclusively by their citizens, freemen with membership in a town craft guild or city company. While within the boundaries of a municipality retailing wares was a privilege held only by citizens or authorized denizens, events that occurred outside of city walls such as country marts and fairs were free from such restrictions. The second way

<sup>11</sup> For an account of the organization of City companies and their civic responsibilities, see George Unwin, *The Gilds and Companies of London*, 3rd ed. (London: Allen & Unwin, 1938), and “Introduction,” in A. H. Thomas, ed., *Calendar of Plea and Memoranda Rolls Preserved among the Archives of the Corporation of the City of London at the Guildhall*, 6 vols. (London, 1929–1961), 1:vii–lxiv.

<sup>12</sup> Henry R. Plomer, “The Importation of Books into England in the Fifteenth and Sixteenth Centuries: An Examination of Some Customs Rolls,” *The Library*, 4th Series, 2 (1923): 146–150. See also Blayney, *Printers of London*.

<sup>13</sup> Pollard, “Company,” 20. For the first eighty years of English printing, however, Stationers were not the only company engaged in the craft. Prior to the incorporation of the Stationers’ Company in May 1557 (which gave them jurisdiction over printing), freemen of the Haberdashers, Salters, Grocers, Barber-Surgeons, and Drapers had been printers as well as holders of royal monopolies to print profitable works like grammars and psalters. This intercompany rivalry likely resulted in the failure of the Stationers’ first attempt at incorporation in 1542 (Blayney, *Printers of London*).

that manufacturers and importers of goods might sell their products was wholesale, offering their products for sale to the civic merchants who were eligible to retail them inside a municipality's confines. Then, as now, wholesale transactions usually involved the transference of a quantity of items, and retail merchants would sell individual articles to customers at a sizable mark-up. The publishers named on colophons and title pages largely made their money not by selling individual copies of their editions to customers (although publishers who owned bookshops also did exactly this) but by wholesaling multiple copies of their books to other booksellers for sale in their shops. As well as enabling Foucault's strictures of penal accountability that I outlined in the previous chapter, the name of a publisher in the imprint of a book thus primarily served a wholesaling rather than a retail function and served to inform other merchants where they could buy multiple copies of the book in question. Therefore, while the title page of the first edition of John Gerard's *Herball* (1597) claimed that it was "Imprinted at London by Iohn Norton," the book could theoretically have been available for sale in any of London's bookshops.<sup>14</sup> From Caxton onwards, the economics of the English printed book trade depended upon publishers wholesaling their editions as widely as possible, making their wares available in bookshops not only across London but throughout the British Isles and, on occasion, even upon the continent.

Though to modern eyes the emergence of printing in England in the latter decades of the fifteenth century may seem like a technological sea change for the English trade in manuscript books, at the time a much greater contemporary economic threat to London's stationers (and indeed to all citizens of the City) was widely believed to come from the influx of foreign merchants and craftsmen who set up shops in the suburbs outside of the City's jurisdiction. Though only citizens or freemen of the City of London could retail products, many of these "aliens" were better equipped to import continental goods that could be sold wholesale or to retail their English-made works outside of civic regulations.<sup>15</sup> Thus, while in the

<sup>14</sup> In this case, "imprinted" means not that John Norton literally printed the *Herball* but that, as its publisher, he *caused it to be printed* (see Blayney, *Printers of London*, 30). Confusion over the relationship of printers to publishers has occasionally led historians astray, as in Deborah E. Harkness's *The Jewel House*, where she imagines recently inked pages of Gerard's *Herball* hanging in John Norton's shop in 1597. The fantasy is inaccurate because John Norton hired Edmund Bollifant, one of the members of the Eliot's Court Press syndicate, to print the *Herball* from Bollifant's house without Newgate. Norton, like most Elizabethan booksellers, had his retail shop in St. Paul's Churchyard.

<sup>15</sup> "Alien" or "stranger" were the standard terms used to describe foreigners on English soil. A "denizen" was an alien who had been granted a form of permanent residency via letters of

fifteenth century the craft of printing was not yet formally regulated by any London company (allowing foreign printers such as John Lettou and William de Machlinia to set up printing houses within the walls of London and make books), early printers would have been prevented by the customs of the City from binding and selling their product to customers directly. Within the City limits, aliens' printed books might only be sold wholesale to London citizens, whose freedom of the City meant that they were the only ones legally eligible to retail books to a paying public.<sup>16</sup> As members of the established mystery that governed retail bookselling, limning, and binding, stationers were therefore best positioned to take advantage of the increased number of books supplied by the new technology of print.<sup>17</sup>

Printers, however, were operating under a different paradigm. William Caxton aside, the majority of England's earliest printers were not native stationers but foreign-born aliens, and the English book trade depended upon these foreigners both for their printed products and for their importation of high-demand printed books from abroad. These circumstances explain why, when a 1484 Act of Parliament sought to limit the deleterious effects of foreign merchants and craftsmen on the English economy (including their ability to retail goods at country fairs), King Richard III explicitly exempted those strangers working in the book trade:

Soit fait come il est desire [let it be done as desired] Prouided alwey that this acte or any part therof, or any other acte made or to be made in this p[re]sent p[ar]liament in nowise extende or be p[re]iudiciall any lette hurte or impediment to any Artificer or m[er]chaunt straungier of what nacion or Contrey he be or shalbe of for bryngyng in to this Realme or sellyng by retaill or otherwise of any man[er] bokes written or imprynted, or for the inhabitynge within the said Realme for the same intent, or to any writer lymper bynder or imprinter of suche bokes as he hath or shall haue to sell by way of m[er]chaundise or for their abode in the same Reame for the exc[er]cisying of the said occupac[i]ons this acte or any parte therof notwithstanding.<sup>18</sup>

naturalization, the usual precondition to an alien being given freedom of the city via membership in a company. In London, "foren" was the term used to describe Englishmen who were not free of the City.

<sup>16</sup> With only a few exceptions for foodstuffs and other products requiring heavy regulation, freemen of the city of London could retail anything of their choosing regardless of their company affiliation. Thus, booksellers were by no means limited to the selling of books, nor were other citizens prevented from selling books among their own preferred goods.

<sup>17</sup> On the ways that established trade routes enabled the rapid spread of printed materials, see Andrew Pettegree, *The Book in the Renaissance* (New Haven, CT: Yale University Press, 2010).

<sup>18</sup> As quoted in Peter W. M. Blayney, *Printers of London*, 40–41, where a facsimile of the King's proviso appears (42). Contractions in the facsimile have been expanded. A modernized and re-pointed

The act of 1484 (1 Richard III, c. 9) was designed to restrict the economic activities of aliens residing in England, but the king's proviso sought to prevent these restrictions from affecting the nascent trade in printed books. The importance of the importation of books printed on the continent to the fifteenth-century English book trade can be seen in the priority that the king's proviso grants to the activity of "bringing into this realme or selling by retail or otherwise of any manner [of] books," whether those texts be "written" (in manuscript) or "imprinted," because regardless of their media, such imported items would contribute to the English economy by being illustrated, bound, and retailed by native-born Englishmen or denizens.<sup>19</sup> With a few exceptions, the king's proviso did not override the existing rules governing trade within cities, so London's restriction that prevented noncitizens from retailing wares directly to customers was still in effect, and foreign printers and booksellers in London were still limited to selling their works wholesale unless they were able to obtain their freedom of the City.<sup>20</sup>

By the turn of the fifteenth century, native-born English stationers had begun to develop a mutually beneficial relationship with their book-dealing foreign neighbors. In exchange for admittance into the freedom of the City through membership in the Stationers' Company, foreign-born printers not only provided the skill and capacity to train native apprentices in the new craft but also offered trade connections to the much-needed supplies of paper and type that were then available primarily from the continent. While the traditional way of being made free of the City of London was via an apprenticeship in a City company (or by patrimonial affiliation if one's father had been a member of that company), citizens could also be made via "redemption," by paying a fee and/or signing a bond to a company in exchange for membership.<sup>21</sup> Richard Pynson,

version of the proviso is available in *Statutes of the Realm*, 2:493 (1 Richard III, c. 9); for a list of the errors in quotations of this statute, see Blayney, *Printers of London*, 41nA.

<sup>19</sup> For an examination of bookbinders' dependence on booksellers, see Stuart Bennett, *Trade Bookbinding in the British Isles, 1660–1800* (New Castle, DE: Oak Knoll Press, 2004), esp. chap. 1.

<sup>20</sup> Ian Archer, "Responses to Alien Immigrants in London, c. 1400–1650," in Simonetta Cavaciocchi (ed.), *Le migrazioni in Europa secc. XIII–XVIII: Atti della "venticinquantesima settimana di studi"* (Istituto Internazionale di Storia Economica 'F. Datini' Prato, Serie II – Atti delle 'Settimane di Studi' (Florence: Le Monnier, 1994), 755–774, esp. 768–769. On the way liberties and royal peculiarities within the City were a source of confusion (and opportunity) for foreign artisans and merchants, see Shannon McSheffrey, "Stranger Artisans and the London Sanctuary of St. Martin le Grand in the Reign of Henry VIII," *Journal of Medieval and Early Modern Studies* 43 (2013): 545–571.

<sup>21</sup> See Steve Rappaport, *Worlds within Worlds: Structures of Life in Sixteenth-Century London* (Cambridge: Cambridge University Press, 1989), 24. On paper and type respectively, see John Bidwell, "French Paper in English Books," in Barnard and McKenzie, 583–601, and Nicolas Barker, "The Old English Letter Foundries" in Barnard and McKenzie, 602–619. On importation, see Paul

a Norman-born printer, had gained his freedom of the City sometime before 1520, while Wynkyn de Worde, a Dutchman and William Caxton's onetime foreman, was a "citizen and staciouner of london" at the time of his writing of his will in 1534.<sup>22</sup> As both men had trained London apprentices and retailed books throughout the early decades of the sixteenth century, Blayney surmises that they were both able to purchase freedom of the Stationers' Company sometime around 1500.<sup>23</sup> Pynson may have been motivated to join the Stationers out of fear for his life and livelihood; in 1500, he brought an action under the Star Chamber charging a Henry Squire and others for an assault in Middlesex, a crime that Pynson believed stemmed from their hatred of Frenchmen. In his testimony, Pynson reported that he feared he would be unable to keep his employees because they had been so terrorized.<sup>24</sup>

For the fifty years following the exemption act of 1484, England's foreign-born printers were able to import, manufacture, and wholesale books alongside locals; and, for a few decades, this arrangement suited members of the Stationers' Company well. Once enough native-born stationers had mastered the new craft of printing, however, the activities of these foreign printers posed a threat to the London book industry. Aliens importing books printed and bound on the continent were threatening the economic interests of freemen, and the Stationers joined a larger City-wide cry for London's authorities to place further limitations on foreigners' trade activities, including their employing of journeymen and binding of apprentices. As their authority was restricted to the City limits, London's mayor and aldermen were forced to petition the crown to pass an act that would require all London area aliens, including those living in the suburbs and liberties, to submit to the jurisdiction of the City's relevant craft

Needham, "The Customs Rolls As Documents for the Printed-Book Trade in England," in Lotte Hellinga and J. B. Trapp (eds.), *The Cambridge History of the Book in Britain, Vol. 3: 1400–1557* (Cambridge: Cambridge University Press), 148–163, and Blayney, *Printers of London*.

<sup>22</sup> Pynson was born in Normandy and, as until 1450 Normandy was under the obeisance of Henry VI, he would have been considered a native-born Englishman had he been born earlier than 1451 (see Blayney, *Printers of London*, 49). Regardless of his status as a native-born Englishman, however, Pynson was technically not free of the City of London until he gained membership into a City company willing to have him. On de Worde, see Mary C. Erler, "Wynkyn de Worde's Will: Legatees and Bequests," *The Library*, 6th Series 10 (1988): 107–121; 118.

<sup>23</sup> Blayney, *The Stationers' Company before the Charter*, 24. Blayney reports a legal document of June 28, 1502, identifying Pynson as a London "Ciuem & Stacionarium" (*Printers of London*, 69).

<sup>24</sup> E. Gordon Duff, *A Century of the English Book Trade* (London: Bibliographical Society, 1905), 126. Blayney offers a fuller account that suggests that the attack on Pynson was less xenophobic and more personally motivated than has been traditionally reported (*Printers of London*, 56–60).

wardens. Such an act was passed in 1523, though it was designed to benefit *all* of London's citizens, not just its Stationers.<sup>25</sup>

Yet the 1484 exemption for foreign craftsmen and dealers in books, which explicitly benefited those importing bound books from abroad, remained. This exception directly harmed English bookbinders, who were a sizable percentage of the members of the Stationers' Company. After petitioning the crown for a number of years to repeal it, the Stationers finally succeeded in 1534. Henry VIII's "Acte for printers & bynders of boks" recognized that the act of Richard III had once been necessary,

for that there were but fewe bokes and fewe prynters within this Realme at that tyme which cold well exercise and occupie the seid science and craft of pryntyng; Never the lesse sithen the makyng of the seid p[ro]vyision many of this Realme being the Kynges naturall subjectes have geven theyme soo dylygently to lerne and exercyse the seid craft of pryntyng that at this day there be within this Realme a greatt nombre co[n]nyng and expert in the seid science or craft of pryntyng as abyll to exercyse the seid craft in all point[s] as any Stranger in any other Realme or Countre; And furthermore where there be a great nombre of the Kynges subject[es] within this Realme which [leve] by the crafte and myst[er]ie of byndyng of bok[es] and that there be a greute multytude well expert in the same . . . Be it therefore enacted by the Kyng our Sovereaigne Lorde the Lordes spirituall and temporall and the Comons in this present parliament assembled and by auctoritie of the same, that the seid provyso made the furst yere of the seid Kyng Richard the thride frome the feast of the natyvytie of our Lorde [God] next co[m]myng shalbe voyde and of none effect.<sup>26</sup>

As a result of the 1534 repeal, all English citizens, denizens, and aliens were now forbidden to purchase imported books that had been bound abroad. Such a restriction prevented an industrious bookseller from importing copies of continental herbals to sell in London, Cambridge, or Oxford. By removing the proviso that exempted foreign booksellers from the act of 1484, the crown ensured that foreigners operating in the book trade were now just as subject to the act's decrees as other aliens, and thus were now unable to retail their printed wares anywhere in England – they could only sell their works wholesale to local citizens. The combination of the 1484 and 1534 statutes had the effect of ensuring that, as the mystery that held within its membership the largest group of bookbinders and booksellers,

<sup>25</sup> *Statutes of the Realm*, Vol. 3 (14 and 15 Henry VIII); see also Blayney, *Before the Charter*, 230–231.

<sup>26</sup> *Statutes of the Realm*, 3:456 (25 Henry VIII, c. 15). Blayney offers a compelling rationale for believing that the "gratuitous history lesson" accounting for Richard III's proviso was written by John Rastell, printer, member of Parliament, and brother-in-law of Sir Thomas More (*Printers of London*, 335–336).

the Stationers' Company remained an integral part of the making and selling of books within the City of London. It also created a space in which herbals produced by English booksellers could thrive without competition from foreign publishers. Until the incorporation of the Stationers' charter in 1557, however, the specific craft of printing was still able to be practiced by anyone, foreign or otherwise.

### Regulatory Procedures and Religious Controversy

As print became an increasingly popular medium for books and the demand for books of all kinds grew, some publishers were progressively more able to divest themselves of the technical details of manufacturing to focus instead on estimating which books would fare most profitably in the marketplace. By contracting out the actual setting of movable type to produce copies by impression, a number of stationers (as well as a handful of freemen from other companies) were able to invest in retail speculation, moving beyond the economic limitations of bespoke products that had followed books from their manuscript foundations. In separating the agency of the provider of capital from the agency of the manufacturer, publishing booksellers of this stripe could make considerable profit without needing the technical skill and materials to become master printers themselves. Though printers regularly published works for themselves, by the end of the sixteenth century more than half the books printed in England were manufactured for a publisher other than the printer.<sup>27</sup> Thus, when discussing the provenance of a particular early modern English book, the printer who literally manufactured the book should be understood as being of less import than its publisher, who, by "causing the book to be printed," functioned as its actual architect or producer.

Particularly in the first half of the sixteenth century, the production of early modern books was impacted by a number of papal and crown regulations designed to limit and control the spread of anti-Roman Catholic sentiment. This, too, had an effect on herbals. Herbalist William Turner was a Protestant divine as well as a Tudor physician and naturalist who authored numerous anti-Catholic polemics throughout his lifetime. A 1546 prohibition against "any maner of booke printed or written in the english tongue, which be or shall be sette forth" that listed Turner by name may have inadvertently been responsible for the destruction of copies of Turner's first botanical publication, *Libellus de re Herbaria novus*

<sup>27</sup> Blayney, *Before the Charter*, 36.

(London, 1538; *STC* 24358), of which only a handful of copies now survive. To better track the publication of seditious material, Tudor responses to Lollardy and Lutheranism regularly mandated policies that required identifying those responsible for causing a book to be printed as well as those responsible for printing and selling it. Further, throughout fifteenth-century Europe, ecclesiastical authorities issued edicts requiring all books and sermons to receive official approval prior to “publication,” a noun that was generally understood to encompass both printed material intended for private reading and that which was broadcast live to audiences. While the transitive forms of the verb *to publish* necessarily imply that it is a book object that is “prepared and issued in copies for sale to the public” (*OED* 3.a), chiefly “in print” (*OED* 3.c), the intransitive verb is less stringent: “To bring a matter to public notice” (*OED* 5.a). That in early modern English both meanings could be in use simultaneously even in the noun may be evinced in Francis Beaumont’s commendatory verse to John Fletcher’s first quarto of *The Faithful Shepherdess* (*STC* 11068), printed after that play’s unfavorable debut at Blackfriars, the play’s *first* publication:

Since it was thy happe to throw away,  
Much wit, for which the people did not pay,  
Because they saw it not, I not dislike  
This second publication, which may strike  
Their consciences, to see the thing they scorned,  
To be with so much will and art adorned. (sig. ¶3v)

This meaning of “publish” as “broadcast” can be seen as early as 1407, when Thomas Arundel, Archbishop of Canterbury, sought to quash Wycliffite sympathies by ordering that all books read in the universities should be preapproved by a group of twelve ecclesiastically preferred censors. Even prior to the widespread use of movable type, then, English authorities were concerned about how books could quickly disperse undesirable and heretical information in ways that were difficult to contain. *De haeretico comburendo*, passed in 1401, went so far as to suggest that preaching and writing are both threats to doctrine:

none from henceforth any Thing preach, hold, teach or instruct openly or privily, or make or write any Book contrary to the Catholic Faith and Determination of the Holy Church . . . and also that none from henceforth in any wise favour such Preacher, or Maker of any such and like Conventicles, or holding or exercising Schools, or making or writing such Books . . . and that all and singular having such Books or any Writings of such wicked Doctrine and Opinions, shall really with Effect deliver or cause

to be delivered all such Books and Writings to the Diocesan of the same Place within xl. Days from the Time of the Proclamation.<sup>28</sup>

Prepublication licensing was designed to forestall the problems caused by heretical publications and broadcasts. These attempts were prevalent on the continent as well; a bull of Leo X dated May 1515 required that

No one shall presume to print or cause to be printed, in Rome or in any other city or diocese, any book or other writing whatsoever unless it has first been carefully examined and its publication approved by our vicar and master of the Sacred Palace, in other cities and dioceses by the bishops or by competent persons appointed by them and by the inquisitor of the city or diocese in which the books are to be printed.<sup>29</sup>

By July of 1520, the circulation of heretical sentiments in print would result in Leo X's decree to round up and burn such books, and that anyone inclined to "read, hold, print, publish or defend" them would be subject to excommunication. Cardinal Wolsey dutifully sought Luther's imported works throughout the realm, and on May 12, 1521, the apprehended books were burned in Paul's Cross Churchyard, the center of England's book trade as well as London's civic pride. Four and a half years later, the spectacle was repeated on a rainy Sunday in February 1526, shortly before imports of William Tyndale's translation of the New Testament began to circulate in England. After twice watching their products go up in smoke at the behest of doctrinal command, the Tudor booksellers who in the 1530s and 1540s reprinted the little *Herball* first printed by Bankes in 1525 had considerable reason to be concerned about the crown's regulations governing the printing and selling of books.

Bishop of London Cuthbert Tunstall was soon issuing more edicts in an attempt to stop the spread of Lutheran books. On October 12, 1524, a select group of London booksellers was summoned to Tunstall's palace and ordered not to sell imported books printed abroad without first showing them to himself, Archbishop William Warham, Cardinal Wolsey, or Bishop of Rochester John Fisher.<sup>30</sup> Shortly thereafter, the printer

<sup>28</sup> *Statutes of the Realm*, 2:127 (2 Henry IV, c. 15). Also quoted in a slightly different translation in A. W. Reed, "The Regulation of the Book Trade before the Proclamation of 1538," *Transactions of the Bibliographical Society* 15 (1917–1919): 157–184; 158–159.

<sup>29</sup> H. J. Schroder, ed., *Disciplinary Decrees of the General Councils* (London: B. Herder Book Company, 1937), 504–505.

<sup>30</sup> Though the record of Tunstall's warning to the booksellers did not explicitly mention the act of *printing*, it is clear from the subsequent summons and questioning of publishers that the bishop implicitly required locally printed books to be subject to the same process of censorship as imports (Peter Blayney, private communication, September 30, 2008).

Thomas Berthelet was summoned to account for his publishing of four works without having sought ecclesiastical approval, and when Berthelet admitted his guilt, he was forbidden to sell them. Even in such a politically charged era, financial penalties were more successful motivators of religious compliance than theological ones. For instance, in a letter dated January 5, 1526, John Longland, Bishop of Lincoln, described a conversation with the king about burning Lutheran books and binding the Stationers with recognizances against importing more: "The King approved the plan, especially as to the recognizances, which many would fear more than excommunication."<sup>31</sup>

As the four texts published by Berthelet were unlikely to meet with the bishops' disapproval (one of them was a copy of an anti-Lutheran sermon preached by Bishop Fisher at Paul's Cross before the second book burning), A. W. Reed surmises that this case illustrates "a tightening of the hold which the Bishop's officials had put upon the Printers."<sup>32</sup> Having not actually printed seditious material, Berthelet's fault was a technical one, and his prosecution was perhaps designed to demonstrate to other booksellers the seriousness with which the censors intended to pursue their authority.<sup>33</sup> Tunstall had a second meeting with London's booksellers in October 1526, in which he made that authority explicit and forbade them not only from importing Latin or vulgar books from abroad but also from producing any works native to England without first exhibiting them to a group of censors. The effect of this proclamation on the London book trade may have been more profound than is currently recognized, as such an order immediately established that books in print currently accredited with the king's privilege were assumed to have already met with the approval of ecclesiastical authorities and could thus be reprinted without falling afoul of the church or crown. Contemporary booksellers could reasonably surmise that, as no company yet had authority over the craft of printing, and as disputes over printing privileges were still resolved by a king and his council who were becoming increasingly concerned with the profusion of heretical material, reprinting other booksellers' privileged works was considerably less risky than attempting to get ecclesiastical approval for new texts.

Over the next decade or so, it would become increasingly easier for booksellers to follow such a pragmatic policy; by 1538, up to 40 percent of

<sup>31</sup> Reed, "Regulation," 165.    <sup>32</sup> Reed, "Regulation," 167.

<sup>33</sup> As the books in question were soon issued by Berthelet *Cum privilegio a rege indulto*, Reed suggests that "ample amends were done to the Printer and the innocent authors" for being made such an example of ("Regulation," 169). See also Blayney, *Printers of London*, 244–246.

the books printed in England claimed to be printed under the protection of the king's privilege.<sup>34</sup> Yet the expansive use of the king's privilege soon created other problems, one of which mirrors the difficulties of distinguishing between works and documents that I have been discussing more broadly. When the king's privilege began to be appended to radical books, Henry was forced to clarify what, exactly, his privilege entailed. In November of 1538, the king issued a proclamation designed to refute

sondry printed books, in the englyshe tonge, that be brought from outwarde parties, and by such lyke bokes as haue bene printed within this his realme, *set forth with priuilege*, conteynynge annotations and additions in the margines, prologes, and calenders, imagined and inuented aswell by the makers, deuysers, and prynters of the same bokes.<sup>35</sup>

The 1538 proclamation reiterates Henry's enthusiasm for preprint licensing, expanding this requirement to include *all* books printed in England or in English and extending the prerogative to be that of a secular body (the king's Privy Council) rather than a religious one. The second matter restricts the language of his printing privilege:

ITEM that no persone or persons in the realme, shall from hensforth print any boke in the englyshe tonge, onles vpon examination made by some of his gracis priuie counsayle, or other suche as his highnes shall appoynte, they shall haue lycense so to do, and yet so hauynge, not to put these words *Cum priuilegio regali*, without addyng *ad imprimendum solum*, and that the hole copie, or els at the least theeffect of his license and priuilege be therewith printed, and playnely declared and expressed in the Englyshe tonge vnderneath them.<sup>36</sup>

Unfortunately, scholarly confusion over the squinting modifier *solum* has since led to misunderstandings about the nature of the printing privilege. While the king's addition sought to clarify that the royal privilege supported only the commerce surrounding the printed book object, as held distinct from royal support of the nature of the printed object's *text*, some publishers and bibliographers have held that *ad imprimendum solum* signifies the exclusivity of the patent owner's claim.<sup>37</sup> That certain booksellers and readers had viewed *cum privilegio* as royal endorsement rather than simply as a time-limited grant of monopoly issued by the crown is clear

<sup>34</sup> Blayney, *Printers of London*, 484.    <sup>35</sup> *STC* 7790, my emphasis.

<sup>36</sup> *STC* 7790, emphasis in original.

<sup>37</sup> As Peter W. M. Blayney points out, this interpretation "simply adds a redundant definition of what a privilege is" (private communication, September 30, 2008). For a more detailed account of the confusion, see Blayney, *Printers of London*, 480–487.

from its use as a legal defense in Essex in 1534.<sup>38</sup> There, a group of Lutherans, having been arraigned by a local vicar and his questman for reading books deemed inappropriate, claimed that, because the books were issued with the imprimatur of royal privilege, they were not only protected by the crown but *recommended*. By the time of his writing the 1538 proclamation it had become necessary to clarify that booksellers' use of his privilege was in no way related to this prepublication licensing. In other words, the king's privilege is the protection of the printed book as an economic commodity, not an endorsement of a text therein contained. To make the distinction between texts (which require ecclesiastical licensing) and documents (which, like other commodities, can be protected by privileges), the 1538 act also required that booksellers print both their license and their privilege in their books, and such accounts soon began to appear in colophons and in addresses to the reader.

I have elaborated the early history of the Stationers' Company at such length because a comprehensive understanding of the systems and practices of textual ownership in Renaissance England better equips us to evaluate the surviving evidence of herbals and other printed books of natural history. In Chapter 4 of this volume, I will show how the effect of Henry VIII's 1538 proclamation provides evidence that helps to explain the choices made by printers and publishers, providing an answer to the question of the enormous popularity of the text of the little *Herball* after Richard Bankes's exclusive privilege to print the title had expired. Yet before accounting for the ways that changing civic and company regulations influenced that book's many editions, I need to address the ways that changing attitudes towards botanical illustration likewise grew to become a material and promotional concern for English publishers. By accounting for the regulatory and economic concerns of publishers alongside the appearance of naturalized botanical illustrations, I can explain not only the little *Herball's* enormous popularity but also the reason why that enormous popularity eventually started to wane.

<sup>38</sup> This case is discussed in Reed, "Regulation." For a vicar's similar mistrust of privilege, see Blayney, *Printers of London*, 481.