

SUMMARY: The documents below are a draft statement by Charles Arundel (d.1587) to the Lords of the Privy Council giving his version of his secret meeting with Oxford at court on the night of 25 December 1580, followed by a brief letter from Arundel to the Queen. Neither document is signed. Both are in Arundel's hand, and contain distinctive 'ei' spellings such as 'assenteinge', 'vnfoldeid', 'reconcileid', 'perswadeid', 'deceaveid', 'provokeid', etc. In several instances interlineations have been added without the corresponding passages in the original having been crossed out, thus rendering it uncertain what Arundel actually intended to say and suggesting that he experienced difficulty in presenting an account of the meeting which would not incriminate him.

A revised version of the statement in Arundel's hand and signed by him is found in the Dudley Papers. See DU, No. 31 on this website, and:

<http://www.nationalarchives.gov.uk/a2a/records.aspx?cat=2238-du&cid=-1#-1>.

The fact that a revised and signed version of Arundel's statement is to be found among Leicester's papers suggest that Leicester was personally involved behind the scenes in the breach between Oxford and his former friends, a conclusion which is supported by other documentary evidence.

At the time of their secret meeting on the night of 25 December 1580, Oxford and Arundel were still close friends, although Oxford and his first cousin, Lord Henry Howard (1540-1614), had been at odds since 16 December. As indicated by Howard in BL Cotton Titus C.6 ff. 7-8, an open breach had occurred between Howard and Oxford on 16 December 1580 ('Thus hath he prettily begun his solemn vow to be revenged of all the Howards in England one after another, though he could not pay them all at once, for it was the most villainous and treacherous race under heaven, and my Lord Howard of all other the most arrant villain that lived, witness Charles Arundel on Friday night was a fortnight in the presence chamber'). Arundel's evidence in TNA SP 12/151/144, ff. 98-9 for the date of this outright breach accords with Howard's ('Ten days before this brabble was begun, he sent him a message that either by means direct or indirect, by right or wrong, he would make him repent his leaving of his company'). The bearer of the message from Oxford to Howard was Arundel himself. Howard writes: 'Thus should Charles Arundel have delivered a message that since I friended the boy, his nephew, for so it pleased him to call a noble and an honest gentleman, he would be revenged of me by right or wrong, by hook or crook, directly or indirectly' (see BL Cotton Titus C.6, ff. 7-8). The latter comment suggests that the open breach between Howard and Oxford was occasioned by an affront to Oxford by Howard's nephew, Philip Howard (1557-1595), Earl of Arundel.

It is in this context that Arundel's statement to the Privy Council must be considered, i.e., the reality that although there had been bitter and public enmity at court between Oxford and Howard since 16 December 1580, Oxford and Arundel were still close friends on the night of 25 December 1580. This fact suggests that the conclusion drawn by historians that prior to the night of 25 December 1580 Oxford had secretly accused both Howard

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and Arundel to the Queen is erroneous. If Oxford made any accusations prior to the night of 25 December 1580, such accusations would have involved Howard, but not Arundel. The secret meeting between Oxford and Arundel must be considered with this background in mind.

Arundel begins his statement to the Privy Council with the telling comment that he and Oxford had also met on the night of 24 December, but unfortunately Arundel gives no account of their conversation at the earlier meeting, and it may be that his statement below conflates the conversations between them at the two separate meetings on the nights of 24 and 25 December. In the statement below, Arundel turns immediately to the meeting on the night of 25 December, which he says began at the door of the maids' chamber with a private discussion between Oxford and his mistress, Anne Vavasour (1562?-1621). This conversation likely concerned Anne's pregnancy, although Arundel makes no direct mention to the Privy Council of the fact that Anne was by now six months pregnant with Oxford's child.

After leaving Anne Vavasour, Oxford and Arundel then looked for a private place to have a discussion of their own, settling on the 'farther part of the low gallery'. Arundel says Oxford opened the discussion by asking Arundel to give the same oath of secrecy to him (Oxford) as Arundel had given to Anne Vavasour, which Arundel did ('and after some assurance given'). In the document below Arundel breaks this oath by revealing to the Lords of the Privy Council the alleged details of this private conversation.

According to Arundel, Oxford's motive in meeting with Arundel was to offer him the preposterously large sum of £1000 to give evidence that Henry Howard and Francis Southwell (d.1582) had been reconciled to the Catholic church by a priest named Richard Stevens who had been in England from mid-November 1576 to mid-July 1577. Arundel claims that Oxford tried to frighten him into complying by stating that Stevens had been captured and racked. That Oxford actually said this seems highly improbable since it must have been well known to Arundel that Stevens had been living on the continent since mid-July 1577. Arundel says he refused Oxford's offer, whereupon Oxford broke the news that their mutual friend and kinsman Francis Southwell 'hath bewrayed all'. Arundel says Oxford then offered to help him escape from England, but that he refused this offer as well.

After two refusals, it would have been clear to Oxford that Arundel was not on his side, yet Arundel claims that, despite this, Oxford then made the damning confession that he had been reconciled to the Catholic church, something Arundel says he had never known about until he heard it from Oxford's own mouth during this secret meeting on the night of 25 December 1580. That Oxford would make such a damaging admission after Arundel had refused both his offers stretches credulity. Moreover, after having earlier stated that he had rejected Oxford's offers outright, Arundel contradicts himself by claiming he tried to buy time to consider them, and that he later wrote Oxford a letter refusing Oxford's offer. Arundel states that he had earlier shown a copy of this letter to the members of the Privy Council. It may be that a self-serving letter was sent by Arundel to Oxford just before he fled with Howard to the house of the Spanish

ambassador, Don Bernardino de Mendoza (d.1604), later on the night of 25 December 1580, but if so, it has not survived, and it seems likely that Arundel created a 'copy' of this imaginary letter while he was in hiding at the house of Mendoza so that he would have a letter incriminating Oxford to show to the Privy Council when he and Howard gave themselves up.

The remainder of Arundel's statement to the Privy Council deals with something Arundel had said earlier during an oral examination by the Council. However his written version of it contains blank spaces where key details should appear, and its meaning is therefore unclear, apart from the fact that Arundel attempts to incriminate Oxford in both murder and conference with the priest Stevens.

The credibility of this first account of Arundel's of the secret meeting between himself and Oxford on the night of 25 December 1580 must be weighed against a quite different version of the secret meeting which Arundel gave later (see TNA SP 12/151/44, ff. 98-9):

*After he had once begun his accusation, he proffered me a pardon from the Queen, and a thousand pound in money, a hundred pound land, in case I would concur with him in points whereof he had accused the Lord Harry and Southwell, which I refusing, and professing to do against him that would charge me with the smallest thought against my prince, he would have given me as much to fly, that by the flight of one he might have wreaked his deep malice on another, but this succeeding as evil as the rest, with menaces that I should be torn in pieces with the rack, he left me, whereupon soon after one of us, and within two days both the rest, were committed.*

In this later version Arundel admits that Oxford's purpose in meeting with him on the night of 25 December had been to offer him a pardon from the Queen, something which he had made no mention of in his earlier statement below to the Lords of the Privy Council. In this later version Arundel also drops his improbable claim that Oxford told him the priest Richard Stevens had been captured and racked. Instead, Arundel makes the much more believable statement that Oxford warned him that he (Arundel) ran the risk of being racked for refusing both the offer of a pardon from the Queen and/or Oxford's offer to help him flee the country. However, even in this second version, as in the first, Arundel omits all direct mention of the damning fact that at their secret meeting Oxford had warned him of his (Arundel's) impending arrest, although he unwittingly reveals the fact that it was discussed by alluding to his being suspected of treason ('professing to do against him that would charge me with the smallest thought against my prince').

Arundel's second version of events thus permits a plausible scenario to be pieced together. It seems clear that when Oxford met with Arundel on the night of 25 December 1580, he was aware that secret orders had already been given by the Privy Council for the arrests of Howard, Arundel and Southwell. What precipitated the order for their arrest is not known (it may have been that Oxford's open comment about the 'treachery' of the Howards on 16 December had prompted an investigation), but since Arundel was included among those to be arrested, the orders were not based on accusations by Oxford

since Oxford was still friends with Arundel at the time. In fact, there is a distinct possibility that Oxford himself was originally included among those to be arrested, and that on Leicester's advice he bought his freedom by confessing to his own dalliance with the Catholic church since his return to England, and by agreeing to give evidence against Howard, who at the time was his bitter enemy. At the time there was also deep enmity between Leicester and Lord Henry Howard because of Howard's belief that Leicester had been responsible behind the scenes for the execution of Howard's brother, Thomas Howard (1537-1572), 4th Duke of Norfolk. In light of the long-term enmity between Leicester and Howard and the recent breach between Oxford and Howard, it seems possible that Oxford was encouraged to meet with Arundel to warn him of his (Arundel's) impending arrest, and to offer Arundel a pardon from the Queen in exchange for evidence against Howard. When Arundel refused this offer, Oxford, on his own initiative, offered to help Arundel flee the country. Arundel refused this offer as well, and threw in his lot with Howard and Southwell. Before Arundel could warn him, Southwell was arrested and examined. However Arundel succeeded in warning Howard in time, and the two men fled that night to the house of the Spanish ambassador, Mendoza, where they remained for two days before giving themselves up to the authorities.

If the foregoing scenario is correct in its essential details, the reason why Arundel gave the Privy Council such a contorted version of the secret meeting between himself and Oxford on the night of 25 December 1580 becomes clear. It was because the entire meeting turned on Oxford's warning to Arundel that he was about to be arrested, and his offer to Arundel of a pardon from the Queen if he would give evidence against Howard. Arundel refused the offer of a pardon, and tried to escape his imminent arrest by fleeing to the house of the Spanish ambassador, thus incriminating himself. A straightforward explanation of those events to the Privy Council by Arundel which would leave him blameless was obviously impossible, so Arundel omitted all mention of Oxford's warning about his (Arundel's) imminent arrest and Oxford's offer of a pardon from the Queen from his first account, and coloured it with fabrications designed to confuse the reality of the situation. By the time he wrote out his second version, Arundel knew that the Privy Council had access to many of the relevant facts, and his second version is therefore more truthful, although it still conceals the essential fact that Oxford had met with Arundel to warn him of his impending arrest.

After their arrest, both Charles Arundel and Lord Henry Howard made extensive allegations against Oxford (see TNA SP 12/151/57, ff. 118-9 and other documents on this website). The credibility of these allegations must be carefully weighed. On the evidence of the Spanish ambassador, Mendoza, Howard acted as a spy for Spain from the night of 25 December 1580 on (see Mendoza's letter of 25 December 1581 and other documents on this website). Moreover Mendoza himself suggested that one of the reasons for both Henry Howard and Charles Arundel's flight from court on the night of 25 December 1580 was fear of arrest because of 'their having been very intimate with the French ambassador' (see Archivo General de Simancas, Leg. 835, f. 6). After he fled England in December 1583, Charles Arundel acted as a spy for both Spain and France (see Paris Archives K.1564.218 and other documents on this website), and was declared

guilty of high treason in England (see Paris Archives K.1563.122). In 1583 Lord Henry Howard was named in a letter of Mendoza's as one of the principals involved in the Babington plot (see Paris Archives K.1564.150). When all these facts are considered, it is evident that both Howard and Arundel likely had much to hide when they fled the court on the night of 25 December 1580 for fear of arrest, and that the flood of allegations they unleashed against Oxford, whom they wrongly considered had reported their doings to the Queen, was designed to discredit him as a witness by bringing his character into such disrepute that anything he might say against them would be viewed with suspicion. In the end, their strategy was successful. Oxford's evidence against Howard and Arundel was so discredited by their counter-barrage of allegations that both Howard and Arundel were released after enduring several months under house arrest.

Oxford's man Lichfield mentioned in the document below was, according to Alan Nelson, the madrigalist Henry Lichfield. (see Nelson, Alan. H., *Monstrous Adversary*, (Liverpool: Liverpool University Press, 2003, pp. 165, 235-6).

On Sunday last, being Christmas Day, the Earl of Oxenford desired secret conference with me as he had done the night before, whereunto I assenting, we met in the evening at the maids' chamber door, and after long speeches in secret between him and my cousin Vavasour, who was the mean of our meeting, we departed thence to have gone to the garden, but the door being double-locked or bolted, we could not get in. Then we returned to the terrace, and there in the farther part of the low gallery the said Earl used this speech unto me. Charles, I have ever loved thee, and as you have already given your word to my mistress, so now I crave it to myself, and after some assurance given he unfolded to me all his treachery, using many cunning persuasions to make me an instrument of dishonest practice against my Lord Harry and Francis Southwell, with the proffer of one thousand pounds to affirm that they were reconciled by one Stevens, a priest.

I so much misliked of this motion as I persuaded the said Earl from so dishonourable a purpose, protesting before God, which is most true, I neither knew nor ever heard of any such thing. Well, Charles, said the Earl, Stevens is taken and racked, and hath confessed, and therefore I wish you as a friend to be gone and depart the realm if you have faulted as far as others, [CROSSED OUT: he my Lord quoth] [INTERLINED: whereunto I answered] I myself am free, [INTERLINED: God I take to witness, such offence], and so am I persuaded of others.

You are deceived, said the Earl. Southwell hath bewrayed all. Therefore if you will be gone, which I wish for your safety, Litchfield, my man, shall shift you away, where you shall remain for a time at a house of mine in Norfolk or Suffolk, I do not well remember whether, but near the sea. You shall have a thousand pounds either with you, or bills for so much. The ambassador of Spain hath of mine more than that. And when you are gone, I will find the mean to send unto you, and if the sale of a hundred pound [illegible]

land will do you good, it shall be sold [CROSSED OUT: to do you good I lik] the(?) rather than you shall want.

I liked so ill of this unsound counsel [CROSSED OUT: as my Lord in the end was] [INTERLINED: I utterly refused it]. Then my Lord fell to a plainness, and told me what he had confessed to the [INTERLINED: Queen, that he was reconciled(?) to(?) never heard before], that he had his pardon to appeach, [INTERLINED: and if I would be ruled by him], he would save me. [INTERLINED: I thanke[d] him much, but refused]. His [CROSSED OUT: counsel was] counsel [sic] his [sic] conclusion was that no man could do him harm but myself, and that my Lord will I never.

His drift, as I could judge of it, was to this end, that by my flight he might be freed of his monstrous dealing, and others brought to more suspicion. And not refusing utterly to yield to his request, I prayed him I might think upon it, and thereupon wrote unto the Earl a letter by Pore [=Power?], his page(?), the copy whereof I exhibited to your Lordships. And thus much for his dealing with me.

Then touching Stevens, I did confess unto [+your] Honours, so do I now set it down under my hand that the Earl, being grieved in conscience [INTERLINED: about killing of], [CROSSED OUT: as it seemed, about a five year since desired me to help him] to conference with some learned man, whereupon I brought him unto, and what after happened, without concealment of anything, I have truly unfolded unto your Honours.

Right noble and most gracious Sovereign, if I should [INTERLINED: do not] write any(?) as of myself unto your Excellency with any spark of presumption as a matter meet for the view of the majesty of your sacred person, not only mine own weakness would bewray me but also procure my worthy reprehension, but simply presuming of your Majesty's mild and accustomed favour, provoked by necessity and no less persuaded by the humbleness of a dutiful mind, as one vowed by oath and allegiance faithfully to serve your Majesty, the regard whereof not leadeth but constraineth, although with trembling hand, to present unto your magnificence this my poor afflicted state, most humbly beseeching your Majesty that it may please the sun of your great bounty to give it ceileing [=sealing?], hoping that where I reposed my only contentance, there to find my only comfort.