

SUMMARY: The document below is a copy of a memorandum likely prepared by Oxford's first cousin, Sir Francis Vere (1560/1-1609), describing from his point of view events in April 1602 when he received a challenge from Henry Percy (1564-1632), 9<sup>th</sup> Earl of Northumberland.

A copy of the document appears to have been included in a letter dated 17 June 1602 from John Chamberlain to Sir Dudley Carleton. Chamberlain wrote:

*I send you here all the proceedings twixt the Earl of Northumberland and Sir Francis Vere at large; the case stands doubtful as it did at first, for the fautors on both sides lay the imputation according to their own partiality. For my part I am very indifferent and respect neither of them greatly, yet that little inclination I have differs I doubt from yours, but let them brabble and fight it out if they will, so we continue friends.*

See McClure, Norman Egbert, ed., *The Letters of John Chamberlain*, Vol. I, (Philadelphia, The American Philosophical Society, 1939), pp. 150-1.

For Sir Francis Vere's Lieutenant-Colonel and 'faithful follower', Sir John Ogle (1569-1640), and for Sir Edward Stafford (1552-1605), see the *ODNB* entries.

For the Earl of Northumberland's representative, Captain Edmund Whitlock or Whitlocke (10 February 1565 - 24 August 1608), who was imprisoned in connection with both the Earl of Essex' rebellion and the Gunpowder Plot, see the *ODNB* article, and Harrison, G.B., *A Second Jacobean Journal*, (New York: Routledge, 1999 reprint), pp. 106-7 at:

[http://books.google.ca/books?id=\\_VNFAQAAQBAJ&pg=PA106&lpg=PA106&dq=%22Edmund+Whitlock%22+%22Earl+of+Essex%22&source=bl&ots=08WoMS1VyW&sig=Zlt3nagkfTeeq\\_j2ApZCDGbUcBY&hl=en&sa=X&ei=6l-PU\\_rfJ4fwoASFx4CoDg&ved=0CCIQ6AEwAA#v=onepage&q=%22Edmund%20Whitlock%22%20%22Earl%20of%20Essex%22&f=false](http://books.google.ca/books?id=_VNFAQAAQBAJ&pg=PA106&lpg=PA106&dq=%22Edmund+Whitlock%22+%22Earl+of+Essex%22&source=bl&ots=08WoMS1VyW&sig=Zlt3nagkfTeeq_j2ApZCDGbUcBY&hl=en&sa=X&ei=6l-PU_rfJ4fwoASFx4CoDg&ved=0CCIQ6AEwAA#v=onepage&q=%22Edmund%20Whitlock%22%20%22Earl%20of%20Essex%22&f=false)

For the Earl of Northumberland's version of events, see Green, Mary Anne Everett, ed., *Calendar of State Papers Domestic Series of the Reign of Elizabeth 1601-1603*, (Burlington, Ontario: TannerRitchie Publishing, 2005), pp. 203-5.

The Earl of Northumberland making profession to hate Sir Francis Vere upon divers sinister reports made by base and factious persons whilst he was in the Low Countries, where he might have drawn from Sir Francis Vere satisfaction in the matters he was to object either by word or sword without any hindrance or danger of the laws, never called him to account nor charged him directly with any matter, though Sir Francis Vere did offer to give him satisfaction, knowing himself clear from wronging the Earl in his reputation, though he must and will confess upon the certain knowledge he had of the

countenance and favour the Earl showed to many mean persons and the contentment he took in the bitterness of their backbiting of Sir Francis Vere, that he grew into contempt of this humour of the Earl's, and afforded him little respect.

Their first meeting in England was in the court the 15(?) of April, Sir Francis Vere being sent to her Majesty by the States as a public person upon very weighty and important affairs, where the Earl, passing by Sir Francis Vere, asked softly if he went to London that night, whereunto Sir Francis Vere answered he knew not, it being well known to a gentleman of great worth in the court that Sir Francis Vere attended the coming of a councillor to court through whose hands of necessity his business must pass, and was determined if he came early, after speech with him, to go to London; if late, to have stayed in court that night. The Earl made no reply but passed on, whereupon Sir Francis Vere followed him, asking him if he would command him any service if he went to London, to which the Earl made no answer at all.

Sir Francis Vere, who took this as the Earl meant (who since confessed to Captain Ogle that he purposed to set upon Sir Francis on the way), forsaking his former resolution of attending the arrival of the honourable personage, passed towards his lodging, and on the green before the court he saw the Earl, and so soon as his coach was made ready, Sir Francis went to London, and found no encounter. Hereupon a rumour was spread both in court and city that the Earl had challenged Sir Francis Vere.

The 24 of April in the evening about 6 of the clock one Captain Whitlock came into Sir Francis Vere his chamber, and after some speech of other matters he drew a letter out of his pocket and said the Earl sent it unto him. Sir Francis took and read the same twice. Whitlock requiring an answer, Sir Francis told him the matter was of too great moment to be so suddenly answered. He asked when the Earl might expect an answer. Sir Francis replied that his speed would be more than ordinary. The same evening he framed his answer, but wanting a convenient messenger, for he was to choose one to whom he might communicate his letter, it was not sent until the next morning, and then he gave the same to Captain Ogle, his Lieutenant-Colonel, willing him if the Earl refused the letter to deliver by word the contents thereof, which was as followeth:

*To the right honourable the Earl of Northumberland, Knight of the most noble Order of the Garter*

*Your Lordship required in your letter sent me by Captain Whitlock that I should return a direct answer by word of mouth to the contents, which at the instant I forbore, the matter being of moment and not to be resolved of so suddenly, and now for good respects I choose rather to let your Lordship to know my mind by writing than by any man's report.*

*If your Lordship's meaning be by the meeting you appoint to draw a verbal satisfaction from me in the objections you are to make, the manner of the meeting, in my opinion, is not the best, in regard that truth delivered where swords may be drawn is subject to hard construction, which I desire to avoid. Your Lordship shall therefore be pleased to*

*nominate some fit place for communication, whither I will repair with much willingness to clear myself of having given your Lordship(?) the first cause of offence, for truth[‘s] sake, for the respect your greatness requireth, and for that I despise private combatting, especially at this time that I am engaged in so great an[d](?) important an action, as your Lordship well knoweth.*

*This course rejected by your Lordship, I shall not leave to follow the occasions that drew [+me?] over with the poor train attending me ordinarily, confident that your Lordship will attempt nothing unfitting yourself upon me that have always lived in good reputation and am descended from a grandfather of your own rank.*

*From my lodging in Aldersgate Street this 25 of April,*

*Francis Vere*

The Earl refused the letter, and Captain Ogle laying the same on the board, the Earl took his sword, and Captain Ogle, as I had instructed him, took the letter and delivered the contents by word. The Earl replied that there was no place privileged from drawing of swords but the Queen’s chamber of presence, the garden, and the marketplace, and that those were no places to speak in.

And with this Captain Ogle returned to Sir Francis Vere, who said to Captain Ogle that to him all places were alike if the distinction of them were proper for treaty and expostulation, and that it was indifferent to him where it were and what company on the Earl’s part were present, so he might have some gentleman qualified such as Sir Edward Stafford to be a witness what should pass.

With this answer Captain Ogle returned to the Earl, who neither accepting this course nor propounding any other fit for Sir Francis to embrace, Captain Ogle, who returned to the Earl the third time to signify unto him that since his Lordship would accept of no indifferent and convenient place of meeting for communication, that Sir Francis Vere was resolved not to satisfy him in that manner he required, and moreover to let him understand that where and whensoever the Earl should meet Sir Francis Vere where there were no privilege against drawing of swords, and should expostulate with Sir Francis Vere, he would never answer him to his demands, but willingly lay his hand on his sword. And so this negotiation of Captain Ogle broke off.

Within some few days her Majesty had knowledge what had passed, it being divulged by the Earl’s followers that he had sent Sir Francis Vere a challenge, whereupon the 30<sup>th</sup> of the foresaid month her Majesty sent commandment to the Earl of Northumberland not to have to do with Sir Francis Vere. Then the Earl, as by circumstances appear, having brought matters to the pass he desired, published the manner of his proceedings in English, French and Italian, whereof Sir Francis Vere could not procure any copy till some few days before his departure, nor answer the same so promptly(?) as he willingly would for his affairs otherwise. And for that in the same the Earl went beyond the true

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grounds of judgment and honour, Sir Francis thought it necessary to send the Earl this letter which followeth, which he offereth to the world with the rest of his proceedings to be judged of:

*Because I refused to meet you upon your peremptory and foolish summons, you conclude me in a discourse sent abroad under your name to be a knave, a coward and a buffoon, wherein you have provoked me to set aside all respect to your person and to say that you are a most lying and unworthy Lord. You are bound by her Majesty's commandment not to assail me, and I by the business committed to me not to seek you. When we shall be freer or God shall make us meet, I will maintain it with my sword.*

*Francis Vere*