

# The Road to Deptford Strand

## Marlowe's Atheism and the Privy Council

That Christopher Marlowe was an atheist seems to have been fairly commonly believed, even if it is not always clear precisely what that word meant at the time.

Robert Greene, for example, was referring to him when he addressed someone he described as "daring God out of heaven with that Atheist *Tamburlan* or blaspheming with the mad preest of the sonne" <sup>1</sup> and, even more explicitly, that he "hath said... (like the foole in his heart) There is no God." <sup>2</sup> Similarly, Gabriel Harvey's referring to "no religion, but precise Marlowism" and calling "Marlow a Lucian" <sup>3</sup> must be interpreted in the light of Harvey's remarks in another context about a book "where Saint Peter, & Christ himselfe are Lucianically & scoffingly alleadged." <sup>4</sup> Furthermore, when Thomas Kyd sought to clear himself of "being thought an *Atheist*, which some will sweare he [i.e. Marlowe] was" <sup>5</sup> there is really no reason to disbelieve him, even if he was being tortured when he first said it.

Whatever the truth of these allegations, however, no urgency was shown by the Government as regards doing anything about it, and this is well illustrated by the events immediately following the posting of the xenophobic "Dutch Church libel" on the evening of 5 May 1593. As the result of an apparent tip-off suggesting that Thomas Kyd was responsible for it, Kyd was arrested and his lodging searched. A few pages of an anti-Trinitarian argument were found, which, as a prisoner on 12 May, Kyd "affirmeth that he had from Marlowe."

The story as to how this apparently affected Marlowe is one with which we are all very familiar. On 18 May 1593 the Privy Council issued "A warrant to Henry Maunder one of the messengers of her *Majesties* Chamber to repaire to the house of Mr *Thomas* Walsingham in Kent, or to anie other place where he shall vnderstand *Christofer* Marlow to be remaying, and by vertue hereof to apprehend and bring him to the Court in his Companie. And in case of need to require ayd." <sup>6</sup>

Most commentators point out that this standard wording makes it clear that he was not being charged with any offence, and that there is really no implication that he was expected to resist, as it seems to say, either. However, they do assume that this warrant had been issued at a meeting of the Council itself, and as a result of the members having been told of Thomas Kyd's arrest and the "vile hereticall conceipts", which he claimed to be Marlowe's, found in his dwelling.

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<sup>1</sup> Robert Greene, 1588, *Perimedes the Blacksmith*, Preface.

<sup>2</sup> Robert Greene, 1592, *A Goatsworth of Wit Bought with a Million of Repentance*.

<sup>3</sup> Gabriel Harvey, 1592, *Pierce's Supererogation*.

<sup>4</sup> Gabriel Harvey, 1592, *Fowre Letters and certaine sonnets*. "Alleged" in this context means "cited".

<sup>5</sup> Kyd's letter to Sir John Puckering, 1593 – British Library (BL) *Harley* MS.6849 f.218<sup>r,v</sup>

<sup>6</sup> National Archive (NA), *Acts of the Privy Council*, 18 May 1593.

Other than A.D. Wraight, who wrongly believed that it was the Court of Star Chamber he was to attend,<sup>7</sup> all biographers up to and including Charles Nicholl<sup>8</sup> and David Riggs<sup>9</sup> seem to have followed William Urry's<sup>10</sup> lead in thinking that "the Court" referred to was the royal one - which it was - but had this wrongly located at Greenwich, when in fact it was at Nonsuch Palace in Surrey.<sup>11</sup>

The problem is that there is no record of there having been a meeting of the Privy Council on 18 May and, even though the court had moved from Croydon to Nonsuch before then, none of their meetings were held at Nonsuch before the afternoon of 31 May. All of their meetings over that period (16, 23, 25, 29 and the morning of 31 May) were held in the Star Chamber in Westminster Palace - which may explain Wraight's mistake.

We may therefore wonder how is it that the warrant was issued on 18 May? The last minuted Privy Council meeting before that date was two days earlier (16 May) and was attended by the Archbishop of Canterbury (Whitgift), Lord Keeper (Puckering), Lord Treasurer (Burghley), Lord Derby, Lord Chamberlain (Hunsdon), Lord Buckhurst, Sir John Wolley and Sir John Fortescue.<sup>12</sup> It therefore seems likely that the decision to call Marlowe in for questioning was taken then. It was to be issued to a Messenger of the Queen's chamber, which as we now know was then located at Nonsuch. We also know (because of another warrant signed by him on 18 May)<sup>13</sup> that Burghley was at Nonsuch on that date. So it seems quite likely that Burghley - or, if also there, one of the others present on 16 May - used the opportunity to issue the warrant to Henry Maunday on the Council's behalf. Whoever it was that did so, however, they do not seem to have accorded it much urgency.

It is not known whether Marlowe actually was at Scadbury, of course, only that he might be found there and that the person signing the warrant appeared to be aware of that possibility. If it was Burghley who signed it, as seems likely, then this would presumably support the idea that Marlowe was still one of his agents. When Marlowe turned up to report to their lordships two days later, however, the note refers to him as being "of London".

There seems to have been some confusion as to where Maunday did actually take him on the 20th, and what happened when they got there. Since we have

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<sup>7</sup> A.D. Wraight & Virginia Stern, *In Search of Christopher Marlowe* (MacDonald & Co, 1965) - p.283.

<sup>8</sup> Charles Nicholl, *The Reckoning: the Murder of Christopher Marlowe* (Vintage, 2002) - p.20.

<sup>9</sup> David Riggs, *The World of Christopher Marlowe* (Faber & Faber, 2004) - p.331.

<sup>10</sup> William Urry, *Christopher Marlowe and Canterbury* (Faber & Faber, 1988) - p.81.

<sup>11</sup> First pointed out by William Honey in 1983, and repeated without acknowledgment by his fellow Marlovian A. D. Wraight in 1995, this important information had to wait for "official" acceptance ten years later in Park Honan's 2005 biography, *Christopher Marlowe, Poet & Spy* (Oxford) - p.354.

<sup>12</sup> Wraight (p.285) had precisely the same list of members as being present when he appeared on 20 May, but there is no evidence supporting this, and she may have simply got the dates mixed up.

<sup>13</sup> There is the record of a payment to "Romano Cavaliere: upon a warrant signed by the Lord Treasurer dated at the Court the 18th day of May 1593, for bringing of letters in post ... to the Court at Nonsuch".

seen that the warrant was probably signed at Nonsuch, the words "bring him to the Court" must indicate that this was where he was meant to go. As the *Oxford English Dictionary (OED)* says, the word *bring* "implies motion towards the place where the speaker or auditor is, or is supposed to be."

Yet once again there was apparently no meeting of the Privy Council that day, whether at Nonsuch or at Westminster. All we have is the bald statement that "This day *Christofer Marley* of London gent, being sent for by warrant from their *Lordships*: hath entered his apparance accordingle for his Indemnitie therein;<sup>14</sup> and is commaunded to give his daily attendaunce on their *Lordships* vntill he shalbe lycensed to the Contrary."<sup>15</sup>

It is therefore fairly clear that Marlowe must have turned up at Nonsuch on 20 May, only to be told by some official that their lordships weren't meeting that day, but given what they had said, he really should keep on returning until they were. As for whether he was actually released on bail, this is undoubtedly what most biographers think,<sup>16</sup> but it really doesn't say that. According to the *OED* the only definition of *indemnity* apparently in use at that time was "Security or protection against contingent hurt, damage, or loss." Since the indemnity is his and not theirs, therefore, it must be saying that he has had his appearance entered in the record as a protection against his being accused of having ignored their lordships' command. The word *therein* clearly refers to the "warrant from their Lordships" and the terms "therein".

It is reasonable to assume, I think, that Marlowe did again turn up (presumably at Nonsuch) on the next two days, but that there were no Privy Council meetings for him to attend. However it is of course possible that on the second day, 22 May, he was told that they were meeting at the Star Chamber on the following day, and that he should present himself there.

If he did, he would have found Whitgift, Puckering, Burghley, Derby, Buckhurst and Fortescue waiting for him. From Kyd's testimony it seems that Marlowe must have admitted to them that the "vile hereticall" fragment did belong to him,<sup>17</sup> but this would have been fairly easily explained away, given that it is an extract from a *refutation* of the anti-Trinitarian argument. Someone with Marlowe's gift for words should have had no difficulty with that.

Unfortunately for Marlowe, however, rather different - and far more dangerous - accusations had started to appear. And to understand this, we need to turn our attention to Thomas Drury, and a letter he wrote to Anthony Bacon on 1 August

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<sup>14</sup> Most transcripts give this as "herein" but it is fairly clearly "therein," as Wraight's copy of the entry itself (p.284) shows that the first letters are exactly the same as those of the word "their" in the line above it.

<sup>15</sup> NA, *Acts of the Privy Council*, 20 May 1593.

<sup>16</sup> Wraight (p.284), Nicholl (p.54), Riggs (p.325) and Honan (p.336) all use the word "bail" in this context, as I have myself done in the past.

<sup>17</sup> I am grateful to Daryl Pinksen who first pointed this out to me and convinced me he was right.

1593.<sup>18</sup> In this letter we learn that a sequence of events, in each of which Drury was somehow involved, occurred between 11 May and 27 May that year.

The first was the naming of Thomas Kyd as the author of the Dutch Church libel, which resulted in Kyd's imprisonment. There is no transcript of what Kyd said at the time, but there are two documents written by him after 30 May which are generally believed to give a fairly good idea. We have already quoted from one, and in the other he says of Marlowe that "it was his custom when I knew him first & as I heare saie he contynewd it in table talk or otherwise to iest at the devine scriptures gybe at praier, & stryve in argument to frustrate & confute what hath byn spoke or wrytt by prophets & such holie men."<sup>19</sup> So Marlowe wasn't just an atheist, but one who set out to convince others that he was right.

The second thing to happen was the submission of an anonymous informer's report, widely believed to have been by Drury, entitled *Remembraunces of wordes & matters againste Ric. Cholmeley*.<sup>20</sup> In this, Drury says of Cholmeley "That he saieth & verely beleveth that one Marlowe is able to showe more sounde reasons for Atheisme then any devine in Englande is able to geve to prove devinitie & that Marloe tolde him that hee hath read the Atheist lecture to Sir walter Ralieghe & others". Again, he is accused of proselyting atheism, but this time not just among the likes of Cholmeley and his gang, but with possibly some of the most influential thinkers in the land.

The third was a list of accusations about Marlowe compiled by a foe of his, Richard Baines, which Drury claims in his letter to have been "by my only means sett down vnto the Lord Keper & the Lord of Bucurst...". This is the famous *Baines Note*,<sup>21</sup> in which there is confirmation of Drury's claim with "one Ric Cholmley hath Confessed that he was persuaded by Marloe's Reasons to become an *Atheist*" and, together with many examples of his blasphemy, that "These thinges, with many other shall by good & honest witnes be aproved to be his opinions and Comon Speeches, and that this Marlow doth not only hould them himself, but almost into every Company he Cometh he perswades men to *Atheism*."

Drury's role in this is an interesting and very important one, and worth piecing together. The way I see it, he was gathering his material for the *Remembrances*, asked for by Puckering and Buckhurst,<sup>22</sup> but had suddenly been told to use his contacts - Baines in particular - to find out who was responsible for the Dutch

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<sup>18</sup> Lambeth Palace Library (LPL), *Bacon Papers* MS.649 f.246.

<sup>19</sup> BL *Harley* MS.6848 f.154

<sup>20</sup> BL *Harley* MS.6848 f.190<sup>fv</sup>. It was S.E. Sprott in his "Drury and Marlowe" (in the *Times Literary Supplement* of 2 August 1974) who first transcribed Drury's letter to Anthony Bacon and recognized it as clear evidence that Drury had been the author of the *Remembrances*.

<sup>21</sup> BL *Harley* MS.6848 ff.185-6. I have argued elsewhere that he wasn't referring to the *Baines Note*, but I have now concluded that he almost certainly was, and was in fact considering both the *Note* itself and the letter which he seems to have based upon it as being covered by this remark.

<sup>22</sup> Nicholl, p.383. Drury had apparently been "recruited" by Puckering and Buckhurst the previous November.

Church libel. Kyd was named as a result. While Drury was with Baines he talked about Cholmeley, and showed Baines what evidence he had against him so far. Perhaps Baines even offered to redraft it for Drury, whose style was very bad.<sup>23</sup> If so, he would have seen a comment about Marlowe's atheism, its effect on the seditious "Cholmeley" crew, and Marlowe's having read "the Atheist lecture" to Raleigh & others. Given his hatred of Marlowe, he cannot have resisted telling Drury of the various blasphemous, heretical and treasonous things he had himself heard Marlowe say.<sup>24</sup>

I think that Drury must have delivered his *Remembrances* to Puckering personally, and waited while they were read, answering any questions that arose. When it came to the point about Marlowe he would have explained to Puckering some of what Baines had said, and Puckering have told him to get the whole lot from Baines in writing.

He therefore did so and made a copy for himself, in fact using some of its ideas in a letter he also wrote to Justice Young concerning Cholmeley. In this letter he even goes so far as to say of Cholmeley and his followers that their intention is "to drawe her majestys subiects to bee Athiests" and "their practise is after her majestys decease to make a kinge amonge themselves & live accordinge to their owne lawes." <sup>25</sup> That in Drury's letter to Bacon he also says that "Sithens that tym there is ould hold and shoue for to gett the bocke that doeth mayntayn this damnabell sect" with its suggestion that Marlowe had put his ideas in writing (which would also have been assumed to be the basis of his "lecture") would, therefore, if known, have increased Marlowe's problems enormously.

Interestingly, another letter of Drury's, addressed to Sir Robert Cecil the following August,<sup>26</sup> shows that Drury must have also discussed the *Remembrances* with Cecil, or been interrogated by him about them, at around this time.

So, let us return to the meeting of the Privy Council on 23 May when Marlowe would have most probably appeared before them. Although we cannot be certain of exactly how much of this was known by then to Lord Keeper Puckering - and therefore also to Archbishop Whitgift - there can be little doubt that they already possessed enough (if only oral) confirmation of Marlowe's actively trying to "sell" atheism to have had him tried and executed.

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<sup>23</sup> The evidence for Drury having written the *Remembrances* is overwhelming, although Constance Brown Kuriyama (*Christopher Marlowe, A Renaissance Life*) rightly says that, as we now see them, they don't appear to have been written by Drury, given that his writing ability elsewhere is of a much lower standard.

<sup>24</sup> The way in which I describe this is not intended to rule out Baines's probable major role in what appears to have been a campaign specifically aimed at incriminating Marlowe. As far as this paper is concerned I leave open the questions of just why Baines was believed to know who posted the libel, why Kyd was unfairly accused by him, whether Baines deliberately manipulated Drury to get his evidence to Puckering etc.

<sup>25</sup> BL *Harley* MS.6848 f.191. Charles Nicholl lists some of the accusations which are obviously repeated in Drury's letter (Nicholl, pp.338-9 )

<sup>26</sup> Historical Manuscripts Commission (HMC) *Cecil* Volume IV pp.366-7

We may therefore reasonably guess that at the meeting on 23 May Whitgift and Puckering present this evidence and insist that trial and execution is the only option. As Marlowe's probable employer for many years, Burghley is appalled. He wants him saved, not only because of Marlowe's past services to the queen, but because of his extraordinary ability with words which if used properly could be of enormous benefit to the state. That Marlowe may know things which Burghley would not want revealed under torture is also a possibility.

There appears to be a complete impasse. Whitgift and Puckering want him tried and executed. Burghley and in all likelihood Derby (himself a lover of poets and actors, and at one time the patron of his son's company of players, Lord Strange's Men) want him saved. As Burghley's friend, and working for him as under-treasurer and chancellor of the exchequer, Fortescue also probably goes along with him on this. But why then would the Council apparently agree to release him as his appearance at Deptford seems to show? He surely wouldn't have been allowed to go free until these accusations (of what amounted to sedition) had been pursued and, even if he had, would certainly not have been permitted to remain at liberty once the *Baines Note* had arrived too. Whether or not Burghley had an acceptable explanation for this behaviour, Marlowe was becoming well-known for these activities, and obviously something would have had to appear to be done about it.

At this point I think that Thomas Sackville, Lord Buckhurst, may have come into the picture. As the joint author of *Gorboduc*, the first English play written in blank verse, and a fine poet in his own right,<sup>27</sup> we may reasonably assume that his sympathies would have been with a fellow-poet and playwright whom he cannot fail to have admired enormously, Marlowe. On the other hand, he had apparently been involved with Puckering in Drury's machinations against him. As a first cousin of the queen's mother, Anne Boleyn, Buckhurst had the queen's ear in a way that few others could match and, as the *Oxford Dictionary of National Biography* puts it, "He acquired a reputation for impartiality, courage, and plain speaking since his kinship with the queen largely enabled him to avoid factions at court."

So, with Burghley's side perhaps prepared to accept exile for Marlowe but not death, and Whitgift's insisting that exile certainly wasn't enough of a deterrent, I can imagine Buckhurst suddenly saying "I think I can see a possible way out of this" - and the idea that there could be permanent exile as well as a *faked death*, with its associated loss of identity, was born.

Marlowe would not have been released, but held *incommunicado* at Westminster while the plans were laid, in particular the bringing in of Thomas Walsingham to plan and organize the deception. Robert Poley, if he could be recalled from the Netherlands in time, would supervise it on the day itself and thereafter. On 25 May, the Privy Council met again in the Star Chamber with the same six members present, checked on progress, and possibly told Marlowe of what they

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<sup>27</sup> In fact an interesting case for Buckhurst having been the author of Shakespeare's works - called *The Swallow and the Crow* - was presented by Sabrina Feldman PhD in the 2010 edition of *The Oxfordian*.

had decided. It was made quite clear what was expected of him if his life were to be saved and just what the penalty would be if he failed to meet the terms of the deal in any way. The possibility of an eventual pardon if he toed the line was also indicated. There apparently being no alternative - other than torture, trial and execution - he accepted.

On 29 May the Privy Council was attended by far more of its members than usual. Derby didn't make it, but the other five were joined by Lord Admiral (Howard), Lord Chamberlain (Hunsdon), the Earl of Essex, Sir John Wolley and Sir Robert Cecil. They were told what had been decided and put in place. As before, nothing of this was put in writing, but at the end of the meeting Lord Chief Justice Popham was asked to join them and add his signature to those of Whitgift and Puckering on the warrant for John Penry to be executed later that same day and whose body would be claimed to be that of Christopher Marlowe.<sup>28</sup> The deception had begun.

### **Postscript**

There remains the interesting question of whether, under such a scenario, the queen herself would have known what was going on. I tend to think that she would have had to know. If the death was indeed faked - and whether other Privy Council members knew about it or not - then Burghley must have been involved in some way, and I find it most unlikely that he would have been, for what would appear to be such a relatively trivial matter, without the queen's knowledge. Nor is it likely that William Danby, Coroner of the Queen's Household, would be prepared to mislead an inquest jury, as he would certainly have had to, without some indication that he was indemnified against any possible risk too. Without the queen's knowledge of it there could hardly have been the possibility of an eventual pardon being offered either.

Perhaps they told her of the plan, and she said that they should do as they thought best, but that there must be clear and unequivocal "proof" that Marlowe was dead, and there should be no indication at all that she knew anything about it beforehand.

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(I must express my thanks to Anthony Kellett and Ros Barber for discussions in which some of the ideas expressed here became clearer, and to Carlo DiNota for publishing a shorter version of it on his blog *The Marlowe-Shakespeare Connection* in May this year.)

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<sup>28</sup> The possibility that John Penry's dead body was substituted for Marlowe's at the inquest was first suggested by David A. More in his *Drunken Sailor or Imprisoned Writer?* published in *The Marlovian* newsletter, 1997. <<http://www.marlovian.com/essays/penry.html>>.