

**From** *Letters and Papers, Foreign and Domestic, Henry VIII, vol. 4: 1524-30*, edited by J. S. Brewer. London: Her Majesty's Stationary Office, 1875, p. 2366.

[1529]  
Vit. B. XI. 117.  
B. M.

**5377. THE DIVORCE.**

Summary of the reasons which should persuade the Pope to pronounce sentence for the King, in the matter of the divorce.

1. The marriage is contrary to divine and human law. If the papal dispensation is put forward as an argument, it may be answered that the Pope's authority does not extend to degrees prohibited by the divine law, which limitation is not made by writers who wish to diminish his authority, but accords with his own opinions. The cause alleged for the dispensation, the confirmation of peace, was insufficient, as there was already a firm peace. Another argument against the dispensation is the silence concerning the King's age, and the suggestion that he desired the marriage for the continuance of the treaty of peace, which was impossible at an age at which the common law does not admit discretion.

The brief which has since been produced is false, for many reasons. All persons must agree that the dispensation should be annulled.

It is expedient that the succession to the kingdom should be fixed and incontestable, and that the King's conscience should be quieted. The Pope should grant his desires on account of his merits.

*Lat., Vannes' hand, pp. 4.*