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396. EUSTACE CHAPUYS TO THE EMPEROR.

Your Majesty will learn from the Queen's own letters now enclosed,<sup>1</sup> as well as from my last despatches,§ the position of affairs here, and the great need there is for immediate redress, also the measures to be adopted for the assistance of the Queen; and therefore will no further allude to the subject in this my despatch. Your Majesty will also have heard from Madame and from Dr. Garay what passed lately at the university of Paris. The said Dr. Garay has earnestly requested me to remind Your Majesty of the expediency of obtaining from the Pope at the present time a commission addressed to the two persons named in his letter to Your Majesty for the purpose of inquiring into the injustice and injury done to the Queen, and likewise to the Parisian doctors who are on her side.

I have written to Messire Mai about this commission, which cannot fail to be of good effect; but as there may be great delay in obtaining it and getting it executed, I think it would be well in the meantime to apply to the king of France, since, whilst apologizing to your ambassadors for the favour shewn to the king of England in this matter, he is known to [671] have said that *he was quite ready to do as much for Your Majesty*. I am decidedly of opinion that this profession of good-will ought to be turned to account. It might well be that in fulfilment of promises of his own (if he has actually made any), or of Mr. de Langeais (Guillaume du Bellay), about whom I have frequently written to Your Majesty, the King had persisted in procuring the seal (*sçel*) of the university of Paris; but now that he is no longer bound by any such promises he might, without attracting observation (*soub main ou dissimulant*), retrieve the whole affair, and give each side full justice, by writing to the President of Paris to admit the appeal of Garay and of the doctors of his opinion, and order that they should be allowed to have advocates, notaries, and agents (*procureurs*) for the prosecution of their appeal, which they have not hitherto been able to obtain. Further, it would be advisable for Your Majesty to require the said king of France to forbid Langeais or anyone else to corrupt the other universities of his kingdom, as he (Langeais) has undertaken to do. This of course will be too late with regard to Poytier (Poitiers), which university has already decided in favour of the Queen, as Your Majesty has perhaps heard through Monsgr. de Granvelle, to whom the said university sent a copy of their decision (*deffinition*); also to require the king of France to carry out his promise to the Imperial ambassadors of issuing in a public and authentic form the opinion of the 43 [doctors] who held for the Queen, as there can be no better antidote than this to destroy the effect of the said seal (of the Paris university), when this cause is brought before the Parliament of this kingdom;<sup>2</sup>

**The said Parliament has been prorogued till the 5th of October, this question of the marriage being apparently the chief, if not the only cause for the re-assembling of its members.** I have spoken to two of the lawyers (*procureux*) in the said Parliament who are devoted adherents of the Queen; but they very much fear that they shall be compelled to accede to the King's will, even if the votes are taken of each one separately, as was done in the case of the nobles, when the letters, about which I have already written to Your Majesty, had to be signed and sealed.<sup>3</sup> Represented to them that they had now a good excuse for refusing to be drawn into this, considering that the Pope was acquainted with all the facts of the case and had threatened excommunication to anyone who should either

1 Not in the bundle. 'Que ausy par mes penultiemes et dernieres.'

2 "Qu'il veuillie fere bayllier en forme publicque et auctentique l'opinion des xliiii que ont tenu pour la royne, cart yl n'y a contrepoyson meillieur pour abbatre l'auctorité de leur dits sçel venant a traytter ceste matiere devant les estatz de ce royaume."

3 "Mays yl craignent fort qu'il ne soient induytz et contraintz d' obtemperer a la voulente du roy mesmemant syl sont prins de ung a ung comme lon feist les grans quant yl fust question de signer et sçeller les lectres dont ay cydevant escrit a votre maieste."

counsel or favour this second marriage, as they would perceive from the brief, of which I gave them a copy to circulate [672] [among their colleagues], which they have faithfully promised to do. I feel quite sure that when this matter is brought before Parliament, the Queen will request me to give notice of this brief, or at least to offer, in Your Majesty's name some sort of opposition or protest; I beg, therefore, for instructions on this point.<sup>4</sup>

When the King first received the news of the decision of the university of Paris in his favour he was greatly delighted, and gave most festive entertainment to the French ambassador (*et le festoya grandement*), keeping him three or four days in his company to take part in the hunting and share the spoils of the chase; but since he has heard what really took place at Paris, namely, that the decision of the University was very far from being unanimous, (as the French ambassador represented to him,) his favour has greatly abated,<sup>5</sup> and Jehan Jocquin has actually left court to visit the port of Antonne (Southampton), and several other places in the country; in fact it appears that even while at court he (Jocquin) did not attend to business in any way, but only cared for hunting and amusement.

The first person who has stated here the number, names, and relative position of those who at Paris declared for the Queen, is a chaplain of hers, who, when called before the King's Council to answer for having said in several places that all those who advised the King to take any other wife than the Queen were very wicked people, boldly confirmed that statement, and added that since the Church had approved of this marriage for so many years, and since the Pope had threatened excommunication to all those who should countenance the second, anyone abetting the King in this unrighteous act was,—the duke of Norfolk there present not excluded,—a traitor to God and to the King;<sup>6</sup> and, moreover, that no trust could be placed in the seal of the [university of] Paris owing to the corruption which had prevailed there, in spite of which 44 doctors among the most learned and honoured in Christendom, the list of whom he then and there produced, had voted in favour of the Queen. They say that when the duke of Norfolk saw the list (*role*), he said to the Queen's almoner and to her chancellor, who had been sent for that they might hear the chaplain's declaration: "Certainly the man is right, (*cipher*:) and I must say that it is a most wicked and treacherous act on the part of the French to have stated that the consent of the University was unanimous." [673]

The said chaplain was immediately banished from court by order of the King, who soon afterwards sent the duke of Norfolk and his own first secretary to the Queen, to request that she would have him punished for his insolence. The Queen replied that justice was entirely in the King's hands, but that it would not be justice to make anyone suffer (*lapider*) for having acted rightly. The Queen had meditated giving notice (*intimer*) of the brief on this occasion, but out of love and reverence for the King she refrained, and has hitherto delayed writing again to the Pope, however much I have urged her to do so. After the said seal had been received here, the duke of Norfolk said to the Queen's almoner that now that the Faculty of Paris had decided upon this case, there really was nothing more to be said about it, and that he should therefore represent to the Queen that she had much better consent to the divorce with a good grace than go on opposing it. The almoner refused to take such a message, which, he said, his duty, honour, and conscience forbade. The Queen, however, would have been well pleased if the King, or some one in his name, had made such a proposal, for this would have given her an opportunity of shewing her courage and her hopes. Indeed, she has never been firmer in purpose than since hearing

4 "Je suys seur que venant a tyaytter dicelluy affere ausdits estatz la royne me sollicitera de intimer le dit brefz ou de fere de la part de vostre maieste quelque opposition ou protestation, a ceste cause, supplie a vostre maieste me fere entendre son bon playsir."

5 "Le quel yl retint troys ou quatre jours pour le fayre participant et de la recreation de la chasse et du fruyt dicelle. Dempuis qu'ilz eurent sceu comme se sont estoit (esté) passe a Paris, et que toute l'universite n'y avoit point consentu (sic) comme publioit le dit ambassadeur, le feste fust bien refroydie."

6 "Quil diroit plus avant que non seullemant yl nestoint gens de bien, mays que lon les pouvoit appelle [r] traytres a Dieu et au roy ceux que telles choses persuadent au dit roy, et fust ce le duc de Nolpholc que la estoit present."

of what has passed in Paris, and does not care a straw for all that has been done there in favour of the King; and, in my opinion, she is quite right, for I have certain information that one of those who went over to agitate for the King has said the same since his return from that capital, and expressed his great surprise that there should have been so many distinguished men in that university ready of their own accord to speak out so boldly and firmly in support of the Queen's cause.

The King has begun carrying on a prosecution against the priests and prelates who obtained preferment whilst the Cardinal was Legate;<sup>7</sup> he has now referred the matter to Government, and it is to be feared that he will cause the greater number of those who hold with the Queen to lose their preferment; the surest means this of getting hold of a large sum of money, and also getting the prelates and Clergy so in his power that they shall sanction and forward this marriage, which he has always said should have the advice and authority of the Anglican Church.

A courier from Rome arrived here for the King eight days ago. As no news has been published I conclude that the intelligence was not agreeable. The King is sending to-day, with despatches for Rome and Venice, a relative of Gregoyre de Casal, who is going thither in all haste. He refuses to take any packet from his friends here unless he sees first [674] whether there are any letters of mine inside, which is, no doubt, done by the King's command.<sup>8</sup>

As the King pretends that the German universities are all in his favour, it will be advisable to give them timely notice, that they may decide for the Queen. Several private persons here continue to write in favour of her; I have already forwarded several of these treatises to Messire Mai, and I am now sending another by a community of monks (*colliege de religieux*), who do not choose to be known. I think that if Monsignor de Granvelle had leisure to look into them, he would report favourably to Your Majesty. The earl of Vulchier (Wiltshire) is daily expected. There is a rumour that he is not at all pleased with the court of France; the doubt will be cleared up on his arrival. It is also said that the bishop of Bayonne is coming with him as French ambassador to this court.—

London, 2nd August 1530.

*Signed:* "Eustace Chapuys."

*French. Holograph. pp. 4.*

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7 "Le Roy avoit interpose de persecutor les prestres et prelatz qui s'estoint ayde de la legation du Cardinal; maintenant yl a remis la querelle sur le bureau, et est a craindre qu'il ne face prise de biens et benefices [sur] la pluspart de ceux qu'ont tenu pour la Roynie."

8 "Aujour dhuy le dit seigneur Roy a despeche pour le dit Romme et Venise ung parent de Gregoyre de Casal que sen va en grand diligence et na voulu prendre pacquet de nul ses amys qu'il nay voulu veoir sil en y avoit point de miennes, que na este sans le commandemant du Roy."