

From *Calendar of State Papers, Spain, vol. 4.2, 1531-1533*, edited by Pascual de Gayangos. London: Her Majesty's Stationary Office, 1882, pp. 169-78.

6 June [1531]
K. u. K. Haus
Hof-u,-Staats Arch. Wien.
Rep. P. Fasc.,
c. 227, No. 25

739. EUSTACE CHAPUYS to the SAME.

On Monday last the Papal Nuncio received letters from Rome informing him of the repeated and importunate applications made by the duke of Albany in order to obtain a suspension (*surseance*) of the proceedings of the suit between the king and queen of England. Indeed, among other charges entrusted to the cardinal de Grammont, one was to solicit and recommend in the name of his master, the king of France, a complete suspension in the divorce suit, which the Pope thought was a fruitless attempt and loss of time (*poyne perdue*), since justice must needs have its course. The king of England ought to be told that His Holiness will act most impartially in the case, and give just sentence without injury to either party. There is, therefore, no need whatever of the French king's intervention, for what the Pope did not do for the sake of the king of England himself he would certainly not do for any other prince in the World, not even for the sake of the Most Christian king of France, in whose favour he would do many other things.

The Pope in his despatch to the Nuncio mentioned also the truce concluded between the king of the Romans and the Turk, charging him, nevertheless, to exhort the King to make preparations for next year.

Believing that his visit would be neither agreeable to the King nor profitable to our cause, the Nuncio hesitated at first about going to Court, but at my persuasion went last Tuesday. He was very well received, and after explaining the causes the Pope had had for not granting the delay asked for, as well as the excuses he had made to the cardinal de Grammont upon his return to Rome, the King said that he had been already acquainted with the fact by his ambassadors. After which, and having uttered his usual complaints and recriminations [170] against His Holiness, he said: "The Pope is evidently doing his utmost to retain the cognizance of this affair, but he must not be deceived and lose his time in addressing to me persuasions and remonstrances, for I shall never consent to his being the judge in that affair. Even if His Holiness should do his worst by excommunicating me, and so forth, &c., I shall not mind it, for I care not a fig for all his excommunications. Let him follow his own at Rome, I will do here what I think best." He also said that he had Bent his powers to the Englishman, who had intervened at Rome on behalf of the kingdom, and had no doubt that his interposition would be admitted. **On this very subject, and the conversation growing warmer, the King went on to say that if the Pope attempted to act unjustly towards him in the case, or other-wise do him injury, he would certainly retaliate¹ for with the help of his brother, the king of France, his true and perpetual ally, he would lead an army against Rome.**

"After this the King entered on the subject of the Turk, and praised much the resolution taken by the king [of the Romans] of making a truce with him, but as to making any warlike preparations for next year, that, he observed, was no concern of his, but of Your Imperial Majesty and of the Pope. Your Majesty, he said, was powerful enough to attack the Turk without any assistance from him, and as to the Pope, if he wanted money he could easily raise it among those Christian princes with whom he was on good terms, and whose pleasure he did. From him the Pope had nothing to expect, since he had persistently refused all his requests.

In this way the King went on attacking the Pope until, having somewhat mastered his passion, he added: "I take the Pope to be upon the whole a worthy man, but ever since the last wars he has been so awfully afraid of the Emperor that he dares not act against his wishes." Then he added: "Yet as I know him to be a thoroughly good man, and of great natural tact (*a la bonne adresse des choses*), I will send him a newly printed book on condition that he will not shew it to any living soul for some time to come. In this manner will I try to make him lean to the side of justice." Thus saying he (the King) handed over to

1 "Et que faisant della le pape a son appetit, de par deça il feroit au sien."

the Nuncio a work of which I myself had procured a copy the day before, notwithstanding all the King's precaution and care. I have sent it to Mons. de Granvelle that he may look it over, and then forward it to Miçer Mai (*sic*) and to Doctor Ortiz at Rome, that both may be on their guard and prepared to answer; which in my opinion is easy enough, for there is nothing in the book which goes to the root of the matter (*chose que morde et penetre jusques au vifz*) or that cannot be refuted in two words.

After the Nuncio's departure, the King was long in consultation with his privy councillors and other great men, and finding no other means of parrying the blow announced from [171] Rome, it was decided to send some one to the Queen for the purpose of inducing her to consent to the delay of the proceedings, and to the removal of the cause somewhere else. The Queen was secretly acquainted with the fact that very evening, and on Tuesday morning, without any further communication, as the virtuous and Christian princess that she is, took the true counsel, and caused several masses of the Holy Ghost to be said, that she might be thereby enlightened and know what to answer to the King's deputation for the salvation of her soul, and the good and repose of the King, kingdom, and the whole of Christendom.

On the said day, therefore, towards eight or nine o'clock at night, just as the Queen was going to bed, there came the dukes of Norfolk and Suffolk, the young marquis [of Dorset], the earls of Tallebot (Talbot), Northumberland, Wiltshire, and several other noblemen, more than 30 in number, accompanied by the bishops of Lincoln and London, doctors Lee, Sampson, and Steve (Stephen Gardiner), the first secretary. Being introduced to the Queen's presence, the duke of Norfolk spoke for the rest and said: "That he and the rest had come there on the part of the King, and by his express command, on State matters of great moment to him and the whole of his kingdom ; namely, to signify to her how much displeased and hurt he (the King) was at the contempt and vituperation with which he had been treated on her account by the Pope, summoned as he had been by public proclamation to appear personally at Rome: a strange measure never before enforced by the popes against the kings of England. She (the Queen) might well consider that no reason, however strong or plausible, could be sufficient for the King to abandon his kingdom. That would certainly not help her, and those who had the management of her affairs at Rome, to come to a peaceable and satisfactory settlement of the dispute. It was far better not to press the sentence as they had done and were still doing at Rome. She ought to be contented that by mutual consent of the parties a fit place and impartial judges should be chosen, as otherwise she might be the cause of great troubles and scandals throughout the kingdom, by which all those present, their children, and the rest of their posterity might be thrown into great danger and confusion. He (the Duke) and the rest came to beg and exhort her on behalf of King and kingdom to consider how many dangers they and the whole of England would run by her refusing to comply with the King's wishes, especially as she had no legitimate cause of complaint, since from the very first she had been treated as well and as honourably as any queen of England ever was, and perhaps even more so. Secondly, she ought to recollect the help and assistance given [from England] to her father, the Catholic King [Ferdinand] by means of which he was enabled to make the conquest of Navarre. Thirdly, she ought also to [172] bear in mind the many and multifarious services (*plaisirs*) which the King had rendered to Your Majesty, even during the rising of the Commons in Spain, and at many other times which (the Duke said) would take too long to relate. She ought also to consider that **the King could not, and ought not to be called upon to leave his kingdom and appear at Rome or elsewhere, except of his own free will and consent, being as he was supreme chief and sovereign in his own kingdom both temporally and spiritually, as had been declared, recognized, and attested by Parliament and the Clergy**, All which considerations (added the Duke) ought to remove at once all her scruples in the matter, and induce her to consent to the delay and appointment of place and judges above alluded to."

To the Duke's speech the Queen answered: That no living soul regretted more than she did the annoyance the King had experienced, nor the contempt and humiliation whereof

he complained, especially if, as the King said, she was the principal cause of it. She could not, however, think that her proctors at Rome were capable of soliciting, or those who had taken cognizance of the affair, of granting unjust terms or other than such as common right and judicial procedure required; which terms being observed no injury or harm could be done to either of the contending parties. Respecting the choice of other judges but the Pope—the only legitimate one in such cases—she would never consent to it as long as she lived, not that she expected any favour at His Holiness' hands, “for certainly (she said) up to the present time the Pope has shewn himself so much inclined and so partial to the King that nothing more can be asked of him. I myself, and no one else have reason to complain of His Holiness;” and she went on recapitulating the many favours granted to the King since the beginning of the suit, and the injuries she herself had received. “Nevertheless (she added), as the King himself did in the first instance appeal to His Holiness, who keeps the place and has the power of God on earth, and consequently is the image of eternal Truth—I wish and intend that truth and justice and right be recognized and declared by the minister and vicar (*lieutenant*) of the said supreme Truth, namely, by the Pope, whose authority and declaration are more necessary in this case for the repose and example not only of this kingdom, but also of Christendom at large. With regard to the scandals alluded to, I confidently hope in God that as I have hitherto been preserved from being the cause thereof, His divine grace will preserve me in future. It was to avoid such scandals— which have generally their source in injustice and iniquity—that I have followed the path of truth and justice. Those who have led the King to such extremities, against which I protest, had better take heed to what they were about, and obviate such scandals.”

As to the good treatment she has received, as the Duke [173] said, she owned it and was thankful, as well as of the assistance given to her father [Ferdinand] for the conquest of Navarre. If he had no time fully to acknowledge and requite the service, it was entirely owing to his almost sudden death. otherwise he would never have failed to repay the favours bestowed by England in that respect, as he had both the means and the power, as well as the will and the magnanimity to do so. The services rendered to Your Majesty she could remember and acknowledge in part; yet there was no necessity for further testimony, since Your Majesty had never denied them, but on the contrary bore them in mind with the full intention of repaying them, and doing the King's pleasure whenever an opportunity should offer in all things legitimate and fair. In this (the Queen added) there would be no failure nor dissimulation, for she knew for certain that Your Majesty was the King's sincere and affectionate friend ; all ought to know this and try and persuade him thereof. Touching the “supremum caput,” she acknowledged the King as her chief and sovereign, and as such was ready to serve and obey him. She considered him the lord and master of the whole kingdom in temporal matters, but in the spiritual God forbid that the King should hold such an opinion, or that she ever should consent thereto, the Pope being the only true sovereign and vicar of God, having power to judge in all spiritual matters ; matrimony being of this class there could therefore be no necessity to seek another arbiter.

Immediately after the Queen's answer as above Dr. Lee spoke and said: “She ought to be convinced that having been carnally known by prince Artus (Arthur), her first husband, her second marriage with the King, his brother, was a most detestable and abominable act in the eyes of God and of the World. That was a fact acknowledged, as he found, by all good English doctors, and confirmed by the universities;” and he went on adducing similar arguments in support of his opinion. To which the Queen replied: “You had better address your allegations to others; you shall never persuade me that what you say is the truth. In this present case you are neither my counsel nor my judge, and I can very well see that what you have just said is more for the sake of flattering the King than of adhering to truth.” She then declared that she had never been known by prince Arthur, and that with regard to the dispute pending between her husband, the King, and herself, that was certainly not the fit place to bring it forward; if he (Lee) was inclined to argue for the King he had better go to Rome and plead ; he would find there others than women to contend with, and who would shew him that he was far from having seen or read all that had been

written on the subject.

Dr. Sampson, the dean of the Chapel, spoke next, and said to the Queen that she was indeed very blameable in thus pertinaciously refusing to have the cause tried and sentenced [174] elsewhere than at Rome, and in not allowing the suspension of the proceedings (*surseoir*) for a time. She ought not to hasten, as she was doing, the determination and sentence of the suit, for even if the worst happened for the King at Rome, and she herself was favoured, it would only be after all a sentence pronounced by contumacy (*par contradictes*), which could be easily and by various means annulled and retracted hereafter, besides which it would be the cause of increasing rather than appeasing the contention, for the only available expedient was to proceed at once to the election of judges out of Rome, as the Duke had just proposed.

To this proposition the Queen replied as she had done to the Duke, and ended by saying: "Dean, had you experienced one half of the hard days and nights I have passed since the commencement of this wretched business you would not consider it too hasty or precipitate on my part to wish for, and try to procure, the sentence and determination of this suit, nor would you so accuse me of tenacity and obstinacy. Respecting the "contradictes" and other terms of Law, I know nothing of them; you may go to Rome with Dr. Lee and there discuss the matter at pleasure."

Then the bishop of Lincoln began to condemn the marriage, as Dr. Lee had done, adding that she had actually lived in concubinage ever since, and that God had fully manifested his abomination of such a union by sending down the malediction of sterility with which she had been visited. She could not (he said) deny a connection with her first husband, inasmuch as there were evident proofs of the contrary. The Queen's answer was that although she esteemed and loved the King as much as woman can esteem and love man, even should he be one hundred thousand times greater in quality and perfection, she would never have remained in his company one single moment against the voice of her conscience. She knew perfectly well that she was his legitimate and true wife, and that the proofs to which they alluded, if any existed to the contrary, were forged and false. This she could affirm and maintain as one who knew the truth better than anyone in the world. If any proofs were wanting that she had never known carnally prince Arthur, she could, besides the most solemn oath once taken [before Campeggio] to this effect adduce other testimony to prove theirs to be false and mendacious.

To this last asseveration of the Queen, Dr. Strock (Stokesley) objected, saying: "Were there no other testimonies in our favour the presumption of the Law would be sufficient, for you have lived a length of time under the same roof with the Prince, and shared his bed." The Queen replied: "I care not for such cavilling, I only regard simple truth; as to presumptions and laws, you may go and allege them at Rome with the rest."

The Queen at last said that she was very much astonished to see so many high personages of such great power and influ- [175] ence in the World (*pour estonner un monde*) thus gathered round her. What could have prevailed upon them thus to assemble and come and surprise her, a poor woman without friends or counsel, she could not guess. Upon which the Duke observed that she could not really complain on that score, for she had undoubtedly the ablest counsel in all England; that is to say, the archbishop of Canterbury, the bishops of Durham, Rochester, and others. The Queen interrupted him by saying: "Pretty counsellors those are, for if I ask Canterbury's advice he answers me that he will have nothing to do with such affairs, and keeps repeating to me the words *ira principis mors est*. The bishop of Durham answers that he dares not, because he is the King's subject and vassal. Rochester tells me to have good heart and hope for the best. All the others have made similar answers, so that I have been obliged to send to Flanders for lawyers, as no one here would or dared draw an appeal in my favour. This I have since done by permission and consent of the King himself at the time that he did not object to the cause being transferred to Rome. It was in pursuance of the said Royal permission that the cause was advoked to Rome, and on it I found my right." Hearing this the earl of Wiltshire observed that the permission to appeal, to which the Queen alluded did not go

so far as to have the King summoned to appear personally at Rome. To which the Queen replied that she had never solicited or sought the said summons (*citation*), and that if in the pursuit of the said appeal it was deemed necessary to take such a step, she could not be made responsible for it. The duke [of Norfolk] and the earl [of Wiltshire], by way of an excuse, tried to make it appear that they had nothing to do with the affair, and were not the promoters of it. They knew nothing, they pretended, except what they had heard lawyers say on the subject. After which all the lords left the room together without anything more being said.

The bishop of London was pressed to state his argument but when he heard the answers given by the Queen to his colleagues he had not the courage to speak. Most of the others, had they had the liberty of expressing their opinion, would undoubtedly have sided with the Queen, and at least shewed their good wishes, for they kept giving evident signs of satisfaction at the Queen's answers, and elbowing each other whenever any of her replies touched the deputies to the quick.² *Among those who thus took up the Queen's part, though silently, was the Kings first secretary, Dr. Estiene (Stephen), who from the beginning had treated this affair at the Pope's court, that being most likely the reason why the Lady strongly suspects and dislikes him. Many more who were present at the conference said afterwards that they had long been trying to persuade the Queen and give her good advice, but that one woman alone had refuted their arguments [176] and defeated their plans. One of the last was Guillesfort (Guilford), the comptroller, who was heard to say that it would be a very good thing if all the doctors who had been the inventors and abettors of the plan could be tied together in a cart (charrette) and sent to Rome, there to dispute and maintain their opinions, and meet with confusion and defeat as they deserved.*

And it is reported that when the two dukes and some others went to announce to the King the bad result of their commission, and the reasons the Queen had stated for not acceding to their request, he (the King), who had been impatiently waiting for their return, said : "I feared it would be so, knowing beforehand the heart and fancy of the Queen; but it is now necessary to provide for the whole affair by other means," saying which he remained for some time thoughtful.

Since the receipt of the last letters from Rome, of which I wrote to Your Majesty, the King has been in very bad humour and much perplexed ; *he has even had twice high words with Jean Jocquin, who had promised him in his master's name that the Pope would grant the delay applied for and the prorogation of the cause.* I hear also from a very good source that no later than yesterday this King complained bitterly of the Most Christian and of the negotiations being carried on at Rome for a marriage between the Dauphin and the Pope's niece without his knowledge, which circumstances, added to those mentioned above, are in my opinion *the cause of the Kings present confusion and bewilderment, he not knowing what to do or where to go for advice.* It might be owing to this that yesterday he sent orders to his ambassador residing at Your Majesty's Court to offer some sort of compromise in this affair, which intelligence, coming from a very good source, I have not hesitated to transmit at once that Your Majesty's ministers may be prepared to meet the offer.

Yesterday there was here a great rumour that the King had summoned several seamen and all his gunners, at which most people thought that some warlike enterprize was in contemplation; but being informed by those who pretend to know the King's intention, I find that it is only for the purpose of bringing here [to the Thames] two or three big ships he has at Fallemue (Falmouth), and having them repaired and caulked, as it is said that they are almost rotten from being so long in port, and that the repairs will be done quicker and cheaper here.

Whilst writing the above I hear that had it not been for Taillebot (*Talbot*) more strange terms and words would have been used towards the Queen, but at two or three meetings which the nobles and prelates held for the purpose of deliberating what line of conduct was to be pursued with respect to her, he (*Talbot*) boldly told the assembly that they ought to consider that they themselves represented all the nobility of the kingdom, and that it

2 "Et se bouttant secretement lung lautre quant yl y avoit points que touchoint au vifz."

appertained to them to act and behave as such, not to use unbecoming words, or swerve from truth and justice to the detriment of princes or private [177] individuals. It seemed to him that whoever prosecuted his suit judicially and by fair means did not injure anyone (*ne faysoit tort a personne*). Which speech [of Talbot's], as I am told, was the cause of protracting the deliberations, and delaying the intimation, which was made to the Queen two or three days after. As he left the Queen's chamber, Dr. Lee was heard to say that all the pains the King and others had taken to persuade the Queen had been in vain, for that she still persisted in her declaration of never having been carnally known by prince Arthur.

After the duke [of Norfolk] had reported according to his own views his conference with the Queen, he of Suffolk drew up a summary account of the same, telling the King in so many words that the Queen was ready to obey him in all things, but that she owed obedience to two persons first. The King, imagining that he (the Duke) meant His Holiness and Your Imperial Majesty, asked very eagerly who those two were, and the Duke replied: "God was the first; the second her soul and conscience, which the Queen said she would not lose for anything in this world," to which answer the King made no reply.

The said duke of Suffolk and his wife would, if they dared, oppose this second marriage of the King with all their force. Only two days ago he (the Duke) and the Treasurer had a long talk together on this very topic, both agreeing that now was the time for all to join hands in trying to dissuade the King from his folly (*desarçonner le roy de sa folie*), and that the best way to attain that object was to procure sentence with as little further delay as possible, which sentence, they maintained, would meet with the approbation of many in this country. Matters being so well disposed it is imperative to have the suit pushed as vigorously as possible.

The Lady (Anne) hearing that Guilliefort (Guildford), the comptroller, was not very partial to her, has since threatened him most furiously, saying that when she becomes queen of] England], she will have him punished and deprived of his office. The Comptroller's reply has been that in that event she will not have the trouble of having him cashiered, for he himself will be the first to resign his post. After this Guildford went to the King, and having related what passed, and the Lady's threats surrendered the seals of his office on the plea of bad health. And though the King gave them back to him twice, and would not accept his resignation, saying that he ought not to mind women's talk, the Comptroller, either disgusted at the whole affair, or because he was really indisposed, insisted on giving up his office, and went home.

A German doctor residing at Basle, Simon Grineus by name, and one of Erasmus' friends, has been in London these last few days. He came here in company with a printer of the said Basle, for the purpose of finding old manuscripts to set up in type. The King has caused him to argue this [178] divorce question with three or four of his principal doctors and shewn him the book lately printed on the subject. Grineus, as it would appear, has pronounced it to be of very little value or efficacy, and offered to the King the opinion of the doctors in the district where he himself resides, which offer the King has willingly accepted, and given him money in advance to defray all expenses.—London, 6th June, anno[15]31.

Signed: "Eustace Chapuys."

Addressed: "To the Emperor."

French. Holograph. pp. 10.