

From *Calendar of State Papers, Spain, vol. 4.1, 1529-30*, edited by Pascual de Gayangos. London: Her Majesty's Stationary Office, 1879, pp. 720-27.

20 Sept. [1530]
K. u. K. Haus-
Hof-u.-Staats Arch.
Wien, *Rep. P. Fasc.*,
c. 226, No. 40.

433. EUSTACE CHAPUYS TO THE EMPEROR.

Received the day before yesterday Your Majesty's letters of the 29th ult^o, together with the power of attorney (*procuration*) to act in the Queen's affairs, which I hope to use in such a way as shall please and satisfy Your Majesty. I have informed the Queen of this and of all the rest, which has given her singular pleasure, and she is now in as good hope as she ever was. I will make every effort to keep her in it, omitting nothing which may be for her interest, and disregarding any suspicions which the King may entertain about my doings.

Your Majesty's instructions respecting the *bishop of Bayonne* have been most implicitly obeyed. I have, as related in my despatches of the 5th and 14th inst., lost no opportunity of informing him of Your Majesty's great desire for the observance of peace and continuation of the friendship between his master and yourself. The day after receiving his visit I went to return the attention; but he was not in, and the following day he had left very early. I have, therefore, been unable to speak further with him and inquire what his mission to this court was. I have, nevertheless, been assured in several quarters that the *ports were only closed* because [721] after his altercation with the King *he (the Bishop) had threatened to leave* and report to his master that one of the chief reasons for his coming over here was to bring the consent for the Princess marriage to the son of the duke of Norfolk, and to offer the eldest daughter of France to the King himself. I have not been able to discover any sign of this, nor do I think it very probable, for since the fall (*deboutement*) of the Cardinal, the French have carried on all their intrigues through the Lady and through her father and uncle, whom, as they wish to keep on friendly terms with this king, they would not dare to affront. Besides, they well know that the love of the King for the Lady is so great that he would not give her up for the eldest daughter of France, or anyone else in the world. Nor do I think it likely either that the French would attempt any such thing, for being short of money they would rather put forward some scheme either for drawing it from this country, or deferring their own payment of the debt, than propose or countenance matrimonial alliances which would, as in this case, necessitate an advance of money on their part. They would, on the contrary, have a fair excuse for retaining a part of the said debt, whilst there was a chance of the duke of Orleans marrying the Princess, and even if they should be brought to consent to her marrying the son of the duke of Norfolk it might be for the purpose of ingratiating themselves with him; besides which it might well happen that on account of the said marriage, as well as of that which the King meditates, the latter finding himself in hot water with Your Majesty, and with his subjects, would be compelled to purchase the French king's favour and aid by releasing him from the whole, or a part of his debt. Many here share my opinion on this last point.

Yesterday the Papal Nuncio sent to say that he had returned from Court, and would call on me, as he had much to communicate in pursuance of his instructions. He came and gave me a long account of what had passed between the King and himself, which I will abridge as much as possible First, he said to the King that His Holiness had heard from certain spies (*par plusieurs et certaines espiez*), on whom he could rely, that the Turk would not venture to undertake anything this present year on account of the peace concluded between the Christian princes; but that hearing a few months since that in the conclusion of that peace there had been more dissimulation than sincerity and good-will, and that it would not be a lasting one, he was now making preparations to invade Europe next year by land and sea with three powerful armies. Therefore His Holiness entreated and exhorted the King to exert himself for the complete and thorough pacification of Christendom and resistance against the Turk. The King did not give the Nuncio time to finish his speech of persuasion and remonstrance, but replied hastily that such [722] reports

were unfounded, and circulated of intent (*controuves*), for had such extensive preparations for war been made by the Turk they must have been known to Your Majesty, who was the chief person concerned. The letters which he had quite recently received from the Imperial court, said nothing about a Turkish invasion, and he (the King) would not believe the report unless the Turk should make a forward movement at the invitation of the Venetians. After which the King repeated to the Nuncio, almost word for word, what he has always said on this subject to me, and not only did he (the King) withhold then and there any promise of help against the Turk, but what is still worse, refused to give credence to the statements made on the Pope's behalf.

The Nuncio then went on to speak about the Queen's affairs, saying that the Pope felt much surprise that the King, instead of shewing any gratitude for all the favours bestowed upon him, should have been finding fault with His Holiness, and complaining of him, as he had done lately. The King could not find fault with the advocacy of the case, or any other part of the proceedings hitherto instituted, all of which had been done in a strictly legal manner, and that it was Your Majesty who might and ought to complain of the favour shewn to the King in this and other ways, such as the prorogation of the proceedings whilst the earl of Vulchier (Wiltshire) was at Bologna, &c. The King, however, would not acknowledge that he was under any obligation to His Holiness; on the contrary, he maintained that all had been done by command of Your Majesty. The Nuncio said also that the Pope, though much pressed by you, would not consent to the suit being prosecuted during the vacations, but had, on the contrary, revoked the greater part of the proceedings, and foreborne from issuing any prohibition to the universities of Paris and others, although informed of the intrigues going on there, and of the injury likely to be done to ecclesiastical authority, adding, that since the King harboured such suspicions, His Holiness was content to withdraw entirely from the whole affair, as he would rather die or resign the Papacy than that this cause should be settled otherwise than to the mutual satisfaction of those concerned in it. After hearing which the King, in spite of the Nuncio's courteous and conciliating language, began to abuse the Pope and the Roman court in general, speaking of the need there was of a thorough reformation¹ [of the Church], that it was solely through the Pope that he was in this difficulty, for that he had sent him from Orvieto a brief expressly declaring the divorce to be a matter of necessity, and that now, as he knew from good authority, the Pope had promised Your Majesty that the decision should be given entirely in favour of the Queen, For these reasons [723] he (the King) would never consent to the cause being decided either at Rome or in any other place where the Pope or the Emperor had jurisdiction.

Then the Nuncio proposed that the King should choose two persons on his side and the Queen two on hers, and that these four should give sentence. The King said he would do nothing of the sort; he knew very well what the law was, and that whenever four judges had to decide upon a marriage question, two being in favour of and two against it, Law always gave sentence for the former. The Nuncio upon this made various suggestions, and at last proposed that to obviate this difficulty the Pope should elect a fifth judge to sit with the other four. This again the King declined, saying that it would be indirectly throwing the whole decision into the Pope's hands, and that if a fifth judge were absolutely necessary he should be content to have him nominated by the king of France, although he might well suspect him as well as Your Majesty, considering that one word from the Queen, your sister, might cause the nomination to fall entirely on the person you most desired. And upon the Nuncio here observing that the Pope should at least have a joint nomination of the fifth judge with the king of France, and mentioning also other modes for the said election, **the King replied that this was all labour lost, that even if he would consent his people would never do so, for that it had been enacted by several ancient Popes (whose authority should, on account of their sanctity, be of more weight than that of recent ones), that no cause having its origin in this country should be advoked to another**

¹ "Ayant le roy ouy le tout, non obstant toutes les snsdites cortoygies il commença a blasonner le pape en plusieurs sortes, et pays generalmente la court romainne, et dire de la necessite dune bonne reformation."

kingdom, and that he (the King) had recently sent to inform His Holiness of this privilege, and to request that in conformity with it he would allow the archbishop of Canterbury, the Primate and Legate of England, to give sentence in the cause, or else to permit that all the clergy of the kingdom, among whom there are (as he says) many learned and holy persons, should decide. **“Should the Pope refuse this just and lawful request of mine (he added), I know well what I shall do, for having fulfilled my duty to God and my conscience, as well to my own subjects, as can be proved by the seals and signatures of all the nobility of this realm, I can safely proceed to action.** I am now only awaiting the return of the messenger I have sent to Rome, to appeal to Parliament for a decision which that body cannot fail to give, as it will shortly re-assemble partly on this business; so that should the Emperor threaten me with war on this ground, I hope to be able to defend myself well with the help of my brother and perpetual ally the king of France, even should the Pope assist the Emperor. In such an event,” the King added, “I would demand from the Pope to visit His Imperial Majesty with ecclesiastical censures for breaking old and new alliances, to which he is so solemnly pledged, and in which he ought not, and should not, for the sake of a woman, fail towards so great a friend as I am.”

The Nuncio being quite unable to find any way of appeas- [724] ing the King, and the hour being already late, then took his leave, begging the King to think over these matters before their next meeting.

Next day the King went out hunting and did not receive the Nuncio, but on the third day he sent word that he would see him either before or after going to the hunt. During the King’s absence the duke of Norfolk spoke with the Nuncio about this marriage much to the same effect as he has done to me on various occasions, also of his great desire for the preservation of peace, and the devotion which he and his predecessors had always felt for the House of Burgundy, and asked the Nuncio whether it would not be an admirable plan to arrange a meeting between the Pope, Your Majesty, and the King, his master; when the Nuncio, having observed that the great distance would be a hindrance to the Pope’s being present, the Duke rejoined that at any rate there would be no difficulty in bringing Your Majesty and the King together.

At this point the Nuncio was summoned to the King, whom he found more obstinate and louder in his invectives against the Pope than even at his first audience, stating that he only waited for the answer from Rome to bring this whole matter to a conclusion. That he had prorogued Parliament for 20 days merely to give time for the arrival of this answer, though common report said it was on account of the plague, and that Your Majesty had agreed with the princes of Germany, to convoke a General Council, which was entirely against the Pope’s will (*à la barbe du Pape*). The Nuncio, seeing the King’s obstinacy, pointed out the many dangers which might arise should the King precipitate the affair. If he would only promise not to move in it himself, he believed the Pope would also pause until some amicable settlement could be made. But notwithstanding all the Nuncio could say, the King declared that he would make no such promise, he would act as seemed best to himself. He was very well aware that Your Majesty, whom this case did not personally concern, and the Queen, who is in the enjoyment of her wealth and rank, would continually try to delay proceedings.

The Nuncio delayed taking leave of the King till the next day, hoping that he might on another occasion obtain a more favourable answer, but the interview proved just as fruitless as the previous ones. The Nuncio then intimated to the King that he had a letter of credence for the Queen, containing only the compliments usual on such occasions, and that with his permission he should like to present it, but this was denied. As the Nuncio informed me, the Pope had expressly instructed him *to ask the Kings leave to deliver the said letter to the Queen, because should the request be refused, as it has actually been, it would be a still further proof of the King’s bad feeling in the affair.*

Just as the Nuncio was about to leave, the duke of Norfolk came up to him, and resuming the conversation on the choice of impartial judges, the Nuncio said that the King had spoken to him of the prospect of a General Council being held, [725] and that the best

thing for him to do was to place this decision in their hands. The Duke seemed very much surprised at this information, and therefore *went off at once to speak of it to the King, and returning almost immediately, said that the King declared he had never said a word about a General Council. At last the Duke told the Nuncio that, although the King had not named this, he might write to the Pope and say positively that the King promised upon his honour that this question of the divorce should not be brought before Parliament*, begging the Nuncio at the same time that the whole of this conversation and engagement should be kept perfectly secret, and especially that *the Pope should not mention it to his ambassadors at Rome, nor he (the Nuncio) to me*. After which the Nuncio left Court, accompanied only by the Italian secretary, who had attended him on his way thither, *his reception upon the whole being but indifferent*.

After the Nuncio had related all this to me, he added that he feared the evil was too deeply rooted or too far gone to yield to gentle treatment; *it needed now cautery and incision, and other strong remedies. It was, moreover, to be feared that should this course be adopted at Rome, the King would immediately bring some measure before his Parliament*, from which there could be no retreat—the *advice and will of the people being attended to—except by war, at which France would be only too glad, as it would give her an opportunity to revenge and compensate herself for all her losses;*² *and that latterly, as he (the Nuncio) was passing through France, there was some rumour (quelque fume) of undertaking the conquest of the county of Dast (Asti) in the name of the duke of Orleans*. The Nuncio concluded by saying that it might after all be wise to suspend all further measures until Your Majesty and this king could meet; but still he would in this *be guided by my advice and His Holiness commands*. Shewed the Nuncio most distinctly that *moderation with this king only made him more obstinate*, for formerly he himself had urged the Queen to consent to *the case being advocated to Cambray, to be there decided by impartial judges (of which plan the duke of Norfolk had also spoken to me) and now on the Pope's earnest request he refused*. Represented to him also that no good could arise, *but a great deal of mischief, from delaying the proceedings*; that the true thing to do was *for the Pope to deliver sentence at Rome immediately, for then the King would find no one in his kingdom or elsewhere to help him in a quarrel against the Church*, and that it would never do to wait for the meeting of the Council, as it was quite uncertain when it could take place, and would be besides equal to throwing the whole responsibility *on Your Majesty's [726] shoulders, and giving the King an opening for quarrelling with you*, for the King (I observed) probably assumes that were he to meet you, *he would, either by argument or importunity, induce you to grant his requests*, which I was quite certain you would never do, and were the refusal to be given in person the King's vexation would be all the greater. Other considerations did I put forward on this occasion, too long to be given here in detail, all of which the Nuncio thought right and reasonable. The Nuncio has therefore determined to follow my advice and *write to the Pope that the only thing to be done is to have sentence passed at once in this affair, and in the meantime prevent Parliament here from taking any decided step in the matter, and address to the King a "bref reaggravatoire" (final monition of excommunication) following upon the one issued at Bologna, with a commission for its presentation to the King and other parties concerned, without which precaution it would be of no avail*.

The letters which the Nuncio is writing on this point go by the present courier, may it please Your Majesty to have them forwarded as soon as possible, that there may be no further delay *in the proceedings at Home, and that the brief may arrive here before the meeting of Parliament, which will be about the 20th of October*.

As a welcome to the Nuncio, seeing how little was shewn him on the way, they have published here, to a grand flourish of trumpets, an edict of which an Italian translation is

2 “Quil estoit a craindre que recommançant de proceder a Rome que ce Roi en ses etatz ne procedat a œuvre de fayt, que no se pourroit retraytter, [y entre tenant le conseil et volonte du peuple sans violence de guerre, et que la France seroit trop aise de veoir ce jeu pour se pouvoir venger et recompenser de ses pertes et hasars.”]

enclosed,³ which edict, as the Nuncio well knows, has only been issued to spite the Pope, and in some manner intimidate him against making the matter worse.⁴ The order to publish the edict was issued on the very day that the Nuncio had his first audience from the King, as plainly appears from the date of that document. Indeed, had it not been for the above-named reason and for the King's wish to annoy His Holiness, there could have been no object in making prohibitions (*defenses*), for no man in the kingdom, after seeing how a cardinal legate coming from the Pope had been received here, would venture to thwart the King's will. It may be that by the comprehensive nature of the said prohibitions, the King desires to prevent any opposition being offered to him in the Queen's case, which he fears much more than anything else actually dealt with in the said edict.

The Nuncio says that there has been for some time in the court of France, *secretly, an ambassador from the Vayvod, who is afterwards to come here.*

The greater part of the prelates and clergy of this country are just now in a state of great consternation, for they are being proceeded against for having paid the Cardinal honour as Papal Legate, and the King maintains, as I have already informed Your Majesty, that for this reason all their goods and preferments are to be confiscated, and they themselves imprisoned. [727]

The number of bishops and abbots in this predicament exceeds 60, of the other clergy 150.⁵

The Chancellor, I hear, has spoken so much in the Queen's favour that he has had a narrow escape of being dismissed.

The King has discovered of late that what passed *in his Privy Council got wind*, and now he has taken such rigid measures and precautions that it is impossible for *the Queen or anyone else to learn the least thing of any importance except by means of bribery and pensions*, as I have already informed Your Majesty.—London, 20th September 1530.

Signed: "Eustace Chapuys."

French. Holograph, pp. 8.

3 Not in the letter.

4 "Le quel edit, comme bien cognoyt le dit nonce, na este preconnisse sinon pour [despit du pape et pour luy donner quelque craincte."

5 "Le nombre des evesques et abbes que sont aux dits filles (filets?) passe soixante; des aultres prestres plus de cent et cinquante."