

From *Calendar of State Papers, Spain, vol. 4.1, 1529-30*, edited by Pascual de Gayangos. London: Her Majesty's Stationary Office, 1879, pp. 758-62.

15 Oct. [1530]  
K. u. K. Haus-  
of-u.-Staats Arch.  
Wien. Rep. P. Fasc.,  
c. 226, No. 42.

460. BARON DEL BORGHO, PAPAL NUNCIO IN ENGLAND, TO CLEMENT VII.

*The King, perceiving that the Pope will not accede to his wishes, as Your Majesty will have learnt from my last and preceding despatches, called together the clergy and lawyers of this country to ascertain whether in virtue of the privileges possessed by this kingdom, Parliament could and would enact that notwithstanding the Pope's prohibition, this cause of the divorce be decided by the archbishop of Canterbury.* To this question the said clergy and lawyers, after having *studied and discussed the affair*, have deliberately answered that it could not be done. **On hearing which answer the King was very angry, and adopted the expedient of proroguing Parliament till the month of February, in the hope, as may be supposed, that in the meanwhile he may hit upon some means of bringing over to his opinion the said lawyers as well as some members of his Parliament,** with whose power he is continually *threatening the Pope, and see whether by compulsion or persuasion he can ultimately gain his end.* The same day that the said *clergy and lawyers* gave in their report, *the King, before publicly announcing his intention to prorogue Parliament still further, wishing to make a virtue of necessity, and somewhat conciliate the Pope, sent for the Nuncio* under colour of communicating to him news received from various quarters, but in reality for quite a different purpose, as Your Majesty will see from what follows.

Next morning early, in pursuance of the King's request, the Nuncio went to Hampton Court, where the King was with a great number of the said clergy and lawyers and several other courtiers, among them *Jehan Jockin, who has been received here and treated with much greater consideration than the Nuncio himself*, since the latter has but a small lodging assigned to him outside the Court, whereas the former has magnificent apartments within. After dinner *the King* spoke privately with the Nuncio for a long while, saying, without much circumlocution, and repeating to him two or three times that he much regretted having to declare his intentions respecting the divorce, and still more his determina- [759] tion to carry the same into execution, which he certainly would if things continued as they were. He then began to complain that the *Pope would not, in observance of the privileges belonging to England, order the hearing and decision of his cause in his country*; also that he had not sent him a certain decretal<sup>1</sup> issued at Orvieto of the tenour and importance of which Your Majesty has no doubt been fully informed by cardinal *Campeggio*. On the subject of the "signatura" alluded to by the King, I have heard that the latter was commissioned by His Holiness to shew it *to the King* and then return it to Rome by the same messenger that had brought it to this country, and that the Cardinal (*Campeggio*), fearing lest so dangerous and important a document should be *seized on the way back*, having shewn it in the proper quarter, as he was instructed to do, committed to the flames in the presence of the very messenger who had been the bearer of it.

After greatly reproaching the Pope for his conduct in this affair, the King proceeded to say that if His Holiness would not shew him in future more consideration than at present he (*the King*) should take up his pen and let the world know that he (*the Pope*) possessed no greater authority than that held by Moses, which was only grounded on the declaration and interpretation of the *Holy Scripture*, everything beyond that being mere *usurpation and tyranny*, and that should he be driven to take such a step, the *damage and injury thereby inflicted on the Apostolic See would be irreparable*, far more fatal than that caused by the writings of others, for with his learning and rank, *kings, princes, and all others would side with him.*<sup>2</sup> He, therefore, charged the Nuncio to write all this to the Pope, as otherwise

1 "Et paralliemant de ce quil ne luy avoit envoye une certaine [signature que le Pape avoit decerne estant a Orvietto] de la teneur et emportance de la quelle vostre maieste pourra entierement estre informe [du cardinal Campegio.]

2 "[Quil mettroit main a la plume et feroit congnoistre au monde que le pape na autre auctorite que celle quavoit Moyse], que nestoit sinon sur la declaration et interpretation de [l'escriture], et que toute la reste nest sinon [usurpacion et tirannie], que sil est contraint a ce fere, yl fera

he would be responsible for the consequences, and moreover would be summoned at the right time and place to give evidence as to the warning he had received. All which the Nuncio says was spoken by the King with much shew of *regret and with tears in his eyes*. The King said further that the great concourse of people present had come solely and exclusively to request him to summon Parliament for the punishment of the clergy (*pour donner la bastonnade a ces prestres*), who were indeed so hated throughout his kingdom, both by nobles and people, that but for his protection they would be utterly destroyed, and yet that in spite of this urgent request he had determined to prorogue Parliament till the month of February next, to see whether the Pope would in the meantime adopt a different course of action towards him. [760]

The King having complained that the Pope granted him so short a time, only 15 days to answer, which, he said, was hardly sufficient for the post to go and return, the Nuncio observed that the Pope had already so frequently delayed proceedings in this business, that without the consent of the other party concerned it would be unjust to do so any more, and that if the King had consented to the election of judges and arbitrators to decide on the case, some further delay might have been granted, as he (Borgo) stated at his first audience. To which the King replied that he had not paid much attention to what he (the Nuncio) had said about the judges, inasmuch as he had expressly said that he was only speaking his own mind thereupon, not in His Holiness' name and with his authority. Had that proposal, he said, come from the Pope, he might have returned a different answer. This looks as if the King would readily consent to other judges being chosen; but I am, nevertheless, quite sure that as far as the Queen herself is concerned her consent will never be obtained, *as she will fear that the King will tamper with the judges, or if he finds them disinclined to do his bidding, will challenge them, as he now does those of the Rota, and that then the suit will have to begin over again, which would be a new source of anxiety and regret to her*. Meanwhile, her enemies prosper, and are only seeking delay in the hope that the Pope or the Queen herself may die. Indeed she has already suffered so much, that she is almost on the brink of despair (*au bout de sa patience*).

The Nuncio, as it would appear, is quite ready to forward the King's proposal about the choice of new judges, principally, whatever other motive he may allege, to *relieve the Pope, whom he does not want to fall out with the King*. He rather thought at first that as the King seemed disposed to agree to this appointment of judges, it might be as well to carry out this suggestion thoroughly *before proceeding to the hearing the case*, but on my representing to him the advantages to be derived from immediate decision and the evils of delay, he (the Nuncio) agreed with me to write to the Pope, *as he is now doing by the enclosed letters*,<sup>3</sup> that whatever overtures *may be made to him by the English ambassadors are simply with the view of delaying the proceedings*, and that the only way to bring *the King to the point amicably*, or otherwise, is *to have the case proceeded with at once*; for finding himself hard pressed *he will quickly agree to some reasonable compromise*. I have also suggested to him that in order not to lose time His Holiness might, *whilst the case is being heard*, ask Your Majesty's consent to the said choice of judges and arbitrators, all which the Nuncio has promised to do, counting upon Your Majesty's and the Queen's assistance. Should this plan seem advisable, Your Majesty will, perhaps, inform me and your ambassador at Rome of what had better be done. [761]

The King also told the Nuncio that he strongly suspected that the nuncio, recently sent by the Pope to France, had gone thither rather to oppose his personal interests than otherwise, and he ended by informing him of the advices he had received from his ambassador at the Imperial court, such as the departure of the duke of Saxony [from Court], of the articles demanded by the Lutherans, and the breaking up of the diet of Augsburg (*et de la rotture de la journee Daixpurg*) without coming to any decision. *After which the King observed that all these doings would not greatly redound to Your Majesty's* ung damage irreparable au siege apostolique, plus que tous les autres quont [escript par cy devant], cart pour estre du sçavoer et de la qualite quil est et roys et princes et la reste adhereroint a luy."

3 The letters alluded to are not in the packet, unless that of the 16th of September under No. 429 be one of them.

honour, and that if you wished to mend matters in that quarter you would be obliged to grant most demands, even if they included the best part of your paternal dominions. After which, yielding to this very evident desire of casting a slur upon Your Majesty, and forgetting his previous irreverent language and contempt of Papal authority, he added: “I will soon establish a much stricter rule in this my kingdom than has been done *in Germany, touching the suppression and punishment of the Lutheran errors,*”—a boast for which there is a little more foundation now than there was eight days ago, for since that time he has had *five or six merchants imprisoned for being Lutherans.*<sup>4</sup>

As the Nuncio was leaving the room the King made some slight excuse for having written to Rome without first informing him thereof; but he said the fault rested with those of his Council who had sent off the courier whilst he was out hunting. Neither has the Nuncio nor have I been able to discover the nature of that despatch, nor the reason of its being sent. It may be among others, to bring over here an old Jew, now at Rome, who says he can prove incontrovertibly that the King’s marriage was unlawful.<sup>5</sup> Has advised Messire Mai of this, so that should the Jew be a man of such learning and parts as to inspire confidence, he (Mai) may prevail on the Pope to stop his coming [to England], at least until his arguments have been heard, so that the bishop of Rochester may be prepared to refute them, *a task the Bishop desires above all things.*

The Nuncio has also informed me that *the King* had said that he knew quite well that all those whom *the Pope had consulted* or *to whom he had entrusted the examination of this case were of his (the King’s) opinion. I therefore begged the Nuncio to write to His Holiness to make sure of his men,* and especially to keep an eye upon a *Jacobite named de Finario,*<sup>6</sup> who, judging from some letters which had been [762] received in Paris, seemed greatly to incline to the other side. The Nuncio promised to write and acquaint the Pope with every particular.

Brian left yesterday to go to the king of France, to whom I believe he is to present two fine horses which this king has had spendidly caparisoned and equipped.<sup>7</sup> I have yet been unable to learn anything positive about this mission. It is said the Chancellor is still in danger of being dismissed, and this solely because he *hesitated to sign with the others the King’s letters to the Pope,* of which Your Majesty has beep advised.

The King has sent to the Tower a Welsh gentleman named Ris (Sir Rhese ap Thomas), who married one of the duke of Norfolk’s *sisters, because (as report goes) not satisfied* with his wife having some months ago besieged the governor of Wales [in his castle] for several days, and had some of his attendants killed, he himself has threatened to finish what his wife had begun.

The duke of Norfolk has begged the Nuncio to obtain a dispensation for one of his sisters to marry the earl Dalbi (Derby), who had been formerly married to one of his daughters. The Duke does not wish to let this alliance slip, as there is no other in the kingdom through which he could more strengthen himself. Many even think that had he had no sister to offer the Earl the Duke would have proposed to him his other daughter, who has been promised to the duke of Richemont (Richmond). This is the marriage which the duchess of Norfolk most wished for her daughter, but the Lady Anne opposed it, and used such high words towards the Duchess that the latter narrowly escaped being dismissed from Court.—London, 15th October 1530.

*Signed:* “Eustace Chapuys.”

\_\_\_\_\_*French. Holograph. pp. 6.*

4 “En apres ung peu denvie de notter aucunement [votre maieste, luy faisant oblier la braueries quil avoit fait contre le pape, le esmeut a dire quil mestroit bien autre ordre en son royaulme touchant la prohibition et pugnicion de telles erreurs] que lon navoit point fait en [Allemaigne. Ceste vantance luy est mieulx de pardonner quelle nestoit huyt jours paravant car dempuys ce temps yl a fait mettre en] prison cinq ou six marchans de ceste ville pour Lutheriens.”

5 “Forsque entre autres choses que cest pour ammenner ung vieux juifz quest a Romme qua dit quil feroit apparostre inconvinciblement (*sic*) que le mariage avec la royne est illegitime.”

6 “Sur ung Jacopin nomme de finario.”

7 “Que ce roy a fait triomphalemant arnesche[r].”