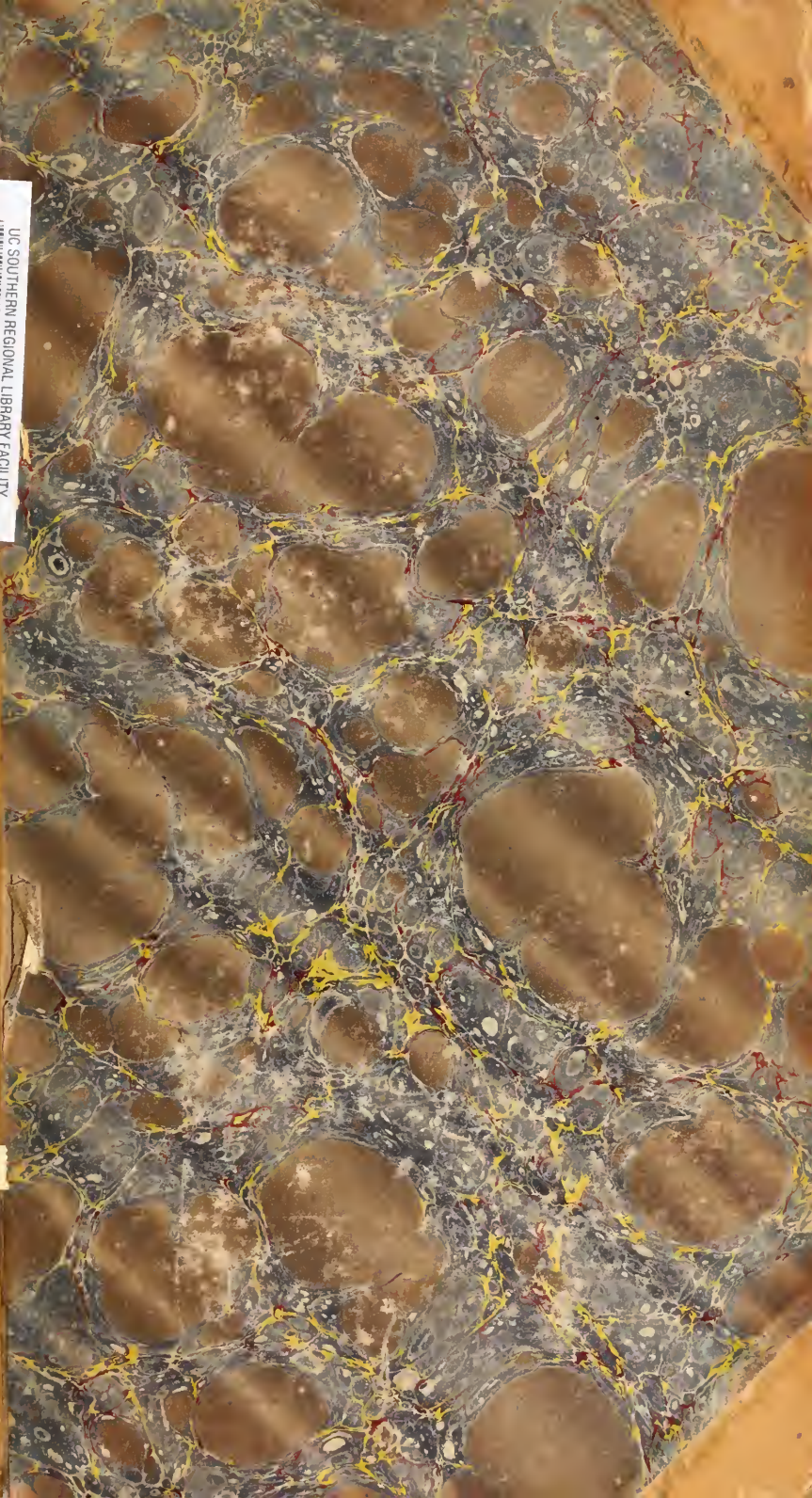


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Sum Caroli Whibley

My dear

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A HISTORY
OF
ENGLAND
FROM THE FIRST
INVASION BY THE ROMANS

BY
JOHN LINGARD, D.D.

VOLUME VI.

THIRD EDITION.

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HISTORY

OF

E N G L A N D.

HENRY VIII.

GENEALOGICAL TABLE.

Henry VIII. + 1547.	Catharine of Spain, repudiated 1533.	= Anne = Boleyn, beheaded 1536.	= Jane = Seymour + 1537.	= Anne = of Cleves, repudiated 1540.	= Catharine = Howard, beheaded 1541.	= Catharine = Parr, + 1548.	
Mary, + 1558.	= Philip II. of Spain, + 1603.	Elizabeth, + 1603.	Edward VI. + 1553.				

CONTEMPORARY PRINCES.

<i>Emperors of Ger.</i>	<i>Kings of Scotland.</i>	<i>Kings of France.</i>	<i>Sov. of Spain.</i>	<i>Popes.</i>
Maximilian. 1519. Charles V.	James IV. . . . 1513. James V. . . . 1542. Mary.	Louis XII. .. 1515. Francis I.	§ Ferdinand, 1516. } Isabella. Charles V.	Julius II. 1513. Leo X. 1521. Adrian VI. . . 1523. Clement VII. . 1534. Paul III.

CHAP. I.

HENRY VIII.

ACCESSION AND MARRIAGE OF HENRY VIII—PUNISHMENT OF
 EMPSON AND DUDLEY—STATE OF EUROPE—WAR WITH FRANCE
 —INGLORIOUS CAMPAIGN IN SPAIN—INVASION OF FRANCE—
 VICTORY AT GUINEGATE—DEFEAT OF THE SCOTS AT FLODDEN
 —PEACE—RISE, POWER, AND CHARACTER OF WOLSEY.

CHAP.

I.

Accession
 of Henry
 VIII.

1509.

April 22.

THE late king had forfeited, long before his death, the affections of his people, and the accession of his son, of the same name, was hailed as the commencement of a new era. The young Henry had almost completed his eighteenth year. He was handsome in person, generous in disposition, and adroit in every martial and fashionable exercise. His subjects, dazzled by the fair but uncertain promise of his youth, gave him credit for more virtues than he really possessed:¹ while his vices, though perhaps even then discernible to an experienced eye, were not sufficiently developed to excite their alarm, or attract their attention. By the advice of his

¹ Even according to cardinal Pole, his was indoles, ex qua præclara omnia sperari possent. *Apologia Reg. Poli.* p. 86. Brixia, 1744.



grandmother, the venerable countess of Richmond, he gave his confidence to those counsellors who had grown old in the service of the deceased monarch : and, that he might initiate himself in the art of reigning, made it a sacred duty to assist almost daily at their deliberations.

The reader is already aware, that if the new king was still unmarried, it had been owing to the capricious and interested policy of his father. Immediately after his accession, he assured Fuensalida, the Spanish ambassador, of his undiminished attachment to Catharine, and of his intention to bring the question of their marriage immediately before his council.² By its advocates was alleged in its favour the advantage of securing the alliance of Spain against the hostility of France: and to the objection drawn from the affinity between the parties were opposed the force of the papal dispensation, and the solemn assertion of Catharine, which she was ready to confirm by her own oath, and by the attestation of several matrons, that her former nuptials with Arthur had never been consummated.³ With the unanimous assent of

His marriage and coronation.

June. 24

² *Ipsam ille supra omnes mulieres appetebat, supra omnes amabat, et illi se conjungi appetebat antequam illi conjungeretur, hoc sæpe illum dixisse. Ibid. 83, 84.*

³ Polyd. 619. Henry acknowledged the truth of her assertion to her nephew the emperor, as is observed by cardinal Pole in his letter to the king, entitled, *Pro unitatis ecclesiasticæ defensione. Tu ipse hoc fassus es, virginem te accepisse, et Cæsari fassus es, cui minime*

CHAP.

I.



the council Henry was publicly married to the princess by the archbishop of Canterbury: their coronation followed: and these two events were celebrated with rejoicings, which occupied the court during the remaining part of the year.

Arrest and execution of Empson and Dudley.

The first public acts of the young monarch were calculated to win the affections of his people. Henry confirmed by proclamation the general pardon which had been granted by his father; offered redress to all persons who had been aggrieved by the late commission of forfeitures: and ordered the arrest of Empson and Dudley, the chief panders to the rapacity of the late king, and of their principal agents, known by the appellation of promoters. The latter, having been exposed in the pillory to the derision of the people, or compelled to ride through the city with their faces to the tails of their horses, were condemned to different terms of imprisonment: the former were brought before the council, and charged with having usurped the authority of the courts of law; extorted from heirs exorbitant compositions for the livery of their lands; refused to receive the answers of

April 21.

expediebat, si tum de divortio cogitares, hoc fateri. f. lxxvii. lxxviii. Romæ, apud Antonium Bladum Asulanum.

Peter Martyr, in a letter dated May 6th, 1509, before the marriage, tells us that the same was the belief in Spain. Est opinio sponsum primum intactam, quæ invalidus erat ætate non matura, reliquisse. Pet. Mart. Ep. p. 207. On this account she was married with the ceremonies appropriated to the nuptials of maids. She was dressed in white, and wore her hair loose. Sanford, 480.

the accused until they had paid for that indulgence; and wrongfully maintained that lands, possessed on other tenures, were held in chief of the crown. The prisoners defended themselves with eloquence and with success. However harsh and iniquitous in itself their conduct might have been, it was justified by precedent, by the existing provisions of the law, and by the tenor of their commission: and therefore to hush the clamours of the people, it was deemed proper to accuse them of a new offence, a design to secure the person of the young king on the death of his father, and to possess themselves of all the powers of government. The charge was too absurd to deserve credit: but it seems to have been admitted throughout the whole of this reign, that if the crown brought an individual to his trial, it mattered little by what device his conviction were procured. Witnesses were found to depose that the obnoxious ministers, during the illness of the late king, had summoned their friends to be in arms, and ready to accompany them to London on an hour's notice: and juries were induced, on this flimsy pretext, to pronounce them guilty of a conspiracy against the safety of the state. Dudley was convicted at the Guildhall, Empson at Northampton: but their execution was respited at the intercession, it was believed, of the young queen. When the parliament met after Christmas, it passed an act of attainder against them for a crime, which

CHAP.

I.

July 16.

Oct. 1.

1510.

Jan. 21.

CHAP.

I.



they had not committed: and endeavoured to remedy the abuses, of which they had been really guilty. All persons, whom they had falsely pronounced tenants in capite, recovered their former rights: the qualifications and duties of escheators were accurately defined: and the term for bringing actions on penal statutes in favour of the crown, was limited to the three years immediately following the alleged offence. It seems probable that the king, satisfied with their forfeitures, would have suffered them to linger out their lives in confinement: but during his progress the next summer, he was so harassed with the complaints and remonstrances of the people, that he signed the warrant for their execution. They suffered on Tower hill: and their blood not only silenced the clamour of their enemies, but supplied the officers of the treasury with an excuse for refusing to redress the wrongs, of which these unfortunate men had been the original authors.⁴

Aug. 18.

The king's
amuse-
ments.

Peace abroad, and tranquillity at home, allowed the young monarch to indulge his natural taste for amusements and pleasure. During two years his court presented an almost uninterrupted succession of balls and revels, devices and pageants, which, in the absence of more important transactions, have been minutely

⁴ Polydore, 620. Herbert, 5, 6, 12, 13. Rolls, xiv. Lords' Journals, i. 9. St. 1 Hen. VIII. 4. 8, 12—15. The heirs of both were restored in blood in 1512.



recorded by historians. He excelled in all the accomplishments of the age; but chiefly prided himself on his proficiency in the martial exercises. The queen and her ladies, the foreign ambassadors and native nobility, were repeatedly summoned to behold the king of England fight at barriers with the two-handed sword, or the battle-axe: and on all these occasions, so active and adroit was the prince, or so politic were his adversaries, he invariably obtained the prize.⁵ His vanity was quickly inflamed by the praises which he received: he longed to make trial of his prowess in real war: and cherished the hope of equalling the reputation of the most renowned amongst his ancestors, the third Edward, and the fifth Henry. It was not long before his wishes were gratified by the quarrel between Julius, the Roman pontiff, and Louis XII. king of France.

As this was the first occasion, on which England took a decided part in the politics of the continent, it will be necessary to direct the reader's attention to the state of Italy, and to the real objects of the adverse parties. I°. In the north of Italy, Milan had been annexed to the French crown by Louis XII., who, pursuing the ambitious projects of his ancestors, had expelled the reigning duke Ludovico Sforza, and by successive aggrandizements awakened the

Political
state of
Italy.

⁵ See in particular Hall, 1—22.

CHAP.

I.

fears of all his neighbours. 2°. In the south the crown of Naples had been wrested from Frederic, king of the Two Sicilies, by the combined armies of France and Spain. The allies divided their conquest: but dissensions followed: battles were fought to the disadvantage of the French; and the kingdom at last remained in the undisputed possession of Ferdinand. Both Ferdinand and Louis were, however, considered as foreign usurpers by the native powers, among which the most considerable were the republic of Venice, and the ecclesiastical state. 3°. The Venetians, enriched by commerce, and supported by armies of mercenaries, had gradually become the envy and terror of the Italian princes. If, on the one hand, they formed the strongest bulwark of christendom against the Turks; on the other they had usurped a considerable territory on the coast of the Adriatic; and by their pride and ambition given birth to the common belief, that they aspired to the entire dominion of Italy. 4°. The patrimony of the Roman see, though intersected by smaller states, reached from the borders of Naples to the late acquisitions of the Venetians. It was under the government of Julius II., who retained in the chill of age all the fire of youth, and seemed to have exchanged the duties of a christian bishop for the occupations of a statesman and a warrior. The great objects of his policy were to extend the limits of the papal dominions, and to free Italy from



the yoke of the strangers. His own resources were, indeed, inadequate to these objects : but he supplied the deficiency by the skill with which he wielded his spiritual arms, and the success with which he sought the co-operation of the greater powers. At first he deemed it prudent to dissemble his jealousy of Louis and Ferdinand ; and directed his whole attention to the more formidable encroachments of the Venetians. By severing from the church the northern part of Romagna, they had furnished him with a reasonable cause of hostility : and, to ensure success to his project, he applied to their several enemies ; to Maximilian, the emperor elect, who claimed from them Treviso, Padua, Verona and the Friuli, as fiefs of the empire ; to Louis, who demanded as part of his dutchy of Milan, the territory which they possessed on the right bank of the Adda ; and to Ferdinand, who was anxious to recover Trani, Monopoli, Brindisi and Otranto, seaports in Naples, which they held as securities for a loan of money.

The ministers of the four powers met under different pretexts in the city of Cambray : and the result was a confederacy for the purpose of confining the republic within its ancient limits. It was in vain that the Venetians opposed a gallant resistance to so many adversaries. Broken by repeated defeats, they implored the pity of Julius, who, content to have humbled their pride, was unwilling that their dominions should

League of
Cambray.
1508.
Dec. 10.

CHAP.

I.

1510.
Feb. 14.

fall into the hands of the barbarians, the term by which he designated his allies from the north of the Alps. At the solicitation, as it was pretended, of the king of England, he consented to a peace with the republic: and to the loud complaints of the French minister replied, that he had reserved this power to himself by the treaty of Biagrassa; that the great object of the alliance at Cambray had been accomplished; and that, if Louis and Maximilian aimed at more extensive conquests, it was unreasonable to expect that he should aid or sanction their injustice. His real views, however, gradually unfolded themselves: and the papal army unexpectedly entered the territories of Alphonso, duke of Ferrara, a vassal of the holy see. The pretext for this invasion was supplied by one of those numerous but ill defined claims, which grew out of the feudal jurisprudence: but Louis, who knew that the pontiff had already concluded a secret alliance with the Venetians, judged that the real offence of Alphonso was his known attachment to France; and ordered his army in the Milanese to hasten to the support of his ally.

Rupture
between
the pope
and
France.
Oct. 19.

At the approach of Chaumont, Julius retired to Bologna; and to his inexpressible surprise found himself besieged in that city. Fatigue and vexation had brought on a fever, which confined him to his bed: but his spirit was unbroken; and if, at the entreaty of the cardi-

nals, he consented to open a negotiation, his only object was to gain time for the arrival of reinforcements. Colonna, at the head of a body of Spanish horse, was the first to offer his services; the papal troops followed; and Chaumont, who had insisted on the most mortifying concessions, found himself compelled to retire in disgrace to the Milanese, where he died of a broken heart. This transaction furnished the pontiff with a plausible ground of hostility against Louis; and every court in Europe resounded with his complaints of the overbearing insolence of the French, who, during a time of peace, had insulted the head of the church in one of his own cities, and had even endeavoured to make him their prisoner.⁶

The next spring the French arms assumed a decided superiority. Bologna with its citadel was taken, and the pontiff sought an asylum within the walls of Ravenna: the Bentivogli, his enemies, recovered their former influence and honours; and Louis, having obtained from his clergy a declaration in favour of the war, and from Maximilian a promise of co-operation, announced a general council to assemble at Pisa, "for the reformation of the church both "in its head and its members." In this emergency Julius betrayed no symptom of alarm.

CHAP.

I.



Maximilian, Ferdinand, and Henry, aid the pope.

1511.
Sept. 1.

⁶ See Guicciardini, p. 506, 608. Venezia, 1738. Pet. Mart. Ep. p. 235. Muratori, xiv. p. 73, 74.

CHAP.

I.

He opposed council to council; summoned the bishops of christendom to meet him in synod at the Basilic of St. John Lateran; deposed and excommunicated the five cardinals, who formed the council at Pisa; and deprived their adherents of all rights, possessions and honours. At the same time his ministers at the different courts inveighed against the schism, which had been created by the resentment of Louis, and against that ambition which, not content with the powerful kingdom of France, had seized on the dutchy of Milan, and now sought to add to Milan the territories of the church. The last argument had considerable weight with those princes, who viewed with jealousy the progressive aggrandizement of the French crown, and believed that its possessors aspired to universal empire.⁷

Oct. 4. It was not long before an alliance defensive and offensive was signed between Ferdinand, the pope, and the republic of Venice; and an invitation was given to all christian princes, to accede to the "holy league," which had for its object the extinction of schism, and the defence of the Roman church.⁸ Maximilian affected to

⁷ These sentiments are thus expressed by Peter Martyr in a letter written in the beginning of October. *Puto regem nostrum pontificis causam suscepturum: tum quia pium, tum quia de communi omnium agitur libertate. Si enim pontificem Gallus straverit, sub pedibus se sperat universam Italiam habiturum, legesque daturum universis Christianæ religionis principibus, quales libuerit.* p. 246.

⁸ Rym. xiii. 306.

hesitate : at length he recalled his promise to Louis, and joined the allies : but the young king of England instantly assented to the entreaties of the pontiff, and the advice of his father-in-law. His vanity was gratified with the title of “ head of the Italian league :” Julius promised to reward his services with the appellation of “ most christian king,” which Louis had forfeited by his schismatical conduct : and his flatterers fed his ambition with the vain hope of recovering the French provinces, which had been wrested on former occasions from the possession of his ancestors. As a preparatory step, Young, the English ambassador, accompanied by the envoys of Scotland and Spain, exhorted Louis to consent to a reconciliation with the pontiff on the following conditions : that Bologna should be restored to the church, the council at Pisa be dissolved, and the cause of Alphonso be referred to impartial judges. But the French cabinet was acquainted with the real intentions of its enemies : an evasive answer was returned ; and immediately a new treaty was concluded between the kings of England and Spain, by which it was stipulated that against the month of April Henry should have in readiness an army of six thousand five hundred, Ferdinand one of nine thousand men : that this combined force should invade the dutchy of Guinne : and that for the safeguard of the sea, each power should furnish an armament of equal strength, com-

CHAP.

L.

1512.
June.Expedi-
tion
against
Guienne.

posed of soldiers and mariners to the amount of three thousand men.⁹ To make good these engagements, Henry obtained from parliament a supply of two tenths, and two fifteenths: Clarenceaux, king at arms, claimed of Louis in the name of his master the restoration of the ancient patrimony of the English crown in France: the refusal was followed by a denunciation of war: the marquess of Dorset sailed with the army in Spanish transports to the coast of Guispenoa: and the fleet, under the command of sir Edward Howard, lord admiral, cruised during the summer between England and Spain.¹⁰

Jean d'Albret, who held the principality of Bearne as the vassal of the French crown, had succeeded in right of his wife the infanta Catalina, to the throne of Navarre: but his claim was opposed by a dangerous competitor, Gaston de Foix, nephew of the French monarch. To preserve himself on the throne, he gladly acceded to the league: but within a few months Gaston fell in the battle of Ravenna, and the king freed from his rival, concluded a secret treaty with Louis. By this defection, however,

⁹ Rym. xiii. 311—319.

¹⁰ Ibid. 327—329. The fleet consisted of eighteen ships. The largest of these, of 1000 tons burden, belonged to the king, and carried 700 soldiers, gunners, and mariners. The others were of different sizes, from 500 to 100 tons, and carried 17 captains, 1750 soldiers, and 1233 gunners and mariners. The admiral received 10 shillings per day: each captain one shilling and sixpence: all others 10 shillings per lunar month, one half for wages, the other half for provisions. Ibid.

he forfeited the crown which he had been so anxious to retain. When the English general, in obedience to his instructions, prepared to march by Fontarabia against Bayonne, Ferdinand objected that it was previously necessary to secure the fidelity of the king of Navarre, who might at any moment during the siege, cut off their communication with Spain and destroy the combined army by famine. A joint embassy was sent to D'Albret: his promises of neutrality were distrusted: and immediate possession of his principal fortresses was demanded. During the negociation Ferdinand obtained a copy of the alliance which the king had recently concluded with Louis; and immediately ordered the duke of Alva to lay siege to his capital. Its reduction was quickly followed by the submission of the rest of the kingdom: and Jean with his consort, leaving Bearne in the occupation of the French army, fled to the court of his ally. The marquess of Dorset, who lay inactive at Fontarabia, frequently protested against the invasion of Navarre, as an enterprise unconnected with the object of the expedition: and Ferdinand dispatched a messenger to London, to complain of the obstinacy of the English general, and to request that he might be furnished with more ample instructions.

July 25.

The Spanish army had now reached St. Jean Pie de Port: the English were invited to join

Sept. 5.

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I.

Oct. 31.

them at that town ; and the invasion of Guienne was at length seriously proposed. But the marquess, whose mind had been soured by disappointment refused, to give credit to the assertions of the Spanish monarch, or to enter France by any other route than that which was laid down in his instructions. Six weeks were consumed in dispute and recrimination : disease and a spirit of mutiny began to spread in the English camp : Dorset required permission to return with his forces to his own country ; and Ferdinand consented to furnish transports according to the treaty between the two crowns. When it was too late, Windsor herald arrived with orders for the army to remain, and to obey the commands of the Spanish king. Its departure was a severe mortification to Henry, who had flattered himself with the hope of recovering Guienne ; but, though he received the general and principal officers with strong expressions of displeasure, he was at a later period induced to listen to their exculpation, and to entertain a suspicion that his father-in-law might have been more attentive to the interests of the Spanish, than to those of the English crown. Ferdinand, indeed, reaped the principal fruit of the campaign by the conquest of Navarre, which is still possessed by his successors. Louis, on the other hand, took possession of Bearne ; and the unfortunate Jean d'Albret saw himself despoiled

of all his dominions by the jealousy and ambition of his more powerful neighbours.¹¹

By sea the English arms were not more fortunate than by land. Sir Edward Howard, after repeated descents on the coast of Bretagne, fell in with the French fleet of twenty sail under the command of Primauguet. Sir Charles Brandon, afterwards duke of Suffolk, who was nearest the enemy, without waiting for orders, bore down on the Cordelier of Brest, a vessel of enormous bulk, and carrying a complement of sixteen hundred men. His ship was quickly dismasted by the superior fire of his adversary; and he reluctantly yielded his place to his rival Sir Thomas Knyvet, a young knight of more courage than experience, who commanded the Regent, the largest vessel in the English navy. The combat continued for more than an hour: but, another ship coming to the aid of Knyvet, Primauguet, to save the honour of his flag, set fire to the Cordelier; the flames communicated to the Regent: and both vessels were entirely consumed. The rest of the French fleet escaped into the harbour of Brest: and “Sir Edward
“ made his vow to God, that he would never
“ more see the king in the face, till he had

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I.

Action by
sea.

Aug. 12.

¹¹ Polydore, 627, 628. Herbert, 20—24. Pet. Mart. Ep. p. 254. 256. 263, 264. 267, 268, 269. 271. Wolsey, apud Fiddes, Collect. p. 8. It has been said that Ferdinand kept possession in virtue of a papal bull, deposing D'Albret for his adherence to schismatics: but the existence of such a bull is very doubtful. See Notices des MSS. du Roy, ii. 570.

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I.



“revenged the death of the noble and valiant knight Sir Thomas Knyvet.”¹² To console himself for the loss of the Regent, Henry built a still more capacious and stately vessel, which he named the “Henry grace Dieu.”

The
French
driven out
of Italy.

April 11.

Though the king of England reaped neither glory nor advantage from these events, his efforts contributed materially to accomplish the chief object of the league. The French had opened the campaign in Italy with their accustomed impetuosity and success. They drove the Papal and Spanish armies before them, forced the intrenched camp under the walls of Ravenna, and made themselves masters of that city. But if it was a splendid, it was also a disastrous victory. Ten thousand of their men fell in the action, with the General Gaston de Foix, a young nobleman of distinguished intrepidity and talent: and La Palice, who succeeded to the command, led back the remnant of the conquerors to Milan, from which city he wrote the most urgent letters, soliciting supplies both of men and of money. But the resources of Louis were exhausted; and the necessity of equipping a fleet to preserve from insult his maritime provinces, and at the same time of

¹² Polydore, 630. Wolsey's letters to Fox, apud Fiddes, Collect. p. 9. The loss of the Regent was considered of such importance, that it was concealed from the public. “My lorde, at the reverens of God kepe thes tydyngs secret to yowr sylf: for ther ys no lyvyng mau knowyth the same here but only the king and I.” Ibid.

collecting an army to repel the threatened irruption of the English and Spanish armies on the southern frontier, rendered him deaf to the prayers and remonstrances of La Palice. Compelled by the murderous hostility of the natives, and the rapid advance of a body of Swiss in the pay of the pontiff, the French abandoned Milan to Maximilian Sforza, the son of the late duke. On the left bank of the Ticino they turned in despair on their pursuers: but the loss of one fourth of their number taught them to precipitate their flight; and before Christmas Julius was able to boast, that he had fulfilled his promise, that “he had chased the barbarians “ beyond the Alps.”¹³

CHAP.

I.

Louis soli-
cits peace.
1513.
Feb.

Experience had now convinced Louis, that he was not equal to the task of opposing so many enemies: and the repose of winter was successfully employed in attempts to debauch the fidelity of some among the confederates. Julius, who had been the soul of the league, died in February: and the new pope, Leo. X., though he did not recede from the engagements of his predecessor, gave but a feeble support to a cause, which he had never cordially approved. While Julius lived his authority had silenced

¹³ Polydore, 625, 626. Guicciard, 707. Pet. Mart. p. 256. Muratori, xiv. 106. The latter observes of Julius, Risoluto, come egli sempre andava dicendo, di voler cacciare i barbari d'Italia, senza pensare se questo fosse un mestiere da sommo pastor della chiesa, p. 92.

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I.

the opposite claims of the emperor and the Venetians: but they now quarrelled about the partition of their late conquests, and the republic, listening to the offers of Louis, consented to unite her arms and fortune with those of France. Even Ferdinand suffered himself to be seduced by the proposal of an armistice, that he might have leisure to establish his authority in his newly acquired kingdom of Navarre.¹⁴ But Henry was inexorable. He longed to wipe away the disgrace of the last year: and the feelings of the people harmonized with those of their sovereign. The clergy granted him two tenths, the laity a tenth, a fifteenth, and a capitation tax, towards the prosecution of the war.¹⁵

March 23. The future operations of the campaign were

April 1.

April 5.

¹⁴ Rym. xiii. 350.

¹⁵ This tax was fixed after the following rates: (Rolls, xxvi. xxvii.

	£.	s.	d.		£.	s.	d.
A duke	-	-	6 13 4	The possessors of personal property, value 800 <i>l.</i>	-	-	2 13 4
Marquess or earl	-	-	4 0 0	From 400 <i>l.</i> to 800 <i>l.</i>	-	2 0 0	
Wives of do.	-	-	4 0 0	200 <i>l.</i> to 400 <i>l.</i>	-	1 6 8	
Baron, baronet, and baroness	-	-	2 0 0	100 <i>l.</i> to 200 <i>l.</i>	-	0 13 4	
Other knights not lords of parliament	-	-	1 10 0	40 <i>l.</i> to 100 <i>l.</i>	-	0 6 8	
Proprietors of lands above 40 <i>l.</i> yearly value	-	-	1 0 0	20 <i>l.</i> to 40 <i>l.</i>	-	0 3 4	
From 20 <i>l.</i> to 40 <i>l.</i>	-	0	10 0	10 <i>l.</i> to 20 <i>l.</i>	-	0 1 8	
10 <i>l.</i> to 20 <i>l.</i>	-	0	5 0	2 <i>l.</i> to 10 <i>l.</i>	-	1 0 0	
2 <i>l.</i> to 10 <i>l.</i>	-	0	2 0	Labourers and servants with wages of 2 <i>l.</i> yearly	-	-	0 1 0
Below 2 <i>l.</i>	-	0	1 0	From 1 <i>l.</i> to 2 <i>l.</i>	-	-	0 0 6
				All other persons	-	-	0 0 4

From these rates it appears that the old distinction between greater and lesser barons was not yet abolished. They are called barons and baronets, and are considered equally as lords of parliament.

arranged by a treaty between the emperor, and the kings of England and Spain, by which each prince bound himself to declare war against Louis, and to invade within two months the kingdom of France.¹⁷ Maximilian and Henry faithfully complied with their engagements: but Ferdinand disavowed the act of his ambassador: nor were pretences wanting to so skilful a politician, in justification of that conduct, which it was now his interest to pursue.

In April sir Edward Howard sailed to accomplish his vow, and fell a martyr to his favourite maxim, that temerity becomes a virtue at sea. He was blockading the harbour of Brest, when it was suggested to him to cut out a squadron of six gallies under Prejent, moored in the bay of Conquet between rocks planted with cannon. Taking two gallies and four boats, he rowed up to the enemy, leaped on the deck of the largest vessel, and was followed by Carroz, a Spanish cavalier, and seventeen Englishmen. Unfortunately his own galley, which had been ordered to grapple with her opponent, fell astern; the gallant sir Edward and his companions were borne overboard by a superior force; and the fleet, disconcerted by the loss of its commander, hastened back into port.¹⁷ Prejent seized the opportunity to insult the coast of Sussex: but the king ordered the lord Thomas Howard to

Death of
the lord
admiral.

April 25.

May 4.

¹⁶ Rym. xiii. 354-363.

¹⁷ Herbert (p. 31) from a letter of sir Ed. Echingham.

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I.

take the place, and revenge the death of his brother: and the new admiral, having chased the enemy into Brest, and captured several valuable prizes, returned, to cover with the fleet the passage of the army from Dover to Calais.

Invasion
of France.

Henry was now ready to reconquer the patri-
mony of his ancestors: and the people of France
trembled at the exaggerated reports of his am-
bition and resources.¹⁸ Five-and-twenty thou-
sand men sailed at different periods, in three

May 15.

May 30

June 30.

divisions: two under the command of the earl
of Shrewsbury, and the lord Herbert, the last
under that of the king himself: who before his
departure appointed “his most dear consort
“queen Catharine, rectrix and governor of the
“realm;”¹⁹ and left orders for the immediate
execution of his prisoner the unfortunate earl of
Suffolk. The reader will recollect that this
nobleman had been attainted in the last reign,
but had been rescued from the block by the
prayers and importunity of the archduke Philip.
His present fate was generally attributed to the
advice which the young Henry had received
from his father: it was more probably owing to
the imprudence of Richard de la Pole, who had
accepted a high command in the French army,
and assumed the rival appellation of the “white
“rose.” This at least is certain, that the am-

¹⁸ Christianorum principum neminem magis verentur Galli. Pet.
Mat. p. 248.

¹⁹ Rym. xiii. 370. 372.

bassadors at foreign courts received instructions to justify his execution, by alleging the discovery of a traitorous correspondence between the two brothers.²⁰

CHAP.

I.

Siege of
Terou-
anne.

June 17.

Aug. 4.

Aug. 12.

Shrewsbury and Herbert had already formed the siege of Terouanne, while the young king loitered for weeks at Calais spending his time in carousals and entertainments. At length he reached the camp, where he was joined by the emperor, at the head of four thousand horse. Maximilian, to flatter the vanity of his young ally, and to avoid any dispute about precedency, called himself the volunteer of the king of England, wore his badge of the red rose, put on the cross of St. George, and accepted one hundred crowns as his daily pay. Louis, on the other hand, determined to relieve Terouanne: he even advanced to the neighbouring city of Amiens: but his pride was humbled by the signal defeat of his army at Novara in Italy: his fears were excited by the news that three thousand German cavalry, and a numerous body of Swiss infantry in the pay of the emperor, had burst into Burgundy: and his council earnestly advised him to avoid the hazard of a battle, and to seek only to protract the siege. A small quantity of powder and provisions had been introduced by the intrepidity of Fonterailles, who, at the head of eight hundred Albanian horsemen,

²⁰ Pet. Mart. p. 286.

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I.

Battle of
Spurs.

Aug. 16.

broke through the lines, ordered his followers to throw down their burdens at the gate, and wheeling round, reached a place of safety before the English could assemble in sufficient number to intercept his retreat. This success encouraged a second attempt on a larger scale. The French cavalry had been collected at Blangy: and, dividing into two bodies, advanced along the opposite banks of the Lis, under the dukes of Longueville and Alençon. Henry had the wisdom to consult the experience of his imperial volunteer, who was acquainted with the country, and had already obtained two victories on the very same spot. By his advice the army was immediately mustered: Maximilian hastened to meet the enemy with the German horse, and the English archers on horseback; and the king followed with the principal part of the infantry. To account for the result of the action would be a difficult task. The French gendarmes, formed in the Italian campaigns, had acquired the reputation of superior courage and discipline: yet on the first shock of the advanced guards they fled: the panic shot through the whole mass of the army: and ten thousand of the best cavalry in Europe were pursued almost four miles by three troops of German, and a few hundreds of English, horse. Their officers, in the attempt to rally the fugitives, were abandoned to the mercy of the enemy. La Palice and Imbrecourt, though taken, had the good fortune to make

their escape; but the duke of Longueville; the marquess of Rotelin, the chevalier Bayard, Bussy d'Amboise, Clermont, and La Fayette, names distinguished in the military annals of France, were secured and presented to Henry and Maximilian. During the action, which the French, with their characteristic humour, denominated the Battle of Spurs, a sally was made from the walls, and the duke of Alençon attempted to break through the trenches: but the first was repulsed by the lord Herbert, the second by the earl of Shrewsbury: and Teligni the governor, despairing of relief, surrendered the city. It had proved a formidable neighbour to the inhabitants of Aire and St. Omer, who were allowed by Henry, at the solicitation of Maximilian, to raze its defences with the ground.²¹

Aug. 22.

Aug. 27.

While the king was thus demolishing the chief monument of his victory, more splendid and lasting laurels had been won by his lieutenant, the earl of Surrey, in the memorable field of Flodden. The reader has noticed in a former volume, that James IV. of Scotland had married Margaret, the sister of Henry. This new connexion did not, however, extinguish the hereditary partiality of the Scottish prince for the ancient alliance with France: and his jealousy

Cause of the war with Scotland.

²¹ Hall, xxxii. xxxiii. Giovio, l. xi. f. 100, 101. Lutetia, 1558. Pet. Mart. p. 288. Du Bellay, 3—7. Paris, 1588.

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1.



of his English brother was repeatedly irritated by a succession of real or supposed injuries. 1°. James had frequently claimed, but claimed in vain, from the equity of Henry the valuable jewels, which the late king had bequeathed as a legacy to his daughter the Scottish queen. 2°. He had complained of the murder of his favourite sir Robert Ker, the warden of the Scottish marches, and had pointed out the bastard Heron of Ford as the assassin; and yet neither Heron, nor his chief accomplices, had been brought to trial. 3°. Lastly he demanded justice for the death of Andrew Barton. As long ago as 1476 a ship belonging to John Barton had been plundered by a Portuguese squadron: and in 1506, just thirty years afterwards, James granted to Andrew, Robert, and John, the three sons of Barton, letters of reprisal, authorizing them to capture the goods of Portuguese merchants, till they should have indemnified themselves to the amount of twelve thousand ducats. But the adventurers found their new profession too lucrative to be quickly abandoned: they continued to make seizures for several years: nor did they confine themselves to vessels sailing under the Portuguese flag, but captured English merchantmen, on the pretence that they carried Portuguese property. Wearied out by the clamour of the sufferers, Henry pronounced the Bartons pirates, and the Lord Thomas and sir Edward Howard, by the royal order, boarded and cap-

tured two of their vessels in the Downs. In the action Andrew Barton received a wound, which proved fatal: the survivors were sent by land into Scotland. James considered the loss of Barton, the bravest and most experienced of his naval commanders, as a national calamity: he declared it a breach of the peace between the two crowns; and in the most peremptory tone demanded full and immediate satisfaction. Henry scornfully replied, that the fate of a pirate was unworthy the notice of kings: and that the dispute, if the matter admitted of dispute, might be settled by the commissioners of both nations at their next meeting on the borders.²²

While James was brooding over these causes of discontent, Henry had joined in the league against Louis: and from that moment the Scottish court became the scene of the most active negotiations; the French ambassadors claiming the aid of Scotland, the English insisting on its neutrality. The former appealed to the poverty and the chivalry of the king. Louis made him repeated and valuable presents of money: Anne, the French queen, named him her knight, and sent him a ring from her own finger. He cheerfully renewed the ancient alliance between Scot-

CHAP.

I.

James fa-
vours the
French.1512.
July 10.

²² It is extraordinary that after this, in 1540, another demand for compensation to the Bartons was made on the king of Portugal (Lesley, 336, Romæ, 1578): and that the letters of reprisal were suffered to remain in force till 1563, that is, 87 years after the commission of the offence. See Mr. Pinkerton, *ib.* 61, note.

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1.

land and France, with an additional clause reciprocally binding each prince to aid his ally against all men whomsoever. Henry could not be ignorant that this provision was aimed against himself: but he had no reason to complain: for in the last treaty of peace, the kings of England and Scotland had reserved to themselves the power of sending military aid to any of their friends, provided that aid were confined to defensive operations.

1513.

It now became the object of the English envoys to bind James to the observance of peace during the absence of Henry. Much diplomatic finesse was displayed by each party. To every project presented by the English the Scottish cabinet assented, but with this perplexing proviso, that in the interval no incursion should be made beyond the French frontier. Each negotiated and armed at the same time. It had been agreed that, to redress all grievances, an extraordinary meeting of commissioners should be held on the borders during the month of June. Though in this arrangement both parties acted with equal insincerity, the English gave the advantage to their opponents, by demanding an adjournment to the middle of October. Their object could not be concealed. Henry was already in France: and James, having summoned his subjects to meet him on Burrow moor, dispatched his fleet with a body of three thousand men to the assistance of Louis. At

June.

July 26.

the same time a Scottish herald sailed to France with orders to require the retreat of the English army out of the French territory, and to denounce war in the case of refusal. He found Henry in his camp before Terouanne, and received from him an answer equally scornful and passionate. But James had already begun hostilities: he did not live to receive the report of his messenger.²³

The first signal of war was given by the lord Home, chamberlain to the king of Scotland, who on the same day on which the herald left Terouanne with the reply of Henry, crossed the English borders, and plundered the defenceless inhabitants. He was intercepted in his return by sir William Bulmer, and lost, together with the booty, five hundred of his men slain on the spot, and four hundred made prisoners. For this check James consoled himself with the hope of speedy revenge; and left Burrow moor at the head of one hundred thousand men. The numbers who crowded to his standard, prove that little credit is due to those Scottish writers, who represent the enterprise as disapproved by the nation; and have invented the most marvellous tales, to make the king alone responsible for the calamity which followed. If we may believe them, James determined to make war in despite of the advice of human and celestial counsellors. His obstinacy could not be subdued by the tears

CHAP.
I.

Aug. 11.

Invades
England.

Aug. 13.

²³ The particulars of these negotiations have been collected by the industry of Mr. Pinkerton, ii. 69—91.

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- or entreaties of his queen; nor by the remonstrances of the most able among his nobility and ministers; nor by the admonition of the patron saint of Scotland, who in the guise of an old man, announced to him in the church of Linlithgow the fate of the expedition; nor by the warnings of a preternatural voice which was heard in the dead of the night from the cross of Edinburgh, summoning the principal lords to appear before an infernal tribunal. Followed by one of the most numerous armies that had ever been raised in Scotland, he passed the Tweed at its confluence with the Till; and turning to the north, laid siege to the strong castle of Norham. The governor deceived the expectations both of his friends and foes. By the improvident expenditure of his ammunition he was unable to protract the defence; and having repulsed three assaults, on the sixth day surrendered his trust. Wark, Etall, and Ford, border fortresses of inferior account, followed the example of Norham.
- Aug. 22.
- Aug. 29.
- When James crossed the Tweed, the earl of Surrey lay in the castle of Pontefract. Having summoned the gentlemen of the northern counties to join the royal standard at Newcastle, he hastened forward to Alnwick; from which town he dispatched on Sunday Rouge Croix, the pur-suivant at arms, to the king of Scotland with two messages. The one from himself offered battle to the enemy on the following Friday: the other from his son, the lord Thomas Howard,
- Sept. 3.

Is opposed
by the earl
of Surrey.

stated that, since James at the border sessions had repeatedly charged him with the murder of Barton, he was come to justify the death of that pirate; and that as he did not expect to receive, so neither did he mean to give, quarter. To Surrey the king courteously replied, that he accepted the challenge with pleasure: to the son he did not condescend to return an answer.

Having demolished the castle of Ford,²¹ James led his army across the river, and encamped on the hill of Flodden, the last of the Cheviot mountains, which border on the vale of Tweed. The same day the earl mustered his forces at Bol-

Sept. 6.

²¹ It is probable that James demolished Ford to revenge the death of his favourite, sir Robert Ker: not that William Heron, the owner of the castle, had been the assassin: for he was at that moment a prisoner in Scotland (Hall. xxxix.): but that the murder had been committed by one of the family, John Heron, who, though pronounced an outlaw by Henry, was permitted to go at large, and actually fought, and was wounded in the battle which followed (Hall, xlii. Giovio, 103). Elizabeth, the wife of William Heron, in the absence of her husband petitioned the king to spare the castle: and had obtained, on that condition, from Surrey the liberty of the lord Johnstone, and of Alexander Home. (See the earl's message, Hall, xxxix.) But James refused the exchange, and rejected the petition of the lady. I suspect that this is the only foundation of the tale which is sometimes told, that James was captivated by the charms of Mrs. Ford, who revealed his secrets to Surrey; and that he spent in dalliance with her that time, which ought to have been employed in penetrating into England. But it should be recollected that the whole time allotted for the capture of Ford, Etall and Wark, is comprised within a short space, between the 29th of August, when Norham surrendered, and the 3d of September, when Surrey reached Alnwick. The king therefore appears to have lost but little of his time.

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Sept. 7.

ton in Glendale. They amounted to twenty-six thousand men, chiefly the tenants of the gentlemen in the northern counties, and the men of the borders, accustomed to Scottish warfare. From Bolton he advanced to Wooler haugh, within five miles of the enemy; whence he viewed with surprise the strength of their position, accessible only in one quarter, and that fortified with batteries of cannon. Rouge Croix was again dispatched to James, with a message, requiring him to descend into the large plain of Milfield between the two armies, and to engage his adversary on equal terms. The king laconically replied, that he should wait for the English according to their promise till Friday at noon.

Sept. 8.

Surrey was disconcerted by this answer. To decline the battle was to break his word: to fight the Scots in their present position was to invite defeat. He was rescued from the dilemma by the bold counsel of his son, who advised him to march towards Scotland and then return, and assail the enemy on the rear. The next morning the army formed in two grand divisions, each of which was subdivided into a battle and two wings. The first distinguished by the name of the vanguard, obeyed the lord Admiral: the second, called the rearguard, was led by the earl himself. In this manner the English crossed the Till, and keeping out of the reach of the cannon, advanced along the right bank till the

evening. At sunrise the following day they again crossed the river by the bridge of Twissel, and returning by the left bank approached the Scottish camp. James now discovered the object of this movement, which at first had appeared unaccountable. He ordered his men to set fire to their huts, and hastened to take possession of an eminence more to the north, called the hill of Brankston. The smoke, which rose from the flames, was rolled by the wind into the valley; and entirely intercepted the view of the two armies, and their respective movements; so that when it cleared up, the admiral found himself at the foot of the hill, and beheld the enemy on its summit at the distance of a quarter of a mile, disposed in five large masses, some of which had taken the form of squares, and others that of wedges. Alarmed at their appearance and numbers he halted his division: it was soon joined on its left by the rearguard under his father: and both advanced in one line. At the same time the Scots began to descend the hill, in perfect order and profound silence.²⁵

Battle of
Flodden,

As the battle, from the disposition of the Scottish forces, consisted of several distinct actions, it will be most convenient for the reader to travel along the English line, and notice the result of each conflict in succession. The right

²⁵ En bon ordre, en la manière que marchent les Allemands, sans parler, ne faire aucun bruit. Official account apud Pink. ii, App. 456.

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wing of the vanguard under sir Edmund Howard, could not support the overwhelming charge of a large body of spearmen, commanded by the lord Home. The English were broken; and their commander was unhorsed: but while he lay on the ground expecting to be taken or slain, the battle was unexpectedly restored by the timely arrival of the bastard Heron, with a numerous band of outlaws. The fugitives rallied at his call; and a doubtful contest was fiercely maintained, till the lord Dacre, with the reserve of fifteen hundred horse, charged the spearmen, and put them to a precipitate flight. The next was the lord admiral with the major part of the vanguard, opposed to the earls of Huntly, Errol, and Crawford, who commanded a dense mass of seven thousand Scots. In this part of the field the contest was obstinate and bloody. At length Errol and Crawford fell: and their followers, discouraged by the death of the leaders, began to waver, fell into confusion, and shortly afterwards fled in every direction. Surrey with the rearguard was attacked by the king himself. James fought on foot, surrounded by some thousands of chosen warriors, who were cased in armour, and on that account less exposed to the destructive aim of the English archers. Animated by the presence and example of their monarch, they advanced steadily, and fought with a resolution, which if it did not win, at least deserved, victory. Though Surrey made

every effort, he could not arrest their progress : they had penetrated within a few yards of the royal standard : and James, ignorant of the event in other parts of the field, flattered himself with the prospect of victory. But in the mean while sir Edward Stanley, who commanded the left wing, had defeated the earls of Argyle and Lennox. The ranks of the Scots, as they descended the hill, were disordered by the murderous discharges of the archers : the moment they came into close combat, the confusion was completed by a sudden charge in flank from three companies of men at arms. They began to retreat : Stanley chased them over the summit of the hill ; and, wheeling to the right, led his followers against the rear of the mass commanded by James in person. In a few minutes that gallant monarch was slain by an unknown hand, and fell about a spear's length from the feet of Surrey. The battle had begun between four and five in the afternoon, and was decided in something more than an hour. The pursuit continued about four miles : but the approach of night, and the want of cavalry, favoured the escape of the fugitives. In the official account published by the lord admiral, the Scots are said to have amounted to eighty thousand men : a multitude from which we may fairly deduct perhaps one half, as mere followers of the camp, collected more for the purpose of plunder than battle. Ten thousand were slain : among whom

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I.

James is
slain.

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were the king of Scots, his illegitimate son, the archbishop of St. Andrew's, two other bishops, two abbots, twelve earls, thirteen barons, five eldest sons of barons, and fifty gentlemen of distinction.²⁶ Six thousand horses were taken, with the park of artillery, amounting to seventeen pieces.²⁷ Lord Dacre recognised among the slain the body of the Scottish king, and conveyed it to Berwick: whence it was afterwards carried to London, that it might be interred with suitable honours.²⁸

Surrender
of Tour-
nay.

When the news of this important victory reached the king of England, he was no longer at Terouanne. He had demolished that city at the request of the emperor: by the advice of

²⁶ We have three contemporary and detailed accounts of this battle. One by Hall, xlii., another equally minute, but much more elegant, in the Italian historian Giovio, l. xxi. f. 102, and a third by the lord Thomas Howard, which is preserved in the herald's office, and has been published by Mr. Pinkerton, ii. App. 456. See also a letter from the queen on this victory, in Hearne's Tit. Liv. p. 106.

²⁷ Lesquelles, says the lord admiral, sont les plus cleres, et les plus nectes, et les mieux faconnées, et avec les moyndres pertuis à la touche, et les plus belles de leur grandeur et longuer, que j'ai viz oncques. Ibid. 458.

²⁸ The common people would not believe that their king had been slain by the English. When, however, he did not appear, some said that he had been murdered by traitors, others that he was gone a pilgrim to Jerusalem. Henry, on the contrary, to blazon his death, obtained from pope Leo permission to bury the body in consecrated ground: because he died under the sentence of excommunication, to which he had subjected himself if he broke the treaty (Rym. xiii. 385). Stow (495) tells us, that he saw it wrapped in lead, and lying in a lumber-room at Shene, after the dissolution of that monastery.

the same prince he now invested Tournay. Tournay contained a population of eighty thousand souls, and though situate within the territory of another power, had long been distinguished by its attachment to the French crown. To the summons sent by Henry, the inhabitants returned a bold and chivalrous defiance: but their resolution evaporated amid the fatigues and dangers of a siege; and on the eighth day they submitted to receive an English garrison, to swear fealty to the king, and to pay towards the expenses of the war fifty thousand livres tournois in one sum, and forty thousand more by instalments, in the course of ten years.²⁹ The campaign ended with the fall of Tournay: and Henry, indulging his taste for ostentation and pleasure, spent several days in the company of his queen's nephew, Charles prince of Spain, and of the aunt of Charles the archdutchess Margaret. But while the principals seemed intent on nothing but parties of pleasure, their ministers were busily employed in framing a new treaty, by which it was stipulated that Maximilian, in consideration of a subsidy of two hundred thousand crowns, should guard the frontiers with an army of ten thousand men during the next half year: that both powers should be ready to renew the war by the first of June; and that Charles, before the expiration

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I.

Sept. 22.

Sept. 29.

Oct. 15.

²⁹ Herbert, 40, 41. Rym. xiii. 377. Du Bellay, 8.

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of seven months should marry Henry's sister Mary at Lisle, in the presence of the emperor, the king, and the archdutchess.³⁰

A general
pacifica-
tion.

From Flanders the king returned to England, proud of the unimportant conquests which he had made, and eager to pursue his good fortune in the following campaign. The winter was spent in the necessary preparations. Troops were levied, and trained to military discipline: an aid of one hundred and sixty thousand pounds was voted by parliament; and rewards and honours were deservedly bestowed on the officers who had distinguished themselves during the last year. The earl of Surrey recovered the title of his father, and was created duke of Norfolk; his son the lord Thomas, earl of Surrey; Brandon viscount Lisle, duke of Suffolk; lord Herbert, earl of Somerset; and sir Edward Stanley, lord Mounteagle. But at the same time Louis, humbled by a long series of disasters, had recourse to every artifice to obtain a general pacification. He appealed to the individual interests of the confederates; infused into them suspicions of each others sincerity; and successively detached them one by one from the league. 1^o. In Leo X. he found a pontiff of a corresponding disposition: and the moment he consented to abandon the Bentivogli and his other partisans in Italy, and dispersed

1514.

³⁰ Hall, xlv. Rym. 379—381.

the schismatical council, which had been transferred from Pisa to Lyons, the pope by circular letters exhorted the confederates to sheathe the sword, and revoked all the censures which had been published against the king or kingdom of France. 2^o. In the estimation of Ferdinand the permanent possession of Navarre was paramount to every other object; and though he refused to make peace without the concurrence of the king of England, he cheerfully consented to a prolongation of the armistice for twelve months.¹⁰ Henry viewed the defection of the pope and of Ferdinand with pain, but without surprise. Of the fidelity of Maximilian after the late treaty he entertained no doubt. 3^o. Yet the virtue of Maximilian could not refuse the bait, which French policy held out to his ambition, in the proposal of a marriage between his grandson Charles, and Renée the daughter of Louis, with a transfer of the claim of the French crown to the dutchy of Milan, as the portion of the princess.

The moment it was ascertained that the emperor had accepted the offer, the intelligence was artfully communicated to the king of England, through the duke of Longueville, a prisoner of war. Henry at first affected to doubt: but the perfidy of his ally was proved by the

¹⁰ Peter Martyr says that he began to grow jealous of the power of Henry, p. 294, 295.—Le Grand adds that Henry in consequence behaved so ill to Catharine, that she miscarried, i. 39.

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I.

evasive answer returned by the council of re-
gency in Flanders, when the king summoned
them to celebrate the stipulated marriage be-
tween Charles and Mary. From that moment
he lent a more willing ear to the suggestions of
Longueville: and Louis, encouraged by his suc-
cess, sought not only the restoration of peace,
but a matrimonial connection between the two
crowns. The death of his queen, Anne of
Bretagne, had made him a widower: and he
offered his hand to the princess Mary, the des-
tined consort, a little while before, of Charles.
Mary was but sixteen, Louis fifty-three years
old: and she had already fixed her affections
on the duke of Suffolk, the most accomplished
nobleman in the English court: yet, whether it
was the splendour of a crown that dazzled, or
the command of her brother that compelled her,
after a short struggle she signified her assent.
The king, however, dissembled: his honour, he
observed, was at stake: nor would his people
allow him to renounce his inheritance in France
without an equivalent.³²

Aug. 7.

The French cabinet understood the hint: a
large sum of money was granted; and three
treaties were concluded at the same time. The
first was a treaty of alliance between the two
kings, to continue in force during the term of
their joint lives and one year longer. It bound

³² Henry's letter to Wolsey, apud Rym. xiii. 403.

each to furnish an auxiliary army at the requisition of the other: but distinguished between offensive and defensive war, limiting the aid in the first case to five thousand men by land, and two thousand five hundred by sea, and extending it in the other to double that number. The second treaty provided for the marriage of Louis with the princess Mary. Henry agreed to defray the expense of his sister's journey, to furnish her with jewels, and to pay with her a dower of two hundred thousand crowns: and Louis engaged to secure to her the same jointure, which had been granted to his late queen the heiress of Bretagne, with a promise that, if she survived him, she should be at liberty to reside, at her own option, either in England or France. By the third the same monarch, in consideration of arrears due to the English crown, on account of monies formerly owing to Henry VII. from Charles VIII., and to Margaret dutchess of Somerset, from Charles duke of Orleans, bound himself and his successors to pay to Henry and his heirs one million of crowns by thirty-eight half-yearly instalments.³³

Mary had already by a public instrument renounced the contract made with Charles of Spain in her nonage:³⁴ she was now solemnly married to Louis at Greenwich, where the duke

July 30.
Louis mar-
ries Mary.

Aug. 13:

³³ Rym. xiii. 413—422, 423—426. 428—432.

³⁴ Ibid. 409—411,

CHAP.

I.

Sept. 14.

Oct. 9.

And dies.
1515.
Jan. 1.

of Longueville personated his sovereign, and soon afterwards at Paris, where the earl of Worcester appeared as her proxy.³⁵ When the necessary preparations were completed, the duke of Norfolk conducted her to Louis at Abbeville: and the parties in person renewed the matrimonial contract in the cathedral. But the next day, to the surprise and disappointment of the new queen, the lady Guilford, whom she loved as a mother, and her English attendants, with the exception of Anne Boleyn and two others, were ordered to return home. It was in vain that Mary complained to her brother of the unfeeling conduct of Louis, and of the timid acquiescence of the duke.³⁶ Henry refused to interfere: and Louis conducted her to St. Denis, where she was crowned; and to Paris, where she was received with processions and rejoicings. Though the king had married through policy, he doated on the beauty of his youthful bride. But his constitution had been enfeebled by hardships and indulgence: his physicians long before his marriage had warned him of his danger; and within three months the amorous monarch sunk into the grave.³⁷ The widow,

³⁵ Ibid. 432—435. 444—446.

³⁶ See an extract from her letter in Fiddes, p. 80. As a recompense to the lady Guilford, Henry granted her an annuity of 20*l.* for life. Rym. xiii, 470.

³⁷ Le bon roi, à cause de sa femme, avoit changé de tour sa manière de vivre: car ou il souloit diner à huit heures, il convenoit qu'il dinât à midi; et ou il souloit se coucher à six heurse du

instead of mourning her loss, sought and obtained a second husband, her former lover, the duke of Suffolk, whom Henry had sent to France, to offer his condolence, and to bring back his sister to her native country.

As Louis died without male issue, Francis, count of Angouleme, the next heir, had ascended the throne. At the first audience which he gave to the ambassador, he told Suffolk in private that he was no stranger to the queen's sentiments in his favour; advised him to marry her at Paris; and undertook that his presumption should go unpunished. It is not difficult to discover, why Francis should wish Mary to be married immediately, and to a subject. She might perhaps bear a child to dispute his right to the succession: or she might give her hand hereafter to the archduke Charles, and thus add to the power of a prince, who already threatened to become a most formidable rival.³⁸ Suffolk wrote to Wolsey, and sought through that favourite to sound the real disposition, or secure

CHAP.
I.

Marriage
of Mary
and Suffolk.

Feb. 3.

soir, souvent se couchoit à minuit. Hist. de Bayard apud Henault, 423,

³⁸ Peter Martyr gives this reason. Ne si ad potentiorum aliquando principem deveniret, formidolosum aliquid pariat, p. 301. It was known in Rome by the middle of February, that both Maximilian and Ferdinand had determined to make every sacrifice to procure her for the archduke. Cesare, et il Catolico faranno ogni cosa, perche sia moglio dell' archiduca. Così viene scritto da i nuntii nostri d'Alemagna et di Spagna. Lett. de Principi, i. 14. See also Polydore, 645.

CHAP.

I.

}

March.

April 16.

May 16.

April 5.

the consent of his sovereign: Mary informed her brother in plain terms, that she had married once to please him, and would either marry now to please herself, or take the religious vows in a convent. With the king's answer we are not acquainted: but she fixed a short term, within which Suffolk was assured that he must either take her, or abandon her for ever: on the last day he consented, and privately celebrated the marriage; and the event was communicated to Henry by Francis, who pleaded warmly in favour of the lovers, and by Mary, who, to exonerate her husband, took the whole blame upon herself. To obtain their pardon was not in reality a difficult task. It is certain that Wolsey, and therefore probable that Henry, was in the secret from the beginning:³⁹ but it had been deemed less reprehensible in the king to forgive afterwards, than to consent beforehand. For some time he kept the lovers in suspense: after a decent interval, affected to asquiesce, through necessity in that which he could not prevent, he sealed their pardon, and ordered them to be publicly married before him at Greenwich.⁴⁰ In the mean while Francis had renewed all the en-

³⁹This was also reported in Rome on good authority, but was thought incredible. C'è di Francia, che Inghilterra ha qualche fantasia di dar la sua vedova sorella al duca di Suffolk, e che ella non ne è aliena. Tal cosa non si crede molto, e pur l'aviso vien da loco assai autentico. Lett. de Principi, i. 14.

⁴⁰On this singular subject, see extracts from the original letters in Fiddes, 83—85. 88.



gements of his predecessor to the satisfaction of the English cabinet : and both kings publicly boasted that they had concluded a peace and alliance which would endure for ever : as if, amid the clashing interests of states, and the vicissitude of unforeseen events, it were possible to ensure duration to the amities of neighbouring and powerful sovereigns. In the course of a few pages, the reader will learn how egregiously they were deceived.

When Henry ascended the throne, the leading ministers in the cabinet were Howard, earl of Surrey, lord Treasurer, and Fox, bishop of Winchester, lord privy seal. But among the inferior dependants of the court had already appeared one, whose aspiring views and superior talents rapidly enabled him to supplant every competitor.

Rise of
Wolsey.

Thomas Wolsey, a native of Ipswich,⁴¹ and a clergyman, had by the interests of Sir John Nanfan, been appointed in the last reign one of the royal chaplains. After the death of his patron, he attached himself to the service of the bishop of Winchester, at whose recommendation he was intrusted with a secret and delicate negotiation at the imperial court : and the expedition and address with which he executed his

1506.

⁴¹ There is a tradition that he was the son of a butcher : but it is hardly reconcilable with the will of his father, whose bequests shew him to have been a Burgess of considerable opulence. See it in Fiddes, Collect. p. 1.

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I.

1508.
Feb. 2.

commission, not only justified the discernment of his friend, but also raised him considerably in the estimation of his sovereign. Before the death of Henry VII. he had been collated to the deanery of Lincoln, one of the most considerable preferments in the English church : soon after the commencement of the present reign, we find him executing the office of almoner to the king, and thus possessing every facility of access to the presence of the young monarch. Henry was captivated with the elegance of his manners, and the gaiety of his disposition : he frequently resorted with his favourite companions to the house of his almoner ; and Wolsey, on these occasions, if we may believe the sarcastic pen of an adversary,⁴² threw off the decencies of his station, and sang, and danced, and caroused with all the levity and impetuosity of the most youthful among his guests. It was soon discovered that the only sure and expeditious way to the royal favour, was through the recommendation of the almoner : and foreigners as well as natives eagerly solicited, and frequently purchased, his patronage. Still he behaved with becoming humility to his former protector, the aged bishop of Winchester ; and even united with that prelate in condemning the prodigality with which the lord treasurer supplied money

⁴² Polydore Virgil (663), the pope's subcollector in England, who by the order of Wolsey had been imprisoned for more than six months. Rym. xiii. 515, 516.

for the expensive pleasures, and thoughtless extravagance of the king.⁴³

During the war Wolsey accompanied Henry to France; was charged with the care of the department for victualling the army, and after the reduction of Tournay, on the refusal of the bishop elect to swear fealty, received from the king, with the consent of the pope, the administration of that diocese.⁴⁴ Preferments now poured in upon him. He was made dean of York, then bishop of Lincoln; and, on the death of cardinal Bambridge, succeeded that prelate in the archiepiscopal see of York. His preponderating influence in the council induced foreign princes to flatter him with compliments, and to seek his friendship with presents: and during fifteen years he governed the kingdom with more absolute sway, than had fallen to the lot of any former minister. We are not, however, obliged to believe the tale so often repeated, that he owed his elevation to the address with which he insinuated himself into the royal favour, by promising to take all the labour on himself, that his master might have more leisure to indulge in pleasure and dissipation. The multitude of letters still extant, all written by Henry or to Henry, demonstratively shew, that the king himself devoted a considerable portion of his time

CHAP
I.



1514.
March 4.

Aug. 5.

⁴³ See Fiddes, Collect. p. 7.

⁴⁴ Ibid. p. 43. Rym. xiii. 584.

CHAP.

I.

Affairs of
Scotland.

and attention to the cares of government.⁴⁵ But Wolsey possessed the art of guiding his sovereign, while he appeared to be guided by him: and, if ever he urged a measure of policy contrary to the royal inclinations, he had the prudence to desist before he had given offence, and entered into the opposite views of the king with as much industry and zeal, as if the new project had originated from himself.⁴⁶

It seemed necessary to introduce this short account of the rise and character of a minister, who was destined to bear for several years a very prominent part in the most important transactions not only in this but in all the neighbouring kingdoms: we may now revert to the affairs of Scotland, which after the death of its king and the destruction of its nobility in the field of Flodden, presented for some time a melancholy scene of confusion and terror. Fortunately the victorious army had been hastily collected: the want of provisions and of military supplies, compelled Surrey to disband his forces: and though

⁴⁵ See Rym. xiii. 404. Fiddes, Collect. p. 15, and the collection of letters in the Cotton library, Cal. B. i.—viii.

⁴⁶ We are also told, on the authority of Polydore (p. 646), that bishop Fox, unable to brook the ascendancy of Surrey, recommended Wolsey to the king, and left the court. This is probably a fiction, as the bishop retained his office, and negotiated treaties till the year 1516. Rym. xiii. 553. No more credit is due to the tale, that the arrogance of Wolsey drove the duke of Norfolk from the cabinet. That nobleman retained his office of treasurer till a short time before his death, and then resigned it to his son, the earl of Surrey, in 1522, Rym. xiii. 777.

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I.

Henry, by repeated messages, urged the wardens of the marches to prosecute the war, their efforts were confined to short though destructive incursions. By degrees the Scottish spirit recovered from its depression: the call for revenge was echoed throughout the nation: several chieftains gathered their retainers: and the devastation of one inroad was repaid by the devastation of another. The queen had been permitted, in conformity with the will of her husband, to assume the regency as guardian to her son James V., an infant not a year and a half old: but, when it was discovered that her relationship to the king of England did not restrain the hostility of that monarch, the partisans of France proposed to intrust the reins of government to the hands of John, duke of Albany, the son of that Alexander, who had been banished by his brother James III. Six months had not elapsed from the death of her husband, when Margaret was safely delivered of a second son, Alexander, duke of Ross: but in less than three months afterwards, she displeased both the nation and her brother, by marrying the young earl of Angus, a nobleman who might indeed boast of a handsome person, but who possessed neither knowledge nor experience; and united with an insatiate ambition the most headstrong passions. This hasty and unequal union deprived her of her most powerful adherents; and a national deputation invited the

1514.
April 30.

CHAP.

I.



duke of Albany to assume the government of the kingdom. That Prince was a foreigner as well by affection as birth: the whole of his property lay in the kingdom of France; and he stood high in the confidence of the French monarch. His appointment naturally alarmed the king of England, whose interest it was to sever, if it were possible, the ancient connexion between Scotland and France. With this view he exacted both from Louis, who was at the time employed in soliciting the treaty of alliance, and afterwards from his successor, when he renewed it, a solemn promise that Albany should never be permitted to leave the shores of France. Each of these monarchs complied: and yet the Scots had no sooner accepted the article by which they were comprehended in the treaty, than Albany appeared among them, took on himself the supreme authority, and openly avowed his determined hostility to the queen and her partisans. Henry had already tampered with that princess to bring her children to England, and intrust them to the care of their uncle: but Albany besieged the castle of Stirling, compelled the queen to surrender the two princes, and placed them under the custody of three lords appointed by parliament.⁴⁷

1515.
May 18.

⁴⁷ These events are very incorrectly given in most of our historians. The industry of Mr. Pinkerton has collected them from the original letters. See his History, vol. ii. book xii.

These events had already taught the king of England to view with jealousy the conduct of his "good brother and perpetual ally," the French monarch. Orders were sent to the English ambassador to complain that the commerce of the king's subjects was interrupted by the French mariners, under colour of letters of marque issued by the late king of Scots; that Albany had been permitted to leave France, and assume the government of Scotland in violation of the royal promise; and that in consequence of his arrival, the queen, the sister of Henry, had been deprived of her right to the regency of the kingdom, and the guardianship of her children.⁴⁸ Francis, whose youth and accomplishments made him the idol of his people, had already formed the most gigantic projects of conquest and aggrandizement, from which he did not suffer himself to be diverted by the remonstrances of Henry. Having endeavoured to pacify that monarch by apologies, denials, and promises, he put in motion the numerous army, which he had collected for the avowed purpose of chastising the hostility of the Helvetic cantons; but instead of following the direct road either into Switzerland or Italy, he passed unexpectedly between the maritime and Cottian Alps, and poured his cavalry into the extensive plains of Lombardy. His real

CHAP.
I.

Francis
recon-
quers Mi-
lan.

⁴⁸ Fiddes, 91, 92.

CHAP. object was now manifest. The Italian princes,
 1. whose jealousy had guarded to no purpose the
 ~~~~~~  
 Sept. 7. accustomed roads over the Alps, were filled  
 with consternation: in a consistory at Rome, it  
 was proposed to solicit the aid of Henry; and a  
 Sept. 11. few days later Leo, to secure the mediation of  
 Wolsey, named that minister cardinal priest of  
 St. Cicely beyond the Tiber.<sup>49</sup>

Francis, who still affected to be thought the friend of the English monarch, received the first intelligence of this promotion; and though he was aware of its object, dispatched a messenger to offer his congratulations to Wolsey. But neither that prelate nor his sovereign could view with satisfaction the progress of the young conqueror; who by the bloody but decisive victory of Marignano, and the subsequent reduction of Milan, had repaired the losses of his predecessor, and restored the ascendancy of the French power in Italy. Was the former league to be renewed, or was Francis to be permitted to pursue his conquests? After much deliberation in the English cabinet, it was resolved to follow a middle course between peace and war; to avoid actual hostilities with France, but to animate its enemies with hopes, and to aid them with subsidies. Some money was advanced, more was promised both to the emperor and the cantons of Switzerland: an army

Sept. 14.

Conduct  
of Henry.

<sup>49</sup> Raynald, xx. 192.

of fifteen thousand Germans, and of an equal number of Swiss, was collected : and Maximilian at its head forced his way to the very gates of Milan. But here his resources failed : and a mutiny of his troops, who demanded their pay, compelled him to retrace his steps to the city of Trent. There he sent for Wyngfield the English agent, and made to him the following most singular proposal. It was evident, he said, that the other powers would never permit either himself or Francis to retain permanent possession of Milan. Would then the king of England accept the investiture of the dutchy? In that case he was ready to adopt Henry for his son, and to resign in his favour the imperial dignity but on these conditions, that the king should declare war against France, should cross the sea with an army, and should march by Tournay to the city of Treves, where Maximilian would meet him, and make the resignation with all the formalities required by law. Thence the two princes, leaving the bulk of the English forces to invade France in conjunction with an army of Germans, might proceed together towards Italy, pass the Alps at Coire, take possession of Milan, and continue their journey to Rome, where Henry should receive the imperial crown from the hands of the sovereign pontiff.<sup>50</sup>

There was much in this dazzling and romantic

CHAP.  
1.

1516.  
May 17.

<sup>50</sup> Fiddes, p. 114.

## CHAP.

## I.

scheme to captivate the youthful imagination of the king, but he had the good sense to listen to the advice of his council, contented himself with accepting the offer of adoption, and directed his attention to a matter which more nearly concerned his own interests, the conduct of the duke of Albany in Scotland. Against the regency of that prince he had remonstrated in strong and threatening terms. The Scottish parliament returned a firm, though respectful answer:<sup>51</sup> but Francis, who still dreaded the hostility of the king of England, advised the Scots to conclude a perpetual peace with Henry; refused to ratify the renewal of the ancient alliance between the two kingdoms, though it had been signed by his envoy at Edinburgh; and even required the regent, in quality of his subject, to return to France. Albany, whether he disliked the task of governing a turbulent people, of whose very language he was ignorant, or was intimidated by the threats of Henry, and the displeasure of his own sovereign, willingly obeyed the command: and under the pretence of some urgent business obtained permission from the Scottish parliament to revisit his family and estates. But before his departure provision was made for the return of Margaret, who had sought an asylum in England; and a temporary council was appointed, in which the numbers of the two parties

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<sup>51</sup> Rym. xiii. 550.

were nearly balanced, and under the nominal government of which Scotland passed four years of dissension and anarchy.<sup>52</sup>

Francis having won the dutchy of Milan, determined to secure his conquest by disarming the hostility of his neighbours. With large sums of money he purchased the consent of the Helvetic states to a perpetual peace: Charles of Austria, who had succeeded Ferdinand on the throne of Spain, was persuaded to accept the hand of the princess Louise, an infant of one year, with the rights of the house of Anjou to the crown of Naples as her dower: and Maximilian himself, by the lure of pecuniary advantages, was induced to accede to the treaty between France and Spain.<sup>53</sup> But, though Francis was now at peace with all the powers of Europe, he felt alarmed at the unfriendly conduct of the king of England, who had not only aided his enemies with money, but had lately concluded a secret treaty against him with Maximilian and Charles.<sup>54</sup> It chanced that at this period, Selim emperor of the Turks, having conquered Egypt and Syria, had collected a numerous army, and publicly threatened the extirpation of the christian name. The princes on the borders of Turkey trembled for their existence: Maximilian in a letter to the pontiff, offered to devote his remaining years to the common service of

CHAP.  
I.

Perpetual  
alliance  
with  
France.  
Aug. 13.

Dec. 4.

Oct. 29.

1517.

<sup>52</sup> Pinkerton, ii. 157—166.

<sup>53</sup> Dumont, iv. par. i. 199. 256.

<sup>54</sup> Rym xiii. 556—566.

CHAP.

I.

1518.

May 7.

christendom, in opposing the enemies of the cross: and Leo, having by his own authority proclaimed a general truce of five years, dispatched legates to the different powers, exhorting them to compose their private quarrels, and to unite their forces in their common defence.<sup>55</sup>

July 10.

The opportunity was eagerly embraced by Francis: and at his proposal a league against Selim, to which all other princes were invited to

Oct. 2.

accede, was concluded between England and France. To cement the union between the two

Oct. 4.

crowns, the dauphin was affianced to Mary, the daughter of Henry: and, that every probable occasion of dispute might be done away, Tournay with its dependencies was restored to France for the sum of six hundred thousand crowns.<sup>56</sup> Thus after ten years of war and negociation, of bloodshed and perfidy, were all the powers re-established in the same situation, in which they had stood previously to the league of Cambray, with the exception of the unfortunate, and perhaps unoffending king of Navarre, whose territories on the south of the Pyrenees could not be recovered from the unrelenting grasp of Spain.

Wolsey's  
power.

Wolsey still retained the first place in the royal favour, and continued to rise in power and opu-

<sup>55</sup> Rym. xiii. 578. 603. 606. 621.

<sup>56</sup> Ibid. 610—700. As both the dauphin and the princess were children, the king and queen of France made the contract in the name of their son, and the king and queen of England, by their proxy the earl of Somerset, in the name of their daughter.

lence. Archbishop Warham had often solicited permission to retire from the chancery to the exercise of his episcopal functions : and the king, having at last accepted his resignation, tendered the seals to the cardinal. Whether it was through an affectation of modesty, or that he thought this office incompatible with his other duties, Wolsey declined the offer : nor was it till after repeated solicitations that he acquiesced in the wish of his sovereign.<sup>57</sup> He had, however, no objection to the dignity of papal legate, with which he was invested by Leo X. The commission was originally limited to two years : but Wolsey procured successive prorogations from different popes, and, not content with the ordinary jurisdiction of the office, repeatedly solicited additional powers, till at length he possessed and exercised within the realm almost all the prerogatives of the sovereign pontiff.<sup>58</sup> Nor was his

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I.



1515.  
Dec. 22.

1518.  
July 27.

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<sup>57</sup> Rym. xiii. 530. Some writers have ascribed the resignation of Warham to compulsion, arising from the desire of Wolsey to occupy his place. It will be difficult to reconcile this supposition with the contemporary testimony of Sir Thomas More and Ammonius. Archiepiscopus Cantuariensis officio cancellarii, cujus onus jam aliquot, ut scis, annos mirum quam laborabat excutere, tandem exsolutus est. Ep. Mori Erasmo ann. 1516. Apud Erasm. tom. iii. p. 234. Tuus Cantuariensis cum bona regis venia magistratu se abdicavit: quem Eboracensis impendio rogatus suscepit. Ammon. Erasmo, Feb. 17, ann. 1517, p. 221. More, in his letter to Warham himself, notices the same—Magistratum deponere (quod tua paternitas magno labore impetravit ut liceret facere), &c. Apud Stapleton, Vit. Mori, p. 236.

<sup>58</sup> Rym. xiii. 734. xiv. 18.

CHAP. ambition yet satisfied. We shall afterwards be-  
 1. hold him, at the death of each pope, labouring,  
 but in vain, to seat himself in the chair of St. Peter.

His  
wealth.

His love of wealth was subordinate only to his love of power. As chancellor and legate he derived considerable emoluments from the courts in which he presided. He was also archbishop of York: he farmed the revenues of Hereford and Worcester, sees which had been granted to foreigners: he held in commendam the abbey of St. Alban's, with the bishopric of Bath: and afterwards, as they became vacant, he exchanged Bath for the rich bishopric of Durham, and Durham for the administration of the still richer church of Winchester.<sup>59</sup> To these sources of wealth should be added the presents and pensions which he received from foreign princes. Francis settled on him an annuity of twelve thousand livres, as a compensation for the bishopric of Tournay, and Charles and Leo granted him a yearly pension of seven thousand five hundred ducats from the revenues of the bishoprics of Toledo and Palencia in Spain.<sup>60</sup> In justice to his memory it should, however, be observed, that if he grasped at wealth, it was to spend, not to hoard it. His establishment was on the most princely scale, comprising no fewer than eight hundred indi-

<sup>59</sup> Rym. xiii. 623. 760. 783. xiv. 268.

<sup>60</sup> Ibid. xiii. 610. 713.



viduals. The chief offices were filled by barons and knights : and among his retainers he numbered the sons of many distinguished families, who aspired under his patronage to civil or military preferment. On occasions of ceremony he appeared with a pomp which, though it might be unbecoming in a clergyman, shewed him to be the representative of the king of England, and of the sovereign pontiff. The ensigns of his several dignities, as chancellor and legate, were borne before him : he was surrounded by noblemen and prelates : and was followed by a long train of mules bearing coffers on their backs covered with pieces of crimson cloth. He spared no expense in his buildings : and, as soon as he had finished the palace of Hampton Court, and furnished it to his taste, he gave the whole to Henry ; perhaps the most magnificent present, that a subject ever made to his sovereign.

The character of Wolsey has been pourtrayed by the pencil of Erasmus, who had tasted of his bounty,<sup>61</sup> and by that of Polydore, whom his justice or policy had thrown into confinement. Neglecting the venal praise of the one, and the venomous slander of the other, we may pronounce him a minister of consummate address and commanding abilities ; greedy of wealth,

His character.

<sup>61</sup> Erasmus praises him highly in some of his epistles (see p. 262. 269 ; also 321. 414. 463), and yet had the meanness to dispraise him as soon as he heard of his fall. *Metuebatur ab omnibus, amabatur a paucis, ne dicam a nemine.* Ann. 1550, p. 1347.

CHAP.

1.

and power, and glory ; anxious to exalt the throne on which his own greatness was built, and the church of which he was so distinguished a member ; but capable in the pursuit of these different objects, of stooping to expedients, which sincerity and justice would disavow, and of adopting, through indulgence to the caprice and passions of the king, measures, which often involved him in contradictions and difficulties, and ultimately occasioned his ruin. As legate, he is said to have exercised without delicacy his new superiority over the archbishop of Canterbury, and to have drawn to his court the cognizance of causes, which belonged to that primate : but the question of right between them admitted of much dispute, and it is acknowledged on the other hand that he reformed many abuses in the church, and compelled the secular and regular clergy to live according to the canons. His office of chancellor afforded him the opportunity of displaying the versatility and superiority of his talents. He was not, indeed, acquainted with the subtleties and minutiae of legal proceedings, and on that account was careful to avail himself of the knowledge and experience of others : but he always decided according to the dictates of his own judgment ; and the equity of his decrees was universally admitted and applauded.<sup>62</sup> To appease domestic

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<sup>62</sup> Princeps Cantuariensi suffecit Eboracensem, qui ita se gerit ut

quarrels, and reconcile families at variance with each other, he was accustomed to offer himself as a friendly arbitrator between the parties : that the poor might pursue their claims with facility and without expense, he established courts of requests : in the ordinary administration of justice, he introduced improvements which were received with gratitude by the country ;<sup>63</sup> and he made it his peculiar care to punish with severity those offenders, who had defrauded the revenue or oppressed the people. But his reputation, and the ease with which he admitted suits, crowded the chancery with petitioners : he soon found himself overwhelmed with a multiplicity of business : and the king, to relieve him, established four subordinate courts, of which that under the presidency of the master of the rolls is still preserved.

Literature found in the cardinal a constant and bountiful patron. On native scholars he heaped preferment, and the most eminent foreigners were invited by him to teach in the universities. Both of these celebrated acade-

spem quoque omnium, quanquam pro reliquis ejus virtutibus maximam, longe tamen exsuperet ; et, quod est difficillimum, post optimum prædecessorem valde probetur et placeat. Morus Erasmo, p. 234. Quem magistratum Eboracensis pulcherrime gerit. Ammon. Erasmo, p. 221.

<sup>63</sup> Alia porro constituit judicia ubi pauperum querimoniæ exaudirentur : multaque ordinavit in rebus civilibus popularibus grata, ac nobis in hunc usque diem usurpata, quibus virum se ostendit sapientissimum nec non reipublicæ amantem. Godwin, 14. I wish he had particularized these institutions.

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I.

1525.  
July 13.

mies were the objects of his care; but Oxford chiefly experienced his munificence in the endowment of seven lectureships, and the foundation of Christ Church, which, though he lived not to complete it, still exists a splendid monument to his memory. As a nursery for this establishment he erected another college at Ipswich, the place of his nativity.

His fo-  
reign poli-  
tics.

But these occupations at home did not divert his eyes from the shifting scene of politics abroad. He was constantly informed of the secret history of the continental courts; and his dispatches, of which several are still extant, shew that he was accustomed to pursue every event through all its probable consequences; to consider each measure in its several bearings; and to furnish his agents with instructions beforehand for almost every contingency. His great object was to preserve the balance of power between the rival houses of France and Austria:<sup>64</sup> and to this we should refer the mutable politics of the English cabinet, which first deserted Francis to support the cause of Charles, and, when Charles had obtained the ascendancy, abandoned him to repair the broken fortunes of Francis. The consequence was, that as long as Wolsey presided in the council, the minister was feared and courted by princes and pontiffs, the king held the distinguished station of arbiter of Europe.

<sup>64</sup> Raynald, viii. 459. More's Works, p. 1436.

## CHAP. II.

CHARLES V. IS ELECTED EMPEROR—INTERVIEW BETWEEN HENRY AND FRANCIS—ARREST AND EXECUTION OF THE DUKE OF BUCKINGHAM—WOLSEY IS ARBITRATOR BETWEEN FRANCIS AND CHARLES—IS DISAPPOINTED OF THE PAPACY—IS OPPOSED IN HIS ATTEMPT TO RAISE MONEY—THE ENGLISH INVADE FRANCE—BATTLE OF PAVIA, AND CAPTIVITY OF FRANCIS—HENRY DESERTS CHARLES, AND MAKES PEACE WITH FRANCE—TREATY OF MADRID—ORIGIN OF THE REFORMATION—HENRY WRITES AGAINST LUTHER—HE IS DECLARED DEFENDER OF THE FAITH.

CHARLES of Austria, who, in right of his father Philip, had inherited the rich and populous provinces of the Netherlands, the ancient patrimony of the house of Burgundy, ascended the Spanish throne on the death of Ferdinand, as the representative of his mother Juana, the daughter of that monarch by Isabella of Castile. He was in the vigour of youth, gifted with superior talents, and anxious to earn the laurels of a conqueror: qualities which equally formed the character of his neighbour, the king of France. Had there existed no hereditary enmity between the two families, no conflicting claims to the possession of the same territories, still their common ambition, and that desire which each displayed of becoming the first among the

CHAP.  
II.

Competition between Charles and Francis.

## CHAP.

## II.



princes of christendom, would have made them rivals, and adversaries. Their power was almost equally balanced. If the dominions of Charles were more extensive, those of Francis were more compact: if the one could command the services of a more numerous population, the other ruled with fewer impediments, and with more absolute sway. The French monarchs had successively annexed to the crown those fiefs which had formerly rendered their possessors almost independent of the sovereign; and by crushing the feudal aristocracy of ancient times, had enabled themselves to wield at pleasure, and without contradiction, the whole power of their empire. But in the Netherlands the measures of the prince were perpetually impeded by the opposition of the states: and even in Spain, though the different kingdoms which once divided the peninsula, had been, with the exception of Portugal, moulded by the genius of Ferdinand into one powerful monarchy, yet the exercise of the royal authority was greatly circumscribed by the rights and immunities still claimed by the cortes and the nobility.

Three years after the demise of Ferdinand, the rivalry between the young kings was called into full activity by the death of the emperor Maximilian. That prince, anxious to secure the succession to the imperial crown in the house of Austria, had in the last diet solicited the electors to name his grandson Charles king

of the Romans. The majority had promised their voices : but from this engagement they were released by his death, and were now summoned to choose not a king of the Romans, but an emperor. Charles announced himself a candidate : and the vanity of Francis immediately prompted him to come forward as a competitor. The intrigues of the French and Spanish courts on this occasion are foreign from the subject of the present work : but the conduct of Henry demands the attention of the reader. His former refusal of the imperial crown, when it was offered by Maximilian, had not proceeded from the moderation of his desires, but from diffidence in the sincerity of his ally. Now that the glittering prize was open to competition, he disclosed his wishes to his favourite : and both the king and the cardinal, reciprocally inflaming the ambition of each other, indulged in the most flattering delusions. In fancy they were already seated, the one on the throne of the Cæsars, the other in the chair of St. Peter, and beheld the whole christian world, laity, and clergy, prostrate at their feet.

The election of Henry would secure, it was foretold, the elevation of Wolsey ; and Pace was dispatched to Germany, with instructions to sound the dispositions of the electors, to make them the most tempting promises, and, if he saw a prospect of success, to name the king of England as a candidate ; if not, to propose a

CHAP.

II.

1519.  
Jan. 11.Henry  
seeks the  
imperial  
crown.

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II.

Charles  
elected  
emperor.  
June 28.

July 5.

native prince to the exclusion of both Francis and Charles. But experience soon taught this envoy that with mere promises he was no match for the agents of the other candidates, who came furnished with ready money: and therefore adhering to subsequent instructions, he threw into the scale the whole weight of his influence in favour of the king of Spain, who after a long debate was chosen without a dissentient voice.<sup>1</sup>

In this transaction Francis had great reason to complain of the duplicity of "his good brother." From the very beginning he had received assurances of the most cordial support from the English court: and in return had expressed his gratitude to the king by a letter of thanks, and to Wolsey by a promise of securing for him on the first vacancy fourteen votes in the conclave. Prudence, however, taught him to accept with seeming satisfaction the apology of the English cabinet, that Pace would have aided him, had there appeared any chance of success, and had only seconded the election of Charles, because it was in vain to oppose it.<sup>2</sup>

Francis  
solicits an  
interview  
with  
Henry.

Though the two competitors during the contest had professed the highest esteem for each other, the bitterest animosity already rankled

<sup>1</sup> *Lettere di principi*, 65. The day before, the imperial crown was offered to Frederic, elector of Saxony, who not only refused it, but also a large sum of money, of which the imperial ambassadors wished to make him a present, as a token of the gratitude of Charles. Letter of Cajetan, *ibid*.

<sup>2</sup> *Apud Fiddes*, 219—224.



in their hearts, and each sought to fortify himself with the support of Henry against the presumed hostility of his rival. To Francis the late conduct of the king of England afforded but slender hopes of success : he trusted, however, to his own address and eloquence ; and summoned Henry to perform an article in the last treaty, by which it was agreed that the two monarchs should meet each other on the border of their respective dominions. The intelligence alarmed the jealousy of the Spanish cabinet : remonstrances were made against an interview so pregnant with mischief to the interests of Charles : and Henry, while he pretended a readiness to fulfil the treaty, suggested difficulties, demanded explanations, and artfully contrived reasons to suspend or postpone the meeting. But his cunning was opposed with equal cunning : and Francis brought the question to an issue by signing a commission, which gave full power to Wolsey to settle every point in debate, as he should judge most conducive to the joint honour of the two kings. Having received the permission of his own sovereign, the cardinal decreed that the interview should take place on the last day of May, but within the English pale between Ardres and Guisnes : and that, to celebrate the meeting, a tournament should be held at the same time, in which the kings of England and France, with eighteen assistants, should answer all opponents at tilt,

1520.

CHAP.  
II.

tourney, and barriers.<sup>3</sup> Still the struggle continued between the two monarchs, the one labouring to evade, the other to enforce this award.

Among the artifices to which Henry resorted, there is one which will amuse the reader. As a proof of his sincerity, he swore before the French ambassador that he would never more cut his beard, till he had visited "his good brother:" and Francis, anxious to bind him still faster, immediately took a similar oath. But the former neglected, the latter fulfilled his promise: and when long beards had in consequence become the prevailing fashion in the French court, sir Thomas Boleyn was compelled to apologize for the bad faith of his master, by alleging that the queen of England felt an insuperable antipathy to a bushy chin. At length Henry with a numerous and splendid retinue left Greenwich, and proceeded by slow stages to Canterbury: where, to the surprise of all who had not been admitted into the secret, advice was received that Charles, with a squadron of Spanish ships had cast anchor in the harbour of Hythe. He had been impelled (so it was pretended) by the most urgent motives to visit his paternal dominions in the Netherlands: and hearing as he sailed up the channel, that the English court was near the coast, had landed to

May 21.  
Charles  
visits him  
first.

25.

<sup>3</sup> See it in Hall, 70.

pay his respects to his uncle and aunt. This apparently accidental meeting was celebrated at Canterbury with feasts and rejoicings: the young emperor by his flattery and attentions rooted himself in the affections of Henry, and by promises and presents secured the friendship of Wolsey: and on the fourth day, when he sailed from Sandwich, the king, with his court, crossed the strait from Dover to Calais.<sup>4</sup>

For several weeks a thousand workmen had been busily employed in erecting a palace of frame work near the castle of Guisnes. It was of a quadrangular form, and measured in compass four hundred and thirty-seven yards, containing a most sumptuous chapel, several apartments of state, and ample accommodations for the king and queen, and their numerous attendants. No expense had been spared in internal or external decorations. The furniture was new and of the most costly description; the ceilings were covered with silk; and the walls hung with cloth of arras. Near the town of Ardres an edifice of similar magnificence had been erected for the king of France, and adjoining to it a pavilion or banqueting room, supported from the summit of a mast standing in the centre, and covered entirely with cloth of gold. As soon as the kings had reached their respective residences, the cardinal paid a visit to Francis

CHAP.  
II.

May 27.

31.

Interview  
of the  
kings.

<sup>4</sup> Hall, 72. Pct. Mart. p. 369.

CHAP.

II.

June 7.

- and remained with him two days. The result was an additional treaty, which proves the extreme anxiety of that monarch to secure the friendship, or at least the forbearance of the English king. He was already bound to pay one million of crowns within a fixed period : he now engaged for himself and his successors to pay to Henry, and the heirs of Henry for ever, the yearly sum of one hundred thousand crowns, in the event of the marriage between the dauphin and the princess Mary being afterwards solemnized, and the issue of that marriage seated on the English throne. Moreover, as the affairs of Scotland had long been a source of jealousy and contention between the two crowns, he consented that they should be referred to the amicable determination of the cardinal of York, and of Louisa, his own mother.<sup>5</sup> After these preliminaries the monarchs rode from their several residences to the valley of Andern, situate within the territory of Guisnes. Their attendants halted on the opposite declivities. Henry and Francis descended into the valley, alighted from their horses, embraced each other and walked arm in arm into a pavilion, which had been prepared for their reception. The next fortnight was consumed in feats of arms, in banquets and in disguisings. During six days the kings and their associates tilted with spears

<sup>5</sup> Rym. xiii. 719—722, 723, 724.

against all comers : the tourney with the broad sword on horseback occupied two more : and the last was employed in fighting at the barriers on foot. The queens of England and France with their ladies and officers beheld the combatants from the galleries : and the heralds daily registered the names, the arms, and the feats of the knights.

On every occasion the two kings appeared with equal splendour, and acquitted themselves with equal applause : their bravest antagonists deemed it no disgrace to yield to royal prowess : and Henry and Francis, though they fought five battles each day, invariably overcame every opponent. Yet amidst this display of friendship, a secret jealousy divided the two nations. Rumours of intended treachery were repeatedly circulated both at Ardres and Guisnes : the attendants on each side were scrupulously numbered : both kings left their respective residences at the same hour : both visited the queens at the same time : both met at the exact spot which had been previously fixed. At length the frank and generous temper of Francis spurned at these precautions : and early one morning he rode to Guisnes, surprised Henry in his bed, and told him that he was his prisoner. But, though the English monarch affected to imitate the manner of his brother of France, he could not subdue his apprehensions ; and, for greater security, whenever he returned from

CHAP.  
II.

June 24.

Ardres, disguised himself and his attendants that he might not be known. On the last day Francis took leave of queen Catharine, and was returning to Ardres, conducted by the cardinal and the duke of Buckingham, when he met a body of maskers, among whom was the king of England. Henry lowered his vizor, and threw a collar of jewels round the neck of the French king, who in return presented his English brother with a bracelet of considerable value. They then embraced, and bade each other farewell.<sup>6</sup>

Henry  
visits  
Charles.

If Francis flattered himself that in this interview he had made a favourable impression on the English monarch, he was quickly undeceived. He had remarked with surprise that, though the tournament had been proclaimed in the dominions of Charles, not one Spanish or Burgundian gentleman had been suffered to attend; and imprudently betrayed his chagrin by commanding or countenancing an insidious, though unsuccessful, attempt on the neighbouring town of St. Omer. But his jealousy was still more alarmed, when he had learned that, within a few days after his departure, Henry had visited his imperial nephew at Wael, had accompanied him to Gravelines, and thence had conducted him back to Calais to pay his devoirs to his aunt. Every artifice was employed to discover the real object of this second meeting:

July 10.

11.

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<sup>6</sup> Hall, 75—84. Du Bellay, 26.

French spies, in the disguise of maskers, insinuated themselves into the palace: and the French ambassador, La Roche, having obtained an audience of the two monarchs, read in their presence the tripartite league formerly concluded between them and Francis, and required Charles to ratify it with his signature as emperor. That prince, however, eluded the demand; and after a visit of three days, returned into his own dominions. The result of both these interviews had been in his favour. The first between Henry and Francis had served only to confirm the rivalry, which had so long subsisted between England and France: and the second had afforded him the opportunity of pleasing the nation by his affability and condescension, and of flattering the vanity of his uncle, by appointing him umpire in every subsequent difference, which might arise between himself and the French monarch.<sup>7</sup>

In the interview at Andern, not only the two kings, but also their attendants, had sought to surpass each other in the magnificence of their dress, and the display of their riches.<sup>8</sup> Of the French nobility it was said that many carried their whole estates on their backs: among the English the duke of Buckingham ventured to

CHAP.  
II.

July 13.

14.

Accusation  
of the  
duke of  
Buckingham.

<sup>7</sup> Hall, 84. Pet. Mart. 373.

<sup>8</sup> Polydore complains that on this occasion the English ladies began to adopt the French fashions, and to exchange their native dress for one less becoming. Polyd. 661.

CHAP.  
II.

express his marked disapprobation of a visit, which had led to so much useless expense. By those writers, who are accustomed to attribute to the counsels of the cardinal every event, which occurred under his administration, it has been supposed that resentment for this remark induced Wolsey to bring the duke, by false accusations, to the scaffold. But more authentic documents refer the cause of his ruin, to the vanity and imprudence of Buckingham himself, who indulged a notion that he should one day ascend the throne; and to the jealousy and caution of Henry, who was not of a temper to spare the man, from whose ambition he prognosticated danger to himself or his posterity. The duke was descended from Edward the third, both through John of Ghent, duke of Lancaster, and Thomas of Woodstock, duke of Gloucester; and had the misfortune to become acquainted with Hopkins, prior of the charterhouse at Henton, who pretended to the gift of prophecy, and employed that gift to flatter the vanity of his benefactor.

When the expedition sailed to lay siege to Terouanne, Hopkins assured the duke that Henry would return with glory from France, but that James of Scotland, if he should pass the borders, would not live to revisit his dominions. The accomplishment of these predictions made a deep impression on Buckingham's mind: and he listened with pleasure and credu-



lity to the same monk, who sometimes expressed his fear, that the king would leave no issue to inherit the throne, at other times affected to foresee something great in the destiny of young Stafford, the duke's son.<sup>9</sup> How far the unfortunate nobleman allowed his ambition to be deluded by these predictions, may be uncertain: but enough had transpired to awaken the suspicion of Henry, who for two years carefully watched and, sometimes perhaps, unfairly interpreted his conduct. He had of late greatly augmented the number of his retainers; and among others sir William Bulmer had quitted the king's service to enter into that of Buckingham. Before the last voyage to France, the knight was called to the star chamber, where he acknowledged his fault, and on his knees begged for mercy. Henry replied that he pardoned him: but that "he would none of his servants  
" should hang on another man's sleeve: and that  
" what might be thought by *his* departing, and  
" what might be supposed by the duke's retain-  
" ing, he would not then declare."<sup>10</sup> The meaning of this enigmatical remark was not disclosed till eighteen months afterwards, when Buckingham, who resided on his estate at Thornbury in Gloucestershire, received a peremptory order to repair to the court. He obeyed, and was followed at a short distance by three knights

1519.  
Nov.<sup>9</sup> See his own confession in Herbert, 100.<sup>10</sup> Hall, 69.

CHAP.  
II.



who had been secretly instructed not to lose sight of the destined victim. His suspicions were first excited at Windsor, where he was treated with unusual disrespect : they were confirmed at York place, where the cardinal refused to see him. With a misboding heart he entered his barge ; and as he sailed down the river towards Greenwich, was arrested, and conveyed to the Tower. The cognizance of his guilt was referred to the legitimate tribunal : and before the duke of Norfolk, as high steward, and seventeen other peers, he was charged with having elicited the prophecies of Hopkins by messages, and personal interrogations : with having sought to debauch by promises and presents the fidelity of the king's servants, and of the yeomen of the guard : with having said, when he was reprimanded for retaining sir William Bulmer, that if he had been ordered into confinement, he would have plunged his dagger into the king's heart : and with having avowed his determination, in the event of Henry's death, to cut off the heads of the cardinal and some others, and to seize the government in defiance of all opponents. The duke at first objected that nothing contained in the indictment amounted to an overt act, which was necessary to constitute the guilt of treason : but Fineux, the chief justice, replied that the crime consisted in imagining the death of the king, and that words might be satisfactory evidence of such imagination. He

His arrest.  
1521.

April 16.

May 13.

next attempted to refute the separate charges with great force of eloquence, and strong denials of guilt: and then demanded that the witnesses might be confronted with him. They were accordingly brought forward, Hopkins the prophet, Delacourt his confessor, Perk his chancellor, and Knevett his cousin, and formerly his steward. The peers consulted in private respecting their verdict: and when the prisoner was again introduced, the duke of Norfolk in tears informed him that he had been found guilty, and pronounced judgment of death. Buckingham replied with a firm voice: "My lord of Norfolk, you have said to me as a traitor should be said unto: but I was never none. Still, my lords, I nothing malign you for that you have done unto me. May the eternal God forgive you my death, as I do. I shall never sue to the king for life, howbeit he is a gracious prince, and more grace may come from him than I desire. I desire you, my lords, and all my fellows, to pray for me." He persisted in his resolution not to solicit mercy, and was beheaded on Tower-hill, amidst the tears and lamentations of the spectators. "God have mercy on his soul," says the reporter of his trial, "for he was a most wise and noble prince, and the mirror of all courtesy."<sup>11</sup>

And execution.  
May 17.

<sup>11</sup> Year book, Hilary Term, 13 Henry VIII. 1. St. 14 and 15 Hen. VIII. 20. Rolls, Hen. VIII. p. cv. Stowe, 514. Hall, 85. Herbert, 100.

## CHAP.

## II.

Francis  
makes war  
upon  
Charles.

In the mean while the flames of war had been rekindled by the ambition of Francis in Spain and Italy, and the Netherlands. The Spaniards were dissatisfied with the conduct of their young sovereign. They complained that their liberties had been infringed, that taxes had been illegally imposed, and that the government had been intrusted to proud and rapacious foreigners, who had followed Charles from Belgium to the peninsula. As long as they were overawed by the presence of the emperor, they confined themselves to murmurs and remonstrances: the moment he sailed to England, they unfurled the standard of insurrection. Francis suffered himself to be seduced by so favourable an opportunity. He had summoned Charles to do justice, according to his promise, to the injured queen of Navarre, and had received for answer that Spain possessed that kingdom in virtue of an ecclesiastical sentence,<sup>12</sup> the same title by which France held Narbonne and Toulouse, formerly parcels of the kingdom of Arragon. Let Francis restore those provinces, and Charles would surrender Navarre. But the Spanish revolt put an end to the negociation: the French army burst over the Pyrenees: and in fifteen days Navarre was freed from the yoke of Spain. The insurgents beheld this event

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<sup>12</sup> This refers to the general censure published by Julius against all the adherents of Louis.

CHAP.  
II.

with indifference: but the French army had no sooner invested Logrono in Castile, than they rallied at the call of their country, repelled the invaders, and recovered Navarre as rapidly as it had been lost. At the same time, to embarrass his adversary on the frontiers of Germany, Francis had encouraged de la Marque, duke of Bouillon, to send a defiance to his sovereign, and to invade the Netherlands at the head of an army, which had been raised in France. But while he secured the aid of this petty prince, he lost a more powerful ally in Leo X., who, unable to obtain from him the restitution of Placentia and Parma, accepted the more promising offers of Charles, and undertook to expel the French from the soil of Italy. The papal and imperial armies had already joined at Bologna; and forty thousand men had overrun the dominions of De la Marque, when Francis condescended to accept the mediation of the king of England, and to submit his pretensions to the equity of Henry or of his deputy, provided the award were not considered as binding without the approbation of the French envoy.<sup>13</sup>

The high dignity of arbitrator was immediately conferred upon Wolsey, who repaired in great state to Calais, and patiently listened to the adverse pleas of the two parties. The French complained that Charles had broken the

May 8.

July 1.

Wolsey  
arbitrator  
between  
them.  
Aug.<sup>13</sup> Muratori, Annali, xiv. 165. Rym. xiii. 748.

CHAP.  
II.

treaty of Noyon in 1516 by continuing to hold possession of Navarre, and that he refused to do homage for Flanders and Artois, fiefs of the French crown. The Imperialists maintained that the treaty of Noyon had been extorted from Charles by fraud and violence, and retorted on their adversaries the late invasion of Spain, and the clandestine support which had been given to the duke of Bouillon. Though the cardinal earnestly laboured to sooth the irritation, and moderate the demands of the litigants, they grew daily more warm and obstinate; and at last Gattinara, the imperial chancellor, declared that it was beneath the dignity of his master to assent to any terms till he had previously received satisfaction from Francis, and that he was confined by his instructions to the mere exposure of the injuries which the emperor had received, and the demand of the aid, to which the king of England was bound by the late treaty.<sup>14</sup>

His award. This declaration afforded, perhaps was meant to afford, the cardinal a pretext to solicit a private conference with Charles, that he might dispose the mind of that prince to peace, and induce him to enlarge the powers of his ambassadors.<sup>15</sup>

Aug. With a train of more than five hundred horse-

<sup>14</sup> Pet. Mart. 373. 420. 426. Notices des MSS. du Roi, ii. 60.

<sup>15</sup> Before he left England he had determined to visit the emperor, and on his return from Bruges assured the king that that prince would be entirely ruled by him. See his letters in Burnet, iii. Records, p. 8, 9.

men he proceeded to Bruges, was received with the most marked attention, and spent three days in close consultation with the emperor. On his return to Calais the conferences were resumed: but the obstinacy of the two parties could not be subdued; and their demands were reciprocally regulated not by justice, but by the oscillating success of the war. The imperialists had taken Mouzon, and formed the siege of Mazieres: but they retired at the approach of Francis, who in his turn was checked in the pursuit by the gallantry and address of the count of Nassau. The cardinal at length drew up a project of peace, which compelled the belligerents to recal their armies into their respective territories, and referred the fate of the fortresses, which had been taken, to the arbitration of Henry. It was carried to the emperor by the lord St. John and sir Thomas Boleyn, to the king of France by the earl of Worcester and the bishop of Ely: and the assent of both monarchs was confidently expected; when it was made known that Fontarabia had been taken by the admiral Bonnivet. The imperialists instantly demanded, the French as positively refused, the restoration of the place: and the cardinal despairing of an accommodation pronounced his final judgment, that Francis had been the aggressor in the war, and that Henry was bound by treaty to aid his imperial ally. The result of the interview at Bruges was now disclosed in a league signed at Calais between

Oct. 11.

CHAP.

II.



the pope, the emperor, and the king of England. It was agreed that in order to restrain the ambition of Francis, and to further the intended expedition against the Turks, each of these powers should in the following spring invade France with a numerous army, unless a peace were concluded between the belligerents within a limited time: and that for the common good of christendom the projected marriage between the dauphin and Mary, the daughter of Henry, should be set aside for the more beneficial marriage of the same princess with the emperor.

Nov. 19.

Before the signature of this treaty, Milan had been recovered by the combined forces in Italy: shortly afterwards Tournay surrendered to the arms of the imperialists; and Francis was compelled to content himself with the reduction of the unimportant fortress of Hesdin.<sup>16</sup>

He aspires  
to the  
papacy.

The deliverance of Milan from the yoke of France, diffused the most extravagant joy throughout the Italian states. The pontiff ordered the event to be celebrated with thanksgivings and games; hastened to Rome that he might enjoy the triumph of his policy and arms; and entered his capital in high spirits, and apparently in perfect health. Yet a sudden indisposition prevented him from attending a consistory, which he had summoned; and in two or three days it was known that he was dead.<sup>17</sup> The

Nov. 24.

Dec. 1.

<sup>16</sup> Belcaire, xiv. Gulciard. 981. Muratori, xiv. 271. Hall, 86—88. Notices des MSS. ii. 60—81.

<sup>17</sup> Muratori, xiv. 173.



CHAP.  
II.

news travelled with expedition to England, and Wolsey immediately extended his views to the papal throne. The idea of seating that minister in the chair of St. Peter was not new: it had already formed the subject of several conferences between the king, the emperor, and the cardinal. By Henry it had long been ardently desired: Charles through policy or inclination promised his aid: and Wolsey, with a decent affectation of humility, consented to place his shoulders under the burden. He acknowledged his unworthiness and incapacity: it had always been the first wish of his heart to live and die in the service of his native sovereign; yet he felt it his duty to submit to the superior judgment of their imperial and royal majesties; and to sacrifice, since they required it, his own happiness to the repose "and welfare of christendom."<sup>18</sup> Yet on the intelligence of Leo's death, all this reluctance vanished: he did not merely submit; he dispatched messengers to remind the emperor of his promise, and secretary Pace to sound the disposition of the conclave. In that assembly Giulio de' Medici possessed a majority of suffrages, sufficient indeed to exclude a rival, but not to secure the election to himself: and, despairing of success, unexpectedly proposed to his colleagues the cardinal Adrian. He was a native of Utrecht, who from the university

And is dis-  
appointed.

1522.  
Jan. 19.

<sup>18</sup> See the cardinal's letters on this subject in Fiddes, Col. 66.

CHAP.

II.



of Louvain had been selected as preceptor to Charles, had been afterwards sent into honourable exile by the intrigues of the favourite Chevres, and was at that moment bishop of Tortosa, and viceroy of Spain. Cajetan, who admired the writings, and was acquainted with the virtues of the Belgian, seconded the motion of Giulio: the election of Adrian, though a foreigner and personally unknown, was carried by acclamation; and within nine years from the time when Julius drove the barbarians out of Italy, a barbarian was seated as his successor on the papal throne.<sup>19</sup> The envoy of Wolsey was instructed to congratulate the new pope on his accession, and to obtain for his employer the prorogation of his legatine authority.

Second  
visit from  
the emper-  
ror.

Feb. 23.

Francis, who was aware of the league which had been formed against him, employed the winter in fruitless attempts to secure the friendship of the king of England. He first sought to win him by compliments and flattery, and even condescended to beg that if he would not aid, at least he would not oppose him: he next demanded the succours to which he was entitled by treaty, and postponed the payment of the annual pension: and at length, as an indemnity to himself, laid an embargo on the English shipping in his ports, and seized all the property of the English merchants. In retaliation Henry

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<sup>19</sup> Pallavicino, l. ii. c. 2.

confined the French ambassador to his house, ordered all Frenchmen in London to be taken into custody, and sent to Francis a defiance by Clarenceaux king at arms.<sup>20</sup> To strengthen these favourable dispositions the emperor himself landed at Dover: and was accompanied by the king through Canterbury, London and Winchester, to Southampton. Every day was marked by some pageant or rejoicing: but while the two princes appeared intent on nothing but their pleasure, the ministers were busily employed in concluding treaties, and framing plans of co-operation. It was agreed that each power should make war on Francis with forty thousand men: that Charles should indemnify Henry for all the monies which might be withheld from him in consequence of this treaty: that the king should not give his daughter in marriage, nor the emperor marry any other person before the princess Mary was of mature age: that when she had completed her twelfth year they should be married by proxy: and that if either party violated this engagement he should forfeit the sum of five hundred thousand crowns. At Southampton the emperor took leave of the king, and embarked on board his fleet of one hundred and eighty sail, the command of which, in compliment to his uncle, he had given to the earl of Surrey, lord admiral of England.<sup>21</sup>

CHAP.  
II.

May 25.

June 19.

July 1.

<sup>20</sup> Fiddes, 252—254. Rym. xiii. 764. Hall, 92. 94.

<sup>21</sup> Herb. 115. 119. Godwin, 22, 23.

CHAP.  
II.  
Attempts  
to raise  
money.

March 6.

That nobleman had succeeded the earl of Kildare in the government of Ireland, where by his generosity he won the esteem, while by his activity he repressed the disorders, of the natives. But the reputation which he had acquired by his conduct in the field of Flodden, induced the king to recal him to England, that he might assume the command of the army destined for the invasion of France. That army, however, existed only on paper : the money necessary for its support was yet to be raised : and to supply these deficiencies required all the art of Wolsey, aided by the despotic authority of the king.

March 20.

Commissioners were dispatched into the different shires with instructions to inquire what was the annual rent of the lands and houses in each township, what the names of the owners and occupiers, and what the value of each man's moveable property : and moreover to array in the maritime counties, under the pretext of an apprehended invasion, all men between the ages of sixteen and sixty, and to enrol their names, and the names of the lords whose tenants they were.<sup>22</sup> As a temporary expedient a loan of twenty thousand pounds was exacted from the

Aug. 20.

merchants of London : and after a decent respite the cardinal, in quality of royal commissioner, called the citizens before him, and required that every individual supposed to be worth one

<sup>22</sup> Stowe, 516. Rym. 770.

hundred pounds, should certify upon oath the real value of his property. They remonstrated that to many men "their credit was better than their substance:" and the cardinal, relaxing the rigour of his first demand, consented to accept their respective returns in writing, which he promised should not on any pretext be afterwards divulged. With this preparatory knowledge he was enabled to raise men, and supply himself with money as it was wanted. Precepts under the great seal were issued at his discretion, ordering some persons to levy a certain number of men among their tenants, and others to advance to the king a certain sum of money, which generally amounted to a tenth from the laity, and a fourth from the clergy. It was, however, promised at the same time, that the lenders should be indemnified from the first subsidy, which should be granted by parliament.<sup>23</sup>

At length the earl mustered his army under the walls of Calais, and found himself at the head of twelve thousand men paid by the king, of four thousand volunteers, and of one thousand German and Spanish horse. With this force he marched through the Boulonnois and Artois into the vicinity of Amiens, carefully avoiding the fortified towns, and devoting to the flames every house and village, which fell in his way: while the French who had been forbidden

Surrey's  
expedition  
into  
France.

Aug. 31.

<sup>23</sup> Hall, 101, 102. 105. Herb. 121, 122. Fiddes, Collect. 92.

CHAP.  
II.

Cet. 16.

to risk an engagement, hovered in small bodies, round the invaders, sometimes checking their progress, and at other times intercepting the stragglers. But the season proved the most formidable enemy. Cold and rain introduced a dysentery into the camp; and the foreigners having retired to Bethune, the earl led back his followers to Calais. It was an expedition which reflected little lustre on the English arms: but it enriched the adventurers, and inflicted a severe injury on the unfortunate inhabitants.

Francis  
makes a  
treaty with  
Desmond  
in Ireland.

In the early part of the summer Francis, to employ the English army at home, had sought to raise up enemies to Henry, both in Ireland and Scotland. 1<sup>o</sup>. In Ireland he addressed himself to the chief of the house of Desmond, a family which still refused to acknowledge any thing more than a nominal dependence on the English crown: and the earl of that name, seduced by the hopes which were held out to him, signed a treaty by which, in return for an annual pension, he engaged to join the French army as soon as it should land in Ireland, and never to lay down his arms, till he had conquered a portion of the island for himself, and the remainder for Richard de la Pole, the representative of the house of York. But Francis had obtained his object, by the very alarm which this treaty created. He forgot his engagement to Desmond: the army was never sent, the

CHAP.  
II.And urges  
the Scots  
to invade  
England.

pension never paid ; and the misguided earl had full leisure to lament the imprudence with which he had listened to the suggestions and promises of his deceitful ally.<sup>24</sup> 2<sup>o</sup>. In Scotland Francis found a more able and equally willing associate in the duke of Albany. That prince had returned to assume the government, at the invitation of Margaret, the queen dowager, who had quarrelled with her husband on account of his amours, and with her brother on account of his parsimony. In February the truce between the two nations expired : and every attempt to renew it failed through the obstinacy of Albany, who sought to include the French, and of Henry, who insisted on the immediate departure of the duke. War succeeded of course : the earl of Shrewsbury was ordered to array the men of the northern counties : and Albany having received supplies and instructions from Francis, assembled the Scottish army at Annan. Thence he marched at the head of eighty thousand men, with forty-five pieces of brass ordnance : while the English general, without men or money, had no force to oppose to the invaders. But the storm was dispersed by the address of the lord Dacre, warden of the western marches. He assumed a tone of bold defiance ; boasted of the numerous army hastening to his aid ; alluded to the disaster which had befallen the

Aug. 4.

Sept. 9.

<sup>24</sup> Du Chesne, 1005.

CHAP. II. Scots at Flodden field ; and after some debate, *granted* to the pusillanimous duke a month's abstinence from war, that he might have time to solicit peace from the indulgence of Henry. Albany engaged to disband his army ; Dacre to forbid the advance of the English forces, which instead of being on their march, were not in reality assembled. Wolsey, amazed at the result, characterized the regent in one of his letters to Henry, as " a coward and a fool."<sup>25</sup>

Proceedings in parliament respecting a grant of money.

The minister's chief embarrassment at this period arose from the exhausted state of the treasury. Immense sums had been wastefully lavished in entertainments and presents to foreign princes : the king's annual pension was no longer paid by Francis, nor could it be expected from Charles during the war : and policy forbade him to have recourse to a forced loan after the experiment of the last summer. Henry, following the example of his father, had governed, during eight years without the aid of the great council of the nation : but his necessities now compelled him to summon a parliament to meet at the Black Friars ; and sir Thomas More, a member of the council, was by the influence of the court, chosen speaker of the commons. After some days the cardinal carried to that house a royal message, shewing from the con-

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<sup>25</sup> See the account compiled from the original letters by Mr. Pinkerton, ii. 106—210.



duct of Francis that the war was just and necessary; estimating the expenses of the intended armament at eight hundred thousand pounds; and proposing to raise that sum by a property tax of twenty per cent. The commons, astonished at this unprecedented demand, preserved the most obstinate silence. It was in vain that Wolsey called on different members by name, and asked them for a reasonable answer. At length he exclaimed: "Masters, unless it be the manner of your house (as very likely it may) by your speaker only in such cases to express your mind, here is without doubt a most marvellous silence." Sir Thomas More, bending the knee, replied that they felt abashed in the presence of so great a personage; that according to the ancient liberties of the house, they were not bound to return an answer; and that he as speaker could make no reply, until he had received their instructions.<sup>36</sup> Wolsey retired in discontent: the debate was adjourned from day to day: and a deputation was appointed to solicit a diminution of the demand. The cardinal again repaired to the house; answered the arguments which had been employed by the leaders of the opposition; and begged

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<sup>36</sup> The cardinal afterwards sent for the speaker, "Would to God," said he, "master More, you had been at Rome, when I made you speaker." "Your grace not offended," he replied, "so would I too, my lord." More's *Life of Sir T. More*, p. 51. Roper's, 11. Stapleton's, 285.

CHAP.  
II.

that they would reason with him on the subject. They replied, that they would hear whatever he might say, but would reason only among themselves. After his departure they agreed to a tax upon every kind of property, of five per cent. for two years, to be continued during the third year on fees, pensions, and rents of land, and during the fourth year on moveables only. The king in return published a general pardon.<sup>27</sup>

Also in  
convo-  
cation.

April 20.

The grant required of the clergy amounted to fifty per cent. on the yearly income of their benefices; and as the demand was higher than that made on the laity, so was their resistance proportionably more obstinate. The convocations of the two provinces had assembled after the usual manner: when Wolsey, conceiving that he should possess more influence in an assembly under his own immediate control, summoned them both, by his legatine authority, to meet him in a national synod in the abbey of Westminster. The proctors however argued, that, as the powers which they held were confined to grants to be made in convocation, no acts which they might perform in the synod could legally bind their constituents; and the cardinal reluctantly suffered

April 22.

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<sup>27</sup> The five northern counties, Northumberland, Cumberland, Durham, Westmoreland, and Chester, were exempt from the tax, on account of the Scottish war: the cinque ports in virtue of their charter, and Ludlow in consequence of a grant from Edward IV. confirmed by Henry VII. and Henry VIII. Rolls, 87. 89.

them to depart, and to vote their money according to the ancient method. The convocation of his own province awaited the determination of the convocation of Canterbury. In the lower house the opposition was led by a popular preacher of the name of Philips, whose silence was at length purchased by the policy of the court: in the higher, the bishops of Winchester and Rochester persisted in animating the prelates to resist so exorbitant a demand. Four months passed in this manner: at last a compromise was made: the clergy voted the grant, the cardinal consented that it should be levied in five years at ten per cent. each year. He held, however, his legatine council, but more for parade than utility, and to cover the disgrace of the defeat which he had suffered in the first attempt.<sup>28</sup>

Aug. 18.

The money thus extorted from the laity and clergy, was lavishly expended in repelling an invasion of the Scots, in supporting an expedition into France, and in furnishing aid to the allies in Italy. 1. The Duke of Albany, after his inglorious negociation with Lord Dacre, had left Scotland: but the principal lords remained constant in their attachment to France; and the command of the English army was transferred to the earl of Surrey. Margaret, who now sought to be reconciled to her brother,

Another  
invasion of  
the Scots  
repulsed.

<sup>28</sup> Wilk. Con. iii. 69<sup>2</sup>—701. Strype, i. 49.

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II.

May 18.

Oct.

s.

offered to conduct her son (he was only in his twelfth year) to the tolbooth of Edinburgh, and to announce by proclamation that he had assumed the government, provided the English general would march a strong force to her support. But Surrey, who placed no confidence in her plans, contented himself with ravaging the borders, and burning the large town of Jedburgh:<sup>29</sup> and that very day Albany himself landed with five thousand auxiliaries, a numerous train of artillery, and plentiful supply of ammunition and money. The projects of Margaret were instantly crushed: at the call of the parliament the whole nation rose in arms: and on the Burrow muir the regent saw above sixty thousand men arrayed round his standard. When Surrey considered the numbers of the enemy and the paucity of his own followers, he trembled for the result: by repeated letters he importuned the council for reinforcements; to the king he wrote to send to the camp all the

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<sup>29</sup> Of the havoc occasioned by these inroads, the reader may judge from a letter of the cardinal, dated August 31, in this year. "The earl of Surrey hath so devastated and destroyed all Tweedale and March, that there is left neither house, fortress, village, tree, cattle, corn or other succour for man: insomuch that some of the people that fled from the same, afterwards returning and finding no sustenance, were compelled to come unto England begging bread, which oftentimes when they do eat, they die incontinently for the hunger passed. And with no imprisonment, cutting off their ears, burning them in their faces, or otherwise, can be kept away." Apud Fiddes, Collect. p. 111.

young lords, who wasted their time at court in cards, and dice, and balls: and recommended his family to the royal notice, if it should be his lot to fall, in the approaching battle.<sup>30</sup> His hopes were however raised by the successive arrival of troops, that swelled his army from nine to fifty thousand men: and having supplied Wark, Norham, and Berwick with competent garrisons, he hastened to Belford, to watch the motions of the regent. That leader fixed his head quarters at Eccles, and undertook the siege of Wark. Having battered the walls with his artillery, he ordered two thousand Frenchmen to storm the breach: they obtained possession of the outer court, and penetrated into the interior ward, but after a long struggle were expelled by the exertions of the garrison. The next day the English were in motion: Albany trembled at the name of the hero of Flodden field: and at midnight the Scottish army retired in confusion across the borders. "Undoubtedly," exclaims Surrey in his dispatch to the king, "there was never men departed with more shame or more fear, than the duke has done to day."<sup>31</sup> The result of this expedition,

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II.

Oct. 23.

26.

30.

Nov. 1.

2.

3.

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<sup>30</sup> Among other things he requested to have a body of 4000 Germans attached to his army, for two purposes, 1<sup>o</sup>. that they might teach the English to observe the order of battle: 2<sup>o</sup>. that he might be able to oppose pikemen to pikemen. Cal. B. vi. 238. The reader will recollect that they were the Scottish pikemen, who bore down his right wing in the battle of Flodden.

<sup>31</sup> B. vi. 306.

CHAP.  
II.

combined with the remembrance of the last, overturned the authority of Albany: and after an ineffectual attempt to retain the regency, he sailed for France never more to set foot in Scotland. His departure enabled Margaret to resume the ascendancy, and proclaim her son: but her imperious temper and scandalous familiarity with Henry Stuart, the son of lord Evandale, alienated her friends: her application to Francis and Albany was received with indifference: and her husband, the earl of Angus, under the protection of Henry, took upon himself the office of regent. With the hope of obtaining aid from France, the war terminated: truce succeeded to truce: and the borders of the two kingdoms enjoyed a long cessation from hostilities during eighteen years.<sup>32</sup>

Suffolk  
invades  
France.

July.

Aug. 3.

2. When Francis supplied Albany with troops and money, he had flattered himself that the Scottish invasion would detain the English forces at home, and would afford him leisure to pursue his intended expedition into Italy, where of all his former conquests he retained only the citadels of Cremona and Milan. To oppose him, a league for the defence of Lombardy had been concluded between the emperor, his brother Ferdinand, archduke of Austria, the Venetians, and Francesco Sforza, the reigning duke of Milan: and to this confederacy had after-

<sup>32</sup> Fiddes, 318—324. Pinkerton, ii, 13.

wards acceded the pope, the kings of England and Hungary, and the republics of Florence, Sienna, and Genoa. His open enemies the French king feared not to oppose with open force: but he was ignorant of the dark and dangerous conspiracy, which from the heart of his dominions threatened to precipitate him from the throne, and to dismember the monarchy. Among the French nobility no one was more illustrious by birth, more distinguished by talent, or more formidable by wealth and connections than Charles, duke of Bourbon. Francis had, however, wounded his feelings by affronts, and Louise, the mother of Francis, by the most galling provocations: and the duke, prompted by resentment, lent a willing ear to the suggestions of the lord of Beaurain, and sir John Russel, secret envoys from Charles and Henry.<sup>33</sup> It was determined that as soon as Francis should have crossed the Alps, the English should invade Picardy, the Germans Burgundy, and the Spaniards Guienne; and that at the same moment Bourbon should unfurl his standard in the centre of the kingdom, and call around him the friends of his family, whom he numbered at two hundred gentlemen with their retainers. That he might not accompany the army to Italy, the duke feigned indisposition;

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<sup>33</sup> Henry affected to consider this attempt as a just retaliation for the alliance between Francis and Desmond.

CHAP.

11.



and was visited in his bed by Francis at the castle of Molins. The king had received some dark hints of the plot; but the apparent candour of Bourbon dispelled his suspicions; and he proceeded in security to Lyons, when he was informed that the sick man had fled in disguise out of France. This intelligence disconcerted his former plans. Bonivet with the greater part of the army was ordered to enter Lombardy: the king remained to make head against his numerous enemies, who were already in motion.

Sept. 1. The duke of Suffolk, the English general, had been joined by the imperialists under the count de Bure: and twenty thousand men were detained a month under the walls of St. Omer, while it was debated in council whether they should open the campaign with the siege of Boulogne, or march through France to form a junction with the army from Germany. The latter plan was adopted: the allied generals, carefully watched by the duke of Vendome, traversed Artois and Picardy, crossed the Somme and the Oise, alarmed the unwarlike citizens of Paris, and sought their German friends in the neighbourhood of Laon. But to the Germans had been opposed the duke of Guise, who with an inferior force arrested their progress, and by intercepting their provisions compelled them to evacuate the French territory. Disappointed in their hopes, the allies retraced their steps in the direction of Valenciennes: but a continuance of

Nov. 8.



rainy weather, succeeded by a long and intense frost, multiplied diseases in their camp: the men perished daily in considerable numbers: and the two generals by common consent disbanded the army. The king, who had already sent orders to Suffolk to spend the winter on the French frontier, received the intelligence with strong expressions of his displeasure: and it required all the address of the cardinal to excuse the conduct of the duke, and to screen him from the resentment of his sovereign.<sup>34</sup>

The emperor had not yet accomplished the invasion of Guienne, to which he had bound himself by treaty. It was indeed long before he could procure from the cortes a grant of money to put his German auxiliaries in motion: their arrival was retarded by unforeseen impediments: and at last the Spanish lords refused to entangle themselves in the dangerous defiles of the Pyrenees during the severity of the winter. But Charles replied that he wanted not their advice but their obedience; and that he should consider as his personal enemy every man who remained behind. They accompanied him to the walls of Fontarabia: and at the end of a month that fortress opened its gates.<sup>35</sup>

Emperor  
takes Fon-  
tarabia.

3. Italy, however, became the principal theatre, as it was the great object, of the war. From

French  
successful  
in Italy.

<sup>34</sup> Compare Hall (113, 114, 116—121.) with the cardinal's dispatches in Fiddes (Collect 73, 106, 108, 109, 112), and Du Bellay (Memoires, 75.)

<sup>35</sup> Pet. Mart. 427, 467.

- CHAP. II. the foot of mount Cenis Bonivet poured his followers, consisting of Frenchmen, Germans and Swiss, over the north of Lombardy ; Asti, Alessandria, Novara, yielded to the torrent : nor was its progress arrested till it had reached the walls of Milan. That capital, defended by the valour of a numerous garrison, and by the hatred of the inhabitants, who had already experienced the tyranny of a French master, defied the power and intrigues of the invaders : and Bonivet, after a siege of some weeks, was compelled by the inclemency of the season to retire into winter quarters in Rosate and Biagrasso. In
- Sept. 1. the mean time pope Adrian died, an event which suspended the march of the papal troops, and rekindled the expiring hopes of the English cardinal. The king immediately claimed of the emperor the execution of his former engagement in favour of Wolsey : and the English ministers at Rome received orders to spare neither money nor promises to secure the same object. They were, however furnished with two sets of letters, to be employed according to circumstances : the one recommending the elevation of the cardinal Giulo de' Medici, the other that of the royal favourite. The conclave lasted six weeks : several candidates were named and rejected ; and the English cardinal himself obtained a considerable number of votes : but
- Nov. 15. Giulo was at length chosen at the unexpected nomination of his chief antagonist Pompeo Co-
- Sept. 14. Wolsey again aspires to the papacy.
- Nov. 18.

lonna. He took the name of Clement VII. For this disappointment Wolsey consoled himself with the belief that his ambition would have been gratified, had not the population of Rome assembled in crowds under the windows of the conclave, and demanded with shouts of intimidation an Italian pope. It is more probable that his exclusion was owing to the obstinacy of the French cardinals, who would never concur in the choice of a man, the most dangerous opponent of their sovereign.<sup>36</sup>

During the winter Henry meditated the conquest of Normandy : but for the execution of his plan he required the aid of Bourbon, whose services could not be spared from the intended campaign in Italy. Charles had employed every resource to recruit his forces ; while the French army was unaccountably suffered to dwindle away by disease and desertion. Bonivet soon found it necessary to retire from Biagrasso, followed and harassed by a more numerous enemy. He reached Marignano in safety : but, in crossing the Tessia, was defeated with the loss of several distinguished officers, and among them of the chevalier Bayard. From that hour the retreat was changed into a precipitate flight : the French garrisons surrendered at the first summons : and in a few days not a Frenchman

French  
driven out  
of Italy.

1524.  
Feb.

May.

<sup>36</sup> Fiddes, Collect. p. 66—74. Burnet, ii. Rec. p. 192. iii. Records, p. 10—12. Pallavic, 217. Lettere di Principi, 100.

CHAP.

II.



was to be found in arms on the soil of Italy. Bourbon, urged by past success and the thirst of revenge, now proposed to carry the flames of war into the heart of his own country: and Charles, though his own generals opposed him, adopted the plan of the exile. Henry, indeed, refused to create a diversion by an invasion of Picardy: but he consented to pay one half of the expense, which had been estimated at one hundred thousand crowns per month. The marquis of Pescara took the command of the army, amounting to no more than seventeen thousand men: but they were veterans inured to war and victory, and expected to be joined by the numerous friends and partisans of the house of Bourbon in France. The resentment of the duke was, however, disappointed by the inconsistency of the imperial councils: and the army, instead of marching on Lyons, turned to the left to reduce Marseilles, that Charles, like his English uncle, might possess a commodious harbour within the territory of France. But Marseilles was protected by the patriotism of the citizens, and the bravery of the garrison: a numerous army was hastily collected at Avignon for its relief: and at the expiration of forty days the siege was raised with terror and precipitation. In defiance of the entreaties of his mother, and the advice of his council, Francis once more aspired to the conquest of Milan: and it became a contest of speed between the two armies.

And the  
imperial-  
ists from  
Marseilles.

Aug. 19.

Sept. 29.

which should be the first to obtain possession of that capital. The French with their accustomed activity hastened by the beaten road over mount Cenis: the imperialists with indefatigable perseverance worked their way through the ravines, and over the rocks of the Riviera del Mare. When the former arrived at Vercelli, the latter had reached Alva: thence they marched with rapidity to Milan: but, finding that a pestilential disease raged within the walls, they threw a garrison into the castle, and quitted the city by the porta Romana, as their pursuers entered by the porta Ticinese. It was thought, that if Francis had continued to follow the enemy, he might by one blow have terminated the war: but he turned aside to besiege the strong city of Pavia, defended by Antonio da Leyva with a garrison of six thousand men. For three months the attack and defence of the place were conducted with equal obstinacy and equal confidence of success: but the French monarch imprudently divided his strength, by detaching Albany, the late regent of Scotland, to invade the kingdom of Naples. The Colonnaesi opposed him on his road: nor was he able to proceed beyond the walls of Rome.<sup>37</sup>

Oct. 23.

We may now revert to the transactions in England, and trace the origin of that dissension, which gradually led to the dissolution of the

Origin of the dissension between Charles & Henry.

<sup>37</sup> Du Bellay, 100. Muratori, 198-209.

CHAP.  
II.

friendship between Henry and Charles. In the beginning of the year the archbishop of Capua received a commission from Clement to proceed to the different powers at war, and to make them an offer of the papal mediation. The king of England replied, that he should never separate his interests from those of his nephew: but that, if any negociation should take place before his holiness, it would be proper that a secret but accredited agent from the French cabinet should be sent both to the imperial and the English

May.

courts. Within a few weeks an Italian, named Giovanni Joacchino, in the service of Louise, regent of France during her son's absence, appeared at Boulogne in quality of a merchant, and solicited a passport to England. On his arrival Wolsey acquainted De Praet, the imperial ambassador, with the real character of this pretended merchant: but at the same time promised to communicate to that minister whatever overtures might be made through his agency. Suspicion, however, was excited by the frequent interviews between the cardinal and Joacchino: at the end of eight months De Praet could no longer conceal his alarm: and in his letters to the emperor, and to Margaret, the governess of the Netherlands, he disclosed his apprehensions, and the grounds on which he had formed them.

1525.  
Jan. 5.

On one of these occasions his messenger was stopped on the road as a vagrant, probably by the contrivance of the cardinal: and the dis-

patches which he carried, were deciphered, and read before the council. Both Charles and Margaret immediately complained of the insult which had been offered to them in the arrest of their servant: but Wolsey, to justify himself, attributed it to accident; declared that he had faithfully communicated to De Praet every proposal made by the French agent; and protested that nothing could be further from his wish than to foment dissensions between his sovereign and the emperor. It must be acknowledged that the transaction wears a very suspicious appearance: but his assertion is borne out by the tenor of his dispatches both immediately preceding, and immediately following this quarrel.<sup>38</sup> Suspecting that Clement was inclined to favour the cause of France, he had instructed the bishop of Bath to remind the pontiff of his obligations to the king and the emperor, and to warn him of the evils to which he would expose the church of Germany, by offending the only prince who could protect it against the enmity of the reformers.<sup>39</sup> Sir John

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<sup>38</sup> Fiddes, 313—318. Hall, 125—135.

<sup>39</sup> The following passage does honour to the cardinal. "Herein to say the truth, and to acquit myself of my duty and most tender zeal towards his holiness, I cannot see how it may stand with the pleasure of Almighty God, that the heads of the church should thus involve and mix themselves, and the state by conjunction, into temporal princes in the wars: but that, as I verily suppose, since the leagues offensive and defensive, or both, have been used to be made in the name of the pope, God has stricken and sent affliction to the holy church." Fiddes, 305.

CHAP.  
H.

Russel received orders to pay fifty thousand crowns as a reward to the army of the duke of Bourbon, with discretionary powers to add five or ten thousand more, if it were necessary or expedient: Pace was commanded to urge the Venetians to seize the defiles of the Alps, and intercept the reinforcements which were on their march to join Francis: and sir Gregory Cassali was instructed to concert with Lannoy, the viceroy of Naples, means to protect that kingdom against the forces of Albany, and to preserve Milan from the dominion of France.<sup>40</sup>

Battle of  
Pavia.

But this anxiety of Wolsey was entirely superfluous. Before his dispatches could reach the theatre of war, Italy had been saved, and Francis was a captive in the hands of the emperor. Though Leyva had successfully repelled every assault of the besiegers, he beheld with dismay the rapid approach of famine; and communicated his situation to the imperial generals in the following laconic note: "Either come to us, or we must cut our way to you." The

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<sup>40</sup> Fiddes, 308, 309. Collect. 117. I have entered into this detail that the reader may judge of the credit due to an assertion first made by the imperialists, and since taken for granted by historians, that the subsequent alliance between Henry and Francis, and the divorce of queen Catharine, were suggested by Wolsey, in order to revenge himself on the emperor for the disappointment of his hopes with respect to the papacy. For eighteen months after that disappointment no traces of disaffection appear in his dispatches, but the most eager desire to promote the common cause of the allies.



CHAP.  
II.

French army lay strongly intrenched under the walls of Pavia: and its rear guard was posted in the beautiful castle of Mirabello, situate in an extensive park, which had been enclosed with a high and solid wall. The allies having, to conceal their design, made false attacks during several days, marching silently at midnight to the park: a body of pioneers began to demolish the wall: before daylight the army entered through a breach one hundred paces in length: and at dawn the castle was carried by surprise. Francis hastily and unadvisedly drew his troops out of their intrenchment, and marched to oppose the enemy. Of the battle which followed it is difficult to form any distinct idea from the confused narratives of the original writers. But the French were harassed in the rear by the garrison: they were deprived of the use of their artillery by interposing themselves between their trenches and the allies: and their gendarmerie, after gaining some advantages, was broken by a strong body of Spanish musqueteers. The Swiss in the pay of Francis did not maintain their former reputation, but turned their backs at the first charge: and the German auxiliaries, who fought with the bravery of despair, were slain to a man. The king saw the most faithful of his nobles fall around him: he had received two slight wounds in the face, and one in the hand: his horse was killed under him: and still he refused to surrender to the Spaniards by whom

Feb. 24.

Captivity  
of Francis.

CHAP.  
II.

he was surrounded. Fortunately Pomperant, a French gentleman in the service of Bourbon, recognised his sovereign, and called Lannoy, who kneeling kissed the king's hand, received his sword, and in return gave his own, saying that it did not become a monarch to appear unarmed in the presence of a subject. With Francis were taken the nominal king of Navarre, the bastard of Savoy, and many distinguished noblemen. The slain amounted to more than eight thousand men, among whom were several captains of rank, and to the great satisfaction of Henry, Richard de la Pole, the pretender to the English throne.<sup>41</sup>

Defeat of  
illegal at-  
tempts to  
raise mo-  
ney.

In London the victory of Pavia was announced to the citizens with every demonstration of joy. A day of thanksgiving was appointed: the cardinal officiated at St. Paul's: and the king assisted in state with the ambassadors of the allies. To derive every possible advantage from the captivity of Francis, Tunstal bishop of London, and Wyngfield chancellor of the dutchy of Lancaster, were dispatched to the imperial court, with instructions to place every obstacle in their power to the liberation of the royal prisoner; and to propose that Henry and Charles should invade France in concert; that they should meet each other at Paris; and that the king of England should

<sup>41</sup> Pet. Mart. p. 484. Du Bellay, 117. Guicciard, 1084.

ascend the French throne as his lawful inheritance, while the emperor should recover those provinces to which he laid claim as representative of the house of Burgundy.<sup>42</sup> But to execute this gigantic plan required a copious supply of money: and though the time allotted for the late taxes was not expired, yet their produce had been already anticipated. To another parliament the king felt an insuperable objection; for the last had not only cut down the amount of his demand, but had also deferred the grant till after the time when it was most wanted. He therefore resolved to raise money by the royal prerogative; a fourth was demanded of the clergy, a sixth of the laity; and commissioners were named to levy the new subsidy in the different counties. But the clergy made the most obstinate resistance. They replied, that the commission was contrary to the liberties of the realm; that the king could take no man's goods, but by due order of law; and that therefore they would pay nothing more than they had already granted in convocation. They even preached these doctrines from the pulpit, and by words and example animated the people to resistance. Informed of the general feeling by the commissioners, the king reluctantly issued a proclamation, stating that he demanded no particular sum, but would rely on the "be-

April 26.

<sup>42</sup> Fiddes, 327—332.

CHAP.  
II.

“nevolence” of his subjects, and accept whatever they might individually think proper to give. But this expedient did not succeed. It was replied, that benevolences had been declared illegal by act of parliament. In London the citizens by their unanimity eluded the artifices, the prayers, and the arguments of Wolsey: in Kent the commissioners were insulted and put to flight: in Suffolk four thousand men took up arms, but were persuaded to return to their homes by the duke of Norfolk: and at length Henry, by a proclamation published, as was pretended, at the earnest request of the cardinal, remitted to his subjects all the demands which he had made. Thus the spirit of the clergy and people triumphed over the despotism of the king, and the wiles of his minister; and this attempt to invade, served only to strengthen and perpetuate, the liberties of the nation.<sup>43</sup>

May 19.  
  
Dissension  
between  
Henry and  
Charles.

Before the arrival of the English envoys the invasion of France had been debated and rejected in the imperial cabinet. Charles, though the lord of so many nations, could not raise a single crown, without the consent of his subjects; and instead of being able to defray the expence of a new expedition, had not wherewith to liquidate the arrears of his victorious army in Italy: while France, though humbled by the captivity of her king, and the loss of the

<sup>43</sup> Hall, 137—142.

mercenary Germans and Swiss who followed her standard, still preserved her native strength unimpaired. On these grounds the emperor preferred negotiation to war; forbade by proclamation any inroad into the French territory; and cheerfully consented to an armistice during the six following months. To the proposal of the ambassadors he replied, that, as the game was already enclosed in the toils, they had nothing more to do than to make the most of their good fortune: and for that purpose he requested both the king and the cardinal to empower the English agents to co-operate with the imperial ministers in settling the terms, on which Francis should recover his liberty.<sup>45</sup> From his letters it is plain that he had no wish to dissolve his alliance with Henry: but it is also true that his displeasure at the conduct of the English cabinet, joined to the great superiority which he had obtained, made him less solicitous to flatter the vanity of his uncle, or to retain the friendship of the favourite. 1<sup>o</sup>. The insult which he had received in the person of his ambassador, had sunk deep into his breast: nor was the subsequent treatment of De Praet of a nature to sooth his resentment. That minister was become the object of Wolsey's hatred: his charac-

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<sup>45</sup> Qu'il pouvoit demeurer en repos: qu'ayant le cerf dans ses toiles, il ne falloit songer qu'à partager la nape. *Ambass. de M. de Tarbes, apud le Grand, Histoire du Divorce, i. 11. Id. iii. 40.*

CHAP.

II.

April 11.

ter was publicly lampooned : his life was even menaced : and at last (whether through apprehension, or the orders of his court, is uncertain) he privately left London, and by extraordinary exertions reached Madrid before the arrival of Tunstal and Wyngfield.<sup>45</sup> 2°. The constant residence of Joacchino in the neighbourhood of Westminster, was another source of suspicion and uneasiness : nor could Charles be persuaded that more did not pass in the interviews between him and the cardinal, than the latter chose to avow.<sup>46</sup> 3°. By letters which had been intercepted at sea, he had learned that the princess Mary, though she had been contracted to him for years, had been secretly offered in marriage both to the king of Scotland and the king of France. To put Henry's sincerity to the test, he formally demanded her as his wife, promising that if she were conveyed to the Low Countries, she should be proclaimed empress, and should receive all the honours due to that high dignity. But Henry professed himself unwilling to part with his only daughter at so early an age. He would, however, pledge himself to deliver her,

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<sup>45</sup> Hall, 139. Il fut audit royaume d'Angleterre maltraité, menassé, prins les lettres qu'il escrivoit à sadite majesté, et icelles ouvertes par les ministres dudit roy contre tous droits devin et humain. Charles's memorial against Henry, apud Le Grand, iii. 40. Rymer's inedited papers, Hen. VIII. vol. iii. 43.

<sup>46</sup> Le Grand, iii. 39. Fiddes, 330.

whenever Charles would enable him to receive the crown of France in Paris, or would give him in exchange the captive monarch.<sup>47</sup>

If we may credit the assertion of Henry, it was the cold and supercilious tone now assumed by Charles, which first alienated him from his nephew: perhaps if he had faithfully analyzed the workings of his own heart, he would have discovered that he was envious of the elevation to which the young emperor had been raised by the battle of Pavia; and began to fear from his superior power that danger to the liberties of Europe, which he had formely imputed to the ambition of Francis. There was another reason which weighed still more powerfully with his minister. In the present embarrassed state of the finances it was necessary to procure money from some source or other. His recent failure had taught him that he could not extort it from the people; and he knew that to expect it from the justice or the gratitude of Charles was useless. France alone presented a certain resource. By a separate negotiation with that power, he would be enabled to dictate the conditions of peace; and, besides preventing the extraordinary expences incident to a state of war, might insist on the payment of the large sums due to England from France by former conventions. To the first overture from Joacchino he returned a

CHAP.  
II.

Henry  
makes  
peace with  
France.

<sup>47</sup> Le Grand, iii. 39. Hall, 136. Fiddes, 331.

CHAP.

II.

Aug. 30.

most favourable answer: an armistice granted for forty days was soon prolonged to four months: and during the suspension of arms, an alliance defensive and offensive was concluded between the two crowns. The French cabinet purchased this advantage with the following sacrifices. It consented, 1<sup>o</sup>. To pay to Henry in lieu of his present demands, the sum of two millions of crowns by half-yearly instalments of fifty thousand crowns each, and, when that debt should be fully discharged, to pay him moreover an annual pension of one hundred thousand crowns during the term of his natural life: 2<sup>o</sup>. To allow Henry's sister Mary, the queen dowager of France, to enjoy the full profits of her dower for the future, and to discharge the arrears already due to her by half-yearly payments of five thousand crowns. 3<sup>o</sup>. To pay to the cardinal, by regular instalments in the course of seven years and a half, thirty thousand crowns due on account of his resignation of the bishopric of Tournay, and one hundred thousand more as a reward for his services to the royal family of France: 4<sup>o</sup>. and lastly, to engage that the duke of Albany should never return to Scotland during the minority of the present king. To ensure the faithful performance of these articles every possible formality was observed. Louise, the regent, swore to them: Francis ratified them both during his captivity, and again after his release: and the principal of the French nobility, with the



great cities of Toulouse, Lyons, Amiens, Rheims, Paris, Bourdeaux, Tours and Rouen, bound themselves, under the forfeiture of all their property, not only to observe the treaty themselves, but to compel the king himself to observe it by all the means in their power.<sup>48</sup> After this the reader will perhaps learn with surprise, that at the same time the attorney and solicitor general of the parliament of Paris entered on the private register a solemn protest against the whole transaction, that Francis might, whenever he thought proper, found on that protest a refusal to fulfil these engagements.<sup>49</sup>

The captive monarch was at first confined in the strong fortress of Pizzighitone: but he longed to see Charles himself, in the hope of acquiring by his address the esteem of the young conqueror; and at his own petition was removed from Italy to Spain, from Pizzighitone to the Alcazar of Madrid.<sup>50</sup> But his expectations were disappointed. The imperial ministers were aware of the disposition of Charles, who seldom refused a favour: they feared that through pity or vanity he might be drawn into imprudent concessions; and before the arrival of Francis had removed him to Toledo, that he might preside at an assembly of the cortes. There he

CHAP.  
II.



Oct.

Francis is  
carried to  
Spain.

<sup>48</sup> Rym. xiv. 37. 45.—113. 121.—154.

<sup>49</sup> D'Orleans, anno 1525.

<sup>50</sup> A la requeste dudit seigneur Roy Tres-chretien. Rym. xiv. 308.

CHAP.  
II.

was assailed by the importunities of the nation, importunities probably dictated by himself, to marry, in order to preserve the succession; and in consequence he instructed his ambassador in London to make another and formal demand of the princess Mary. Henry replied, that he could not yet consent to the departure of his daughter: and that, if circumstances prevented Charles from waiting till she was of mature age, he was at liberty to seek for another consort. This answer accorded with his own wishes; and in a few weeks he was married to Isabella, infanta of Portugal, who brought with her a marriage portion of nine hundred thousand crowns.<sup>51</sup>

1526.  
Jan. 2.

Obtains  
his release  
by the  
treaty of  
Madrid.

In the mean time negociations had been opened and interrupted, resumed and adjourned, between the French and imperial ministers.

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<sup>51</sup> Lequel aima myeux d'envoyer pouvoir à ses ambassadeurs pour consentir à aultre mariage avec aucunes conditions, que d'envoyer sadite fille par deça. Memorial of Charles apud Le Grand, iii. 49. When the demand was made, Mary was only in her eleventh year. Hall says that the junta advised Charles not to wait till she were of age: he then adds; "they also said she was begotten of his brother's wife." (Hall, 149.) On the authority of this passage, several writers have ventured to assert that the validity of Henry's marriage with Catharine was disputed in Spain, and that Charles refused to marry Mary on the ground that her legitimacy was doubtful. Among these was Burnet, in his first volume, p. 276: but having afterwards seen the instructions to the ambassadors at Madrid, he candidly acknowledged that it was a mistake (tom. iii. p. 33.) In reality, had the fact been so, Henry would not have failed to have brought it forward during the controversy respecting the divorce, in answer to the Spanish advocates for Catharine.

Francis signified his willingness to abandon his right of sovereignty over the county of Flanders, and even to renounce his claim to the duchy of Milan and the kingdom of Naples: but he refused on any consideration to sever the rich province of Burgundy from his crown, and offered in its place a considerable sum of money. Charles indignantly replied that money was not his object: that he did not mean to sell the liberty of his captive, but to recover what was his own:<sup>52</sup> that it was not fifty years since Burgundy had been unjustly wrested from his family; and that Francis must now restore it, or linger out his days in a prison. It was in vain that the king threatened to commit suicide, that he neglected his health till his life appeared in danger, that he signed an act of abdication in favour of the dauphin. No argument could mollify the emperor, no artifice elude the penetration of his ministers. At length the reluctance of Francis was apparently overcome. He consented to transfer Burgundy to Charles within six weeks after his release; to surrender his two eldest sons as hostages for the performance of that engagement; to renounce his pretensions to Milan, Naples, and the sovereignty of Flanders, in return for which the emperor should renounce his to Boulogne, Ponthieu, and

1526.  
Jan. 14.

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<sup>52</sup> Non libertatem regi vendere.....sed quod erat jure suum per mutuum beneficium recipere. Sepulveda, l. vi. p. 181.

CHAP.  
II.

several tracts on both banks of the Somme; to marry Eleonora, the sister of Charles; to restore the duke of Bourbon to all his former rights and possessions; to guarantee the emperor against the demands of the king of England for the arrears of his pension, which had been suspended during the war; and, if he found himself unable to fulfil these articles, to place himself again a captive in the hands of the emperor.<sup>53</sup> The honour of Francis has been the theme of many panegyrists: it will be difficult to discover any traces of it in his conduct on this occasion. On the very morning on which he had determined to sign the treaty, he called a few trusty friends around him, read to them a protest against the validity of the act he was about to perform, and then, with the resolution to violate his promise, wrote his signature, engaged to fulfil every article on the faith of a king, and confirmed that pledge with the sacred obligation of an oath.

Cunning  
of the  
English  
cabinet.

The treaty of Madrid called into action the diplomatic finesse, or rather the low cunning of the English cabinet. As soon as the particulars were known, sir Thomas Cheney and Dr. Taylor, a celebrated jurist, were dispatched to France, ostensibly to congratulate the king on his release from captivity, in reality to obtain from him the ratification of the convention already

<sup>53</sup> Rym. xiv. 308.

concluded with Henry by his mother, and to urge him to the violation of that which he had himself concluded with the emperor. But they were instructed to proceed with caution and dissimulation; to ascertain previously the real dispositions of the French cabinet; to speak as from themselves, and not in the name of their sovereign; to affect ignorance, and request that the treaty of Madrid might be communicated to them; to exclaim against the severity of its conditions, and express their hope that the nation would rise in a body, and prevent the king from fulfilling them. Then Cheney, who knew nothing of law, was to inquire of his colleague, if it were possible that oaths and promises made in such circumstances could be binding; and Taylor, who was already furnished with pretended precedents, and with the opinions of canonists and divines, was in a learned discourse to maintain the negative.<sup>54</sup> When they set out, Francis had already crossed the small river Andaye, the boundary between his dominions and those of Spain, on which he had been exchanged for his two eldest sons, the dauphin and the duke of Orleans. The same day he rode to Bayonne, where he signed the bond for the payment of the two millions of crowns, and the yearly pension to Henry, and wrote him a letter expressive of his gratitude

March 17.

<sup>54</sup> Fiddes, 358—361. Stryce, 61—63.

CHAP.  
II.

April 15.  
Francis  
breaks his  
faith with  
Charles.

for the interference of the English monarch, and of his resolution to be guided by him in all his transactions with the emperor. At Bordeaux he received the ambassadors, and ratified with his signature the existing engagements between the two crowns.<sup>55</sup> It soon appeared that he required not the invitation of Henry to violate the treaty of Madrid. He refused to surrender Burgundy, on the pretext, that it was contrary to his coronation oath, and to the will of the natives; and offered in compensation, what had been before rejected, a sum of money. Charles immediately called on him like a loyal prince to return into captivity: but he laughed at the requisition, and spent the summer in negotiations with Henry. Francis bound himself never to make peace with the emperor, till full security were obtained for the liquidation of the debt due to the English king from Charles: and Henry engaged not to accept of such security, till the French princes should be freed from captivity for a ransom of one million of crowns.<sup>56</sup> Both talked loudly of war: but their finances forbade them to begin hostilities; and they hoped to intimidate the imperial court by the vehemence of their language, and the report of their preparations.

Aug. 8.

That I might not interrupt the course of poli-

<sup>55</sup> Rym. xiv. 129—133, 134—154.


<sup>56</sup> *Ibid.* 185—187. 189—192.

tical events, I have hitherto abstained from noticing the religious revolution, which had already occurred in Germany ; and which gradually new modelled the clergy, subverted the established creed, and abolished the papal authority in several of the states of Europe. As in a few years it penetrated into this island, and produced the most important innovations in our religious polity, it cannot, though of foreign origin, be deemed foreign to the history of England ; nor will the reader be displeased, if I have reserved for the conclusion of this chapter a more detailed account of the causes which led to its commencement, and aided its progress.

It is well known that the primitive church visited with peculiar severity the more flagrant violations of the divine law ; and that such punishments were occasionally mitigated by the “ indulgence ” of the bishops, who, in favour of particular penitents, were accustomed to abridge the austerities enjoined by the canons, or to commute them for works of charity, and exercises of piety. When Urban II. in the council of Clermont, called upon the Christian nations to emancipate Jerusalem from the yoke of the infidels, he offered to the adventurers a “ plenary indulgence : ” that is, he enacted that all who, having confessed their sins with true repentance of heart, should engage in the expedition, should be exempted, in consequence of the labours and dangers to which they voluntarily

CHAP.

II.



Origin of  
the reformation.

CHAP.  
II.

exposed themselves, from the canonical penance to which they were otherwise liable.<sup>57</sup> Two centuries later, in the council of Lyons, the same indulgence was extended to those, who, unable to join the crusade in person, should by voluntary donations contribute to its success.<sup>58</sup> From that period indulgences began to be multiplied. As often as money was required for an object really or apparently connected with the interests of religion, they were offered to the people: and, as men give with less reluctance, when they are left to their own option, than when they are compelled by force, the expedient generally succeeded. But abuses of two kinds grew out of the practice. 1°. The money was frequently diverted from its original destination; and found its way into the private coffers of the pontiff, or into the treasuries of the secular princes.<sup>59</sup> 2°. The office of collecting the contributions was committed to inferior agents called questors: whose interest it was, as they received a percentage on the amount, to exaggerate the advantages of the indulgence, and to impose on the simplicity and credulity of the people. It is

<sup>57</sup> Conc. Claremont. can, 2

<sup>58</sup> Conc. Lugdun. 1. cap. xvii.

<sup>59</sup> Thus about six years before the rise of Luther an indulgence had been preached in Saxony, to raise money for the war against the Turks. But the whole sum was divided between the emperor and the elector, who afterwards patronized Luther. As some reparation he gave 200 florins to the church of Wittemberg. Schmidt, l. viii. c. iii.



indeed true that, to prevent such abuses, severe constitutions had been enacted by several popes:<sup>60</sup> but these laws were either not enforced, or had fallen into disuse: and those who bewailed the evil, saw little hope of a remedy from pontiffs, who seemed to have forgotten their spiritual character, in their ardour to free Italy from the dominion of strangers, and to aggrandize at the same time their respective families.

Among the different projects which occupied the restless mind of Julius II., was that of erecting a temple worthy of the capital of the Christian world, of enormous dimensions and unrivalled magnificence. To raise money for this purpose, he had published an indulgence in Poland and France: which his successor Leo X. had with the same view extended to the northern provinces of Germany.<sup>61</sup> The papal commission was directed to Albert, elector of Mentz, and archbishop of Magdeburgh: and that prelate employed as his delegate, Tetzal, a dominican friar, who had already executed the same office under the Teutonic knights. The brethren of Tetzal rapidly spread themselves over Saxony:

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<sup>60</sup> Certus mihi videbar me habiturum patronum papam.....qui in suis decretis clarissime damnat quæstorum immodestiam. Luth. Op. i. P. æf.

<sup>61</sup> Pallavicino, i. 52. That he had assigned, as is often said, a portion of the profits to his sister Maddalena, is shown to be false by Pallavicino, 54. Even Luther says the money was ad fabricam Sancti Petri. Op. i. l. II

CHAP.  
II.

some, not content with their sermons from the pulpit, offered indulgences in the streets and markets, in taverns and private houses; they even taught, if we may credit the interested declamation of their adversary, that every contributor, if he paid on his own account, infallibly opened to himself the gates of heaven, if on account of the dead, instantly liberated a soul from the prison of purgatory.<sup>62</sup>

Luther  
opposes  
the indul-  
gences.

The origin of the revolution which followed, may with probability be attributed to the councils of Staupitz, vicar of the friars of St. Augustine. It has been generally supposed that he was actuated by a spirit of opposition to the dominicans; whether that opposition sprung from any previous rivalry between the two institutes, or from resentment that the lucrative office of collecting the contributions had been bestowed on Tetzel instead of himself.<sup>63</sup> For his ostensible agent he selected a young friar of his own order, Martin Luther, a man of an ardent mind,

<sup>62</sup>Luther, i. 1. 157.—Erasmus says, *de indulgentiis sic loquebantur, ut nec idiotæ fere possent..... Hæc, opinor, moverunt animum Lutheri, ut primum auderet se quorundam intolerabili impudentiæ opponere.* Ep. ad Alb. Mag. Archiep. p. 422.

<sup>63</sup>Compare the letter of Luther to Staupitz, with that of Staupitz to Spalatin. Luth. Oper. i. 64. 323. Pallav. l. 82. Spondan. ad ann. 1517. That the office was taken from the augustinians and given to the dominicans, is not true. It had before been executed by the latter, and the friars minors. Pallav. l. 52. 55. But many attributed the controversy to the jealousy between the two orders, as Leo himself (Bandello, par. iii. novel. 25,) Valdez (apud Pct. Mart. 380,) and Cochleus (apud Raynald, viii. p. 237.)

of unimpeached morals, and of strong prejudices against the court of Rome. When Frederic, elector of Saxony, founded the university of Wittemberg, Luther had obtained a professorship at the recommendation of Staupitz: and soon attracted notice by the peculiar boldness of his assertions, and his constant preference of the opinions of Plato to the doctrines of Aristotle. He was now in his thirty-fifth year, vain of his talents for disputation, and fearless of opposition; and eagerly undertook the task assigned to him by the zeal or the envy of his superior.<sup>64</sup> His first essay was the composition of ninety-five short theses on the nature of indulgences and the errors of the questors; which he enclosed in a letter to the archbishop, with a significant hint, that unless he interposed to remedy the abuse, some orthodox writer would reluctantly come forward to expose the falsehood of the doctrines publicly taught under the sanction of his authority. But his ardour in the cause did not allow him to wait for the answer of the prelate. The same day or the next morning he affixed his theses to the great door of the church of Wittemberg: then maintained them publicly from the pulpit; and afterwards dispersed them in printed copies through the chief cities of Germany. These celebrated propo-

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II.



1508.

1517.  
Oct. 31.

<sup>64</sup> Luther, in his letter to the pope, attributed his opposition to zeal, or the warmth of youth: *pro zelo Christi sicuti mihi videbar, aut, si ita placet, pro juvenili calore, quo urebar.* Luth. i. 65.

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sitions had been selected with much care and ingenuity. Though in most points they receded from the more common opinions, there were few among them which could not claim the patronage of some orthodox writer: and for greater security they were brought forward not as incontestable doctrines, but as mere doubts, which had suggested themselves to the mind of the professor, and which he submitted to discussion for the sole purpose of discovering and establishing the truth. They moreover possessed another recommendation to popularity: they were seasoned with bold and repeated sarcasms against the insatiate rapacity of the court of Rome, and the personal avarice of the collectors.<sup>65</sup>

The dominican friars were alarmed and exasperated at the opposition of Luther. They refuted his theses with warmth, and were answered by him with greater warmth. The controversy soon attracted the public notice throughout Germany, and the neighbouring countries. Some hailed the attempt of Luther

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<sup>65</sup> Amore et studio elucidandæ veritatis hæc subscripta themata disputabuntur Wittenbergæ, præsidente R. P. Martino LutHERO, Eremitano Augustano artium et S. Theologiæ Magistro, ejusdem ibidem ordinario lectore. Luth. Op. i. 2. Whoever examines these propositions, or the dispute to which they gave birth, will plainly see that no divines taught, as they are sometimes supposed to have done, that indulgences "were remissions of sin, on payment of a sum of money according to a fixed table of rates," much less that they were "remissions of sin not yet committed."

as the prelude to a reformation of abuses; many began to tremble for the unity of the church: and others amused themselves with observing the arts and the vehemence of the contending parties. In the latter class was pope Leo himself; who, when Silvestro Prierio called his attention to the ninety-five propositions, replied that brother Martin was a man of talent, and the whole dispute was nothing more than a squabble among friars.<sup>66</sup>

Luther, however, aware of the offence which he had given, and apprehensive of the resentment of the pontiff, thought it prudent to address him in a most submissive letter, concluding with these words: "Wherefore, most holy father, I throw myself prostrate at your feet with all that I have or am. My life and death are in your hands. Call or recal me, approve or condemn me as you please. I shall acknowledge your voice as the voice of Christ, who presides and speaks in your person."<sup>67</sup> He may have been sincere in these professions: but they were only the passing effusions of the moment. The new apostle soon reverted to his former course; extended his researches from indulgences to other articles of the established

He is condemned at Rome.

<sup>66</sup> Che fra Martino aveva bellissimo ingegno, et che coteste erano invidie fratesche. Bandello, par. iii. novel. 25.

<sup>67</sup> Quare, beatissime pater, prostratum me pedibus tuæ beatitudinis offero cum omnibus quæ sum et habeo. Vivifica, occide: voca, revoca: approba, reproba, ut placuerit.—Vocem tuam, vocem Christi in te præsentis et loquentis agnoscam. Luth. Op. i. 66.

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creed; and displayed a marked partiality for such opinions as were most calculated to shock the feelings, and confound the notions of men. At Heidelberg he maintained both in word and writing, that by the fall of Adam man has been deprived of the use of free will; that faith alone is sufficient for salvation: and that the best of our actions are of their own nature grievous offences.<sup>68</sup> The auditor of the papal court, the bishop of Ascula, had already cited him to appear at Rome within sixty days: but when he heard of Luther's conduct at Heidelberg, he pronounced him a heretic without waiting for the expiration of that term. Tommaso di Vio, commonly called cardinal Cajutan, the legate in Germany, was ordered at the same time to summon the new preacher before his tribunal: and to absolve him if he shewed signs of repentance, but otherwise to keep him in safe custody, till instructions should arrive from Rome.<sup>69</sup>

1518.  
Aug. 7.

Aug. 23.

He appears before the legate.

Luther now began to betray symptoms of terror. He petitioned that his cause might be heard in Germany and not at Rome; he procured a testimonial in favour of his morals and orthodoxy from the university of Wittemberg;

<sup>68</sup> Luth. Op. i. 24—27.

<sup>69</sup> Luther complains that sentence had been pronounced before the expiration of the sixty days: but he seems to have forgotten that in the mean while he had maintained other doctrines at Heidelberg, which had been already declared heretical. To these Leo alludes in his letter. Ibid. 161.

and he earnestly solicited the elector to antedate and sign a paper, containing a fictitious refusal of a passport, that the professor might exhibit it as a proof of his willingness to obey the citation, had he not been prohibited by his sovereign.<sup>70</sup> But the sophisms, with which he laboured to justify the falsehood, did not satisfy the conscience of Frederic ; who, at the conclusion of the diet, compelled Luther to proceed to Augsburg. Contrary to his expectation he was received with kindness, almost with respect :<sup>71</sup> but all his artifices to inveigle the cardinal into a verbal controversy, were useles. Cajetan replied that he had no commission to dispute. As a friend he would admonish Luther to retract his errors, as a father he was ready to receive a repentant son. At the close of their third meeting, Cajetan, Staupitz the vicar, Lintz, the confidential friend of Luther, and Urbano, the envoy from Montserrat, spent some hours in private consultation ; and at length concluded an arrangement, which it was presumed “ would put an end to the scandal, without compromising the honour of the holy see, or the character of the professor.” But the credulity of the cardinal was deceived by the insincerity of the opposite party. Though Lintz returned to announce that the arrangement was satisfac-

CHAP.  
II.

Sept. 25.

Oct. 8.

Oct. 13.

Oct. 15.

<sup>70</sup> Luth. Ep. i. 65. Apud Pallav. i. 68.<sup>71</sup> Susceptus fui satis clementer, ac prope reverentius. Luth. Op. i. 164.

- CHAP. II.  
 Oct. 17. tory to Luther, though Luther himself wrote a letter expressing his regret for the offence which he had given, promising to remain silent, if his enemies would permit him, and requesting that the points in dispute might be referred to the judgment of the pontiff; yet a contrary resolution was soon afterwards taken: Staupitz secretly departed from Augsburgh in the evening; and Oct. 19. the professor followed the next morning, leaving a second letter for the cardinal, in which he refused to make any recantation, but still avowed Oct. 20. his readiness to submit to the decision of the holy see.<sup>72</sup>
- Is protect-  
 ed by the  
 elector  
 Frederic.  
 i.
- Oct. 25. The partisans of Luther had awaited with anxiety the issue of the meeting: they hailed as a triumph his safe and speedy return to Wittenberg. Cajetan complained in vain of the deception which had been practised upon him, and solicited the elector to send the refractory professor to Rome, or at least to banish him from his territories. Dec. 8. Fredric replied, that justice forbad him to punish before conviction, and that his regard for the university would not allow him to deprive Wittenberg of its brightest ornament. It has been thought that the

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<sup>72</sup> We have two accounts of the transactions at Augsburgh, one by Luther, who labours to justify himself (*Op. i.* 164. et seq.), and another by the cardinal in a letter of complaint to the elector. *Jactis his fundamentis, cum bene sperarem omnia, mihi, imo sibi, perbelle illuserunt. Fraudulentum Martini et sequacium consilium obstupui.* *Ibid.* 173.



last reason weighed more with the elector, than he was willing to admit. That school of learning had been founded by his care and munificence: he had established the laws by which it was governed: the professors were of his own choice: and by the union of polite literature with the study of law, philosophy and theology, it had already acquired a superiority over the more ancient universities. The novelties of Luther, instead of repelling, attracted students: and Frederic was proud of the man, whose reputation added to the prosperity of his favourite establishment. In this disposition of mind he was easily led to believe, that the opposition to the professor sprung not from any zeal for truth, but from resentment for the loss of those gains, which had formerly enriched his adversaries.<sup>73</sup>

By this time Leo had published a bull declaratory of the doctrine of the Roman church respecting indulgences, the original subject of the controversy. Though it does not mention

Nov. 9.

<sup>73</sup> Pelleretur enim incommodo nostræ universitatis.....Exceptis nonnullis, quorum rei privatæ et utilitati pecuniariæ eruditio ejus non proficit, qui, ut propriæ commoditati consulerent, Martino sese adversarios opposuerunt, suo tamen proposito contra Martinum nondum probato. Op. i. 169. It is also observed by Valdez (Pet. Mart. Ep. p. 381), that Frederic was the personal enemy of the archbishop, and therefore had forbidden the produce of the indulgences to be forwarded to him. Hence it was suspected by many, and asserted by the duke of Brunswick, that Luther had been originally selected to oppose the indulgences by the ministers of Frederic. The assertion is denied by Melancthon in the preface to Luther's works; tom. ii. p. 6.

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Luther by name, it is evidently pointed against his assertions. It teaches that the pope, as successor of St. Peter, and the vicar of Christ upon earth, possesses the power of granting for reasonable causes certain indulgences in favour of such of the faithful, as are in a state of grace, whether they be alive or dead, for the remission of the temporal punishment due on account of actual sin. This bull, which probably was issued in consequence of the arrangement concluded at Augsburgh, probed the sincerity of Luther to the quick. He had promised to accept the decision of the pontiff, whether it approved or condemned his doctrine. That prelate had now spoken, and the decision was unfavourable: but the professor, forgetful of his former protestations, instead of submitting, appealed by a formal instrument, from the pope ill-informed, to a general council.<sup>74</sup>

Nov. 28.

Circumstances favourable to his views.

He had hitherto been checked in his career by his apprehensions of the emperor Maximilian: the timely but unexpected death of that prince added

<sup>74</sup> Expectans, accepturusque quidquid sive damnanti sive approbanti visum fuerit. Oct. 18. Oper. i. 170. Yet it is plain that his many and strong asseverations of respect and obedience were feigned to serve his present purpose. For at the same time he wrote from Augsburgh to Melancthon: Italia est in Egypti tenebras palpabiles projecta: adeo ignorant omnes Christum et ea quæ Christi sunt. Hos tamen dominos et magistro habemus fidei et morum! Sic impletur ira Dei super nos. Oct. 11. p. 163. He afterwards apologized to his disciples for having used such respectful expressions, attributing them partly to civility and partly to his false persuasion of the papal supremacy.

to his security, and encouraged his confidence. During the vacancy, his patron, the elector, exercised, as hereditary vicar, the imperial authority. Under his protection the Wittemberg professor continued to make discoveries: he plunged fearlessly into the fathomless abyss of grace, free will, and predestination: as if he sought to perpetuate division, he invented new terms for his doctrines, in opposition to those which had been consecrated by the use of ages; and he evidently laboured to subvert the foundations of the existing church, that he might raise another on its ruins. Nor will the project appear extravagant, if we consider the causes which concurred to give encouragement to his views, and to swell the number of his well-wishers.

1°. There existed in Germany a very prevalent feeling of disaffection to the see of Rome. The violent contests between the popes and the emperors in former times had left a germ of discontent, which required but little aid to shoot into open hostility: and the minds of men had of late years been embittered by frequent but useless complaints of the expedients devised by the papal court to fill its treasury at the expence of the natives.

2°. The chief of the German prelates were at the same time secular princes: and, as they had been promoted more on account of their birth than of their merit, they frequently seemed to

CHAP.

II.

merge their spiritual in their temporal character. Hence they neglected the episcopal functions: the clergy, almost free from restraint, became illiterate and immoral: and the people, ceasing to respect those whom they could not esteem, inveighed against the riches of the church, complained of the severity with which the clerical dues were exacted in the spiritual courts, and loudly called for the removal of many real or imaginary grievances, which arose from the demands of the popes, and the exercise of the episcopal jurisdiction, and which for years had been the subject of consultations, of remonstrances, and even of menaces. These attempts had indeed failed: but the success of Luther revived the hopes of the discontented: and thousands ranged themselves under the banner of the innovator, without any idea of trenching on the ancient faith, and led solely by the hope of reforming abuses.<sup>75</sup>

3<sup>o</sup>. The recent invention of printing by multiplying the copies of books and the number of readers, had given a new and extraordinary impulse to the powers and passions of men, who began to conceive that their ancestors had been kept not only in intellectual but also in civil thralldom. Works, descriptive of their rights,

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<sup>75</sup> Visus est Lutherus etiam plerisque viris gravibus et eruditis non pessimo zelo moveri; planeque nihil spectare aliud quam ecclesiæ reformationem. Sur. Comment. ad ann. 1517.

were circulated and read with avidity: the oppression exercised by their rulers, and the redress of their grievances, became the ordinary topics of conversation: and the inferior nobles in each state, laboured to emancipate themselves from the control of their princes, and to establish their dependance on the empire alone. All Germany was in a ferment: and Luther converted the general feeling to his own purpose with admirable address. *They* contended for civil, *he* for religious liberty. Both had a similar object in view; both ought to support each other. The titles which he gave to his works, aided his purpose. He wrote of "Christian freedom," and against the "Bondage of Babylon:" liberty was constantly in his mouth and in his writings: and he solemnly protested, that his only object was to free mankind from the intolerable despotism of the church of Rome.<sup>76</sup> These arts wrought the desired effect: and, though at first few of the princes became proselytes, the great body of the German nobles applauded and seconded his attempts

4<sup>o</sup>. Since the revival of letters, there had arisen in Germany a numerous body of scholars, called humanists, who devoted themselves to the study of the classics, and exercised an extensive sway over the public mind. The bitterest enmity had for some years existed between

1520.  
April 6.

Nov. 17.

<sup>76</sup> Luth, Op. i. 387. ii. 259.

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II.

them and the theologians : and the opprobrious terms of “ barbarian and infidel,” were the appellations by which the combatants usually distinguished each other. But of all the theologians, the dominican friars were peculiar objects of hatred and ridicule to the humanists, because the former, ascensors of books, frequently suppressed or corrected the works of the latter. Hence these, almost without exception, professed themselves the admirers of Luther, and enjoyed the distress to which the new preacher often reduced his antagonists. As the humanists alone possessed the charms of style, their works in his favour were generally read ; while the writings of the theologians, composed in the uninviting language of the schools, were seldom perused, and still more rarely understood. Moreover the press was entirely at their command : and we are assured that it was with difficulty the opponents of Luther could find a printer to publish their works.<sup>77</sup> Even the great scholars, who were cherished by the patronage of Leo, remained for years indifferent spectators of the dispute : nor was it till experience had convinced them of their own imprudence, that they condescended to engage in the contest, when it was too late to arrest the progress of their adversary.

Lastly, the politicians at Rome accused the tardiness and irresolution of Leo himself, who

<sup>77</sup> Erasmi Ep. p. 128. 334. 350. 642. 774. Cochlæus, de Act. et Scrip. Lutheri, c. iii. Pallav. i. 130, 131.

for two years had suffered the innovator to brave the papal authority, without taking any decisive step to punish his presumption. Even after the departure of Cajetan, when all hopes of an accommodation had vanished, the pope, whether he listened to the timidity of his temper, or thought that the storm might be allayed by gentleness, commissioned Miltitz, a Saxon nobleman, to bring Luther back to his duty by persuasion and promises. Miltitz exhorted and advised : but his arguments seemed to confirm the obstinacy of the friar ; and the frequency of their convivial meetings provoked a suspicion that the envoy betrayed the trust, which had been reposed in him by the pontiff. At length, by orders from Rome, he summoned the superiors of the augustinian friars to reclaim or coerce their disobedient brother : and Luther pretending to yield to their remonstrances, wrote a long letter to the pontiff. Never perhaps was there a more sarcastic or more insulting composition. Affecting to commiserate the condition of Leo, whom he describes as seated in the midst of the abominations of Babylon, he takes occasion to hurl in his face every irritating charge, whether founded or unfounded, that had ever been invented by the enemies of the holy see.<sup>78</sup> After this defiance, to temporize had been to confess weakness : and Leo published a

1520.  
April 6

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<sup>78</sup> Luth. Op. i. 385.

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II.

His assertions  
condemned by  
pope Leo.  
June 15.

bull in which he stigmatized forty-one propositions as false, scandalous or heretical: asserted that these propositions were contained in the works lately written by Luther: allowed him sixty days to retract his errors: and pronounced him excommunicate, if he continued obstinate after the expiration of that term. But success and impunity had taught the reformer to deride the authority, before which he had formerly trembled. He appealed from "the impious judge, the apostate, the antichrist, the blasphemous of the divine word," to the more equitable decision of a general council: and having called an assembly of the inhabitants of Wittemberg, led them to a funeral pile erected without the walls, and with much solemnity cast into the flames the books of the canon law, the works of Eccius and Emser, his chief antagonists, and the bull of pope Leo against himself, exclaiming in a tone of fanaticism, "Because ye have troubled the holy of the Lord, ye shall be burnt with everlasting fire."<sup>79</sup>

Dec. 10.

He is proscribed at the diet of Worms.

War was now openly declared: and each party laboured to secure the friendship of the new emperor. The elector Frederic, to whom that prince lay under the greatest obligations, exerted all his influence in favour of his friend; and Luther himself, to alienate the inexperienced mind of Charles from the see of

<sup>79</sup> Luth. Op. i. 316. 320. 423. Sleidan, 15. 22. 25. Argentor. 1556.



Rome, addressed to him an historical treatise, in which he artfully exaggerated the many injuries which the different pontiffs had inflicted on the empire, and exhorted him to vindicate the honour of the imperial crown from the usurpations of a foreign priest. Erasmus, the leader of the humanists, was employed to sound and prepare the emperor's advisers : and Hutten by successive satires and caricatures was careful to entertain and quicken the ferment of the public mind. On the other side Leo sent to the court, as nuncio for religious matters, Girolamo Aleandri, prefect of the Vatican library, a minister of eminent talents, and indefatigable industry. Threats, and insults, and violence were employed in vain to deter him from the performance of his duty. He followed Charles to the diet at Worms : observed to the princes that they were deceived, if they thought the present a mere contest for jurisdiction and privileges : read from the works of Luther the most objectionable passages ; and shewed that they were contrary to the decisions of the council of Constance, a council held in the highest veneration by the national partiality of the Germans.<sup>60</sup> This speech made a deep and powerful impression : but the reformer was preserved from immediate condemnation by the address of his patron the elector, who moved that he might

CHAP.

11.

1521.

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<sup>60</sup> Pallav. i. 124—157.

CHAP.  
II.

April 16.

be examined in person, not as to the truth or falsehood of his doctrine, but as to the fact of his being the real author of the works published under his name. At his first appearance he acknowledged the passages objected to him, but was not prepared to say, whether he still maintained the same doctrines. At his second, he first employed evasions, then burst into intemperate sallies against his polemical adversaries and the court of Rome, and at last retired within his favourite asylum, the assertion that conscience forbade him to retract, till he were convinced that his opinion was contrary to the word of God. Charles eyed him with eagerness during the conference : there was something in the cast of his features, and the vehemence of his manner, which created a strong prejudice against him : and the young emperor, turning to his confidants, whispered, that “ such a man “ would never seduce *him* from the faith of his “ fathers.”

April 26.

During some days attempts were made to mollify the obstinacy of Luther : at length he was ordered to quit the city under a safe-conduct for the space of three weeks : and after some

May 26.

delay a decree was published against him, banishing him from the territory of the empire under pain of imprisonment, ordering his works to be burnt, and forbidding the publication of writings on doctrinal matters without the previous approbation of the ordinary. But the

reformer had already provided for his own security. On the third day after his departure from Worms he returned the safe-conduct to the imperial messenger at Friedberg; and proceeded to Eisenach under the protection of a party of his own friends on horseback. There he dismissed the greater number, and at the entrance of the Thuringian forest near Altenstein ordered the remainder to go before, and prepare lodgings. In a few minutes two noblemen in the confidence of the elector, rode up to the carriage in masks; took him out, as it were, by force; disguised him as a soldier; and led him on horseback to Wartburgh, a solitary castle situate at a distance in the mountains. The place of his concealment was kept a profound secret both from his friends and his enemies: but he continued to animate the former by his writings; while the latter found themselves repeatedly assailed by their indefatigable but invisible adversary.<sup>81</sup>

Detailed accounts of all these transactions had been carefully transmitted to England by the royal agents. Wolsey, by his office of legate, was bound to oppose the new doctrines: and Henry, who had applied to the school divinity, attributed their diffusion in Germany to the supine ignorance of the native princes. By

Henry  
writes  
against  
him.

<sup>81</sup> Luth. Op. ii. 411—416. Sleid. 27—29. 31. Pallav. i. 152—171. Raynald, viii. 321.

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a letter to Charles he had already evinced his hostility to doctrinal innovation: but it was deemed prudent to abstain from any public declaration, till the future decision of the diet could be conjectured with some degree of certainty. Then the legate, attended by the other prelates, and the papal and imperial ambassadors, proceeded to St. Paul's: the bishop of Rochester preached from the cross; and the works of Luther, condemned by the pontiff, were burnt in the presence of the multitude.<sup>82</sup> Ever since the middle of the last reign classical learning had become the favourite pursuit of the English scholars, who naturally leagued with their brother humanists on the continent, and read with eagerness the writings, if they did not adopt the opinions, of the reformer and his disciples. But the cardinal now ordered every obnoxious publication to be delivered up within a fortnight, and commissioned the bishops to punish the refractory with the sentence of excommunication.<sup>83</sup> Henry himself was anxious to enter the lists against the German: nor did Wolsey discourage the attempt, under the idea that pride no less than conviction would afterwards bind the royal polemic to the support of the ancient creed. That the treatise in defence of the seven sacraments, which the king published, was his own composition, is forcibly

<sup>82</sup> Vitell. B. 4. p. 9.

<sup>83</sup> Wilk. Con. iii. 690.

asserted by himself: that it was revised and improved by the superior judgment of the cardinal and the bishop of Rochester, was the opinion of the public. Clarke, dean of Windsor, carried the royal production to Rome, and in a full consistory submitted it to the inspection and approbation of the pontiff, with an assurance, that as his master had refuted the errors of Luther with his pen, so was he ready to oppose the disciples of the heresiarch with his sword, and to array against them the whole strength of his kingdom. Clement accepted the present with many expressions of admiration and gratitude; but Henry looked for something more pleasing to his vanity than mere acknowledgements. The kings of France had long been distinguished by the appellation of "most Christian," those of Spain by that of "Catholic." When Louis XII. set up the schismatical synod of Pisa, it was contended that he had forfeited his right to the former of these titles; and Julius II. transferred it to Henry, but with the understanding that the transfer should be kept secret, till the services of the king might justify in the eyes of men the partiality of the pontiff. After the victory at Guinegate, Henry demanded the publication of the grant: but Julius was dead: Leo declared himself ignorant of the transaction: and means were found to pacify the king with the promise of some other, but equivalent distinction. Wol-

Oct. 2.

And is  
declared  
defender of  
the faith.

CHAP.  
II.  
June 10.

sey had lately recalled the subject to the attention of the papal court: and Clarke, when he presented the king's work, demanded for him the title of "defender of the faith." This new denomination experienced some opposition: but it could not be refused with decency; and Leo conferred it by a formal bull on Henry, who procured a confirmation of the grant from the successor of Leo, Clement VII.<sup>84</sup>

Oct. 11.

Luther re-  
plies and  
apologizes  
for his  
reply.  
1522.  
July 15.

Whatever knowledge the German reformer might possess of the doctrines, his writings displayed little of the mild spirit of the gospel. In his answer to the king of England the intemperance of his declamation scandalized his friends, while it gave joy to his enemies. To the king he allotted no other praise than that of writing elegant language: in all other respects he was a fool and an ass, a blasphemer and a liar.<sup>85</sup> Henry complained to his patron

<sup>84</sup> See *Assertio septem Sacramentorum adversus Martinum Lutherum*, edita ab invictissimo Angliæ et Franciæ rege, et domino Hiberniæ, Henrico ejus nominis octavo. It was published in London, 1521; Antwerp, 1522; and Rome, 1543. And for the king's title, Pallavicino, 177, and Rymer, xiii. 756. xiv. 13. It should be observed, that in neither of the bulls is there any grant of inheritance. The title belonged to the king personally, not to his successors. *Tibi perpetuum et proprium*. *Ibid*. But Henry retained it after his separation from the communion of Rome, and in 1543, it was annexed to the crown by act of parliament, 35 Hen.VIII. 3. Thus it became hereditary by his successors: and I observe that it was retained even by Philip and Mary, though the statute itself had been repealed.

<sup>85</sup> *Luth. Op.* ii. 517—534. Melancthon was ashamed of the violence of Luther's writings. *Quem quidem virum ego meliorem*

the elector : the German princes considered the work as an insult to crowned heads : and at the earnest entreaty of Christian, king of Denmark, Luther condescended to write an apology. In it he supposes that the “defence of the seven sacraments” had been falsely attributed to Henry ; offers to acknowledge his error, and to publish a book in the king’s praise : paints in seductive colours the purity and holiness of his own doctrine ; and takes occasion to inveigh against the tyranny of the popes, and against that bane of England, the cardinal of York.<sup>66</sup> Such an apology was not likely to appease the mind of Henry, who was proud of his work, and attached to his minister : and the assertion that the king began to favour the new gospel, provoked him to publish a severe but dignified answer. In it he openly avows himself to be the author of the tract printed with his name, and expresses his esteem for Wolsey whom he always loved, but whom he shall now love

CHAP.  
II.



1525.  
Sept. 1.

Henry an-  
swers him.

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esse judico, quam qualis videtur facienti de eo judicium ex illis violentis scriptionibus ipsius. Ep. ad Camer. p. 20. Sir Thomas More wrote an answer to Luther, under the fictitious name of William Ross. Eruditissimi viri Gulielmi Rossei opus elegans, doctum, festivum, &c. In it he endeavours to equal the abuse of the reformer : while Fisher, bishop of Rochester, in a more argumentative style, undertook the defence of the king in his work, entitled *Defensio assertionum regis Angliæ de fide Catholica adversus Lutheri captivitatem Babyloniam*.

<sup>66</sup> It is printed at the end of the Paris edition of the king’s work, 1562, p. 102. Luther terms the cardinal *illud monstrum et publicum odium Dei et hominum, pestis illa regni tui*. Op. ii, 517—534.

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much more, since he has been honoured with the abuse of one, who never spared exalted worth either in the living or the dead. He then argues that, if the tree may be known by its fruits, the pride and passion, the lust and debauchery of the new apostle, prove that he had received no commission from God: and concludes with maintaining that the favourite doctrines of his antagonist, respecting the sufficiency of faith and the non-existence of free will, were subversive of all morality, and repugnant to the first principles of religion.<sup>67</sup> The publication of this letter rekindled the anger and exasperated the venom of the reformer. He announced his regret that he had descended to the meanness of making an apology; and condemned his own folly in supposing, “that virtue could exist in a court, or that Christ might be found in a place where Satan reigned.” But thenceforth let his enemies tremble. He would no more attempt to allure them by mildness: but would apply the merited lash to their backs.<sup>68</sup>

Progress  
of the re-  
formation.

The edict of Worms had become a dead letter at the expiration of a few months: and

<sup>67</sup> Op. ii. 104—130. The invective against Luther's union with Catharine Boren, a nun, is written with an elegance and eloquence, far beyond the powers of Henry, p. 110. I know not who was the real author.

<sup>68</sup> Sleidan. 42, 67, 68. Weynald, viii. 436. Collier, ii. Records, p. 3.



Luther, returning to Wittemberg, had published his German translation of the scriptures. It was preposterous to imagine that from the perusal of the sacred volumes the common people could be enabled to decide those questions which divided the most learned : but the present flattered their pride : they felt their obligations to the man, who had rendered them the judges of their own belief : and when they did not understand his arguments, were still convinced by the attraction of novelty, the promise of freedom, and the hope of sharing in the spoils of the church.<sup>69</sup> The increase of new teachers kept equal pace with the increase of new religionists. The country curate, who was unknown beyond the precincts of his village, the friar who had hitherto vegetated in the ob-

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<sup>69</sup> Germany at this period abounded with military adventurers. As the institution of standing armies was yet in its infancy, when any prince began a war, he sent to hire soldiers in Germany or Switzerland, and these at the end of their engagement, which seldom lasted more than six months, returned home to live on the plunder which they had made, till they should receive another offer of service. It was observed that most of these, both officers and men, attached themselves to Luther. But the most celebrated was Sickingen ; of an ancient family situated near the Rhine. He not only invited the reformer to live with him, but promised to protect him against the whole world. Under pretext of a commission from Charles, he levied 10,000 foot and 2000 horse, overran the electorate of Treves, and laid siege to the city. His object was to employ the religious feelings of his troops, in forming a principality for himself out of the ecclesiastical electorates. But the German princes, aware of his ambition, combined against him, and made him prisoner. Sleid. 36. Schmidt, l. viii. c. 7.

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II.

scurity of his convent, saw the way to riches and celebrity suddenly opened before them. They had only to ascend their pulpits, to display the new light, which had lately burst upon them, to declaim against the wealth of the clergy and the tyranny of the popes ; and they were immediately followed by crowds of disciples, whose gratitude supplied their wants, and whose approbation secured to them importance in the new church. But these teachers soon discovered that they had as good a claim to infallibility as Luther : they began to dispute many of his doctrines, and to reform the reformer himself. Zwinglius declared against him in Switzerland, and severed from his empire the four cities of Strasburg, Lindau, Constance, and Memmingen. Muncer, driven from Saxony, erected his hostile standard at Mulhausen in Thuringia. He taught the natural equality of men, the right of each to his share in the common property of all, the abolition of every authority not founded on the gospel, and the formation of a new kingdom upon earth, to consist entirely of the saints. The peasants, allured by his doctrines, were soon in arms, and the princes of the empire began to tremble for their political existence. Luther was overwhelmed with reproaches : the evil, it was said, had sprung from the tendency of his doctrines : and, to justify himself, he declared that Muncer was inspired and aided by the devil, and that

the only remedy was to extirpate with fire and sword both the teacher and his disciples. After many a bloody field in different parts of the empire, the catholics and Lutherans by their united efforts suppressed the insurrection.<sup>90</sup> But the moment the common enemy was removed, their mutual diffidence revived: the catholic princes requested the presence of the emperor to protect them from the machinations of their enemies: and the protestant princes concluded at Torgau a league for their common defence. It was afterwards strengthened by the accession of new members; and in the course of a few pages we shall see this confederacy, avowedly formed to support and propagate the new doctrines, in active correspondence with the king of England, the enemy of religious innovation, and the defender of the orthodox faith.

CHAP.  
II.



Confede-  
ration at  
Torgau.  
1526.

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<sup>90</sup> Sleid. 34. 56—64.

## CHAP. III.

ANNE BOLEYN—ORIGIN OF THE DIVORCE—NEGOCIATIONS WITH THE PONTIFF—SWEATING SICKNESS—ARRIVAL OF CARDINAL CAMPEGGIO—DELAYS AND EXPEDIENTS—LEGATINE COURT—DEPARTURE OF CAMPEGGIO—DISGRACE AND DEATH OF WOLSEY—POWER OF ANNE BOLEYN—THE NEW MINISTRY—RISE OF CROMWELL—CONFESSIONS EXTORTED FROM THE CLERGY—THE KING MARRIES ANNE BOLEYN—CRANMER MADE ARCHBISHOP OF CANTERBURY—HE PRONOUNCES A DIVORCE BETWEEN HENRY AND CATHARINE—THE KING ASSUMES THE TITLE OF HEAD OF THE CHURCH—NEW TREASONS CREATED—EXECUTIONS—PAPAL BULL AGAINST HENRY.

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III.

WHEN Henry married the princess Catharine, she was in her twenty-sixth year. The graces of her person derived additional lustre from the amiable qualities of her heart: and the propriety of her conduct during a long period of trial and suspense, had deserved and obtained the applause of the whole court. She bore him three sons and two daughters: all of whom died in their infancy, except the princess Mary, who survived both her parents, and afterwards ascended the throne.<sup>1</sup> For several years the

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<sup>1</sup> Notwithstanding the prohibition of Burnet, I believe that Catharine had five children, on the authority of Sanders (p. 5. Col. Agrip. 1610), confirmed by the testimony of Mason (De Minist. Ang. p. 147), and of cardinal Pole: *Liberos plures ex ea suscepit.*

king boasted of his happiness, in possessing so accomplished and virtuous a consort;<sup>2</sup> but Catharine was older than her husband, and subject to frequent infirmities: the ardour of his attachment gradually evaporated: and at last his inconstancy or superstition attributed to the curse of heaven the death of her children, and her subsequent miscarriages. Yet even while she suffered from his bad usage, he was compelled to admire the meekness with which she bore her afflictions, and the constancy with which she maintained her rights. The queen had lost his heart: she never forfeited his esteem.

As long as he was attached to Catharine, he was careful to confine his passions within the bounds of public decency: and though he might indulge in occasional amours, he refrained from open and scandalous excesses. The first of the royal mistresses, whose name has been preserved in history, was Elizabeth, the daughter of sir John Blount, and relict of sir Gilbert Tailbois. By her he had a son, named in baptism Henry Fitzroy, whom he successively created earl of Nottingham, duke of Richmond, a admiral of England, warden of the Scottish marches, and lieutenant of Ireland. His excessive partiality

The king's  
mistresses.

Si vero reliqui decesserint, at unam reliquit. Poli Apol. ad Car. V. Cæs p. 162. See note (A) at the end of the volume.

<sup>2</sup> Quam sic initio regni amavit, ut nemo vir erga carissimam onjugem majorem ostenderit amorem. Ibid. See also chap. i. not. 2.

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III.1536.  
July 24.

to the boy provoked a suspicion, that he intended to name him his successor, to the prejudice of his legitimate daughter: but, to the grief and disappointment of the father, the young Fitzroy died in London, before he had completed his eighteenth year.<sup>3</sup> To Elizabeth Tailbois succeeded in the king's affections Mary Boleyn. Her father, sir Thomas Boleyn, was sprung from a lord mayor of London, whose descendants had married into several noble families: her mother Elizabeth, was daughter of Thomas, duke of Norfolk. How long Mary retained her ascendancy over the fickle heart of the king, is uncertain. She was insensibly supplanted by the more powerful attractions of her younger sister, the gay and accomplished Anne Boleyn.<sup>4</sup>

Anne  
Boleyn.

There are circumstances in the history of Anne, which shew that from her childhood she had been the peculiar object of the royal favour. At the early age of seven she was appointed maid

<sup>3</sup> Sandford, 496. Giovanni Joacchino, whom the king had introduced to the young Fitzroy, says of him, April 11, 1530, *E bellissimo, e costumatissimo et anche literato figliolo.* Apud Le Grand, iii. 416.

<sup>4</sup> The reluctance of Burnet to acknowledge Mary as one of the king's mistresses, must yield to the repeated assertions of Pole, in his private letter to Henry, written in 1535. *Didicrat (Anne Boleyn), opinor, si nulla alia ex re, vel sororis suæ exemplo, quam cito te concubinarum tuarum satietas caperet.—Soror ejus est, quam tu violasti primum, et diu postea concubinæ loco apud te habuisti. Ab eodem pontifice magna vi contendebas, ut tibi liceret ducere sororem ejus, quæ concubina tua fuisset.* Pol. f. lxxvi. lxxvii.

of honour to Mary, the king's sister, who had lately been contracted to Louis XII.<sup>5</sup> She accompanied her royal mistress to France : and by an honourable distinction was excepted from the order, which compelled the other female attendants of the new queen to return to England.<sup>6</sup> The reader is aware that within the course of a few months Mary became queen of France, a widow, and then wife to the duke of Suffolk : but when she revisited her own country, she left her English maid behind her, under the protection of Claude, the queen of Francis I., in whose court Anne remained till the subsequent rupture between the two kingdoms. Before, however, Henry would declare war, he required the return of the young Boleyn :<sup>7</sup> to whom he allotted the

CHAP.  
III.

1514.  
Oct. 10.

1523.

<sup>5</sup> She was born in 1507. See Camden's Elizabeth by Hearne, p. 2. and preface, p. xvii.

<sup>6</sup> Fiddes, 253. I conceive that the extraordinary distinction shewn to Anne Boleyn while a child, gave rise to the tale that she was in reality Henry's own daughter by lady Boleyn. It was published by Sanders in 1585 on the authority of Rastal: and an attempt to refute it was made in the *Anti-Sanderus*, printed at Cambridge in 1593. Burnet in his history of the Reformation transcribed the arguments in the *Anti-Sanderus*: and Le Grand, in his *Defense de Sanders*, without maintaining the truth of the hypothesis, undertook to repel the observations of Burnet. Probably the best refutation of the tale, as Cardinal Quirini has observed, (*Poli. Ep. tom. i. p. 137.*) is to be found in the silence of Pole, who would certainly have mentioned it, if it had been known in his time.

<sup>7</sup> Cavendish (362) says that she returned after the death of Claude, which happened on 20th July, 1524. Spelman (p. 2) makes her remain in the family of the dutchess of Alençon, who quitted France in September, 1525, and married soon afterward.

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same situation in the court of Catharine, which she had previously held in that of Claude. Her French education gave her a superiority over her companions: she played, and danced, and sang with more grace than any other lady at court; and the gaiety of her conversation, with the vivacity of her disposition, attracted a crowd of admirers. Among them were Percy, son to the earl of Northumberland, and, unknown to Percy, even Henry himself. The young nobleman made her an offer of marriage. But though he concealed his secret from the knowledge of his father, and of Wolsey, in whose household he was employed, he could not elude the penetration or the jealousy of the king. The cardinal was ordered to separate the lovers: and Northumberland, having severely chided the presumption of his son, compelled him to marry Mary, a daughter of the earl of Shrewsbury.<sup>8</sup> This was probably the first hint which Anne received of the impression that she had made on the king's heart: a valuable present of jewels revealed to her more fully the influence of her charms,<sup>9</sup> to which she might also attribute the elevation of her father to the rank of viscount

1525.  
June 18.

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the nominal king of Navarre. I think it most probable that she obeyed the order sent her, in 1522. Francis did not object to her return, but complained of the order as a proof of Henry's alienation from him.

<sup>8</sup> Cavendish (in Wordsworth's *Ecclesiastical Biography*), 363—368. Heylin's *Reformation*, 259, 260.

<sup>9</sup> *Id.* 369.



Rochford. When, however, Henry ventured to disclose to her his real object, she indignantly replied, that though she might be happy to be his wife, she would never condescend to become his mistress.<sup>10</sup>

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III.



This answer, instead of checking, served only to irritate the passion of the king, who for more than a twelvemonth persisted in urging his suit with protestations of the most ardent attachment. But Anne had derived a useful lesson from the fate of her sister Mary. She artfully kept her lover in suspense: but tempered her resistance with so many blandishments, that his hopes, though repeatedly disappointed, were never totally extinguished.<sup>11</sup> Henry was aware that some objections had been formerly raised to his marriage with Catharine: but the question had been set at rest by the unanimous de-

Origin of  
the di-  
vorce.

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<sup>10</sup> *Concubina enim tua fieri pudica mulier nolebat, uxor volebat.* Pol. *ibid.* Illa cujus amore rex deperibat, pertinacissime negabat sui corporis potestatem, nisi matrimonio conjunctam, se illi unquam facturam. Pol. *ad regem Scotiæ*, p. 176. Spelman (*Annal. regnante Elizab. i.* 2) dates Henry's passion for Anne from the year 1529. But it must have begun during the life of the old earl of Northumberland, who died in the year 1526.

<sup>11</sup> *Misere ardebas, homo hoc ætatis et isto rerum usu, puellæ amore—Illa sororum vincere contendeat in te amatore retinendo.* Pol. f. lxxvi. *Ayant este plus q'ung anné attayute du dart d'amours, non estant assuré de falier, on trouver place en votre cœur et affection.*—Hearne's *Avesbury*, p. 350. It is certain that this letter from Henry to Anne could not be written at a later period than Midsummer, 1528: there is the highest probability that it was written before Midsummer, 1527. See note 22.

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III.

cision of his council; and seventeen years had elapsed without a suspicion of the unlawfulness of their union. Now, however, his increasing passion for the daughter of lady Boleyn, induced him to reconsider the subject: and in the company of his confidants he affected to fear, that he was living in a state of incest with the relict of his brother.<sup>12</sup> Whether the idea of a divorce arose spontaneously in his mind, or was suggested by the officiousness of others, may be uncertain:<sup>13</sup> but the royal wish was no sooner

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<sup>12</sup> *Satanæ cœpit auscultare ejus concupiscentiam stimulant, ut illam amaret, quæ sui corporis potestatem facturam pernegabat; nisi remota illa, &c. Ab hoc igitur initio, &c. Poli Apol. ad Cæs. 115, 116. Efflicim deperit. Quum vero pudicitiam expugnare non potuisset, in uxorem spe prolis masculæ ambivit. Camd. 3.*

<sup>13</sup> The first suggestion of the divorce has been attributed to different persons. 1°. By the public the credit or infamy of it was given to Wolsey (Instigator et auctor consilii existimabatur. Poli Apol. *ibid.*): and the emperor, in his answer to Henry's defiance, openly charges the cardinal with it. (Apud Le Grand, iii. 46.) 2°. Wolsey denied or admitted it, as best suited his purpose. He denied it in presence of the king in the legatine court (Cavendish, 428), and repeatedly boasted of it to the French ambassador, (Apud Le Grand, iii. 186. 200. 318, 319.) 3°. Henry himself declared that the idea originated not with the cardinal, but with himself; and that his scruples were confirmed by the bishop of Tarbes (Cavendish, *ibid.* Le Grand, iii. 218. Hall, 180): and Longland, the king's confessor, agrees with him so far, as to say that he derived his first information respecting it from Henry. (Burnet, iii. App. p. 400.) But cardinal Pole, who, writing to the king on such a subject, would hardly venture to assert what, if it were not true, Henry must have known to be false, assures us that it was first mentioned to the king by certain divines, whom Anne Boleyn sent to him for that purpose. *Illa ipsa sacerdotes suos, graves theologos, quasi pignora promptæ voluntatis misit, qui non*

communicated to Wolsey, than he offered his aid, and ventured to promise complete success. *His* views, however, were very different from those of his sovereign. Either unapprized of Henry's intentions in favour of Anne, or persuading himself that the present amour would terminate like so many others, he looked forward to the political consequences of the divorce; and that he might "perpetuate" the alliance between England and France, had already selected, for the successor of Catharine, Renée daughter of the late king, Louis XII.<sup>14</sup> The public had fixed on Margaret, dutchess of Alençon, but the letters to which I have referred shew, that, if he ever thought of her, he soon renounced that idea in favour of Renée.

Before we proceed, it will be necessary to direct the reader's attention to the events, which, during the interval, had shaken the papal power in Italy. By the defeat of Francis at Pavia, Clement found himself placed in a most delicate situation; the embarrassments of which were multiplied by the irresolution of his own mind, and the insincerity both of his allies and of his enemies. He saw himself abandoned to the resentment of the imperialists, whose victorious

Events in  
Italy.

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modo tibi licere affirmarent uxorem dimittere, sed graviter etiam peccare dicerent, quod punctum ullum temporis eam retineres; ac nisi continuo repudiales, gravissimam Dei offensionem denuntiarent. Hic primus totius fabulæ exorsus fuit. Pole, f. lxxvi.

<sup>14</sup> Lettres de l'évêque de Bayonne, apud Le Grand, iii. 166. 168.

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III.

1526.  
May 22.

Aug. 22.

troops from Naples on the south, and Lombardy on the north, could at any moment overrun his dominions: and hastened to conclude a treaty with their commanders, which Charles refused to ratify without the addition of other and more humiliating articles. Floating between hope and fear he sometimes courted the friendship, at other times provoked the hostility, of that prince: their correspondence was embittered by mutual reproaches; and the charges of ingratitude and breach of faith were repelled by Clement with complaints of insatiate rapacity and ambition.<sup>15</sup> After the liberation of Francis, the pontiff eagerly formed a confederacy with that monarch, with Sforza, duke of Milan, and with the republics of Venice and Florence. Its object was to preserve the independence of the Italian states: Henry was named its protector: but he refused the honour on the ground that it contained articles with which he had no concern, and contented himself with making a collateral alliance with Francis. The Italians collected an army: but the French monarch, though he promised much, performed nothing: and Clement was reduced to the necessity of again soliciting a peace. His request was granted by Moncada, the governor of Naples: and yet that officer, under pretence of revenging the wrongs of the Colonnese, at the end of four

<sup>15</sup> See Pallavicino, i. 235—242.

weeks, advanced in secrecy to the walls of Rome, seized one of the gates, compelled the pontiff to take refuge in the castle of St. Angelo, and plundered the rich palace of the Vatican. A second treaty was concluded: new outrages followed on both sides; the allies again took the field; and a faint gleam of success gave a transient lustre to their arms.

CHAP.  
III.  
Sept. 20.

To reinforce the imperialists Friendsberg, a German partisan, had raised a body of his countrymen, amounting to fourteen thousand men: and these were joined at Fiorenzuola by Bourbon with ten thousand needy adventurers, partly Spaniards, and partly Italians. This formidable army had neither pay nor provisions: but the leaders undertook to enrich themselves and their followers with the plunder of Florence and Rome; and though the allies carefully watched their steps, though they occasionally interrupted their progress, still the adventurers, stimulated by hope and necessity, continued to hasten towards their prey. Clement in his consternation submitted to articles of peace dictated by Lanoy, the viceroy of Naples: but the imperialists despised the authority of that general: his orders to return were disobeyed: and his life was threatened, when he ventured into their camp. Florence owed its preservation to the rapid and seasonable interposition of the allied army: but the adventurers precipitated their march upon Rome; and in the first week of May reached

Sack of  
Rome.

1527.  
Jan. 15.

March 25.

April 26.

May 5.

CHAP.

III.

May 6.

the walls of that capital. The next day Bourbon (Freundsberg lay sick at Ferrara) led them to the assault: and, though he fell by a musket ball, as he was mounting a ladder, the city was taken, and was abandoned during five days to the mercy of a licentious and infuriate soldiery. The Spaniards and Italians chiefly confined themselves to the plunder of the houses and palaces: the Germans, who had embraced the doctrines of Luther, ransacked the churches and convents. Every species of torture was employed to draw from the captives the disclosure of their hidden wealth: and women of every rank were promiscuously subjected to the brutality of the conquerors. If we may believe the contemporary writers, the horrors which attended the sack of Rome exceeded whatever the imagination can picture: and the eternal city suffered more from the ravages of a Christian army, than it had ever done from the hostility of pagan barbarians. At length Moncada arrived, and by his presence checked the licentiousness of the soldiers: Clement, who had fled into the castle of St. Angelo, was carefully surrounded, and besieged by his enemies.<sup>16</sup>

May 10.

Negocia-  
tions.

While Bourbon led his hungry followers to the sack of Rome, the kings of England and France were idly employed in devising offensive

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<sup>16</sup> Pallavicino, 242—246. Guicciard, 1264. Muratori, xiv. 224—235. Du Bellay, 113.



leagues, and matrimonial alliances. By the treaty of Madrid Francis had been contracted to Leonora, the emperor's sister : but their marriage had been deferred by his violation of his word ; and Henry, to widen the breach between the two sovereigns, now offered him the hand of the princess Mary, who had reached her eleventh year. The French monarch equally anxious to bind his English brother to his interests, accepted the offer, urged the immediate solemnization of the nuptials, and made light of the objections which the father drew from the immature age of his daughter.<sup>17</sup> But Henry was inflexible : and the French ambassadors, the bishop of Tarbes, and the viscount of Turenne, at length signed a treaty, by which it was agreed that the princess should marry either Francis, or his second son the duke of Orleans : Francis, as it was afterwards explained, if that monarch should remain a widower till she arrived at the age of puberty ; the duke of Orleans, if in the interval it should be deemed desirable by both parties that the king should marry Leonora. Two other treaties were concluded at the same time, that both monarchs should jointly make war on the emperor, if he rejected the proposals which they meant to offer ; and that Francis and his successors should pay for ever to Henry and

1527.  
March, 24.

April 30.

<sup>17</sup> Herbert, 197. A letter from the bishop of Bath contains a most singular proposal from the mother of Francis on this subject. Fiddes, Collect. p. 141.

CHAP.  
III.

May 5.

his heirs a yearly rent of fifty thousand crowns in addition to all other sums due to him from the French monarch. It was during the conferences respecting this marriage, that the bishop of Tarbes ventured to ask, whether the legitimacy of the princess were unimpeachable. What prompted him to put the question, we are not informed. It is certain that he had no such instructions from his court, which still continued to solicit the union;<sup>18</sup> and the public believed that he spoke by the suggestion of Wolsey, who sought to supply the king with a decent pretext for opening his project of a divorce. Before their departure Henry gave to the ambassadors a magnificent entertainment at Greenwich. Three hundred lances were broken before supper: in the evening the company withdrew to the ball-room, where they were entertained with an oration and songs, a fight at barriers, and the dancing of maskers. About midnight the king and Turenne retired with six others, disguised themselves as Venetian noblemen, and returning took out ladies to dance. The reader will not be surprised to learn that Henry's partner was Anne Boleyn.<sup>19</sup>

<sup>18</sup> Je ne trouve rien de cela ny dans le journal que nous avons de cette ambassade, ny dans les lettres de Messieurs de Turenne et de Tarbes que j'ai lues. Le Grand, i. 49.

<sup>19</sup> Hall (155, 156) and Cavendish (414) have left detailed accounts of this splendid entertainment. The latter describes with naïveté his feelings at the sight of the queen and her ladies. "They seemed to all men to be rather celestial angels descended from heaven than



The king's secret matter (so it was called) now became public. Justifying his conduct by the expressions of the bishop of Tarbes, he ventured to ask the opinions of the most eminent canonists and divines: who easily discovered the real wish of their sovereign through the thin disguise with which he affected to cover it, the scruples of a timorous conscience, and the danger of a disputed succession.<sup>20</sup> Some there were, who, from a passage in Leviticus, contended that no dispensation could authorise a marriage with the widow of a brother: while others from another passage in Deuteronomy inferred, that the prohibition was not universal, but admitted an exception in the king's case, where the first marriage had been unproductive of issue.<sup>21</sup> The advocates for the divorce were disconcerted by this reply of their opponents; and abandoning the arguments from scripture, began to question the validity of the dispensation on three other grounds: 1<sup>o</sup>. because it was not sufficiently ample; 2<sup>o</sup>. because it had been obtained under false pretences; and 3<sup>o</sup>. because it had been

CHAP.  
III.

King  
consults  
divines.

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“flesh and bone. Surely to me, simple soul, it was inestimable.” That the king's partner was Anne Boleyn is particularly noticed by the bishop of Tarbes. Le Grand, *ibid*.

<sup>20</sup> So much so that Pace, in a letter to Henry, uses repeatedly “ayenst *you*,” or “for *you*,” as synonymous with “against the *divorce*, for the *divorce*.” Knight's Erasmus, App. p. xxv.

<sup>21</sup> Levit. xviii. 16. xx. 21. Deuteron. xxv. 5. See note (B) at the end of the volume.

CHAP.  
III.

Wolsey  
goes to  
France.  
May 28.

solicited without the consent of Henry, who was the party chiefly interested in it.<sup>22</sup>

From these pursuits Henry and his minister were aroused by the unexpected news of the occurrences in Italy. They felt, or affected to feel, the deepest sorrow for the captivity of the pontiff: and by their orders public processions were made and a solemn fast of three days was observed for his deliverance. But at the same time they were aware of the advantages to be derived from the event. It might be assumed as a proof of the insatiate ambition of Charles: it would give the sanction of religion to the war which they meditated: and above all it would supply the cardinal with a pretext for deciding without the aid of the pontiff, the great question of the divorce of his legatine court. Wolsey sailed from England to negotiate in person with Francis. He was received with the same distinction as a crowned head: pageants were exhibited, addresses were delivered in his honour: every where the prisons were thrown open at his command: and the king himself

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<sup>22</sup> "Now so it was, before my going over sea" (he went in July of the present year,) "I had heard certain things moved against the " bull of dispensation concerning the words in the law Levitical and " the law Deuteronomical, to prove the prohibition to be de jure " divino. But yet perceived I not at that time, but that the greater " hope of the matter stood in certain faults that were found in the " bull, whereby the bull should by law not be sufficient." Letter of sir T. More, Works, p. 1425.

met him on horseback about a mile from the gates of Amiens. But the object of his mission was at first retarded by the policy of Charles, who with expressions of the highest esteem for Henry, offered to moderate at the prayer of his uncle the rigour of his demands against Francis, and proposed a marriage between the princess of Portugal, his wife's sister, and the duke of Richmond, the king's natural son. The English ambassador was instructed to return an obliging answer, to nourish this friendly feeling in the imperial cabinet, and to assure Charles that the report of the intended divorce rested on no other basis than an unguarded expression which chanced to fall from the bishop of Tarbes.<sup>23</sup> But the offers of Francis were more tempting than those of his adversary; and after a fortnight spent in discussion, four treaties were signed. The first confirmed the treaty of perpetual alliance: the second stipulated that the daughter of Henry should marry the duke of Orleans, if she did not marry Francis himself: the third fixed the amount of the subsidy to be furnished by England for the prosecution of the war in Italy: and the last stipulated that, as long as the pontiff should be detained a captive, the two kings should neither consent to the convocation of a general council, nor admit any bulls or breves issued by Clement in derogation of their

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Aug. 4.

Aug. 1.

Treaties.  
Aug. 18.<sup>23</sup> Rym. xiv. 200. Herbert, 207.

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Sept. 16.

rights, or of the rights of their subjects; that during the same period the concerns of each national church should be conducted by its own bishops; and that the judgments of Wolsey in his legatine court, whatever might be the rank of the party condemned, should in defiance of any papal prohibition be carried into immediate execution: a clause, the real object of which was to invest the cardinal with unlimited authority in the trial of the divorce, and to deprive Catharine of any aid from the authority of the pontiff.<sup>24</sup> Henry was so pleased with this treaty, that he wrote to Wolsey to express the sense which he entertained of his services: and the cardinal himself, intoxicated with joy, promised the mother of Francis at Compeigne, that in the course of a year she should behold not only the connection between the royal house of England and the imperial family severed for ever, but a princess of her own blood seated on the English throne.<sup>25</sup> At the same place he concurred with four other cardinals in a common letter to Clement: in which they respectfully informed him of the regulations made in the fourth treaty

<sup>24</sup> Rym. xiv. 199. 203—227. In a letter from Amiens he assures the king that his thoughts are always on Henry's "great and serious" affair: and, if the queen shall fortune, which it is to be supposed she will do, either to appeal, or utterly to decline from his jurisdiction, "his chief study is how in available manner the same may be attained."—Apud Burnet, iii. Rec. 14.

<sup>25</sup> Compare the letters of the bishop of Bayonne in Le Grand, iii. 166. 186.

already mentioned ; and requested him to appoint a vicar general, who might execute as his delegate the papal authority on this side of the Alps. It is plain that, though they did not openly name, they intended Wolsey to be invested with this high dignity.<sup>26</sup>

During the absence of the cardinal the king had been chiefly occupied with his “secret matter.” By the advice of Wakefield, the professor of Hebrew in the university of Oxford, he resumed the plan which he had lately abandoned, and determined to rest his cause on the prohibition in Leviticus.<sup>27</sup> With this view a short treatise was composed. Some of the materials may have been furnished by others : but the king laboured at the work himself, and fortified his case with every argument and authority which his reading or ingenuity could supply.<sup>28</sup> To the cardinal, on his return from France, he

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King resolves to marry Anne Boleyn.

<sup>26</sup> Le Grand, iii. 4. Guicciard, 1279.

<sup>27</sup> See the narrative of Pole (*cum hic causa labare videretur, ministri puellæ pro se quisque illam suffulciunt, &c. fol. lxxvi.*), also Wakefield's letters (*Knight's Erasmus, p. xxv. xxvi.*), and More's account in his letter to Cromwell (*Works, p. 1425*). Wakefield's vanity prompted him to assert that he could produce arguments on either side, which were unknown to any other man in the kingdom. He was originally against the divorce, but was induced to write for the king, according to his own account, because he had since been informed that the marriage between Arthur and Catharine had been consummated. *Ibid.*

<sup>28</sup> Henry, in one of his letters to Anne Boleyn, says that his book maketh substantially for this purpose—that he had been writing it four hours that day—and concludes with expressions too indelicate to be transcribed. *Hearne's Avesbury, p. 360.*

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communicated his fixed determination to marry Anne Boleyn. The minister received the intelligence with grief and dismay. The disparity of her birth, the danger of being supplanted by a rival family, the loss of the French interest, which he had sought to secure by promising the crown to a French princess, and the additional difficulties which this resolution would throw in the way of the divorce, crowded upon his mind. On his knees he besought the king to recede from a project which would cover him with disgrace;<sup>29</sup> but, aware of the royal temper, he soon desisted from his opposition, became a convert to the measure which he could not avert, and laboured by his subsequent services to atone for the crime of having dared to dispute the pleasure of his sovereign. The king's case or treatise was now laid before sir Thomas More, who, pleading his ignorance of theology, suspended his judgment; and before the bishop of Rochester, who having maturely weighed the arguments on both sides, gave an opinion unfavourable to the divorce.<sup>30</sup> It was to no purpose that the cardinal employed his eloquence and authority; that he repeatedly held assemblies of prelates and divines: few could be in-

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<sup>29</sup> Cavendish, 416. The reasons are frequently mentioned by the bishop of Bayonne, as having been communicated to him by Wolsey.

<sup>30</sup> More's Works, p. 1425. Fisher's letter (anno 1527) in Fiddes, p. 148.

duced to pronounce in favour of the king ;<sup>31</sup> and the most that he could obtain was a declaration that the motives alleged by Henry furnished a reasonable ground of scruple, and that, for the ease of his conscience, he ought to refer the matter to the holy see, and abide by its decision.<sup>32</sup> With the nation at large the royal cause was unpopular. The fate of a princess who had for so many years been acknowledged as queen, and who had displayed in that situation every virtue which could grace a throne, was calculated to awaken in her favour the feelings of men ; and those who could not appreciate the real merits of the question, were prompted to prefer her cause from their opposition to the cardinal, the supposed author of the project ; their detestation of the present alliance with France, the ancient enemy of England ; and their fears that the divorce would lead to the interruption of that advantageous intercourse, which had subsisted for centuries between this island and the emperor's subjects in the Netherlands.<sup>33</sup>

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<sup>31</sup> *Peu de leurs docteurs veulent condescendre à leur opinion. L'évêque de Bayonne, apud le Grand, iii. 205. Initio causa tua una cum iis, qui ipsius patrocinium susceperant, in ipso tuo regno ex omnibus scholis explosa est. Pole, f. lxxvii.*

<sup>32</sup> *Rym. xiv. 301.* This document is dated July 1, 1529. But that date refers merely to the certificate itself: the consultation which it describes is evidently the same as is mentioned by sir Thomas More, 1425.

<sup>33</sup> These particulars are extracted from the letters of the bishop

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A divorce  
demanded  
of the pon-  
tiff.

One great point, which exercised and perplexed the ingenuity of the royal advisers, was to effect the divorce in so firm and legal a manner, that no objection might be afterwards raised to the legitimacy of the king's issue by a subsequent marriage. For three months instructions were issued and revoked, amended and renewed, to the royal agents in Italy, to Dr. Knight the king's secretary, to the three brothers of the name of Cassali, employed as English residents at different courts, and to Staphilæo, dean of the Rota, whose approbation of the divorce had been obtained in his late visit to London. The emperor, on the other hand, professed a determination to support the honour of his aunt; and demanded of the pontiff, who, to procure provisions, had been compelled to admit the imperialists into the castle of St. Angelo, an inhibition to prevent the cause from being tried before any judge in England; with a promise that he would not consent to any act preparatory to a divorce, without the previous knowledge of Charles himself. To the last of these demands Clement assented; but he refused the first on the ground that it was contrary to the established usage.

June 7.

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of Bayonne, apud Le Grand, iii. 76. 81. 85. 96. 169. Wakefield says in one of his letters, that if people knew that he was writing against the queen, he should be stoned to death. Knight's Erasmus. App. xxviii. Pole also says, *ipsis etiam defensoribus (causæ tuæ) variè contumeliæ genere affectis.* Pole, fol. lxxvii.



In the mean while a French army commanded by Lautrec, and accompanied by sir Robert Jernegham, the English commissary, had crossed the Alps for the avowed purpose of liberating the pope from confinement. Lombardy was soon conquered : in his haste to reach Rome the French general left Milan behind him, and marched with expedition to Piacenza: but there he unaccountably loitered for weeks, concluding useless alliances with the petty princes of Italy. The patience of Clement was exhausted by these delays ; a negociation was opened between him and his captors : and it was agreed that on the payment of part of his ransom, he should be restored to liberty, and on the payment of the remainder his states should be evacuated by the imperialists.<sup>34</sup> Observing, however, that the vigilance of his keepers began to relax, he contrived to escape one evening in the disguise of a gardener, and reached in safety the strong city of Orvieto. There the first who waited on him were the English envoys. They congratulated the pontiff on the recovery of his liberty ; but required his immediate attention to the requests of their sovereign.

Nov. 26.

Dec. 5.

To Clement nothing could have happened more distressing than this untimely visit. Bound to Henry by the ties of gratitude, he was unwilling to disoblige his benefactor : with his capital

His reply.

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<sup>34</sup> The treaty is in *Le Grand*, iii. 48.

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and his states in the possession of the imperialists, he dreaded to inflame the resentment of the emperor. The envoys presented to him for signature two instruments which had been drawn up in England, by the first of which he empowered Wolsey (in case of objection to Wolsey they were permitted to substitute Staphilæo) to hear and decide the cause of the divorce; by the second he granted to Henry a dispensation to marry, in the place of Catharine, any other woman whomsoever, even if she were already promised to another, or related to himself within the first degree of affinity.<sup>35</sup> The

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<sup>35</sup> This dispensation was thought necessary to secure the intended marriage with Anne Boleyn from two objections, which might afterwards be brought against it. 1<sup>o</sup>. A suspicion was entertained that she had been actually contracted to Percy, and was therefore his lawful wife. On this account the dispensation was made to authorize the king's marriage with any woman, *etiamsi talis sit, quæ prius cum alio contraxerit, dummodo illud carnali copula non fuerit consummatum.* 2<sup>o</sup>. Mary Boleyn had been Henry's mistress. Now the relationship between sister and sister is as near as the relationship between brother and brother: whence it was argued that, if Henry, as he contended, could not marry Catharine, on the supposition that she had been carnally known by *his* brother Arthur, so neither could Anne marry Henry, because he had carnally known *her* sister Mary. On this account the following clause was introduced. *Etiamsi illa tibi alia, secundo aut remotiore consanguinitatis aut primo affinitatis gradu, etiam ex quocumque licito seu illicito coitu proveniente, invicem conjuncta sit, dummodo relicta fratris tui non fuerit.* See the dispensation in Herbert, p. 294. Thus the king was placed in a most singular situation, compelled to acknowledge in the pontiff a power which he at the same time denied, and to solicit a dispensation of the same nature as that which he maintained to be invalid.

latter he signed without any alteration, the former, after it had been composed in a new style by the cardinal Santi Quatri: but in delivering these instruments to Knight, he observed, that he had sacrificed the considerations of prudence to those of gratitude: that his safety, perhaps his life, now depended on the generosity of the king: that prince might make what use of the commission he deemed proper: but if he would wait till the evacuation of the papal territories should secure the pontiff from the actual resentment of Charles, or till the approach of the French army under Lautrec could furnish him with an excuse for his conduct, a second commission of similar import might be issued, and he king would obtain the same object without compromising the safety of his friend. But whether the English cabinet knew not what course to prefer, or sought to draw from the pontiff more important concessions, Knight had scarcely left Orvieto, when Gregorio Cassali was instructed to request, that a legate from Rome might be sent to England, and joined in the commission with Wolsey. To this also Clement assented, offering to Henry the choice out of six cardinals: but added, “ the king appears to “ me to have chosen a most circuitous route. If “ he be convinced in his conscience, as he affirms, “ that his present marriage is null, let him marry “ again. This will enable me, or the legate, to “ decide the question at once. Otherwise I fore-

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1528.  
Jan. 1.

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“ see that by appeals, exceptions, and adjourn-  
ments, the cause must be protracted for many  
years.”<sup>36</sup>

Henry  
defies  
Charles.

In the mean time Wolsey urged his sovereign to the faithful performance of those engagements, which he had lately contracted with the king of France. The ambassadors of the two powers were recalled from the imperial court on the same day: and Clarenceaux and Guienne, kings at arms, defied Charles in the names of their respective sovereigns. To Guienne the emperor replied, that the defiance was superfluous, since he and Francis had long been at war: but to Clarenceaux he delivered an eloquent justification of his own conduct, coupled with a sharp remonstrance against that of the cardinal. In this paper, he acknowledges the monies, which he had borrowed of Henry, and professes his readiness to repay them in due time and manner on the recovery of his bonds and pledges: but he strongly denies any obligation of indemnity to the king of England for the suspension of those annual rents, which Francis had refused to pay during the last war:

Jan. 22.

Jan. 27.

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<sup>36</sup> See the records in Burnet, i. Rec. ii. No. iii. iv. v. vi. He tells us from a letter of Knight's, that the cardinal Santi Quatri “ got 4000 crowns as the reward of his pains, and in earnest of what he was to expect when the matter should be brought to a conclusion.” (p. 48.) But this is a mistake. From a posterior dispatch of the 31st of May, it appears that 2000 crowns had been offered in testimonium acceptæ gratitudinis, but that he could not be prevailed upon to accept a penny. Strype, i. App. p. 51.

because he had received a promise from the cardinal that no indemnity should ever be demanded, and because Francis had taken the debt upon himself both by the treaties of Madrid and of London. Neither was he liable to the stipulated penalty for the breach of his promise to marry the princess Mary, since Henry had refused to allow the solemnization of the nuptials when it was demanded, and had signified his consent to the marriage of the emperor with Isabella. "God grant," he added, "that I may not have better reason to defy him than he has to defy me. Can I pass over the injury with which he threatens my aunt by his application for a divorce; or the insult which he has offered to me by soliciting me to marry a daughter, whom he now pronounces a bastard? But I am perfectly aware from whom these suggestions proceed. I would not satisfy the rapacity of the cardinal of York; nor employ my forces to seat him in the chair of St Peter: and he in return has sworn to be revenged, and now seeks to fulfil his purpose. But if war ensue, let the blood that must be shed rest, where it ought, on the head of him, who is the original instigator of it."<sup>37</sup>

In England the popular feeling was openly and unequivocally expressed. The merchants refused to frequent the new marts which had

Popular  
dissatis-  
faction.

<sup>37</sup> I have abridged this interesting document, which is published by Le Grand, iii. 27—43.

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been opened in France as substitutes for those in the Netherlands : the wool-carders, spinners, and clothiers, could procure no sale for their manufactures ; and the spirit of disaffection so rapidly and widely diffused itself, that the royal officers were instructed to watch and suppress the first symptoms of insurrection. In the cabinet, all the members excepting Wolsey, were secretly hostile to the French alliance : and anxiously waited for the first reverse of fortune to effect the ruin of the favourite. Even Henry himself was disposed to peace, in the hope that a reconciliation with the emperor might induce that prince to withdraw his opposition to the divorce, and thus liberate Clement from the fear of incurring his resentment. Wolsey stood alone : he had the prudence to compromise : negotiations

March 29. were opened with the archdutchess Margaret, the governess of the Netherlands ; and after several ineffectual attempts to conclude a general peace, an armistice for eight months was signed between England and the Low Countries, while

May 1. hostilities should still continue between England and Spain.<sup>33</sup>

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<sup>33</sup> These particulars are taken from the dispatches of the French ambassador published by Le Grand, iii. 81—105. He says of the cardinal (Feb. 6), *Je pense qu'il est le seul en Angleterre, qui veult la guerre en Flandres* : and Feb. 23, *pensez, que ce n'est peu de frais, que soustenir une chose contre tous les aultres, et avoir le tort, au moins de ce qui se peult veoir le plus près de son costé.* See also Hall, 72, 73. 76. Sir Thomas More, who was one of the council, tells us that when the others advised the king to remain at

When Wolsey first solicited the commission and dispensation, he must have been aware that the pontiff would still be at liberty to revoke the cause from England to his own court, or to revise the sentence which might be pronounced by his delegates. He now ventured to proceed a step further. His secretary Dr. Stephen Gardiner, a man eminently versed in the civil and canon law, and the king's almoner, Dr. Edward Fox, a most ardent advocate for the divorce, were appointed agents, with instructions to call at Paris for recommendatory letters from the French king, to hasten thence to Venice, where they were to demand the restoration of Ravenna and Cervia to the Roman Church, a restoration which Clement most anxiously desired; and from Venice to proceed to Orvieto, call to their aid Staphilæo, and the brothers Gregorio and Vincenzo Casali, and by their united efforts extort from the gratitude or timidity of the

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III.Project  
of a de-  
cr etal bull

Feb. 10.

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peace, and leave Charles and Francis to quarrel by themselves, the cardinal always repeated a fable of certain wise men, who foresaw that a great rain was coming which would make fools of all whom it should fall upon, and to escape it hid themselves under-ground, but when they came out, they found the fools so numerous, that instead of governing them, they were forced to submit to be governed by them. Whence he inferred, that if the English sate still, while the fools fought, the fools would at last unite and fall upon them. "I will not dispute," he adds, "upon his grace's counsayle, and I truste, we never made warre but as reason woulde. But yet this fable for hys parte dydde in hys dayes help the king and the realme to spend manye a rayre peny. But that geare is passed, and hys grace is gone: our Lord assoyle his soule." More, 1436.

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pontiff his signature to two instruments which had been sent from England. Of these one was a dispensation of the same import with the preceding, but in more ample form : the second was called a decretal bull, in which the pope was made to pronounce in favour of the prohibition in Leviticus, and to declare that it was part of the divine law, admitting of no exception nor dispensation.<sup>39</sup>

March 22.

It had been insinuated to Clement that the real object of the king was to gratify the ambition of a woman, who had sacrificed her honour to his passion, on condition that he should raise her to the throne : but after the perusal of a letter from Wolsey he believed, or at least professed to believe, that Anne Boleyn was a lady of unimpeachable character, and that the suit of Henry proceeded from sincere and conscientious scruples.<sup>40</sup> To the agents he replied that he was bound in gratitude to grant the king every indulgence compatible with honour and equity, and would immediately sign the dispensation, because it could not effect in its consequences the interests of any third person. But with respect to the decretal bull, he demurred : a congregation of cardinals and theologians was convened : and it was unanimously agreed that to issue such a bull, would be to determine

<sup>39</sup> No copy of the decretal bull is extant. But that such was its purport is plain from the dispatches in Strype, i. App. 56. 60. 77.

<sup>40</sup> Ibid. 48.



a point of doctrine, which had hitherto been freely discussed in the schools, and to condemn both the permission in Deuteronomy, and the conduct of Julius II. After a long but ineffectual struggle, Gardiner abandoned this point: but he adduced so many objections against the allegations on which the original dispensation had been granted, urged with so much success the services of Henry to the holy see, and so discreetly interwove threats with his entreaties, that a second congregation was called, in which it was resolved that a commission might issue to examine into the validity of the dispensation, since it was said on many accounts to have been surreptitiously obtained. Such a commission was accordingly prepared, not in the terms required by the agents, but in the most ample form, which the papal council would admit, authorising Wolsey, with the aid of any one of the other English prelates, to inquire summarily, and without judicial forms, into the validity of the dispensation granted by Julius, and of the marriage between Henry and Catharine; to pronounce, in defiance of exception or appeal, the dispensation sufficient or surreptitious, the marriage valid or invalid according to the conviction of his conscience; and to divorce the parties, if it were invalid, but at the same time to legitimate their issue, if such legitimation were desired.<sup>41</sup>

April 13.

<sup>41</sup> Compare the records in Strype (46—75) with Pallavicino, i.

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When Fox, who returned immediately to England, explained the purport of these instruments to Henry and Anne Boleyn, the king declared himself satisfied; his mistress in the tumult of her joy mistook both persons and things, but expressed in the most significant terms her gratitude for the services of the agents. But by Wolsey the commission was received with feelings of alarm and disappointment: in an assembly of canonists and divines every clause was subjected to the most minute examination: and numerous explanations, additions and corrections were suggested. These were immediately forwarded to Gardiner with new instructions, to require that cardinal Campeggio should be joined in the commission with his English brother, as a prelate more experienced in the forms of the Roman courts.<sup>42</sup>

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252. Burnet has published, under the name of the decretal bull, the commission, such as it was penned in England. (Records, ii. No. x.) By it inquiry was to be made whether peace could not have been preserved between England and Spain without the marriage of Henry and Catharine, whether Henry really desired the marriage for that purpose, or whether the princess named in the dispensation were alive at the time of the marriage: and the legate was authorized to pronounce the dispensation insufficient, in case any one of these questions were determined in the negative. This was refused. The real commission sent from Orvieto may be seen in Rymer, xiv. 237.

<sup>42</sup> Strype, i. App. 77. When the reader considers all these negotiations at Rome, he will see what credit is to be given to Henry's assertion in the instructions to his agent at the northern courts; that the pope declared he could not by law take cognizance of the cause at Rome, but it must be determined in England; and there-

Wolsey had at first persuaded himself that a divorce might be justly pronounced, on the ground that the original dispensation had been issued without the knowledge of Henry, one of the parties concerned. He now began to hesitate; and took the opportunity of declaring to the king at one of the consultations, that though he was bound in gratitude, and was ready "to spend his goods, blood, and life," in the service of his highness, yet he was under greater obligations to God at whose tribunal he would have to render an account of his actions, and therefore was determined to shew the king no more favour than justice required; and, if he found the dispensation sufficient in law, "so to pronounce it, whatever might be the consequence." Henry at the moment suppressed his feelings: but in a short time gave way to his anger in language the most opprobrious and alarming.<sup>43</sup> Wolsey saw the danger which threatened him. Without a divorce, his power, and fortune, and perhaps his life were at stake: with a divorce the prospect was hardly less gloomy. Anne Boleyn was not his friend. Her relatives

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III.

Wolsey's  
perplexity.

May.

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fore requested the king to take out a commission for judges at home. Burnet, iii. Rec. 66.

<sup>43</sup> The bishop of Bayonne calls them "de terribles termes." Le Grand, iii. 164. See Strype, i. App. 84. It might be thought that this was a mere farce, had not the cardinal, a few days before, commissioned Gardiner to make out a case, and consult some of the best canonists in Rome, whether he could or could not with a safe conscience pronounce a divorce on that ground. *Ibid.* 82.

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and advisers where *his* rivals and enemies : and he knew that they only waited for the expected marriage, to effect his downfall with the aid of her influence over the mind of the king. To be prepared for the worst, he hastened to complete his different buildings, and to procure the legal endowment of his colleges : and in discourse with his confidential friends assured them, that, as soon as the divorce should be pronounced, and the succession to the crown be permanently established, he would retire from court, and devote his remaining days to his ecclesiastical duties. They believed, however, that he would cling to his situation to the very last ; and, when he could no longer retain it, would attempt to conceal his despair under the mask of a voluntary resignation.<sup>43</sup>

A legate  
appointed.

With these views the cardinal dispatched new instructions to the envoys at Rome, and wrote a most urgent and supplicating letter to the pontiff. In it he appealed to the pity and the gratitude of Clement, whom he described as the arbiter of his credit and destiny. One thing only could preserve him from ruin. Let the pope sign the decretal bull : it would restore him to his former place in the estimation of his sovereign ; and the fidelity, with which Wolsey would at the same time conceal its existence

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<sup>43</sup> Ou il s'en verra au desespoir, il donnera à entendre de s'en tirer volontairement. Le Grand, iii. p. 165, 166.

July 23.

from the knowledge of all other persons, would secure from blame the reputation of the pontiff.<sup>45</sup> Clement was now daily harassed with the arguments and entreaties, the threats and remonstrances of Gardiner and his colleagues. To pacify them he promised under his own hand never to revoke the cause, nor to reverse the judgment of the legates: and at last reluctantly signed the decretal commission. The pretences, however, of Wolsey did not deceive the penetration of the papal ministers: they were aware that if he had once possession of the bull, he would not hesitate to publish it either with or without the permission of the pontiff; and to defeat his purpose, they intrusted it to the care of the legate Campeggio, with strict orders never to suffer it out of his own hands, but to

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<sup>45</sup> Why was he so desirous of procuring an instrument, which he was never to employ? The reason which he gives, could deceive no one. *Ut hac quasi arrha et pignore summæ paternæque S. D. N. erga regiam majestatem benevolentia apud me deposita, mea apud dictam majestatem augeatur auctoritas.* Burnet, Rec. ii. No. xiv. But there was another reason which he assigns in his instructions to Gardiner, that if the pope would once lay down the law, his conscience would be at ease, as he would have only to decide on the fact. *Strype, i. App. 79.* Whether the bull which he at last obtained, were of the tenor which he required, is unknown: but if we may believe the king, it pronounced the marriage between Henry and Catharine unlawful and invalid, if it could be proved before the legates that Arthur was the king's brother, that Arthur and Catharine had reached the years of puberty when they married, and that the marriage, "as far as presumptions can prove," was consummated between them. *Burnet, iii. Rec. 60.*

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Cardinal  
Campeg-  
gio.

read it to the king and the cardinal, and then to commit it privately to the flames.<sup>46</sup>

Campeggio, to whom at the request of Wolsey this mission had been confided, was an eminent canonist, and experienced statesman. After the death of his wife in 1509 he had taken holy orders, had been honoured with the cardinal's cap in 1517, and had been repeatedly employed by Leo and his successors in delicate and important negociations.<sup>47</sup> To Francis his former connexion with the emperor rendered him an object of jealousy : but Henry, who had named him to the bishopric of Salisbury, and had lately made him a present of a palace in Rome, refused to listen to the suggestions of the French minister. Campeggio himself laboured to decline the appointment on account of the gout, with which he was severely afflicted : but the English agents were importunate, and to Clement himself the infirmity of the legate proved an additional recommendation. If gratitude and affection led the pontiff to favour the king of England,

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<sup>46</sup> The existence of this bull, and the authenticity of the promise, have been disputed. No one can doubt of either, who has read the original correspondence. The latter is always called "the chiro-graph of solicitation." Burnet, iii. No. xvii. also xxii. p. 56. It is in Herlert, p. 249. and Burnet, iii. Rec. 18.

<sup>47</sup> The cardinal brought with him to England his second son Ridolfo: whence Burnet, who was ignorant that Campeggio had formerly been married, takes occasion to represent the young man as a bastard, and the father as a person of immoral character. Burnet, i. p. 69.

the experience of what he had lately suffered, taught him to fear the resentment of the emperor. Charles was not wanting in the defence of his aunt: his ambassador Guignonez systematically opposed every overture which was made by Gardiner: and each prince had significantly hinted that his subsequent obedience to the see of Rome would depend on the treatment which he should receive. Having again consulted his canonists and divines, Clement foresaw that the ultimate decision of the question would fall to himself: and that, if it were conformable to the opinion of the best and wisest of his advisers, it would prove unfavourable to Henry. Hence he sought to prolong the controversy, in the hope that some unforeseen event might occur to relieve him from his embarrassment: and for that purpose, the infirmities of Campeggio might, it was thought, prove of considerable service. The legate was instructed to proceed by slow journies; to endeavour to reconcile the parties; to advise the queen to enter a monastery; to conduct the trial with due caution, and according to the established forms; and at all events to abstain from pronouncing judgment till he had consulted the apostolic see.<sup>43</sup>

In England the cardinal had hardly expedited

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<sup>43</sup> Sanders, 32. Lettere di Principi, tom. ii. Sanga al legato sotto, t. 29 di Maggio, 1529. Pallav. i. 253.

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III.

The  
sweating  
sickness.  
May 30.

his last dispatch, when the public business was suspended by the sudden appearance and rapid diffusion of the disease, known by the name of the sweating sickness. The mortality, with which its first visit was attended in 1485, has been already described:<sup>49</sup> but experience had taught the method of cure: and those, who now perished, owed their fate to their own ignorance or their imprudence. The patient, who felt himself affected with sickness and headache, was immediately put to bed: a profuse perspiration followed: and at the close of twenty four hours the danger was over. But if, during that period, any part of the body were exposed to the cold air, the perspiration ceased, delirium ensued, and in a few hours life was extinguished. Out of forty thousand cases in the city of London, it was calculated that only one in twenty proved fatal.<sup>50</sup> At court the disease made its first appearance, among the female attendants of Anne Boleyn. By the king's order she was immediately conducted to the seat of her father in Kent: but she carried the infection

<sup>49</sup> Hist. vol. v. 372.

<sup>50</sup> The bishop of Bayonne describes the malady with his characteristic gaiety. Ce mal de suée, c'est, Monseigneur, une maladie qui est survenue icy depuis quatre jours, la plus aisée du monde pour mourir: on a ung peu de mal de teste et de cueur, souldain on se mict à suer. Il ne fault point de medecin, car qui se decouvre le moins du monde, on qui se couvre ung peu trop, en quatre heures, aulcunes fois en deux ou troys, on est desesché sans languir, comme on faiet de ees facheuses fiebvres, p. 138.



with her, and, having passed through the usual ordeal, recovered. Some noblemen perished in the palace of the cardinal, whose apprehensions induced him to elope from his own family, and to conceal the place of his retreat. Henry, who saw the contagion spread among the gentlemen of his privy chamber, frequently changed his residence, locked himself up from all communication with his servants or strangers, and, instead of attending to his "secret matter," joined the queen in her devotional exercises, confessing himself every day, and communicating every Sunday and festival.<sup>51</sup> The absence of Anne Boleyn, the harmony in which he now lived with his wife, and the religious impression which the danger had left on his mind, excited a suspicion, that he would abandon his project of a divorce: but the dispatches of Gardiner, announcing the departure of Campeggio with the decretal bull and the promise, revived his hopes; and the contagion had no sooner ceased, than he recalled his mistress to court. Anne was careful to employ every art to confirm her empire over her lover, and lavished protestations of gratitude on the cardinal to animate his exertions in her favour.<sup>52</sup> The French ambassador

Aug. 18.

<sup>51</sup> All these particulars are taken from the letters of the bishop of Bayonne, p. 137. 149. 152.

<sup>52</sup> Her letters to the cardinal at this period form a singular contrast with her hostility to him, when he could no longer serve her.—"All the days of my life I am most bound of all creatures, next the king's

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had foretold that the king's passion would evaporate during her absence; he now acknowledged his error, and declared that nothing short of a miracle could cure the royal infatuation.<sup>53</sup>

Campeggio arrives.  
Oct. 7.

After a tedious journey, which had been repeatedly suspended by fits of the gout, Campeggio reached London, but in such a state of suffering and weakness, that he was carried in a litter to his lodgings, where he remained for several days confined to his bed. Previously to his arrival a sense of decency had induced the king to remove his mistress from court. He lived with the queen apparently on the same terms as

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“ grace, to love and serve your grace; of the which I beseech you  
 “ never to doubt that ever I shall vary from this thought as long as  
 “ any breath is in my body. And as touching your grace's trouble  
 “ with the sweat, I thank our lord that them that I desired and  
 “ prayed for, are scaped, and that is the king and you....And as for  
 “ the coming of the legate, I desire that much, and if it be God's  
 “ pleasure, I pray him to send this matter shortly to a good end, and  
 “ then I trust, my lord, to recompense part of your great pains.” In  
 another: “ I do know the great pains and troubles that you have  
 “ taken for me, both day and night, is never like to be recompensed  
 “ on my part, but alonely in loving you, next to the king's grace,  
 “ above all creatures living.” In a third: “ I assure you that after  
 “ this matter is brought to pass, you shall find me, as I am bound in  
 “ the mean time to owe you my service: and then look what thing  
 “ in the world I can imagine to do you pleasure in, you shall find  
 “ me the gladdest woman in the world to do it, and next unto the  
 “ king's grace, of one thing I make you full promise to be assured  
 “ to have it, and that is my hearty love, unfeignedly during my  
 “ life.” See these letters in Burnet, i. 55. Fiddes, 204, 205, and  
 in Hearne's *Tit. Liv.* p. 106.

<sup>53</sup> Je suis mauvais devin: et pour vous dire ma fantaisie, je croy que le roy en est si avant, qu'aulture que Dieu ne l'en scauroit oster, p. 104.

if there had been no controversy between them. They continued to eat at the same table, and to sleep in the same bed. Catharine carefully concealed her feelings, and appeared in public with that air of cheerfulness, which she used to display in the days of her greatest prosperity.<sup>54</sup> The arrival of Campeggio had added to the popularity of her cause: and though Wolsey had taken every precaution to prevent disturbance, he could not silence the common voice of the people, who publicly declared, that, let the king marry whom he pleased, the husband of the princess Mary should be his successor on the throne.<sup>55</sup>

A fortnight elapsed before the legate was sufficiently recovered to leave his house. By the king he was most graciously received: but the caution of the Italian proved a match for all the arts both of Henry and Wolsey. Though the minister harassed him with daily conferences, and the king honoured him with repeated visits; though his constancy was tempted by flattery and promises: though his son received the honour of knighthood, and to himself an offer

His caution.

Oct. 22.

<sup>54</sup> Ne à les voir ensemble se scauroit on de riens appercevoir: et jusqu'à cette heure n'ont que ung liect, et une table. L'évêque de Bayonne, p. 170. Oct. 16, 1528. I notice this passage, because our modern historians tell us, that for some years the delicacy of Henry's conscience had compelled him to abstain from Catharine's bed.

<sup>55</sup> Disent que quoiqu'on facze, qui epousera la princesse, sera apres roy d'Angleterre. Id. p. 201.

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was made of the rich bishopric of Durham; he kept his real sentiments an impenetrable secret, and never suffered himself to be betrayed into an unguarded expression. To the reasons and the solicitations of the cardinal, he invariably returned the same answer; that it was his wish and his duty to render the king every service consistent with the dictates of his conscience. To give a favourable bias to his judgement, it was thought advisable to lay before him the opinions of canonists and divines: and these, as few among the natives approved of the royal cause, were chiefly sought among foreigners. For this purpose the bishop of Bayonne gave his own opinion in writing; and the most urgent solicitations were made to the French court to procure others with caution and secrecy.<sup>56</sup> Campeggio, after he had been introduced to Henry, waited on the queen, first in private, and then in the company of Wolsey, and four other prelates. He exhorted her in the name of the pontiff to enter a convent; and then explained to her the objections against the validity of her marriage. Catharine replied with modesty and firmness: that it was not for herself that she

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<sup>56</sup> L'évêque de Bayonne, p. 205. He thus describes his own opinion. Je tiens qu'encores que le Pape, et tous les cardinaulx eussent, et par le passé et par le present approuvé le mariage, qu'ils n'ont peu ne pourroyent faire, estant prouvé, comme l'on dit qu'il est, que le feu roy (prince) et elle ont couché ensemble; car dieu en a piezza luy-mesmes donné sa sentence, p. 196.

was concerned, but for one whose interests were more dear to her than her own: that the presumptive heir to the crown was her daughter Mary, whose right should never be prejudiced by the voluntary act of her mother: that she thought it strange to be thus interrogated without previous notice on so delicate and important a subject: that she was a weak, illiterate woman, a stranger without friends or advisers, while her opponents were men learned in the law, and anxious to deserve the favour of their sovereign: and that she therefore demanded as a right the aid of counsel of her own choice, selected from the subjects of her nephew.<sup>57</sup> This request was partially granted: and, in addition to certain English prelates and canonists, she was permitted to choose two foreign advocates, provided they were natives of Flanders and not of Spain.<sup>58</sup>

A few days later the king undertook to silence the murmurs of the people; and summoned to his residence in the Bridewell, the members of

King's  
speech.

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<sup>57</sup> Her speech in Hall, who says he copied it from the report made by the secretary of Campeggio (Hall, 180), is in several particulars different from that given by the bishop of Bayonne (p. 190), and by Cavendish (p. 432). The reproaches, with which, according to him, she loaded Wolsey, could hardly merit the praise given by the legate, *modeste eam locutam fuisse*. Burnet, i. Records, ii. No. xvii. p. 44.

<sup>58</sup> Burnet, *ibid.* L'évêque de Bayonne, 195. The counsel from Flanders came to England, but left it again before the trial began. *Ibid.* 260.

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III.

Nov. 8.

the council, the lords of his court, and the mayor, aldermen and principal citizens. Before them he enumerated the several injuries, which he had received from the emperor, and the motives which induced him to seek the alliance of the king of France. Then taking to himself credit for delicacy of conscience, he described the scruples which had long tormented his mind, on account of his marriage with the widow of his deceased brother. These he had at first endeavoured to suppress: but they were revived and confirmed by the alarming declaration of the bishop of Tarbes, in the presence of his council. To tranquillize his mind he had recourse to the only legitimate remedy. He consulted the pontiff, who had appointed two delegates to hear the cause; and by their judgment he was determined to abide. He would therefore warn his subjects to be cautious how they ventured to arraign his conduct. The proudest among them should learn that he was their sovereign, and should answer with their heads for the presumption of their tongues.—Yet with all this parade of conscious superiority, he did not refuse the aid of precaution. A rigorous search was made for arms: and all strangers, with the exception of ten merchants from each nation, were ordered to leave the city.<sup>59</sup>

<sup>59</sup> Qu'il n'y auroit si belle teste, qu'il n'en feist voller. Id. 218. Hall has given us from memory a different version of this speech, p. 180. The natives of Flanders alone amounted to 15,000 men. Bayonne, 232.

It was now expected that the legates would proceed to the trial: but delays were sought and created, not by the pontiff, but by the king himself. Campeggio had read the decretal bull to him and his minister, who saw that, if they could once procure its publication, they were assured of success. But Campeggio adhered to the letter of his instructions: and the English agents were ordered to extort from the pontiff a permission, that it might be exhibited at least to the members of the privy council. Clement, however, was inexorable: he insisted on the faithful performance of the conditions on which it had been granted: and condemned his own weakness in listening to the prayer of a minister, who for his personal interest scrupled not to endanger the reputation of his benefactor, and who had hitherto neglected to perform any one of the promises to which he had bound himself.<sup>60</sup>

Though from the moment of his liberation the pope had observed the most rigid neutrality towards the powers at war, he anxiously sought to recover the cities and fortresses which had been dismembered from the states of the church during his captivity, and which still remained in the possession of the emperor, the duke of

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III.

New demands of  
Wolsey.

Nov. 2.

Expedients suggested.

<sup>60</sup> Burnet, i. Records, ii. No. xvi, xvii. "Which decretal," says the king, "by his commandment, after and because he would not have the effect thereof to ensue, was, after the sight thereof, embodied by the foresaid cardinals." Burnet, iii. Rec. 60.

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Ferrara, and the republic of Venice. Wolsey, to secure his favour, and engaged to procure from the latter the restoration of the strong city of Ravenna, and of Cervia, valuable for the revenue derived from its salt works : but all his exertions were paralyzed by the indolence of the king of France, who, occupied with his mistresses and his pleasures, thought little of promoting Henry's divorce, and still less of acquiring the friendship of Clement. Lautrec, the French general, had driven the imperialists under the walls of Naples, and confidently anticipated the fall of that capital : but neither money nor reinforcements were supplied by his sovereign ; a contagious disease insinuated itself into the camp ; the commander-in-chief, the English commissary, and the major part of the soldiers perished ; and the cause of Charles once more obtained the ascendancy. At this favourable moment, when Italy was prostrate at his feet, the emperor resolved to display his generosity : and the cardinal Santa Croce was ordered to restore without conditions Civita Vecchia and all the other fortresses to the pontiff, but at the same time to watch the proceedings in the papal court, and to oppose every measure hostile to the interests of Catharine. Henry was alarmed at the intelligence ; he suspected the existence of a secret understanding between Charles and Clement : complained in bitter terms of the supineness and ingratitude of Francis ; and



dispatched Brian and Vannes, two new agents, to Rome.<sup>61</sup> They were ordered to withdraw the pontiff from his connexion with the emperor; to offer him a body guard of two thousand men to be paid by the kings of England and France; and to suggest that he should proclaim of his own authority an armistice among all christian princes, and summon them to meet in the city of Avignon, where they might settle their differences under the mediation of their common father. But in addition to this visionary project they had received instructions to retain the ablest canonists in Rome as council for the king; and to require with due secrecy, their opinions on the three following questions: 1<sup>o</sup>. whether, if a wife were to make a vow of chastity and enter a convent, the pope could not, of the plenitude of his power, authorize the husband to marry again: 2<sup>o</sup>. whether, if the husband were to enter into a religious order, that he might induce his wife to do the same, he might not be afterwards released from his vow, and at liberty to marry: 3<sup>o</sup>. and whether, for reasons of state, the pope could not licence a prince to have, like the ancient patriarchs, two wives, of whom one only should be publicly acknowledged and enjoy the honours of royalty.<sup>62</sup>

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III.  
Nov. 27.

<sup>61</sup> Muratori, xiv. 249. Le Grand, iii. 179. 182. 241. 245. Lettere di Principi, tom. ii. Jacopo Salviati al Nunsio di Spagna, Feb. 1529. Il papa a Cesare, sotto i 7 di Maggio, 1529.

<sup>62</sup> Apud Collier, ii. 29, 30.

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## III.

Constancy  
of Cle-  
ment.

1529.  
Feb. 6.

Repeated mortifications had now announced to the minister the precarious tenure by which he held the royal favour, when his ambition and his hopes were revived by the unexpected intelligence that the pontiff was dying, probably was dead. The kings of England and France immediately united their efforts to place him in the chair of St. Peter; and their respective ambassadors were commanded to employ all their influence and authority to procure in his favour the requisite number of votes.<sup>63</sup> But Clement defeated their expectations. He rose, as it were, by miracle, from the grave, then relapsed into his former weakness, and ultimately recovered. It would fatigue the reader to describe the fluctuating conduct of the English cabinet during this period, or the new, the extraordinary, and often contradictory expedients of the English agents. They sometimes cajoled, sometimes threatened the pontiff: they forced their way to his sick bed, and exaggerated the danger to his soul, should he die without doing justice to Henry: they accused him of ingratitude to his best friend, and of indifference to the prosperity of the church. To all their remonstrances he returned the same answer, that he could not refuse to Catharine what the ordinary forms of justice required: that he was devoted to the

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<sup>63</sup> Burnet, Records, ii. No. xx. Fox, Acts and Mon. ii. 202.—205. Le Grand, iii. 296—305.

king, and eager to gratify him in any manner conformably with honour and equity : but that they ought not to require from him what was evidently unjust, or they would find that, when his conscience was concerned, he was equally insensible to considerations of interest or of danger. By degrees they lowered their demands from the expediting of a decretal bull, to the revocation of the cause to Rome, with a promise that it should be terminated in favour of Henry ; then to the grant of another commission with more ample powers ; and lastly, to a new chirograph of pollicitation, which should not be weakened by any conditional clauses. The three first were refused : the pollicitation was granted.<sup>64</sup>

In these fruitless negotiations no fewer than seven months had been consumed since the arrival of Campeggio. But in proportion as the prospect of success grew fainter, the passion of Henry was seen to increase. Within two months after the removal of his mistress from court, he dismissed Catharine to Greenwich, and required Anne Boleyn to return. But she affected to resent the manner in which she had been treated :

Anne  
Boleyn  
rules  
at court.

<sup>64</sup> Burnet, i. Records, ii. No. xix. xxii. xxiii. xxv. xxvii. The first promise contained a condition that the legates should judge according to the tenor of their commission. A second was obtained, but it was equally objectionable. Gardiner was therefore ordered to say that it had been damaged and rendered illegible in passing the sea : on which account he was to solicit a renewal of it, and to procure the insertion of "as many of the new and other pregnant, fat and available" words as was possible." Ibid. p. 65.

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his letter and invitation were received with contempt : and if she at length yielded, it was not to the command of the king, but to the tears and entreaties of her father. To sooth her pride, Henry gave her a princely establishment ; allotted her apartments richly furnished, and contiguous to his own ; and exacted of his courtiers that they should attend her daily levees, in the same manner in which they had attended those of the queen.<sup>65</sup> It is plain from the king's letters, that though she had indulged him in liberties which no modest woman would grant, she had not hitherto gratified his passion : but soon after her return to court, it was rumoured that she occupied the place of the queen in private as well as public, in bed no less than at table : and it was believed that the hope or the fear of her pregnancy, would compel Henry to cut short all delay, and to proceed immediately with his suit.<sup>66</sup> At the same time it was understood that the mother of the king of France had agreed to meet at Cambray the archdutchess Margaret, for the purpose of signing the peace,

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<sup>65</sup> Mademoiselle de Boulan à la fin y est venue, et l'a le roy logée en fort beau logis, qu'il a faict bien accoustrer tout auprès du sien, et luy est la cour faicte ordinairement tous les jours plus grosse que de long tems elle ne fut faicte a la royne. L'évêque de Bayonne, p. 231. Dec. 9.

<sup>66</sup> Je me doubte fort que depuis quelque temps ce roi ait approché bien près de Mademoiselle Anne : pour ce ne vous esbahissez pas, si l'on voudroit expedition ; car, si le ventre croist, tout sera gasté. kl. p. 325. June 15.

the preliminaries of which had already been concluded in secret by the courts of Paris and Madrid. The intelligence dismayed and irritated Henry. He inveighed against the bad faith of his "good brother and perpetual ally," and apprehended from the reconciliation of the two powers new obstacles to his divorce; while Anne Boleyn and the lords of the council laid the whole blame on the cardinal, who, they maintained, had deceived his sovereign, and sacrificed the real interests of England to his partiality to the French alliance. Gardiner was hastily recalled from Rome to be the leading counsel for the king; a licence under the broad seal was issued, empowering the legates to execute their commission: and, when Wolsey solicited the appointment of ambassador at the congress of Cambray, he was told to remain at home, and aid his colleague in the discharge of his judicial functions. On the part of the English cardinal there was no want of industry and expedition: but Campeggio obstinately adhered to established forms; and neither the wishes of the king nor the entreaties of Wolsey, nor the exhortations of Francis, could accelerate his progress.<sup>67</sup>

May 30.

The court met in the parliament chamber at

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<sup>67</sup> See the letters of the bishop of Bayonne from May 20 to June 31, in *Le Grand*, iii. 313—356. Wolsey, in his distress, solicited the king of France to write to Campeggio, and urge the expedition of the cause.

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III.

The le-  
gates hear  
the cause.  
May 31.

June 21.

the Blackfriars, and summoned the king and queen to appear on the eighteenth of June. The latter obeyed, but protested against the judges, and appealed to the pope. At the next session Henry sat in state on the right of the cardinals, and answered in due form to his name. Catharine was on their left: and as soon as she was called, rising from her chair, renewed her protest on three grounds: because she was a stranger; because the judges held benefices in the realm, the gift of her adversary; and because she had good reason to believe that justice could not be obtained in a court constituted like the present. On the refusal of the cardinals to admit her appeal, she rose a second time, crossed before them, and accompanied by her maids, threw herself at the king's feet. "Sir," said she, "I beseech you to pity me, a woman and a stranger, without an assured friend, and without an indifferent counsellor. I take God to witness, that I have always been to you a true and loyal wife: that I have made it my constant duty to seek your pleasure: that I have loved all whom you loved, whether I had reason or not, whether they were friends to me or foes. I have been your wife for years: I have brought you many children. God knows that, when I came to your bed, I was a virgin; and I put it to your own conscience to say, whether it was not so. If there be any offence which can be alleged

“ against me, I consent to depart with infamy :  
 “ if not, then I pray you, do me justice.” She  
 immediately rose, made a low obeisance, and  
 retired. An officer followed to recal her. She  
 whispered to an attendant, and then walked  
 away, saying, “ I never before disputed the will  
 “ of my husband, and shall take the first oppor-  
 “ tunity to ask pardon for this disobedience.”<sup>68</sup>

Henry observed the impression which her address had made on the audience, replied that she had always been a dutiful wife : that his present suit did not proceed from any dislike of her, but from the tenderness of his own conscience : that his scruples had not been suggested, but on the contrary discouraged, by the cardinal of York : that they were confirmed by the bishop of Tarbes : that he had consulted his confessor, and several other bishops, who advised him to apply to the pontiff : and that in consequence the present court had been appointed, in the decision of which, be it what it might, he should cheerfully acquiesce.<sup>69</sup>

<sup>68</sup> Cavend. 423, 424. Sanders, 39, 40.

<sup>69</sup> Cavend. 425—428. These speeches are treated by Burnet as fictions. He supposes that the queen did not attend on the 21st, because according to the register of the trial, the legates on that day ordered her to be served with a peremptory citation to appear : and adds, that Henry never appeared in the court at all. (Burnet, iii. 46.) He had however forgotten a letter published by himself in his first volume from the king to his agents, in which Henry says, “ on that day we and the queen appeared in person”—and adds, “ after her departure she was thrice preconisate, and called oftsoons to return, and on her r first a cit tion was decerned for her appear-

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Notwithstanding the queen's appeal the cause proceeded, and on her refusal to appear in person or by her attorney, she was pronounced contumacious. Several sittings were held, but the evidence and the arguments were all on the same side. The king's counsel laboured to prove three allegations: 1<sup>o</sup>. that the marriage between Arthur and Catharine had been consummated; whence they inferred that her subsequent marriage with Henry was contrary to the divine law: 2<sup>o</sup>. that supposing the case admitted of dispensation, yet the bull of Julius II. had been obtained under false pretences; and 3<sup>o</sup>. that the breve of dispensation produced by the queen, which remedied the defects of the bull, was an evident forgery. As Catharine declined the jurisdiction of the court, no answer was returned: but, if the reader impartially weigh the proceedings, which are still upon record, he will admit that on the two first points the royal advocates completely failed: and that the third, though appearances were in their favour, was far from being proved.<sup>70</sup> Wolsey had his own reasons to urge his colleague to a speedy decision: but Campeggio, unwilling to pronounce against his conscience, and afraid to irritate the

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"ance on Friday next." Burnet, i. Records, 78. Hence it appears that the narrative of Cavendish is correct: and that the citation was ordered not in consequence of her non-appearance at all, but of her departure after appearing.

<sup>70</sup> See note (C) at the end of the volume.



king, solicited the pope by letter to call the cause before himself. To add to their common perplexity, dispatches had arrived from the agents at Rome, stating that the queen's appeal, with an affidavit of the reasons on which it was grounded, had been received; that the ambassadors of Charles and his brother Ferdinand, daily importuned the pontiff in favour of Catharine; that a treaty of alliance between the emperor and Clement had rendered the latter less apprehensive of the royal displeasure; that to prevent an inhibition, they had been compelled to deny that proceedings had commenced in England, an assertion which every one knew to be false; and that Clement, unable to refuse to an emperor what he could not in justice refuse to a private individual, would in a few days revoke the commission, and reserve the cognizance of the cause to himself.

The legates had been careful to prolong the trial, by repeated adjournments, till they reached that term, when the summer vacation commenced, according to the practice of the Rota. On the twenty-third of July they held the last session: the king attended in a neighbouring room, from which he could see and hear the proceedings: and his counsel in lofty terms called for the judgment of the court. But Campeggio replied: that judgment must be deferred till the whole of the proceedings had been laid before the pontiff: that he had come there to

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They adjourn the court.

July 23.

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do justice, and no consideration should divert him from his duty. He was too old, and weak, and sickly to seek the favour, or fear the resentment, of any man. The defendant had challenged him and his colleague as judges, because they were the subjects of her opponent. To avoid error, they had therefore determined to consult the apostolic see, and for that purpose adjourned the court to the commencement of the next term, in the beginning of October. At these words, the duke of Suffolk, as had been preconcerted, striking the table, exclaimed with vehemence, that the old saw was now verified; “Never did cardinal bring good to England!” Though Wolsey was aware of the danger, his spirit could not brook this insult. Rising with apparent calmness, he said, “Sir, of all men  
“living you have least reason to dispraise cardi-  
“nals: for if I, a poor cardinal, had not been,  
“you would not at this present have had a head  
“upon your shoulders, wherewith to make such  
“a brag in disrepute of us, who have meant  
“you no harm, and have given you no cause of  
“offence. If you, my lord, were the king’s  
“ambassador in foreign parts, would you ven-  
“ture to decide on important matters without  
“first consulting your sovereign? We are also  
“commissioners, and cannot proceed to judg-  
“ment without the knowledge of him, from  
“whom our authority proceeds. Therefore do  
“we neither more nor less than our commission

“alloweth : and if any man will be offended  
 “with us, he is an unwise man. Pacify your-  
 “self then, my lord, and speak not reproach-  
 “fully of your best friend. You know what  
 “friendship I have shewn you : but this is the  
 “first time I ever revealed it either to my own  
 “praise or your dishonour.” The court was  
 “now dissolved, and in less than a fortnight it  
 “was known that Clement had revoked the  
 “commission of the legates on the fifteenth of  
 “the same month.<sup>79</sup>

Henry seemed to bear the disappointment with a composure of mind, which was unusual to him. But he had been prepared for the event by the conduct of the legates, and the dispatches of his envoys ; and the intelligence of the revocation was accompanied with a soothing and exculpatory letter from the pontiff. By the advice of Wolsey he resolved to conceal his real feelings ; to procure the opinions of learned men in his favour ; to effect the divorce by ecclesiastical authority within the realm ; and then to confirm it by act of parliament. The bishop of Bayonne, who had unequivocally pronounced his opinion in its favour, was desired both by

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<sup>79</sup> Cavendish, 434. Herbert, 278. The altercation between the duke and the cardinal has been rejected by some writers, because the presence of Suffolk is not mentioned in the register. But he may be included among “the duke of Norfolk, the bishop of Ely and “others:” and it is improbable that a writer, who was present, should have invented or confirmed the account, if it had been false.

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III.

the king and the cardinal, to return to France under the pretext of visiting his father, and to solicit the approbation of the French universities.<sup>72</sup>

Attempts  
to ruin  
Wolsey.

Campeggio was now dismissed with valuable presents, and thanks for his services;<sup>73</sup> but his colleague was destined to console with his sufferings the disappointment of Henry and Anne. The symptoms of his approaching disgrace were too many and too evident to escape his notice: still he cherished the hope that some luckily chance might enable him to recover the royal favour; and imprudently trusted the hollow professions of men, who though they had served him faithfully in prosperity, were ready to betray his confidence in his declining fortune.<sup>74</sup> But most he had reason to fear the arts of the woman, who the last year so solemnly assured him, that her gratitude should be commensurate with her life. It was not long since Anne had measured her influence with his, and had proved

Sept. 15.

<sup>72</sup> Lettres de l'évêque de Bayonne, 339. 242. 355.

<sup>73</sup> At Dover, however, a body of armed men burst into his room and searched his trunks, under the pretence that he was conveying away the treasure of Wolsey. L'évêque de Bayonne, 369. Some have supposed that their real object was to find the decretal bull, others that they were in search of Henry's letters to Anne Boleyn. These, however, had been sent beforehand by his son Ridolfo, and are still preserved in the Vatican library. Herb. 287. Fiddes, 468. Cavendish, 445.

<sup>74</sup> Je voy qu'il a fiance en aucuns faits de sa main, lesquels je suis seur luy ont tourné la robe. Le pis est, qu'il ne l'entend pas. L'évêque de Bayonne, 356.

victorious. For some offence Wolsey had driven sir Thomas Cheney from court. Cheney appealed to the king's mistress : and Henry reprimanded the cardinal, and recalled the exile.<sup>75</sup> Now she openly avowed her hostility, and eagerly seconded the dukes of Norfolk and Suffolk, and her father the viscount Rochford, in their united attempts to precipitate the downfall of the minister. They insinuated that he had never been in earnest in the prosecution of the divorce ; and had uniformly sacrificed the interests of his sovereign to those of the king of France. In proof of the first charge they instanced his request to attend the congress at Cambray, instead of opening the commission : in proof of the second they alleged that during the war with France he had constantly corresponded with the lady regent, had accepted presents from her, and at her request had compelled the duke of Suffolk to retreat from Mondidier, when he might have advanced and taken the city of Paris.<sup>76</sup> The willingness with which the king listened to these suggestions, assured them of success ; and over their cups they not only ventured to predict the ruin of Wolsey, but threatened to humble the pride of the churchmen, and to ease them of that load of

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<sup>75</sup> L'évêque de Bayonne, 291.

<sup>76</sup> Id. 372. 374. The charge of the presents seems to have been founded. Quant ausdits presens le cardinal espere que madame ne luy nuira pas, ou il en sera parlé : de toutes aultres choses il se recommande en sa bonne grace. Ibid.

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wealth which encumbered the successors of the apostles.<sup>77</sup> It was therefore with surprise and consternation that they witnessed the gracious reception of the cardinal, when he waited on the king at Greenwich or Grafton in Northamptonshire. Henry took him by the hand, conversed with him familiarly in public, granted him a long and private audience in his closet, and when he took leave, requested him to return the following day. His enemies began to tremble for their own safety: they were relieved from their apprehensions by the ascendancy of Anne Boleyn, who the same evening extorted from her lover a promise, that he would never more speak to Wolsey. Henry rode out with her at an early hour the next morning, dined in her company at Harewell park, and did not return home till the cardinal, in consequence of a hint which he had received, was departed for London.<sup>78</sup>

His disgrace.

Oct. 9.

At the commencement of the Michaelmas term Wolsey proceeded in his usual state to the chancery: on the same day the attorney-general filed against him two bills in the court of king's

<sup>77</sup> La fantaisie de ces seigneurs est que, luy mort ou ruiné, ils deffèrent incontinent icy l'estat de l'eglise, et prendront tous leurs biens. .... Ils le crient en pleine table. Je croy qu'ils feront de beaux miracles, p. 374.

<sup>78</sup> We are indebted for this interesting narrative to Cavendish, who was present (438—444). The promise is added from the bishop of Bayonne's letter. Mademoiselle de Boulen a fait promettre à son amy, que il ne l'escouterà jamais parler, p. 375. The letter in Ellis (i. 307,) probably alludes to the same interview.

bench, charging him with having as legate transgressed the statute of the 16th of Richard II., commonly called the statute of *præmunire*. Nothing could be more iniquitous than this prosecution. It was doubtful whether the legatine court could be brought within the operation of the statute: it was certain that the cardinal had previously obtained the royal licence, and was therefore authorized to hold it both by immemorial usage, and the sanction of parliament.<sup>79</sup> This stroke, though it was not unexpected, plunged him into despair.<sup>80</sup> He knew the stern and irritable temper of his prosecutor: to have maintained his innocence would have been to exclude the hope of forgiveness; and there was moreover a “night-crow,” to use his own expression, that possessed the royal ear, and mis-

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<sup>79</sup> See this History, vol. iv. p. 311, 312.

<sup>80</sup> The reader may form an accurate notion of his present situation by the following extract from a letter written by an eye-witness, the bishop of Bayonne. “I have been to visit the cardinal in his distress, and have witnessed the most striking change of fortune. He explained to me his hard case in the worst rhetoric that was ever heard. Both his tongue and his heart failed him. He recommended himself to the pity of the king and madame (Francis and his mother) with sighs and tears: and at last left me without having said any thing near so moving as his appearance. His face is dwindled to one half of its natural size. In truth his misery is such that his enemies, Englishmen as they are, cannot help pitying him. Still they will carry things to extremities. As for his legation, the seals, his authority, &c. he thinks no more of them. He is willing to give up every thing, even the shirt from his back, and to live in a hermitage, if the king would but desist from his displeasure.” Apud Le Grand, iii. 371.

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represented the most harmless of his actions. On these accounts he submitted without a murmur to every demand. He resigned the seals to the dukes of Norfolk and Suffolk; ordered his attorneys to plead guilty to both indictments, with this observation, that as he was not conscious of having offended, he threw himself with the greater confidence on the royal mercy; and, on condition that he might retain his pre-

Oct. 22.

ferments in the church, transferred by deed his whole personal estate (it was valued at 500,000 crowns<sup>81</sup>) to the king, saying that since he had received all from the royal bounty, it was with pleasure that he returned all to his benefactor. It was intimated to him that the king meant to reside at York place during the parliament, and that he might retire to Asher, a seat belonging to his bishopric of Winchester. When he entered his barge, he was surprised to behold the river covered with boats, and lined with spectators. Both the courtiers and the citizens had crowded together to behold his arrest and commitment to the Tower: but he disappointed their curiosity and their hopes; landed at Putney; and, as he ascended the hill, was met by Norris, a groom of the chamber, who brought him a secret but gracious message from Henry; not to despair, but to remember, that the king could at any time give him more than he had

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<sup>81</sup> Apud le Grand, iii. 379.



now taken away. Overpowered with joy and gratitude, the cardinal sunk on his knees, and uttered a fervent prayer for the prosperity of his sovereign.<sup>82</sup>

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It is difficult to account for this conduct of Henry, unless we suppose that he still retained for his old favourite a feeling of partiality, which neither the representations of his council, nor the arts of his mistress could entirely extinguish. He continued to send to the cardinal from time to time consoling messages, and tokens of his affection. When the court pronounced judgment against him, he took him under the royal protection; and when a bill of impeachment, enumerating forty-four real or imaginay offences, and signed by fourteen peers and the law officers of the crown, had been introduced into the house of commons,<sup>83</sup> he procured it to be thrown out by the agency of Cromwell, who from the service of the cardinal had passed to that of the king.<sup>84</sup> The French ambassador,

He receives some favours from Henry.

Dec. 1.

<sup>82</sup> Cavendish, 450.

<sup>83</sup> Fiddes, Collect. p. 172. The contents of this bill, which evidently contains whatever could be said against Wolsey by his bitterest enemies, may be considered as a presumptive proof of his innocence. Burnet unaccountably takes for granted every charge in it, but he should have recollected that it was not only not proved, but actually rejected by the house of commons. Wolsey says of its contents: "whereof a great part be untrue: and those, which be true, " are of such sort, that by the doing thereof no malice or untruth, " can be arrected unto me, neither to the prince's person, nor to the " realm." Ibid. 207.

<sup>84</sup> Cavendish, 463. I ascribe its rejection to the king, from the character of Cromwell, and the general subserviency of the parlia-

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unable to foresee what might be the issue of the struggle, advised his court to render to the fallen minister such good offices, as, without giving cause of offence to the existing administration, might be gratefully remembered by Wolsey, if he should finally triumph over his enemies.<sup>85</sup>

His con-  
duct in  
Yorkshire.

At Asher Wolsey found himself destitute of the comforts, almost of the necessaries of life. The comparison of his present with his past condition filled him with the most gloomy apprehensions: and the anguish of his mind rapidly consumed the vigour of his constitution. About Christmas he fell into a fever, which obstinately defied the powers of medicine. When Henry heard of his danger, he exclaimed; “God forbid that he should die. I would not lose him for twenty thousand pounds.” He immediately ordered three physicians to hasten to Asher; repeatedly assured the cardinal of his unabated attachment; and, no longer concealing his anxiety from Anne Boleyn, compelled her to send to the sick man a tablet of gold, for a token of reconciliation.<sup>86</sup>

As the agitation of Wolsey’s mind subsided, the health of his body was restored: but his enemies had prepared for him a new conflict, and required of him additional sacrifices. The promises which had been made to him, were dis-

ments in this reign. Cromwell would not have dared to oppose the bill, nor the commons to reject it, had they not received an intimation that such was the royal pleasure.

<sup>85</sup> L’évêque de Bayonne, p. 380.

<sup>86</sup> Cavendish, 471.

regarded: and he was called upon to resign all his ecclesiastical preferments, excepting the bishoprics of York and Winchester. Out of the former the king annexed York place, the town residence of the archbishops, to the crown for ever: the income of the latter, with the reservation of one thousand crowns to the cardinal, was shared among the duke of Norfolk, the viscount Rochford, and the friends of the ruling party:<sup>87</sup> and in return Wolsey himself received a general pardon, and a release from all debts due to the crown for his maintenance since the day of his conviction.<sup>88</sup>

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1530.  
Feb. 7.

Feb. 17.

When he had assented to every demand, he was allowed to exchange Asher for Richmond, where he spent most of his time with the monks of the Charter house. Still his vicinity to the court alarmed the jealousy of his enemies: and a peremptory order to reside within his archbishopric, drove him, notwithstanding his entreaties and remonstrances, to a distance of two hundred miles. Henry, to soften the rigour of

<sup>87</sup> These were the lord Sandis and his son Thomas, sir William Fitzwilliam, sir Henry Guildford, sir John Russel and Mr. Norris. Their pensions ought to have ceased at the death of the cardinal, who had only a life interest in the bishopric: but they were then settled on them for life by act of parliament. Rolls, clxxxviii. St. 22 Hen. VIII. 22.

<sup>88</sup> Henry had supplied him with money to pay part of his debts, and with a quantity of plate, furniture and provisions, valued at 6374*l.* 3*s.* 7½*d.* Rym. xiv. 365—376. In the *Archæologia*, xviii. 57. may be seen a letter from the cardinal to Gardiner, soliciting his aid in expediting the pardon.

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his exile, had recommended him in the warmest terms to the attention of the northern nobility: and Wolsey by his conduct and generosity quickly won their esteem. His thoughts seemed entirely devoted to the spiritual and temporal concerns of his station. On every Sunday and holiday he rode to some country church, celebrated mass in public, ordered one of his chaplains to preach to the people, and at the conclusion distributed alms to the poor. He made it his favourite employment to reconcile families at variance: a tedious and expensive office, as he frequently satisfied the injured or discontented party out of his own purse. Every gentleman in the county was welcome to his table, which was plentifully though not extravagantly supplied: and, in repairing the houses and buildings belonging to his see, he gave employment to three hundred workmen. The more he was known, the more he was beloved: the men, to whom in prosperity he had been an object of hatred, applauded his conduct under adversity: and even at court his name was occasionally whispered with feelings of approbation. But the fear of offending Anne imposed silence on his friends: and his enemies were careful to paint all his actions to the king in false and odious colours.<sup>89</sup>

The cardinal had invited the nobility of the

<sup>89</sup> These particulars appear from the extracts of Cromwell's letters to Wolsey at this period, in Fiddes, Collect. p. 208, 209.

county to assist at his installation on the 7th of November; on the 4th he was unexpectedly arrested at Cawood on a charge of high treason. What was the particular crime alleged against him, we know not: but the king asserted that his very servants had accused him of practising against the government both within and without the realm: and it is probable that the suspicion of Henry was awakened by the correspondence of the cardinal with the pope and the king of France.<sup>90</sup> Wolsey betrayed no symptoms of guilt: the king had not, he maintained, a more loyal subject than himself: nor did he seek any other favour than to be confronted with his accusers.

His health (he suffered much from the dropsy,) would not allow him to travel with expedition: and at Sheffield park, a seat of the earl of Shrewsbury, he was seized with a dysentery which confined him a fortnight. As soon as he was able to mount his mule, he resumed his journey: but feeling his strength rapidly decline, he said to the abbot of Leicester, as he entered the gate of the monastery, "Father abbot, I am  
"come to lay my bones among you." He was immediately carried to his bed: and the second

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He is arrested for treason.  
Nov. 4.

Nov. 10.

Nov. 26.

His death.

<sup>90</sup>, Mi disse el re, che contro de S. M. el machinava nel regno e fuori, e m'a detto dove et come, e che un' e forsi piu dun' de suoi servitori l'hanno e scoperto ed accusato. Joacchino apud le Grand, iii. 529. Nov. 10. The king took great pains to convince Joacchino that *he* was not suspected of being an accomplice: the dukes of Norfolk and Suffolk even swore that he was not. Hence I think it probable that the cardinal's letters passed through his hands.

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day seeing Kyngston, the lieutenant of the Tower, in his chamber, he addressed him in these well-known words: "Master Kyngston, " I pray you have me commended to his majesty: " and beseech him on my behalf to call to mind " all things that have passed between us, espe- " cially respecting good queen Catharine and " himself: and then shall his grace's conscience " know whether I have offended him or not. He " is a prince of most royal courage: rather than " miss any part of his will, he will endanger one " half of his kingdom: and I do assure you, I " have often kneeled before him, sometimes for " three hours together to persuade him from his " appetite, and could not prevail. And, master " Kyngston, had I but served God as diligently " as I have served the king, he would not have " given me over in my grey hairs. But this is " my just reward for my pains and study, not " regarding my service to God, but only my " duty to my prince."<sup>91</sup> Having received the last consolations of religion, he expired the next morning in the sixtieth year of his age. The best eulogy on his character is to be found in the contrast between the conduct of Henry before, and after the cardinal's fall. As long as Wolsey continued in favour, the royal passions were

Nov. 29.

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<sup>91</sup> Cavendish, 513—535. In the printed editions it is asserted that the cardinal poisoned himself, but Mr. Wordsworth has shewn that it was an interpolation. The passage is not in the manuscript copies. Ibid.

confined within certain bounds ; the moment his influence was extinguished, they burst through every restraint, and by their caprice and violence alarmed his subjects, and astonished the other nations of Europe.

The eventful history of this great minister has led us into the autumn of the year succeeding his disgrace : it will be necessary to revert to this period, and to notice the changes occasioned by his removal from the royal councils. The duke of Norfolk became president of the cabinet : the duke of Suffolk, earl marshal, and the viscount Rochford, soon afterwards created earl of Wiltshire, retained their former places. To appoint a successor to Wolsey in the chancery was an object of great importance. If Warham, archbishop of Canterbury, was proposed, he was rejected on the ground of his being a churchman:<sup>92</sup> and the office was at length given to sir Thomas More, the treasurer of the household, and chancellor of the dutchy of Lancaster. Sir William Fitzwilliam succeeded More : and Dr. Stephen Gardiner was made secretary to the king, who believed him to have inherited the abilities of the cardinal,

The new  
cabinet.

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<sup>92</sup> Erasmus (Ep. p. 1347.) says that Warham refused the office. I rather believe the bishop of Bayonne, who, only three days before More accepted it, says that it would not be given to a churchman. On ne scait encore qui aura le sceau. Je croy bien que les prestres n'y toucheront plus, et que à ce parlement ils auront de terribles alarmes. Oct. 22. p. 378.

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and would have raised him perhaps to equal power, could he have been induced to relinquish his profession as a churchman.<sup>93</sup> These six formed the privy council: but, if we may believe the account given by the French ambassador to his court, Anne Boleyn was the real minister, who through her uncle and father ruled in the cabinet, and by the influence of her charms, exercised the most despotic sway over the heart and mind of her lover.<sup>94</sup>

More is  
made  
chancellor.

It may justly excite surprise that More should accept this dangerous office. With a delicate conscience and a strong sense of duty, he was not a fit associate for less timorous colleagues: the difficulties, which in the course of two years compelled him to retire from court, must even now have stared him in the face: and it was still in his power to avoid, but uncertain if he could weather, the storm. As a scholar he was celebrated in every part of Europe, and as a lawyer he had long practised with applause and success. From the office of undersheriff or common serjeant Henry had called him to court, had employed him in different embassies, and had rewarded him with the lucrative preferments which have already been mentioned. The merit

<sup>93</sup> Il sera fort avant au manient des affaires, principalement s'il veult jeter le froc aux horties. Bayonne, p. 378.

<sup>94</sup> Le duc de Norfock est fait chef de ce conseil, et en son absence celui de Souffock, et par dessus tout mademoiselle Anne. Id. p. 377. 380. 384.



of More was universally acknowledged : even Wolsey declared that he knew no one more worthy to be his successor : but there were few instances in which the seals had been intrusted to any but dignified churchmen, none in which they had been given to a simple knight. On this account he was accompanied to the star chamber by a crowd of bishops and noblemen ; and the duke of Norfolk conducted him to his seat, pronounced an eulogium on his talents and virtues, and observed that, if in this instance the king had departed from ancient precedent, he was fully justified by the superior merit of the new chancellor. More in return professed his obligation to the king, and to the duke ; and at the same time paid an eloquent compliment to the abilities of his predecessor, whose example would stimulate him to the faithful discharge of his duty, and whose fall would teach him to moderate his ambition.<sup>95</sup>

For some time a rumour had prevailed that a great stroke was meditated against the wealth or the immunities of the church. When the parliament assembled, three bills respecting mortuaries, the probate of wills, and the plurality of benefices, were passed in the lower house : but in the house of lords the bishops and abbots offered so vigorous an opposition, that the most

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1529.  
Oct. 26.

Attack on  
the im-  
munities  
of the  
clergy.

<sup>95</sup> Rym. xiv. 350. Stapleton, Vit. Mori, 173—177. See More's character in Pole, fol. xc. xci.

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obnoxious clauses were either modified or expunged. Of those which remained, two deserve the notice of the reader, as being the first which in this reign were enacted in opposition to the papal authority. By these every clergyman, who had obtained in the court of Rome or elsewhere a licence of nonresidence on his cure, or a dispensation to hold more benefices than the statute allowed, became liable, in the first case, to a penalty of twenty pounds; in the second, to a penalty of seventy pounds, and the forfeiture of the profits arising from such benefices.<sup>96</sup> At the same time the new administration introduced a bill to release the king from the payment of any loans of money which might have been made to him by his subjects. It passed through the upper house with few observations: in the lower the opposition was obstinate; but a majority had been previously secured by the introduction of members, who held offices either under the king or his ministers. By the nation this iniquitous act was loudly condemned. Six years had elapsed since the loans were made: and in many instances the securities had passed by sale or gift or

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<sup>96</sup> The lower house of convocation complained but in vain of these statutes, because the clergy had neither given their assent to them, nor been asked for their advice (*Ad quæ facienda nec consenserunt per se, nec per procuratores suos, neque super iisdem consulti fuerunt.* Collier, ii. Records, xxviii.) This was certainly the constitutional language of former times: but it was so long since it had been used, that it was disregarded by the king.

request from the hands of the original creditors into those of others. To justify the measure, it was contended in the preamble of the bill, that the prosperity of the nation under the king's paternal care called on his subjects to display their gratitude by cancelling his debts: a pretext which, if true, reflected the highest credit on the administration of Wolsey; if false, ought to have covered his successors with disgrace.<sup>97</sup>

I have already noticed the reconciliation between the courts of Rome and Madrid. It was followed by an interview between Charles and Clement at Bologna, where during four months they both resided under the same roof. To Henry this meeting seemed to present a favourable opportunity of proceeding with the divorce: and, as he had hitherto employed clerical negotiators without success, he now intrusted the charge to a lay nobleman, the father of his mistress. By most men the earl of Wiltshire was deemed an objectionable agent: but Henry justified his choice by the observation, that no one could be more interested in the event of the mission than the man, whose daughter would reap the fruit of it.<sup>98</sup> To the earl, however, were joined three colleagues, Stokesley bishop elect of London, Lee the king's almoner, and Bennet doctor of laws; and these were

Embassy  
to Bo-  
logna.

<sup>97</sup> Rolls, cxliii. Burnet, i. Rec. 82. A similar grant was made by the clergy, Wilk. Con. iii. 717.

<sup>98</sup> A letter of Joacchino apud Le Grand. iii. 408.

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III.

accompanied by a council of divines, among whom was Thomas Cranmer, a clergyman attached to the Boleyn family, and afterwards archbishop of Canterbury.

1530  
Jan. 21.

The ambassadors were furnished with powers to treat of a general confederacy against the Turks : and with instructions to offer the pope a considerable present, to warn him against the ambitious projects and treacherous friendship of Charles, and to exhort him to do justice to a prince, who was the firmest support of the see of Rome.

With his confidants Henry spoke of this as of his last attempt : if it failed, he would withdraw himself from the obedience of Clement as of a pontiff unfit for his station through ignorance, incapable of holding it through simony ; and that he might have no occasion to recur to the papal see in beneficiary matters, he would establish a bishop with patriarchal powers within his own dominions, an example which he had no doubt would be eagerly followed by every sovereign in Europe.<sup>99</sup>

Answer of  
Charles.

Among the many causes of solicitude which preyed on the mind of Clement, the divorce of Henry was one of the most perplexing. He had indulged a hope that, after the revocation of the commission, the cardinal would have pronounced judgment in virtue of his ordinary powers, and

<sup>99</sup> Letters of Joacchino apud Le Grand. iii. p. 409. 418.

the king would have proceeded to a second marriage without asking the papal consent, or interfering with the papal authority.<sup>100</sup> With this view he declined for nine months the cognizance of the cause: but at length unable to resist the personal application of Charles, he signed a breve, forbidding Henry to marry before the publication of his sentence, and enjoining him in the mean while to treat Catharine as his lawful wife.<sup>101</sup>

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III.



March 7.

Within a few days the ambassadors arrived: and their arrival furnished him with a specious reason for suspending the operation of the breve. He received them graciously, and gave them his word, that he would do in favour of Henry, whatever his conscience would permit. But when they were introduced to Charles, that prince did not conceal his feelings at the sight of the father of her, who was the rival of his aunt. “Stop, sir,” said the emperor, “allow your colleagues to speak. You are a party in the cause.” The earl replied with firmness, that he did not stand there as a father defending the interests of his child, but as a minister representing the person of his sovereign; that if Charles would ac-

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<sup>100</sup> A ce qu'il m'en a delaré des fois plus de trois en secret, il seroit content que le dit mariage fust jà faict ou par dispense du legat d'Angleterre ou autrement, mais que ce ne fust par son auctorité, ny aussi diminuant sa puissance. Lettre de l'évêque de Tarbes. A Bologna, 27 Mars. Apud Le Grand, iii. 400.

<sup>101</sup> Le Grand, iii. 446.

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quiesce in the royal wish, Henry would rejoice: if he did not, the imperial disapprobation should never prevent the king of England from demanding and obtaining justice. As the price of his consent the ambassadors offered him the sum of three hundred thousand crowns, the restoration of the marriage portion paid with Catharine, and security for a maintenance suitable to her birth during life. But he replied, that he was not a merchant to sell the honour of his aunt. The cause was now before the proper tribunal. If the pope should decide against her, he would be silent: if in her favour, he would support her cause with all the means which God had placed at his disposal.<sup>102</sup>

Opinions  
of the uni-  
versities.

The new ministers condescended to profit by the advice of the man whom they had supplanted; and sought in conformity with his recommendation, to obtain in favour of the divorce, the opinions of the most learned divines, and most celebrated universities in Europe. Henry pursued the scheme with his characteristic ardour; but, if he was before convinced of the justice of his cause, that conviction must have been shaken by the obstinacy of the opposition which he every where experienced. In England it might have been expected that the influence of the crown would silence the partisans of Catharine: yet even

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<sup>102</sup> These particulars are extracted from letters written from Bologna by the bishop of Tarbes on the 27th and 28th of March. Le Grand, iii. 401. 454.

in England it was found necessary to employ commands, and promises, and threats, sometimes secret intrigue, and sometimes open violence, before a favourable answer could be extorted from either of the universities.<sup>103</sup>

In Italy the king's agents were active and numerous: their success and their failures were perhaps nearly balanced: but the former was emblazoned to catch the eye of the public, while the latter were discreetly concealed. From the pontiff they had procured a breve, exhorting every man to speak his sentiments without fear or favour; and taking their respective stations in the principal cities from Venice to Rome, they distributed according to their discretion, the monies which had been remitted to them from England. They drew an ingenious, but in this case not very intelligible, distinction between a fee and a bribe: and contended that when they rewarded the subscriber for his trouble, they paid him nothing as the price of his subscription. The result of their exertions were the real or pretended answers of the universities of Bologna, Padua, and Ferrara, and the subscriptions of some hundreds of individuals.

In the Germanic states Henry was less successful. Not one public body could be induced to espouse his cause: even the reformed divines, with a few exceptions, loudly condemned the

<sup>103</sup> On the subscriptions of the universities, see note (D).

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III.

divorce; and Luther himself wrote to Barnes the royal agent, that he would rather allow the king to have two wives at the same time, than to separate from Catharine for the purpose of marrying another woman.<sup>104</sup>

And  
France.

It was therefore from France and her fourteen universities that the most valuable aid was expected. The bishop of Bayonne had been for some months employed in soliciting the votes of the leading members of the different faculties; and Henry had written to the king to employ the royal authority in his favour. But Francis artfully pretended that he dared not risk the offence of Charles, as long as his two sons were detained prisoners in Spain: nor could they be liberated according to the treaty, till he had paid two millions of crowns to the emperor, five hundred thousand to the king of England, and had redeemed, in favour of Charles, the lily of diamonds, which Philip of Burgundy had formerly pawned to Henry VII. for the sum of fifty thousand crowns. The impatience of the king

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<sup>104</sup> Antequam tale repudium probarem, potius regi permetterem alteram reginam quoque ducere, et exemplo patrum et regum duas simul uxores seu reginas habere. Lutheri Epist. Halæ, 1717, p. 290. Melancthon was of the same opinion (Epist. ad Camerar. 90). Henry had ordered inquiries to be made at Rome on this very subject: and if we may believe Gregorio Cassali, the imperialists had suggested the expedient to Clement, who communicated it to that minister. Herbert, 330. But Cassali was already suspected of being bought by the imperialists; and it does not appear that any notice was taken of the communication.



swallowed the bait: he was content to make every sacrifice, that he might obtain the subscriptions which he sought: he forgave the debt, made a present of the pledge, and added to it a loan of four hundred thousand crowns.<sup>105</sup>

Still the business languished till the earl of Wiltshire was returned from Bologna. The university of Paris had long possessed the first place among the learned societies of Europe: and it was deemed of the greatest importance to obtain from it a favourable decision. Henry wrote to the dean with his own hand: Francis commanded the faculty of divinity to deliberate on the subject: Montmorency, his prime minister, canvassed for votes from house to house: and every absent member in the interest of the court was summoned to Paris. Yet the majority was decidedly hostile to the pretensions of the king of England. From the beginning of June to the middle of August they continued to meet and adjourn: and in one instance only, on the second of July, was a plurality of voices obtained, by dexterous management, in favour of Henry. By the order of the court the bishop of Senlis carried away the register, that the entry might not be effaced or rescinded in any subsequent meeting; and an attested copy was forwarded to England, and published by the king as the

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<sup>105</sup> Rym. xiv. 328. 358. 360—364. 378—384. Le Grand, iii. 428—446.

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III.

real decision of the university of Paris. From Orleans and Toulouse, from the theologians of Bourges, and the civilians of Angers, similar opinions were received : but the theologians of the last city pronounced in favour of the existing marriage.<sup>106</sup> The other universities were not consulted, or their answers were suppressed.

Letter to  
Clement.

It had been originally intended to lay before the pontiff this mass of opinions and subscriptions, as the united voice of the christian world pronouncing in favour of the divorce.<sup>107</sup> But Clement knew (and Henry was aware that he knew) the arts by which they had been purchased or extorted :<sup>108</sup> and both were sensible, that, independently of other considerations, they did not reach the real merits of the question : for all of them were founded on the supposition that the marriage between Arthur and Catharine had actually been consummated, a disputed point which the king was unable to prove, and which the queen most solemnly denied. In the place of these opinions it was deemed more prudent to substitute a letter to the pope, subscribed by the lords spiritual and temporal, and by a certain number of commoners, in the name of the whole nation. This instrument complains in forcible terms of Clement's partiality and ter-

July 30.

<sup>106</sup> Apud Le Grand, iii. 507.

<sup>107</sup> Dispatch of Joacchino, Feb. 15. p. 443.

<sup>108</sup> Nullo non astu et prece et pretio. Epis. Clementis apud Raynald. p. 647.

giversation. What crime had the king of England committed that he could not obtain what the most learned men, and the most celebrated universities, declared to be his right? The kingdom was threatened with the calamities of a disputed succession, which could be avoided only by a lawful marriage; and yet the celebration of that marriage was prevented by the affected delays and unjust partiality of the pontiff. Nothing remained, but to apply the remedy without his interference. It might be an evil: but it would prove a less evil, than the precarious and perilous situation in which England was now placed.<sup>109</sup>

To this uncourteous and menacing remonstrance, Clement replied with temper and firmness: that the charge of partiality would have come with more truth and a better grace from the opposite party: that he had pushed his indulgence for the king beyond the bounds of law and equity, and had refused to act on the queen's appeal, till the whole college of cardinals unanimously charged him with injustice: that, if he had not since proceeded with his cause, it was because Henry had appointed no attorney to plead for him, and because his ambassadors at Bologna had asked for additional time: that the opinions which they mentioned, had never been officially communicated to the holy see, nor did he know of any, which were fortified with rea-

His answer.  
Sept. 27.

<sup>109</sup> Herbert, 331.

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sons and authorities to inform his judgment: that if England were really threatened with a disputed succession, the danger would not be removed, but augmented, by proceedings contrary to right and justice: that if lawless remedies were employed, those with whom they originated must answer for the result: that, in short, he was ready to proceed with the cause immediately, and to shew to the king every indulgence and favour compatible with justice: one thing only he begged in return, that they would not require of him, through gratitude to man, to violate the immutable commandments of God.<sup>110</sup>

The king  
wavers.

Shortly after the receipt of this answer, the king was informed by his agents, that the impe-

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<sup>110</sup> Herbert, 335. With the remonstrance Henry sent a letter from himself, complaining of the treatment which he had received. He mentions the commission, the promise not to revoke it, the decretal bull which was burnt, and then adds, "if your holiness did grant us "all these thing justly, ye did unjustly revoke them: if there were "no deceit or fraud in the revocation, then how wrongfully and "subtly have been done all those things that have been done." (Burnet, i. Rec. 42. The date should have Aug. 1530.) We are not acquainted with Clement's answer. With respect to the bull, he could only acknowledge his own weakness in suffering it to be extorted from him by the entreaties of Wolsey and the agents. But to the other part of the complaint, when it was urged by Bonner, he replied: that "if the queen had not given an oath quod non sperabat "consequi justitiæ complementum in partibus, he would not have "advoked the matter at all: but seeing she gave that oath, and "refused the judges as suspect, appealing also to his court, he "said he might and ought to hear her, his promise made to your "highness, which was qualified, notwithstanding." Burnet, iii. Rec. 40.

realists were most urgent in their solicitations, and that Clement, though he interposed every obstacle in his power, would soon be compelled to issue an inhibitory breve, forbidding all archbishops or bishops, courts or tribunals, to give judgment in the matrimonial cause of Henry against Catharine. It was observed that he became more pensive than usual. All his expedients were exhausted: he saw that he could neither remove the opposition of the emperor, nor obtain the consent of the pontiff: and found that after so many attempts, he was involved in greater difficulties than before. He began to waver; and observed to his confidants that he had been grossly deceived: he should never have sought a divorce, had he not been assured that the papal approbation might be easily obtained: that assurance had proved false; and he would now abandon the attempt for ever.<sup>111</sup> These words were soon whispered from one to another; they quickly reached the ear of Anne Boleyn; and dismay was painted on the countenances of the mistress and her advocates, of the ministers and their adherents. Their ruin was confidently foretold: when they were rescued from danger by the boldness and ingenuity of Cromwell.

The subsequent elevation of Cromwell to the

Rise of  
Cromwell.

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<sup>111</sup> Pole had this account from one of those to whom the king had disclosed his sentiments. *Mihi referebat qui audivit. Apolog. ad Carol. V. Cæs. 127.*

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highest honours in the state reflects an interest on the more obscure portion of his private life. His father was a fuller in the neighbourhood of the capital. The son in his early youth served as a trooper in the wars of Italy: from the army he passed to the office of a Venetian merchant; and after some time returning to England, exchanged the counter for the study of the law. Wolsey had employed him to dissolve the monasteries, which had been granted for the establishment of his colleges, a trust which he discharged to the satisfaction of his patron, at the same time that he enriched himself. His principles, however, if we may believe his own assertions, were of the most flagitious description. He had learned from Machiavelli, that vice and virtue were but names, fit indeed to amuse the leisure of the learned in their colleges, but pernicious to the man, who seeks to rise in the courts of princes. The great art of the politician was, in his judgment, to penetrate through the disguise which sovereigns are accustomed to throw over their real inclinations, and to devise the most specious expedients by which they may gratify their appetites without appearing to outrage morality or religion.<sup>112</sup> By acting on these principles he had already earned the hatred of the public: and, when his patron was

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<sup>112</sup> Pole relates that he received these lessons from the mouth of Cromwell himself in Wolsey's palace. Pole, 133—136.

disgraced, was singled out for punishment by the voice of the populace. He followed Wolsey to Asher: but despairing of the fortune of the fallen favourite, hastened to court, purchased with presents the protection of the ministers, and was confirmed in that office under the king, which he had before held under the cardinal, the stewardship of the lands of the dissolved monasteries.<sup>113</sup>

The day after the king's intention had transpired, Cromwell, who, to use his own words, was determined to "make or mar,"<sup>114</sup> solicited and obtained an audience. He felt, he said, his own inability to give advice: but neither affection nor duty would suffer him to be silent, when he beheld the anxiety of his sovereign. It might be presumption in him to judge: but he thought the king's difficulties arose from the timidity of his counsellors, who were led astray by outward appearances, and by the opinions of the vulgar. The learned, and the universities had pronounced in favour of the divorce. Nothing was wanting but the approbation of the pope. That approbation might indeed be useful to check the resentment of the emperor: but, if it could not be obtained, was Henry to forego his right? Let him rather imitate the princes of

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Who confirms the king in his resolution.

<sup>113</sup> Omnium voce, qui aliquid de eo intellexerant, ad supplicium posebatur. Hoc enim affirmare possum, qui Londini tum adfui, et voces audivi. Nec vero populus ullum spectaculum libentius expectabat. Pole, 127.

<sup>114</sup> Cavendish, 453.

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Germany, who had thrown off the yoke of Rome: let him, with the authority of parliament declare himself the head of the church within his own realm. At present England was a monster with two heads. But were the king to take into his own hands the authority now usurped by the pontiff, every anomaly would be rectified: the present difficulties would vanish: and the churchmen, sensible that their lives and fortunes were at his disposal, would become the obsequious ministers of his will. Henry listened with surprise but with pleasure to a discourse, which flattered not only his passion for Anne Boleyn, but his thirst of wealth, and greediness of power. He thanked Cromwell, and ordered him to be sworn of his privy council.<sup>115</sup>

The clergy  
in a præ-  
munire.

It was evident that the adoption of this title would experience considerable opposition from the clergy: but the cunning of Cromwell had already organised a plan, which promised to secure their submission. The reader may have observed in a preceding volume, that when the statutes of præmunire were passed, a power was given to the sovereign to modify or suspend their operation at his discretion; and from that time it had been customary for the king to grant

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<sup>115</sup> Pole, 118—122. This is not a suppositious discourse. He says of it: Hoc possum affirmare nihil in illa oratione positum alicujus momenti, quod non vel ab eodem nuncio (Cromwell himself) eo narrante intellexi, vel ab illis, qui ejus consilii fuerunt participes, p. 123.



letters of licence or protection to particular individuals, who meant to act or had already acted against the letter of the statutes. Hence Wolsey had been careful to obtain a patent under the great seal, authorizing him to exercise the legatine authority: nor did any person during fifteen years presume to accuse him of violating the law. When, however, he was indicted for the offence, he refused to plead the royal permission, and through motives of prudence suffered judgment to pass against him. Now, on the ground of his conviction, it was argued that all the clergy were liable to the same penalty, because, by admitting his jurisdiction, they had become, in the language of the statute, his fautors and abettors: and the attorney general was instructed to file an information against the whole body in the court of king's bench. The convocation hastily assembled; and offered a present of one hundred thousand pounds in return for a full pardon. To their grief and astonishment Henry refused the proposal, unless in the preamble to the grant a clause were introduced, acknowledging the king "to be the protector and only supreme head of the church and clergy of England." Three days were consumed in useless consultation: conferences were held with Cromwell and the royal commissioners: expedients were proposed and rejected: and a positive message was sent by the viscount Rochford, that the king

1531.  
Feb. 7.

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They acknowledge the king as head of the church.

Feb. 11.

March 2.

May 4.

would admit of no other alteration than the addition of the words "under God." What induced him to relent, is unknown: but an amendment was moved with his permission by archbishop Warham, and carried with the unanimous consent of both houses.<sup>116</sup> By this the grant was made in the usual manner: but in the enumeration of the motives on which it was grounded, was inserted within a parenthesis the following clause: "of which church and clergy "we acknowledge his majesty to be the chief "protector, the only and supreme lord, and, *as far as the law of Christ will allow*, the supreme head."<sup>117</sup> The northern convocation adopted the same language, and voted for the same purpose a grant of eighteen thousand eight hundred pounds.<sup>118</sup> It is plain that the introduction of the words, "as far as the law of "Christ will allow," served to invalidate the whole recognition: since those who might reject

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<sup>116</sup> Wilk. Con. iii. 725. The king had also demanded a recognition that it was by his protection that they were enabled *inservire curæ animarum majestati ejus commissæ*. *Idid*. This, however, was evaded by the following amendment, *inservire curæ populi majestati ejus commissi*. *Ibid*. 743.

<sup>117</sup> *Ibid*. 742. Burnet (i. 113.) uses many arguments to show that Reginald Pole most probably concurred in this vote. But Pole himself reminds the king that, though he heard him refuse the grant without the title, he was not present when the convocation consented to give him the title. *Dum hæc statuerentur, non aifui*. fol. xix. lxxxii.

<sup>118</sup> Wilk. Con. iii. 744. In consequence a pardon was granted. St. 22 Hen. VIII 15.

the king's supremacy, could maintain that it was not allowed by the law of Christ. But Henry was yet wavering and irresolute : he sought to intimidate the court of Rome, but had not determined to separate from its communion : it was therefore thought sufficient to have made a beginning : the qualifying clause might be afterwards expunged, whenever the occasion required.<sup>119</sup>

In the mean while the inhibitory brief had been signed by Clement, and published with the usual solemnity in Flanders.<sup>120</sup> That it might make the less impression on the minds of the people, the new chancellor, attended by twelve peers, went to the lower house : the answers of the universities were read : above a hundred papers, said to contain the opinions of theologians and canonists were exhibited : and the members were exhorted, on their return to their homes, to acquaint their neighbours with the justice of the royal cause.<sup>121</sup> After the prerogation several lords were deputed to wait on the queen, and to request that for the quiet of

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III.



Messages  
to Catha-  
rine.  
Jan 5.

March 30.

May 31.

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<sup>119</sup> Tunstall, bishop of Durham, though he had received many favours from Henry, had the courage to protest against it. If the clause meant nothing more than that the king was head in temporals, why, he asked, did it not say so ? If it meant that he was the head in spirituals, it was contrary to the doctrine of the catholic church, and he called on all present to witness his dissent from it, and to order the entry of his protest among the acts of the convocation. Wilk. Con. iii. 745.

<sup>120</sup> Le Grand, iii. 531.

<sup>121</sup> Hall, 196—199.

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the king's conscience, she would refer the matter to the decision of four temporal and four spiritual peers. "God grant him a quiet conscience," she replied, "but this shall be your answer, I am his wife lawfully married to him by order of holy church; and so I will abide until the court of Rome, which was privy to the beginning, shall have made thereof an end." A second deputation was sent with an order for her to leave the palace at Windsor. "Go where I may" she answered, "I shall still be his lawful wife." From that day they never more saw each other. She repaired to the Moor, thence to Easthampstead, and at last fixed her residence at Amptill.<sup>122</sup>

July 14.

York conferred to Reginald Pole.

The bishoprics of York and Winchester, two of the most wealthy preferments in the English church, had remained vacant since the death of Wolsey, through the desire of Henry to bestow one of them on his kinsman, Reginald Pole. That young nobleman was the son of sir Richard Pole, a Welsh knight, and of Margaret countess of Salisbury, the daughter of George, duke of Clarence, who had been put to death by the order of his brother Edward IV. Henry had taken on himself the charge of his education: and Reginald spent five years in the university of Padua, where his birth and manners, his talents and industry, attracted the notice, and

<sup>122</sup> Hall, 200. He. l. 354.

won the esteem of the first scholars in Italy. On his return to England, shunning the favours which his sovereign offered him, he retired to the house lately belonging to dean Colet within the Carthusian monastery at Shene : and at the expiration of two years, that he might avoid the storm which he saw gathering, obtained the royal permission to pursue his theological studies in the university of Paris. But the peace of his asylum was soon invaded by an order from the king to procure, in conjunction with Langet, the brother of the bishop of Bayonne, opinions in favour of the divorce: a charge from the execution of which his conscience recoiled, and which under the pretence of youth and inexperience, he resigned to the address of his colleague. Soon after his recal, he was told by the duke of Norfolk, that the king had marked him out for the first dignities in the English church, but previously expected from him a faithful explanation of his opinion concerning the divorce. Pole frankly owned that he condemned it : but by the advice of the duke requested the respite of a month that he might have leisure to study the question. After many debates with his brothers and kinsmen, and a long struggle with himself, he fancied that he had discovered an expedient, by which, without wounding his conscience, he might satisfy his sovereign. His conversion was announced to Henry, who received him most graciously in the



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gallery at Whitehall: but that moment Pole began to hesitate: he deemed it a crime to dissemble; and in a faltering voice ventured to disclose his real sentiments. The king heard him with looks and gestures of anger, interrupted his discourse with a volley of reproaches, and, turning on his heel, left him in tears. At his departure he was assailed with the remonstrances of lord Montague and his other brothers, who complained that by his obstinacy he had ruined not only himself, but also them. Moved by their complaints he wrote to the king, lamenting his misfortune in dissenting from the opinion of his benefactor, and detailing with modesty the motives of his conduct. It was now thought that nothing could save him from the royal displeasure: lord Montague waited on the king to deplore the infatuation of his brother: but Henry replied: “My lord, I cannot be offended with so dutiful and affectionate a letter. I love him in spite of his obstinacy; and, were he but of my opinion on this subject, I would love him better than any man in my kingdom.”<sup>123</sup> Instead of withdrawing his

June.

<sup>123</sup> See Pole, *Pro ecclēs. unit. defen.* fol. lxxviii. *Apolog. ad Angliæ Parliam. Epistolarum* tom. i. p. 182. *Ep. ad Edward reg.* iii. 327—332. Henry communicated this letter to Cranmer, who had now returned to England, and joined the Boleyn family at court. He gives the following account of it to his patron the earl of Wiltshire. “He hath wrytten wyth such wytte that it appereth that he myght be for hys wysedome of the counsel to the kynge hys grace: and of such eloquence, that if it were set forth and

pension of five hundred crowns, he allowed him again to leave England, and to prosecute his studies abroad. The see of York was given to Lee, who had accompanied the earl of Wiltshire to Bologna: that of Winchester to Gardiner, whose prospect of monopolizing the royal favour had been clouded by the growing influence of Cromwell. The new prelates, however, did not conceive that the recognition of the king's supremacy had enabled him to confer episcopal jurisdiction. They solicited institution from the pontiff: and Henry, as soon as the papal bulls arrived, issued the customary writs for the delivery of their temporalities.<sup>124</sup>

Dec. 3.

By this time the imperialists had acquired a decided superiority at Rome: but their progress was checked by the obstacles which Clement's secret partiality for the king of England repeatedly threw in their way. They prayed judgment against him on the ground that he refused to plead: the pontiff, to elude the demand, requested Henry to appoint an agent with the office of excusator, who might shew cause for his absence. The king consented: but not till he had proposed two questions to the university

Clement  
writes to  
Henry.

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“knowne to the common people, I suppose it were not possible to persuade them to the contrary. The kynge and my lady Anne rode yesterday to Windsower, and this nyght they be looked for agayne at Hampton courte. God be their guyde.” June xiii. Strype's Cranmer, App. N<sup>o</sup>. 1.

<sup>124</sup> Rym. xiv. 428, 429.

CHAP.

III.

June 22.

of Orleans, the faculty of law at Paris, and the principal advocates in the parliament of that capital: who replied, 1<sup>o</sup>. that he was not obliged to appear at Rome either in person or by his attorney: but that the cause ought to be heard in a safe place before delegates unobjectionable to either party: 2<sup>o</sup>. that it was not necessary to furnish the excusator with powers for the performance of his office, because it was a duty which every subject owed to his sovereign, in the same manner as a child to his parent.<sup>125</sup>

Sir Edward Carne was now sent, but with verbal instructions, and without powers in writing. If Clement was mortified with this omission, he was still more distressed when he received a letter from Catharine, announcing her formal expulsion from court, and praying the pontiff no longer to refuse her justice. In the most forcible but affectionate terms he wrote to the king, and painted the infamy which by his late conduct he had stamped on his own character. He had married a princess of distinguished virtue, and allied in blood to the first sovereign in Europe: and now, after the lapse of more than twenty years, he had ignominiously driven her from his court, to introduce in her place another woman with whom he publicly cohabited, and to whom he transferred the conjugal affection due to his wife. Let him recal his queen, and

1532.  
Jan. 25.

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<sup>125</sup> Rym. xiv. 416—423.



dismiss her rival. It was what he owed to himself: but Clement would receive it as a favour, the most signal favour, which Henry had ever conferred on the apostolic see.<sup>126</sup>

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But the time was past when the king sought to conciliate: his present object was intimidation; and with that purpose he had assembled the parliament. In a former volume I have noticed the origin of the annates or first fruits, which were paid to the Roman see from most nations in Europe, and formed the chief fund for the support of the cardinals in attendance on the pontiff. An act was passed for the abolition of this ecclesiastical duty. In the preamble it was stated that the annates had been originally established for the defence of christendom against the infidels: that they had been insensibly augmented, till they became a constant drain on the wealth of the nation:<sup>127</sup> and that it was necessary to provide an immediate remedy before the decease of the present bishops, of whom many were far advanced in years. It was therefore enacted that, if any prelate hereafter should presume to pay first fruits to the see of Rome, he should forfeit his personalties to the

Annates  
abolished.

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<sup>126</sup> Herbert, 360. Le Grand, iii. 561. The pontiff's expressions admit not of a doubt as to the character he had received of Anne Boleyn. *Loco autem ejus quendam Annam in tuum contubernium et cohabitationem recepisse, eique maritalem affectum uxori tue debitum exhibere.* Ibid.

<sup>127</sup> The amount was estimated at 4000*l.* per annum, on an average of many years.

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king, and the profits of his see as long as he held it: that if in consequence of the omission the necessary bulls were refused, he should nevertheless be consecrated by the archbishop, or two other bishops, as was usual in ancient times: and that if, on such account, any censures or interdicts were issued by the pope, they should be utterly disregarded. It was not, however, that Henry sought to save the money; for he would eagerly have purchased the divorce with more costly sacrifices: nor that he wished to proceed to an open rupture with the court of Rome; for he still held out hopes of a reconciliation. But his real object was to influence the resolves of the pontiff by considerations of interest. Hence the rigour of the act was mitigated by the following provisions: 1<sup>o</sup>. that for the expediting of his bulls, each bishop might lawfully pay fees after the rate of five per cent. on the amount of his yearly income: and 2<sup>o</sup>. that (in order to come to an amicable composition with the pope) it should be at the option of the king to suspend or modify, to annul or enforce, the present statute by his letters patent, which in this instance should have the force of law.<sup>128</sup>

Clergy  
forbidden  
to make  
constitu-  
tions.

At the same time Cromwell ventured to proceed a step farther in the prosecution of his plan, for annexing to the crown the supreme jurisdiction in ecclesiastical concerns. An ad-

<sup>128</sup> Rolls, ccxxxiv.

dress was procured from the house of commons, complaining that the convocations of the clergy, without consulting the other estates, often enacted laws which regarded temporal matters, and which though contrary to the statutes of the realm, were not withstanding enforced by spiritual censures, and prosecutions for heresy. This address was sent by Henry to the convocation, and was followed by a requisition, that the clergy should promise never more to enact, publish, or enforce their constitutions without the royal authority and assent : and that they should submit all those now in force, to the consideration of a committee of thirty-two members, half laics and half clergymen, to be chosen by the king, and to have the power of determining what constitutions ought to be abolished, and what ought to be retained. Though Gardiner composed an eloquent answer to the address ; though the clergy maintained that they had received from Christ authority to make such laws as were necessary for the government of their flocks in faith and morals, an authority admitted by all Christian princes, founded in scripture, and “ defended with most vehement “ and inexpugnable reasons and authorities by his “ majesty himself in his most excellent book “ against Luther ;” though they consented to promise that in consideration of his zeal and wisdom they would never make any new constitutions during his reign without his assent, and were

April 12.

May 10.

- CHAP. III. willing to submit the consideration of the old constitutions to the judgment of his grace alone, the king was inexorable; and after many discussions, a form of submission which he consented to accept, was carried by large majorities. The clause limiting the promise to the duration of the present reign was rejected, but the king was added to the committee, and the assent of the clergy was said to be grounded on their knowledge of his superior learning and piety.<sup>129</sup>
- May 15. *Breve against the cohabitation of Henry with Anne.* These proceedings, so hostile to the authority of the clergy, and the interests of the pontiff, were immediately communicated to Carne at Rome. He had demanded to be admitted as excusator, and was opposed by the Imperialists: the arguments of counsel were heard on both sides; and Clement having spun out the discussion for some months, pronounced against the claim, and summoned the king to proceed with the cause in November. When the day came, Carne protested against the summons: but the pontiff rejected the protest, and requested Henry to appear by his attorney: in which case delegates might be appointed to take informations in England, though the final judgment must be reserved to the Roman see. At the same time he signed a breve, complaining that in defiance of public decency, the king
- July 13.
- Nov. 15.

<sup>129</sup> Hence I have no doubt that they meant to contend afterwards that it was a personal grant, limited to him, and not to descend to his successors. Wilk. Con. iii. 748, et seq.

continued to cohabit with his mistress, declaring both of them excommunicated, unless they should separate within a month after the receipt of the present letter; and, in case they should presume to marry, pronouncing such marriage invalid, and confirming his former prohibition against it.<sup>130</sup> It seems, however, that for some reason, which is unknown, the publication of this breve was suspended.

During the summer Henry had renewed his former treaties with France, and in addition had concluded a defensive alliance against any subsequent aggression on the part of the emperor.<sup>131</sup> He had frequently solicited an interview with Francis; he now repeated his request in so urgent a manner, that the French king, though with considerable reluctance, acquiesced. But Anne Boylen also sought to be of the party: and the ambassador was employed to procure for her an invitation from Francis, who on his part might be accompanied by the queen of Navarre. Whether he succeeded, is very uncertain: <sup>132</sup> at the appointed time the two kings

Interview  
between  
Henry and  
Francis.

<sup>130</sup> Burnet, i. Records, ii. 111—119. Le Grand, i. 228—230. iii. 558—568.

<sup>131</sup> Rym. xiv. 434.

<sup>132</sup> Le Grand, iii. 562. In this letter the bishop of Bayonne details the high favour in which he is with Henry and Anne. The former spends several hours with him every day, and discloses to him all his secrets. He accompanies the other on all hunting parties: has received from her a present of a greyhound, a horn, and a hunter's jacket and cap: and the king always selects for them a proper station, from which with their cross bows they shoot the deer as they run by. He

CHAP.

III.

Oct. 21.

Oct. 28.

repaired, the one to Calais, the other to Boulogne. As Henry had requested the meeting, he paid the first visit: and at the end of four days Francis returned with him to Calais, where he remained the same time. On the Sunday evening after supper the door was suddenly thrown open: twelve persons in masks and female dresses entered the room; and each singled out a gentleman to dance. Henry after some time took off the vizors of the maskers: and it appeared that Francis had danced with Anne Boleyn. He conversed with her for some minutes apart: and the next morning sent her as a present a jewel valued at fifteen thousand crowns.<sup>133</sup>

Their resolves.

Curiosity was alive to discover the object of this meeting: but, while the royal attendants were amused with reports of a confederacy against the Turks, the two princes communicated to each other in secret the real or imaginary wrongs which they had suffered from the pontiff, and concerted measures to confine

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does not say that the request to be present at the meeting was made by Anne, but intimates as much by adding, that he is under oath not to reveal the quarter from which it comes. Henry wished both monarchs to be on a footing of equality: and desired that, if he brought Anne, Francis should bring the queen of Navarre. For he would not meet the queen of France, the emperor's sister. *Il hait cet habillement à l'Espagnolle, tant qu'il luy semble veoir un diable,* p. 556. Francis, however, did not comply with his whim. He was not accompanied by any lady.

<sup>133</sup> Hall, 106—109. Le Grand, i. 231.

within narrower limits the pretensions of the holy see. But they came to the discussion with far different feelings. The irritation of Henry sought to set at defiance the papal authority, provided he could secure the co-operation of his ally: Francis affected an equal parade of resentment, but laboured, while he concealed his object, to affect a reconciliation between his friend, and the pope. When the king of England proposed a general council, so many difficulties were objected, such a succession of delays, remonstrances, and discussions was anticipated, that he reluctantly acquiesced in the more temperate advice of the French king, to invite Clement to meet the two monarchs at Marseilles, where they might settle their existing differences in an amicable manner. Henry promised that he would attend in person or by the first nobleman in his realm; and that in the interval he would abstain from every act, which might tend to widen the breach between himself and the pope: and Francis dispatched to Rome the cardinals of Grandmont and Tournon to arrange the preliminaries of the meeting, wrote a letter to Clement, protesting against the insult which he had offered to all crowned heads, by citing the king of England out of his dominions, and insisted that the cause ought to be heard and decided on the spot by delegates fully authorized to determine without appeal or procrastination. The monarchs separated with pro-

Oct. 21.

CHAP.  
III.

Henry  
marries  
Anne.

fessions of mutual esteem, and assurances of the most lasting attachment.<sup>134</sup>

Five years had now rolled away, since Henry had first solicited a divorce, three since he had begun to cohabit with Anne Boleyn, and still he appeared to have made but little progress towards the attainment of his object. The reader, who is acquainted with the impetuosity of his character, will perhaps admire his patience under so many delays and miscarriages : he may discover its true cause in the infecundity of Anne, which had hitherto disappointed the king's most anxious wish to provide for the succession to the throne. Instead of making her his wife, he had in September last created her marchioness of Pembroke, with a yearly pension of one thousand pounds out of the ecclesiastical revenue of the bishopric of Durham: but four months later she proved to be in a condition to promise him an heir: and the necessity of placing beyond cavil the legitimacy of the child, induced him to violate the pledge, which he had so solemnly given to the king of France. On the 25th of January, at an early hour, Dr. Rowland Lee, one of the royal chaplains, received an order to celebrate mass in a garret at the western end of the palace of Whitehall. There he found the king attended by Norris and Heneage, two of the grooms of the chamber, and Anne

1538.  
Jan 25.

<sup>134</sup> Le Grand, i. 233, 234. iii 575.



Boleyn accompanied by her train-bearer Anne Savage, afterwards lady Berkeley. We are told that Lee, when he discovered the object for which he had been called, made some opposition: but Henry calmed his scruples with the assurance, that Clement had pronounced in his favour, and that the papal instrument was safely deposited in his closet.<sup>135</sup>

CHAP.

III.

As soon as the marriage ceremony had been performed, the parties separated in silence before it was light: and the viscount Rochford was dispatched to announce the intelligence to Francis, and to request that he would send a confidential minister to the English court. To Langey, who was intrusted with this mission, Henry pleaded the scruples of his conscience in excuse of his precipitancy, and promised that he would conceal the marriage till the month of May, by which time the interview between Francis and Clement would have taken place. Then, if Clement did him justice, the late measure would prove of no detriment: if not, he was determined to set the papal authority at defiance. But, contrary to his hopes, the interview was postponed; the pregnancy of the bride became

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<sup>135</sup> Burnet treats this account as one of the fictions of Sanders: but it is taken from a manuscript history of the divorce presented to queen Mary, thirty years before the work of Sanders was published. See *Le Grand*, ii. 110. Lee was made bishop of Chester, was translated to Lichfield and Coventry, and honoured with the presidentship of Wales. *Stow*, 543.

CHAP.  
III.

visible: and on Easter eve orders were given that she should receive the honours due to the queen consort. The marriage was thus acknowledged: still the date of its celebration remained involved in mystery; and, to encourage the notion that the child had been conceived in wedlock, a report was artfully circulated that the nuptials had occurred at a more early period, immediately after the separation of the two kings at Calais.<sup>136</sup>

Cranmer  
made  
arch-  
bishop.

Archbishop Warham, who had been driven from court by the ascendancy of Wolsey, was zealously attached to the ancient doctrines and the papal authority: his death in the course of the last summer had empowered the king to raise to the first dignity in the English church a prelate of opposite principles, and more devoted to the will of his sovereign. Thomas Cranmer had long been a dependant on the family of the earl

<sup>136</sup> Hence the marriage is dated on the 14th of November, 1532, the day when Henry and Anne sailed from Calais, by almost all our historians. But Godwin (*Annal.* 51.) and Stow (*Annals*, 543.) have assigned it to the 25th of January, the feast of the conversion of St. Paul: and that they are right, is incontestably proved from a letter still extant, written by archbishop Cranmer to his friend Hawkins, the ambassador to the emperor. After an account of the coronation, he proceeds thus: "But, nowe, sir, you may nott ymagyne that this coronacion was before her mariage, for she was maried much about Sainte Paule's daye laste, as the condicion therof dothe well appere by reason she ys nowe somewhat bigge with chylde. Notwithstanding yt hath byn reported thorowte a great parte of the realme that I maried her, which was plainly false: for I myself knewe not therof a fortnyght after yt was donne." *Archæologia*, xviii. 81.

of Wiltshire, and had assisted the father and the daughter with his services and advice: his book in favour of the divorce, the boldness with which he had advocated the royal cause at Rome, and the industry with which he had solicited signatures in Italy and Germany, had recommended him to the notice of the king: and both Henry and Anne flattered themselves that in selecting him for the successor of Warham, they had found an archbishop according to their own hearts. There was, however, an objection which might have proved fatal to his elevation with a prince, who, till his last breath, continued to enforce with the stake and the halter the observance of clerical celibacy. Cranmer after the death of his wife had taken orders: but, during his last agency abroad, he had suffered himself to be captivated with the charms of a granddaughter of Osiander, had married her in private, and had left her in Germany.<sup>137</sup> Whether this marriage had ever come to the knowledge of Henry, or was considered by him invalid according to the canon law, is uncertain; but, to the surprise and sorrow of many,<sup>138</sup> he

<sup>137</sup> There appears some doubt as to the time of this marriage. Godwin, in his annals, says: *Uxore jam dudum orbatus, quam adolescens duxerat, puellæ conjusdam amore irretitus tenebatur (hæc erat neptis uxoris Osiandri) quam etiam sibi secundo connubio jungere omnimodis decreverat, p. 49. De Præsulibus Anglicianis, he says: Quod maxime angebat, conscientia fuit ductæ uxoris, neptis ea fuit Osiandro, p. 133.*

<sup>138</sup> *Præter opinionem et sensum multorum. Antiq. Brit. 327 I*

## CHAP.

## III.

Feb. 18.

named Cranmer to the vacant archbishopric. The papal confirmation was asked and obtained; and the necessary bulls were expedited with unusual dispatch. But here a second difficulty occurred. By what casuistry could the archbishop elect, who was well acquainted with the services expected from him, reconcile it with his conscience to swear at his consecration canonical obedience to the pope, when he was already resolved to act in opposition to the papal authority? With the royal approbation he called four witnesses into St. Stephen's chapel at Westminster, and in their presence declared that by the oath of obedience to the pope, which for the sake of form he was obliged to take, he did not intend to bind himself to any thing contrary to the law of God, or prejudicial to the rights of the king, or prohibitory of such reforms, as he might judge useful to the church of England. Thence he proceeded to the altar: the ceremony was performed after the usual manner: and the pontifical oath was cheerfully taken by the new prelate, both before his consecration, and at the delivery of the pallium.<sup>139</sup>

March 30.

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know not why Burnet is so anxious to persuade his readers that Cranmer was unwilling to accept the archbishopric, and found means to delay the matter six months (i. 128). There were few instances of the see of Canterbury being filled so soon after a vacancy. Six months indeed elapsed before his consecration, but that arose from the negotiation with Rome to procure his bulls. He must have given his consent at least three months before.

<sup>139</sup> The protest is in Strype's Memorials of Cranmer, App. p. 9.

This extraordinary transaction gave birth to an animated controversy; the opponents of the archbishop branding him with the guilt of fraud and perjury, his advocates labouring to wipe away the imputation, and justifying his conduct by the extraordinary circumstances in which he was placed. I will only observe that oaths cease to offer any security, if their meaning may be qualified by previous protestations, made without the knowledge of the party, who is principally interested.

With an archbishop subservient to his pleasure, Henry determined to proceed with the divorce. The previous arrangements were intrusted to the industry of Cromwell: to prevent Catharine from opposing any obstacle to the proceedings of Cranmer, an act of parliament was passed forbidding under the penalty of præmunire appeals from the spiritual judges in England to the courts of the pontiff; and to furnish grounds for the intended sentence, the members of the convocation were divided into two classes, of theologians and canonists, and

He pronounces a divorce.

March 26.

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To palliate this duplicity of the archbishop, it has been alleged that he either repeated the protest at his consecration, or at least said that he took the oath in the sense of such protestation. "But," says the author of No IV. in the appendix to the third volume of Burnet, "I wish it could be proved. I have two letters (MSS. Latin) of cardinal Pole to the archbishop Cranmer, in which he charges him with having done it only in a private manner, and brands his proceeding therein with such expressions as I am unwilling to transcribe." Burnet, iii. App. p. 401.

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III.

each was ordered to pronounce on a question separately submitted to its decision. Of the former it was asked, whether a papal dispensation could authorize a brother to marry the relict of his deceased brother in the case where the first marriage had been actually consummated: of the latter, whether the depositions taken before the legates amounted to a canonical proof that the marriage between Arthur and Catharine had been consummated. The two questions were debated for some days in the absence of the new archbishop: he then took his seat: the votes were demanded; and on both questions answers favourable to the king were carried by large majorities.<sup>140</sup> As soon as the convocation had separated, a hypocritical farce was enacted between Henry and Cranmer. The latter wrote a most urgent letter to the king, representing the evils to which the nation was exposed from a disputed succession, and begging for the exoneration of his own conscience, and the performance of his duty to the country, the royal licence to examine and determine the

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<sup>140</sup> Among the theologians there were 19 ayes (Burnet has strangely transformed them into 19 universities, i. 129.) and 66 noes. The majority consisted of 3 bishops, 42 abbots and priors, and the rest clergymen. Of forty-four canonists, only six voted against Henry. The same questions were answered in the same manner in the convocation at York, on the 13th of May, with only two dissentient voices in each class. I may add that Carte is certainly mistaken, when he supposes this transaction to have happened some years before.

great cause of the divorce. The king readily granted his request: but at the same time reminded the primate that he was nothing more than the principal minister of the spiritual jurisdiction belonging to the crown, and that "the sovereign had no superior on earth, and was not subject to the laws of any earthly creature."<sup>141</sup> It was in vain that the French ambassador remonstrated against these proceedings as contrary to the engagements into which Henry had entered at Boulogne and Calais. Catharine was cited to appear before Cranmer at Dunstable, within four miles of Amptill, where she resided: and a post was established to convey with dispatch the particulars of each day's transactions to Cromwell. At the appointed time the archbishop, with the bishop of Lincoln as his assessor, and the bishop of Winchester and seven others as counsel for the king, opened the court, and received proof that the citation had been duly served upon the queen. In his letters to Cromwell the primate earnestly entreated that the intention of proceeding to judgment might be kept an impenetrable secret. Were it once to transpire, Catharine might be induced to appear, and notwithstanding the late statute, to put in an appeal from him to the pontiff: a measure which would defeat all their

May 8.

<sup>141</sup> The archbishop's letter has been published by Mr. Todd, in his edition of Cranmer's Defence of the Catholic Doctrine of the Sacrament, Introduction, p. xlvi. The king's answer by Collier ii. Records, xxiv.

CHAP.

III.

May 23.

plans, and entirely disconcert both himself and the counsel.<sup>142</sup> Fifteen days the court kept open according to law: on the last Catharine was pronounced contumacious: and in consequence, judgment was given against her, stating that the marriage between her and Henry was null and invalid, having been contracted and consummated in defiance of the divine prohibition, and therefore without force or effect from the very beginning.<sup>143</sup>

May 28.

This decision was communicated to the king in a letter from the primate, who with much gravity exhorted him to submit to the law of God, and to avoid those censures, which he must incur by persisting in an incestuous intercourse with the widow of his brother.<sup>144</sup> But what, it was then asked, must be thought of his present union with Anne Boleyn? How could he have proceeded to a new marriage, before the former had been lawfully annulled? Was the right of succession less doubtful now than before? To silence these questions, Cranmer held another court at Lambeth, and having first heard the king's proctor, officially declared that Henry and Anne were and had been joined in lawful matrimony: that their marriage was and had

<sup>142</sup> Heylin's Reformation, p. 177. edition of 1674.

<sup>143</sup> Rym. xiv. 467. Wilk. Con. 759. Cranmer's letter to Hawkyns, Archaeol. xviii. 78.

<sup>144</sup> Quid vero? says Pole in a letter to Cranmer, an non tecum ipse ridebas, cum tanquam severus judex regi minas intentares? Poli Epist. de Sac. Euch. p. 6. Cremonæ, 1584.



been public and manifest; and that he moreover confirmed it by his judicial and pastoral authority.<sup>145</sup> These proceedings were preparatory to the coronation of the new queen, which was performed with unusual magnificence, attended by all the nobility of England, and celebrated with processions, triumphal arches, and tournaments. The honours paid to his consort gratified the pride of the king: her approaching parturition filled him with the hope of what he so earnestly wished, a male heir to the crown. In the eighth month after their nuptials Anne brought him a child: but that child, to his inexpressible disappointment, was a female, the princess Elizabeth, who afterwards ascended the throne.<sup>146</sup>

As soon as Cranmer had pronounced judg-

CHAP.  
III.



June 1.

Birth of  
the prin-  
cess Eliza-  
beth.  
Sept. 7.

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<sup>145</sup> I conceive that, immediately after judgment pronounced by Cranmer, Henry and Anne were married again. Otherwise Lee archbishop of York, and Tunstal bishop of Durham, must have asserted a falsehood, when they told Catharine, that “*after* his highness was discharged of the marriage made with her, he contracted new marriage with his dearest wife queen Anne.” Collier, ii. Records, N<sup>o</sup>. xxv—Henry was indeed aware of the irregularity in marrying Anne before a divorce from Catharine: but he justified his conduct by declaring, that he had examined the cause in “the court of his own conscience, which was enlightened and directed by the spirit of God, who possesseth and directeth the hearts of princes;” and as he was convinced that “he was at liberty to exercise and enjoy the benefit of God for the procreation of children in the lawful use of matrimony, no man ought to inveigh at this his doing.” Burn. iii. Rec. 64,

<sup>146</sup> Hall, 212. Cranmer’s letter to Hawkyns, Archaeol. xviii. 81. I may here observe that this was the last coronation during Henry’s reign. Of his four following wives not one was crowned.

CHAP.  
III.

Clement  
annuls the  
judgment  
given by  
Cranmer.

ment, Catharine received an order from the king to be content with the style of dowager princess of Wales: her income was reduced to the settlement made on her by her first husband Arthur: and those among her dependants, who gave her the title of queen, were irrevocably dismissed from her service. In foreign nations her lot became the object of universal commiseration: even in England the general feeling was in her favour. The men, indeed, had the prudence to be silent: but the women loudly expressed their disapprobation of the divorce: till Henry, to check their boldness by the punishment of their leaders, committed to the Tower the wife of the viscount Rochford, and the sister-in-law of the duke of Norfolk. At Rome Clement was daily importuned by Charles and Ferdinand to do justice to their aunt, by his own ministers to avenge the insult offered to the papal authority: but his irresolution of mind, and partiality for the king of England, induced him to listen to the suggestions of the French ambassadors, who advised more lenient and conciliatory measures. At length, that he might appear to do something, he annulled the sentence given by Cranmer, because the cause was at the very time pending before himself, and excommunicated Henry and Anne, unless they should separate before the end of September, or shew cause by their attorneys why they claimed to be considered as husband and

July 11.

wife. When September came, he prolonged the term, at the request of the cardinal of Tournon, to the end of October ; and embarking on board the French fleet, sailed to meet Francis at Marseilles, where, he was assured, a reconciliation between Henry and the church of Rome would be effected.<sup>147</sup>

By the French monarch this reconciliation was most ardently desired, as a preliminary step to an offensive alliance against the emperor, under the sanction of the holy see. But the mind of Henry perpetually wavered between fear and resentment. Sometimes his apprehension that Clement in a personal conference might debauch the fidelity of his ally, induced him to listen to the entreaties and remonstrances of Francis : at other times his love of wealth and authority, joined to his resentment for the repeated delays and refusals of the pontiff, urged him to an open breach with the see of Rome. In conformity indeed with the promise given at Calais, the duke of Norfolk proceeded to France, accompanied by the lord Rochford, and Pawlet, Brown, and Bryan, with a retinue of one hundred and sixty horsemen : but he was bound by secret instructions to dissuade the king from the intended interview, and to offer him a plentiful subsidy, on condition that he would establish a patriarch in his do-

CHAP.  
III.

Sept. 25.

Wavering  
conduct of  
Henry.

Aug.

<sup>147</sup> Herb. 386. Burnet, i. 132. Le Grand, iii. 569.

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III.

minions, and forbid the transmission of money to the papal treasury. Francis replied that he could not violate the solemn pledge which he had already given: he even persuaded the duke, then at Marseilles, with a little condescension on each side, every difficulty might be surmounted: and that nobleman, though, by the royal order he was recalled to England, prevailed on his sovereign to send two ambassadors, the bishop of Winchester and Bryan, to supply his place at the interview. They professed that they came to execute the orders of the French monarch; but were in reality unfurnished with powers to do any act, and only commissioned to watch the progress of the conferences, and to send the most accurate information to their own court. The truth was, that both Henry and Anne suspected the sincerity of Norfolk; and were ignorant whom to trust, or what measures to pursue.<sup>148</sup>

Interview  
between  
Clement  
and  
Francis.

About the middle of October Clement made his public entry into Marseilles, and was followed the next day by the king of France. The two sovereigns met with expressions of respect and attachment: but the king pertinaciously refused to entertain any other question, till he had received from the pope a promise, that he would do in favour of Henry, whatever lay within the extent of his authority. To his surprise and

<sup>148</sup> Burnet, iii. 74. 75.

disappointment he now learned that the ambassadors were not authorized to treat either with the pontiff or himself: at his solicitation they dispatched a courier to request full powers: and in the interval a marriage was concluded between the duke of Orleans, the son of Francis, and Catharine of Medici, the pope's niece. In point of fortune it was a very unequal match: but the king, if we may believe his own assertion, had assented to it, in the hope of bringing to an amicable conclusion the quarrel between Henry and the holy see.<sup>149</sup> The reconciliation seems to have been proposed on this basis: that each party should reciprocally revoke and forgive every hostile measure; and that the cause of the divorce should be brought before a consistory, from which all the cardinals, holding preferment or receiving pensions from the emperor, should be excluded as partial judges. Clement had promised to return an answer to this project on the 7th of November: that very morning Bonner, who had lately arrived from England, requested an audience: and the same afternoon he appealed in the name of Henry from the pope to a general council. Both Clement and Francis felt themselves offended. The former, besides the insult offered to his

Henry appeals to a general council.

<sup>149</sup> Il se peut dire qu'il a pris une fille comme toute nue pour bailler à son second fils, chose toutes fois qu'il a si volontiers et si patiemment porté, par le bon gré qu'il pensoit avoir fait un grand gain en faisant cette perte. Le Grand, iii. 52.

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III.

authority, began to suspect that he had been duped by the insincerity of the French monarch: the latter saw that, while he negotiated for Henry, he possessed not his confidence; and deemed the appeal a violation of the hospitality due to so exalted a guest under his own roof. Both yielded to the suggestions of their resentment: both afterwards relented. Clement affected to believe the assertion of the king, that the appeal opposed no new obstacle to a reconciliation: Francis dispatched the bishop of Bayonne, now bishop of Paris, to Henry, to complain of his duplicity and precipitation, and to request that he would consent to the renewal of the negociation, which had thus been interrupted.<sup>150</sup>

Final sentence of Clement.

The reader is aware that this prelate possessed a high place in the esteem of the king of England. Henry listened to his advice, and gratefully accepted his offer to undertake the care of the royal interests in the court of Rome. Of the instructions with which he was furnished, we are ignorant: but the English agents in that city were ordered to thank Clement for the assurances which he had given the king of his friendship: to object on different grounds to the expedients which had been suggested: to propose that the royal cause should be tried in

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<sup>150</sup> Du Bellay's instructions, apud Le Grand, iij. 571—588. Burnet, iij. 82. 84. Records, p. 37—46.

England, with an understanding that the judgment given here should receive the papal ratification : and to promise that on such conditions the kingdom should remain in full obedience to the apostolic see. They were also informed that this was not a final resolution, but that Henry was prepared to make greater concessions in proportion to the readiness which Clement might shew to serve him.<sup>151</sup> Stimulated by his hopes, the bishop of Paris hastened in the depth of winter to Rome : the French ambassador and the English agents seconded his endeavours : and so promising were the appearances, or so eager was his zeal, that he deceived himself with the assurances of success. To Francis he sent a list of the cardinals who would vote for the king of England : to Henry he wrote in terms of exultation, exhorting him to suspend for a few days all measures of a religious nature which might have been brought before parliament. The friends of Charles and Catharine were not less sanguine : at their solicitation a consistory was held on the twenty-third of March : the proceedings in the cause were explained by Simonetta, deputy auditor of the Rota ; and out of two-and-twenty cardinals, nineteen decided for the validity of the marriage ; three only, Trivulsio, Pisani, and Rodolphi, proposed a further delay. Clement himself had

1534.  
March 2.

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<sup>151</sup> Apud Burnet, iii. 84.

CHAP.  
III.

not expected this result: but he acceded, though with reluctance, to the opinion of so numerous a majority; and a definitive sentence was pronounced, declaring the marriage lawful and valid, condemning the proceedings against Catharine as unjust, and ordering the king to take her back as his legitimate wife. The imperialists displayed their joy with bonfires, discharges of cannon, and shouts of *Viva l'imperio, viva l'Espagne*. The bishop and his colleagues were overwhelmed with astonishment and despair: while Clement himself forbade the publication of the decree before Easter, and consulted his favourite counsellors on the means the most likely to mollify the king of England, and to avert the effects of his displeasure.<sup>152</sup>

Separation  
of England  
from the  
commu-  
nion of  
Rome.

But in reality it mattered little whether Clement had pronounced in favour of Henry or against him. The die was already cast. The moment the bishop of Paris was departed, violent councils began to prevail in the English cabinet: and a resolution was taken to erect a separate and independent church within the realm. That prelate was indeed suffered to negotiate with the pontiff: but in the mean time act after act derogatory from the papal claims was debated, and passed in parliament: and the kingdom was severed by legislative authority from the communion of Rome, long before the

<sup>152</sup> Le Grand, i, 273—276. iii. 630—638.



judgment given by Clement could have reached the knowledge of Henry.<sup>153</sup>

The charge of framing these bills, and of conducting them through the two houses, had been committed to the policy and industry of Cromwell, whose past services had been lately rewarded with a patent for life of the chancellorship of the exchequer. 1°. The submission, which during the last year had been extorted from the fears of the clergy, was now moulded into the form of a statute, while the preamble, which seemed to confine its duration to the present

CHAP.  
III.

Statutes  
respecting  
the  
church.

March 30.

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<sup>153</sup> It is generally believed on the authority of Fra Paolo and Du Bellay, the brother of the bishop of Paris, that this event was owing to the precipitation of Clement. We are told that the prelate requested time to receive the answer of Henry, which he expected would be favourable: that the short delay of six days was refused: and that two days after the sentence a courier arrived, the bearer of the most conciliatory dispatches. Now it is indeed true that the bishop expected an answer to his letter, and probable that a courier arrived after the sentence: but, 1°. it is very doubtful that he asked for a delay till the courier arrived. For in his own account of the proceedings he never mentions it: and instead of going to the consistory to demand it, was certainly absent, and went afterwards to the pope to ask the result. 2°. It is certain that the answer brought by the courier was unfavourable: because all the actions of Henry about the time when he was dispatched, prove a determination to separate entirely from the papal communion. 3°. The judgment given by Clement could not be the cause of that separation, because the bill abolishing the power of the popes within the realm, was introduced into the commons in the beginning of March; was transmitted to the lords a week later, was passed by them five days before the arrival of the courier (March 20), and received the royal assent five days after his arrival in Rome (March 30). See *Lords' Journals*, 75. 77. 82. It was not possible that a transaction in Rome on the 23d, could induce the king to give his assent on the 30th.

CHAP.  
III.

reign, was artfully omitted. In this state it passed the two houses, received the royal assent, and became part of the law of the land: but a most important clause had been added to it: "that all such canons and ordinances, as had been already made, and were not repugnant to the statutes and customs of the realm, or the prerogatives of the crown, should be used and enforced, till it should be otherwise determined according to the tenor and effect of the said act." To Henry it was sufficient that he possessed the power of modifying the ecclesiastical laws at pleasure: that power he never thought proper to exercise: and the consequence has been, that in virtue of the additional clause the spiritual courts have existed down to the present time. 2°. The provisions of the late statute, prohibiting appeals to Rome in certain cases, were extended to all cases whatsoever: and in lieu of the right thus abolished, suitors were allowed to appeal from the court of the archbishop to the king in chancery, who should appoint commissioners, with authority to determine finally in the cause. This occasional tribunal has obtained the name of the court of delegates. 3°. In addition to the statute, by which the payment of annates had been forbidden, and which had since been ratified by the king's letters patent, it was enacted that bishops should no longer be presented to the pope for confirmation, nor sue out bulls in his court: but

that on the vacancy of any cathedral church, the king should grant to the dean and chapter, or to the prior and monks, permission to elect the person, whose name was mentioned in his letters missive : that they should proceed to the election within the course of twelve days, under the penalty of forfeiting their right, which in that instance should devolve to the crown : that the prelate named or elected should first swear fealty ; after which the king should signify the election to the archbishop, or, if there be no archbishop, to four bishops, requiring them to confirm the election, and to invest and consecrate the bishop elect, who might then sue his temporalities out of the king's hands, make corporal oath to the king's highness and to no other, and receive from the king's hands restitution of all the possessions and profits spiritual and temporal of his bishopric. 4°. It was also enacted that since the clergy had recognised the king for the supreme head of the church of England, every kind of payment made to the apostolic chamber, and every species of licence, dispensation, and grant, usually obtained from Rome, should forthwith cease ; that hereafter all such graces and indulgences should be sought of the archbishop of Canterbury ; and that if any person thought himself aggrieved by the refusal of the archbishop, he might by a writ out of chancery compel that prelate to shew cause for his refusal. By these enactments, in the course of

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III.

one short session was swept away the whole papal power in England; and that at a time when the judgment pronounced at Rome, was not only not known, but probably not even anticipated by Henry.<sup>154</sup>

And the  
succession  
to the  
crown.

From the establishment of the king's supremacy the attention of parliament was directed to the succession to the crown: and by another act the marriage between Henry and Catharine was pronounced unlawful and null, that between him and Anne Boleyn lawful and valid: the king's issue by the first marriage was of course excluded from the succession, that by the second was made inheritable of the crown: to slander the said marriage, or seek to prejudice the succession of the heirs thereof, was declared high treason, if the offence were committed by writing, printing, or deed: and misprision of treason, if by words only: and all the king's subjects of full age, or who hereafter should be of full age, were commanded to swear obedience to the same act, under the penalty of misprision of treason.<sup>155</sup>

<sup>154</sup> Stat. 25 Hen. VIII. 19, 20, 21.

<sup>155</sup> Ibid. c. 22. Not content with exacting the submission of his own subjects, Henry ordered an instrument to be drawn up, which should be executed by the king of France, in which the latter declared that Henry's first marriage was null, the second valid; that Mary was illegitimate, Elizabeth legitimate; and promised most faithfully to maintain these assertions, even by force of arms if necessary, against all opponents. It is published by Burnet from a copy (iii. Rec. 84), but in all probability was never executed.



This act deserves the particular notice of the reader. For the preservation of the royal dignity, and the security of the succession as by law established, it provided safeguards and created offences hitherto unknown: and thus stamped a new character on the criminal jurisprudence of the country. The statute itself was, indeed, swept away in the course of two or three years; but it served as a precedent to subsequent legislatures in similar circumstances; and regulations, of the same nature, but enforced with penalties of less severity, have been occasionally adopted down to the present times.

The king had now accomplished the two objects, which had been promised him by Cromwell: he had bestowed on his mistress the rights of a lawful wife, and had invested himself with the supremacy of the church. But the opposition which he had experienced, strengthened his passions, and steeled his heart against the common feelings of humanity. He was tremblingly alive to every rumour: his jealousy magnified the least hint of disapprobation into a crime against the state; and each succeeding year of his reign was stained with the blood of many, and often of noble and innocent, victims. The first who suffered, were implicated in the conspiracy attributed to Elizabeth Barton, and her adherents. This young woman, a native of Aldington in Kent, had been subject to fits; and the contortions of body, which she suffered

Execution  
of Eliza-  
beth Bar-  
ton.

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on these occasions, were attributed by the ignorance of her neighbours to some preternatural agency. In a short time they considered as prophecies the incoherent expressions which she uttered during the paroxysms of her disorder:<sup>156</sup> she herself insensibly partook of the illusion; and the rector of the parish advised her to quit the village and to enter a convent. In her new situation her extasies and revelations were multiplied: and the fame of her sanctity obtained for her the appellation of the “holy maid of Kent.” Had she confined her discoveries to less important objects, she might perhaps have eluded the suspicions of Henry: but she had the imprudence to extend them to affairs of state, and to communicate them formerly to Wolsey, and recently to the king himself. To the cardinal she said, that in a vision she saw the Almighty deliver into his hand three swords, signifying the authority which as legate he exercised over the clergy, as chancellor, over the temporalty, and as minister “in the great matter of the king’s marriage;” and heard him at

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<sup>156</sup> A collection of these expressions had been made, and sent to the king, who shewed it to sir Thomas More, and asked his opinion: “I told him,” says More, “that in good faith I found nothing in these words that I could regard or esteem. For seeing that some part fell in rhythm, and that, God wot, full rude also, for any reason that I saw therein, a right simple woman might in my mind speak it of her own wit well enough.” More’s Letter to Cromwell, apud Burnet, ii. Rec. p. 286. Another collection of her visions and prophecies may be seen in Strype, i. 177.

the same time declare that, unless Wolsey employed these swords properly, "it should be laid sorely to his charge." Her prediction to Henry was of a more dangerous character: that if he were to repudiate Catharine, he would die in the course of seven months, and be succeeded on the throne by his daughter Mary.<sup>157</sup> Some time later Barton was apprehended: several others were accused as her accomplices in publishing these and similar predictions; and all were condemned in the star-chamber, to confess the imposture on a Sunday at St. Paul's cross. From the cross they were led back to prison: and it was thought, that as Henry had proved the falsehood of the pretended prophetess by outliving the period assigned by her, he would have been content with the punishment already inflicted: but he was determined to have the blood of the offenders; and a bill of attainder of treason was passed against the maid and her abettors, Brocking, Masters, Deering, Gold, Rich, and Risby, and of misprision of treason against several others, who had known but concealed her predictions. The former suffered at Tyburn, where Elizabeth confessed her guilt, but threw the burden of the offence on her companions in punishment: she had been, she said, the victim of her own credulity: but then she was only a simple woman, whose ignorance might be an

1533.  
Nov.1534.  
April 21.<sup>157</sup> Burnet, ii. Rec. p. 286, 287.

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III.

Prosecu-  
tion of  
bishop  
Fisher,

apology for her conduct, while they were learned clerks, who instead of encouraging, should have detected and exposed the illusion.<sup>158</sup>

Among those who had been charged with misprision of treason, were two men of more elevated rank, Fisher bishop of Rochester, and sir Thomas More, lately lord chancellor. Fisher was far advanced in age, the last survivor of the counsellors of Henry VII., and the prelate to whose care the countess of Richmond recommended on her death-bed the youth and inexperience of her royal grandson. For many years the king had revered him as a parent; and was accustomed to boast that no prince in Europe possessed a prelate equal in virtue and learning to the bishop of Rochester.<sup>159</sup> But his opposition to the divorce gradually effaced the recollection of his merit and services: and Henry embraced with pleasure this opportunity of humbling the spirit, or punishing the resistance of his former monitor.<sup>160</sup> It was asserted that he had concealed from the king his knowledge of Barton's prediction: and Cromwell sent to inform him that he might obtain pardon by throwing himself without reserve on the royal mercy. But Fisher

<sup>158</sup> Hall, 219—224. Godwin, 53, 54.

<sup>159</sup> Apol. Pol. p. 95. He adds that on one occasion the king turned round to him and said, "Se judicare me nunquam invenisse in uni-versa peregrinatione mea, qui literis et virtute cum Roffense, esset comparandus." Ibid.

<sup>160</sup> I draw this inference from the peevish answer of Cromwell published by Burnet, i. Records, ii. p. 123.



disdained to acknowledge guilt, when he knew himself to be innocent. Confined to his chamber by age and infirmity, he addressed to the lords a justificatory letter, in which he contended that there could be no offence against the law in believing on the testimony of several good and learned men that Barton was a virtuous woman : with this impression on his mind he had conversed with her, and heard her say, that the king would not live seven months after the divorce. He had not, indeed, communicated this discourse to his sovereign : but he had two reasons for his silence : 1<sup>o</sup>. because she spoke not of any violence to be offered to Henry, but of the ordinary visitations of Providence : 2<sup>o</sup>. because she assured him that she had already apprized the king of the revelation made to her ; nor had he any reason to doubt her assertion, as he knew that she had been admitted to a private audience. He was therefore guiltless of any conspiracy. “ He knew not, as he would “ answer before the throne of Christ, of any “ malice or evil that was intended by her or by “ any other earthly creature unto the king’s “ highness.” Whether the lords did not give credit to his defence, or were urged by fear of the royal displeasure, they allowed his name to remain in the attainder for misprision of treason, and he compounded with the crown for his personalties in the sum of three hundred pounds.<sup>161</sup>

<sup>161</sup> See his original letter in Collier, ii. 87. It would appear that

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And of sir  
Thomas  
More.

Sir Thomas More had ceased to fill the office of chancellor. By the king's desire he had discussed the lawfulness of the divorce with the doctors Lee, Cranmer, Fox, and Nicholas; but the apparent weakness of their reasoning served only to convince him of the soundness of his own opinion: and at his earnest request, he was indulged in the permission to retire from the council chamber, as often as that subject was brought under consideration. Still in the execution of his office he found himself unavoidably engaged in matters, which he could not reconcile with his conscience: and at length he tendered his resignation on the ground that age and infirmity admonished him to give his whole attention to the concerns of his soul. Henry, who had flattered himself that the repugnance of More would gradually melt away, was aware how much his retirement would prejudice the royal cause in the mind of the public. But he deemed it prudent to suppress his feelings; dismissed the petitioner with professions of esteem, and promises of future favour; gave the seals

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the lords had some doubt of the guilt of those at least, who were accused of misprision of treason. For on the third reading of the bill, they sent to inquire of the king, whether it might stand with his royal pleasure, that they should send for the accused (with the exception of the sick bishop of Rochester, whose letter they had received) into the star-chamber, and hear what they could say in their defence. What answer was returned, we know not, but six days later the bill was read a fourth time and passed. *Lords' Journals*, p. 72. 74.

to sir Thomas Audeley, a lawyer of less timorous conscience; and ordered the new chancellor, at his installation, to pronounce an eulogy on the merits of his predecessor, and to express the reluctance with which the king had accepted his resignation.<sup>162</sup> From the court More repaired to his house at Chelsea, where avoiding all interferences in politics, he devoted his whole time to study and prayer. Of Elizabeth Barton he had heard many speak with applause; once he had a short conversation with her himself in a chapel at Sion house, but refused to listen to any of her revelations: and on another occasion he wrote to her, advising her to abstain from speaking of matters of state, and to confine herself to subjects of piety in her communications with others. To her miraculous and prophetic pretensions he appears to have given no credit: but he looked upon her as a pious and virtuous woman, deluded by a weak and excited imagination. His letter, however, and the preceding interview, afforded a presumption that the ex-chancellor was also a party in the conspiracy: his name was introduced into the bill of attainder: nor was it till he had repeatedly written to the king and to Cromwell, protesting his innocence, and explaining the substance of his communication with the pretended pro-

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III.


 1532.  
 May 16.

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<sup>162</sup> Pole, fol. xcii. Audeley, if we may believe Marillac, the French ambassador, was grand vendeur de justice. Le Grand, i. 224.

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phetess, that he could satisfy the mind of Henry, or escape the punishment, with which he was threatened.<sup>163</sup>

1534.  
April 13.

The authority of Fisher and More was great, not only in England, but also on the continent: and the warmest opponents of the divorce were accustomed to boast, that they followed the opinions of these two celebrated men. The experiment was now made, whether the danger to which they had been exposed, had subdued their spirit. Within a fortnight after the attainder of Barton and her abettors, the bishop and the ex-chancellor were summoned before the council at Lambeth, and were asked whether they would consent to take the new oath of succession. But the act, the approval of which was inserted in the oath, was not confined to the succession only: it embraced other matters of a very questionable nature: it taught that no power on earth could dispense within the degrees prohibited in the book of Leviticus, and that the marriage of Henry with Catharine had always been unlawful and of no effect. More, who was introduced the first, offered to swear to the succession alone, but not to every particular contained in the act, for reasons which prudence compelled him to suppress.<sup>164</sup> Fisher's answer

<sup>163</sup> See his letters in his printed works, p. 1423—1428; Burnet's collection, tom. ii. p. 286—292; and Strype, i. App. 130. Ellis, ii. 48.

<sup>164</sup> He has given an interesting account of his examination in a letter. It was intimated to him that, unless he gave the reasons

was the same in substance. He divided the act into two parts. To that which regarded the succession, he made no objection, because it came within the competence of the civil power: to the other part, of a theological nature, his conscience forbad him to subscribe. Both were sent to the Tower. Cranmer advised that their oaths should be received with the limitations which they had proposed, on the ground that it would deprive the emperor and his adherents abroad, Catharine and her advocates at home, of the support which they derived from the example of Fisher and More.<sup>165</sup> But Henry pre-

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April 17.

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for his refusal, that refusal would be attributed to obstinacy. *More*. It is not obstinacy, but the fear of giving offence. Let me have sufficient warrant from the king, that he will not be offended, and I will explain my reasons. *Cromwell*. The king's warrant would not save you from the penalties enacted by the statute. *More*. In that case I will trust to his majesty's honour. But yet it thinketh me, that if I cannot declare the causes without peril, then to leave them undeclared is no obstinacy. *Cranmer*. You say that you do not blame any man for taking the oath. It is then evident that you are not convinced that it is blameable to take it: but you must be convinced that it is your duty to obey the king. In refusing therefore to take it, you prefer that which is uncertain, to that which is certain. *More*. I do not blame men for taking the oath, because I know not their reasons and motives: but I should blame myself, because I know that I should act against my conscience. And truly such reasoning would ease us of all perplexity. Whenever doctors disagree, we have only to obtain the king's commandment for either side of the question, and we must be right. *Abbot of Westminster*. But you ought to think your conscience erroneous, when you have against you the whole council of the nation. *More*. I should, if I had not for me a still greater council, the whole council of Christendom. *More's Works*, p. 1429. 1447.

<sup>165</sup> See the letters of Fisher and Cranmer to Cromwell. *Strype's Cranmer*, 13, 14.

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ferred the opinion of Cromwell ; and determined either to extort from them an unconditional submission, or to terrify their admirers by the severity of their punishment. Both were attainted of misprision of treason, for refusing the oath ; and were thus subjected to the loss of the profits of their lands during life, the forfeiture of their personal estate, and perpetual imprisonment. More was supported in the Tower by the charity of his friends, conveyed to him through the hands of his favourite daughter, Margaret Roper ; but Fisher, in his seventy-seventh year, and subject to all the infirmities of old age, was reduced to such a state of destitution, that he was compelled to solicit from the pity of his persecutor clothes to cover his nakedness. The reader will behold them both, after a year of suffering, perish on the scaffold.<sup>166</sup>

New statutes and treasons.

Whether it were from accident or design, the form of the oath of succession had not been prescribed by the statute : and Henry, taking advantage of the omission, modelled and remodelled it at his pleasure. From the members of parliament, and probably from the laity (it was required from both men and women), he accepted a promise of allegiance to himself and his heirs according to the limitations in the act : but from the clergy he required an additional declaration that the bishop of Rome had no

<sup>166</sup> St. 26 Hen. VIII. 22, 23. It was also enacted that the bishopric of Rochester should be vacant from the 2d of January next coming. *Ibid.* See also Fisher's letter in Strype, i. 175.

more authority within the realm than any other foreign bishop, and a recognition that the king was the supreme head of the church of England, without the addition of the qualifying clause, which had been in the first instance admitted. The summer was spent in administering the oath, in receiving the signatures of the clergy and clerical bodies, and of the monks, friars, and nuns in the several abbeys and convents; and in obtaining formal decisions against the papal authority from both convocations, and the two universities.<sup>167</sup>

In autumn the parliament assembled after the prorogation, and its first measure was to enact that the king, his heirs and successors, should be taken and reputed the only supreme heads on earth of the church of England, with full power to visit, reform, and correct all such errors, heresies, abuses, contempts and enormities, which by any manner of spiritual authority ought to be reformed or corrected. 2<sup>o</sup>. It was evident that the creation of this new office would add considerably to the cares and fatigues of royalty: an increase of labour called for an increase of remuneration: and, therefore, by a subsequent act for "the augmentation of the royal estate and the maintenance of the supremacy," the first fruits of all benefices, offices, and spiritual dignities, and the tenths of the

Nov. 4.

<sup>167</sup> Wilk. Con. iii. 771, 774, 775. Rym. xiv. 487—527.

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annual income of all livings were annexed to the crown for ever. 3<sup>o</sup>. To restrain by the fear of punishment the adversaries of these innovations; it was made treason to wish or will maliciously, by word or writing, or to invent, or attempt by craft, any bodily harm to the king or queen, or their heirs, or to deprive any of them of the dignity, style, and name of their royal estates, or slanderously and maliciously to publish or pronounce by words or writing that the king is a heretic, schismatic, tyrant, or infidel. 4<sup>o</sup>. As an additional security a new oath was tendered to the bishops, by which they not only abjured the supremacy of the pope, and acknowledged that of the king, but also swore never to consent that the bishop of Rome should have any authority, within the realm, never to appeal, nor to suffer any other to appeal to him, never to write or send to him without the royal permission, and never to receive any message from him without communicating it immediately to the king. 5<sup>o</sup>. If the reader think that Henry must be now satisfied, let him recollect the secret protest, the theological legerdemain, by which Cranmer pretended to nullify the oath of obedience, which he was about to make to the pontiff. The king had been indeed privy to the artifice: but he was unwilling that it should be played off upon himself; and on that account he now exacted from each prelate a full and formal renunciation of every protest previously



made, which might be deemed contrary to the tenor of the oath of supremacy.<sup>168</sup>

Penal statutes might enforce conformity: but they could not produce conviction. The spiritual supremacy of a lay prince was so repugnant to the notions to which men had been habituated, that it was every where received with doubt and astonishment. To dispel these prejudices Henry issued injunctions, that the very word "pope" should be carefully erased out of all books employed in the public worship; that every schoolmaster should diligently inculcate the new doctrine to the children intrusted to his care; that all clergymen, from the bishop to the curate, should on every Sunday and holiday teach, that the king was the true head of the church, and that the authority hitherto exercised by the popes was an usurpation, tamely admitted by the carelessness or timidity of his predecessors; and that the sheriffs in each county should keep a vigilant eye over the conduct of the clergy, and should report to the council the names, not only of those who might neglect these duties, but also of those who might perform them indeed, but with coldness and indifference.<sup>169</sup> At the same

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III.

Opposition  
to the su-  
premacv.

<sup>168</sup> St. 26 Hen. VIII. 1. 3. 13. Wilk. Con. iii. 780. 782.

<sup>169</sup> Ibid. 772. Cranmer, as the first in dignity, gave the example to his brethren, and zealously inculcated from the pulpit, what his learning or fanaticism had lately discovered, that the pontiff was the antichrist of the apocalypse (Poli Ep. i. p. 444.): an assertion, which

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time he called on the most loyal and learned of the prelates, to employ their talents in support his new dignity: and the call was obeyed by Sampson and Stokesley, Tunstal and Gardiner:<sup>170</sup> by the former, as was thought, from affection to the cause, by the latter through fear of the royal displeasure. But though an appearance of conformity was generally obtained, there still remained men, chiefly among the three

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then filled the catholic with horror, but at the present day excites nothing but contempt and ridicule.

<sup>170</sup> Reginald Pole, that he might take no share in these transactions, had retired to the north of Italy: but Henry sent him Sampson's work, and commanded him to signify his own sentiments on the same subject. Pole obeyed, and returned an answer in the shape of a large treatise, divided into four books, and afterwards entitled *Pro Ecclesiasticæ Unitatis defensione*. Not content with replying to the theological arguments of Sampson, he described, in that style of declamatory eloquence in which he excelled, the vicious parts of the king's conduct since the commencement of his passion for Anne Boleyn. His Italian friends disapproved of this portion of the work: but he justified it on the ground, that the fear of shame was more likely to make impression on the mind of Henry, than any other consideration. In this perhaps he argued correctly: for the king, suppressing his resentment, made him advantageous offers, if he would destroy the work: and Pole himself so far complied, that none of the injuries which he afterwards received from Henry, could ever provoke him to publish it. That he wrote in this manner from affection, as he asserts, may be true, but it subjected him to the severe censures of his English friends, which have been followed by many writers since his death. On the other hand he defended himself ably, and has found many defenders. See his *Epistles*, i. 436. 441. 456. 471; his *Apologia ad Angl. parliamentum*, i. 179: his *Epistle to Edward VI.* Ep. iv. 307—321. 340. Burnet, iii. Rec. 114—130. *Strype*, i. 188—223. And *Quirini, Animadversio in epist. Shelbornii*, i.—lxxx.

religious orders of Carthusians, Brigittins, and Franciscan observants, who were neither to be reclaimed by argument, nor subdued by terror. Secluded from the commerce and the pleasures of the world, they felt fewer temptations to sacrifice their conscience to the commands of their sovereign; and seemed more eager to court the crown, than to flee from the pains of martyrdom. When to the reprimand which two friars observants, Peyto and Elstow, had received for the freedom of their sermons, Cromwell added, that they deserved to be enclosed in a sack, and thrown into the Thames, Peyto replied with a sarcastic smile: "Threaten such things  
 " to rich and dainty folk, which are clothed in  
 " purple, fare deliciously, and have their chiefest  
 " hopes in this world. We esteem them not. We  
 " are joyful that for the discharge of our duty  
 " we are driven hence. With thanks to God we  
 " know that the way to heaven is as short by  
 " water as by land, and therefore care not which  
 " way we go."<sup>171</sup> Peyto and Elstow were dismissed: but it soon appeared that the whole order was animated with similar sentiments;

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<sup>171</sup> Stow, 543. Collect. Anglo Minoritica, p. 233. Pole observes that the three orders of Carthusians, Brigittins, and Observants (by this name the reformed Franciscans were meant) had at that period the greatest reputation for piety. Quosnam, he asks, habes, cum ab iis tribus discesseris, qui non prorsus ab instituti sui authoribus degeneraverint? Pole, fol. ciiii. He notices the banishment of the Observants, *ibid.*

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and Henry deemed it necessary to silence, if he could not subdue, its opposition. All the friars observants were ejected from their monasteries, and dispersed, partly in different prisons, partly in the houses of the friars conventuals. About fifty perished from the rigour of their confinement: the rest, at the suggestion of Wriothesley their secret friend and patron, were banished to France and Scotland.

Prosecu-  
tions.  
1535.

April 29.

But Henry soon proved that the late statute was not intended to remain a dead letter. The priors of the three charter-houses of London, Axiholm, and Belleval, had waited on Cromwell to explain their conscientious objections to the recognition of the king's supremacy. From his house he committed them to the Tower: and contended at their trial, that such objections by "depriving the sovereign of the dignity, style, and name of his royal estate," amounted to the crime of high treason. The jury, however, would not be persuaded that men of such acknowledged virtue could be guilty of so foul an offence. When Cromwell sent to hasten their determination, they demanded another day to deliberate: though a second message threatened them with the punishment reserved for the prisoners, they refused to find for the crown: and the minister was compelled to visit them himself, to argue the case with them in private, and to call intimidation to the aid of his arguments, before he could extort from their re-

luctance a verdict of guilty. Five days later, the priors, with Reynolds, a monk of Syon, and a secular clergyman, suffered at Tyburn: and they were soon afterwards followed by three monks from the charter-house, who had solicited in vain that they might receive the consolations of religion previously to their deaths. On all these the sentence of the law was executed with the most barbarous exactitude. They were suspended, cut down alive, emboweled, and dismembered.<sup>172</sup>

The two next who suffered, were more illustrious victims, the bishop of Rochester, and the late chancellor. Both from their close confinement in the Tower ever since the passing of the act, could hardly have found an opportunity of offending against it. Of the trial of Fisher we know only that he was accused of having maliciously and traitorously said that the king was not the head of the church: that he was found guilty on the depositions of the men who had been sent by the council to discuss with him the question of the supremacy: and that he received

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III.

May 5.

June 18.

May 7.

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<sup>172</sup> The reader may see the sufferings of these with those of the other Carthusian monks in Chauncey's *Historia aliquot nostri sæculi Martyrum, Moguntiae*, 1550. Also in Pole's *Defensio Eccles. Unit.* fol. lxxxiv. and his *Apology to Cæsar*, p. 98. He bears testimony to the virtue of Reynolds, with whom he was well acquainted, and who, quod in paucissimis ejus generis hominum reperitur, omnium liberalium artium cognitionem non vulgarem habebat, eamque ex ipsis haustam fontibus. fol. ciii. See also Strype, i. 196.

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III.

May 21.

Execution  
of bishop  
Fisher.

June 22.

Trial of  
More.  
June 1.

he judgment usual in cases of treason. It so happened that pope Paul III. (Clement had died six months before) in a general promotion of cardinals, made before the news of his condemnation could have reached Rome, had named him to the purple: but Henry as soon as he received the intelligence, exclaimed, "Paul may send him the hat: I will take care that he have never a head to wear it on." That veneration which he formerly bore the aged prelate, seemed now to be changed into the most unrelenting hatred. Not content with the execution of Fisher, he ordered the dead body to be stripped, and exposed for some hours to the gaze of the populace.<sup>173</sup>

After the condemnation, but before the execution of Fisher, sir Thomas More was placed a prisoner at the bar of that court, in which he had formerly presided as judge with universal applause. To make the greater impression, he was conducted on foot through the most frequented streets, from the Tower to Westminster hall. He appeared in a coarse woollen gown: his hair, which had lately become grey, his face, which, though cheerful, was pale and emaciated, and the staff with which he supported his feeble steps, announced the length and

<sup>173</sup> Mortui corpus nudum prorsus in loco supplicii ad spectaculum populo relinqui mandaverat. Poli Apol. ad Car. p. 96. Pole's testimony seems to confirm the statement of Hall, that it was thrown into the grave without coffin or shroud Fuller, v. 205.

rigour of his confinement: and a general feeling of horror and sympathy ran through the spectators. Henry dreaded the effect of his eloquence and authority: and therefore, to distract his attention and overpower his memory, the indictment had been framed of enormous length and unexampled exaggeration, multiplying the charges without measure, and clothing each charge with a load of words, beneath which it was difficult to discover its real meaning. As soon as had it been read, the chancellor, who was assisted by the duke of Norfolk, Fitzjames, the chief justice, and six other commissioners, informed the prisoner that it was still in his power to close the proceedings, and to recover the royal favour by abjuring his former opinion. With expressions of gratitude he declined the favour, and commenced a long and eloquent defence. Though, he observed, it was not in his power to recollect one third part of the indictment, he would venture to comprise its contents under four heads. 1<sup>o</sup>. In the first place it was objected to him as an offence, that he had disapproved of the king's marriage with Anne Boleyn. He acknowledged the charge: but then his disapprobation had never been communicated to any other person than the king himself, and not even to the king, till Henry had commanded him on his allegiance to disclose his real sentiments. In such circumstances to dissemble would have been a crime: to speak with

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sincerity was a duty. 2°. He was next charged with having traitorously sought to deprive the king of his title of head of the church. But where was the proof? That, on his examination in the Tower he had said, he was by his attainder become civilly dead: that he was out of the protection of the law, and therefore could not be required to give an opinion of the merits of the law: and that his only occupation was and would be to meditate on the passion of Christ, and to prepare himself for his own death. But what was there of crime in such an answer? It contained no word, it proved no deed, against the statute. All that could be objected against him was silence: and silence had not yet been declared treason. 3°. It was maintained that in different letters written by him in the Tower, he had exhorted bishop Fisher to oppose the supremacy. He denied it. Let the letters be produced: by their contents he was willing to stand or fall. 4°. But Fisher on his examination had held the same language as More, a proof of a conspiracy between them. What Fisher had said, he knew not: but it could not excite surprise, if the similarity of their case had suggested to each similar ideas. This he could affirm with truth, that whatever might be his own opinion, he had never communicated it to any, not even to his dearest friends.

But neither innocence nor eloquence could avert his fate. Rich, the solicitor general, and



afterwards lord Rich, now deposed, that in a private conversation in the Tower, More had said : “ the parliament cannot make the king “ head of the church, because it is a civil tribunal “ without any spiritual authority.” It was in vain that the prisoner denied this statement, shewed that such a declaration was inconsistent with the caution which he had always observed, and maintained that no one acquainted with the former character of Rich, would believe him even upon his oath : it was in vain that the two witnesses, who were brought to support the charge, eluded the expectation of the accuser by declaring that, though they were in the room, they did not attend to the conversation : the judges maintained that the silence of the prisoner was a sufficient proof of malicious intention ; and the jury, without reading over the copy of the indictment which had been given to them, returned a verdict of guilty. As soon as the sentence had been pronounced, More attempted, and after two interruptions, was suffered to address the court. He would now, he said, openly avow, what he had hitherto concealed from every human being, his conviction that the oath of supremacy was unlawful. It was, indeed, painful to him to differ from the noble lords whom he saw on the bench : but his conscience compelled him to bear testimony to the truth. This world, however, had always been a scene of dissension : and he still cherished a hope that the day would come, when both he

His con-  
demna-  
tion.

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and they, like Stephen and Saul, would be of the same sentiment in heaven. As he turned from the bar, his son threw himself on his knees, and begged his father's blessing : and as he walked back to the Tower, his daughter Margaret twice rushed through the guards, folded him in her arms, and unable to speak, bathed him with her tears.

And  
death.

He met his fate with constancy, even with cheerfulness. When he was told that the king, as a special favour, had commuted his punishment to decapitation, "God," he replied, "pre-serve all my friends from such favours." On the scaffold the executioner asked his forgiveness. He kissed him, saying : "Thou wilt render me to-day the greatest service in the power of any mortal : but" (putting an angel into his hand) "my neck is so short that I fear thou wilt gain little credit in the way of thy profession." As he was not permitted to address the spectators, he contented himself with declaring that he died a faithful subject to the king, and a true catholic before God. His head was fixed on London bridge.<sup>174</sup>

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<sup>174</sup> Ep. Gul. Corvini in App. ad Epis. Erasmi, p. 1763. Pole, lxxxix—xciii. Stapleton, Vit. Mor. 335. State Trials, i. 59. edit, 1730. His death spread terror through the nation. On the 24th of August Erasmus wrote to Latomus, that the English lived under such a system of terror, that they dare not write to foreigners, nor receive letters from them. *Amici, qui me subinde literis et muneribus dignabantur, metu nec scribunt nec mittunt quicquam, neque*

By these executions the king had proved that neither virtue nor talents, neither past favour nor past services, could atone in his eyes for the great crime of doubting his supremacy. In England the intelligence was received with deep but silent sorrow; in foreign countries with loud and general execration.<sup>175</sup> The names of Fisher and More had long been familiar to the learned: and no terms were thought too severe to brand the cruelty of the tyrant by whom they had been sacrificed. But in no place was the ferment greater than in Rome. They had fallen martyrs to their attachment to the papal supremacy; their blood called on the pontiff to punish their persecutor. Paul had hitherto followed the cautious policy of his predecessor; but his prudence was now denominated cowardice: and a bull against Henry was extorted from him by the violence of his counsellors. In this extraordinary instrument, in which care was taken to embody every prohibitory and vindictive clause invented by the most aspiring

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Papal bull  
against  
Henry.

Aug. 30.

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quicumque a quoquam recipiunt, quasi sub omni lapide dormiat scorpius. P. 1509.

<sup>175</sup> Ipse vidi multorum lacrymas, qui nec viderant Morum, nec ullo officio ab eo affecti fuerant. Ep. Corvini, p. 1769. See also Pole, Ep. iv. 317, 318. The king of France spoke also of these executions with great severity to the ambassador, and advised that Henry should banish such offenders rather than put them to death. Henry was highly displeased. He replied that they had suffered by due course of law; and "were well worthy, if they had a thousand lives, to have suffered ten times a more terrible death and execution than any of them did suffer." Burnet, iii. Rec. 81.

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of his predecessors, the pontiff having first enumerated the offences of the king against the apostolic see, allows him ninety, his fautors and abettors sixty days to repent, and appear at Rome in person or by attorney; and then, in case of default, pronounces him and them excommunicated, deprives him of his crown, declares *his* children by Anne, and *their* children by their legitimate wives, incapable of inheriting for several generations, interdicts his and their lands and possessions, requires all clerical and monastic bodies to retire out of Henry's territories, absolves his subjects and their tenants from the oaths of allegiance and fidelity, commands them to take up arms against their former sovereign and lords, dissolves all treaties and alliances between Henry and other powers as far as they may be contradictory to this sentence, forbids all foreign nations to trade with his dominions, and exhorts them to capture the goods, and make prisoners of the persons of all such as still adhere to him in his schism and rebellion.<sup>176</sup>

But when Paul cast his eyes on the state of Europe, when he reflected that Charles and Francis, the only princes who could attempt to carry the bull into execution, were, from their rivalry of each other, more eager to court the friendship, than to risk the enmity of the king

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<sup>176</sup> Bullar. Rom. i. 704. edit. 1673.

of England, he repented of his precipitancy. To publish the bull could only irritate Henry, and bring the papal authority into contempt and derision. It was therefore resolved to suppress it for a time: and this weapon, destined to punish the apostacy of the king, was silently deposited in the papal armoury, to be brought forth on some future opportunity when it might be wielded with less danger, and with greater probability of success.<sup>177</sup>

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<sup>177</sup> Bullar. Rom. i. 703. edit. 1673.

## CHAP. IV.

## PROGRESS OF THE REFORMATION.

- I. KING'S SUPREMACY—ITS NATURE—CROMWELL MADE VICAR GENERAL—BISHOPS TAKE OUT NEW POWERS.—II. DISSOLUTION OF MONASTERIES—LESSER MONASTERIES SUPPRESSED—DEATH OF QUEEN CATHARINE—ARREST, DIVORCE, AND EXECUTION OF ANNE—INSURRECTION IN THE NORTH—POLE'S LEGATION—GREATER MONASTERIES GIVEN TO THE KING.—III. DOCTRINE—HENRY'S CONNEXIONS WITH THE LUTHERAN PRINCES—ARTICLES—INSTITUTION OF A CHRISTIAN MAN—DEMOLITION OF SHRINES—PUBLICATION OF THE BIBLE.—IV. PERSECUTION OF LOLLARDS—ANABAPTISTS—REFORMERS—TRIAL OF LAMBERT—POLE'S SECOND LEGATION—EXECUTION OF HIS RELATIONS.—V. STRUGGLE BETWEEN THE TWO PARTIES—STATUTE OF THE SIX ARTICLES—MARRIAGE WITH ANNE OF CLEVES—DIVORCE—FALL OF CROMWELL—MARRIAGE WITH CATHARINE HOWARD—HER EXECUTION—STANDARD OF ENGLISH ORTHODOXY.

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Nature of  
the supre-  
macy.

I. HENRY had now obtained the great object of his ambition. His supremacy in religious matters had been established by act of parliament: it had been admitted by the nation at large; the members of every clerical and monastic body had confirmed it by their subscriptions: and its known opponents had atoned for their obstinacy by suffering the penalties of treason. Still the extent of his ecclesiastical pretensions remained subject to doubt and discussion. That

he meant to exclude the authority hitherto exercised by the pontiffs, was sufficiently evident: but most of the clergy, while they acknowledged the new title assumed by the king, still maintained that the church had inherited from her founder the power to preach, to administer the sacraments, and to enforce spiritual discipline by spiritual censures; a power which, as it was not derived from, so neither could it be dependent on, the will of the civil magistrate. Henry himself did not clearly explain, perhaps knew not how to explain, his own sentiments. If on the one hand he was willing to push his ecclesiastical prerogative to its utmost limits, on the other he was checked by the contrary tendency of those principles which he had published and maintained in his treatise against Luther. In his answer to the objections proposed to him by the convocation at York, he clothed his meaning in ambiguous language, and carefully eluded the real point in discussion. "As to "spiritual things," he observed, "meaning the "sacraments, being by God ordained as instruments of efficacy and strength, whereby grace "is of his infinite goodness conferred upon his "people, for as much as they be no worldly or "temporal things, they have no worldly or "temporal head, but only Christ." But then with respect to those who administer the sacraments, "the persons of priests, their laws, their

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“ acts, their manner of living, for as much as  
“ they be indeed all temporal, and concerning  
“ this present life only, in those we, as we be  
“ called, be indeed in this realm caput, and,  
“ because there is no man above us here,  
“ supremum caput.”<sup>1</sup>

Cromwell  
vicar ge-  
neral.

Another question arose respecting the manner in which the supremacy was to be exercised. As the king had neither law nor precedent to guide him, it became necessary to determine the duties which belonged to him in his new capacity, and to establish an additional office for the conduct of ecclesiastical affairs. At its head was placed the man, whose councils had first suggested the attempt, and whose industry had brought it to a successful termination. Cromwell already held the offices of chancellor of the exchequer, and of first secretary to the king. He was after some delay appointed the “ royal vicegerent, vicar general, and principal commissary, with all the spiritual authority belonging to the king as head of the church, for the due administration of justice in all cases touching the ecclesiastical jurisdiction, and the godly reformation and redress of all errors, heresies, and abuses in the said church.”<sup>2</sup> As a proof of the high estimation, in which Henry held the supremacy, he allotted to his vicar the

<sup>1</sup> Wilk. Con. iii. 764.  
Con. iii. 784. Collier, ii. Rec. p. 21.

<sup>2</sup> St. 31 Hen. VIII. 10. Wilk.



precedence of all the lords spiritual and temporal, and even of the great officers of the crown. In parliament Cromwell sat before the archbishop of Canterbury: he superseded that prelate in the presidency of the convocation. It was with difficulty that the clergy suppressed their murmurs, when they saw at their head a man who had never taken orders, not graduated in any university: but their indignation increased, when they found that the same pre-eminence was claimed by any of his clerks, whom he might commission to attend as his deputy at their meetings.<sup>3</sup>

Their degradation, however, was not yet consummated. It was resolved to probe the sincerity of their submission; and to extort from them a practical acknowledgment, that they derived no authority from Christ, but were merely the occasional delegates of the crown. We have on this subject a singular letter from Leigh and Ap Rice, two of the creatures of Cromwell, to their master. On the ground that the plenitude of ecclesiastical jurisdiction was vested in him as vicar general, they advised that the powers of all the dignitaries of the church should be suspended for an indefinite period. If the prelates claimed authority by divine right, they would then be compelled to produce their proofs: if they did not, they must

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Bishops  
sue out  
new pow-  
ers.

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<sup>3</sup> Collier, ii. 119.

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IV.1535.  
Sept. 18.

petition the king for the restoration of their powers, and thus acknowledge the crown to be the real fountain of spiritual jurisdiction.<sup>4</sup> This suggestion was eagerly adopted: the archbishop, by a circular letter, informed the other prelates, that the king, intending to make a general visitation, had suspended the powers of all the ordinaries within the realm: and these, having submitted with due humility during a month, presented a petition to be restored to the exercise of their usual authority. In consequence a commission was issued to each bishop separately, authorizing him during the king's pleasure, and as the king's deputy, to ordain persons born within his diocese, and admit them to livings; to receive proof of wills; to determine causes lawfully brought before ecclesiastical tribunals; to visit the clergy and laity of the diocese; to inquire into crimes, and punish them according to the canon law; and to do whatever belonged to the office of a bishop besides those things, which according to the sacred writings were committed to his charge. But for this indulgence a most singular reason was assigned: not that the government of bishops is necessary for the church, but that the king's vicar general, on account of the multiplicity of business with which he was loaded, could not be every where present, and that many inconveniences might

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<sup>4</sup> Collier, ii. 105. Strype, I. App. 144.

arise, if delays and interruptions were admitted in the exercise of his authority.<sup>5</sup>

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IV.

Dissolu-  
tion of  
monaste-  
ries.

II. Some years had elapsed since the bishop of Paris had ventured to predict, that whenever the cardinal of York should forfeit the royal favour, the spoliation of the clergy would be the consequence of his disgrace. That prediction was now verified. The example of Germany had proved that the church might be plundered with impunity: and Cromwell had long ago promised that the assumption of the supremacy should place the wealth of the clerical and monastic bodies at the mercy of the crown.<sup>6</sup> Hence that minister, encouraged by the success of his former counsels, ventured to propose the dissolution of the monasteries: and the motion was received with welcome by the king, whose thirst for money was not exceeded by his love of power; by the lords of the council, who already promised themselves a considerable share in the spoils; and by archbishop Cranmer, whose approbation of the new doctrines taught him to seek the ruin of those establishments, which proved the firmest supports of the ancient faith. The conduct of the business was intrusted to the

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<sup>5</sup> The suspension is in Collier, ii. Rec. p. 22: the form of restoration of episcopal powers in Burnet, i. Rec. iii. N<sup>o</sup>. xiv. The latter was issued to different bishops in October, Harmer, 52. See also Collier, ii. Rec. p. 33. A similar grant was afterwards made to all new bishops, before they entered on the exercise of their authority.

<sup>6</sup> Poli Apol. ad Cæs. 121.

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superior cunning and experience of the favourite, who undertook to throw the mask of religious zeal over the injustice of the proceedings.

With this view a general visitation of the monasteries was enjoined by the head of the church; commissioners duly qualified were selected from the dependants of Cromwell;<sup>7</sup> and to these in pairs were allotted particular districts for the exercise of their talents and industry. The instructions which they received, breathed a spirit of piety and reformation, and were formed on the model of those formerly used in episcopal and legatine visitations: so that to men, not intrusted with the secret, the object of Henry appeared not the abolition, but the support and improvement of the monastic institute.<sup>8</sup>

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<sup>7</sup> I will transcribe the letter of Dr. Layton, who solicited the office of visitor. "Pleaset yowe to understand, that whereas ye intende shortly to visite. and belike shall have many suiters unto yowe for the same, to be your commissioners, if hit might stond with your pleasure that Dr. Lee and I might have committed unto us the north contre, and to begyn in Lincoln dioces northwards here from London, Chester dioces, Yorke, and so furth to the boulder of Scotlande, to ryde downe one syde, and come up the other. Ye shall be well and faste assuryede that ye shall nother fynde monke, chanone, &c. that shall do the kyng's hygness so good servys, nether be so trusty, trewe and faithful to yowe. Ther ys nether monasterie, sell, priorie, nor any other religieuse howse in the north, but other Dr. Lee or I have familiar acquaintance within x or xii mylls of hyt, so that no knaverie can be hyde from us...we know and haue experience both of the fassion of the contre and rudeness of the pepul." Cleop. E. iv. fol. 11.

<sup>8</sup> The inquiries, amounting to eighty-six questions, were drawn

But in addition to their public instructions, the visitors had secret orders to repair in the first place to the lesser houses, to exhort the inmates to surrender their possessions to the king, and in case of resistance, to collect from every quarter such information, as might justify the suppression of the refractory brotherhood. With respect to this their chief object, the visitors were unsuccessful. During the whole winter they could procure the surrender of no more than seven houses :<sup>9</sup> but from their reports a statement was compiled and laid before the parliament, which, while it allotted the praise of regularity to the greater monasteries, described the less opulent as abandoned to sloth and immorality. To some men it appeared contrary to experience, that virtue should flourish most where the temptations to vice were more numerous, and the means of indulgence more plentiful : but they should have recollected, that the

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up by the same Dr. Layton : and to these were added injunctions in twenty-six articles to be left in each house by the visitors. Both are to be found in Cleop. E. iv. 12—24. The injunctions regard the papal power, the supremacy, the succession to the crown, the internal discipline of the monastery, its revenues, and the giving of alms. The sixteenth teaches the difference between the ceremonies and the substance of religious worship ; and seems to have furnished the model for six of the surrenders published by Rymer, xiv. 610—612.

<sup>9</sup> These were, in Kent, Langdon, Folkstone, Bilsington, and St. Mary's in Dover ; Merton in Yorkshire ; Hornby in Lancashire, and Tiltey in Essex. Ibid. 555—558 See a letter from the visitors in Strype, i. 260.

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abbots and priors of the more wealthy houses were lords of parliament, and therefore present to justify themselves and their communities : but that the superiors of the others were at a distance, unacquainted with the charges brought against them, and of course unable to clear their own characters, or to expose the arts of their accusers.

1536.  
[March 4.

A bill was introduced, and hurried, though not without opposition, through the two houses,<sup>10</sup> giving to the king and his heirs all monastic establishments, the clear yearly value of which did not exceed two hundred pounds, with the property belonging to them both real and personal, vesting the possession of the buildings and lands in those persons, to whom the king should assign them by letters patent ; but obliging the grantees, under the penalty of ten marks per month, to keep on them an honest house and household, and to plough the same number of acres, which had been ploughed on an average of the last twenty years. It was calculated that by this act about three hundred and eighty communities would be dissolved : and that an addition of thirty-two thousand pounds would be made to the yearly revenue of the crown, be-

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<sup>10</sup> Spelman tells us, that it stuck long in the house of commons, and would not pass, till the king sent for the commons, and told them he would have the bill pass, or take off some of their heads. Hist. of Sacrilege, p. 183.

sides the present receipt of one hundred thousand in money, plate, and jewels.

This parliament by successive prorogations had now continued six years, and by its obsequious compliance with every intimation of the royal will, had deserved, if any parliament could deserve, the gratitude of the king. To please him it had altered the succession, had new modelled the whole frame of ecclesiastical government, and had multiplied the prerogatives, and added to the revenue, of the crown. It was now dissolved: and commissioners were named to execute the last act for the suppression of the smaller monasteries. Their instructions ordered them to proceed to each house within a particular district, to announce its dissolution to the superior and the brotherhood, to make an inventory of the effects, to secure the convent seal and the title deeds, and to dispose of the inhabitants according to certain rules. But the statute which vested these establishments in the king, left it to his discretion to found them anew: a provision which while it left a gleam of hope to the sufferers, drew considerable sums of money into the pockets of Cromwell and his deputies. The monks of each community flattered themselves with the expectation of escaping from the general shipwreck, and sought by presents and annuities to secure the protection of the minister and the visitors. On the other hand the favourites, to whom Henry had already engaged to

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Suppression of the  
lesser monasteries.

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give or sell the larger portion of these establishments, were not less liberal in their offers, nor less active in their endeavours to hasten the dissolution.<sup>11</sup>

Some are respited.

The result of the contest was, that more than a hundred monasteries obtained a respite from immediate destruction : and of these the larger number was founded again by the king's letters patent, though each of them paid the price of that favour by the surrender of a valuable portion of its possessions. With respect to the suppressed houses, the superior received a pension for life : of the monks, those who had not reached the age of twenty-four were absolved from their vows, and sent adrift into the world without any provision : the others were divided into two classes. Such as wished to continue in the profession, were divided among the larger monasteries : those who did not, were told to apply to Cranmer or Cromwell, who would find them employments suited to their capacities. The lot of the nuns was more distressing. Each received a single gown from the king, and was left to support herself by her own industry, or to seek relief from the charity and commiseration of others.<sup>12</sup>

<sup>11</sup> Cromwell made a rich harvest during the whole time of the suppression. See letters on the subject, Cleop. E. iv. fol. 135. 146. 205. 216. 220. 257. 264. 269.

<sup>12</sup> See Burnet, 192. 222. Rec. iii. p. 142. 157. Rym. xiv. 574. Stevens has published an interesting document, containing the



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IV.

 Death of  
Catharine.

During the suppression of these establishments the public attention had been in a great measure diverted to a succession of most important events, the death of Catharine, the divorce and execution of Anne Boleyn, and the king's marriage with Jane Seymour. 1<sup>o</sup>. During the three last years Catharine with a small establishment<sup>13</sup> had resided on one of the royal manors. In most points she submitted without a murmur to the royal pleasure; but no promise, no intimidation could induce her to forego the title of queen, or to acknowledge the invalidity of her marriage, or to accept the offer made to her by her nephew, of a safe and honourable asylum either in Spain or Flanders. It was not that she sought to gratify her pride, or to secure her personal interests: but she still cherished a persuasion, that her daughter Mary might at some future period be called to the throne, and on that account refused to stoop to any concession, which might endanger or weaken the right of the princess. In

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names of those houses, which had obtained a respite from instant destruction; the names of the persons to whom they had been granted; and the names of such as had been confirmed or founded again at the time when the paper was written. Forty-six had been certainly confirmed: the writer had his doubts respecting five others: and out of this number thirty-three had previously been promised by Henry to different persons. Stevens, *Monast. ii. App. p. 17.* From the surrenders, which were afterwards made, it appears that several more in the catalogue were confirmed after the date of the document.

<sup>13</sup> In one of her letters she observes, that she had not even the means of riding out. Hearne's *Sylloge*, at the end of *Titus Livius*, p. 77

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her retirement she was harassed with angry messages from the king: sometimes her servants were discharged for obeying her orders; sometimes were sworn to follow the instructions which they should receive from the court: Forest, her confessor, was imprisoned and condemned for high treason: the act of succession was passed to defeat her claim: and she believed that Fisher and More had lost their lives merely on account of their attachment to her cause. Her bodily constitution was gradually enfeebled by mental suffering, and feeling her health decline, she repeated a request, which had often been refused, that she might see her daughter, once at least before her death. For Mary, from the time of the divorce, had been separated from the company,<sup>14</sup> that she might not imbibe the principles, of her mother. But at the age of twenty she could not be ignorant of the injuries which both had suffered: and her resentment was daily strengthened by the jealousy of a hostile queen, and the caprice of a despotic

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<sup>14</sup> At the commencement of their separation Catharine wrote her a letter of advice: "I beseech you agree to God's pleasure with a merry heart, and be you sure, that without fail he will not suffer you to perish, if you beware to offend him.... Answer the king's message with a few words, obeying the king your father in every thing, save only that you will not offend God and lose your soul" "...And now you shall begin, and by likelihood I shall follow. I set not a rush by it; for when they have done the uttermost they can, then I am sure of the amendment. I pray you recommend me unto my good lady of Salisbury, and pray her to have a good heart, for we never come to the kingdom of heaven but by troubles." Apud Burnet, ii. Records, p. 243.

father.<sup>15</sup> Henry had the cruelty to refuse this last consolation to the unfortunate Catharine,<sup>16</sup> who from her death-bed dictated a short letter to “her most dear lord, king, and husband.” She conjured him to think of his salvation; forgave him all the wrongs which he had done her; recommended their daughter Mary to his paternal protection: and requested that her three maids might be provided with suitable marriages, and that her other servants might receive a year’s wages. Two copies were made by her direction, of which one was delivered to Henry, the other to Eustachio Chapuys, the imperial ambassador, with a request that, if her husband should refuse, the emperor would reward her servants. As he perused the letter the stern heart of Henry was softened; he shed a tear, and desired the ambassador to bear to her a kind and consoling message. But she died before his arrival: and was buried by the king’s direction with becoming pomp in the abbey church of Peterborough.<sup>17</sup> The reputation which she had acquired on the

1536.  
Jan. 8.

<sup>15</sup> One great cause of offence was that she persisted in giving herself the title of princess, and refused it to the infant, Elizabeth, whom she called nothing but sister. On this account she was banished from court, and confined to different houses in the country. See two of her letters in Fox, tom. ii. l. ix. p. 131. and in Hearne’s Titus Livius, p. 144.

<sup>16</sup> Cum hoc idem filia cum lacrymis postulare, mater vix extremum spiritum ducens flagitaret, quod hostis nisi crudelissimus nunquam negasset, conjux a viro, mater pro filia, impetrari non potuit. Poli Apol. ad Carol. 162.

<sup>17</sup> Sanders, 144. Herbert, 432. Heylin’s Reform. 179. Her will is published by Strype, i. Ap. 169.

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IV.

Queen  
Anne's  
miscar-  
riage.

Jan. 29.

throne, did not suffer from her disgrace. Her affability and meekness, her piety and charity, had been the theme of universal praise: the fortitude with which she bore her wrongs, raised her still higher in the estimation of the public.

2. Out of respect for the memory of Catharine, Henry had ordered his servants to wear mourning on the day of her burial: but Anne Boleyn dressed herself in robes of yellow silk, and openly proclaimed her joy, observing that she was now indeed a queen, since she had no longer a rival. In this, however, she was fatally deceived. Among her maids was one, named Jane Seymour, the daughter of a knight of Wiltshire, who to equal or superior elegance of person, added a gentle and playful disposition, as far removed from the Spanish gravity of Catharine, as from that levity of manner, which Anne had acquired in the French court. In the midst of her joy the queen accidentally discovered Seymour sitting on the king's knee. The sight awakened her jealousy: in a few days she felt the pains of premature labour; and was delivered of a dead male child. To Henry, who most anxiously wished for a son, the birth of Elizabeth had proved a bitter disappointment: on this, the second failure of his hopes, he could not suppress his vexation. Anne is reported to have answered, that he had no one to blame but himself, that her miscarriage had been owing to his fondness for her maid.<sup>18</sup>

<sup>18</sup> Sanders, 147. Heylin, 263.

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IV.Her im-  
prison-  
ment.

We have seen the rise and triumph, we are now called to witness the fall and execution of this unfortunate queen. By her levity and indiscretion she had furnished employment to the authors and retailers of scandal. Reports injurious to her honour had for some time been circulated among the courtiers: they had even reached the ear of Henry; and some hints of their tendency had been whispered to Anne herself.<sup>19</sup> It chanced that on Monday, the first of May, a tilting match was exhibited at Greenwich, in which the principal challenger was her brother lord Rochford, the principal defendant her favourite, sir Henry Norris. In one of the intervals between the courses, the queen, by accident or through design, dropt from her balcony a handkerchief, which fell at the feet of one of the combatants. He took it up, and wiped his face with it: but the circumstance did not escape the jealous eye of the king, who changed colour, started abruptly from his seat, and left the company. Anne followed: but was committed a prisoner to her chamber; while Henry with a suite of only six persons, rode hastily to Whitehall. The next day she was ordered to proceed by water towards the palace at Westminster; but was met on the river by the duke of Norfolk, the lord chancellor, and

May 1.

May 2.

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<sup>19</sup> This is plain from her request to Norris on the 30th of April that he would speak in defence of her reputation. See p. 313.

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Cromwell, who informed her that she had been charged with infidelity to the king's bed. Falling on her knees, she prayed aloud that if she were guilty, God might never grant her pardon. They conducted her to the Tower, where she had been preceded in the morning by Rochford and Norris, and was soon followed by Brereton, Weston, and Smeaton, all gentlemen of the privy chamber.<sup>20</sup>

Her beha-  
viour in  
prison.

From the moment of her confinement at Greenwich, Anne had foreseen her fate, and had abandoned herself to despair. Her affliction seemed to produce occasional aberrations of intellect. Sometimes she would sit absorbed in melancholy, and drowned in tears; and then suddenly assume an air of unnatural gaiety, and indulge in immoderate bursts of laughter. To those who waited on her, she said that she should be a saint in heaven; that no rain would fall on the earth till she were delivered from prison; and that the most grievous calamities would oppress the nation in punishment of her death. But at times her mind was more composed: and then she gave her attention to devotional exercises, and for that purpose requested that a consecrated host might be placed in her closet. The apartment allotted for her prison, was the same in which she had slept on the night before her coronation. She immediately recollected it,

<sup>20</sup> Sanders, 148. Hall, 227.



saying that it was too good for her : then falling on her knees, exclaimed, “ Jesus, have mercy “ on me :” this exclamation was succeeded by a flood of tears, and that by a fit of laughter. To Kyngston, the lieutenant of the tower, she protested, “ I am as clear from the company of “ man, as for sin, as I am clear from you. I am “ told that I shall be accused by three men : “ and I can say no more but nay, though you “ should open my body.” Soon afterwards she exclaimed in great anguish, “ O ! Norris, hast “ thou accused me ? Thou art in the Tower with “ me : and thou and I shall die together. And “ thou Mark (Smeaton), thou art here too ! “ Mr. Kyngston,” (turning to the lieutenant), “ I shall die without justice.” He assured her that if she were the poorest subject in the realm, she would still have justice : to which she replied with a loud burst of laughter.

Under the mild administration of justice at the present day, the accused is never required to condemn himself : but in former times every artifice was employed to draw matter of proof from the mouth of the prisoner by promises and threats, by private examinations in the presence of commissioners, and ensnaring questions put by the warders and attendants. Whatever was done, or uttered within the walls of the Tower, was carefully recorded, and transmitted to the council. Mrs. Cosin, one of the ladies appointed to wait on the queen, asked, why Norris had said to her almoner on Saturday last, that

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he could swear for her that she was a good woman. Anne replied: "Marry, I bade him do so: for I asked him why he did not go through with his marriage: and he made answer that he would tarry a time. Then, said I, you look for dead men's shoes: for, if aught but good should come to the king," (Henry was afflicted with a dangerous ulcer in the thigh), "you would look to have me. He denied it: and I told him, that I could undo him, if I would." But it was of Weston that she appeared to be most apprehensive, because he had told her, that Norris frequented her company for her sake, and not, as was pretended, to pay his addresses to Madge, one of her maids: and when she reproached him with loving a kinswoman of hers more than his own wife, he had replied that he loved her better than them both. When Mrs. Stonor, another attendant, observed to her that Smeaton was treated more severely than the other prisoners, for he was in irons: she replied that the reason was, because he was not a gentleman by birth: that he had never been in her chamber but once, and that was to play on a musical instrument: and that she had never spoken to him from that day till the last Saturday, when she asked him why he appeared so sad, and he replied that a look from her sufficed him.<sup>21</sup>

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<sup>21</sup> These particulars are taken from the letters of the lieutenant: and may be seen in Herbert, 446. Burnet, i. 199. and Strype, i. 280-283.



Of the five male prisoners four strongly maintained their innocence before the council. Smeaton, on his first examination, would admit only some suspicious circumstances; but on the second he made a full disclosure of his guilt. Anne was sent to be interrogated at Greenwich. With her answers we are not acquainted; but she afterwards complained of the conduct of her uncle Norfolk, who, while she was speaking, shook his head, and said "tut, tut:" She observed enigmatically, that Mr. Treasurer was all the while in the forest of Windsor; and added, that Mr. Comptroller alone behaved to her as a gentleman. On her return she was cheerful, laughed heartily, ate her meals with a good appetite, and said to Kyngston, "If any man accuse me, I can say but nay; and they can bring no witness."<sup>22</sup>

I have related these particulars, extracted from the letters of the lieutenant, that the reader may form some notion of the state of the queen's mind during her imprisonment, some

Trial of  
the queen.

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<sup>22</sup> Strype, i. 282. and the letters of Cromwell and Baynton, Heylin, 264. I have not noticed Anne's letter to the king, supposed to be written by her in the Tower; because there is no reason to believe it authentic. It is said to have been found among Cromwell's papers, but bears no resemblance to the queen's genuine letters in language or spelling, or writing or signature. See Fiddes, 197. Godwin tells us (p. 58), but only as a report, that Henry, who loved Norris, sent to offer him a pardon, if he would confess; but that he answered he believed the queen innocent, and knew of nothing which he could lay to her charge.

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conjecture respecting the truth or falsehood of the charge, on which she suffered. From them it is indeed plain that her conduct had been imprudent; that she had descended from her high station to make companions of her men servants: and that she had even been so weak as to listen to their declarations of love. But whether she rested here, or abandoned herself to the impulse of licentious desire, is a question which probably can never be determined. The records of her trial and conviction have perished, perhaps by the hands of those who respected her memory: and our judgment is held in suspense between the contradictory and unauthenticated statements of her friends and enemies. By some we are told that the first disclosure was made by a female in her service, who, being detected in an unlawful amour, sought to excuse herself by alleging the example of her mistress: by others that the suspicion of the king was awakened by the jealousy of lady Rochford, whose husband had been discovered either lying on, or leaning over, the bed of his sister. But that which wrought conviction in the royal mind was a deposition made upon oath by the lady Wingfield on her death-bed: of which the first lines only remain, the rest has been accidentally or designedly destroyed.<sup>23</sup> This, however, with the depositions of the other witnesses, was embodied

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<sup>23</sup> Burnet, i. 197.

in the bill of indictment, and submitted to the grand juries of Kent and Middlesex, because the crimes laid to the charge of the prisoners were alleged to have been committed in both counties. The four commoners were arraigned in the court of king's bench. Smeaton pleaded guilty: all were convicted, and received sentence of death. But the case of the queen was without precedent in English history: and as the practice of attainting without trial had not yet been introduced, it was determined to arraign her before a commission of lords, similar to that which had condemned the late duke of Buckingham. The duke of Norfolk was appointed high steward, with twenty-six peers as assessors. To the bar of this tribunal, in the hall of the Tower, the unhappy queen was led by the constable and lieutenant, and was followed by her female attendants. The indulgence of a chair was granted to her dignity or weakness. The indictment stated that, inflamed with pride and carnal desires of the body, she had confederated with her brother lord Rochford, and with Norris, Brereton, Weston, and Smeaton, to perpetrate divers abominable treasons: that she had permitted each of the five to lie with her several times; that she had said that the king did not possess her heart; and had told each of them in private that she loved him better than any other man, to the slander of the issue begotten between her and the king: and that she had in

May 12.

May 15.

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union with her confederates imagined and devised several plots for the destruction of the king's life. According to her friends she repelled each charge with so much modesty and temper, such persuasive eloquence, and convincing argument, that every spectator anticipated a verdict of acquittal : but the lords pronounced her guilty on their honour, and condemned her to be burnt or beheaded at the royal pleasure. If we may believe a foreign writer, as soon as she heard this sentence, she exclaimed : " O ! Father, O ! Creator, thou knowest I do not deserve this death : " and then addressing herself to the court : " My lords, I do not arraign your judgment. You may have sufficient reason for your suspicions : but I have always been a true and faithful wife to the king." As soon as she was removed, her brother occupied her place, was convicted on the same evidence, and condemned to lose his head and to be quartered as a traitor.<sup>24</sup>

By the result of this trial the life of Anne was forfeited to the law : but the vengeance of

Cranmer pronounces a divorce.

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<sup>24</sup> Burnet, i. 201, 202. iii. 119. St. 28 Hen. VIII. 7. It is supposed that the charge of conspiracy against the king's life was introduced into the indictment merely for form : yet I observe that the lord chancellor takes it as proved in his speech to the two houses of parliament in presence of Henry. He reminds them twice of the great danger to which the king had been exposed during his late marriage, from the plots laid for his life by Anne and her accomplices. Journals, p. 84.

May 3.

Henry had prepared for her an additional punishment in the degradation of herself and her daughter. On the day after the arrest of the accused, he had ordered Cranmer to repair to his palace at Lambeth, but with an express injunction that he should not venture into the royal presence. That such a message at such a time should excite alarm in the breast of the archbishop will not create surprise: and the next morning he composed a most eloquent and ingenious epistle to the king. Prevented, he said, from addressing his grace in person, he deemed it his duty to exhort him in writing, to bear with resignation this the bitterest affliction which had ever befallen him. As for himself, his mind was clean amazed. His former good opinion of the queen prompted him to think her innocent: his knowledge of the king's prudence and justice induced him to believe her guilty. To him she had proved, after the king, the best of benefactors: wherefore he trusted that he might be allowed to wish and pray that she might establish her innocence: but, if she did not, he would repute that man a faithless subject, who did not call for the severest punishment on her head, as an awful warning to others. He loved her formerly, because he thought that she loved the gospel: if she were guilty, every man would hate her in proportion to his love of the gospel. Still he hoped that as the king had not begun the reformation through his affection

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for her, but through his love of the truth, he would not permit her misconduct to prejudice that important work in his opinion. But the alarm of the archbishop was without any real foundation. Henry had no other object than to intimidate, and by intimidating to render him more ductile to the royal pleasure. He had already written, but had not dispatched his letter, when he was summoned to meet certain commissioners in the star-chamber, who laid before him the proofs of the queen's offence, and acquainted him with the duty which was expected from him. He had formerly dissolved the marriage between Henry and Catharine; he was now required to dissolve that between Henry and Anne.<sup>25</sup>

It must have been a most unwelcome and painful task. He had examined that marriage

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<sup>25</sup> The letter is published by Burnet (i. 200), and certainly does credit to the ingenuity of the archbishop in the perilous situation in which he thought himself placed: but I am at a loss to discover in it any trace of that high courage, and chivalrous justification of the queen's honour, which have drawn forth the praises of Burnet and his copiers.—In the postscript the archbishop adds: “they (the commissioners) have declared unto me such things, as your grace's pleasure was they should make me privy unto: for the which I am most bounden unto your grace. And what communication we had together, I doubt not but they will make the true report thereof unto your grace. I am exceedingly sorry that such faults can be proved by the queen, as I heard of their relation; and I am and ever shall be your faithful subject.” But what was this report, which they were to make to the king from him? The sequel seems to shew that it regarded the course to be pursued in pronouncing the divorce.

juridically; had pronounced it good and valid; and had confirmed it by his authority as metropolitan and judge. But to hesitate might have cost him his head. He acceded to the proposal with all the zeal of a proselyte: and adopting as his own the objections to its validity with which he had been furnished, sent copies of them to both the king and the queen, “for the salvation “of their souls,” and the due effect of law: with a summons to each to appear in his court, and to shew cause why a sentence of divorce should not be pronounced. Never perhaps was there a more solemn mockery of the forms of justice, than in the pretended trial of this extraordinary cause. By the king; Dr. Sampson was appointed to act as his proctor: by the queen, the doctors Wotton and Barbour were invested with similar powers: the objections were read: the proctor on one part admitted them, those on the other could not refute them: both joined in demanding judgment: and two days after the condemnation of the queen by the peers, Cramner, “having previously invoked the name of Christ, “and having God alone before his eyes,” pronounced definitively that the marriage formerly contracted, solemnized and consummated between Henry and Anne Boleyn, was and always had been null and void. The whole process was afterwards laid before the members of the convocation, and the two houses of parliament. The former dared not to dissent from the decision of the metropolitan: the latter were wil-

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ling that in such a case their ignorance should be guided by the learning of the clergy. By both the divorce was approved and confirmed. To Elizabeth, the infant daughter of Anne, the necessary consequence was that she, like her sister, the daughter of Catharine, should be reputed illegitimate.<sup>25</sup>

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<sup>25</sup> See the Record in Wilkins (Con. iii. 801). Burnet, unacquainted with this instrument, informs us that the divorce was pronounced in consequence of an alleged precontract of marriage between Anne and Percy, afterwards earl of Northumberland: that the latter had solemnly denied the existence of such contract on the sacrament: but that Anne, through hope of favour, was induced to confess it. That Percy denied it, is certain from his letter of the 13th of May; that Anne confessed it is a mere conjecture of the historian, supported by no authority. It is most singular that the real nature of the objection on which the divorce was founded, is not mentioned in the decree itself, nor in the acts of the convocation, nor in the act of parliament, though it was certainly communicated both to the convocation and the parliament. If the reader turn to p. 152. 172, he will find that the king had formerly cohabited with Mary, the sister of Anne Boleyn: which cohabitation, according to the canon law, opposed the same impediment to his marriage with Anne, as had before existed to his marriage with Catharine. On this account he had procured a dispensation from pope Clement: but that dispensation, according to the doctrine which prevailed after his separation from the communion of Rome, was of no force: and hence I am inclined to believe that the real ground of the divorce pronounced by Cranmer, was Henry's previous cohabitation with Mary Boleyn: that this was admitted on both sides: and that in consequence the marriage with Anne, the sister of Mary, was judged invalid. Perhaps it may be thought a confirmation of this conjecture, that in the parliament, as if an alarm had been already created, Henry at the petition and intercession of the lords and commons assented that dispensations formerly granted by the pope should be esteemed valid, and all marriages made in consequence of such dispensations before November 3, 1534, should stand good in law, unless they were prohibited by the express words of Scripture. St, 28 Hen. VIII, 16.



On the day on which Cranmer pronounced judgment, the companions of the queen were led to execution. Smeaton was hanged: the other four, on account of their superior rank, were beheaded. *He* did not revoke his confession: *they* neither admitted nor denied the offence, for which they suffered. To Anne herself two days more were allotted, which she spent for the most part in the company of her confessor. On the last evening falling on her knees, she requested lady Kyngston, who was sitting in an arm chair, to go in her name to the lady Mary, to kneel before her in like manner, and to beg of her to pardon an unfortunate woman the many wrongs which she had done her. We learn from Kyngston himself, that she displayed an air of greater cheerfulness than he had ever witnessed in any person in similar circumstances; that she had required him to be present when she received

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She is be-  
headed.

May 18

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As, however, it has been thought that the act of parliament is opposed to the above conjecture, I will subjoin the passage, that the reader may form his own judgment. “ And all be it, moste drad sovraign lorde, that the said actes were then made as it was then thought by your majesty nobles and comons upon a pure perfyte and clere foundation, thynkyng the said mariage then had betwene your highness and the said lady Anne in their consciences to have bene pure perfyte and good, and so was accepted, reputed, and taken in the realme, till now of late that God of his infynyte goodness, from whom no secrete thynges can be hidd, hath caused to be brought to light evydente and open knowledge, as well of certeyne just true and lawfull impedyments unknowne at the making of the said actes, and sithen that tyme confessed by thaid lady Anne, before the most reverend father in God Thomas archbishop of Cantorbury, metropolytane and prymate of all England, sitting judicially for the same.” St. 28 Henry VIII. c. 7.

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May 19.

“ the good lord,” to the intent that he might hear her declare her innocence ; and that he had no doubt she would at her execution proclaim herself “ a good woman for all but the king.”

But in this supposition he was deceived. A little before noon she was led to the green within the Tower. The dukes of Suffolk and Richmond, the lord mayor, sheriffs and aldermen, and a deputation of citizens from each of the companies, were present. Anne addressed them in the following words : “ Good christian people, “ I am come hither to die according to the law : “ and by the law I am adjudged to die ; and “ therefore I will speak nothing against it. I “ am come hither to accuse no man, nor to “ speak any thing of that whereof I am accused, “ and condemned to die. But I pray God save “ the king, and send him long to reign over “ you : for a gentler and more merciful prince “ was there never : and to me he was always a “ good, a gentle and merciful lord. And if any “ person will meddle of my cause, I require “ them to judge the best. And thus I take my “ leave of you all ; and heartily desire you all to “ pray for me.” She then knelt down at the block : at one stroke her head was severed from the body : and her remains, enclosed in an elm chest taken from the armoury, were buried in the chapel of the Tower.<sup>27</sup>

Thus fell this unfortunate queen within four

<sup>27</sup> Hall, 228. Burnet, i. 204, 205. See note (D) at the end of the volume.

months after the death of Catharine. To have expressed a doubt of her guilt during the reign of Henry, or of her innocence during that of Elizabeth, would have been deemed a proof of disaffection. The question soon became one of religious feeling, rather than of historical disquisition. Though she had departed no farther than her husband from the ancient doctrine, yet, as her marriage with Henry led to the separation from the communion of Rome, the catholic writers were eager to condemn, the protestant to exculpate her memory. In the absence of those documents which alone could enable us to decide with truth, I will only observe that the king must have been impelled by some most powerful motive to exercise against her such extraordinary, and, in one supposition, such superfluous rigour. Had his object been (we are sometimes told that it was) to place Jane Seymour by his side on the throne, the divorce of Anne without her execution, or the execution without the divorce, would have effected his purpose. But he seems to have pursued her with insatiable hatred. Not content with taking her life, he made her feel in every way in which a wife and a mother could feel. He stamped on her character the infamy of adultery and incest: he deprived her of the name and the right of wife and queen: and he even bastardized her daughter, though he acknowledged that daughter to be his own. If then he were not assured of her guilt, he must

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- have discovered in her conduct some most heinous cause of provocation, which he never disclosed. He had wept at the death of Catharine: but, as if he sought to display his contempt for the memory of Anne, he dressed himself in white on the day of her execution, and was married to Jane Seymour the next morning.
- May 20. For two years Mary, his daughter by Catharine, had lived at Hunsdon, a royal manor, in a state of absolute seclusion from society. Now, taking advantage of a visit from lady Kyngston, who had probably been allowed to deliver the message from Anne Boleyn, she solicited the good offices of Cromwell, and obtained permission to write to her father.<sup>23</sup> Her letter was corrected and improved by Cromwell himself:<sup>29</sup> but general expressions of humility and sorrow did not appease the resentment of Henry, by whose orders a deputation from the council waited on her at Hunsdon, and required her to subscribe to certain articles. From these her
- Mary reconciled to her father.
- May 26.
- June 10.

<sup>23</sup> "I perceived that nobody durst speak for me as long as that woman lived, who is now gone, whom I pray our Lord of his great mercy to forgive. Wherefore now she is gone, I desire you for the love of God to be a suitor for me to the king's grace ... Accept mine evil writing: for I have not done so much this two year or more: nor could not have found the means to do it at this time but by my lady Kyngston's being here." Sylloge Epist. at the end of Titus Livius, by Hearne, p. 140.

<sup>29</sup> She had said: "I have decreed simply from henceforth and wholly, *next to Almighty God*, to put my state, continuance and living in your gracious mercy." Cromwell objected to the words in italics: and she replied that she had always been accustomed to except God in speaking and writing, but would follow his advice, and copy the letter which he had sent her. Ibid. p. 124, 126.

conscience recoiled: but Cromwell subdued her scruples by a most unfeeling and imperious letter. He called her "an obstinate and obdurate woman, deserving the reward of malice in the extremity of mischief:" if she did not submit, he would take his leave of her for ever, "reputing her the most ungrateful, unnatural, and obstinate person living, both to God and her father:" and ended with saying, that by her disobedience she had rendered herself "unfit to live in a Christian congregation, of which he was so convinced, that he refused the mercy of Christ, if it were not true."<sup>30</sup> Intimidated and confounded, she at last consented to acknowledge, that it was her duty to observe all the king's laws: that Henry was the head of the church: and that the marriage between her father and mother had been incestuous and unlawful.<sup>31</sup> It was then required that she should reveal the names of the persons who had advised her former obstinacy and her present submission: but the princess indignantly replied, that she was ready to suffer death rather than expose any confidential friend to the royal displeasure. Henry relented: he permitted her to write to him; and granted her an establishment more suitable to her rank.<sup>32</sup> But though

June 26.

<sup>30</sup> Sylloge Epist. at the end of Titus Livius, by Hearne, p. 137.

<sup>31</sup> Ibid. 142.

<sup>32</sup> From one of her letters she appears to have been intrusted with the care of Elizabeth. "My sister Elizabeth is in good health, thanks be to our Lord, and such a child toward, as I doubt not,

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she was received into favour, she was not restored in blood. The king had called a parliament to repeal the last, and to pass a new act of succession, entailing the crown on his issue by his queen Jane Seymour. But he did not rest here: in violation of every constitutional principle he obtained a power, in failure of children by his present or any future wife, to limit the crown in possession and remainder by letters patent under the great seal, or by his last will, signed with his own hand, to any such person or persons, whom he might think proper. It was believed that he had chiefly in view his natural son, the duke of Richmond, then in his eighteenth year, and the idol of his affection. But before the act could receive the royal assent, the duke died; Henry remained without a male child, legitimate or illegitimate, to succeed him: and a project was seriously entertained, but afterwards abandoned, of marrying the lady Mary to the duke of Orleans, the second son of the French monarch, and of declaring them presumptive heirs to the crown.<sup>33</sup>

July 24.

Insurrection in the northern counties.

During the summer the king sought to dissipate his grief for the death of his son in the company of the young queen: in autumn he was suddenly alarmed by an insurrection in the northern counties, where the people retained a strong attachment to the ancient doctrines, and

“ but your highness will have cause to rejoice of in time coming, as “ knoweth almighty God.” p. 131

<sup>33</sup> St. 28 Hen. VIII. 7. Strype, i. Rec. 182.

the clergy, farther removed from the influence of the court, were less disposed to abjure their opinions at the nod of the sovereign. Each succeeding innovation had irritated their discontent: but when they saw the ruin of the establishments which they had revered from their childhood; the monks driven from their homes, and in many instances compelled to beg their bread; and the poor, who had formerly been fed at the doors of the convents, now abandoned without relief:<sup>34</sup> they readily listened to the declamations of demagogues, unfurled the standard of revolt, and with arms in their hands demanded the redress of their grievances. Nor was the insurrection long confined to the common people. The nobility and gentry, the former patrons of the dissolved houses, complained that they were deprived of the corrodies reserved to them by the charters of foundation; and contended that according to law, whenever these religious corporations ceased to exist, their lands ought not to fall to the crown, but should revert to the representatives of the original donors. The archbishop of York, the lords Nevil, Darcy, Lumley, and Latimer, and most of the knights and gentlemen in the north, joined the insurgents, either through compul-

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<sup>34</sup> “Whereby the service of God is not only minished, but also the porealty of your realm be unrelieved, and many persons be put from their livings, and left at large, which we think is a great hinderance to the common-wealth.” Lincolnshire remonstrance, apud Speed, 1033.

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1536.  
Oct. 7.

sion, as they afterwards pretended, or through inclination, as was generally believed. The first who appeared in arms were the men of Lincolnshire: and so formidable was their force, that the duke of Suffolk, the royal commander, deemed it more prudent to negotiate than to fight. They complained chiefly of the suppression of the monasteries, of the statute of uses,<sup>35</sup> of the introduction into the council of such men as Cromwell and Rich, and of the preferment in the church of the archbishops of Canterbury and Dublin, and of the bishops of Rochester, Salisbury, and St. David's, whose chief aim was to subvert the church of Christ. Several messages passed between the king and the insurgents: at length a menacing proclamation created dissension in their councils: and as soon as the more obstinate had departed to join their brethren in Yorkshire, the rest accepted a full pardon on the acknowledgment of their offence, the surrender of their arms, and the promise to maintain all the acts of parliament passed during the king's reign.<sup>36</sup>

The pilgrimage  
of grace.

In the five other counties the insurrection had assumed a more formidable appearance. From the borders of Scotland to the Lune and the Humber, the inhabitants had generally bound

<sup>35</sup> By the statute of uses was meant the statute for transferring uses into possession, by which persons who before had the use only of their lands, and thus lay in a great measure at the mercy of the feoffees, became seized of the land in the same estate of which they before had the use. St. 27 Hen. VIII. 10.

<sup>36</sup> Speed, 1033. Herbert, 474.



themselves by oath to stand by each other, “ for  
 “ the love which they bore to Almighty God, his  
 “ faith, the holy church, and the maintenance  
 “ thereof; to the preservation of the king’s per-  
 “ son and his issue; to the purifying of the no-  
 “ bility; and to expulse all villein blood, and evil  
 “ counsellors from his grace and privy council;  
 “ not for any private profit, nor to do displeasure  
 “ to any private person, nor to slay or murder  
 “ through envy, but for the restitution of the  
 “ church and the suppression of heretics and  
 “ their opinions.” Their enterprise was quaintly  
 termed the pilgrimage of grace; on their ban-  
 ners were painted the image of Christ crucified,  
 and the chalice and host, the emblems of their  
 belief: and, wherever the pilgrims appeared,  
 the ejected monks were replaced in the monas-  
 teries, and the inhabitants were compelled to  
 take the oath, and to join the army.<sup>37</sup> The  
 strong castles of Skipton and Scarborough were  
 preserved by the courage and loyalty of the  
 garrisons: but Hull, York, and Pontefract ad-  
 mitted the insurgents: and thirty thousand men,  
 under the nominal command (the real leaders  
 seem not to have been known) of a gentleman

Oct. 20.

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<sup>37</sup> As an instance, I will add the summons sent to the commons of Hawkside. “ We command you and every of you to be at the Stoke green beside Hawkside kirk on Saturday next by eleven of the clock, in your best array, as you will answer before the high Judge at the great day of doom, and in the pain of pulling down your houses, and the losing of your goods, and your bodies to be at the captain’s will.” Speed, 1033.

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named Robert Aske, hastened to obtain possession of Doncaster. The earl of Shrewsbury, though without any commission, ventured to arm his tenantry, and throw himself into the town: he was soon joined by the duke of Norfolk, the king's lieutenant, with five thousand men: a battery of cannon protected the bridge over the river: and the ford was rendered impassable by an accidental swell of the waters. In these circumstances the insurgents consented to an armistice, and appointed delegates to lay their demands before Henry; who had already summoned his nobility to meet him in arms at Northampton, but was persuaded by the duke to revoke the order, and trust to the influence of terror and disunion.

Nov. 7.

Nov. 13.

To the deputies the king gave a written answer, composed by himself;<sup>36</sup> to Norfolk full authority to treat with the insurgents, and to grant a pardon to all but ten persons, six named, and four unnamed. But this exception caused each of the leaders to fear for his own life; the terms were refused; another negotiation was opened; and a numerous deputation, having previously

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<sup>36</sup> It is characteristic of the author. He marvels that such ignorant churls should talk of theological subjects to him, who "had been noted to be learned;" or should complain of his laws, as if after the experience of twenty-eight years, he did not know how to govern a kingdom; or should oppose the suppression of monasteries, as if it were not better to relieve the head of the church in his necessity, than to support the sloth and wickedness of monks. It is printed in Speed, 1038, and Herbürt, 480.

consulted a convocation of the clergy sitting at Pontefract,<sup>39</sup> proposed their demands to the royal commissioners. They required that heretical books should be suppressed, and that heretical bishops, and temporal men of their sect, should either be punished according to law, or try their quarrel with the pilgrims by battle: that the statutes of uses, and treason of wards, with those which abolished the papal authority, bastardized the princess Mary,<sup>40</sup> suppressed the monasteries, and gave to the king the tenths and first fruits of benefices, should be repealed: that Cromwell the vicar general, Audeley the chancellor, and Rich the attorney general, should be punished as subverters of the law, and maintainers of heresy; that Lee and Layton, the visitors of the northern monasteries, should be prosecuted for extortion, peculation, and other abominable acts; that no man, residing north of the Trent, should be compelled by subpœna to appear at any court but at York, unless in matters of allegiance; and that a parliament should be shortly held in some convenient place, as at Nottingham

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<sup>39</sup> Their answers to the questions proposed to them may be seen in Strype, i. App. 179. Wilk. iii. S12.

<sup>40</sup> On this account, to get rid of Mary, the king determined to make her a nun (a proof that he had not yet resolved to abolish all monasteries and convents): and sent Wriothesley to sound her inclination. She answered that she would rather remain as she was, but should be always ready to obey his orders. Syllog. Epis. 136. 149.

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IV.

It is suppressed.

1537.  
Feb.

June.

or York. These demands were instantly rejected by the duke, as was an offer of pardon, clogged with exceptions, by the insurgents. The latter immediately recalled such of their partisans as had left their camp; their numbers multiplied daily: and Norfolk, who dreaded the result of an attack, found it necessary to negotiate both with his sovereign, and his opponents. At length he subdued the obstinacy of each: and Henry offered, the insurgents accepted, an unlimited pardon, with an understanding that their grievances should be shortly and patiently discussed in the parliament to be assembled at York.<sup>41</sup> But the king, freed from his apprehensions, neglected to redeem his promise; and within two months the pilgrims were again under arms. Now, however, the duke, who lay with a more numerous force in the heart of the country, was able to intercept their communications, and to defeat all their measures. They failed in two successive attempts to surprise Hull and Carlisle; the lord Darcy, Robert Aske, and most of the leaders were taken, sent to London, and executed: the others were hanged by scores at York, Hull, and Carlisle; and at length, when resistance had ceased, and the royal resentment had been satisfied, tranquillity was

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<sup>40</sup> See Hardwick's State Papers, p 28, 29. &c. Henry "thought " his honour would be much touched, if he granted them a free " pardon." On this account he was very peevish with the duke.

restored by the proclamation of a general pardon.<sup>42</sup>

CHAP.  
IV.

Pole's le-  
gation de-  
feated.

Henry enjoyed at the same time the satisfaction of having defeated the policy of the court of Rome. To avoid the storm which he had foreseen, Reginald Pole had sought and found a tranquil retreat in the north of Italy. He had spent two years in the prosecution of his studies, when, at the suggestion of his friend Contarini, the papal minister, he was invited by Paul III. to visit the Vatican. To deter him from the journey, not only his mother and brothers, but Cromwell and his friends in England, wrote to him in the most earnest terms: and shortly afterwards the two houses of parliament, probably at the desire of Henry, attempted in a common letter to dissuade him from accepting preferment in the papal court.<sup>43</sup> The first shook, but did not subdue, his resolution: the second arrived too late. Pole, indeed, aware that he should make the king his implacable enemy, and expose his family to the resentment of an

1535.  
July 19.

Oct. 10.

<sup>42</sup> Herbert, 489.

<sup>43</sup> Neve (Animad. on Phillips, 249) ridicules the idea of such a letter: but Pole in his answer directed to the parliament says expressly, *Literas omnium vestrum nominibus subscriptas*, Pol. Ep. i. 179. As no parliament was then sitting, I conceive that like the letter formerly sent to Clement VII. it was subscribed by the lords, and by a few commons in the name of the lower house. Pole's answer was addressed to parliament, because he understood that it was to assemble at York, as had been promised, on the 30th of March.

## CHAP.

## IV.

Dec. 22.

unprincipled sovereign, at first refused every offer: but he yielded after a long resistance to the persuasion of his friend, and the command of the pontiff; accepted about Christmas the dignity of cardinal; and before two months had elapsed, was unexpectedly named to a very delicate but dangerous mission.

1537.  
Feb. 15.

A notion prevailed that the insurrection in the northern counties had made a deep impression on the mind of the king of England, and that during the parliament, which he had promised to convene at York, means might be successfully employed to reconcile him with the apostolic see. The imperial cabinet strongly recommended that the charge of opening and conducting this negotiation should be intrusted to Pole: the French ambassador concurred:<sup>44</sup> and the English cardinal was appointed legate beyond the Alps. His instructions ordered him first to exhort Charles and Francis to sheath their swords against each other, and employ them only against the Turks, then to announce the pope's intention of convoking a general council, and lastly to proceed to the Netherlands, where he should fix his residence, unless circumstances should induce him to visit his own country. The moment his appointment was known in England, Cromwell, whose enmity to him was not inferior to that of Henry, told Lati-

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<sup>44</sup> Pol. Ep. ii. p. 34, 35. 42.

mer, that he would make the cardinal through vexation "eat his own heart." As soon as Pole had entered France, the English ambassador, in virtue of an article in the alliance between the two crowns, required that he should be delivered up, and sent a prisoner to England: and the king, though he indignantly rejected the demand, requested Pole by a private messenger, not to ask for an audience, but to prosecute his journey with the utmost expedition. He soon reached Cambray: but Henry's agent had already terrified the court of Brussels, and the queen regent refused him permission to enter the imperial territory. At the same time the king of England proclaimed him a traitor, fixed a price of fifty thousand crowns on his head, and offered the emperor in exchange for the person of the cardinal an auxiliary force of four thousand men during his campaign against France.<sup>45</sup> Alarmed by the danger to which he was exposed at Cambray, Pole repaired, under the protection of an escort, to Liege: and in August was recalled to Rome. It has been said that in accepting this mission, he sought to induce the emperor and king of France to make war upon Henry, and that he even indulged a hope of being able to obtain the crown for himself, as a descendant of the house of York. These charges

April 22.

June 7.

Aug. 22.

<sup>45</sup> Dudith Vit. Pol. N<sup>o</sup>. x. xi. Becatelli, inter Ep. Poli, v. 366. Ep. Pol. ii. p. 43. 48. 55.

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are satisfactorily refuted by his official and confidential correspondence:<sup>46</sup> but at the same time it is plain that one of his objects was to confirm by his residence in Flanders the attachment of the northern counties to the ancient faith; to supply, if it were necessary, the leaders of the malcontents with money; and to obtain for them the favour and protection of the neighbouring powers.<sup>47</sup> Hence it will not excite surprise, if Henry, who had formerly been the benefactor of Pole, looked on him from this moment as an enemy, and pursued him ever afterwards with the most implacable hatred.

Dissolu-  
tion of the  
greater  
monas-  
teries.

The northern insurrection, instead of securing the stability, accelerated the ruin of the remaining monasteries. The more opulent of these establishments had been spared, as was pretended, on account of their superior regularity: and of the many convents of friars no notice at all had been taken, probably because, as they could not possess landed property, little plunder was to be derived from their suppression. A charge, however, was now made, that the monks in the northern counties had encouraged their

<sup>46</sup> See his letter to the cardinal of Carpi (ii. 33), to the pope (ii. 46), to Edward VI. (tom. iv. 337), to Cromwell or Tunstal from Cambray (Burnet, iii. 125. Strype, 1. app. 218); and another from Throckmorton, a gentleman in his suite, but at the same time in the pay of Cromwell (Cleop. E. vi. 382). The reports of Throckmorton were so favourable to the cardinal, that his sincerity was suspected, and he was attainted the next year.

<sup>47</sup> Pol. Ep. ii. Monim. prælim. cclxvii—cclxxix. and Ep. p. 52.



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IV.

tenants to join in the pilgrimage of grace: and a commission, under the presidency of the earl of Sussex, was appointed to investigate their conduct. As a fair specimen of the proceedings, I will describe the surrender of the great monastery of Furness. All the members of the community, with the tenants and servants, were successively examined in private: and the result of a protracted inquiry was, that though two monks were committed to Lancaster castle, nothing could be discovered to criminate either the abbot or the brotherhood. The commissioners proceeded to Whalley: and a new summons compelled the abbot of Furness to re-appear before them. A second investigation was instituted, and the result was the same. In these circumstances, says the earl in a letter to Henry, which is still extant, “devising with myselef, yf  
 “one way would not serve, how and by what  
 “means the said monks might be ryd from the  
 “said abbey, and consequently how the same  
 “might be at your graceous pleasur, I deter-  
 “mined to assay him as of myself, whether he  
 “would be contented to surrender giff and  
 “graunt unto (you) your heirs and assignans the  
 “sayd monastery: which thing so opened to the  
 “abbot farely, we found him of a very facile  
 “and ready mynde to follow my advice in that  
 “behalf.” A deed was accordingly offered him to sign, in which having acknowledged “the  
 “misorder and evil rule both unto God and the

Of Fur-  
ness.1537.  
April 5.

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IV.

April 11.

Proceed-  
ings of the  
visitors.

“king of the brethren of the said abbey,” he, in discharge of his conscience, gave and surrendered to Henry all the title and interest which he possessed in the monastery of Furness, its lands and its revenues. Officers were immediately dispatched to take possession in the name of the king; the commissioners followed with the abbot in their company; and in a few days the whole community ratified the deed of its superior. The history of Furness is the history of Whalley, and of the other great abbeys in the north. They were visited under pretext of the late rebellion: and by one expedient or other were successively wrested from the possessors, and transferred to the crown.<sup>48</sup>

The success of the earl of Sussex and his colleagues, stimulated the industry of the commissioners in the southern districts. For four years they proceeded from house to house, soliciting, requiring, compelling the inmates to submit to the royal pleasure: and each week, frequently each day of the week, was marked by the surrender of one or several of these establishments. To accomplish their purpose they first tried the milder expedient of persuasion. Large and tempting offers were held out to the abbot and the leading members of the brotherhood: and the lot of those who had already

<sup>48</sup> See the original papers in the British Museum (Cleop. E. iv. 111. 244. 246), copied and published by West in his *History of Furness*, App. x. (4, 5, 6, 7.)

complied, the scanty pittances assigned to the refractory, and the ample pensions granted to the more obsequious, operated on their minds as a warning and an inducement.<sup>49</sup> But where persuasion failed, recourse was had to severity and intimidation. 1°. The superior and his monks, the tenants, servants, and neighbours, were subjected to a minute and rigorous examination: each was exhorted, was commanded to accuse the other; and every groundless tale, every malicious insinuation, was carefully collected and recorded. 2°. The commissioners called for the accounts of the house, compared the expenditure with the receipts, scrutinized every article with an eye of suspicion and hostility, and required the production of all the monies, plate, and jewels. 3°. They proceeded to search the library and the private rooms for papers and books: and the discovery of any opinion or treatise in favour of the papal supremacy, or of the validity of Henry's first mar-

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<sup>49</sup> The pensions to the superiors appear to have varied from 26*l.* to 6*l.* per annum. The priors of cells received generally 13*l.* A few, whose services had merited the distinction, obtained 20*l.* To the other monks were allotted pensions of six, four, or two pounds, with a small sum to each at his departure, to provide for his immediate wants. The pensions to nuns averaged about 4*l.* It should, however, be observed that these sums were not in reality so small as they appear, as money was probably at that period of ten times more value than it is now. It was provided that each pension should cease, as soon as the pensioner obtained church preferment of equal value.

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riage, was taken as a sufficient proof of adhesion to the king's enemies, and of disobedience to the statutes of the realm.<sup>50</sup> The general result was a real or fictitious charge of immorality, or peculation, or high treason. But many superiors, before the termination of the inquiry, deemed it prudent to obey the royal pleasure: some, urged on the one hand by fear, on the other by scruples, resigned their situations, and were replaced by successors of more easy and accommodating loyalty: and the obstinacy of the refractory monks and abbots was punished with imprisonment during the king's pleasure. But

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<sup>50</sup> These transactions are thus described by Catherine Bulkeley, abbess of Godstow, in a letter to Cromwell. "Dr. London is soddenlye commyd unto me with a great rowte with him, and doth threten me and my sisters, saying that he hath the king's commission to suppress this house spyte of my tethe. When I shewyd him playne that I wolde never surrender to his hande, being an awncyent enemye, now he begins to intrete me, and invegle my sisters one by one, otherwise than I ever herde tell that the king's subjects had been handelyd: and here taryeth, and contynueth to my grete coste and charges, and will not take my answere, that I will not surrender, till I know the king's gracious commandment, or your good lordship's.... And notwithstanding, that Dr. London like an untrew man, hath informed your lordship that I am a spoiler and a waster, your good lordship shall know that the contrarie is trewe: for I have not alienatyed one halporthe of the goods of this monasterie moveable or inmoveable." Cleop. E. iv. p. 238. Of this Dr. London, Fuller says, "He was no great saint: for afterwards he was publicly convicted of perjury, and adjudged to ride with his face to the horse-tail at Windsor and Ockingham" (p. 314): to which may be added that he was also condemned to do public penance at Oxford for incontinency with two women, the mother and daughter. Strype, i. 377.

the lot of these was calculated to terrify their brethren. Some, like the Carthusians confined in Newgate, were left to perish through hunger, disease, and neglect; others, like the abbots of Colchester, Reading, and Glastonbury, were executed as felons or traitors.<sup>51</sup>

During these proceedings, the religious bodies, instead of uniting in their common defence, seem to have awaited singly their fate with the apathy of despair. A few houses only, through the agency of their friends, sought to purchase the royal favour with offers of money and lands: but the rapacity of the king refused to accept a part when the whole was at his mercy: and a bill was brought into parliament, vesting in the crown all the property moveable and immoveable of the monastic establishments, which either had already been, or should hereafter be suppressed, abolished, or surrendered. The advocates of the measure painted its advantages in

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IV.



Monastic  
property  
vested in  
the king.

1539.  
May 13.

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<sup>51</sup> Ellis, ii. 98. The fate of these Carthusians is thus announced to Cromwell in a letter from Bedyll, one of the visitors. "My very good lord, after my most hearty commendations—It shall please your lordship to understand that the monks of the Charter-house here at London, committed to Newgate for their treacherous behaviour continued against the king's grace, be almost dispatched by the hand of God, as it may appear to you by this bill enclosed. Wherefore, considering their behaviour, and the whole matter, I am not sorry: but would that all such as love not the king's highness, and his worldly honour, were in like case. There he departed Greenwood, Davye, Salte, Peerson, Grene. There be at the point of death, Scriven, Reading. There be sick, Jonson, Horne. One is whole, Bird." Cleop. E. iv. fol. 217. Ellis, ii. 76.

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the most fascinating colours. It would put an end to pauperism and taxation; it would enable the king to create and support earls, barons, and knights; to wage war in future without any additional burden to the people; and to free the nation from all apprehension of danger from foreign enmity or internal discontent.<sup>52</sup>

The house of lords at that period contained twenty-eight abbots, and the two priors of Coventry and of St. John of Jerusalem. Though the fate which awaited them was plainly hinted in the bill itself, not one dared to open his mouth in opposition: and before the succeeding session their respective houses had ceased to exist, and with the houses their right to the peerage. If, however, the people flattered themselves with the benefits promised by the supporters of the bill, the delusion quickly vanished. Pauperism was found to increase: the monastic property was lavishly squandered among the parasites of the court: the king solicited some compensation for the expense which it had cost him to reform the religion of the state: and within twelve months a subsidy of two tenths and two fifteenths was extorted by him from the reluctant gratitude of his parliament.<sup>53</sup>

1540.  
May 8.

<sup>52</sup> Coke, *Inst.* iv. 44. Strype, i. 211. 272.

<sup>53</sup> Journals, 110, 111. 135. See also the preface to Stow by Howes. According to Bale, an ardent reformer, "A great part of this treasure was turned to the upholding of dice-playing, masking, and banquetting: yea," he adds, "(I would I could not by

By the spring of the year 1540 all the monastic establishments in the kingdom had been torn from the possession of the real owners by forced and illegal surrenders.<sup>54</sup> To soften the odium of the measure much has been said of the immorality practised, or supposed to be practised, within the monasteries. It is not in human nature that in numerous societies of men, all should be equally virtuous. The monks of different descriptions amounted to many thousands; and in such a multitude there must have existed individuals, whose conduct was a disgrace to their profession. But when this has been conceded on the one hand, it ought to be admitted on the other, that the charges against

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“just occasion speak it) bribing, wh...., and swearing.” Bale apud Strype, i. 346.

<sup>54</sup> As soon as an abbey was surrendered, 1<sup>o</sup>. the commissioners broke its seal, and assigned pensions to the members. 2<sup>o</sup>. The plate and jewels were reserved for the king; the furniture and goods were sold; and the money was paid into the augmentation office, lately established for that very purpose. 3<sup>o</sup>. The abbot's lodgings and the offices were left standing for the convenience of the next occupant: the church, cloisters, and apartments for the monks were stripped of the lead and every saleable article, and then left to fall in ruins. Burnet, i. Rec. 151. 4<sup>o</sup>. The lands were by degrees alienated from the crown by gift, sale, or exchange. -From a commission in Rymer (xiv. 653.) it appears that the lands sold at twenty, the buildings at fifteen years' purchase: the buyers were to hold of the crown, paying a reserved rent, equal to one tenth of the usual rent. 5<sup>o</sup>. The annual revenue of all the suppressed houses amounted to 142,914*l.* 12*s.* 9*d.*, about the one-and-twentieth part of the whole rental of the kingdom, if Hume be correct in taking that rental at three millions. See note (E) at the end of the volume.

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them are entitled to very little credit. They are ex parte statements, to which the accused had no opportunity of replying: their object was to silence inquiry and sanctify injustice; and they were made by men, of whom some were not immaculate characters themselves,<sup>55</sup> all were stimulated to invent and exaggerate, both by the known rapacity of the king, and by their own prospects of personal interest.<sup>56</sup> There is, however, one fact, which to me appears decisive on the subject. Of all the monastic bodies, perhaps the monks of Christchurch have suffered the most in reputation: they are charged with habitually indulging the most immoral and shameful propensities. Yet, when archbishop Cranmer named the clergy for the service of his cathedral, he selected from these very men no fewer than eight prebendaries, ten minor canons, nine scholars, and two choristers. From his long residence in Canterbury he could not be ignorant of their previous conduct; from respect for his own character, he would not surround

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<sup>55</sup> As London, mentioned in note 50; and Bedyll mentioned in note 51, who, from a letter of one of his colleagues (Fuller, 315), appears to have been an artful but profligate man. If we believe the northern insurgents, Layton and Lee were not much better.

<sup>56</sup> See Cleop. E. iv. 106. 213. When Gifford gave a favourable character of one house, the king maintained that he had been bribed. The reader may see the vices ascribed to the monks of some houses in Strype, i. 252—257, or Cleop. E. iv. 124. 127. 131. 134. 147; and letters in favour of others, *ibid.* 203. 209, 210. 213. 257. 269.



himself with men addicted to the most disgraceful vices.<sup>57</sup>

To lull his own conscience, or to silence the murmurs of his subjects, Henry resolved to appropriate a portion of the spoil to the advancement of religion ; and for that purpose was authorised by act of parliament, to establish new bishoprics, deaneries, and colleges, and to endow them with adequate revenues out of the lands of the suppressed monasteries. He seems to have frequently amused himself with this project. From papers still extant in his own hand it appears that plans were devised, the revenues fixed, the incumbents appointed on paper ; but when he attempted to execute the design, unforeseen difficulties arose ; his donations to others had already alienated the greater part of the property ; his own wants required the detention of the remainder. Out of eighteen, the number originally intended, only six episcopal sees, those of Westminster, Oxford, Peterborough, Bristol, Chester and Gloucester, were established ; and even these were at first so scantily endowed, that the new prelates for some years enjoyed little more than a nominal income.<sup>58</sup> At the same time the king converted fourteen abbeys and priories into cathedral and

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IV.

New bishoprics  
established.

<sup>57</sup> See Stevens, *Monast.* i. 386. Also Brown Willis, i. 37. Harmer, 47. Hearne, pref. to *Sec. Append. to Lel. Collect.* p. 84.

<sup>58</sup> *Journals*, 112. *Strype*, i. Rec. 275. *Rym.* xiv. 709. 717—736. 748. 754.

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IV.

collegiate churches, attaching to each a dean and a certain number of prebendaries : but was careful to retain for himself a portion of the original possessions, and to impose on the chapters the obligation of contributing annually a certain sum to the support of the resident poor, and another for the repair of the highways.<sup>59</sup> Thus he continued to the end of his reign, taking from the church with one hand, and restoring with the other, but taking largely and restoring sparingly, extorting from the more wealthy prelates exchanges of lands and advowsons, and in return occasionally endowing a rectory or re-establishing a charitable foundation. Still his treasury was empty; the only individuals who profited by the pillage, were the men whom he had lately raised to office and rank, whose importunities never ceased, and whose rapacity could never be satisfied.

Doctrine  
of the  
English  
church.

III. From the abolition of the papal authority to the close of Henry's reign, the creed of the church of England depended on the theological caprice of its supreme head. The clergy were divided into two opposite factions, denominated the men of the old and the new learning. The chief of the former was Gardiner bishop of

<sup>59</sup> They were Canterbury, Rochester, Westminster, Winchester, Bristol, Gloucester, Worcester, Chester, Burton-upon-Trent, Carlisle, Durham, Thornton, Peterborough, and Ely. The dean and chapter of Canterbury were enjoined to give annually to the poor 100*l.*, towards the highways 40*l.* The others were rated in proportion. Rym. xv. 77.

Winchester, who was ably supported by Lee archbishop of York, Stokesley bishop of London, Tunstal of Durham, and Clarke of Bath and Wells. The latter acknowledged for their leaders, Cranmer archbishop of Canterbury, Shaxton of Sarum, Latimer of Worcester, and Fox of Hereford. These could depend on the powerful interest of Cromwell the vicar general, and of Audeley the lord chancellor: those on that of the duke of Norfolk, and of Wriothesley the premier secretary. But none of the prelates, warmly as they might be attached to their own opinions, aspired to the palm of martyrdom. They possessed little of that firmness of mind, of that high and unbending spirit, which generally characterizes the leaders of religious parties: but were always ready to suppress, or even to abjure, their real sentiments at the command of their wayward and imperious master. If, on the one hand, Gardiner and his associates, to avoid the royal displeasure, consented to renounce the papal supremacy, and to subscribe to every successive innovation in the established creed: Cranmer and his friends on the other submitted with equal weakness to teach doctrines which they disapproved, to practise a worship which they deemed idolatrous or superstitious, and to consign men to the stake for the open profession of tenets, which, there is reason to suspect, they themselves inwardly believed. Henry's infallibility continually oscillated be-

CHAP.  
IV.

tween the two parties. If his hostility to the court of Rome led him to incline towards the men of the new learning, he was quickly brought back again by his attachment to those doctrines which he had formerly maintained in his controversy with Luther. The bishops on both sides acted with equal caution. They carefully studied the inclinations of the king, sought by the most servile submission to win his confidence, and employed all their vigilance to defeat the intrigues, and to undermine the credit of their adversaries.

Attempted union of the king with the German reformers.

Though the refusal of the German reformers to approve of the divorce had not contributed to efface that unfavourable impression, which had been originally made on the king's mind by the writings of Luther, his subsequent defection from the see of Rome prompted him to seek an union with those, who for so many years had set at defiance the authority and censures of the pontiff. The formation of the confederacy at Torgau,<sup>60</sup> had been followed by the diet of Spire: and six princes with fourteen cities had signed a formal protest against the decree of that assembly.<sup>61</sup> It was in vain that at the next diet

1529.  
April 19.

<sup>60</sup> See chapter ii. p. 149.

<sup>61</sup> This instrument displays in strong colours the intolerance of the first reformers. The decree among other things forbid any person, layman or ecclesiastic, to employ violence and constraint in matters of religion, to abolish the mass by force, or to prohibit, command, or compel any one to assist at it. They replied, that they could not consent to this article: that conscience forced them to abolish the

of Augsburg, Charles endeavoured to appease the protestants by condescension, or to intimidate them by menaces. They presented to him a confession of their faith; refused to submit to his determination; concluded a new confederacy at Smalcald; and wrote a defence of their proceedings to the kings of England and France. Both returned complimentary answers; and the latter in 1535 invited to his court Melancthon, the most learned and moderate of the new teachers. The moment the intelligence was communicated to Henry, he dispatched letters and messengers first to Germany, and in the next place to Paris: those to intercept Melancthon on his journey, these to prevail on him, if he had reached France, to proceed without interruption to England.<sup>62</sup> What might be the king's object, it were idle to conjecture: but the elector of Saxony was persuaded by the policy or jealousy of Luther, to detain Melancthon within his own territory. Soon afterwards Henry sent to the protestant princes at Smalcald an embassy, consisting of the bishop of Hereford, archdeacon Heath, and Dr. Barnes, to represent to them that, as both he and they had defied the authority of the pontiff, it might be for their

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mass; nor would they permit any of their subjects to be present at it. (Sleidan, l. vi. p. 80.) It was from this protestation, that the reformers acquired the name of protestants.

<sup>62</sup> Mr. Coxehas printed the original letters in his Life of Melancthon, p. 371. 384.

CHAP.  
IV.

1535.  
Dec. 25.

mutual interest to join in one common confederacy. But the Germans, assuming a lofty tone, required that he should subscribe to their confession of faith, and should advance partly as a loan, partly as a present, the sum of one hundred, or if it were necessary, of two hundred thousand crowns; and as a reward for his compliance, offered to him the title of head of the league, and promised not to obey any decrees of the bishop of Rome, nor to acknowledge any council convoked by the pontiff without the consent of the king. Henry took a long interval to reply; and consulted Gardiner, at that time his ambassador in France, who, anxious to wean his sovereign from this heterodox connexion, opposed the demands of the princes with much art and ability. Why was Henry, he asked, to subscribe to their confession of faith? Had he emancipated himself from the usurped authority of the pontiff, to put his neck under the yoke of the German divines? "It would be rather a change  
"of a bond of dependence, than a riddance  
"thereof." The word of God authorized the king to make all necessary reformation in religious matters: but now his hands were to be tied, till he should ask and obtain the consent of the princes in Smalcald. In the next place those princes were incompetent to conclude such a league. The emperor was the head of the German, on the same grounds as Henry was the head of the English, church: nor could

the subjects of the one lawfully make religious treaties with a foreign prince, with greater right than those of the other. At all events the king ought to require from them as preliminary concessions, the approbation of his divorce, and the acknowledgment of his supremacy: two points to which Gardiner well knew that the Germans would never accede. Had he been present, there can be little doubt that, by thus appealing to the king's favourite prejudices, he would have broken off the negotiation altogether: as it was, Henry replied by thanking them for their good will, and consenting to aid them with money on certain conditions; but he required that a deputation of German divines should previously repair to England, and in conjunction with the English theologians should fix the firm basis of a thorough reformation. After some discussion, Melancthon, with certain divines, received an order to visit Henry; but the order was revoked as soon as the unfortunate end of Anne Boleyn was known in Germany. The reformers suspected that the king was not sincere in his religious professions; and that now, when the original cause of dissension was removed, he would seek a reconciliation with both the emperor and the pontiff.<sup>63</sup>

CHAP.  
IV.

It fails.

1536.  
March 12.

April 24.

<sup>63</sup> See Collier, ii. Records, p. 23. and Strype, i. Rec. 157—163. In a letter written by Cromwell on this occasion, he says, "The king "knowing himself to be the learnedest prince in Europe, he thought

CHAP.  
IV.  
Articles of  
doctrine.

Soon afterwards the lower house of convocation denounced to the higher, fifty-nine propositions extracted from the publications of different reformed writers. The subject instantly attracted the notice of the head of the church: and Henry with the aid of his theologians compiled a book of "Articles," which was presented to the convocation by Cromwell, and subscribed by him and the other members. It may be divided into three parts. The first declares that the belief of the Apostles' creed, the Nicene creed, and the Athanasian creed, is necessary for salvation: the second explains the three great sacraments of baptism, penance, and the altar, and pronounces them the ordinary means of justification: the third teaches that though the use of images, the honouring of the saints, the soliciting of their intercession, and the usual ceremonies in the service, have not in themselves the power to remit sin, or justify the soul, yet they are highly profitable, and ought to be retained.—Throughout the work Henry's attachment to the ancient faith is most manifest: and the only concession which he makes to the men of the new learning, is the order for the removal of abuses, with perhaps the omission of a few controverted subjects. The vicar general immediately issued injunctions, in the name of the

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"it became not him to submit to them, but he expected they should submit to him." Burnet, iii. 112.



king, that "the Articles" should be read to the people in the churches without any comment: and that until the next Michaelmas, no clergyman should presume to preach in public, unless he were a bishop; or spoke in the presence of a bishop, or were licensed to teach in the cathedral, at the peril of the bishop.<sup>64</sup>

By these Articles Henry had now fixed the landmarks of English orthodoxy: for the better information of his subjects, he ordered the convocation "to set forth a plain and sincere exposition of doctrine." The task was accomplished by the publication of a work entitled, "The godly and pious Institution of a Christian Man," subscribed by the archbishops, bishops, archdeacons, and certain doctors of canon and civil law, and pronounced by them to accord "in all things with the very true meaning of scripture."<sup>65</sup> It explains in succession the creed, the seven sacraments, which it divides into three of a higher and four of a lower order, the ten commandments, the pater noster and ave Maria, justification and purgatory. It is chiefly remarkable for the earnestness with which it refuses salvation to all persons out of the pale of the Catholic church, denies the supremacy of the pontiff, and inculcates passive obedience to the king. It teaches that no cause whatever can authorize the subject to draw the sword against his prince:

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IV.  
July 12.

Institution  
of a Christian.  
1537.

<sup>64</sup> Wilk. Con. iii. 804—808, 817—823.

<sup>65</sup> Ibid. 830.

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IV.

that sovereigns are accountable to 'God alone : and that the only remedy against oppression is to pray that God would change the heart of the despot, and induce him to make a right use of his power.<sup>66</sup>

Envoys  
from the  
Lutheran  
princes.

The design of a conference between the English and German divines was soon afterwards revived, chiefly at the instigation of Cranmer. Had the archbishop openly called in question any of "the Articles" lately determined by Henry, he would probably have paid with his head the forfeit of his presumption : but he conceived that foreigners might venture to defend their own creed without giving offence ; and flattered himself with the hope that their reasoning might make impression on the theological obstinacy of the king. Burkhard, vice-chancellor to the elector of Saxony, Boyneburg, doctor of laws, and Myconius, superintendent of Saxe-Gotha, arrived in England in the spring of 1538 ; and frequent conferences were held between them and a commission of divines appointed by Henry. But the policy of Cranmer was disappointed. His German missionaries were not deficient in zeal or learning, but it was their lot to labour on an ungrateful soil. As a last effort they laid before the king a detailed statement of the reasons, on which they grounded their demand of the concession of the cup to

1538.  
May.

Aug. 5.

<sup>66</sup> Collier, ii. 139—143.]

the laity, of the abrogation of private masses, and of the permission of marriage to the priesthood.

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IV.

Henry, calling to his aid the bishop of Durham, condescended to answer their arguments, and in conclusion thanked them for their trouble, granted them permission to return home, and promised to bear honourable testimony to their learning, zeal, and talents.<sup>67</sup>

Their departure was a severe mortification to the men of the new doctrine. Still, however, the spirit of innovation continued to make a slow but steady progress; and, though it might not keep space with their wishes, afforded them grounds to hope for a favourable result. The king redeemed his pledge of "the removal of abuses." By his order a number of holidays was abolished, which he considered superfluous, as far as regarded religion, injurious, in as much as they restrained the industry of the people. The clergy were enjoined to admonish their parishoners, that images were permitted only as books for the instruction of the unlettered: that to abuse them for any other purpose was idolatry: and that the king intended to remove whatever might be the "occasion of so great an offence to God, and so great a danger to the souls of his loving subjects."<sup>68</sup> For this purpose

Destruction of shrines.

<sup>67</sup> Both papers are printed by Burnet, i. Addenda, p. 332—360. See others on the same subject in Strype, i. Rec. 258—262.

<sup>68</sup> Wilkins, Con. iii. 816, 823, 826. One of the principal roads.

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IV.

shrines were demolished ; genuine or suppositious relics were burnt : the most celebrated roods and images were broken into fragments or given to the flames. To make the greater impression the royal agents conducted their operations with much parade and solemnity, and employed every engine to detect and expose the real or pretended frauds, by which the devotion of the people had been attracted towards particular churches. Whatever credit may be due to reports originating with men, whose great object it was to bring the religious orders into disrepute, and to terrify them into the surrender of their property,<sup>69</sup> there is one proceed-

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called Darvell Gatharen, was brought from Wales to London to be employed at the execution of Dr. Forest, an observant friar ; because there was an old saying, that it would one day burn a forest. To Forest the reformed writers give but an indifferent character : while the catholics praise him as a man of extraordinary virtue. He had been confessor to queen Catharine : had written against the supremacy : was accused as a heretic of denying the gospel : and offered to submit to the decision of the church, but refused to sign a recantation which was offered to him. He was suspended by the middle, and burnt at a slow fire kindled with the wood of the rood. Latimer preached from a pulpit : and the council attended to grant him a pardon, if he would recant. The nature of his heresy is plain from the lines affixed to the gallows ;—

“ Forest the friar,  
That infamous liar,  
That wilfully will be dead,  
In his contumacy,  
The gospel doth deny,  
The king to be supreme head.”

See Sanders, 138. 163. Hall, 232. Burnet, i. 358. Wood, Athenæ, ii. 42.

<sup>69</sup> Most of these tales depend at present on the very questionabl

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ing, which, on account of its singularity and absurdity, deserves the attention of the reader. It had been suggested that, as long as the name of St. Thomas of Canterbury should remain in the calendar, men would be stimulated by his example to brave the ecclesiastical authority of their sovereign. The king's attorney was therefore instructed to exhibit an information against him: and "Thomas Becket, sometime archbishop of Canterbury," was formally cited to appear in court, and answer to the charge. The interval of thirty days allowed by the canon law was suffered to elapse: still the saint neglected to quit the tomb in which he had reposed for two centuries and a half; and judgment would have been given against him for default, had not the king of his special grace assigned him a counsel. The court sat at Westminster: the attorney general and the advocate of the accused were heard; and sentence was finally pronounced, that Thomas, sometime archbishop of Canterbury, had been guilty of rebellion, contumacy, and treason; that his bones should be publicly burnt, to admonish the living of their duty by the punishment of the dead: and that the offerings which had been made at his shrine, the personal property of the reputed saint, should be forfeited to the crown.<sup>70</sup> A commission was ac-

1538.  
April 24.

June 11.

Aug. 11.

authority of William Thomas, the author of *Il Pelerine Inglese*, who has led Burnet into a multitude of errors. See Collier, ii. 149.

<sup>70</sup> Wilk. Con. iii. 835, 836. As we have only translations of the

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IV.

Aug. 19.

cordingly issued ; the sentence was executed in due form : and the gold, silver, and jewels, the spoils obtained by the demolition of the shrine, were conveyed in two ponderous coffers to the royal treasury. Soon afterwards a proclamation

Nov. 16.

was published, stating that, forasmuch as it now clearly appeared, that Thomas Becket had been killed in a riot excited by his own obstinacy and intemperate language, and had been afterwards canonized by the bishop of Rome as the champion of his usurped authority, the king's majesty thought it expedient to declare to his loving subjects, that he was no saint, but rather a rebel and traitor to his prince, and therefore strictly charged and commanded that he should not be esteemed or called a saint, that all images and pictures of him should be destroyed, the festivals in his honour be abolished, and his name and remembrance be erased out of all books, under pain of his majesty's indignation, and imprisonment at his grace's pleasure.<sup>71</sup>

Tyndal's  
Bbl.

In another, and more important point, the archbishop proved equally fortunate. Some years had passed, since William Tyndal, a tutor in a

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citation and judgment made by foreigners, I might have doubted the authenticity of these instruments, were they not alluded to by the king in his proclamation of Nov. 16. "Forasmuch as it appeareth *now clearly* that Thomas," &c. (ibid. 848), and by Paul III. in his bull of Dec. 17. *In judicium vocari, et tanquam contumacem damnari, ac proditorem declarari fecerat.* Ibid. 841.

<sup>71</sup> Wilk. Con. iii. 841. Another proclamation of similar import was issued in the next month. Burnet, iii. Rec. 152.

family of Gloucestershire, but of suspicious orthodoxy, had fled into the Netherlands, where he printed a version of the New Testament of his own composition. The book, as soon as it was imported, attracted the notice of archbishop Warham, who, in a circular letter to the prelates of his province, ordered all the copies to be seized and destroyed, on the ground that it was an unfaithful translation, adulterated with erroneous and scandalous opinions. But this attempt to suppress, promoted the sale of the work: the Old was added to the New Testament; and the hope of profit induced the Dutch printers to publish so many successive editions, that at length the king thought it his duty to interfere. Having previously consulted the bishops and a deputation of divines from each university, he published a proclamation, ordering all persons to deliver up their copies of Tyndal's version both of the Old and New Testaments: declaring that in respect of the malignity of the times, it was better that the scriptures should be explained by the learned than exposed to the misapprehension of the vulgar: and promising that, if it should hereafter appear that erroneous opinions were forsaken, and the present version was destroyed, he would then provide a new translation by the joint labours of great, learned, and catholic persons.<sup>72</sup>

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IV.  
1526.

Oct. 24.

1530.  
May 25.

<sup>72</sup> Wilk. Con. iii. 705. 735. 740.

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IV.

Mat-  
thewe's  
bible.

1534.  
Dec. 19.

1537.

1539.  
Nov. 13.

This promise was not forgotten by Cranmer, who had witnessed the success with which so powerful a weapon had been wielded by the reformers in Germany. He often ventured to recal it to the royal recollection; his endeavours were seconded by the petition of the convocation and the recommendation of Cromwell; and Grafton and Whitechurch, two printers, obtained the royal licence to publish a folio edition of the Bible in English. It bore the name of Thomas Mattheve, a fictitious signature: and was made up of the version by Tyndal, and of another by Coverdale, printed very lately, as it was thought, at Zurich. Injunctions were now issued, that a Bible of this edition should be placed in every church at the joint expense of the incumbent and the parishoners; and that any man might have the liberty of reading in it at his pleasure, provided he did not disturb the preacher in his sermon, nor the clergyman during the service. Soon afterwards this indulgence was extended from the church to private houses; but Henry was at all times careful to admonish the readers, that, when they met with difficult passages, they should consult persons more learned than themselves; and to remind them, that the liberty which they enjoyed, was not a right to which they possessed any claim, but a favour granted “of the royal liberality, and goodness.”<sup>73</sup>

<sup>73</sup> Wilk. Con. iii. 776. 811. 843. 847. 856.



IV. The king, like all other reformers, made his own judgment the standard of orthodoxy: but he enjoyed an advantage, which few besides himself could claim, the power of enforcing obedience to his decisions. That the teachers of erroneous doctrine ought to be repressed by the authority of the civil magistrate, was a maxim which at that period had been consecrated by the assent and practice of ages. No sooner had Constantine the great embraced christianity, than he enacted against dissenters from the established creed the same punishments, which his pagan predecessors had inflicted on those who apostatized from the religion of their fathers.<sup>74</sup> His example was repeatedly followed by succeeding emperors:<sup>75</sup> it was adopted without hesitation by the princes of the northern tribes, who, after their conversion, were accustomed to supply from the imperial constitutions the deficiencies of their own scanty legislation. Hence religious intolerance became part of the public law of christendom: the principle was maintained, the practice enforced by the reformers themselves:<sup>76</sup> and, whatever might be the predominant doctrine, the dissenter from

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IV.

Persecu-  
tion of  
Lollards.

<sup>74</sup> Soerat. p. 32. Sozom. p. 38. 72. 90. edit. Vales. S. Aug. contra ep. Parmen. l. 1. c. 7.

<sup>75</sup> Leg. 51. 56. Cod. Theod. de Hæret. Leg. 5. 11, 12. 14. 16. Cod. Just. de Hæret.

<sup>76</sup> Calvin in refut. Error. Mich. Serveti, p. 587, and in his letter to the duke of Somerset. Merentur gladio ultore coerceri, quem tibi tradidit deus. Ep. Calvini Protect. Ang. p. 65.

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it invariably found himself subject to civil restrictions, perhaps to imprisonment and death. By Henry the laws against heresy were executed with equal rigour both before, and after, his quarrel with the pontiff. In his third and thirteenth years the teachers of Lollardism had awakened by their intemperance the zeal of the bishops: and the king by proclamation charged the civil magistrates to lend their aid to the spiritual authorities. Of the numbers brought before the primate and the bishops of London and Lincoln, almost all were induced to abjure: a few of the more obstinate forfeited their lives.<sup>77</sup> Lollardism, however, presented but little cause for alarm: it was the progress of Lutheranism in Germany, which first taught the bishops to tremble for the security of their church. Curiosity led men to peruse the writings of the reformer and his partisans: the perusal occasionally made converts: and the converts laboured to diffuse the new light with all the fervour of proselytism. They were not content to propagate their doctrine by preaching: the Bible was translated and printed beyond the sea: and books were published which condemned the creed of the established church, ridiculed the ceremonies of its worship, satirized the lives

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<sup>77</sup> Fox, ii. 19. Burnet, i. 27. I have not noticed the legend of Hunn, who was found dead in prison. To the account given by Hall and Fox may be opposed that by sir Thomas More. *Supplic. of Soules*, 297—299.

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IV.

of its ministers. Henry, as defender of the faith, thought himself bound in honour to protect with the sword those doctrines, which he had supported with his pen. When the convocation condemned Tyndal's Bible as an unfaithful version, and the other works as teeming with errors and slander, the king by proclamation forbade them to be imported, sold, or kept; and ordered the chancellor, justices, and inferior officers to be sworn, that "they would give their whole power and diligence to destroy all errors, and would assist the bishops and their commissaries, as often as they should be required."<sup>78</sup> Numerous arrests and abjurations followed: and four or five unfortunate men, who, having obtained a pardon, reverted to their former practice of selling the prohibited works, were on the second conviction, condemned to the flames.<sup>79</sup> In 1533 the elevation of Cranmer to the archiepiscopal dignity, the divorce of Catharine, and the subsequent abolition of the papal authority, inspired the advocates of innovation with the hope of impunity: but experi-

Of Reformers.  
1530.  
May 30.

<sup>78</sup> Wilk. Con. iii, 727—739. In consequence of this oath sir Thomas More frequently gave his aid in causes of heresy. Fox, from the reports of the reformers, accuses him of unnecessary cruelty, and has induced some modern writers to brand him with the name of persecutor. It is, however, but fair to hear his defence. "Of all that ever came into my hand for heresy, as helpe me God, had never any of them any stripe or stroke given them, so much as a fylyppe on the forehead." Apol. c. 36, p. 901.

<sup>79</sup> With Fox (ii. 223, 237—249) should be read sir Thomas More's Confutation of Tyndal, 344—350.

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IV.1533.  
July 22.1535.  
May 25.

ence taught them, to their cost, that they had as much to fear now from the head of the church, as they had before from the defender of the faith: and that the prelates of the new learning were not less eager than those of the old to light the faggot for the punishment of heresy. The first victims were John Frith, who maintained that it was not necessary to believe or deny the doctrine of the real presence, and Hewet, a tailor, who had determined to believe and speak, to live and die with John Firth.<sup>60</sup> The succeeding years were employed chiefly in the punishment of those who denied the king's supremacy, and in the contest with the northern insurgents: but when in 1535 a colony of Ger-

<sup>60</sup> Fox, ii. 251. 256. Hall, 225. Parson's Three Conversions, part iii. 45—59. Cranmer gives the following account of Frith and Hewet in his letter to Mastyr Hawkins (Archæol. xviii. p. 81). "One Fryth which was in the Tower in pryson, was appoynted by the kyng's grace to be examyned befor me, my lorde of London, my lorde of Wynchester, my lorde of Suffolke, my lorde chancellor, and my lorde of Wyltshire, whose opynion was so notably erroneouse, that we culde not dispatche hym: but was fayne to leve hym to the determynacion of his ordinarye, which ys the bishop of London. His said opynion ys of such nature, that he thoughte it not necessary to be beleved as an article of our faythe, that ther ys the very corporall presence of Christe within the oste and sacraiment of the alter: and holdeth of thys poynte moste after the opynion of Oecolampadius. And surely I myself sent for hym iii or iiii tymes to perswade hym to leve that his imagiacion; but for all that we culd do therein he woulde not apply to any counsaile: notwithstanding he ys nowe at a fynall ende with all examinacions, for my lorde of London hath gyven entance, and delyvered hym to the secular power, where he looketh every day to go to the fyer. And ther ys condempned with hym one Andrewe a tayloure of London for the sad selfsame opynion."

man anabaptists landed in England, they were instantly apprehended: and fourteen, who refused to recant, were condemned to the flames. The fate of these adventurers did not alarm their brethren abroad: in 1538 more missionaries followed: and the king ordered Cranmer, with three other prelates, to call them before him, to admonish them of their errors, and to deliver the refractory to the secular magistrate. Four of the number abjured: one man and a woman expiated their obstinacy at the stake.<sup>81</sup>

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1538.  
Nov. 29.

But of all the prosecutions for heresy, none excited greater interest than that of Lambert, alias Nicholson, a clergyman in priest's orders, and a schoolmaster in London: nor is it the least remarkable circumstance in his story, that of the three men who brought him to the stake, Taylor, Barnes, and Cranmer, two professed, perhaps even then, most certainly later, the very same doctrine as their victim, and all three suffered afterwards the same or nearly the same punishment.<sup>82</sup> Lambert had been imprisoned

Trial of  
Lambert.

<sup>81</sup> Stow, 570. 575. Collier, ii, Records, 46<sup>o</sup>. Wilk. Con. iii. 836. It is remarkable that Barnes, who was burnt soon afterwards, was one of the commissioners.

<sup>82</sup> It is not easy to ascertain the real sentiments of the English reformers at a time when the very suspicion of heterodoxy might have cost them their lives. Knowing the king's attachment to the doctrine of the real presence, they deemed it prudent to elude, and, if possible, to suppress all controversy on that subject. Thus Cranmer conjured Vadiauus to be silent: because "dici non potest,

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on a charge of heresy by archbishop Warham, and had escaped by the timely death of that prelate: but his zeal despised the warning; and urged by an unconquerable passion for controversy, he presented to Dr. Taylor a written paper containing eight reasons against the belief of the real presence. Taylor consulted Barnes: Barnes disclosed the matter to Cranmer: and Cranmer summoned the schoolmaster to answer for his presumption in the archiepiscopal court. The particulars of his examination have not been preserved: but he appealed from the metropolitan to the head of the church: and the king gladly embraced the opportunity of exercising in person the judicial functions attached to his supremacy. On the appointed day he took his seat on the throne clothed in robes of white silk: on his right were placed the bishops, the judges, and the sages of the law; on his left the temporal peers and the

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“ quantum hæc tam cruenta controversia . . . maxime apud nos bene currenti verbo evangelii obstiterit.” Strype’s Cran. App. p. 47. anno 1537. And Fox observes of Barnes, that “ although he did otherwise favour the gospel, he seemed not greatly to favour this cause, fearing peradventure that it would breed some let or hindrance among the people to the preaching of the gospel.” Fox, ii 355. Cranmer’s promptitude to reject the doctrine of the real presence, when he could do it with safety, has provoked a suspicion that he did not sincerely believe it before: but Burnet and Strype conceive that he held the Lutheran tenet of consubstantiation at this period: and I am inclined to assent to them from the tenor of the two letters already quoted, that to Hawkins, and the other to Vadianus.

officers of the household. The proceedings were opened by Sampson, bishop of Chichester, who observed that, though the king had abolished the papal authority, ejected the monks and friars, and put down superstition and idolatry, he neither meant to trench on the ancient doctrines, nor to suffer the faith of his fathers to be insulted with impunity. Henry then rose, and in a mild and conciliatory tone, inquired of the accused whether he were still attached to his former opinion. Having received an answer in the affirmative, he made a long and argumentative harangue against the first of the reasons contained in the writing, which Lambert had presented to Taylor. He was followed by the bishops, seven in number, to each of whom had been allotted the refutation of one of the remaining objections. Lambert occasionally attempted to answer his opponents: but he seemed overpowered with terror, and gave no proof of that ability and learning, for which he had been extolled by his partisans. Five hours were employed by the several disputants, Henry, Cranmer, Gardiner, Tunstal, Stokesley, Sampson, and two others; when the king asked him, "What sayest thou now, after the instructions of these learned men? Art thou satisfied? Wilt thou live or die?" The prisoner replied, that he threw himself on the mercy of his majesty. "Then," said the king, "thou must die, for I will not be the patron of heretics;"

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IV.  
Nov. 20.

and Cromwell, as the vicar general, arose, and pronounced the usual judgment in cases of heresy.<sup>63</sup> Lambert met his fate with the constancy of a man, who was convinced that he suffered for the truth: Henry, who had expected to make him a convert, was consoled for his disappointment by the praise which his flatterers lavished on his zeal, his eloquence, and his erudition.<sup>64</sup>

Pope signs  
the bull  
against  
Henry.

But while the king was employing his authority in support of the ancient doctrines, the court of Rome threatened to visit his past transgressions with the severest punishment in its power.

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<sup>63</sup> If any thing after this exhibition can surprise the reader, it will be the praise which is bestowed on it by Cromwell himself in a letter to Wyatt the ambassador in Germany. "The king's majesty presided at the disputation, process, and judgment of a miserable heretic sacramentary, who was burnt the 20th of November. It was wonderful to see how princely, with how excellent gravity, and inestimable majesty his highness exercised there the very office of supreme head of the church of England: how benignly his grace essayed to convert the miserable man: how strong and manifest reasons his highness alleged against him. I wish the princes and potentates of christendom to have had a meet place to have seen it." Collier ii. 152.

<sup>64</sup> Godwin (67) and Fox (ii. 355—358), have given long accounts of this trial, but I have deserted them, where I could obtain better authority. Lambert's arguments were eight, not ten, as appears from the speech of Sampson (not Day) bishop of Chichester, published by Strype (App. 43). Henry's tone was not intimidating, but conciliatory, if we may believe Cromwell in the last note: and the prisoner shewed no ability, but considerable terror, according to Hall, who was present (Hall, 233). The story told by Fox, of Cromwell sending for Lambert to his house, and asking his pardon, is irreconcilable with his letter to Wyatt.



Paul had formerly indulged a hope that some fortunate event might bring Henry back to the communion of the apostolic see: and that expectation was encouraged by a succession of occurrences which seemed to favour his views. The publication of "the Articles" shewed that the king was not disposed to dissent from the pontiff on doctrinal matters: the death of Catharine and the execution of Anne Boleyn, removed the first and principal cause of the schism: and it was thought that the northern insurrection would convince Henry of the danger of persisting in his apostacy. But if his passion for Anne originally provoked, his avarice, ambition and resentment now conspired to perpetuate, the quarrel. Far from accepting offers of reconciliation, he appeared to seek opportunities of displaying his hostility, and by his agents at different courts laboured to withdraw all other sovereigns from the communion of Rome. Paul was perplexed by the opposite opinions of his advisers. Many condemned the suspension of the censures against Henry as inconsistent with the honour and the interest of the pontiff, while others continued to object the disgrace and impolicy of publishing a sentence without the power of carrying it into execution. The great obstacle arose from the difficulty of appeasing the resentments, and reconciling the claims of the emperor and the king of France. After years of contention in the cabinet and in the

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1538.  
June 18.

field, neither had obtained the mastery over the other : and if Charles had defeated the attempts of his adversary on Milan and Naples, Francis, by allying himself with the protestants of Germany, and calling to his aid the naval forces of Turkey, had been able to paralyze the superior power of Charles. Wearied at length by hostilities without victory, and negociations without peace, they listened to the entreaties and exhortations of Paul ; a truce for ten years was concluded under the papal mediation at Nice : and the pontiff embraced the favourable opportunity to sound the disposition of the two monarchs relatively to the conduct of Henry. From both he received the same answer, that if *he* would publish the bull, *they* would send ambassadors to England to protest against the schism ; would refuse to entertain the relations of amity with a prince, who had separated himself from the catholic church ; and would strictly forbid all commercial intercourse between their subjects and the English merchants.<sup>85</sup>

The substance of these negociations was soon conveyed to Henry by the spies whom he maintained at different courts : and to disconcert the councils of his enemies, he instructed his am-

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<sup>85</sup> Though the cardinals Farnese and Pole repeatedly mention the Protestation in their letters, they do not explain its object, because it was sufficiently known to their correspondents. I have however collected it from detached passages, and have no doubt that it is faithfully represented above.

bassadors abroad to excite by tempting offers the hopes, and inflame by artful suggestions the jealousy, of both Francis and Charles; while at home, that he might be provided for the event, he ordered his navy to be equipped, the harbours to be put in a state of defence, and the whole population to be called under arms.<sup>86</sup>

Among those, who had accompanied the pontiff to Nice, was cardinal Pole, whom both the emperor and the king had received with marked distinction, and whom Henry believed to be the original author of the present combination against him. The cardinal was indeed beyond the reach of his resentment: but the royal suspicion was soon extended to his relatives and friends; and his brothers, the lord Montague and sir Geoffry Pole, Henry Courtney marquess of Exeter, and sir Edward Nevil, were suddenly apprehended and conveyed to the Tower. Courtney was grandson to Edward IV. by his daughter Catharine: and the Poles were grandsons to George duke of Clarence, the brother of Edward. On this account both families were revered by the ancient adherents of the house of York: and, had not their loyalty been proof against the temptations of ambition, they might have taught the king, during the northern insurrection, to tremble for the security of his crown.<sup>87</sup> On the last day

CHAP.  
IV.

Arrest and execution of the brothers of Pole.

Nov. 3.

Dec. 31.

<sup>86</sup> Hall, 234.

<sup>87</sup> Maximo erant numero, et illorum sanguini et nomini plusquam deditissimi. Quo tempore non solum illi in suo malo resistere facultatem maximam habuissent, sed illum cum omnium com-

CHAP.  
IV.

1539.  
Jan. 3.

Jan. 9.

of the year the marquess and the lord Montague were arraigned before their peers, and three days later the commoners before juries of their equals, on a charge of having devised to maintain, promote, and advance one Reginald Pole, late dean of Exeter, the king's enemy beyond the seas, and to deprive the king of his royal state and dignity: and all on the confession of sir Geoffry Pole, were found guilty, and received judgment of death. Geoffry for this service obtained his life,<sup>88</sup> the rest were beheaded. The execution of men so nearly allied to Henry in blood, on a charge so ill defined and improbable, excited a general horror: and the king, in his own vindication, ordered a book to be published containing the proofs of their real or pretended treason.<sup>89</sup>

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modo si voluissent, oppugnandi, et tyrannide ejiciendi. Apol. Poli ad Car. p. 112.

<sup>88</sup> He was probably sent out of the kingdom: for he obtained a full pardon and permission to return in the next reign. Burn. iii. 186.

<sup>89</sup> The indictment charges Exeter with having said: "I like well of the proceedings of cardinal Pole—I like not the proceedings of this realm—I trust to see a change in the world—I trust once to have a fair day upon those knaves, which rule about the king—I trust to give them a buffet one day." Howell's State Trials, iii. 367. The cardinal himself maintains that if they had entertained any designs against the king, they would have shewn them during the insurrection: and adds that he had sought in vain in the king's book, for some proof against them. Sed nihil tandem invenire potui, nisi id quod liber tacet et quod ipse diu judicavi, odium tyranni in virtutem et nobilitatem. Apol. Poli, 118. At the next assizes in Cornwall two persons suffered death, who had said that Exeter was the next heir, and should be king, if Henry married Anne Boleyn, or it should cost a thousand lives. Ellis, ii. 105.

The pontiff, encouraged by the promises of Charles and Francis, to which had now been joined those of the king of the Romans and of the king of Scotland, revoked the suspension, and ordered the publication of the bull.<sup>90</sup> At the same time cardinal Pole was dispatched on a secret mission to the Spanish and French courts: but his arrival had been anticipated by the English agents: neither Charles nor Francis would incur the hostility of Henry by being the first to declare himself: and both equally prohibited the publication of the bull within their dominions.<sup>91</sup> To the cardinal at Toledo Charles replied: that there were other matters which more imperiously required his attention; the progress made by the Turks in Hungary, and the hostile disposition of the protestants in Germany; that the latter, were he to provoke Henry, would solicit and obtain pecuniary aid out of those treasures which the king of England had acquired by the suppression of the monasteries; that nevertheless he was willing to fulfil his engagements, to make the protestation, and to interrupt all commercial intercourse, but on this condition, that the king of France should cordially join in the undertaking, and adopt at the same time the same measures. Pole returned, and from Avignon sent a confidential messenger to Francis, from whom he received an answer

CHAP.  
IV.

Second legation of Pole.

1538.  
Dec. 16.  
Dec. 25.

1539.  
Feb.

<sup>90</sup> Bullar, Rom. 708.

<sup>91</sup> I cannot find any proof that it was ever published at all.

CHAP.  
IV.

equally cold and unpromising, that he was indeed anxious to perform his promise to the pontiff, but he could not rely on the mere word of the emperor: that he requested the legate not to enter his dominions till he could bring with him some certain document as a pledge of the imperial sincerity: and that in such case he should be willing to join his forces with those of Charles and the king of Scotland, to attempt the conquest of England, and, in the event of success, to divide it among the three powers, or to establish a new sovereign in the place of Henry.<sup>92</sup> The negotiation continued for some months: Francis persisting in his refusal to receive the legate without the pledge demanded from Charles, and Charles to give that pledge till the legate had been received by Francis as well as by himself. The pontiff, who saw that he was deluded by the insincerity of the two monarchs, recalled Pole to Rome; and the papal court, abandoning all hope of succeeding by intimidation, submitted to watch in silence the course of political events.<sup>93</sup>

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<sup>92</sup> If this suggestion had been thrown out before, and come to the knowledge of Henry, it would account for the late executions. He could fear no competitor, whom they might set up, unless he were of the house of York.

<sup>93</sup> For these particulars consult the letters of cardinal Pole, ii. p. 142—199. 232; those of cardinal Farnese, from Toledo, *ibid.* cclxxxiv, cclxxxvii. Pole's instructions, cclxxxix. Beccatelli's life of Pole in the same work, v. 365: and Pallavicini's account, drawn from the letters of different legates and nuncios. Pallav. i. 399.

CHAP.  
IV.

Arrest and  
execution  
of Pole's  
mother.

The part which the cardinal had taken in the negociation inflamed the hatred of Henry. Judgment of treason was pronounced against him ; foreign princes were solicited to deliver him up ; and he was constantly beset with spies, and, as he believed, with ruffins hired to take his life. At home, to wound him in the most tender part, Henry ordered his mother, the venerable countess of Salisbury, to be arrested and examined by the earl of Southampton, and the bishop of Ely : but she behaved with such firmness of character, such apparent consciousness of innocence, as completely disconcerted her accusers. Unable to extract from her admissions sufficient matter for a criminal prosecution, Cromwell consulted the judges, whether a person accused of treason, might not be attainted without a

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Pole, to excuse his conduct in this legation, assures Edward VI. that his chief object was to induce these princes to employ all their interest with Henry in favour of religion : but acknowledges that he wished them, in case the king refused to listen to them as friends, to add menaces, and to interrupt the commerce with his subjects. He asserts, however, that he had no desire to injure him in reality, nor ever attempted to excite them to make war upon him—*hoc ego nunquam profecto volui, neque cum illis egi.* Ep. ad. Edward. tom. iv. p. 337. He might, indeed, have hoped that these measures would persuade or intimidate Henry : but he must also have known that if they had been pursued, they would lead to discontent within the kingdom, and to war without : and that such results were contemplated by those who employed him. *Che tutti d'accordo levariano il commertio d'Inghilterra, con la qual via pensavasi, che le genti di quel regno havessero a tumultuare.* Becat. 367. That there was some expectation of war, appears also from the letter of Farnese, *supra.*

CHAP.  
IV.

previous trial or confession. They replied that it would form a dangerous precedent: that no inferior tribunal would venture on so illegal a proceeding: but that the court of parliament was supreme, and an attainder by parliament would be good in law.<sup>94</sup> This was sufficient for the king, who sought not justice, but revenge: and in a bill of attainder, containing the names of several individuals who had been condemned in the lower courts, were introduced those of Pole's mother the countess, of his nephew the son of lord Montague,<sup>95</sup> and Gertrude, relict of the marquess of Exeter, though none of them had confessed any crime, nor been heard in their own defence. With the fate of the young man we are not acquainted: the marchioness obtained a pardon at the expiration of six months:<sup>96</sup> and it was hoped that the king would extend the same mercy to the countess. She was more than seventy years of age; the nearest to him in blood of all his relations; and the last in a direct line of the Plantagenets, a family which had swayed the English sceptre through so

June 28.

Des. 21.

<sup>94</sup> Coke, Inst. iv. 37.

<sup>95</sup> I observe that our historians are ignorant of the attainder, and even of the existence, of the son of lord Montague. Yet Pole could not have been mistaken. *Nec vero solam damnatam mulierem septuagenariam, qua nullam, excepta filia, propinquiorem habet, et, ut ille ipse, qui eam damnavit, sæpe dicere solebat, nec regnum illud sanctiorem habuit feminam, sed cum nepote suo, filio fratris mei puero, spe reliqua stirpis nostræ.* Ep. Poli, ii. 197.

<sup>96</sup> Rym. xiv. 652.



many generations. Henry kept her in the Tower probably as a hostage for the behaviour of her son, or her friends: but at the end of two years, on account of some provocation in which she could have had no share, ordered her to be put to death. In the prison and on the scaffold she maintained the dignity of her rank and descent: and when she was told to lay her head on the block, "No," she replied, "my head never committed treason: if you will have it, you must take it as you can." She was held down by force; and while the executioner performed his office, exclaimed, "Blessed are they who suffer persecution for righteousness sake." Her death, or rather murder, which seemed to have no rational object, proclaimed to the world that the heart of the king was not less steeled to the feelings of relationship and humanity, than it was inaccessible to considerations of justice and honour: and proved an awful admonition to his subjects, that nothing short of unlimited obedience could shield them from the vengeance of their sovereign.<sup>97</sup>

V. For some time Cromwell and Cranmer had reigned without control in the council. The duke of Norfolk, after the submission of the in-

CHAP.  
IV.



1541.  
May 27.

Struggles  
of parties.

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<sup>97</sup> See Pole's letter to the cardinal of Burgos. He concludes, *quod autem ad me ipsum attinet, etiam honore auctus hujus mortis genere videor, qui deinceps martyris me filium (quod certe plus est quam ullo regio genere ortum esse) nunquam verebor dicere, iii. 36. 76.*

CHAP.  
IV.

Statute of  
the six  
articles.

1539.  
May 5.

surgents, had retired to his estates in the country: and Gardiner on his return from an honourable exile of two years in foreign courts, had repaired, without even seeing the king, to his bishopric of Winchester.<sup>98</sup> But the general understanding between the pontiff and the catholic sovereigns, and the mission of Pole to the emperor and the king of France, had awakened serious apprehensions and new projects in the mind of Henry. He determined to prove to the world that he was the decided advocate of the ancient doctrines: Gardiner was recalled to court, and ordered to preach during the Lent at St. Paul's cross: and the duke of Norfolk was commissioned to conduct the business of the crown as the prime minister, in the house of peers. As soon as the parliament assembled, a committee of spiritual lords was appointed to examine the diversity of opinions on religious subjects; but on every question the members divided five against four, the bishops of York, Durham, Carlisle, Bath, and Bangor, against Cromwell and the prelates of Canterbury, Salisbury, and Ely. The king waited eleven days for their decision: his patience was exhausted: and the duke, having remarked that no result was to be expected from the labours of the committee, proposed to the consideration of the house six questions respecting the eucharist,

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<sup>98</sup> Le Grand, ii. 223.



communion under one kind, private masses, the celibacy of the priesthood, auricular confession, and vows of chastity. The debate was confined to the spiritual peers, while the others, even Cromwell and Audeley, observed a prudent and respectful silence. On the second day the king himself came down to the house, and joined in the debate: to resist the royal theologian required a degree of courage unusual in the prelates of that day: and Crammer and his colleagues, who had hitherto led the opposition, now, with the exception of the bishop of Salisbury, owned themselves vanquished and convinced by the superiority of his reasoning and learning.<sup>99</sup>

May 19.

May 30.

Immediately after the recess, Henry, flattered with his victory, sent a message to the lords congratulating them on the unanimity which had been obtained, and recommending the enact-

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<sup>99</sup> On the authority of Fox we are told that the archbishop persisted in his opposition to the last (Fox, ii. 372. Burnet, i. 258): but this statement not only seems irreconcilable with the Journals, but is contradicted by the express assertion of one of the lords who was present. "Notwithstanding my lord of Canterbury, my lord of Ely, my lord of Salisbury, my lords of Worcester, Rochester, and St. Davyes, defended the contrary a long time, yet finally his highness confounded them all with goodlie learning. York, Durham, Winchester, London, Chichester, Norwiche, and Carlisle, have shewed themselves honest and well learned men. We of the temporalty have been all of one opinion: and my lord chancellor (Audeley) and my lord privy seal (Cromwell) as good as we can devise. My lord of Canterbury and all his bishops have given their opinions, and have come in to us, save Salisbury, who yet continueth a lewd fool." Cleop. E. v. p. 128.

CHAP.  
IV.

ment of penalties against those who should presume to disturb it by preaching the contrary doctrines. Two separate committees were appointed, with the same instructions to each, to prepare a bill in conformity with the royal suggestion. One consisted, and it must appear a most singular selection, of three converts to the cause, the prelates of Canterbury, Ely, and St. David's, and the other of their warmest opponents, the bishops of York, Durham, and Winchester. Instead of choosing between the two bills which they presented, the lords submitted both to the king, who gave the preference to that which had been drawn by the second committee:<sup>100</sup> and this, as soon as the clergy in the lower house of convocation had reported their assent to the articles, was introduced by the chancellor, passed by the lords and commons, and received the royal assent.<sup>101</sup> It begins by reciting the six articles, to which the parliament

June 2.

5.

7.

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<sup>100</sup> It is supposed that it had been drawn with the privity of the king, as there is extant a bill nearly similar in Henry's own hand. It is published by Wilkins, iii. 848.

<sup>101</sup> As a week intervened between the appointment of the committee and the introduction of the bill, Burnet supposes that it met with great opposition in the council (i. 258.) But this is a gratuitous supposition. The committees sat on Saturday, May 31. On Monday, June 2, their bills were probably offered to the king: on Tuesday, Cromwell submitted the six articles to the consideration of the clergy: on Thursday, their answer was returned: and on Saturday, the chancellor brought the bill into the house of lords. See Journals, 113, 114, 116, and the acts of the convocation, Wilk. Con. iii. 845.

and convocation had agreed: 1°. That in the eucharist is really present the natural body of Christ, under the forms, and without the substance of bread and wine: 2°. That communion under both kinds is not necessary, *ad salutem*: 3°. That priests may not marry by the law of God: 4°. That vows of chastity are to be observed: 5°. That private masses ought to be retained: 6°. That the use of auricular confession is expedient and necessary. Then follow the penalties: 1°. If any person write, preach, or dispute against the first article, he shall not be allowed to abjure, but shall suffer death as a heretic, and forfeit his goods and chattels to the king: 2°. If he preach in any sermon or collation, or speak openly before the judges against any one of the other five, he shall incur the usual penalties of felony: but if he only hold contrary opinions, and publish them, he shall for the first offence be imprisoned at the king's pleasure, and shall forfeit his lands during life, and his goods for ever; for the second he shall suffer death: 3°. The act pronounces the marriages of priests or nuns of no effect; orders such persons so married to be separated; and makes it felony if they cohabit afterwards: and, 4°. It subjects priests, living carnally with women, or nuns with men, to imprisonment and forfeiture on the first conviction, and to death on the second.<sup>102</sup>

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<sup>102</sup> St. 31 Hen. VIII. 14.

CHAP.  
IV.

Terror of  
Cranmer.  
July 1.

Such were the enactments of this severe and barbarous statute. It filled with terror the teachers and advocates of the new doctrines, who saw from the king's temper that their only security was silence and submission to the royal will. Latimer and Shaxton, the bishops of Worcester and Salisbury, who by the intemperance of their language had given offence, resigned spontaneously or at the king's requisition, their respective sees.<sup>103</sup> But no one had greater cause of alarm than Cranmer. The reader will recollect that before his promotion to the archiepiscopal dignity, he had married a kinswoman of Osiander, in Germany. At a convenient time she followed him to England, where she bore him several children. He was too prudent to acknowledge her publicly: but the secret quickly transpired: and many priests, emboldened by the impunity, imitated the example of the metropolitan. As the canons, which imposed celibacy on the priesthood, had never been abrogated, the head of the church thought it his duty to notice these transgressions, and by a circular letter ordered the bishops to make inquires in their dioceses, and either to imprison the offenders, or to certify their names to the

1536.  
Nov. 19.

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<sup>103</sup> Godwin, Annals, p. 70. De præsul. Ang. i. 353. ii. 49. The French ambassador says that both refused their assent. Et deux eveques, principaux auteurs des.....et doctrines nouvelles, pour n'avoir voulu souscrire à edits, ont esté privez de leurs evechez. Le Grand, ii. 199

council.<sup>104</sup> Two years later appeared a proclamation, ordering all priests “who had attempted “marriages that were openly known,” to be deprived of their benefices, and reputed as laymen: and all, who should marry after that notice, to suffer punishment and imprisonment at his grace’s pleasure.<sup>105</sup>

CHAP.  
IV.  
1538.  
Nov. 16.

Though neither of these orders reached the archbishop, they convinced him that he stood on very slippery ground. To save himself he had recourse to every expedient, which his ingenuity could supply. First with becoming humility he submitted to the superior judgment of Henry, such reasons against the law of clerical celibacy, as had occurred to his mind: he then suggested the expediency of a royal declaration imposing silence on the subject, and leaving every man to the dictates of his own conscience: and at length he boldly proposed, that the lawfulness of the marriage of priests should be debated in the universities before impartial judges, on the condition that, if judgment were given against his opinion, its advocates should suffer death; if in its favour, the canonical prohibition should be no longer enforced. To these solicitations of Cranmer was added the reasoning of his friend Melancthon, who in a long and declamatory epistle, undertook the difficult task

<sup>104</sup> Wilk. Con. iii. 826.

<sup>105</sup> Strype’s Cranmer, Append. N<sup>o</sup>. viii.

CHAP.  
IV.

of convincing the obstinacy of the king.<sup>106</sup> But neither argument, nor solicitation, nor artifice, could divert Henry from his purpose. The celibacy of the priesthood was made one of the six articles: and Cranmer saw with dismay that his marriage was reputed void in law, and that subsequent cohabitation would subject him to the penalty of death. In haste he dispatched his children with their mother to her friends in Germany, and wrote to the king an apology for his presumption in having opposed the opinion of his majesty. Henry, appeased by his submission, returned a gracious and consol-ing answer by the duke of Norfolk, and Cromwell the vicar general.<sup>107</sup>

Acts of  
parlia-  
ment.

Cromwell had last year been created a baron, and continued to possess considerable influence in the royal councils. His services were still wanted to perfect the great work of the dissolution of monasteries: and by professing himself an early convert to the doctrine of the six articles, he had avoided the displeasure of his sovereign. It has been already noticed that before the prorogation of parliament, all the property real or moveable of the religious houses, “which had been already or might be hereafter dissolved, suppressed or surrendered, or had or might by any other mean come into the hands of the king;” was vested in him and his heirs for

<sup>106</sup> Bunsen, i. Records, N<sup>o</sup>. iv. vi.

<sup>107</sup> Antiq. Brit. 233.



ever, with authority to endow new bishoprics out of it according to his or their pleasure. This act affected the interests of only one class of subjects; but to it was added another, which laid prostrate at the foot of the throne the liberties of the whole nation. It declared that the king possessed the right of issuing, with the advice of his council, proclamations which ought to have the effect of acts of parliament: adjudged all transgressors of such proclamations to suffer the imprisonment, and pay the fines expressed in them: and made it high treason to leave the realm in order to escape the penalty.<sup>108</sup> It was not without considerable difficulty that

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<sup>108</sup> St. 31 Hen. VIII. 8. Thus Cromwell nearly accomplished his favourite doctrine, which he had formerly inculcated to Pole, and frequently maintained before Henry. "The lord Cromwell," says Gardiner, in one of his letters, "had once put in the king's head "to take upon him to have his will and pleasure regarded for a law: "and thereupon I was called for at Hampton Court. And as he "was very stout, Come on, my lord of Winchester, quoth he, "answer the king here, but speak plainly and directly, and shrink "not, man. Is not that, quoth he, that pleaseth the king, a law? "Have ye not that in the civil laws, quod principi placuit, &c.? I "stood still, and wondered in my mind to what conclusion this "would tend. The king saw me musing, and with gentle earnestness "said, Answer him, whether it be so or no. I would not answer "the lord Cromwell, but delivered my speech to the king, and told "him, that I had read of kings that had their will always received "for law: but that the form of his reign to make the law his will "was more sure and quiet: and by this form of government ye be "established, quoth I, and it is agreeable with the nature of your "people. If you begin a new manner of policy, how it may frame, "no man can tell. The king turned his back, and left the matter." Fox, ii. 65.

CHAP.  
IV.

this act was carried through the two houses : but both the men of the old and of the new learning, jealous of each other, concurred in every measure which they knew to be pleasing to the sovereign : and the consent of the other members was obtained by the introduction of a nugatory exception in favour of statutes then in being, and saving the inheritances, offices, liberties, goods, chattels, and lives of the king's subjects.<sup>109</sup> At the same time Henry celebrated his triumph over the court of Rome, by a naval exhibition on the Thames. Two gallies, decorated the one with the royal, the other with the pontifical arms, met on the river : a stubborn conflict ensued : but at length the royalists boarded their antagonist ; and the figures of the pope and the different cardinals were successively thrown into the water, amidst the acclamations of the king, of his court, and of the citizens.<sup>110</sup>

King's  
marriage  
of Anne  
of Cleves.

Notwithstanding these appearances, Cromwell, when he considered his real situation, discovered abundant cause for alarm. Henry in public had affected to treat him always with neglect, sometimes with insult : but these af-

<sup>109</sup> St. 31 Hen. VIII. 8, 9, 13. Marillac, in his account of it to the king of France, says *Laquelle chose, Sire, a esté accordé avec grandes difficultez, qui ont esté debattues long tems en leurs assemblées, et avec peu de contentment, par ce qu'on voit de ceux qui y ont préte leur consentment. Apud le Grand, ii, 206.*

<sup>110</sup> It was, says Marillac, *un jeu de pauvre grace, et de moindre invention. Ibid. 205.*

fronts he had borne with patience, knowing that they proceeded not from displeasure on the part of the king, but from unwillingness to have it thought that he stood in need of the services of the minister. Now however it was plain that the ancient doctrines had assumed a decided ascendancy in the royal mind: the statute of the six articles had been enacted contrary to his wish, and, as far as he dared disclose himself, contrary to his advice; his friends were disgraced and dispirited; his enemies active in pursuit of the king's favour: and it was in vain to seek for support from the ancient nobility, who had long borne his superior elevation with real though dissembled impatience. In these circumstances he turned his eyes towards the Lutheran princes of Germany, with whom he had long maintained a friendly but clandestine correspondence; but the plan which he adopted to retrieve his credit, served only, from the capricious disposition of the king, to accelerate his downfall.

Henry had now been a widower more than two years. In 1537, Jane Seymour, his third queen, bore him a male child, afterwards Edward VI., and in less than a fortnight expired. His grief for her loss, if he were capable of feeling such grief, seemed to be absorbed in his joy for the birth of a son:<sup>111</sup> and in the very

CHAP.  
IV.



1537.  
Oct. 12.

Oct. 24.

<sup>111</sup> To Francis, who had congratulated him on the birth of a son, he announced her death in the following unfeeling manner: "Il a

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IV.

next month he solicited the hand of Marie, the dutchess dowager of Longueville. He was enamoured with her gentleness, her mental acquirements, and above all with the largeness of her person; not that he had seen her himself, but that he gave full credit to a confidential agent, who had artfully insinuated himself into her family. Marie, however, preferred a more youthful lover, James, king of Scotland; but Henry would admit of no refusal, nor believe the king of France, who assured him that she was contracted to James. During five months he persecuted her with his suit, and when she sailed from the shores of France to join her husband, betrayed his chagrin by refusing her the permission to land at Dover, and travel through his dominions. A daughter of Vendome was then offered: but Henry deemed it beneath him to take for wife a woman, who had been previously rejected by his nephew of Scotland: and he was prevented from marrying one of the two sisters of Marie, because Francis would not gratify his caprice by exhibiting them before him at Calais, and allowing him to make his choice.<sup>112</sup>

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“semblé bon à la divine providence, de mesler cette ma grande joye avec l’amaritude du tréspasde celle qui m’avoit apporté ce bon-huer. De la main de votre bon frere, Henry.” Le Grand, ii. 185.

<sup>112</sup> Disant qu’il semble qu’on veuille par delà faire des femmes comme de leurs guilledins, qui est en assembler une bonne quantité et les faire trotter pour prendre celuy qui ira le plus à l’aise. Lettre à M. de Castillon, apud Le Grand, iii. 638.

Under these repeated disappointments, he was the more ready to listen to the suggestions of Cromwell, who proposed to him Anne, the sister of the reigning duke of Cleves. It was at a time when his jealousy had been alarmed by the intelligence of an intended interview at Paris, between Francis and Charles: and he deemed it of importance to form a closer connexion with those princes, who, like himself, had defied the enmity of the court of Rome. The English envoys assured the king that Anne was not only handsome, but tall and portly, qualifications which he now deemed essential in his wife: their report was confirmed by a most flattering portrait from the pencil of Hans Holbein: and Henry's assent was readily obtained by a splendid embassy from the German princes. On the day on which Anne was expected to land at Dover, the king rode in disguise to meet her at Rochester, that he might steal a first glance, and, as he expressed it, "might nourish love." His disappointment was evident. She was indeed tall and large, as his heart could wish: but her features, though regular, were coarse, her manners ungraceful, her figure ill proportioned. He shrunk back, and took time to compose himself before he was announced. As she bent her knee, he raised her up, and kissed her: but he could not prevail on himself to converse with her, or to deliver the presents which he had brought, and after a few minutes, retiring to his

CHAP.  
IV.  
His disap-  
point-  
ment.

1539.  
Dec. 31.

1540.  
Jan. 1.

CHAP.  
IV.

Jan. 6.

chamber, sent for the lords, who had accompanied her.<sup>113</sup> The next morning he hastened back to Greenwich : a council was summoned ; and Cromwell received orders to devise some expedient to interrupt the marriage. Two days passed in fruitless consultation : the princess was required to swear that she was not pre-engaged to any other person : her conductors were subjected to repeated interrogatories : and the king at length, unprovided with any reasonable excuse, and afraid of adding the German princes to his other enemies, after the passionate exclamation, “ Is there then no other remedy, “ but that I must needs against my will put “ my neck into the noose ? ” was persuaded by Cromwell to submit to the ceremony. They cohabited for some months : but Anne had none of those arts or qualifications which might have subdued the antipathy of her husband. He spoke only English or French : she knew no other language than German. He was passionately fond of music : she could neither play nor sing. He wished his consort to excel in the different amusements of his court : she possessed no other acquirements than to read, and write, and sew with her needle. His aversion increased : he found fault with her person ; persuaded him-

<sup>113</sup> “ He was marvailously astoned and abashed.” He sent the presents the next morning, viz. a partlet, sable skins to wear round the neck, and a muffley furred, with as cold a message as might be. Strype, i. 307.

self that she was of a perverse and sullen disposition; and openly lamented his fate in being yoked for life with so disagreeable a companion.<sup>114</sup>

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IV.



This unfortunate marriage had already shaken the credit of Cromwell: his fall was hastened by a theological quarrel between Dr. Barnes, one of his dependants, and Gardiner, bishop of Winchester. In a sermon at St. Paul's cross, the prelate had severely censured the presumption of those preachers, who, in opposition to the established creed, inculcated the Lutheran tenet of justification by faith without works. A fortnight later, Dr. Barnes, an ardent admirer of Luther, boldly defended the condemned doctrine from the same pulpit, and indulged in a scurrilous invective against the bishop. The king summoned the preacher before himself and a commission of divines; discussed with him several points of controverted doctrine; prevailed on him to sign a recantation; and enjoined him to preach on the same subject a second time on the first Sunday after Easter. Barnes affected to obey. He read his recantation before the audience; publicly asked pardon of Gardiner; and then, proceeding with his sermon, maintained in still stronger terms the very doctrine which he had recanted. Irritated

Imprudence of Barnes.

Feb. 14.

Feb. 28.

April 4.

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<sup>114</sup> See the depositions of the king and Cromwell in Burnet, i. Rec. 193—197, and of several lords in Strype, i. Rec. 307—315.

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IV.

by this insult, the king committed him to the Tower, with Garret and Jerome, two preachers who, placed in similar circumstances, had thought proper to follow his example.<sup>115</sup>

Cromwell's  
speech at  
the opening of par-  
liament.

It was generally believed that Henry's resentment against Barnes would beget suspicions of the orthodoxy of the minister, by whom Barnes had been hitherto protected: and so confidently did Cromwell's enemies anticipate his disgrace, that his two principal offices, those of vicar general and keeper of the privy seal, were already, according to report, shared between Tunstal bishop of Durham, and Clarke bishop of Bath, prelates of the old learning, who had lately been introduced into the council.<sup>116</sup> The king, however, subdued or dissembled his suspicions: and, to the surprise of the public, Cromwell, at the opening of parliament, took his usual seat in the house of lords, and delivered a royal message. It was, he said, with sorrow and displeasure that his majesty beheld the religious dissensions which divided the nation; that on the one hand presumption and liberty of the flesh, on the other attachment to ancient errors and superstitions, had generated two factions, which reciprocally branded each other with the opprobrious names of papists and heretics: that both abused the indulgence which

April 12.

<sup>115</sup> Fox, v. 441-445. Hall, 241. Burnet, i. 296. Rec. iii. N<sup>o</sup>. xxii.

<sup>116</sup> Le Grand, i. 285.



of his great goodness the king had granted them of reading the scriptures in their native tongue, these to introduce error, those to uphold superstition: and that to remedy such evils, his majesty had appointed two committees of prelates and doctors, one to set forth a pure and sincere declaration of doctrine, the other to determine what ceremonies ought to be retained, what to be abolished; had strictly commanded the officers of the crown, with the judges and magistrates, to put in execution the laws already made respecting religion: and now required the aid of the two houses to enact penalties against those, who should treat with irreverence, or explain rashly and erroneously, the holy scriptures.<sup>117</sup>

The vicar general now seemed to monopolize the royal favour. He obtained a grant of thirty manors belonging to suppressed monasteries: the title of earl of Essex was revived in his favour;<sup>118</sup> and the office of lord chamberlain was added to his other appointments. He continued as usual to conduct in parliament the business of the crown. He introduced two bills, vesting the property of the knights hospitallers in the king, and settling a competent jointure on the queen: and he procured from the laity the almost unprecedented subsidy of four tenths and fifteenths, besides ten per cent. on their in-

He is arrested.

April 18.

May 29.

<sup>117</sup> Journals, 129.

<sup>118</sup> The last earl, Henry Bourchier, had been killed by a fall from his horse, March 12. Stow, 578.

CHAP.  
IV.

come from lands, and five per cent. on their goods; and from the clergy a grant of two tenths, and twenty per cent. on their incomes for two years.<sup>119</sup> So far indeed was he from apprehending the fate which awaited him, that he committed to the Tower the bishop of Chichester and Dr. Wilson, on a charge of having relieved prisoners confined for refusing the oath of supremacy, and threatened with the royal displeasure his chief opponents, the duke of Norfolk, and the bishops of Durham, Winchester, and Bath.<sup>120</sup>

But Henry in the mean time had ascertained that Barnes was the confidential agent of Cromwell; that he had been employed in secret missions to Germany; and that he had been the real negociator of the late marriage with Anne of Cleves. Hence the king easily persuaded himself that the insolence of the agent arose from confidence in the protection of the patron: that his vicar general, instead of watching over the purity of the faith, had been the fautor of heretics: and that his own domestic happiness had been sacrificed by his minister to the interests of a religious faction. He now recollected

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<sup>119</sup> Wilk. Con. 850, 863. St. 32 Hen. VIII. 50. Hen. VIII. 23. 50. This was the first clerical subsidy, which though granted in convocation was confirmed by parliament. The object was to make such subsidies liable to be levied by distress, which before were levied by censures in the spiritual courts.

<sup>120</sup> Le Grand, i. 286. See also a letter from the bishop of Chichester in the Tower to Cranmer, dated June 7, in Strype, i. Rec. 257.

that when he proposed to send Anne back to her brother, he had been dissuaded by Cromwell: and he moreover concluded, from the sudden change in her behaviour, that his intention of procuring a divorce had been betrayed to her by the same minister.<sup>121</sup> The earl seems to have had no suspicion of his approaching fate. On the morning of the tenth of June he attended in his place in the house of lords; at three the same afternoon he was arrested at the council board on a charge of high treason.<sup>122</sup> The offences of which he was afterwards accused, may be ranged under three heads. As minister, it was said, that he had received bribes, and encroached on the royal authority by issuing commissions, pardoning convicts, and granting licences for the exportation of prohibited merchandise: as vicar general he was charged with having betrayed his duty by not only holding heretical opinions himself, but also by protecting heretical preachers, and promoting the circulation of heretical books: and lastly, to fix on him the guilt of treason, it was alleged, that on one particular occasion he had expressed a resolution to fight against the king, if it were necessary, in support of his religious opinions.<sup>123</sup> He

June 10.

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<sup>121</sup> Cromwell acknowledged that he had advised the change in her conduct: but denied that he had done so after the king had confided his secret to him. See his letter in Burnet, iii. Rec. 161.

<sup>122</sup> Journals, 143.

<sup>123</sup> Mount was instructed to inform the German princes that Cromwell had threatened to strike a dagger into the heart of the man

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IV.

was confronted at his request with his accusers in presence of the royal commissioners, but was refused the benefit of a public trial before his peers.<sup>124</sup> The court preferred to proceed against him by bill of attainder: a most iniquitous measure, but of which he had no right to complain, as he had been the first to employ it against others. Cranmer alone ventured to interpose in his behalf: but his letter to the king was penned with his usual timidity and caution, rather enumerating the past services of Cromwell, than attempting to vindicate him from the charge on which he had been arrested.<sup>125</sup> Five days latter the archbishop deemed it prudent to go along with the stream, and on the second and third readings gave his vote in favour of the attainder. The bill passed through the house of lords, and probably through the house of commons, without a dissentient voice.<sup>126</sup>

And attain-  
ted.  
June 14.

June 19.

King di-  
vorced  
from Anne.

The disgrace of Cromwell was quickly followed by the divorce of the queen. On the first

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who should oppose the reformation; which was interpreted to mean the king. Burnet, iii. 162.

<sup>124</sup> See the duke of Norfolk's letter, Burnet, iii. Records, 74. It is remarkable that Cromwell was the first who perished in consequence of his own practice. He had first introduced condemnation by act of attainder, without trial, in the case of the countess of Salisbury: but she was still alive, and was not executed till the year after the execution of Cromwell. In the same letter the duke tells us that Catherine Howard, though his niece, was his great enemy: an assertion which does not confirm the supposition of Hume, that he employed her to ruin Cromwell by her insinuations to Henry.

<sup>125</sup> Herbert, 519.

<sup>126</sup> Journals, 146. The act is published by Burnet, i. Rec. iii. xvi.

communication of Henry's intention she fainted to the ground; but recovering herself, was persuaded by degrees to submit the question to the decision of the clergy, and to be satisfied with the new title of the king's adopted sister. In the council several consultations were held, and different resolutions were taken. At first great reliance had been placed on a precontract of marriage between the princess and the marquess of Lorraine: but when it was considered that both parties were children at the time, and had never since ratified the act of their parents, this plea was abandoned: and it was determined to rest the king's case on the misrepresentation which had been made to him as to her person, and the want of consent on his part both at the celebration, and ever since the celebration of the marriage.<sup>127</sup> In pursuance of this plan the chancellor, the archbishop, and four other peers successively addressed the house of lords. It had been their lot, they said, to be instrumental in negotiating the late marriage: it was now their duty to state that from more recent information they doubted its validity. In such a case, where the succession to the crown was concerned, too great security could not be obtained: wherefore they moved that all the particulars should, with the royal permission, be

July 6.

<sup>127</sup> Dr. Clarke had been sent to open the business to the duke of Cleves: and before his arrival received no fewer than three sets of instructions, each differing from the other. See Herbert, 520, 521.

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laid before the clergy in convocation, and their decision as to the validity or invalidity of the marriage should be required. A deputation was next requested and obtained from the lower house; and the temporal lords and commoners proceeding to the palace, humbly solicited the king's permission to submit to his consideration a subject of great delicacy and importance. Henry assented, observing that they would propose to him nothing which was unreasonable or unjust. Having heard their petition from the mouth of the chancellor, he replied: that it was indeed an important question; but that he could refuse nothing to the estates of the realm; that the clergy were learned and pious, and would, he had no doubt, come to an upright decision: and that, as far as regarded himself, he was ready to answer any question which might be put to him; for he had no other object in view, but the glory of God, the welfare of the realm, and the triumph of truth.<sup>128</sup>

By the convocation the inquiry was referred to a committee, consisting of the two archbishops, of four bishops, and eight divines; who either found the materials ready to their hands, or were urged to extraordinary diligence by the known wish of the monarch. To receive depo-

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<sup>128</sup> Lords' Journals, p. 153. It is amusing that the whole of this farce is described, just as it would be acted, in a letter from the council to Claue, dated July 3, three days before it took place. Herb. 521.

sitions,<sup>129</sup> to examine witnesses, to discuss the merits of the case, to form their report, and to obtain the approbation of the whole body, was the work of but two short days. Not a voice was heard in favour of the marriage: it was unanimously pronounced void on the following grounds:—

July 9.

1°. There was no certainty that the alleged precontract between Anne and the marquess of Lorrain had been revoked in due form of law: and in consequence the validity of her subsequent marriage with Henry was, and the legitimacy of her issue by him would be, doubtful.

2°. The king had required that this difficulty should be removed previously to his marriage. It might be considered as an indispensable condition: whence it was inferred that as the condition had failed, the marriage, which depended on that condition, must be void.

3°. It was contended that, if Henry had selected Anne for his wife, he had been deceived by exaggerated accounts of her beauty; if he had solemnized his nuptials with her, he had been compelled by reasons of state: but he had never given that real consent which was necessary to impart force to the contract, either by any internal act of the will during the ceremony, or after the ceremony by the consummation of

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<sup>129</sup> They have been published, partly by Burnet, i. 193. 197. and partly by Strype, i. Rec. 307—315.

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the marriage. It is not possible that such arguments could satisfy the reason of the members. From the benefit of the two first Henry had excluded himself by his own act in proceeding to the celebration of the ceremony: and the last, were it admitted in its full extent, would at once deprive of force every treaty between sovereigns. But the clergy in convocation, like the lords and commons in parliament, were the obsequious slaves of their master. The first decided in obedience to his will: the second passed an act confirming that decision; and then assimilating the marriage of Henry with Anne, to his former marriages with his first and second queens, they subjected to the penalties of treason every man, who should presume to believe or judge that it was lawful and valid. The queen cheerfully submitted to her lot: and a yearly income of three thousand pounds, with the palace of Richmond for her residence, amply indemnified her for the loss of a capricious and tyrannical husband.<sup>130</sup>

The session was now hastening to a close, and little progress had been made by the committees appointed at the recommendation of Cromwell, to frame a declaration of doctrine

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<sup>130</sup> Wilk. Con. iii. 850—855. St. 32 Hen. VIII. 25. The statute asserts that Anne herself, after the decision of the convocation, acknowledged that she had not been carnally known by the king: Henry himself asserts the same in his deposition, and gives his reasons.



for the belief, and an order of ceremonies for the worship, of the English church. To give the authority of parliament to their subsequent labours, it was enacted that such ordinances as they or the whole clergy of England should afterwards publish with the advice and approbation of the king, should be fully believed, obeyed, and performed, under the penalties to be therein expressed. At the same time the rigour of the statute of the six articles was mitigated in that clause, which regarded the incontinence of priests or nuns; and forfeiture of lands and goods was substituted in place of the penalty of death.<sup>131</sup>

From the moment of his arrest, Cromwell had laboured without ceasing to save his life. He denied with the strongest asseverations that he was a traitor, or a sacramentary, or a heretic: he admitted that he had occasionally transgressed the limits of his authority, but pleaded in excuse the number of the offices which he held, and the impropriety of troubling at every moment the royal ear: he descended with seeming cheerfulness to every submission, every disclosure which was required of him: he painted in striking colours his forlorn and miserable condition, and solicited for mercy in terms the most pathetic, and perhaps more abject than became his character.<sup>132</sup> Unfortunately among his pa-

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IV.



Execution  
of Crom-  
well.

<sup>131</sup> St. 32 Hen. VIII. 10. 26.

<sup>132</sup> See his letters to Henry, Burnet, i. Rec. 193. iii. Rec. 161. The

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- pers had been found his clandestine correspondence with the princes of Germany:<sup>133</sup> the king would listen to no plea in favour of a man who had betrayed his confidence to strangers: and on the sixth day after the bill of attainder had received the royal assent, he was led to execution. On the scaffold he asked pardon of his sovereign, and admitted that he had been seduced by the spirit of error: but protested that he had returned to the truth, and should die in the profession of the catholic faith, meaning probably that faith which was now established by law.<sup>134</sup> If a tear were shed at his death, it was in secret, and by the preachers who had been sheltered under his protection. The nobility rejoiced to be freed from the control of a man, who by cunning and servility had raised himself from the shop of a fuller to the highest seat in the house of lords: the friends of the church congratulated themselves on the fall of its most dangerous enemy: and the whole nation considered his blood as an atonement for the late enormous and impolitic tax, imposed at a time when the king had incurred no extraordinary expense, and when the treasury was filled, or

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reader will be astonished at the number of oaths, &c. with which he maintains his innocence. "May God confound him, may the vengeance of God light upon him, may all the devils in hell con-found him," and similar imprecations continually recur.

<sup>133</sup> Marillac, apud le Grand, ii. 215.

<sup>134</sup> Hall, 242. Stow, 580.

supposed to be filled, with the spoils of the suppressed monasteries.

Two days later the citizens were summoned to behold an execution of a more singular description. By law the catholic and the protestant were now placed on an equal footing in respect to capital punishment. If to admit the papal supremacy was treason, to reject the papal creed was heresy. The one could be expiated only by the halter and the knife: the other led the offender to the stake and the faggot. It was in vain that the German reformers pleaded in favour of their English brethren; and that Melancthon in a long letter presumed to question the royal infallibility. The king continued to hold with a steady hand the balance between the two parties. During the parliament Powel, Abel, and Featherstone had been attainted for denying the supremacy; Barnes, Garret, and Jerome for maintaining heterodox opinions.<sup>135</sup> They were now coupled, catholic and protestant, on the same hurdle; drawn together from the Tower to Smithfield, and while the former were hanged and quartered as traitors, the latter were consumed in the flames as heretics. Still, if we

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Other executions.

July 30.

<sup>135</sup> These three did not maintain any doctrines against the six articles, but (if we may judge from their recantation), that the man who has been justified, cannot fall from grace, that God is the author of sin, that it is not necessary to pardon offences, that good works are not profitable to salvation, and that the laws are not to be obeyed for conscience' sake. See the recantation, Burnet, i. Rec. iii. N<sup>o</sup>. xxii.

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consider the persecuting policy of the age, and the sanguinary temper of the king, we shall perhaps find that from this period fewer persons suffered, than might have been expected. The commissions, indeed, which Cromwell had mentioned at the opening of parliament, were issued, inquests were taken, and informations laid : but terror had taught men to suppress their real sentiments : and of the men whose imprudence brought them under suspicion, the least guilty were dismissed on their recognisances for each other : and most of the rest embraced the benefit of abjuration granted by the law.<sup>136</sup>

King mar-  
ries Ca-  
tharine  
Howard.

Aug. 8.

Henry did not long remain a widower after his divorce from Anne of Cleves. The lords humbly besought him, as he tendered the welfare of his people, to venture on a fifth marriage, in the hope that God would bless him with more numerous issue : and within a month Catharine, daughter to the late lord Edmund Howard, and niece to the duke of Norfolk, appeared at court with the title of queen. Catharine had been educated under the care of the dowager dutchess of Norfolk, and first attracted the royal notice at a dinner given by the bishop of Winchester. She possessed nothing of that port and dignity, which Henry had hitherto required. But her figure, though small, was regular : her superior

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<sup>136</sup> During the remainder of Henry's reign, Fox reckons ten protestants, Dodd fourteen catholics, who suffered after those mentioned above.

beauty was universally admitted: and by “a notable appearance of honour, cleanness, and maidenly behaviour” she won the king’s heart.<sup>137</sup> For more than twelve months he continued to lavish on her tokens of the warmest affection: but the events which led to her elevation, had made the reformers her enemies; and while she accompanied the king in his progress to York, a plot was woven by their industry, which brought the young queen to the scaffold, and weakened the ascendancy of the reigning party.

From the testimony of a female servant, Cranmer had discovered, that Catharine, while she was yet a single woman, had frequently yielded to the solicitations of Dereham, a gentleman in the service of her grandmother. He immediately consulted his friends, the chancellor and the earl of Hertford; and it was determined that, on the king’s return, the important but dangerous secret should be disclosed to him by the archbishop. Henry is said to have shed tears at the communication. Dereham acknowledged the fact: and the queen herself, though she denied it before the lords of the council, was induced the same night to sign a confession by the persuasion of the archbishop.<sup>138</sup> But this discovery, however it might distress the feelings of Henry, could hardly supply grounds for a divorce or a charge

CHAP.  
IV.



She is accused of incontinency.

Nov. 4.

<sup>137</sup> Letter of the council, apud Herb. 532. Parvissima puella. Apud Burn. jii. 147.

<sup>138</sup> Id. 532—535.

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IV.

of high treason. The queen was again subjected to a rigorous interrogatory before Cranmer: every attempt to establish a precontract between her and Dereham failed:<sup>139</sup> and, as a last resource, a most minute inquiry was made into her conduct since her marriage with the king. It was then ascertained that she had taken Dereham into her service: and that a gentleman of the privy chamber (probably a maternal relation),<sup>140</sup> of the name of Culpepper, who had formerly been mentioned as her intended husband, had, when the court was at Lincoln, remained in the same room with her and the lady Rochford for more than three hours in the night time. These circumstances seemed to afford presumptions of guilt. Both Dereham and Culpepper were tried, convicted and executed: and the lord William Howard, his wife, four men and five women, were condemned in the penalties of misprision of treason, because they had not revealed the previous incontinency of the queen.

Nov. 30.

Dec. 10.

Con-  
demned.  
1542.  
Jan. 21.

To determine the fate of Catharine herself, a new parliament was summoned: and a bill was introduced to attain her and the lady Rochford of treason, and the dowager dutchess of Norfolk, the countess of Bridgewater, and the other persons already mentioned, of misprision of treason.

<sup>139</sup> See this examination in Burnet, iii. Rec. 171.

<sup>140</sup> Her mother's name was Culpepper. Id. 535.

It seems, however, that either a strong opposition had been made in the council, or that the mind of Henry was still undecided. A week passed before any notice was taken of the bill: and then a deputation of lords was appointed to wait on Catharine in the Tower, and exhort her to speak without deceit or apprehension: the king was merciful, and the laws were just: if she could prove her innocence, her husband would rejoice: if not, the truth at least would be acceptable to him. But two days later another course was pursued. The same deputation was instructed to wait on Henry, and exhort him to bear his misfortune with resignation, to allow the two houses to proceed with the bill, and to give his assent by letters patent, that he might spare himself the pain of hearing the recital of the offences committed by his wife. The king granted their prayer: after another delay the bill passed the lords in three days, the commons in two; and was brought to the house by the chancellor signed by Henry, and with the great seal appended to it. The commons were now summoned: and, in the short interval before their arrival, the lords of the deputation delivered the queen's answer, which had been hitherto withheld. She acknowledged that she had offended against God, the king, and the nation; but hoped that her guilt would not be visited on her brothers and family; and begged as a last favour, the permission to divide a part

CHAP.

IV.

Jan. 28.

Feb. 6.

Feb. 11.

CHAP.  
IV.

Ad e  
cuted.  
Feb. 13.

of her clothes among her maids.<sup>141</sup> Two days afterwards both the ladies suffered. Catharine confessed and deplored the disorders of her former life; but asserted on her hope of salvation, and called God and his angels to witness the truth of her assertion, that she had never been unfaithful to the bed of her husband and lord.<sup>142</sup>

To attain without trial had now become customary: but to prosecute and punish for that which had not been made a criminal offence by any law, was hitherto unprecedented. To give, therefore, some countenance to these severities, it was enacted in the very bill of attainder that every woman, about to be married to the king or any of his successors, not being a maid, should disclose her disgrace to him under the penalty of treason; that all other persons know-

<sup>141</sup> Lord's Journals, 171, 172. 176.

<sup>142</sup> Burnet, i. 313. I am inclined to give credit to her assertions. The confession which she made to the lords may refer only to her irregularities before marriage, and her concealment of them from Henry; and it is evident from the attainder itself that no act of adultery could be proved against her. It merely infers that she had committed, or intended to commit it. As to lady Rochford, *her* only crime was a participation in the presumed guilt of Catharine by introducing Culpepper, and remaining in company with him and the queen. I fear that both were sacrificed to the manes of Anne Boleyn. The story of these unfortunate women is misrepresented both by Smollett and Hume. It is not true that Dereham and Mannock accused lady Rochford of being Catharine's confidant in their amours with her: neither did Culpepper spend the night with the queen alone; nor is there any proof that they behaved improperly at their execution.



ing the fact and not disclosing it, should be subject to the lesser penalty of misprision of treason: and that the queen, or wife of the prince, who should move another person to commit adultery with her, should suffer as a traitor.<sup>143</sup>

The king's attention was now chiefly directed to his duties as head of the church. He had formerly sanctioned the publication of an English version of the Bible, and granted permission to all his subjects to read it at their leisure; but it had been represented to him, that even the authorised version was disfigured by unfaithful renderings, and contaminated with notes calculated to mislead the ignorant and unwary: and that the indiscriminate lecture of the holy volumes had not only generated a race of teachers who promulgated doctrines the most strange and contradictory, but had taught ignorant men to discuss the meaning of the inspired writings in alehouses and taverns, till, heated with controversy and liquor, they burst into injurious language, and provoked each other to breaches of the peace. To remedy the first of these evils it was enacted, that the version of Tyndal should be disused altogether as "crafty, false "and untrue," and that the authorised translation should be published without note or comment: to obviate the second, the permission of

CHAP.  
IV.



Restraint  
on the  
reading of  
the scrip-  
tures.

1542.  
April.

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<sup>143</sup> St. 33 Hen. VIII. 21.

## CHAP.

## IV.



reading the Bible to others in public was re-  
voked: that of reading it to private families was  
confined to persons of the rank of lords or gen-  
tlemen: and that of reading it personally and  
in secret was granted only to men who were  
householders, and to females of noble or gentle  
birth. Any other woman or any artificer, ap-  
prentice, journeyman, servant or labourer, who  
should presume to open the sacred volume, was  
made liable for each offence to one month's  
imprisonment.<sup>144</sup>

Erudition  
of a Chris-  
tian man.

It was not, however, the king's intention to  
leave the flock committed to his charge without  
a competent supply of spiritual food. The  
reader will recollect that Cromwell in 1540 had  
announced the appointment of two committees  
of prelates and theologians to compose a new  
code of doctrine and ceremonies. Certain ques-  
tions had been proposed to each person sepa-  
rately, and their answers were collated and laid  
before the king.<sup>145</sup> To make the new work as

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<sup>144</sup> St. 34 Hen. VIII. 1. The king at the same time was autho-  
rized to make any alterations in this act, which he might deem  
proper.

<sup>145</sup> Of these answers some have been published: others are to be  
found in the British Museum (Cleop. E. 5). Those by Cranmer  
prove that on every subject he had made a greater proficiency in the  
new learning than any of his coadjutors: but his opinion respecting  
orders appears extremely singular, when we recollect that he was  
archbishop of Canterbury. The king, he says, must have spiritual  
as well as civil officers, and of course has a right to appoint them;  
in the time of the apostles the people appointed, because they had

perfect as was possible, three years were employed: it was at last published with the title of "A necessary Doctrine and Erudition for any christned Man;" and, to distinguish it from "the Institution," the former exposition of the same subject, it was called the king's book. It is more full, but teaches the same doctrines, with the addition of transubstantiation, and the sufficiency of communion under one kind. The new creed was approved by both houses of convocation,<sup>146</sup> all writings or books in opposition to it were prohibited: and by the archbishop it was ordered to be published

April 30.

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no christian king, but occasionally accepted such as might be recommended to them by the apostles, "of their own voluntary will, and not for any superiority that the apostles had over them;" in the appointment of bishops and priests, as in that of civil officers, some ceremonies are to be used, "not of necessity but for good order and seemely fashion:" nevertheless "he, who is appointed bishop or priest, needeth no consecration by the scripture; for election or appointing thereto is sufficient." Aware, however, that it was difficult to reconcile these principles with the declaration which he had signed the preceding year (Wilk. Con. iii. 832), or with such as he might be compelled to sign hereafter, he very prudently added, "this is mine opinion and sentence at this present: which nevertheless I do not temerariouly define, but refer the judgment thereof to your majesty." Strype, 79. App. p. 48. 52. Burnet, i. Coll. p. 201. Collier, ii. Records, xlix.

<sup>146</sup> Wilk. Con. iii. 868. As if it were meant to probe to the quick the sincerity of the prelates suspected of leaning to the new doctrines, the chapters on the two obnoxious tenets of transubstantiation, and communion under one kind, were subjected to the revision and approbation of the archbishop, and the bishops of Westminster, Salisbury, Rochester, and Hereford, three of whom were reformers. *Per ipsos exposita, examinata, et recognita.* Ibid.

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in every diocese, and studied and followed by every preacher.<sup>147</sup> From that period till the accession of the next sovereign, “the king’s “book” continued to be the only authorised standard of English orthodoxy.

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<sup>147</sup> Strype, 100.

## CHAP. V.

STATUTES RESPECTING WALES—TRANSACTIONS IN IRELAND  
 —NEGOCIATIONS AND WAR WITH SCOTLAND—RUPTURE  
 WITH FRANCE—PEACE—TAXES—DEPRECIATION OF THE CUR-  
 RENCY—CRANMER—GARDINER—KING'S LAST ILLNESS—EXE-  
 CUTION OF THE EARL OF SURREY—ATTAINDER OF THE DUKE  
 OF NORFOLK—DEATH OF HENRY—HIS CHARACTER—SUBSER-  
 VIENCY OF THE PARLIAMENT—DOCTRINE OF PASSIVE OBEDI-  
 ENCE—SERVILITY OF RELIGIOUS PARTIES.

THAT the reader might follow without interrup-  
 tion the progress of the reformation in England,  
 I have confined his attention in the preceding  
 pages to those occurrences, which had an im-  
 mediate tendency to quicken or restrain the  
 spirit of religious innovation. The present  
 chapter will be devoted to matters of foreign  
 and domestic policy : 1°. The extension of the  
 English jurisprudence throughout the princi-  
 pality of Wales : 2°. The rebellion and pacifica-  
 tion of Ireland : 3°. The negotiations and hos-  
 tilities between the crowns of England and  
 Scotland : and, 4°. The war which Henry  
 declared against “his good brother, and per-  
 “petual ally,” the king of France. These events  
 will lead us to the close of the king's reign.

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1. As Henry was descended from the Tudors,

Wales.

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a Welsh family, he naturally directed his attention to the native country of his paternal ancestors. It might be divided into two portions, that which had been originally conquered by the arms of his predecessors, and that which had been won by the courage and perseverance of the individuals, afterwards called the lords marchers. The former had been apportioned into shires, and was governed by the laws of England: the latter comprised one hundred and forty-one districts or lordships, which had been granted to the first conquerors, and formed so many distinct and independent jurisdictions. From them the king's writs, and the king's officers were excluded. They acknowledged no other laws or customs than their own. The lords, like so many courts palatine, had their own courts, civil and criminal, appointed their own officers and judges, punished or pardoned offences according to their pleasure, and received all the emoluments arising from the administration of justice within their respective domains. But the great evil was, that this multitude of petty and separate jurisdictions, by holding out the prospect of impunity, proved an incitement to crime. The most atrocious offender, if he could only flee from the scene of his transgression, and purchase the protection of a neighbouring lord, was sheltered from the pursuit of justice, and at liberty to enjoy the fruit of his dishonesty or revenge.

The king, however, put an end to this mischievous and anomalous state of things. In 1536 it was enacted, that the whole of Wales should thenceforth be united and incorporated with the realm of England; that all the natives should enjoy and inherit the same rights, liberties, and laws, which were enjoyed and inherited by others the king's subjects: that the custom of gavelkind should cease; that the several lordships' marchers should be annexed to the neighbouring counties; that all judges and justices of the peace should be appointed by the king's letters patent; that no lord should have the power to pardon any treason, murder, or felony, committed within his lordship; and that the different shires in Wales, with one borough in each, should return members to parliament. Most of these regulations were extended to the county palatine of Chester.<sup>1</sup>

2. During the more early part of Henry's reign the tranquillity of his Irish subjects had <sup>Ireland</sup> been repeatedly disturbed by the jealousy of two rival families, the Fitzgeralds and the Butlers, under their respective chiefs, the earls of Kildare, and of Ormond or Ossory. That he might extinguish or repress these hereditary feuds, Wolsey determined to intrust the government to the more impartial sway of an English

<sup>1</sup> St. 27 Hen. VIII. 7. 24. 26. In the county of Merioneth there was no borough which returned a member: but in that of Pembroke there were two, Pembroke and Haverfordwest.

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1520.  
April.

1522.  
March.

1532.

nobleman, and the young earl of Kildare, who had succeeded his father, was removed from the office of lord deputy, to make place for the earl of Surrey, afterwards duke of Norfolk. During two years the English governor overawed the turbulence of the Irish lords by the vigour of his administration, and won the esteem of the natives by his hospitality and munificence. But when Henry declared war against France, Surrey was recalled to take the command of the army: and the government of Ireland was conferred on Butler, earl of Ossory. Ossory was soon compelled to resign it to Kildare: Kildare transmitted it to sir William Skeffington, an English knight: and Skeffington, after a short interval, replaced it in the hands of his immediate predecessor. Thus Kildare saw himself for the third time invested with the chief authority in the island: but no longer awed by the frowns of Wolsey, who had fallen into disgrace, he indulged in such acts of extravagance, that his very friends attributed them to occasional derangements of intellect.

The complaints of the Butlers induced Henry to call the deputy to London, and to confine him in the Tower. At his departure the reins of government dropped into the hands of his son, the lord Thomas, a young man in his twenty-first year, generous, violent, and brave.<sup>2</sup>

<sup>2</sup> Hall, 226. Herbert, 415.



His credulity was deceived by a false report that his father had been beheaded: and his resentment urged him to the fatal resolution of bidding defiance to his sovereign. At the head of one hundred and forty followers he presented himself before the council: resigned the sword of state, the emblem of his authority; and in a loud tone declared war against Henry VIII. king of England. Cromer, archbishop of Armagh, catching him by the hand, most earnestly besought him not to plunge himself and his family into irremediable ruin: but the voice of the prelate was drowned in the strains of an Irish minstrel who, in his native tongue, called on the hero to revenge the blood of his father: and the precipitate youth, unfurling the standard of rebellion, commenced his career with laying waste the rich district of Fingal. A gleam of success cast a temporary lustre on his arms: and his revenge was gratified with the punishment of the supposed accuser of his father, Allen, archbishop of Dublin, who was surprised and put to death by the Geraldines. He now sent an agent to the emperor to demand assistance against the man, who by divorcing Catharine had insulted the honour of the imperial family; and wrote to the pope, offering to protect with his sword the interests of the church against an apostate prince, and to hold the crown of Ireland of the holy see by the payment of a yearly tribute. But fortune quickly deserted

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Rebellion  
of Kildare.

1534.  
June 11.

July 26.

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Oct. 16.

1535.  
March 23.

Aug.

1537.  
Feb. 3.

him.<sup>1</sup> He was repulsed from the walls of Dublin by the valour or despair of the citizens: Skeffington, the new deputy, opposed to his undisciplined followers a numerous body of veterans: his strong castle of Maynooth opened its gates through treachery or compulsion: and the lord Leonard Gray hunted the ill-fated insurgent into the fastnesses of Munster. Here by the advice of his friends he offered to submit: and having previously stipulated for a full pardon, he dismissed his followers, accompanied the victor to Dublin, and thence sailed for England, that he might throw himself at the feet of his sovereign.<sup>3</sup> But Henry, disregarding the faith of treaties, ordered him to be conducted to the Tower, where he was joined by his five uncles, whom the lord Gray had perfidiously apprehended at a banquet: and, after a long confinement, all six, though three had never joined in the rebellion, were beheaded for the crime of treason.<sup>4</sup> His father had already died of a broken heart: and the only survivor of the family was Gerald, a brother of Thomas, twelve years of age, whom his aunt had clandestinely conveyed into France. Driven thence at the requisition of Henry, she sought with her charge an asylum in Flanders: but the hatred of the king pursued her thither; and as her last resource, she solicited the pro-

<sup>3</sup> Sponte se in regis potestatem, accepta impunitatis fide, dedit .....fidem publicam, quâ se jure tueri potest, habet. Poli Ep. i. 481. Aug. 31, 1536.

<sup>4</sup> St. 28 Hen. VIII. 18.

tection of cardinal Pole, who received his kinsman with pleasure, watched over his education, and kept him in his family, till he at length recovered the honours and the estates of his ancestors, the former earls of Kildare.<sup>5</sup>

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Henry's innovations in religion were viewed with equal abhorrence by the indigenous Irish, and the descendants of the English colonists. Fitzgerald, aware of this circumstance, had proclaimed himself the champion of the ancient faith:<sup>6</sup> and after the imprisonment of Fitzgerald, his place was supplied by the zeal of Cromer, archbishop of Armagh. On the other hand the cause of the king was supported by a more courtly prelate, Brown, who, from the office of provincial of the Augustinian friars in England, had been raised to the archiepiscopal see of Dublin, in reward of his subserviency to the politics of Cromwell. But Henry determined to enforce submission. A parliament was summoned by lord Gray, who had succeeded Skeffington: and, to elude the opposition of the clergy, their proctors, who had hitherto voted in the Irish parliaments, were by a declaratory act pronounced to be nothing more than assistants, whose advice might be received, but whose assent was not required.<sup>7</sup> The statutes which were now passed, were copied from the proceedings

Pacifica-  
tion of  
Ireland.

1525.  
March 2.

1536. }  
May 1.

<sup>5</sup> Godwin, 62, 63. Herbert, 415—417. 491.

<sup>6</sup> Pro pontificis autoritate in Hibernia arma sumpserat. Poli, *ibid.*

<sup>7</sup> Irish St. 28 Hen. VIII. 12.

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in England. The papal authority was abolished; Henry was declared head of the Irish church; and the first fruits of all ecclesiastical livings were given to the king. But ignorance of the recent occurrences in the sister island gave occasion to a most singular blunder. One day the parliament confirmed the marriage of the king with Anne Boleyn: and the next, in consequence of the arrival of a courier, declared it to have been invalid from the beginning. It was, however, more easy to procure the enactment of these statutes, than to enforce their execution. The two races combined in defence of their common faith: and repeated insurrections exercised the patience of the deputy, till his brilliant victory at Bellahoe broke the power of O'Nial, the northern chieftain, and confirmed the ascendancy of the royal cause. This was the last service performed by lord Gray. He was recalled on a charge of mal-administration, and of having connived at the escape of his nephew Gerald Fitzgerald: at his trial, either oppressed by fear, or induced by the hope of mercy, he pleaded guilty; and his head was struck off by the command of the thankless sovereign, whom he had so often and so usefully served.<sup>8</sup>

1541.  
June 25.

June 28.

After the departure of Gray, successive but

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<sup>8</sup> Godwin, 73, "As he was come of high lineage, so was he a right valiant and hardy personage; although now his hap was to lose his head." Stow, 582.

partial insurrections broke out in the island. They speedily subsided of themselves: and the new deputy, sir Anthony Saintléger, found both the Irish chieftains and the lords of the pale anxious to outstrip each other in professions of obedience to his authority. A parliament was assembled: Ireland from a lordship was raised to the higher rank of a kingdom: regulations were made for the administration of justice in Connaught and Munster: and commissioners were appointed with power to hear and determine all causes, which might be brought before them from the other provinces.<sup>9</sup> The peerage of the new kingdom was sought and obtained, not only by the lords who had hitherto acknowledged the authority of the English crown, but even by the most powerful of the chieftains, who, though nominally vassals, had maintained a real independence; by Ulliac de Burg, now created earl of Clanricard; by Murrugh O'Brian, made earl of Thomond; and by the redoubted O'Nial, henceforth known by his new title of earl of Tyrone.<sup>10</sup> These, with the chief of their kindred, swore fealty, consented to hold their lands by the tenure of military service, and accepted from their sovereign houses in Dublin for their accommodation, as often as they should attend their duty in parliament.

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1541.  
June 25.

1543.  
July 1.

Sept. 1.

<sup>9</sup> Irish St. 33 Hen. VIII. 1.

<sup>10</sup> Rym. xiv. 797—801. xv. 7.

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Never, since the first invasion of the island by Henry II., did the English ascendancy in Ireland appear to rest on so firm a basis, as during the last years of Henry VIII.

Scotland-

3. To explain the several causes, which successively contributed to produce the rupture between Henry and his nephew the king of Scotland, it will be necessary to revert to the period of the great battle of Pavia. The intelligence of the captivity of Francis extinguished at once the hopes of the French faction in Scotland: and the earl of Angus, with the aid of the English monarch, obtained possession of the young king James V., and with him, the exercise of the royal authority. Margaret, the queen dowager, had long ago forfeited the confidence of her royal brother: an intercepted letter, which she had lately written to the duke of Albany, estranged him from her for ever. He willingly suffered her to be deprived even of the nominal authority, which remained to her: Angus consented to a divorce: she married her paramour, afterwards created lord Methven; and silently sunk into the obscurity of private life. But her son, though only in his seventeenth year, felt the thralldom in which he was detained by the Douglasses; and anxiously sought to obtain his liberty, and exercise his authority. At length he eluded the vigilance of his keepers, levied an army, and drove his enemies beyond the borders; where Angus remained for years, an exile from

1526.  
March

1528.  
July.

his own country, and the pensioner of England. The young king, notwithstanding his relationship to Henry, seems to have inherited the political sentiments of his fathers; and sought to fortify himself against the ambition of his powerful neighbour by the friendship of the emperor, and of the king of France. In 1532 the two crowns were unintentionally involved in hostilities by the turbulence of the borderers: tranquillity was restored by the good offices of Francis, the common friend of the uncle and nephew: and James was even induced to solicit the hand of the princess Mary. But it was at a time, when only a few months had elapsed since the divorce of Henry from Catharine: and the king refused his consent to a marriage which might afterwards lead the king of Scots to dispute the succession with the children of Anne Boleyn. This refusal induced James to seek a wife from some of the foreign courts, while the English monarch vainly endeavoured to make his nephew a proselyte to his new doctrine of the ecclesiastical supremacy of princes within their respective kingdoms. For this purpose he sent to James a treatise on that subject, with a request that he would seriously weigh its contents; and solicited at the same time permission for his agent Barlow, bishop elect of St. David's, to preach to the Scottish court. The present was received with an air of indifference, and instantly delivered to one of

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1532.

1534.

May 18.

1535.

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the prelates : and the English missionary finding every pulpit closed against him, vented his discontent in letters to Cromwell, in which he denominated the clerical counsellors of James, “ the pope’s pestilent creatures, and very limbs “ of the devil.”<sup>11</sup>

Marriage  
of James.

Henry now requested a personal interview at York : but James, who feared to trust himself in the hands of his uncle, eluded the demand by proposing a meeting of the three kings of England, France, and Scotland, at some place on the continent. Soon afterwards he concluded a treaty of marriage with Marie de Bourbon, a daughter of Vendome : but unwilling to rely on the report of his ambassadors, he sailed to Dieppe, and visited his intended bride, whose appearance disappointed his expectations. Disguising his feelings, he hastened to be present at the expected battle between the French and Imperial armies in Provence : but was met by Francis on mount Tarare, in the vicinity of Lyons. The two monarchs repaired to Paris : Marie was forgotten : and James married Madeleine the daughter of the French king ; a beautiful and accomplished princess, who was even then in a decline, and died within fifty days

1536.  
March 29.

Sept. 10.

1537.  
Jan. 1.

July 7.

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<sup>11</sup> Pinkerton, ii. 327. “ The doctrine of a christian man ” was not published till after this period : the book sent was probably either Gardiner’s treatise *de vera obedientia*, or another, *de vera differentia regię potestatis et ecclesiasticę* ; both of which had been printed the year before.



after her arrival in Scotland. During some time her husband appeared inconsolable for her loss : the next year he married another French princess, Marie, dutchess, dowager of Longueville, and daughter to the duke of Guise ; the same lady, who declined the offer of the king of England.<sup>12</sup>

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1538.

Jan. 10.

The king of Scots, satisfied with his own creed, refused to engage in theological disputes : and the pontiff, to rivet him more closely to the communion of the apostolic see, bestowed a cardinal's cap on the most able and most favoured of his counsellors, David Bethune, abbot of Arbroth, then bishop of Mirepoix, and lastly archbishop of St. Andrew's. During his journey James had noticed the terms of execration, in which foreigners reprobated the rapacity and cruelty of his reforming uncle ; and his gratitude for the attentions and generosity of Francis, inclined him to espouse and support the politics of the French court. When Paul had at last determined to publish the sentence of deprivation against Henry, James signified his assent, and promised to join with Charles and Francis in their endeavours to convert or punish the apostate monarch.<sup>13</sup>

Negotiations.

Dec.

Henry, whose pensioners swarmed in every

<sup>12</sup> Lesley, 426.

<sup>13</sup> Habebit regem Scotiae, et hic novum creatum cardinalem Scotum Instruc: pro Card. Polo apud Quirini, ii. Mon. Præl. cclxxix.

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1539.  
April.

court, was quickly apprized of these dispositions, and, as soon as he had learned the real object of cardinal's Pole's legation to the emperor and the king of France, dispatched Ralph Sadler, one of the gentlemen of his privy chamber, as his ambassador to Edinburgh. This minister assured the king of Scots, that the warlike preparations in England were not designed against him, but against the pope, and his associates; exhorted him, instead of giving credit to the assertions of his clergy, to examine the foundations of the papal claims, which he would find to be nothing more than an usurpation of the rights of sovereigns; requested him not to permit the bull against his uncle to be published, or executed within his dominions; and reminded him, that Henry was a nearer relation to him than any other prince, and that, though it was not required of him to renounce his engagements with the king of France, it was his interest to abstain from measures, of which he might afterwards repent.<sup>14</sup>

What effect these remonstrances might have produced, is uncertain; but, as neither Charles nor Francis attempted to enforce the papal bull,

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<sup>14</sup> Sadler's State Papers. 50—55. Mr. Clifford on the authority of Mr. Pinkerton (Hist. ii. p. 374) has allotted this negotiation to the year 1541; but it is evident from Sadler's instructions, that they were composed after cardinal Pole had failed with the emperor, and while it was doubtful whether he would succeed or not with the king of France. (Sadler's Papers, p. 53.) i. c. between the end of January and the beginning of April, 1539.

their inactivity induced the king of Scots to preserve the relations of amity with his uncle. Henry, however, continued to grow more jealous both of the religious opinions of James, and of his connexion with the French court. If a few Scottish refugees, the partisans of the new doctrine, flattered him with the hope, that their sovereign would imitate him in assuming the supremacy of the church, he was harassed on the other hand with reports, that the king of Scots urged with assiduity the improvement of his artillery; that he had promised support to the malcontents in the northern counties; and that he suffered ballads derogatory from the honour of Henry, and prophecies predictive of his downfall, to be circulated on the borders. Another effort to convert James was made through the agency of Sadler. The ostensible object of that minister was to present to the king half a dozen stallions, sent to him by his uncle; but he was ordered to solicit a private audience, and a promise that the conversation should not be divulged. Sadler then read to James an intercepted letter from Bethune to his agent at Rome, from which he inferred that it was the aim of the cardinal to subject the royal authority to that of the pope.<sup>15</sup> But the king

1540.  
Feb.

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<sup>15</sup> James had committed two clergymen to prison. Bethune, in his letter, said he should labour to have them delivered to him, as their ordinary judge (Sadler's Papers, p. 14). This, and a petition for that purpose, were the foundation of the charge. James replied,

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laughed at the charge: and said that the cardinal had long ago given him a copy of the letter. The envoy then observed that Henry was ashamed of the meanness of his nephew, who kept large flocks of sheep, as if he were a husbandman, and not a sovereign. If he wanted money, let him supply himself from the riches of the church: he need only make the experiment, and he would find in the dissolute lives of the monks and churchmen reasons to justify himself in following the example of England. James replied, that he had sufficient of his own, without invading the property of others; that if he wanted more, the church would cheerfully supply his wants; that if among the clergy and monks there were some, who disgraced their profession, there were also many, whose virtues deserved praise; and that it did not accord with his notions of justice, to punish the innocent equally with the guilty. Sadler proceeded to shew the advantage which the king would derive from the friendship of Henry, in preference to that of Francis; to hold out a prospect of his being inserted in the act of succession after prince Edward; and to exhort him to meet his uncle at York, and enter into a more particular discussion of these subjects. He answered with general expressions of affection and gratitude,

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“As for those men, they are but simple, and it was but a small matter: and we ourselves made the cardinal the minister both to commit them, and to deliver them.” p. 43.

but adroitly declined the meeting. The envoy in his letters ascribed the failure of his mission to the jealousy of the clergy. The principal of the nobility were, if we may believe him, sufficiently inclined to enrich themselves at the expense of the church. But their ignorance excluded them from the royal councils; and James was compelled to give his confidence to clergymen, who naturally opposed every measure which might lead to the loss of their privileges, or to the diminution of their incomes.<sup>16</sup>

In the next year the Scottish parliament, as if it meant to stigmatize the proceedings of that of England, passed several laws in support of the ancient doctrines and of the papal supremacy. The cardinal soon afterwards left Scotland, to proceed through France to Rome. If his departure revived the jealousy of the king of England, who suspected that a league was in agitation against him; it suggested at the same time a hope, that the obstinacy of James might be subdued, when it was no longer upheld by the presence and counsels of the prelate. An interview at York was proposed for a third time: the English envoys flattered their master with a prospect of success: and Henry left London on his road into Yorkshire. But James, who feared that, if he once put himself in the power of his uncle, he should not be per-

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An interview refused by James.  
1541.  
March.

July.

<sup>16</sup> Sadler's Papers, 3-49.

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mitted to return without either renouncing his alliance with France, or abjuring the authority of the pope, refused to leave his own kingdom; and Henry, having waited a week for his arrival at York, returned in discontent to London, and would scarcely condescend to hear the apology offered by the Scottish ambassadors.<sup>17</sup>

Sept. 26.

War between the two crowns.

The English cabinet now determined to accomplish by force, what it had in vain attempted by artifice and persuasion. Paget was first employed to sound the disposition of the king of France, whose answer, though unsatisfactory to Henry, shewed that in the present circumstances, little aid could be expected by Scotland from her ancient ally. In August forays were reciprocally made across the borders; and each nation charged the other with the first aggression: but the Scots had the advantage, who at Haddenrig defeated three thousand cavalry under the earl of Angus and sir Robert Bowes, and made most of the captains prisoners. Enraged at this loss, the king ordered the duke of Norfolk to assemble a numerous army at York; but James, who had made no preparation for war, arrested his march by opening a negotiation; and detained Norfolk at York, till Henry, impatient of delay, sent him a peremptory order to enter Scotland. The duke crossed the borders, and gave to the flames two towns and

1542.  
Aug.

Oct. 21.

<sup>17</sup> Hall, 248. Lesley, 432, 433.

twenty villages; but on the eighth day, constrained by want, or by the inclemency of the season, he returned to Berwick. James with thirty thousand men had advanced as far as Fala, to meet the invaders. On the intelligence of their retreat, he proposed to follow them into England: but it was objected that he had yet no heir, and that, if the same misfortune were to befall him, which had deprived Scotland of his father at Flodden, the kingdom would be exposed to the ambition of his uncle. Compelled to dismiss his army, he repaired to the western marches, and ordered lord Maxwell to enter England with ten thousand men, and to remain there as many days as the duke of Norfolk had been in Scotland. Maxwell crossed the borders; and the next day was opposed by sir Thomas Wharton, the English warden. Whether it was that the Scots, as their historians say, refused to fight, because the command had been taken from Maxwell and given to Sinclair, the royal favourite; or that, as was reported in England, they believed the attack to proceed from the whole of Norfolk's army, both the men and their leaders fled in irremediable confusion: twenty-four pieces of artillery, the whole of the royal train, fell into the hands of the enemy; and two earls, five barons, and two hundred gentlemen, with eight hundred of their followers, were made prisoners. This cruel and unlooked-for stroke subdued the spirit of James. From

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Oct. 28.

Nov. 25.

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Dec. 14.

the neighbouring castle of Carlaveroc he hastened to Edinburgh, and thence to the solitude of Falkland; where a fever, aided by anguish of mind, overcame the strength of his constitution. A week before his death, his queen was delivered of a female child, the accomplished but unfortunate Mary Stuart.<sup>18</sup>

A marriage proposed between Edward and Mary.

Dec. 19.

These unexpected events opened a new scene to the ambition of Henry, who determined to marry his son Edward to the infant queen of Scotland; and, in consequence of that marriage, to demand, as natural tutor of the young princess, the government of the kingdom. He communicated his views to the earl of Angus and to sir George Douglas, who had long been pensioners on his bounty; and to the earls of Cassilis and Glencairn, the lords Maxwell, Fleming, Somerville, Oliphant, and Gray, who had been made prisoners at the battle of Solway Moss. The first through gratitude, the others through the hope of liberty, promised their concurrence: and both, as soon as the latter had given hostages for their return into captivity if the project should fail, proceeded with expedition to Edinburgh.

There, soon after the death of the king, cardinal Bethune had published a will of the de-

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<sup>18</sup> Hall, 248—255. Herbert, 542, 545, 546. Lesley, 432—437. James, in a letter to Paul III. quoted by Mr. Pinkerton, ii. 383, says that the real cause of the war was his refusal to abandon the communion of Rome.



Dec.

1543.  
Jan. 16.

ceased monarch, by which the regency was vested in himself and three other noblemen: but this instrument, whether it was real or supposititious, was disregarded by the lords assembled in the city: James Hamilton, earl of Arran, and presumptive heir to the throne, was declared governor during the minority of the queen; and the cardinal appeared to acquiesce in an arrangement, which he had not the power to disturb. But this seeming tranquillity vanished on the arrival of the exiles and captives from England: by whose agency the Scottish nobility was divided into two powerful factions. The English faction consisted of Angus and his associates, with their adherents; but most of these cared little for the interests of Henry, provided they could recover their sons and relatives, whom they had delivered as hostages. Their opponents were guided by the queen mother, the cardinal, and the earls of Huntley, Murray, and Argyle, and could depend on the aid of the clergy, the enemies of religious innovation, and on the good wishes of the people, hostile from education and interest to the ascendancy of England.<sup>19</sup> The new governor wavered

<sup>19</sup> Sir George Douglas told Sadler, that to obtain the government for Henry was impossible. "For," quoth he, "there is not so little a boy but he will hurl stones against it; and the wives will handle their distaffs, and the commons universally will rather die in it, yea, and many noblemen and all the clergy be fully against it." Sadler's State Papers, 70. "The whole realm murmureth, that they would rather die than break their old league with France." *Ibid.* 163.

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between the two parties. The opposition which he had experienced from the cardinal, threw him at first into the arms of the English faction: his conviction that the success of their plans would endanger his chance of succeeding to the throne, naturally led him to seek a reconciliation with their adversaries. Henry, indeed, to fix him in his interest, offered to the son of Arran the hand of his daughter Elizabeth: but the penetration of the governor easily discovered the real object of the king, to prevent, what otherwise might in all probability be accomplished, the marriage of that young nobleman with the infant queen. At first, however, he declared in favour of Henry, and imprisoned the cardinal on a fictitious charge of having persuaded the duke of Guise to levy an army for the support of his daughter, the queen dowager, against the claim of the governor. A parliament was then called, which, though it approved the proposal of peace and marriage, refused, as unwarrantable, the other demands of Henry; which were, that he should have the custody of the young queen, the government of the kingdom, and the possession of the royal castles during the minority. The king received the proposals of the Scottish envoys with indignation and scorn: and by the mouth of his agent, sir Ralph Sadler, severely reprimanded Angus and his associates, for their apathy in the royal service, and their breach of promise. They re-

March 13.

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V.

plied that they had obtained as much, as in the present temper of the nation it was possible to obtain: that if the king would be content for the present, he might afterwards effect his purpose step by step; but that if his impatience refused to wait, he must invade the kingdom with a powerful army, and would find them ready to assist him to the extent of their power. His obstinacy at last yielded to the conviction, that every delay added to the strength of his enemies: and after three months of angry altercation, he condescended to sign two treaties. By the first, peace was concluded between the kingdoms; by the second it was agreed that Mary should marry Edward, that, as soon as she had completed her tenth year, she should be sent into England, and that in the meanwhile six noblemen should be surrendered as hostages to Henry.<sup>20</sup>

It is agreed to on certain conditions.

July 1.

During this protracted negotiation cardinal Bethune had by private treaty procured his liberty: and the hopes of the French party were kept alive by repeated supplies of ammunition and money from France. But nothing created greater alarm in the governor than the arrival of the earl of Lennox, who, on the ground that Arran was an illegitimate child, claimed the regency for himself as the next in the line of succession. With his aid the cardinal secured

The treaty broken.

<sup>20</sup> Rym. xiv. 786. 797. xv. 4. Sadler's State Papers, 62—275.

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V.



Sept. 3.

Sept. 9.

Oct. 25.

the northern division of Scotland, obtained possession of the young queen, and removed her to the strong castle of Stirling.<sup>21</sup> Arran now began to seek a reconciliation: the terms were easily arranged with Bethune: nine days after the ratification of the English treaty they met as friends; and the next week assisted together at the coronation of Mary. Henry instantly determined upon war:<sup>22</sup> and his cause received an accession of strength from the hesitation and subsequent defection of Lennox, whose enmity to the governor dissolved his connexion with the cardinal: and whose passion for Margaret Douglas, the daughter of Angus, and niece of Henry, ultimately impelled him to join the friends of the king of England.<sup>23</sup> These had bound themselves by a common instrument to live and die in defence of each other: but the lords Maxwell and Somerville were arrested by the governor, and on the latter was found a copy of the bond, and a letter to Henry in which they solicited his assistance. Urged by the repre-

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<sup>21</sup> Henry, who had before attempted to get possession of her person by stratagem, and now feared she might be carried away to France, offered the governor the aid of an English army, and promised, in case Arran's son should marry Elizabeth, to make the father "by force of our title and superiority, king of the rest of "Scotland beyond the firth." Sadler, p. 248. But the governor replied, that "Marry, all his lands and living lay on this side the "firth, which he would not gladly exchange for any living beyond "the firth," p. 256.

<sup>22</sup> Ibid. 308.

<sup>23</sup> Ibid. p. 314.

sentations of Marco Grimani, the papal legate, and of Labroche, the French ambassador, the governor determined to make war on his opponents: and convened a parliament, in which the adherents of England were accused of treason, and the late treaty was pronounced void, because Henry had not only delayed to ratify it, but had sanctioned incursions across the borders, and had seized several merchant ships, the property of the citizens of Edinburgh.<sup>24</sup>

Though Arran solicited a renewal of the negotiation, the English king was determined to make him feel the weight of his resentment. In May, Seymour, earl of Hertford, and uncle of prince Edward, arrived in the firth with an army of ten thousand men, and required the immediate surrender of the young queen. On the refusal of Arran, he landed his troops; marched to Edinburgh, where he was joined by five thousand horse from Berwick; and the next morning forced open one of the gates. Four days were devoted to plunder and conflagration: but the castle defied his efforts: the governor, with Angus, Maxwell, and sir George Douglas, whom he had released from confinement, was actively employed in collecting troops; and Hertford deemed it prudent to return before his retreat should be interrupted by a superior force. The fleet having set fire to Leith, and

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V.

Dec. 3.

Invasion  
of Scot-  
land.1544.  
May 4.

May 15.

<sup>24</sup> Sadler, 275—351. Lesley, 445—448.

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V.



May 18.

demolished the pier, sailed for Newcastle: the army directing its route through Seton, Haddington, and Dunbar, gave these towns to the flames, and reached Berwick with inconsiderable loss.<sup>25</sup>

The war from this period continued for two years. Evers, the English warden, lost his life with many of his followers in an unsuccessful action at Ancram: and the governor, though aided by five thousand French troops, was compelled to retire from the siege of Wark. Lennox had obtained the hand of Margaret Douglas, on condition that he should surrender to Henry his castle of Dumbarton: but the governor and garrison expelled him with ignominy, and afterwards delivered it up to his rival. This circumstance, added to the submission of several of the English partisans in the western counties of Scotland, so irritated Henry, that, in a moment of passion, he ordered the hostages at Carlisle to be put to death. At length the Scots were comprehended in the treaty of peace between England and France, and though the conditions of that comprehension became the subject of dispute, the remaining six months of Henry's reign were not disturbed by open hostilities.<sup>26</sup>

Peace.

1546.

June 7.

Henry is discontented with Francis.

III. The reader will recollect, that the king of France had complained of Henry's marriage

<sup>25</sup> Lesley, 450, 451.

<sup>26</sup> Rym. xv. 94. 98. Epist. Reg. Scot. ii. 354.

with Anne Boleyn, as of a violation of his promise : and that Henry retorted, by objecting to Francis the support which he gave to the papal authority.<sup>27</sup> This dissension, though it might weaken, did not dissolve, the friendship which had so long subsisted between them ; but fresh bickerings ensued ; the tempers of the two princes became reciprocally soured ; each wished to chastise what he deemed the caprice, the ingratitude, and the perfidy of the other ; and it was at last evident that war would be declared by the first, who could persuade himself that he might do it with impunity.

The emperor had watched, and nourished by his ambassadors, this growing disaffection of the king of England. After the death of his aunt Catharine, and the execution of her rival Anne Boleyn, he contended that, as the original cause of the misunderstanding between the two crowns had ceased to exist, nothing ought to prevent

Concludes  
a treaty  
with the  
emperor.

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<sup>27</sup> Burnet (iii. Rec. 84.) has published an instrument, in which Francis is made to declare, that in his opinion, the marriage with Catharine has been void from the beginning, but that with Anne is valid ; that all the judgments pronounced by the pope are false, unjust, and of no effect : and then to bind himself and his successors, under the forfeiture of his or their goods and chattels, to maintain the same opinion on all occasions. It has, however, neither signature nor date ; and is evidently nothing more than a mere form "devised," as is said on the back of it, in England, but never executed in France. From cardinal Pole we learn, that to Henry's most earnest solicitations, the French monarch replied, that he would still be his true and faithful friend, "but only as far as the altar." Pole, fol. cviii.

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V.



the renewal of their former friendship. There was, however, an objection, which for some years opposed an insuperable barrier to his wishes. The honour of the imperial family demanded that the princess Mary should be restored in blood, as the legitimate child of her father : and the pride of Henry refused to bend to an act, which would be a tacit acknowledgment that he had wronged her mother. An expedient was at length adopted to the satisfaction of both parties. Mary was restored by act of parliament to her place in the succession, but without any formal mention of her legitimacy : an accommodation which was brought about by the necessities of the emperor on the one hand, and by the resentments of the king on the other. The former, induced by his losses in the campaign of 1542, and the latter, eager to punish the interference of Francis in the affairs of Scotland, concluded a treaty by which it was agreed, 1°. That they should jointly require the French king to recede from his alliance with the Turks ; to make reparation to the Christians for all the losses which they had suffered in consequence of that alliance ; to pay to the king of England the arrears of his pension, and to give him security for the faithful payment of it in future ; 2°. And that, if Francis did not signify his assent within forty days, the emperor should reclaim the dutchy of Burgundy, Henry the possessions of his ancestors in France, and each

1543.  
Feb, 11.



should be ready to support his right at the head of a powerful army.<sup>28</sup>

In consequence of these engagements two heralds, Garter and Toison d'or, received instructions to proceed to the French court, but Francis refused to listen to demands which he deemed insulting to his honour: the messengers could not obtain permission to cross the borders; and the allied sovereigns resolved to consider the conduct of their adversary as a denial of justice, and equivalent to a declaration of war. The Imperialists in Flanders having received a reinforcement of six thousand Englishmen under sir John Wallop, formed the siege of Landreci: while Charles, with a more numerous force, overran the dutchy of Cleves, and compelled the duke, the partisan of France, to throw himself at the feet of his natural sovereign. From Cleves the emperor marched to the camp before Landreci; and Francis hastened at the same time to relieve the place. The grand armies were in presence of each other: a general and decisive engagement was daily expected: but the French monarch, having amused the attention of the enemy with an offer of battle, threw supplies of men and provisions into the town, and immediately withdrew. The Imperialists were unable to make any impression on the rear of the retreating army: the English, who pur-

CHAP.  
V.

War with  
France.  
July 22.

Oct.

Nov.

<sup>28</sup> Rym. xiv. 768—780.

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V.

Siege of  
Boulogne.

sued with too much precipitation, suffered a considerable loss.<sup>29</sup>

The allies derived little benefit from this campaign: but Henry promised himself more brilliant success in the next, in which he intended to assume the command at the head of a numerous and disciplined army. During the winter he was visited by Gonzaga, the viceroy of Sicily, with whom it was arranged that the emperor should enter France by Champaign, the king of England by Picardy: and that both, instead of besieging towns, should march with expedition to Paris, where they should unite their forces, and from his capital dictate the law to their adversary.

1544.  
May.

The Imperialists were the first in the field: Luxembourg and Ligny opened their gates; and St. Dizier surrendered after a siege of six weeks.<sup>30</sup>

July 14.

In June the first division of the English army landed at Calais: and in the middle of July, Henry saw himself within the French frontier, at the head of 30,000 Englishmen and of 15,000 Imperialists. Had he complied with his engagement to advance towards the capital, the French monarch would have been at the mercy of the allies: but the king was seduced by the prospect of conquest; the example of Charles, who had already taken three fortresses, seemed to offer an apology for his conduct; and he ordered

<sup>29</sup> Godwin, 76. Stow, 535. Du Bellay, 547.

<sup>30</sup> Ibid. 578. 581.

the army to form at the same time the two sieges of Boulogne and of Montreuil. It was in vain that the imperial ambassador during eleven days urged him to advance : or that the emperor, to give him the example, avoiding the fortified towns, hastened along the right bank of the Marne towards Paris. Henry persisted in his resolution, and was detained more than two months before the walls of Boulogne.

It chanced that in the Dominican convent at Soissons was a Spanish monk, called Guzman, of the same family as the confessor of Charles. Through him Francis conveyed to the emperor his secret wish for an accommodation. That prince immediately assented : conferences were opened : and a courier was sent to receive the demands of Henry. But when the terms of the allies were made known, they appeared so exorbitant, that the French council advised their sovereign to prefer the risk of continuing the war. Charles, during the negociation, had not slackened the rapidity of his march ; and was now arrived at Chateau Thierrî almost in the vicinity of Paris. Francis, alarmed for the fate of his capital, solicited a renewal of the conferences ; and separate ambassadors were appointed to treat with the emperor and with Henry. The former of these princes had many reasons to wish for peace. His ally, the king of England, shewed no disposition to join him : the French army between him and Paris daily

CHAP.  
V.

July 25.

Francis  
makes  
peace with  
the em-  
peror.

Sept. 9.

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V.

increased ; and his own forces were without pay or provisions. In these circumstances he consented to renew the same offers which he had made, and which Francis had refused, before the war. During the negotiation the news of the surrender of Boulogne arrived. The king of France hastened to accept the conditions ; and the moment they were signed, recalled his ambassadors from the English camp.

Sept. 14. By the treaty of Crespi the two princes agreed to forget all former injuries, to restore their respective conquests, to join their forces for the defence of Christendom against the Turks, and to unite their families by the marriage of Charles, the second son of Francis, with a daughter of the emperor, or of his brother Ferdinand king of the Romans. Had Charles lived to complete this marriage, it might have been followed by the most important results : but he died within a few months, and the treaty of Crespi made little change in the existing relations among the great powers of Europe. Henry having garrisoned Boulogne, raised the siege of Montreuil, and returned to England.<sup>31</sup>

England  
insulted  
by the  
French  
fleet.

During the winter Francis had leisure to attend to the war with his only remaining adversary. The plan which he formed embraced two objects, to acquire such a superiority by sea, as

<sup>31</sup> See the king's letter, and his Journal, in Rymer, xv. 50—58. Du Bellay, 590, 591. Sepulveda, ii. 503—510. Godwin, 77—79.

might prevent the transmission of succour to the English forces in France : and with a numerous army by land to besiege and reduce, not only Boulogne, which he had so lately lost, but also Calais, which for two centuries had been severed from the French crown. With this view, he ordered every ship fit for war to assemble in the ports of Normandy, while a fleet of twenty-five gallies was conducted by the baron de la Garde from the Mediterranean to the mouth of the Seine. To oppose his design fortifications had been raised on the banks of the Thames, and on the coasts of Kent, Sussex, and Hampshire ; and sixty ships of war had been collected at Portsmouth by Dudley lord Lisle, high admiral of England. The French fleet, amounting to one hundred and thirty-six sail, under the command of Annebaut, left the coast on the sixteenth of July, and on the second day, anchored at St. Helen's. Lisle, who had been forbidden to risk a close engagement with so superior a force, after a brisk but distant cannonade retired into the harbour : and Henry, who had repaired to Portsmouth, had the mortification to behold a foreign fleet braving him to the face, and riding triumphant in the channel. The next day the French admiral formed his line in three divisions, and sent his gallies to insult the enemy in the mouth of the port. During the cannonade, the *Mary Rose*, carrying

1545.

July 16.

July 18.

CHAP.

V.

seven hundred men, was sunk under the eyes of the king; but the moment the tide turned, the English bore down on the aggressors, who instantly fled towards their own fleet. Annebaut was prepared to receive them; but Lisle, faithful to his instructions, recalled his ships, and safe within the port, bore with patience the taunts and the triumph of his enemy.

Foiled in these attempts to provoke a battle, the French admiral summoned a council of war: a proposal to seize and fortify the isle of Wight was made and rejected; and the next morning the whole armament stood out to sea, made some occasional descents on the coast of Sussex, and at length anchored before Boulogne. Lisle, having received a reinforcement of thirty sail, was ordered to follow. The hostile fleets soon came in presence of each other: some time was spent in manœuvring to obtain the advantage of the wind: and at length, after the exchange of a few shots, they separated, and retired into their respective harbours.<sup>32</sup>

Peace with  
France.

This expedition might gratify the vanity of the French monarch; but it did not secure to him, what he expected, an overwhelming superiority by land. He had indeed prevented the junction of a body of lansquenets in the pay of Henry, had laid waste the Pais d'Oie, and had gained the advantage in a few rencounters. Yet

<sup>32</sup> Du Bellay, 596.

he had been unable to erect the fortresses, with the aid of which he expected to reduce the garrisons of Calais and Boulogne; and during the winter his army had been thinned by the ravages of a pestilential disease. Both princes became weary of a war, which exhausted their treasures without any return of profit or glory. A short armistice was employed in negotiations for peace: and it was finally agreed, that Francis should pay to Henry and his successors the pension due by the treaty of 1525: that commissioners should be appointed by the two monarchs to determine the claim of the latter to a debt of 512,022 crowns: that at the termination of eight years, the king of England should receive the sum of two millions of crowns as a compensation for arrears of pensions, and the charges of repairing and preserving the fortifications of Boulogne: and that on the payment of these sums, that town, with its dependencies, should be restored to the king of France.<sup>33</sup>

It had been hitherto the general opinion, that Henry was the most opulent monarch in Europe: his late wars with Scotland and France revealed the inexplicable secret of his poverty. The plate and jewels, which he had collected from the religious houses, and the enormous sums which he had raised by the sale of their property, seemed to have been absorbed in some invisible

CHAP.  
V.

1546.  
June 7.

Taxes.

<sup>33</sup> Rymer, xv. 94.

CHAP.  
V.1543.  
May 12.

Loans.

A benevo-  
lence.

abyss : the king daily called on his ministers for money : and the laws of the country, the rights of the subject, and the honour of the crown, were equally sacrificed to supply the increasing demands of the treasury. In 1543 he had obtained a subsidy almost unprecedented in its amount. The clergy had given him for three years ten per cent. on their incomes, after the deduction of the tenths already vested in the crown : and the laity granted him a tax on real and personal property to be paid by instalments in three years, rising gradually from fourpence to three shillings in the pound.<sup>34</sup> The returns had disclosed the value of each man's estate : and soon afterwards all persons, rated at fifty pounds per annum, received a royal letter demanding the advance of a sum of money by way of loan. Prudence taught them to obey ; but their hope of repayment was extinguished by the servility of parliament, which at once granted to the king all those sums, that he had borrowed from any of his subjects since the thirty-first year of his reign.<sup>35</sup> After this act of

<sup>34</sup> The rates were as follows :

|                                             | <i>s.</i> | <i>d.</i> |                                | <i>s.</i> | <i>d.</i> |
|---------------------------------------------|-----------|-----------|--------------------------------|-----------|-----------|
| From 1 <i>l.</i> to 5 <i>l.</i> , in goods, | 0         | 4         | in lands, fees, and annuities, | 0         | 8         |
| Do. 5 to 10 .....                           | 0         | 8         | .....                          | 1         | 4         |
| Do. 10 to 20 .....                          | 1         | 4         | .....                          | 2         | 0         |
| Do. 20 and upwards. ....                    | 2         | 0         | .....                          | 3         | 0         |

All foreigners pay double rates. St. 34 Hen. VIII. 27.

<sup>35</sup> Sanders, 203. Lords' Journals, 265. Even if the king had paid all, or any part, of these sums, the money so paid was to be refunded : but the present holders of the royal securities could recover



dishonesty it would have been idle to solicit a second loan: he therefore demanded presents under the name of a benevolence, though benevolences had been declared illegal by act of parliament. The expedient had lately been attempted under the administration of Wolsey, and had failed through the spirited opposition of the people. But in the course of a few years the bloody despotism of Henry had quenched that spirit: the benevolence was raised without difficulty: and the murmurs of the sufferers were effectually silenced by the timely punishment of two of the aldermen of London, who had presumed to complain. One of them, Richard Reed, was immediately sent to the army in Scotland, where he was made prisoner in the first engagement, and was compelled by his captors to pay a heavy fine for his ransom: the other, sir William Roach, was on a charge of seditious words committed to prison, whence he was liberated after a confinement of three months, but probably not before he had appeased the king by a considerable present.<sup>36</sup>

1545.  
Jan. 12.

With the same view, Henry adulterated the purity of the coin: a plan by which, while he defrauded the public, he created numberless embarrassments in the way of trade, and in-

Adulteration of the money.

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from the sellers the consideration which had been given for them. St. 35 Hen. VIII. 12.

<sup>36</sup> Sanders, 203, 204. Stow, 588. Herbert, 587. The sum thus raised, amounted to 70,723*l.* 18*s.* 10*d.* Strype, i. 333.

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V.

volved his successors in almost inextricable difficulties. At his accession the ounce of gold, and the pound of silver, were each worth forty shillings: having raised them by successive proclamations to forty-four, forty-five, and forty-eight shillings, he issued a new coinage with a considerable quantity of alloy, and contrived at the same time to obtain possession of the old money, by offering a premium to those who would bring it to the mint. Satisfied with the result of this experiment, he rapidly advanced in the same career. Before the end of the war his coins contained equal quantities of silver and of alloy: the year after, the alloy exceeded the silver in the proportion of two to one. The consequence was, that his successors found themselves compelled to lower the nominal value of his shillings, first from twelvecpence to ninepence, and then to sixpence, and finally to withdraw them from circulation altogether.<sup>37</sup>

Another  
subsidy.

Dec. 4.

During these operations in debasing the coin, the three years allotted for the payment of the last subsidy expired; and the king again laid his wants before his parliament, and solicited the aid of his loving subjects. The clergy granted him fifteen per cent. on their incomes, during two years: the laity two shillings and eightpence in the pound of goods, and twenty per cent. on land, to be paid within the same

<sup>37</sup> Sanders, 204. Stow, 587. Herbert, 191. 572. Follies, 27.

period.<sup>38</sup> As this, however, did not satisfy his rapacity, parliament subjected to his disposal all colleges, chauntries and hospitals in the kingdom, with all their manors, lands, and hereditaments, receiving from him in return a promise, that he would not abuse the confidence of his subjects, but employ the grant to the glory of God, and the common profit of the realm. It was the last aid given to this insatiate monarch. As early as the 26th year of his reign, it was asserted by those who had made the calculation from official documents, that the receipts of the exchequer under Henry, had even then exceeded the aggregate amount of all the taxes upon record, which had been imposed by his predecessors.<sup>39</sup> But that sum, enormous as it must have been, was more than doubled before his death, by subsidies and loans which he was careful not to repay, by forced benevolences and the debasement of the currency, and by the secularization of part of the clerical, and of the whole of the monastic possessions.

During these transactions the court of Henry

Danger of  
Cranmer,

<sup>38</sup> St. 37 Hen. VIII. 24.

<sup>39</sup> Etenim interfui ipse, cum fide dignissimi, qui tabulas publicas, in quas rationes tributorum sunt relatæ vidissent, et rationem iniissent, hoc mihi ante aliquot annos sanctissime asseverarent, ita se rem habere; quæ ille unus accepit, majorem summam efficere, quam omnia omnium tot retro sæculis tributa. Apol. Reg. Poli, p. 91. He repeats the same in his letter to Henry, and mentions the calculation to have been made in the 26th of his reign. Pol. Defen. eccl. unit. fol. lxxxii, lxxxiii.

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## V.

was divided by the secret intrigues of the two religious parties, which continued to cherish an implacable hatred against each other. The men of the old learning naturally looked upon Cranmer as their most steady and most dangerous enemy : and, though he was careful not to commit any open transgression of the law, yet the encouragement which he gave to the new preachers, and the clandestine correspondence which he maintained with the German reformers, would have proved his ruin, had he not found a friend and advocate in his sovereign. Henry still retained a grateful recollection of his former services, and felt no apprehension of resistance or treason from a man, who on all occasions, whatever where his real opinions or wishes, had moulded his conscience in conformity to the royal will. When the prebendaries of Canterbury lodged an information against him, the king issued a commission to examine, not the accused but the accusers ; of whom some were imprisoned ; all were compelled to ask pardon of the archbishop.<sup>40</sup> In the house of commons sir John Gostwick, representative for Bedfordshire, had the boldness to accuse him of heresy : but the king sent a message to the “ varlet,” that if he did not immediately acknowledge his fault, he should be made an example for the instruction of his fellows. On another occasion

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<sup>40</sup> Strype's Cranmer, 110—122.



Henry had consented to the committal of the archbishop; but afterwards he revoked the permission, telling the council that Cranmer was as faithful a man towards him as ever was prelate in the realm, and one to whom he was many ways beholden: or, as another version has it, that he was the only man, who had loved his sovereign so well, as never to have opposed the royal pleasure.<sup>41</sup> In like manner Gardiner, from his acknowledged abilities and his credit with the king, was to the men of the new learning a constant object of apprehension and jealousy. To ruin him in the royal estimation, it was pretended that he had communicated with the papal agents through the imperial ministers: and that, while he pretended to be zealously attached to the interests of the king, he had in reality made his peace with the pontiff. But it was in vain that the accusation was repeatedly urged, and that Gardiner's secretary was even tried, convicted and executed, on a charge of having denied the supremacy: the caution of the bishop bade defiance to the wiles and the malice of his enemies. Aware of the danger which threatened him, he stood constantly on his guard; and

And of  
Gardiner.

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<sup>41</sup> Ibid. 123—126. Sanders, p. 78. Unum esse tam suarum partium amantem, qui nulla unquam in re ipsius defuerit voluntati. Neque id solum præstitit in iis rebus, quæ Lutheranis jucunde acciderent, verum sive quem comburi oportebat hæresis nomine, sive sacerdotem uxore spoliari, nemo erat Cranmero in ea re exequenda diligentior. Vit. Cran. MS. apud Le Grand, ii. 103.

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v.

though he might prompt the zeal, and second the efforts of those who wished well to the ancient faith, he made it a rule never to originate any religious measure, nor to give his opinion on religious subjects, without the express command of his sovereign.<sup>42</sup> Then he was accustomed to speak his mind with boldness: but though he might sometimes offend the pride, still he preserved the esteem, of Henry,<sup>43</sup> who unmoved by the suggestions of

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<sup>42</sup> Modern writers have ascribed to his counsels all the measures adopted by Henry against the reformers. Yet Gardiner often denies it in his letters. "The earl of Southampton (Wriothesley) did," he says, "many things, while he was chancellor, touching religion, which misliked me not. But I did never advise him so to do, nor made on him the more for it, when he had done. He was one of whom by reason I might have been bold: but I left him to his conscience." Apud Fox, ii. 66.

<sup>43</sup> On this subject I will transcribe a passage from one of his letters, because it serves to elucidate the character of the king. "This fashion of writing his highness (God pardon his soul) called whetting: which was not at all the most pleasant unto me, yet when I saw in my doings was no hurt, and sometime by the occasion thereof the matter was amended, I was not so coy as always to reverse my argument: nor, so that his affairs went well, did I ever trouble myself whether he made me a wanton or not. And when such as were privy to his letters to me, were afraid I had been in high displeasure (for the terms of the letters sounded so), yet I myself feared it nothing at all; I esteemed him as he was, a wise prince, and whatsoever he said or wrote for the present, he would afterwards consider the matter as wisely as any man, nor either hurt or inwardly disfavour him, that had been bold with him. Whereof I serve for a proof: for no man could do me hurt during his life. And when he gave me the bishopric of Winchester, he said he had often squared with me, but he loved me never the worse; and for a token thereof he gave me the bishopric....I was reported unto him, that I stooped not,

adversaries, continued to employ him in affairs of state, and to consult him on questions of religion. As often indeed as he was absent in embassies to foreign courts, Cranmer improved the favourable moment to urge the king to a further reformation. He was heard with attention, he was even twice desired to form the necessary plan, to subjoin his reasons, and to submit them to the royal consideration: still, however, Henry paused to receive the opinion of Gardiner; and swayed by his advice, rejected or suspended the execution of the measures proposed by the metropolitan.<sup>44</sup>

At the death of lord Audeley, a zealous partisan of the new teachers, the office of chancellor was given to lord Wriothesley, who, though he affected an equal friendship for the two parties, was in reality warmly attached to the ancient faith. But, if the power of the reformers was weakened by this change, their loss had been amply compensated by the influence of Henry's sixth queen, Catharine Parr, relict of the late Lord Latimer; who, with her brother, now created earl of Essex, and her uncle, created lord Parr of Horton, zealously promoted the

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Also of  
queen Ca-  
tharine

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“and was stubborn: and he commended unto me certain men’s gentle nature, as he called it, that wept at every of his words: and methought that my nature was as gentle as theirs; for I was sorry when he was moved. But else I know, when the displeasure was not justly grounded in me, I had no cause to take thought.”  
Apud Fox, ii. 60.

<sup>44</sup> Herbert, 565. 531. Strype’s Cranmer, 130. 136.

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new doctrines. But her zeal, whether it was stimulated by confidence in her own powers, or prompted by the suggestions of the preachers, quickly transgressed the bounds of prudence. She not only read the prohibited works:<sup>45</sup> she presumed to argue with her husband, and to dispute the decisions of the head of the church. Of all men Henry was the least disposed to brook the lectures of a female theologian, and his impatience of contradiction was exasperated by a painful indisposition, which confined him to his chamber. The chancellor and the bishop of Winchester received orders to prepare articles against Catharine: but the intelligence was immediately, perhaps designedly, conveyed to the queen, who, repairing to a neighbouring apartment, fell into a succession of fits, and during the intervals made the palace ring with her cries and lamentations. Henry, moved with pity,

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<sup>45</sup> These works were introduced to the ladies at court by the agency of two females; Anne Bouchier, who was sentenced to the stake by Cranmer in the next reign, and Anne Kyme, who, leaving her husband that she might exercise the functions of an apostle under her maiden name of Anne Askew, was after two recantations condemned to the flames in 1546, by the same prelate, and several other bishops. The council book mentions that June 19th, 1546, "both Kyme and his wife were called before the lords; that the former was sent home to remain there till he was sent for; and that the latter, who refused him to be her husband without alleging any honest allegation, for that she was very obstinate and heady in reasoning of matters of religion, wherein she shewed herself to be of a naughty opinion, seeing no persuasion of good reason could take place, was sent to Newgate to remain there to answer to the law." Harl. MS. 256. fol. 224.



or incommoded with the noise, first sent his physician, and was afterwards carried in a chair to console her. In the evening she waited on him, in the company of her sister, and adroitly turning the conversation to the subject of religion, took occasion to express her admiration of his learning, and the implicit deference which she paid to his decisions. "No, no, by St. Mary," he exclaimed, "I know you too well. Ye are a doctor, Kate." She replied, that if she had sometimes presumed to differ from him, it had not been to maintain her own opinions, but to amuse his grace, for she had observed, that, in the warmth of argumentation, he seemed to forget the pain which tormented him. "Is it so, sweetheart?" said Henry, "then we are friends again." The following morning the chancellor came with a guard to take her into custody, but was remanded with a volley of reproaches: and the queen, taught by her past danger, was afterwards careful not to irritate the theological sensibility of her husband. It is, however, a question among the more ancient writers, whether the king was in earnest. By some the proceeding has been represented as a scheme of his own contrivance, to wean his wife from an attachment to doctrines, which might in the sequel conduct her to the stake or the scaffold.<sup>46</sup>

While he enjoyed his health, he could easily

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<sup>46</sup> Herbert, 622.

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V.

Henry's  
last speech  
on reli-  
gion.

balance the two parties against each other : but, as his infirmities increased, he found it a more difficult task, and in his last speech to the parliament he complained bitterly of the religious dissensions which pervaded every parish in the realm. It was, he observed, partly the fault of the clergy, some of whom were “ so stiff in their “ old mumpsimus, and others so busy in their “ new sumpsimus,” that instead of preaching the word of God, they were employed in railing at each other ; and partly the fault of the laity, whose delight it was to censure the proceedings of their bishops, priests, and preachers. “ If “ you know,” he added, “ that any preach per- “ verse doctrine, come and declare it to some “ of our council, or to us, to whom is committed “ by God the authority to reform and order such “ causes and behaviours ; and be not judges “ yourselves of your own fantastical opinions “ and vain expositions : and although you be “ permitted to read holy scripture, and to have “ the word of God in your mother tongue, you “ must understand it is licensed you so to do, “ only to inform your conscience, and inform “ your children and families, and not to dispute, “ and to make scripture a railing and taunting “ stock against priests and preachers. I am “ very sorry to know and hear, how irreverently “ that precious jewel, the word of God, is dis- “ puted, rhymed, sung, and jingled in every ale- “ house and tavern, contrary to the true mean-

“ing and doctrine of the same; and yet I am  
 “as much sorry that the readers of the same  
 “follow it in doing so faintly and coldly. For of  
 “this I am sure, that charity was never so faint  
 “among you, and virtuous and godly living was  
 “never less used, nor God himself among  
 “Christians never less served. Therefore, as I  
 “said before, be in charity with one another, like  
 “brother and brother, and love, dread, and serve  
 “God, to which I, as your supreme head and  
 “sovereign lord, exhort and require you.”<sup>47</sup>

The king had long indulged without restraint in the pleasures of the table. At last he grew so enormously corpulent, that he could neither support the weight of his own body, nor remove without the aid of machinery into the different apartments of his palace. Even the fatigue of subscribing his name to the writings which required his signature, was more than he could bear: and to relieve him from this duty, three commissioners were appointed, of whom two had authority to apply to the papers a dry stamp, bearing the letters of the king's name, and the third to draw a pen furnished with ink over the blank impression.<sup>48</sup> An inveterate ulcer in the thigh, which had more than once threatened his life, and which now seemed to baffle all the skill of his surgeons, added to the irascibility of his temper: and his imagination was

His mal-  
dies and  
disquie-  
tu te.

<sup>47</sup> Hall, 160

<sup>48</sup> Rym. xv. 100. 102.

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perpetually haunted with apprehensions for the future safety of Edward his son and heir, a young prince, who had scarcely completed his ninth year. The king had no near relation of the blood royal, to whom he could intrust the care of the boy; nor could Edward's natural guardians, his uncles, boast of any other influence, than what they derived from the royal favour. Two of these, Thomas and Edward, had for some years resided at court: but the former had risen to no higher rank than that of knight: the latter, though he had been created earl of Hertford, and appointed lord chamberlain, was possessed of little real power, and unsupported by family alliances. They enjoyed, however, one advantage, of which the king himself was probably ignorant. They were known to favour the new doctrines: and all those who bore with reluctance the yoke of the six articles, looked impatiently to the commencement of a new reign, when they hoped that the young king, under the guidance of his uncles, would not only sheath the sword of persecution, but also adopt the reformed principles.

Rivalry  
between  
the How-  
ards and  
Seymours.

There had for some time existed a spirit of acrimonious rivalry between the Seymours and the house of Howard. The aged duke of Norfolk witnessed with indignation their ascendancy in the royal favour, and openly complained that the kingdom was governed by new men, while the ancient nobility was trampled in the dust.

His son Henry, earl of Surrey, could not forgive the earl of Hertford for having superseded him in the command of the garrison of Boulogne; and had been heard to foretel, that the time of revenge was not far distant. On the one hand the father and son were the most powerful subjects in the realm, and allied by descent to the royal family: on the other, though they had strenuously supported the king in his claim of the supremacy, they were on all other points the most zealous patrons of the ancient doctrines. Hence the ruin or depression of the Howards became an object of equal importance to the uncles of the prince, and the men of the new learning: to those, that they might seize and retain the reins of government during the minority of their nephew; to these, that they might at length throw from their necks that intolerable yoke, the penal statute of the six articles.<sup>49</sup>

The rapid decline of the king's health in the month of November admonished the Seymours and their associates to provide against his approaching death. Repeated consultations were held; and a plan was adopted to remove out of their way the persons, whose power and talents they had the greatest reason to fear, the duke of

Disgrace of Gardiner, and arrest of the Howards.

<sup>49</sup> Norfolk himself in the Tower, and ignorant of the cause of his imprisonment, seems to attribute it to the reformers. "Undoubtedly," he says to the king, "I know not that I have offended any man, or that any man was offended with me, unless it were such as are angry with me, for being quick against such as have been accused for sacramentaries." Apud Herbert, 623.

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 V.  
 Dec. 2.

Norfolk with his son, and Gardiner bishop of Winchester. Of the charge brought against the bishop we are ignorant. But he prudently threw himself on the king's mercy; and Henry, though he did not immediately receive him into favour, was pleased, to the disappointment of his enemies, to accept his submission.<sup>50</sup> The fate of the two Howards was more calamitous. While the royal mind, tormented with pain, and anxious for the welfare of the prince, was alive to every suggestion, their enemies reminded the king of their power and ambition, of their hatred of the Seymours, and of the general belief that Surrey had refused the hand of the daughter of Hertford, because he aspired to that of the lady Mary.

Henry's jealousy was alarmed: the council received orders to inquire into their conduct: their enemies were invited to furnish charges against them: and every malicious insinuation was accepted by the credulity, and exaggerated by the fears, of the sick monarch, till he at last persuaded himself, that a conspiracy existed to place the reins of government in the hands of the Howards during his illness, and to give them the custody of the prince in the event of his death.<sup>51</sup> The earl was examined before the

Dec. 2.

<sup>50</sup> Gardiner afterwards maintained that this was the work of a conspiracy formed against him; and offered to prove his assertion by witnesses in a court of justice. Burnet, ii. 165.

<sup>51</sup> The ambassadors at foreign courts were instructed such was their crime. Herbert, 617.

council on the same day with the bishop of Winchester: the duke was summoned to court: and both the father and son, ignorant of the arrest of each other, were conveyed about the same time to separate cells in the Tower.

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Dec. 12.

Soon after their committal the king's fever increased to an alarming height: but on Christmas day he began to grow better; and the next evening sending for his will, which had been originally drawn by the chancellor, he ordered several alterations to be made in the presence of the earl of Hertford and of five others. Of these alterations the most important, whether it arose from his own judgment or the suggestion of the party, was the exclusion from the number of his executors of those persons, who professed the same religious principles with himself, of the duke of Norfolk, as a prisoner under the charge of treason, of Gardiner, on account of his "wilfulness," and of Thurlby, bishop of Westminster, because he was "schooled by Gardiner."<sup>52</sup> A new copy was then ordered to be made: but whether the instrument which was afterwards produced, was a correct copy, or whether it was ever executed by the king, is a subject of considerable doubt.<sup>53</sup> It may be

The king's  
will.

Dec. 26.

<sup>52</sup> Fox, 815. First edit.

<sup>53</sup> In its favour Haibin has extracted several passages out of the council book in the reign of Edward VI. (*Hereditary Right*, 187—189); but these passages merely shew that those who were suspected of having forged it, acted as if they believed it to be genuine.

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divided into three parts. The first provides for the interment of his body, and for masses to be said, and alms to be given, for the benefit of his soul. The second, according to the power given to him by act of parliament, limits the succession, in default of issue by his children Edward, Mary, and Elizabeth, to the descendants of his younger sister, the French queen, excluding the Scottish line, the issue of his elder sister, the queen of Scotland. The third, after the appointment of sixteen executors, most of them the adherents of the Seymours, selects the same persons to compose the privy council of the young king, till he shall have attained the age of eighteen years complete, with full power to choose for him a wife, to govern the kingdom in his name, and to appoint to all offices under the crown. It is dated the thirtieth of December: and, if it were genuine, was well calculated to secure to the Seymours the exercise of the sovereign authority during the minority of their nephew.<sup>54</sup> It did not, however, free them from

Dec. 30.

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Against its authenticity it was said that William Clark put the king's stamp to it, when Henry was without sense or recollection; and in proof of the assertion are adduced the testimonies of lord Paget and sir Edmund Montague, who were present, and who acknowledged the same upon oath in Mary's reign, both before the council, and in parliament. See Lesley on the Right of the Queen of Scots, p. 95. Eng. edition, and p. 43. Lat. edit. Also Leithington's Letters to Cecil, apud Burnet, i. Records, p. 267.

<sup>54</sup> Rymer, xv. 110. In Edward's reign an attested copy was deposited in the chancery, which was destroyed by order of Mary, on the ground that the will was a forgery. But the original re-





Execution  
of the earl  
of Surrey.

alarm on account of the Howards. The king's death was rapidly approaching: and it was necessary to wait for the meeting of parliament, before the ruin of these, their most formidable adversaries, could be fully and legally accomplished.

The nation had witnessed with surprise the arrest and imprisonment of these two noblemen. There was no individual in the realm, who possessed more powerful claims on the gratitude of Henry than the duke of Norfolk. He had devoted a long life to the service of his sovereign: and had equally distinguished himself in the cabinet and in the field; in embassies of importance abroad, and in employments of difficulty and delicacy at home. His son was a nobleman of the highest promise. To hereditary courage and the accomplishments of a court, Surrey added, at that period no ordinary praise, a refined taste, and a competent knowledge of the polite arts. His poems, which delighted his contemporaries, will afford pleasure

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mained untouched in the treasury of the exchequer, till the end of the seventeenth century, when it was removed into the chapter-house at Westminster (Harbin, 206). There it was examined in queen Anne's reign by some persons of the first rank and ability in the kingdom, and found "to consist of several sheets of soft coarse paper, tacked together with a braid of green and white ribaud, the writing of a mean and slovenly character. The will was signed at the head of the first and the end of the last page with the king's hand writing as was pretended: but the character was fairer than ever he could make, and the hand stiff like a counterfeit hand. On comparing the hand on the will with his stamp and his usual hand writing, it agreed with neither." *Acta Regia*, iii. 348.

## CHAP.

## VI.

1547.  
Jan. 13.

to the reader of the present day.<sup>55</sup> But services and abilities weighed as nothing in the scale against the interests of the opposite party. As soon as the holidays were over, the earl, as a commoner, was arraigned at Guildhall on a charge of having quartered on his shield the arms of Edward the Confessor. He defended himself with eloquence and spirit. He shewed that he had borne these arms for years without giving offence; and that they had been assigned to him by a decision of the heralds. But the fact was admitted: the court pronounced it sufficient evidence that he aspired to the throne; and the jury found him guilty. Six days later this gallant and accomplished nobleman perished on the scaffold.

Jan. 19.

Confes-  
sion and  
attainder  
of the  
duke of  
Norfolk.

But it was still more difficult to discover matter against the father. For some weeks

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<sup>55</sup> As a short specimen I will insert his epitaph on Clere, one of his retainers, who died in consequence of a hurt received at the siege of Boulogne:—

Norfolk sprung thee, Lambeth holds thee dead,  
 Clere, of the counts of Clerémont thou hight:  
 Within the womb of Ormond's race thou bred,  
 And sawest thy cousin crowned in thy sight.  
 Sheldon for love, Surrey for lord thou chose,  
 (Ah me! while life did last, that league was tender;)  
 Tracing whose steps thou sawest Kelso blaze,  
 Landreci burnt, and batter'd Boulogne's render.  
 At Montreuil's gates, hopeless of all rescue,  
 Thine earl, half dead, gave in thine hand his will:  
 Which cause did thee this pining death procure,  
 Ere summers four times sev'n thou couldst fulfil.  
 Ah, Clere, if love had bootéd care or cost,  
 Heaven had not won, nor earth so timely lost.



after his arrest the duke was ignorant, probably his prosecutors were ignorant, of the charge to be adduced against him. It was in vain that by repeated letters he requested to be confronted with his accusers, whoever they might be, in presence of the king, or at least of the council.<sup>55</sup> At length, after many private examinations, he consented to sign a confession, which, to every unprejudiced mind, will appear a convincing proof of his innocence. In it he acknowledged that during his service of so many years, he had

Jan. 12.

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<sup>55</sup> "I am sure," he says to the king, "some great enemy of mine hath informed your majesty of some untrue matter against me. Sir, God doth know that in all my life I never thought one untrue thought against you, or your succession: nor can no more judge or cast in my mind what should be laid to my charge, than the child that was born this night."—"Most noble and sovereign lord, for all the old service I have done you in my life, be so good and gracious a lord unto me, that either my accusers and I together may be brought before your royal majesty, or if your pleasure shall not be to take that pains, then before your council." *Herb.* 627, 628. In another he repeats his request to be confronted with his accusers. "My desire is to have no more favour shewed to me, than was shewed to Cromwell, I being present. He was a false man: but surely I am a true poor gentleman." *Burnet*, iii. *Records*, 190. He was examined whether he had not written in cipher to others, whether he had not said that the bishop of Rome could dissolve the leagues between princes, whether he was not privy to an overture for an accommodation with the bishop of Rome made by Gardiner, and what were the contents of a letter written by him formerly to the bishop of Hereford, and burnt after the death of that prelate by order of the bishop of Durham. He answered the three first questions in the negative: the letter he said contained the opinion of the northern men respecting Cromwell, but did not so much as mention the king. *Ibid.* 189.

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communicated occasionally to others the royal secrets contrary to his oath; that he had concealed the treasonable act of his son in assuming the arms of Edward the Confessor; and that he had himself treasonably borne on his shield the arms of England, with the difference of labels of silver, which belonged of right to prince Edward.<sup>57</sup>

If by this submission the duke hoped to appease the royal displeasure, he deceived himself; in another attempt, to defeat the rapacity of his enemies, he proved more successful. They had already elicited a promise from Henry, that the spoils of their victim should in certain proportions be shared among them.<sup>58</sup> But Norfolk, sensible that his estate, if it were preserved entire, might be more easily recovered by his family, sent a petition to the king, representing it as "good and stately gear," and requesting, as a favour, that it might be settled on prince Edward and his heirs for ever. The idea pleased the sick monarch. He assented to the petition: and to satisfy his favourites, promised them an equivalent from some other source. This disappointment, however, did not retard their pro-

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<sup>57</sup> The confession is in Herbert, 629.

<sup>58</sup> He ordered Paget to "tot upon the earl of Hertford" lands to the value of 666*l.* 13*s.* 4*d.* per annum; sir Thomas Seymour 300*l.* sir William Herbert 266*l.* 13*s.* 4*d.* the lords Lisle, St. John, and Russell, and sir Anthony Denny, 200*l.* each, and the lord Wriothesley 100*l.* They were all dissatisfied with the small amount of these grants. Burnet, ii. 6. out of the council book.

ceedings against their prisoner. Instead of arranging him before his peers, they brought into the house of lords a bill of attainder, founded on his confession. It had been customary on such occasions to wait for the royal assent till the close of the session. But two days after the bill had passed, the king suddenly grew worse: and the next morning the chancellor informed the two houses, that his majesty, anxious to fill up the offices held by the duke of Norfolk, preparatory to the coronation of the prince, had appointed certain lords to signify his assent to the act of attainder. The commission under the sign manual was then read: the royal assent was given in due form:<sup>59</sup> and an order was dispatched to the lieutenant of the Tower, to execute his prisoner on the following morning. Such indecent haste, at a time when the king was lying in the agonies of death, warranted a suspicion that there were other persons besides Henry who thirsted for the blood of the duke. But providence watched over his life. Before

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V.

Jan. 18.

Jan. 26.

Jan. 27

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<sup>59</sup> Burnet (i. 348.) tells us that Cranmer, though the king was so near his death, withdrew to Croydon, that he might not concur in the act of attainder, both on account of its injustice, and because he and the duke were personal enemies. These might indeed have been reasons why he should abstain from giving his vote: but that they had no weight with the archbishop, is plain from the journals, which inform us that, instead of absenting himself, as Burnet would persuade us, he attended in his place every time the bill was read, and on the day on which it received the royal assent. Journals, 285, 286, 287, 289.

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V.  
King's  
death.  
Jan. 28.

the sun rose, Henry was dead. The execution was accordingly suspended : and in the reign of Mary the attainder was reversed, on the ground that the act of which he was accused, was not treason, and that Henry had not in reality signed the commission, in virtue of which his pretended assent had been given.<sup>60</sup>

Of the king's conduct during his sickness, we know little. It is said that at the commencement he betrayed a wish to be reconciled to the see of Rome : that the other bishops, afraid of the penalties, evaded the question ; but that Gardiner advised him to consult his parliament, and to commit his ideas to writing. He was constantly attended by his confessor, the bishop of Rochester, heard mass daily in his chamber, and received the communion under one kind.

Dec. 11. About a month before his death he endowed the magnificent establishment of Trinity College in Cambridge, for a master and sixty fellows and scholars : and afterwards reopened the church of the Grey Friars, which, with St. Bartholomew's Hospital, and an ample revenue, he gave to the city of London.

Jan. 3.

Of his sentiments on his death-bed nothing can be asserted with any degree of confidence. One account makes him die in the anguish of despair : according to another he refused any spiritual aid till he could only reply to the ex-

<sup>60</sup> Lords' Journals, 289. Heibert, 622—631. Burnet, i. 345—348.

hortation of the archbishop by a squeeze of the hand : while a third represents him as expiring in the most edifying sentiments of devotion and repentance.<sup>61</sup> Not only the dangerous state in which he lay, but also his death, were carefully concealed from the knowledge of the public : and the parliament, ignorant of the event, met and transacted business after the usual manner. Three days were employed by the earl of Hertford to secure the person of his royal nephew at Enfield, and to arrange with his associates the plan of their subsequent proceedings. On the fourth the chancellor announced to the two houses the death of Henry ; read to them an extract from the will respecting the government of the realm during the minority of his successor ; and then, declaring the parliament dissolved, invited the lords to pay their respects to the new king. That prince, was the same day conducted to the Tower, and proclaimed by the style of Edward the sixth, king of England, France, and Ireland, defender of the faith, and of the church of England and also of Ireland, in earth the supreme head.<sup>62</sup>

Jan. 29.

Jan. 31.

<sup>61</sup> Plusieurs gentils-hommes Anglois m'ont assureé qu'il eut belle repentance, et entre lez autres choses de l'injure et crime commise contre la dicte royne (meaning Anne Boleyn). Thevet. Cosmog. l. xvi. quoted by O. E. in reply N. D. anno 1600. p. 58.

<sup>62</sup> Journals, 291. Rym. xv. 123. " These be to signify to you " that our late sovereign lord the king departed at Westminster upon " Friday last, the 25 h of this instant January, about two of the clock " in the morning: and the king's majesty that now is, proclaimed

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His character.

To form a just estimate of the character of Henry, we must distinguish between the young king, guided by the counsels of Wolsey, and the monarch of more mature age, governing by his own judgment, and with the aid of ministers selected and fashioned by himself. In his youth the beauty of his person, the elegance of his manners, and his adroitness in every martial and fashionable exercise, were calculated to attract the admiration of his subjects. His court was gay and splendid: a succession of amusements seemed to absorb his attention: yet his pleasures were not permitted to encroach on his more important duties: he assisted at the council, perused the dispatches, and corresponded with his generals and ambassadors: nor did the minister, trusted and powerful as he was, dare to act, till he had asked the opinion, and taken the pleasure of his sovereign. His natural abilities had been improved by study: and his esteem for literature may be inferred from the learned education which he gave to his children, and from the number of eminent scholars to whom he granted pensions in foreign states, or on whom he conferred promotion in his own. The immense treasure which he inherited from his father, was perhaps a misfortune; because it engendered habits of expense not to be supported from the ordinary revenue of the crown:

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“king this present last day of the same month.” The earl of Sussex to the countess, *apud Strype*, ii. 11.



and the soundness of his politics may be doubted, which, under the pretence of supporting the balance of power, repeatedly involved the nation in continental hostilities. Yet even these errors served to throw a lustre round the English throne, and raised its possessor in the eyes of his own subjects and of the different nations of Europe. But as the king advanced in age, his vices gradually developed themselves: after the death of Wolsey they were indulged without restraint. He became as rapacious as he was prodigal: as obstinate as he was capricious: as fickle in his friendships, as he was merciless in his resentments. Though liberal of his confidence, he soon grew suspicious of those whom he had ever trusted: and, as if he possessed no other right to the crown than that which he derived from the very questionable claim of his father, he viewed with an evil eye every remote descendant of the Plantagenets; and eagerly embraced the slightest pretexts to remove those whom his jealousy represented as future rivals to himself or his posterity. In pride and vanity he was perhaps without a parallel. Inflated with the praises of interested admirers, he despised the judgment of others: acted as if he deemed himself infallible in matters of policy and religion; and seemed to look upon dissent from his opinion as equivalent to a breach of allegiance. In his estimation, to submit and to obey, were the great, the paramount duties of subjects: and

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this persuasion steeled his breast against remorse for the blood which he shed, and led him to trample without scruple on the liberties of the nation.

When he ascended the throne, there still existed a spirit of freedom, which on more than one occasion defeated the arbitrary measures of the court, though directed by an able minister, and supported by the authority of the sovereign: but in the lapse of a few years that spirit had fled, and before the death of Henry, the king of England had grown into a despot, the people had shrunk into a nation of slaves.<sup>63</sup> The causes of this important change in the relations between the sovereign and his subjects, may be found not so much in the abilities or passions of the former, as in the obsequiousness of his parliaments, the assumption of the ecclesiastical supremacy, and the servility of the two religious parties which divided the nation.

House of  
lords.

I. The house of peers no longer consisted of those powerful lords and prelates, who in former periods had so often and so successfully resisted the encroachments of the sovereign. The reader has already witnessed the successive steps, by

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<sup>63</sup> Quando enim unquam, non dico in Angliâ, ubi semper populi liberiores sub regum imperio fuerunt, sed omnino in aliquo christianorum regno, auditum est, ut unus sic plus omnibus posset, et sic omnia suæ potestati ac libidini subjecta haberet, ut nullum cuiquam contra illius voluntatem præsidium in legibus constitutum esset, sed regis potius omnia moderaretur. Pole. fol. ci.

which most of the great families of the preceding reigns had become extinct, and their immense possessions had been frittered away among the favourites and dependants of the court. The most opulent of the peers under Henry were poor in comparison with their predecessors: and by the operation of the statute against liveries, they had lost the accustomed means of arming their retainers in support of their quarrels. In general they were new men, indebted for their present honours and estates to the bounty of Henry or of his father: and the proudest among the rest, by witnessing the attainders and executions of others, had been taught to tremble for themselves, and to crouch in submission at the foot of a master, whose policy it was to depress the great, and punish their errors without mercy, while he selected his favourites from the lowest classes, heaping on them honours and riches, and confiding to them the exercise of his authority.<sup>64</sup>

2°. By the separation of the realm from the see of Rome, the dependence of the spiritual had been rendered still more complete than that of the temporal peers. Their riches had

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<sup>64</sup> Sic nobiles semper tractavisti, ut nullius principatu minore in honore fuerint: in quos, si quid leviter deliquissent, acerbissimus fuisti; nihil unquam cuiquam condonasti: omnes despiciatui habuisti; nullum apud te honoris aut gratiæ locum obtinere passus es: cum interea semper alienissimos homines ex infima plebe assumptos circum te habueris, quibus summa omnia deferres. Pole, fol. lxxxiii.

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been diminished, their immunities taken away : the support which they might have derived from the protection of the pontiff, was gone: they were nothing more than the delegates of the king, exercising a precarious authority determinable at his pleasure. The ecclesiastical constitutions, which had so long formed part of the law of the land, now depended on his breath, and were executed only by his sufferance. The convocation indeed continued to be summoned: but its legislative authority was no more. Its principal business was to grant money: yet even these grants now owed their force, not to the consent of the grantors, but to the approbation of the other two houses, and the assent of the crown.<sup>65</sup>

House of  
commons.

3<sup>o</sup>. As for the third branch of the legislature, the commons of England, they had not yet acquired sufficient importance to oppose any effectual barrier to the power of the sovereign, yet care was taken that among them the leading members should be devoted to the crown, and that the speaker should be one holding office, or high in the confidence of the ministers.<sup>66</sup> Free-

<sup>65</sup> Journals, 156. 213. 277. The first instance which I find was in 1540.

<sup>66</sup> The members were in a great measure named by the crown or the lords. See a letter of the earl of Southampton to Cromwell, Cleop. E. iv. 176, and another of Gardiner to the council. He observes that the house of commons was not complete, because he had not made returns as usual for several places (Fox, ii. 69). The treasurer and comptroller of the household were accustomed to

dom of debate was, indeed, granted : but with a qualification which in reality amounted to a refusal. It was only a *decent* freedom:<sup>67</sup> and as the king reserved to himself the right of deciding what was or was not decent, he frequently put down the opponents of the court, by reprimanding the “varlets” in person, or by sending to them a threatening message.

It is plain that from parliaments thus constituted, the crown had little to fear : and though Wolsey had sought to govern without their aid, Henry found them so obsequious to his will, that he convoked them repeatedly, and was careful to have his most wanton and despotic measures sanctioned with their approbation. The parliament, as often as it was opened or closed, by the king in person, offered a scene not unworthy of an oriental divan. The form indeed differed but little from our present usage. The king sat on his throne : on the right hand stood the chancellor, on the left the lord treasurer : whilst the peers were placed on their benches, and the commons stood at the bar. But the addresses made on these occasions by the chancellor or the speaker, usually lasted more than an hour ; and their constant theme was the

Flattery of  
the king.

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conduct the business of the crown. The former generally named the speaker. See the Journals of the commons for the following reigns, p. 24. 27. 37.

<sup>67</sup> Journals, 167. This is the first time during Henry's reign that the request of freedom of speech is mentioned in the Journals, anno 1542.

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character of the king. The orators, in their efforts to surpass each other, fed his vanity with the most hyperbolical praise. Cromwell was unable, he believed all men were unable, to describe the unutterable qualities of the royal mind, the sublime virtues of the royal heart. Rich told him that in wisdom he was equal to Solomon, in strength and courage to Sampson, in beauty and address to Absalom: and Audeley declared before his face, that God had anointed him with the oil of wisdom above his fellows, above the other kings of the earth, above all his predecessors; had given him a perfect knowledge of the scriptures, with which he had prostrated the Roman Goliath; a perfect knowledge of the art of war, by which he had gained the most brilliant victories at the same time in remote places; and a perfect knowledge of the art of government, by which he had for thirty years secured to his own realm the blessings of peace, while all the other nations of Europe suffered the calamities of war.

During these harangues, as often as the words “most sacred majesty,” were repeated, or as any emphatic expression was pronounced, the lords rose, and the whole assembly, in token of respect and assent, bowed profoundly to the demi-god on the throne. Henry himself affected to hear such fulsome adulation with indifference. His answer was invariably the same: that he laid no claim to superior excellence;

but that, if he did possess it, he gave the glory to God, the author of all good gifts: it was, however, a pleasure to him to witness the affection of his subjects, and to learn that they were not insensible of the blessings which they enjoyed under his government.<sup>68</sup>

II. It is evident that the new dignity of head of the church, by transferring to the king that authority which had been hitherto exercised by the pontiff, must have considerably augmented the influence of the crown: but in addition, the arguments by which it was supported, tended to debase the spirit of the people, and to exalt the royal prerogative above law and equity. When the adversaries of the supremacy asked in what passage of the sacred writings the government of the church was given to a layman, its advocates boldly appealed to those texts, which prescribe obedience to the established authorities. The king, they maintained, was the image of God upon earth: to disobey his commands was to disobey God himself: to limit his authority, when no limit was laid down, was an offence against the sovereign: and to make distinctions, when the scripture made none, was an impiety against God. It was indeed acknowledged that this supreme authority might be employed unreasonably and unjustly: but even then to resist was a crime: it became the duty of the suf-

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Ecclesiastical influence of the crown.

<sup>68</sup> See the Journals, 86. 101. 129. 161, 162. 164. 167.

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ferer to submit; and his only resource was to pray that the heart of his oppressor might be changed; his only consolation to reflect, that the king himself would hereafter be summoned to answer for his conduct before an unerring tribunal. Henry became a sincere believer in a doctrine so flattering to his pride; and easily persuaded himself that he did no more than his duty in punishing with severity the least opposition to his will. To impress it on the minds of the people, it was perpetually inculcated from the pulpit: it was enforced in books of controversy, and instruction: it was promulgated with authority in the "Institution," and afterwards in the "Erudition of a Christian Man."<sup>69</sup> From that period the doctrine of passive obedience formed a leading trait in the orthodox creed.

Servility of  
the oppo-  
site parties.

III. The two great parties, into which religious disputes had separated the nation, contributed also to strengthen the despotic power of Henry. They were too jealous of each other, to watch, much less to resist, the encroachments of the crown. The great object of both was the

<sup>69</sup> See Gardiner's *Treatise de vera Obedientia*, in the *Fasciculus rerum expetendarum*, ii. 800; and Sampson's *de Obedientia Regi præstanda*; *ibid.* 820: also *Strype*, i. 111. Thus we are told in a sermon by archbishop Cranmer: "Though the magistrates be evil and very tyrants against the commonwealth, and enemies to Christ's religion, yet ye subjects must obey in all worldly things as the Christians do under the truth, and ought so to do, as long as he commandeth them not to do against God." *Strype's Cranmer*, Rec. 114. See also the king's books, the *Articles*, the *Institution*, and the *Erudition of a Christian Man*.



same: to win the favour of the king, that they might crush the power of their adversaries: and with this view they flattered his vanity, submitted to his caprice, and became the obsequious slaves of his pleasure. Henry, on the other hand, whether it were through policy or accident, played them off against each other; sometimes appearing to lean to the old, sometimes to the new doctrines, alternately raising and depressing the hopes of each, but never suffering either party to obtain the complete ascendancy over its opponent. Thus he kept them in a state of dependence on his will, and secured their concurrence to every measure, which his passion or caprice might suggest, without regard to reason or justice, or the fundamental laws of the land. Of the extraordinary enactments which followed, a few instances may suffice. 1<sup>o</sup>. The succession to the crown was repeatedly altered, and at length left to the king's private judgment or affection. The right was first taken from Mary, and given to Elizabeth; then transferred from Elizabeth to the king's issue by Jane Seymour or any future queen; next restored, on the failure of issue by prince Edward, to both Mary and Elizabeth: and lastly, failing issue by them, was secured to any person or persons to whom it should please him to assure it in remainder by his last will.<sup>70</sup>

Extraordi-  
nary sta-  
tutes.

<sup>70</sup> 25 Hen. VIII. 22. 28 Hen. VIII. 7. 35 Hen. VIII. 2.

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2°. Treasons were multiplied by the most vexatious, and often, if ridicule could attach to so grave a matter, by the most ridiculous laws. It was once treason to dispute, it was afterwards treason to maintain, the validity of the marriage with Anne Boleyn, or the legitimacy of her daughter. It became treason to marry without the royal licence any of the king's children, whether legitimate or natural, or his paternal brothers or sisters, or their issue; or for any woman to marry the king himself, unless she were a maid, or had previously revealed to him her former incontinence. It was made treason to call the king a heretic or schismatic, openly to wish him harm, or to slander him, his wife, or his issue.<sup>71</sup> This, the most heinous of crimes in the eye of the law, was extended from deeds and assertions to the very thoughts of men. Its guilt was incurred by any person who should by words, writing, imprinting, or any other exterior act, directly or indirectly accept or take, judge or believe, that either of the royal marriages, that with Catharine, or that with Anne Boleyn, was valid, or who should protest that he was not bound to declare his opinion, or should refuse to swear that he would answer truly such questions as should be asked him on those dangerous subjects. It would be difficult to discover, under

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<sup>71</sup> 25 Hen. VIII. 22. 26 Hen. VIII. 13. 28 Hen. VIII. 18. 32 Hen. VIII. 25. 33 Hen. VIII. 21.

the most despotic governments, a law more cruel and absurd. The validity or invalidity of the two marriages was certainly matter of opinion, supported and opposed on each side by so many contradictory arguments, that men of the soundest judgment might reasonably be expected to differ from each other. Yet Henry, by this statute, was authorized to dive into the breast of every individual, to extort from him his secret sentiments upon oath, and to subject him to the penalty of treason, if those sentiments did not accord with the royal pleasure.<sup>72</sup> 3<sup>o</sup>. The king was made in a great measure independent of parliament, by two statutes, one of which gave to his proclamations the force of laws, the other appointed a tribunal, consisting of nine privy counsellors, with power to punish all transgressors of such proclamations.<sup>73</sup> 4<sup>o</sup>. The

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<sup>72</sup> 28 Hen. VIII. c. 7.

<sup>73</sup> 31 Hen. VIII. 8. 34 Hen. VIII. 23. We learn from a letter of bishop Gardiner that these statutes originated from a decision of the judges, that the council could not punish certain merchants, who had exported grain in defiance of a royal proclamation; because they were permitted to export it by act of parliament, as long as it was below a particular price (see Letter, apud Burnet, ii. Rec. 114). On this account it was that the king required that his proclamations should have the force of acts of parliament. The bill did not pass without "many large words" (ibid). When it did pass, the reason assigned was, "that the king might not be driven to extend his royal supremacy." As some check on the exercise of this new prerogative, it was required that the majority of the council should advise the proclamation; and it was moreover declared, that such proclamation derived all its force "from the authority of this act." See the statute itself.

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dreadful punishment of heresy was not confined to those who rejected the doctrines which had already been declared orthodox, but it was extended beforehand to all persons who should teach or maintain any opinion contrary to such doctrines as the king might afterwards publish. If the criminal were a clergyman, he was to expiate his third offence at the stake; if a layman, to forfeit his personal property, and be imprisoned for life.<sup>74</sup> Thus was Henry invested, by act of parliament, with the high prerogative of theological infallibility, and an obligation was laid on all men, without exception, whether of the new or of the old learning, to model their religious opinions and religious practice by the sole judgment of their sovereign. 5°. By an *ex post facto* law, those who had taken the first oath against the papal authority, were reputed to have taken, and to be bound by, a second and much more comprehensive oath, which was afterwards enacted, and which, perhaps, had it been tendered to them, they would have refused.<sup>75</sup>

Prosecu-  
tions for  
treason.

But that which made the severity of these statutes the more terrible, was the manner in which criminal prosecutions were then conducted. The crown could hardly fail in convicting the prisoner, whatever were his guilt or his innocence. He was first interrogated in his

<sup>74</sup> 34 Hen. VIII. 1.

<sup>75</sup> 35 Hen. VIII. 1.

cell, urged with the hope of pardon to make a confession, or artfully led by ensnaring questions into dangerous admissions. When the materials of the prosecution were completed, they were laid before the grand inquest: and, if the bill was found, the conviction of the accused might be pronounced certain: for in the trial which followed, the real question submitted to the decision of the petit jury was, which of the two were more worthy of credit, the prisoner who maintained his innocence, or the grand inquest which had pronounced his guilt. With this view the indictment, with a summary of the proofs on which it had been found, was read; and the accused, now perhaps for the first time acquainted with the nature of the evidence against him, was indulged with the liberty of speaking in his own defence. Still he could not insist on the production of his accusers, that he might obtain the benefit of cross-examination: nor claim the aid of counsel to repel the taunts, and unravel the sophistry, which was too often employed at that period by the advocates for the crown.<sup>76</sup> In this method of trial, every chance

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<sup>76</sup> I speak with diffidence on this subject: but I conceive that the refusal to confront the accusers with the accused grew out of the ancient manner of administering justice, and was strictly conformable to the practice of the courts of law. Originally there was but one jury, that which is called the grand inquest. If the prisoner, on the presentment of this jury, pleaded not guilty, the judge might allow him to prove his innocence by the ordeal, afterwards by the ordeal or battle, and lastly by his country, that is, by the verdict of

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was in favour of the prosecution : and yet it was gladly exchanged for the expedient discovered by Cromwell, and afterwards employed against its author. Instead of a public trial, the minister introduced a bill of attainder into parliament, accompanied with such documents as he thought proper to submit. It was passed by the two houses with all convenient expedition ; and the unfortunate prisoner found himself condemned to the scaffold or the gallows, without the opportunity of opening his mouth in his own vindication.

To proceed by attainder became the usual practice in the latter portion of the king's reign. It was more certain in the result, by depriving the accused of the few advantages which he possessed in the ordinary courts : it enabled the

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a petit jury, who should decide on the presentment by the grand inquest. But in this case none of the former jury, or of their witnesses, technically termed accusers, and identified with them, could be produced in court : because they were an interested party, the propriety of whose proceedings was now upon trial : and on that account the names of the accusers were returned on the back of the indictment, that they might be challenged as witnesses. It was first in the reign of Edward VI. that the law allowed the accusers to be brought forward : and after that it was long before the judges could be prevailed upon to depart from the ancient practice. See Mr. Reeves' History of English law, ii. 268. 459. iv. 494—505. At the trial of the duke of Buckingham the witnesses or accusers were indeed brought before him. But it seems to have been a particular indulgence : “ for the king had commanded that the laws should be ministered “ to him with favour and right.” Nor does it appear that then they were cross-examined. “ Their depositions were read, and the depositions were delivered as prisoners to the officers of the Tower.” Hall, fol. 85.

minister to gratify the royal suspicion or resentment without the danger of refutation, or of unpleasant disclosures: and it satisfied the minds of the people, who, unacquainted with the real merits of the case, could not dispute the equity of a judgment given with the unanimous assent of the whole legislature.

Thus it was that by the obsequiousness of the parliament, the assumption of the ecclesiastical supremacy, and the servility of religious factions, Henry acquired and exercised the most despotic sway over the lives, the fortunes, and the liberties of his subjects. Happily, the forms of a free government were still suffered to exist: into these forms a spirit of resistance to arbitrary power gradually infused itself: the pretensions of the crown were opposed by the claims of the people: and the result of a long and arduous struggle was that constitution, which for more than a century has excited the envy and the admiration of Europe.





## NOTE [A], Page 151.

**PETER MARTYR**, in a letter dated May 2, 1510, says that Ferdinand expected to hear every day of the birth of a grand-child, because by the last account from England, Catharine was in her ninth month: *partui proximam esse, quia nono gravetur mense*. Yet the English historians consider Henry, born in January 1511, as her first child. That prince lived only six weeks. Catharine bore the king another son in November, 1513, who also died in a short time. Mary was born in 1515, February 8th. Her sponsors at baptism were the cardinal of York, the lady Catharine, daughter of Edward IV. and the dutchess of Norfolk. Her style was proclaimed at the church door by the officers of arms: God give good life and long unto the right high, right noble, and right excellent princess, Mary, princess of England, and daughter of our sovereign lord the king. Stamford, 499.

## NOTE [B], Page 163

The following abstract of the reasoning on both sides of the question may not be unacceptable to the reader. It is taken from Du Pin, Cent xvi. l. ii. p. 142.

“Those on the king’s party alleged; 1<sup>o</sup>. That the laws of Moses which concerned marriage, were not particular for the Jews, but

were for all times and all nations ; that they were grounded upon natural decency ; that God calls the breaches of those laws wickedness and abominations, and threatens the most severe punishments to such as will not observe them ; and that the prohibition to marry the brother's wife, was not less strict than that of marrying within the degrees of consanguinity and affinity, set down in *Leviticus*.

“ 2<sup>o</sup>. That that law was never repealed nor explained by Jesus Christ, or his apostles.

“ 3<sup>o</sup>. But that, on the contrary, St. John the Baptist had sharply reprov'd Herod for marrying his brother's wife.

“ 4<sup>o</sup>. That the first Christians had ever accounted the laws of *Leviticus* to be irviolable : that Tertullian, Origen, St. Basil, St. Jerome, St. Chrysostom, St. Ambrose, St. Augustin, and Hesychius, had severely condemned the marriage of a man with his brother's wife ; and affirmed that this prohibition was not particular to the Jews, but general to all mankind ; that the council of Neocæsarea excommunicated every man, who married his wife's sister, and the woman that should marry two brothers, and the same canon was confirmed by the council held under Gregory II. ; that in all the councils, that have taken notice of the degrees of affinity, within which it is unlawful to contract marriage, this of the brother and sister-in-law is put among them : that the pope St. Gregory being consulted by Augustine the monk, whom he sent into England, whether it was lawful for a man to marry his brother's widow, answered, that this sort of marriages was forbidden ; and if any persons who were lately converted had contracted any such before their conversion, they ought to be advised not to associate with their wives : and that there never was a more favourable occasion to dispense with such marriages than this, if the church had had power.”

On the other hand, the writers of the queen's party maintained : 1<sup>o</sup>. “ That the prohibition in *Leviticus* to marry a brother's wife, was not a law of nature, but only a positive law ; which Moses had sufficiently shewn by commanding in *Deutero-*

mony the brother to marry his brother's widow, when he died without children, demonstrating by this exception, that the law admitted of dispensation, and consequently was not a law of nature : that before Moses that law was of no force, because Jacob married Leah and Rachael, two sisters ; and Judah, after he had married two of his sons to Tamar, promised her the third.

“ 2<sup>o</sup>. That in the New Testament Jesus Christ approved of the exception in Deuteronomy, in answer to the Sadducees, who had proposed that law to him.

“ 3<sup>o</sup>. That St John the Baptist reprov'd Herod for marrying his brother's wife, either because his brother was yet living, or because, if he was dead, he had left children.

“ 4<sup>o</sup>. That the fathers always looked upon the law of Deuteronomy as an exception to that of Leviticus ; that in the ancient apostolic canons, he that married two sisters, one after another, was only put out of the clergy : and in the council of Elvira, only three years' penance was imposed upon them : that the ecclesiastical and civil laws, which forbid these marriages, forbid also marriages within the degrees of consanguinity ; that there is not certainly any prohibition of such marriages by the law of nature ; that the popes, who condemned these marriages, did not deprive themselves of the power of dispensing in some cases, though they did seldom do it ; and that there are examples of marriages made within the degrees forbidden in Leviticus, which have been always looked upon as lawful marriages.”

To me two things appear evident : 1<sup>o</sup>. That the law in Leviticus was not in its own nature so binding as never to admit of dispensation : because such dispensation is allowed in Deuteronomy : 2<sup>o</sup>. That Moses published both the law and the exception to it for the use of the Jews. Whether both or either were to be extended to other nations, is a question, on which the scripture is silent.

## NOTE [C], Page 202.

The proceedings before the legates in the cause of the divorce have been extracted from the register, and published by *Herbet* (261—282), and more briefly by *Burnet*, iii. 46.

I. The evidence in proof of the consummation of the marriage between *Arthur* and *Catharine*, amounts to this: that the prince was fifteen years old; that he slept two or three nights in the same bed with the princess; and that on two occasions he made indelicate allusions to that circumstance. As *Catharine* declined the jurisdiction of the court, we are ignorant what answer her counsel might have given. But we know that one of the witnesses examined before the legates, the bishop of *Ely*, declared that the queen had often denied the consummation to him *sub testimonio conscientiæ suæ*; that she also denied it upon oath in her appeal to the pontiff: that at the trial she put it to the king himself, whether she were not a virgin when she came to his bed; and that cardinal *Pole* also reminded *Henry* of a conversation, in which he had acknowledged the same to the emperor, when that prince was in *England*. *Poli defensio unit. eccl. fol. lxxvii.*

*Bacon* (p. 117) asserts that *Henry* did not take the title of prince of *Wales* for some months after the death of his brother, because it was possible that the princess might be pregnant. If the fact were so, or if any advantage could have been derived from it, it would not have been overlooked at the trial.

II. It was contended for the king, that the bull of dispensation was void, because it had been obtained on grounds manifestly false; viz. that *Henry* and *Catharine* wished to marry, in order to give by their marriage greater stability to the friendship between the crowns of *England* and *Spain*. This clause, it was contended, invalidated the whole instrument; because there was at that time no danger of enmity between the two crowns, and

because the prince and princess could not have entertained any such notions, as it attributed to them.

But in addition to the bull, Catharine had obtained from Spain the copy of a breve of dispensation, which was so worded as to elude this objection. The king's counsel denied its authenticity 1<sup>o</sup>. If the breve were not a forgery, why was it not in England? How came it to be in Spain? How happened it that no trace of its existence could be discovered in Rome? 2<sup>o</sup>. It was dated on the same day with the bull, Dec. 26, 1503: a manifest anachronism. For if in bulls the year was computed from the first of January, in breves it was computed from the 25th of December: so that in reality the breve was dated one whole year before the bull, and even before Julius, who was made to grant the dispensation, had been chosen pope.

What answer was returned by the advocates of Catharine, we know not. Yet, notwithstanding these objections, I am inclined to believe that the breve was genuine. 1<sup>o</sup>. From the attestations of its authenticity given by the Archbishop of Toledo, and the papal nuncio, by whom it was examined before the emperor and his council (apud Herb. 264): 2<sup>o</sup>. From the conduct of Henry himself, who acted as if he knew it to be genuine. He had demanded that the original should be sent to him. Charles very prudently refused: but offered to deposit it with the pope, that it might be impartially examined. Henry, however, ordered his agents to decline the offer, and to dissuade Clement from having any concern in the matter. Burnet, i. Records, ii. 66, 73, 74. 3<sup>o</sup>. From the deposition of Bishop Fox, that several dispensations were obtained. Herb. 274.

But supposing the breve to be genuine, how are we to account for its existence, and for the error in the date? It appears from a letter of Julius to Henry VII. (apud Herb. 370), that the bull was expedited with great haste at the urgent solicitation of Isabella, the mother of Catharine, who, aware of the dangerous state of her health, solicited from the pontiff the consolation of possessing before her death a copy of the dispensation in favour

of her daughter. But, if we compare that bull with the treaty of marriage, we shall find that it does not fulfil the conditions to which the parents of the parties had agreed: that it should be conceived in the most ample form which could be devised, and that it should contain a clause authorising the union of Catharine with Henry, "though her previous marriage with Arthur had been contracted in the face of the church, and afterwards consummated." (Rym. xiii. 80.) When it was discovered that the bull omitted this important clause, and was defective in other respects, there can be little doubt that the matter would be represented to the court of Rome, and that a second dispensation, supplying the deficiencies of the first, would be issued in form of a bull or a breve. It was usual on such occasions to employ in the last instrument the original date: nor will it excite surprise, if the clerk, at the moment when he transcribed the date from the first dispensation, did not advert to the circumstance, that in breves the year commenced six days more early than in bulls.

III. The king's counsel gave in evidence the protest made by the prince, when he was on the point of completing his fourteenth year. What advantage could be derived from it, I do not see. For if it were argued that the protest was a legal revocation of the contract between the parties, it must also have been admitted that the subsequent marriage was a complete ratification of it. If the protest revoked the contract, the marriage revoked the protest. In a word, all that can be collected with any certainty from the evidence given before the legates is, that Arthur, at the age of fifteen, had slept in the same bed with the princess. This was the only conclusion drawn from it, when the proceedings recommenced before archbishop Cranmer, and was declared by the canonists in the convocation a presumptive proof that the marriage had been consummated.

Before I close this subject I ought perhaps to notice an extract from one of the Lansdowne manuscripts, containing an assemblage of materials for an ecclesiastical history of England, from

1500 to 1510, by Bishop Kennet. Under 1505 he says, "The king (Henry VII.) in a declining health began to fall into melancholy thoughts, and to imagine that the untimely death of his queen, and the growing weakness of his own constitution, were a sort of judgment upon him for consenting to the contract made between prince Henry and his brother's wife; for which reason he made it a part of his penitential courses to dissuade his son Henry from ever perfecting and consummating that match, as the account is best given by sir Richard Morysine." After an extract from the *Apoxamis calumniarum* by Morysine, he proceeds; "the king for this purpose sent for the prince to Richmond, and there by his own influence and the concurrent advice of his wisest counselor Fox, bishop of Winchester, &c. prevailed with him to make a solemn protestation against the validity of that contract, and a promise never to make it good by a subsequent matrimony." But this statement is liable to numerous objections. 1<sup>o</sup>. If Henry VII. had ever expressed to his son any doubt respecting the validity of the dispensation, Henry VIII. would certainly have availed himself of it when he determined to divorce Catharine. In his speeches and dispatches he often attempts to explain the origin of his scruples, and to defend them, but he never once mentions any doubt or objection made by his father. 2<sup>o</sup>. If he could have proved that the protestation originated from religious motives, he would undoubtedly have done it before the legates. But the evidence before them proves the contrary. Warham, archbishop of Canterbury, owned indeed that he did not at first approve of the marriage, and told the king so in presence of Fox, who advised it: but added that when the bull of dispensation arrived, he contradicted it no more. In addition he deposed that because the said king Henry appeared not much inclined to the marriage, he entreated him to persuade the prince to protest against it. But on what grounds he advised this protest, he has not told us. Herb. 271. Fox, however, who is said by Kennet to have advised it on motives of religion, says the contrary. He tells us, that

though "the protest was made, it was the intention of the king "that his son should marry the lady Catharine; but that he "deferred the solemnization of this intended matrimony by "reason of some discord which was at that time betwixt him "and the king of Spain, for the calling back of the dowry." Herb. 274. 3<sup>o</sup>. That the protest was entirely a political measure is evident from the testimony of bishop Fox, which I have just mentioned: from the succeeding negociations, in which Henry always expressed his consent to the solemnization of the marriage, provided the marriage portion were previously paid (see this history, vol. v. p. 447 et seqq.): and from the fact of his having received two payments a little before his death, and not only signed the receipts himself, but compelled his son to sign them. This completely overturns the statement of his regret for having suffered the contract to be made, and of his resolution during his penitential courses, to prevent its accomplishment. Morysine and Kennet knew of the existence of the protest: the rest was probably invented to account for that existence.

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NOTE [D], Page 225.

*[By mistake, at page 324, the Reader is again referred to this Note, instead of Note [F], page 504.]*

That I may not incur the reproach of misrepresentation, I purpose in this note to specify the reasons which have induced me to dispute the value of the answers returned by the universities.

1<sup>o</sup>. Cavendish, an attentive observer, tells us that "such as "had any rule, or had the custody of their university seals, were "choked by the commissioners with notable sums of money." Cavendish, 417. The first parliament under queen Mary asserts



that the answers of the foreign universities had been obtained by bribes, those of our own by sinister workings, and secret threatenings. St. I Mary, c. 1. Pope Clement in one of his letters observes, that no artifice, no entreaty, no money was spared to obtain a favourable subscription. *Nullo non astu, et prece et pretio.* Apud Raynald, p. 647.

2°. Of the "secret workings and sinister threatenings" employed in the English universities we have sufficient evidence. In February 1530 Gardiner and Fox were sent to Cambridge to procure an answer in the affirmative to the following question: Is it prohibited by the divine and natural law for a brother to marry the relict of his deceased brother? Finding the sense of the university against them, they proposed that the matter should be referred to a committee, in which the decision of two thirds of the members should be taken for the decision of the whole body. This question was twice put and lost: but on a third division, "by the labour of friends to cause some to depart the house who were against it," it was carried. The committee was accordingly appointed. Of the 29 members 16 had already promised their votes to the king, and four had given hopes of compliance; "of the which four," say the commissioners in their letter to Henry, "if we get two, and obtain of another to be absent, it is sufficient for our purpose." An affirmative answer was now given. Yet it disappointed the hope of the king, for it embraced a condition which he had excluded from the question; "if the widow had been carnally known by her former husband." Henry complained of this addition; but Dr. Buckmaster, the vice chancellor, assured him that it was so necessary to admit it, that without such admission they would have been left in a minority. See Burnet, i. Rec. 85—88. iii. Rec. 20—24.

3°. At Oxford the opposition was still more obstinate. It was in vain that the king sent letter after letter, messenger after messenger, to the university. At length recourse was had to the experience and policy of Fox, who was ordered to repair to

Oxford, and employ the same expedients there which had proved successful in the sister university. On the 4th of April he obtained a degree, investing a committee of thirty-three persons with full authority to answer the question. Of the thirty-three the bishop of Lincoln, the vice chancellor, and Dr. Stinton, were appointed by name, their thirty colleagues were left to their choice. Whether two thirds of these pronounced in favour of the king or not is rather doubtful. A determination in the affirmative, with the same condition appended to it, which had been adopted at Cambridge, was forwarded to Henry : but its opponents denied that it had obtained the consent of the majority, and affirmed that the seal of the university had been affixed to it clandestinely. See Wilk. Con. iii. 726. Wood, 255. Fiddes, Rec. ii. 83—85. Collier, ii. 52, 53. Burnet, iii. Rec. 25—28.

Cardinal Pole, in his letter to Henry, observes that he found it more difficult to obtain subscriptions at home than abroad ; and that he overcame the difficulty with the aid of menacing letters. *Nunquam, ubi consisteret, invenisset, nisi eæ, quæ plus quam preces valere solent apud multorum animos, minarum refertæ regis literæ ad scholarum principes quasi auxiliatrices copiæ summissæ, aciem jam inclinatam sustinissent*—*Omnes omnibus viis tentabas, qui aliqua doctrinæ et literarum opinione essent : cum quibus tament plus tibi negotii fuit quam cum exteris.* Pol. Defen. fol. lxxvii. lxxviii.

4<sup>o</sup>. The Italian commission consisted of Ghinucci, bishop of Worcester, Gregorio Cassali, Stokesley, and Croke. But Croke seems to have been the most active, and to have employed a number of inferior agents, whose honesty in some instances he suspected. If we may believe him, whenever he failed, it was on account of the threats and promises of the imperialists ; if he succeeded, it was not through bribes, for he never gave the subscriber any thing, till he had written his name, and then nothing more than an honourable present. He seems, however, to have trusted much to the influence of these honourable presents ; for in his letter to the king, dated July 1st. he says, “ *Albeit, gra-*

“cious lord, if that in time I had been sufficiently furnished with  
“money, albeit I have besides this seal (which cost me 100  
“crowns) procured unto your highness one hundred and ten  
“subscriptions, yet it had been nothing in comparison of that  
“that might easily and would have been done.” Burnet, i.  
Rec. ii. xxxviii. Strype, i. App. 106.

Stokesley and Croke had sent a favourable answer from the university of Bologna, which Henry prized the more, because Bologna was situated in the papal dominions. This instrument had no date; was signed by Pallavicino, a carmelite friar, by command, as was pretended, of the university; and was ordered to be kept a profound secret. The secret, however, transpired; Pallavicino and the notary who attended, were called before the governor on the 9th of September: and from their confessions it appeared that the instrument was composed by Pallavicino himself, was approved by four other friars, and was signed by the former on the 10th of June. What proceedings followed, we know not: but Croke, to discover who had betrayed the secret, called before him the friars, the notary, and the copiers of the instrument, and examined them upon oath. From their depositions, which probably for his own justification, he transmitted to England, the preceding particulars are extracted: and when the reader has weighed them, he will be able to judge what right such an instrument can have to be considered as the real answer of the university. See Rymer, xiv. 393. 395—397.

At Ferrara, Croke applied separately to the faculties of theology and law. The theologians were divided. One party gave an answer in favour of Henry; but the instrument was carried off by their opponents. Croke solicited the interference of the duke of Ferrara: by open force the valuable prize was wrested from the possession of the robbers; and was carefully transmitted to England. But in his negociation with the civilians and canonists the agent was less successful. He offered them 100 crowns, and was told that the sum was not worth their accept-

ance. Repenting of his parsimony, he offered 150 the next morning: but he was then too late; the faculty had resolved not to interfere in so delicate a question. From Padua, however, he sent an answer. How it was obtained, is a secret: but it cost 100 crowns. Burnet, i. 91.

5°. If in Germany subscriptions could not be obtained, it was not through want of agents or of bribes. The agents were Cranmer, Giovanni, Cassali, Andreas, and Previdellus: and that money was promised, is plain from the following testimony of Coelæus: *offerebatur mihi his annis superioribus ampla remunerationis et auri spes, si contra matrimonium regis cum Catharina vel ipse scribere, vel universitatum aliquot Germaniæ sententias, quales aliquot Galliæ et Italiæ academiæ dedissent, procurare voluissem.* Coel. in Scop. apud Sanders, p. 60.

6°. There can be little doubt that the same arts were employed with the French universities, as with those of Italy. The letters published by Le Grand, have exposed the whole intrigue with respect to the university of Paris. The first meeting broke up, after passing a resolution not to deliberate at all on the question. Francis compelled the members to assemble again, and a promise was made to Henry that out of sixty-three voices he should have a majority of fifty-six. On a division it appeared that he had only a minority of twenty-two against thirty-six. The duke of Norfolk wrote to the French cabinet to complain. Assemblies were repeatedly held: and one of these was so artfully managed, that the king obtained fifty-three votes against thirty-seven. The faculty assembled the next day to rescind those proceedings. They were disappointed. The bishop of Senlis had carried away the register; it was impossible to erase the decree: and a resolution was passed forbidding any member to give an opinion in favour of Henry. Francis, irritated by their obstinacy, ordered the president of the parliament to make a judicial enquiry into their conduct: but that minister, better informed than the king, advised him to allow the matter to sleep in silence: for if all the

particulars were made public, the inquiry would prove to the prejudice of Henry. J'écris audit Seigneur, que l'on la doit faire surseoir, jusqu'à ce que ledit seigneur aura entendu par moy comment l'affaire a été conduite, et que ladite information pourroit par aventure plus nuire audit Roy d'Angleterre que profiter. Le Grand, iii. 458—491. Du Moulins, an unexceptionable witness, says that he had examined the account laid before Francis, from which it was evident that the votes given for Henry had been purchased with English gold, and that the real opinion of the university was against the divorce. Molin. Not. ad const. Dec. p. 602.

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NOTE [E,] Page 345.

Mr. Nasmith, in his edition of Tanner's Notitia, has given us from the Liber Regis and other sources, as accurate an account as can be expected of the annual revenue of all the monastic houses. The result is the following.

| No. of Houses. | Orders.               | Revenue.       |
|----------------|-----------------------|----------------|
| 186.....       | Benedictines.....     | 65,877 14 0    |
| 20.....        | Cluniacs.....         | 4972 9 2½      |
| 9.....         | Carthusians.....      | 2947 15 4¼     |
| 101.....       | Cistercians.....      | 18,691 12 6    |
| 173.....       | Austins.....          | 33,027 1 11    |
| 32.....        | Premonstratensians..  | 4807 14 1      |
| 25.....        | Gilbertins.....       | 2421 13 9      |
| 3.....         | Fontevraud Nuns....   | 825 8 6½       |
| 3.....         | Minoreesses.....      | 548 10 6       |
| 1.....         | Bridgettines.....     | 1731 8 9¾      |
| 2.....         | Bonhommes.....        | 859 5 11¾      |
|                | Knights Hospitalars.. | 5394 6 5¼      |
|                | Friars.....           | 809 11 8¾      |
|                |                       | <hr/>          |
|                |                       | £142,914 12 9¼ |

This sum is the one-and-twentieth part of the whole rental of the nation, if Mr. Hume be correct in estimating it at 3,000,000*l*.

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NOTE [F], Page 324.

I might have rendered this account of the condemnation and death of Anne Boleyn more interesting, by representing her as an innocent and injured woman, falling a victim to the intrigues of a religious faction. That those who lamented the consequences of her marriage with Henry, would readily expose her indiscretions, and rejoice in her fall, is indeed probable: but of the existence of any conspiracy against her, the faintest trace is not to be discovered in real history. In politics she seems to have been opposed to her uncle, the duke of Norfolk. He was one of those who examined her, and he presided at her trial: but we have no reason to believe that he had any other concern in the prosecution, than what fell to his lot as a privy-counsellor and the first nobleman in the realm. Foreigners seem to have been divided on the question of her guilt or innocence. I have noticed two, Metiren and Thevet, who pronounce in her favour. I may mention two others, who have pronounced against her, Polydore and Marot. Both were in England at the time of her trial. Polydore says, in *adulterio deprehensa, cum suis mœchis capite repente plectitur*. Pol. 690. Marot, that, relying on the statute which made it treason to speak ill of the queen, she had less fear to indulge in unlawful amours. *Apud Le Grand, ii. 163*. Little confidence, however, can be placed in such testimonies. The two first speak, by their own admission, from report: the two last probably from the impression made on their minds by her condemnation.

In favour of Anne may be urged, 1<sup>o</sup>. The improbability that a woman in her circumstances would have exposed herself by such conduct as that with which she is charged, to the loss of life and royalty: and the still greater improbability that she should admit such a number of lovers: 2<sup>o</sup>. The facility with which during this reign state prisoners were convicted (I recollect but one out of the whole number, lord Dacres, who was acquitted. Stow, 570.): and 3<sup>o</sup>. Her own repeated asseverations of her innocence during her confinement in the Tower. Against her may be urged, 1<sup>o</sup>. Her silence at the time of execution, when she only begged that men would judge favourably of her. To account for this, it has been said that she perhaps feared to irritate the king by a denial of the crime. But I see not the force of such a motive: in similar circumstances Catharine Howard boldly asserted her innocence: 2<sup>o</sup>. Her own admissions, which according to lord Herbert (446.) prove “that she took the utmost liberty that could be honestly allowed her:” 3<sup>o</sup>. The testimony of Smeaton, who, before the council, acknowledged that he had committed adultery with her (thrice, according to Le Grand, ii. 163), who pleaded guilty at the bar, and did not revoke his confession at his death. To weaken this argument it has been said, that he was not confronted with her at the trial, and that his confession was drawn from him by a promise, or by the hope of pardon. But both these are gratuitous suppositions. We know not whether he was confronted with her or not, or whether she requested it or not; but this we know, that it was not the practice of the court to grant such an indulgence (see p. 487). Again we have no knowledge that any hope of pardon was held out to Smeaton. If there was, and he found himself deceived, would he not have asserted his innocence at the gallows? I know not a more improbable supposition than that a man should avow himself guilty of a crime which he had not committed, and die with the same falsehood in his mouth.

In the hypothesis that Anne was innocent, here is something

very singular in the conduct of her daughter queen Elizabeth. Mary no sooner ascended the throne, than she hastened to repeal the acts derogatory from the honour of her mother. Elizabeth sat on it almost five-and-forty years; yet made no attempt to vindicate the memory of *her* mother. The proceedings were not reviewed: the act of attainder and divorce was not repealed. It seemed as if she had forgotten, or wished the world to forget, that there ever existed such a woman as Anne Boleyn.

END OF VOL. VI.





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