



both, and there were euerie daie disputations and communings of this matter. And bicause the king meant nothing but vprightlie therein, and knew well that the quene was somewhat wedded to hir owne opinion, and wished that she should do nothing without counsell, he bad hir chosse the best clearks of his realme to be of hir counsell, and licenced them to do the best on hir part that they could, according to the truth. Then she elected William Warham archbishop of Canturburie, and Nicholas Waleys bishop of Ely, doctors of the lawes; and John Fisher bishop of Rochester, and Henrie Standish bishop of saint Asaph, doctors of diuinitie, and manie other doctors and well learned men, which for suertie like men of great learning defended hir cause, as farre as learning might mainteine and hold it vp.

This yere was sir James Spenser maio: of London, in whose time the watch in London on midsummer night was laid downe. About this time the king receiued into fauour doctor Stephan Gardiner, whose seruice he vsed in matters of great secrecie and weight, admitting him in the roome of doctor Pace, the which being continuallie abroad in ambassages, and the same oftentimes not much necessarie, by the cardinals appointment, at length he took such græse therewith, that he fell out of his right wits. The place where the cardinals should sit to heare the cause of matrimonie betwixt the king and the quene, was ordeined to be at the Blacke friers in London, where in the great hall was preparation made of seats, tables, and other furniture, according to such a solenne session and roiall apparance. The court was platted in tables and benches in manner of a consistorie, one seat raised higher for the iudges to sit in. Then as it were in the midst of the said iudges aloft aboue them thre degrees high, was a cloth of estate hanged, with a chaire roiall vnder the same, wherein sat the king; and besides him, some distance from him sat the quene, and vnder the iudges feet sat the scribes and other officers: the chiefe scribe was doctor Stæuens, and the caller of the court was one Cooke of Winchester.

Then before the king and the iudges within the court sat the archbishop of Canturburie Warham, and all the other bishops. Then stood at both ends within, the counsellors learned in the spirituall lawes, as well the kings as the quenes. The doctors of law for the king (whose names yee haue heard before) had their conuenient roomes. Thus was the court furnished. The iudges commanded silence whilst their commission was read, both to the court and to the people assembled. That done the scribes commanded the crier to call the king by the name of king Henrie of England, come into the court, &c. With that the king answered and said, Here. Then called he the quene by the name of Katharine quene of England come into the court, &c. Who made no answer, but rose out of hir chaire.

And bicause she could not come to the king directly, for the distance seuered betwene them, she went about by the court, and came to the king, kneeling downe at his feet, to whom she said in effect as followeth: Sir (quoth she) I desire you to do me iustice and right, and take some pitie vpon me, for I am a poore woman, and a stranger, borne out of your dominion, hauing here no indifferent counsell, & lesse assurance of friendship. Alas sir, what haue I offended you, or what occasion of displeasure haue I shewed you, intending thus to put me from you after this sort: I take God to my iudge, I haue bene to you a true & humble wife, euer conformable to your will and pleasure, that neuer contraried or gaine said any thing thereof, and being alwaies contented with all things wherein you had any delight, whether little or

much, without grudge or displeasure, I loued for your sake all them whom you loued, whether they were my friends or enimies.

I haue bene your wife these twentie yeres and more, & you haue had by me diuerse children. If there be anie iust cause that you can alleage against me, either of dishonestie, or matter lawfull to put me from you; I am content to depart to my shame and rebuke; and if there be none, then I praye you to let me haue iustice at your hand. The king your father was in his time of excellent wit, and the king of Spaine my father Ferdinando was reckoned one of the wisest princes that reigned in Spaine manie yeres before. It is not to be doubted, but that they had gathered as wise counsellors vnto them of euerie realme, as to their wisdoms they thought meet, who deemed the marriage betwene you and me good and lawfull, &c. Wherefore, I humbly desire you to spare me, vntill I may know what counsell my friends in Spaine will aduertise me to take, and if you will not, then your pleasure be fulfilled. With that she arose vp, making a lowe curtellie to the king, and departed from thence.

The king being aduertised that she was readie to go out of the house, commanded the crier to call hir againe, who called hir by these words; Katharine quene of England, come into the court. With that (quoth maister Griffith) Madame, you be called againe. On on (quoth she) it maketh no matter, I will not tarrie, go on your waies. And thus she departed, without anie further answer at that time, or anie other, and neuer would appeare after in anie court. The king perceiving she was departed, said these words in effect: For as much (quoth he) as the quene is gone, I will in hir absence declare to you all, that she hath bene to me as true, as obedient, and as conformable a wife, as I would wish or desire. She hath all the vertuous qualities that ought to be in a woman of hir dignitie, or in anie other of a baser estate, she is also surelie a noble woman borne, hir conditions will well declare the same.

With that quoth Wolseie the cardinall: Sir, I most humbly require your highnesse, to declare before all this audience, whether I haue bene the chiefe and first mouer of this matter vnto your maiestie or no, for I am greatlie suspected here in. My lord cardinall (quoth the king) I can well excuse you in this matter, marrie (quoth he) you haue bene rather against me in the tempting hereof, than a letter forward or mouer of the same. The speciall cause that moued me vnto this matter, was a certaine scrupulosity that pricked my conscience, vpon certaine words spoken at a time when it was, by the bishop of Baion the French ambassador, who had bene hither sent, vpon the debating of a marriage to be concluded betwene our daughter the ladie Marie, and the duke of Orleans, second son to the king of France.

Vpon the resolution and determination whereof, he desired respite to aduertise the king his maister thereof, whether our daughter Marie should be legitimate in respect of this my marriage with this woman, being sometimes my brothers wife. Which words once conceiued within the secret bottome of my conscience, ingendered such a scrupulous doubt, that my conscience was incontinentlie accombred, bered, and disquieted; whereby I thought my selfe to be greatlie in danger of Gods indignation. Which appeared to be (as me seemed) the rather, for that he sent vs no issue male: and all such issues male as my said wife had by me, died incontinent after they came into the world, so that I doubted the great displeasure of God in that behalfe.

Thus my conscience being tossed in the waves of a scrupulous mind, and partly in despaire to haue

Ar r r y.

anie

The quene  
causeth law-  
ers for hir  
part.

by dor.

Doctor Ste-  
ph Gardiner.  
1529  
Doctor Pace  
fallith out of  
his wits.

Anno Reg. 21.  
Edw. Hall.

An. El. ex  
1. Spag. 359.  
The manner of  
the session, as  
was perfo-  
rmed of ac-  
count in his  
place.

The king and  
quene called  
into the court.

The king  
causeth law-  
ers to be la-  
mencable and  
to speach  
in presence of  
the court.

The quene  
iustifieth the  
marriage.

The quene  
departing one  
of the court is  
called againe.

The cardinall  
requireth to  
haue that de-  
clared which  
was well en-  
ough known.

The king  
confesseth that  
the king of  
conscience  
made him  
unlike this  
marriage.

The state of  
the question.

anie other issue than I had alredie by this ladie now my wife, it behoued me further to consider the state of this realme, and the danger it stood in for lacke of a prince to succeed me, I thought it good in release of the weightie burthen of my weake conscience, & also the quiet estate of this worthe realme, to attempt the law therein, whether I may lawfullie take another wife more lawfullie, by whome God may send me more issue, in case this my first copulation was not good, without anie carnall concupiscence, and not for anie displeasure or mistliking of the queenes person and age, with whome I would be as well contented to continue, if our mariage may stand with the laws of God, as with anie woman alieue.

The king  
submitteih  
himselfe to the  
censures of  
the learned in  
this case of  
diuorise.

In this point consisteth all this doubt that we go about now to trie, by the learning, wisdom, and iudgement of you our prelates and pastors of all this our realme and dominions now here assembled for that purpose; to whose conscience & learning I haue committed the charge and iudgement: according to the which I will (God willing) be right well content to submit my selfe, and for my part obeie the same. Wherein, after that I perceiued my conscience so doubtful, I moued it in confession to you my lord of Lincoln then ghoslie father. And for so much as then you your selfe were in some doubt, you moued me to aske the counsell of all these my lords: whereupon I moued you my lord of Canturburie, first to haue your licence, in as much as you were metropolitane, to put this matter in question, and so I did of all you my lords: to which you granted vnder your seales, here to be shewed. That is truth, quoth the archbishop of Canturburie. After that the king rose vp, and the court was adioined vntill another daie.

The queene  
accuseth car-  
dinall wolse.

Here is to be noted, that the queene in presence of the whole court most greivously accused the cardinall of vntruth, deceit, wickednesse, & malice, which had solone dissention betwixt hir and the king hir husband; and therefore openlie protested, that she did vtterlie abhorre, refuse, and forsake such a iudge, as was not onelie a most malicious enemie to hir, but also a manifest aduersarie to all right and iustice, and therewith did she appeale vnto the pope, committing hir whole cause to be iudged of him. But notwithstanding this appeale, the legats sat weekelie, and euerie daie were arguments brought in on both parts, and proofes alleaged for the vnderstanding of the case, and still they assaied if they could by anie means procure the queene to call backe hir appeale, which she vtterlie refused to do. The king would gladly haue had an end in the matter, but when the legats draue time, and determined vpon no certeine point, he conceiued a suspicion, that this was done of purpose, that their doings might draw to none effect or conclusion.

She appeleth  
to the pope.

The king  
mistrusteth  
the legats of  
seeking de-  
laies.

The present  
mariage whie  
thought vns-  
lawfull.

The next court daie, the cardinals sat againe, at which time the counsell on both sides were there ready to answer. The kings counsell alleaged the matrimonie not to be lawfull at the beginning, because of the carnall copulation had betwene prince Arthur and the queene. This matter was verie vehementlie touched on that side, and to proue it, they alleaged manie reasons and similitudes of truth: and being answered negatiuelie againe on the other side, it seemed that all their former allegations were doubtful to be tried, and that no man knew the truth. And thus this court passed from sessions to sessions, and daie to daie, till at certeine of their sessions the king sent the two cardinals to the queene (who was then in Wyndesore) to persuaue with hir by their wisdoms, and to aduise hir to surrender the whole matter into the kings hands by hir owne consent & will, which should be much better to hir honour, than to stand to the triall of law, and thereby to be condem-

ned, which should seeme much to hir dishonour.

The cardinals bring in the queenes chamber of presence, the gentleman vsher aduertised the queene that the cardinals were come to speake with hir. With that she rose vp, & with a skene of white thred about hir necke, came into hir chamber of presence, where the cardinals were attending. At whose coming, quoth she, What is your pleasure with me? If it please your grace (quoth cardinall Wolseie) to go in to your priue chamber, we will shew you the cause of our coming. My lord (quoth she) if ye haue anie thing to saie, speake it openlie before all these folke, for I feare nothing that ye can saie against me, but that I would all the world should heare and see it, and therefore speake your mind. Then began the cardinall to speake to hir in Latine. Pate god my lord (quoth she) speake to me in English.

Quene  
tharine and  
the cardinals  
haue commu-  
nication in  
hir priue  
chamber.

Forsoth (quoth the cardinall) god madame, if it please you, we come both to know your mind how you are disposed to do in this matter betwene the king and you, and also to declare secretlie our opinions and counsell vnto you: which we do onelie for verie zeale and obedience we beare vnto your grace. My lord (quoth she) I thanke you for your good will, but to make you answer in your request I cannot so suddenlie, for I was set among my maids at worke, thinking full little of anie such matter, wherein there needeth a longer deliberation, and a better head than mine to make answer: for I need counsell in this case which toucheth me so nere, & for anie counsell or friendship that I can find in England, they are not for my profit. What thinke you my lords, will anie Englishman counsell me, or be frend to me against the kings pleasure that is his subiect? Pate forsoth. And as for my counsell in whom I will put my trust, they be not here, they be in Spaine in my owne countrie.

The queene  
refuseth to  
make sudden  
answer to so  
weightie a  
matter as this  
diuorise.

And my lords, I am a poore woman, lacking wit, to answer to anie such noble persons of wisdom as you be, in so weightie a matter, therefore I prae you be good to me poore woman, destitute of frends here in a forren region, and your counsell also I will be glad to heare. And therewith she toke the cardinall by the hand, and led him into hir priue chamber with the other cardinall, where they tarried a season talking with the queene. Which communication ended, they departed to the king, making to him relation of hir talke. Thus this case went forward from court to court, till it came to iudgement, so that euerie man expected that iudgment would be giuen the next day. At which daie the king came thither, and set him downe in a chaire within a doore, in the end of the gallerie (which opened directlie against the iudgement seat) to heare the iudgement giuen, at which time all their proceedings were red in Latine.

The king &  
queenes mat-  
ter cometh  
to iudgement.

That done, the kings counsell at the barre called for iudgement. With that (quoth cardinall Campeius) I will not giue iudgement till I haue made relation to the pope of all our proceedings, whose counsell and commandement in this case I will obserue: the case is verie doubtful, and also the partie defendant will make no answer here, but doth rather appeale from vs, supposing that we be not indifferent. Wherefore I will adiourne this court for this time, according to the order of the court of Rome. And with that the court was dissolued, and no more done. This protracting of the conclusion of the matter, king Henrie toke verie displeasanthie. Then cardinall Campeius toke his leaue of the king and nobilitie, and returned towards Rome.

Cardinall  
Campeius  
refuseth to  
giue iudge-  
ment.

Whilist these things were thus in hand, the cardinall of Yorke was aduised that the king had set his affection vpon a yong gentlewoman named Anne, the daughter of sir Thomas Bullen viscount Rochford, which did wait vpon the queene. This was a great

The kings  
affection and  
goodwill to the  
ladie Anne  
Bullen.