I

RIVALLING ROME: CARDINAL WOLSEY AND DISPENSATIONS

Edited by Peter D. Clarke

https://doi.org/10.1017/S096011631500024X Published online by Cambridge University Press

INTRODUCTION

Cardinal Wolsey, archbishop of York and Henry VIII's chancellor, was appointed as papal legate *a latere* by Pope Leo X on 17 May 1518.[1] Wolsey was to exercise legatine powers in the English realm until his fall from grace in October 1529. As the pope's representative in Henry VIII's realm he was to wield almost unprecedented authority over the English Church, including the power to conduct visitations of religious houses, convene legatine councils and intervene extensively in the jurisdiction of bishops. This activity is well known to historians, but a neglected aspect of his legatine authority is his power to grant dispensations.[2] The aim of the present edition is to assemble documents evidencing Wolsey's dispensing powers and his exercise of them.

Dispensations formed an important part of ecclesiastical jurisdiction by Wolsey's time. The rules of canon law then bound all members of the Catholic Church, and dispensations were important because they relaxed some of these rules, expressly those which were man-made and not divine in origin. Hence canon law derived from scripture was not dispensable,[3] but that introduced by popes and councils might be. The human law that dispensations relaxed largely concerned marriage, ordination, and ecclesiastical benefices. Marriage dispensations were the main kind sought by laity, naturally, and most dealt with impediments arising from kinship, principally the prohibited degrees of consanguinity (kinship by blood) and affinity

[1] T. Rymer, *Foedera . . .*, 3rd edn (London, 1739–1745), VI. 140–141 (XIII. 606–607).

[2] e.g. A. F. Pollard, *Wolsey* (London, 1929), omits dispensing from its lengthy treatment of his legatine powers in ch. 5. Cf. P. Gwyn, *The King's Cardinal: The Rise and Fall of Thomas Wolsey* (London, 1990), ch. 8, which in its similar survey at least treats this briefly on pp. 284–285.

[3] This, of course, was the grounds for Henry VIII's request for a papal divorce from Catherine Aragon, namely that Julius II's dispensation for their marriage and hence the marriage itself were invalid since they went against divine law in Leviticus 18:16 and 20:21, which was understood to ban marriage to a brother's widow (Catherine was the widow of Henry's brother Arthur when she married Henry). In this particular case, however, the papal dispensation was supported by divine law in Deuteronomy 20:5, which permitted marriage to a brother's widow if the brother had died childless; this exception exactly fitted Henry's circumstances (Arthur and Catherine had no issue); see J. J. Scarisbrick, *Henry VIII* (London, 1968), chs 7–8.

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(relationship through marriage) not covered by Leviticus 18–20.[4] Other marital impediments, from which dispensations were less commonly sought, included public honesty and *cognatio spiritualis*. The former arose where one marriage partner was betrothed to someone related to the other partner within the prohibited degrees, but the betrothal had been broken off without consummation.[5] *Cognatio spiritualis*, or spiritual kinship, usually applied in instances where the parent of one spouse had presented the other for baptism, or less commonly confirmation. Most couples sought marriage dispensations before marrying, but they might also do so retrospectively, especially if they had only learned of the impediment in question after marrying.[6] Other, non-marital, kinds of dispensation were largely sought by clergy. Many of these dealt with impediments to ordination, notably: illegitimate birth (*defectus natalium*), which might also debar religious, including women, from appointment as head of their order or one of its houses without a dispensation; being under-age (*defectus aetatis*), which for ordinands to the priesthood meant being below the age of twenty-five; ordination on Sundays or feasts outside of the four general ordination days in each year (*extra tempora statuta a iure*);[7] and physical deformity (*defectus corporis*), principally affecting ordinands' hands or eyesight. Clergy also requested various dispensations regarding the holding of benefices, particularly two or more together. This was pluralism, and canon law expressly forbade this where the benefices were 'incompatible', generally meaning that each had 'cure of souls' requiring the incumbent to administer the sacraments to his parishioners, notably confession. Pluralism clearly involved non-residence in at least one of the benefices held; dispensations might also free clergy from obligations to reside in their benefices, and not only where held in plurality, but also in other

[4]The degrees of kinship within which canon law prohibited marriage were seven by the late 11th c.; in 1215 the Fourth Lateran Council reduced them to four (X 4.14.8). Leviticus 18–20 covered most instances in the first and second degrees, thereby largely restricting dispensations for kinship to the 'outer', man-made degrees.

[5]According to canon law, consummation would have turned the betrothal into marriage and the impediment into affinity. Affinity usually arose from sexual relations, even outside marriage, i.e. where one marriage partner had had extra-marital sex with someone related to the other within the prohibited degrees.

[6]Couples seeking retrospective dispensations for impediments known to them when they married further needed papal absolution, for they incurred automatic excommunication through their conscious violation of canon law. Marital impediments normally became known as a result of reading the banns, which canon law required from 1215 before all marriages, therefore most of these couples had probably contracted 'clandestine' marriages, also condemned and penalized by canon law (X 4.3.3).

[7]These were the so-called 'Ember days', i.e. the Saturdays after the first Sunday in Lent, Pentecost, Holy Rood Day (14 September), and St Lucy's Day (13 December).

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permitted circumstances, notably for study-leave at university.[8] Male religious might likewise seek dispensations, known as 'capacities', allowing them to leave the religious life and obtain secular benefices. Other more miscellaneous dispensations and related graces, such as special licences, notably to eat meat and dairy produce in Lent and other fasting-periods, also existed and will be discussed later.

Authority to grant these various dispensations and other graces largely resided with the pope, who issued them by virtue of his *plenitudo potestatis*; canon law further reserved to the pope absolution from certain grave sins, known as 'reserved cases', notably assaults on clergy and apostasy.[9] Petitioners solicited dispensations from the papal curia by at least the late eleventh century, and penitents' requests for papal absolution go back even earlier. The origins of this system of papal graces has even been traced back to the Early Church though it was probably only with the growth of papal power from the late eleventh century and the development of a universal body of Western canon law from the twelfth century that such graces were granted in significant numbers.[10] Letters conferring these graces were issued by the papal chancery initially and many were copied in its registers. These testify to rising demand for such papal favours across Western Europe, and the system of papal graces, though it would be attacked as an abuse later by Protestants, largely seems to have expanded in response to this popular demand, since people found such graces useful. Consequently, just as the papacy increasingly delegated cases appealed to its judgement to lesser churchmen in response to growing judicial business at the curia from the mid twelfth century, it likewise began at about this time to delegate to other clergy powers or 'faculties' to grant dispensations and other papal graces. Much of this delegated authority passed to curial officials, notably the cardinal or 'major' penitentiary, who, along with the minor penitentiaries subordinate to him, received ever expanding faculties from successive popes, so much that by the mid thirteenth century his activity was discharged through a growing new department of papal government, also called

[8]Sanctioned in 1298 by Boniface VIII's constitution 'Cum ex eo' (VI 1.6.34); see L. E. Boyle, 'The constitution "Cum ex eo" of Boniface VIII: Education of parochial clergy', *Mediaeval Studies*, 24 (1962), 263–302.

[9]The canon 'Si quis suadente' (*Decretum*, C.17 q.4 c.29) made anti-clerical violence a 'reserved case' in 1139; apostasy, the canonical crime of religious leaving their houses without a superior's consent, became one in 1298 (VI 3.2.24). Offenders in both cases incurred automatic excommunication reserved along with the offence to papal absolution.

[10]R. A. Aronstam, 'Penitential pilgrimages to Rome in the early Middle Ages', *Archivum historiae pontificiae*, 13 (1975), 65–83, esp. 67–70 on penitents seeking absolution from the pope in person. On the origins of the system see W. J. Sparrow Simpson, *Dispensations* (London, 1935), 1–6.

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the penitentiary.[11] By the fifteenth century it expedited many of the same graces as the papal chancery, except dispensations for plurality, which the chancery continued to issue. In addition popes conceded faculties to papal agents, including legates *a latere*, nuncios and even cameral collectors, to exercise in those provinces where they were sent from the curia. Bishops might also possess faculties, notably those enjoying the status of *legatus natus* such as the archbishop of Canterbury, and could even concede certain graces *ex officio*, but their dispensing powers were generally limited.[12]

Wolsey was, therefore, not unique in having delegated papal authority to issue dispensations even in the English realm. Papal officials visiting the kingdom had long enjoyed faculties as part of their commission, and several graces they granted to English and Welsh beneficiaries survive.[13] Even if such papal agents were more conveniently accessible than the distant curia, they were transient and intermittent sources of papal graces, however, and their faculties were often restricted to dispensing small numbers of people.[14] Consequently, Wolsey's position as a permanently resident legate *a latere* in the English kingdom was remarkable; only Cardinal Beaufort had paralleled this a century earlier and even his legatine powers had been stymied by the English Crown and episcopate.[15] Nevertheless, Wolsey's legatine authority had to be carefully built up over many years of lobbying

[11] See *Supplications from England and Wales in the Registers of the Apostolic Penitentiary, 1410–1503*, ed. P. D. Clarke and P. N. R. Zutshi, 3 vols, Canterbury and York Society, 103–105 (2013–), esp. the introduction in Vol. I, xiii–lviii, and other scholarship on the penitentiary cited there.

[12] For example, in 1298 Boniface VIII limited episcopal dispensations for *defectus natalium* to allowing men of illegitimate birth to receive minor orders and a benefice without cure of souls; anything more required a papal dispensation (VI 1.11.1). As to the archbishop of Canterbury's faculties, these are not well understood and need investigation; see I. J. Churchill, *Canterbury Administration: The Administrative Machinery of the Archbishopric of Canterbury Illustrated from Original Records* (London, 1933), I. 506–507.

[13] See, for example, the faculties conceded by Innocent VIII to James of Imola, legate *a latere* to the English and Scottish realms, in 1485: *CPL*, xiv. 23–26. Original examples of graces issued by such agents comprise: Bangor University Archives, Penrhyn MS 6 (papal nuncio, 1386); London, Lambeth Palace Library, Papal Documents 129b (papal chamberlain, 1506), 130 (nuncio, 1514); Archives départementales du Nord (Lille), B429–16141 (papal orator, 1468), edited by P. D. Clarke 'English royal marriages and the papal penitentiary in the fifteenth century', *English Historical Review*, 120 (2005), 1014–1029, at 1026–1029. Others were copied in English episcopal registers, e.g. Lichfield Record Office, B/A/1/13 (Register of Coventry and Lichfield diocese, 1490–1502), fols 124v (papal nuncio, 1491), 161v, 164r–v (papal collector, 1495), 249v (papal orator, 1502); etc.

[14] For example, James of Imola (see n. 13) might only dispense twelve persons from *defectus natalium* and the same number to hold two benefices in plurality.

[15] See, e.g., Pollard, *Wolsey*, 168–169.

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the papacy, not least for amplification of his faculties.[16] Wolsey had sought the legation along with the cardinalate since at least 1514, but whereas Leo X conceded the latter in 1515, he long proved reluctant to grant the former, in particular because it would set a precedent for a ruler's minister holding extraordinary power over a national church, especially at a time when national monarchies were increasing their control over churches in their realms. Leo only yielded in 1518 by making Wolsey co-legate with Cardinal Campeggio, largely to facilitate the latter's entry to England, which Henry VIII had resisted. The pope sent Campeggio to further plans for a crusade against the Turks, which he had long sought to finance by taxing the English church; Wolsey had promised to raise the money without result, and Leo intended the joint legation to induce Wolsey to deliver.[17] This inducement was not enough to satisfy Wolsey, however. Leo's initial commission made him legate only for the duration of Campeggio's stay in England and for the sake of the crusade. On 27 August 1518 Leo issued a further bull authorizing both legates to reform monasteries, but not secular clergy too as Wolsey had hoped. The Italian curialist Silvestro Gigli, bishop of Worcester, who was lobbying for Wolsey at Rome, relayed to Leo Wolsey's complaints about the 'prohibitions to his legatine authority'.[18] Leo apparently considered his demands for a fuller commission 'importunate', because it would impinge too much on the authority of the English bishops and because Wolsey had still not fulfilled his promise about clerical taxation. The pope was also unmoved by Wolsey's assertion that he sought more faculties 'not for the sake of extorting money but to do some good in the Lord's vineyard and reform the clergy'.[19] His actual motivation for seeking greater legatine authority is a matter of debate, and will be addressed later on. What is clear, however, is that Wolsey was preoccupied by the potential expiry of his legation on Campeggio's departure; he had sought a separate fuller commission for himself even as the joint

[16]Pollard, *Wolsey*, 179–182; M. J. Kelly, 'Canterbury jurisdiction and influence during the episcopate of William Warham, 1503–1532', PhD dissertation (University of Cambridge, 1965), 164–173; W. E. Wilkie, *The Cardinal Protectors of England: Rome and the Tudors before the Reformation* (Cambridge, 1974), 83–5, 105–106, 113–114, 129–131, 133–135, 142–144, 168–169.

[17]W. E. Lunt, *Studies in Anglo-Papal Relations during the Middle Ages*, II: *Financial Relations of the Papacy with England, 1327–1534* (Cambridge, MA, 1962), 160–168.

[18]Pollard, Wolsey, 179; *Letters and Papers*, III, no. 149 (Gigli's letter to Wolsey, 29 March 1519).

[19]*Ibid.* no. 298 (Gigli's letter to Wolsey, 10 June, 1519); E. Martène and U. Durand (eds), *Veterum scriptorum et monumentorum historicum, dogmaticorum, moralium amplissima collectio*, Vol. III (Paris, 1724), col. 1289 (Wolsey's letter to Leo, 25 March 1519).

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legation was being conceded.[20] Nevertheless, before Campeggio left England on 24 August 1519, Wolsey had only managed to secure a papal bull on 10 June empowering him to reform the monasteries on his own after his co-legate's return to the curia.[21] Leo's dissatisfaction at Wolsey's failure to raise the crusade tax remained the chief sticking-point, as Kelly observed: 'Whereas the pope displayed obstinacy in extending the legateship in the hope of attracting a subsidy, the cardinal was using the prospect of taxation to extort amplification of his powers'.[22] Wolsey indeed continued to petition Leo, and with support from Campeggio and Henry VIII he had secured the promise of a bull by December 1519 extending his legation. This would only be for a year dated from Campeggio's departure, that is until 24 August 1520, but on 6 January 1521 Wolsey obtained another extension for a further two years beyond this deadline.[23] Wolsey had still not delivered the long-promised taxation, which continued to irritate Leo, but the pope's concern to deter England from an alliance with France had apparently persuaded him to be more conciliatory toward Wolsey, prime mover in Anglo-French relations.[24] This doubtless also accounts for two more bulls issued respectively on 1 April and 27 June 1521, which not only further extended Wolsey's legation to ten years in total but also conceded extraordinary faculties to issue dispensations and other favours.[25]

The April bull allowed him to appoint forty apostolic notaries, fifty 'golden knights', and the same number of counts palatine and papal chaplains, and any amount of papal scribes, within the realm and his own household. As Kelly suspects, Wolsey probably saw these papal titles as largely a means to attract and reward familiars. Additional concessions included powers to legitimize bastards, normally the prerogative of temporal rulers, and confer degrees in canon and civil law, theology, arts, and medicine. No evidence has been found for Wolsey's exercise of any of these powers, except the latter and only in

[20] *Ibid.* col. 1284 (Wolsey's letter to Leo, 11 April 1518): he requested the withdrawal of Campeggio's *de iure* legatine faculties and their transfer to him, asserting that Campeggio could never enter England but for him.

[21] *Letters and Papers*, III, no. 475; Pollard, *Wolsey*, 180.

[22] Kelly, 'Canterbury jurisdiction', 165; cf. Lunt, *Financial Relations*, 165–166.

[23] *Letters and Papers*, III, no. 557 (Campeggio's letter to Wolsey, 19 December 1519); Rymer, *Foedera . . .*, VI. 191 (XIII. 734–735).

[24] Pollard, *Wolsey*, 181; Kelly, 'Canterbury jurisdiction', 168–169.

[25] Rymer, *Foedera . . .*, VI. 193–194 (XIII. 739–742), which added a second two-year extension; Appendix 1a, which added a five-year extension beyond this (making ten years). Discussed by Pollard, *Wolsey*, 180–181; Gwyn, *The King's Cardinal*, 278; and Kelly, 'Canterbury jurisdiction', 169–171, who quotes the remark of John Clerk, the English ambassador in Rome, that the April bull contained 'such faculties as I thinke the like hath not byn seen in englond theis many yeris'.

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one case: a commission on 30 September 1525 to award Richard Foxford a doctorate in both Roman and canon law.[26] The other faculties conceded were arguably more significant, and certainly his use of them is better documented. He might grant dispensations from *defectus natalium*, *defectus aetatis* and other 'irregularities' (impediments to ordination or the use of orders already conferred), allowing promotion to all, even holy orders, including the priesthood; ministry in such or existing orders even at the altar, that is celebrating mass; and tenure of any kind or number of benefices with or without a cure, in effect pluralism. Wolsey might also dispense secular clergy to study and graduate in civil law,[27] and religious to preach anywhere; and grant absolution from excommunication and other spiritual sanctions imposed by ecclesiastical judges or canon law (i.e. in 'reserved cases') or to anyone failing to say their required hours. Above all, Wolsey obtained the long-coveted power to reform secular clergy, even bishops, and punish them himself or through a deputy. His use of this power, and of his existing authority to visit monasteries and correct religious, has attracted much attention, not least because of the reaction it supposedly provoked among the English episcopate, including Archbishop Warham of Canterbury, although recent historiography suggests that this was not as negative as has often been assumed.[28] Though it is not the intention here to revisit this issue, Wolsey's dispensing powers were relevant to reform, as we will later see, and his bull of June 1521 was to extend these even more dramatically.

It confirmed the April bull's concessions regarding clerical reform, absolution from spiritual sanctions, and the awarding of degrees and papal titles, except that Wolsey might now confer any number of the latter. It defined his faculty to dispense from *defectum aetatis* in greater detail, as permitting ordination to the subdiaconate, diaconate and priesthood at 17, 18 and 23 respectively for secular clerks and 16, 17 and 22 for religious, as well as tenure of a benefice with a cure at 18. He might further license under-age clergy to seek ordination to two of these grades on the same day, *extra tempora a iure statuta* and from all Catholic bishops; albeit any bishop might issue letters dimissory

[26] Appendix 2. **38** below.

[27] Honorius III's constitution 'Super speculam' (1219) banned beneficed clergy from studying civil law on pain of excommunication (X 3.50.10).

[28] For the older view see Pollard, *Wolsey*, esp. 178–179, 190–196, who even characterizes Wolsey's exercise of legatine authority as 'ecclesiastical despotism' that allegedly contributed to the break with Rome. Cf. the more measured, 'revisionist' views of Houlbroke, 10, and Gwyn, *The King's Cardinal*, 267–299. See also K. Brown, 'Wolsey and the ecclesiastical order: The case of the Franciscan observants', in *Cardinal Wolsey: Church, State and Art*, ed. S. J. Gunn and P. G. Lindley (Cambridge, 1991), 219–238.

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allowing clergy in his diocese to seek ordination outside of it. The bull did not elaborate upon his other existing faculties but added many new ones, several likewise concerning ordination and benefices. He might dispense clergy holding benefices with a cure so they were not obliged to take holy orders for up to seven years, provided that they became subdeacons within the first two years of that period. He might dispense male religious, except friars, to hold a secular benefice with a cure, that is issue 'capacities'. He might also absolve any religious, including mendicants, from the reserved sin of apostasy and its canonical penalties, and dispense them from irregularity; (which regular priests could incur by celebrating divine offices while excommunicated as apostates).[29] Penitent apostates often sought to return to the religious life, but not always to their original house or order, indubitably repelled by the same reasons which had prompted them to flee it in the first place. These might include the severity of its rule, as Wolsey might dispense the transfer of apostates to laxer orders, even permitting mendicants to enter non-mendicant orders: a dilution of the canonical requirement to license transfers to another house or order 'of equal or stricter observance'.[30] He might concede some graces only to certain clergy, notably those in his household. He might dispense his familiars, graduates, and noblemen to hold up to four incompatible benefices in plurality, and any man living at his expense, up to three; and authorize his familiars to unite two of their benefices into one, even parish churches. Other faculties regarded graces mainly requested by laity. He might dispense marriages in the third degree of consanguinity or affinity, and the third and fourth degrees combined, and from an impediment of *cognatio spiritualis* or public honesty, recognizing their issue as legitimate. His marriage dispensations could be retrospective, since he might also absolve couples who had married knowing of such impediments without a prior dispensation.[31] He might not, however, concede a dispensation for the 'levirate', that is marriage between a man and his childless brother's widow, coincidentally what Henry VIII had needed in order to marry Catherine of Aragon. Wolsey might, nevertheless, license solemnization of marriages without reading of the banns (as any bishop might do within his own diocese),[32] or during Lent and other forbidden times. Further graces more often sought by laity than clergy and which he might concede released from religious

[29]In common with the 1298 ruling in n. 9, the bull chiefly defined apostasy as abandoning the habit (implying a return to the secular life).

[30]As stipulated by Innocent III's decretal 'Licet quibusdam' (1206); X 3.31.18.

[31]See n. 6, and also, on the next sentence, n. 3.

[32]See the ruling in n. 6, which required priests to read the banns in the couple's parish church on three Sundays preceding the marriage.

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obligations. He might 'commute' pious intentions in wills into some other pious duty (*alia pietatis opera*), and license consumption of eggs, butter, cheese and other dairy produce during Lent and other fasting periods when this was forbidden, even meat if the beneficiary's doctors advised it. Finally, Wolsey might concede graces designed to facilitate popular piety. These included licences for laity or clergy to appoint a personal confessor, secular or regular, which relaxed the obligation to confess to their parish priest. He might extraordinarily empower the confessor to commute vows to go on long-distance pilgrimages to Rome or Compostella (but not vows of perpetual chastity or for entering the religious life) and to absolve from observing oaths; this was important for it was usually reserved to the pope and oaths formed a major part of ecclesiastical jurisdiction. Violators of oaths as solemn promises before God were often sued for perjury in English church courts by Wolsey's time, even if their promises were of a worldly nature (most cases regarded non-payment of debts). The confessor might also grant absolution in all but reserved cases and a plenary indulgence at the point of death (*in mortis articulo*).[33] Wolsey himself might grant indulgences too, for ten years each and forty in total, as he saw fit. He might also license nobles, priests or graduates to have a portable altar, where masses and other divine offices might be celebrated for them and their households anywhere, even before day-break or in places interdicted by 'ordinary' authority, which canon law did not normally allow.[34]

This wide range of faculties was significant because it enabled Wolsey to confer many of the same graces which petitioners sought from the papal curia, notably the penitentiary, and thus potentially to rival Rome as a source of these favours for English and Welsh supplicants, as I have argued elsewhere.[35] Indeed, his powers to grant dispensations, absolutions, and licences were broadly comparable with those of the cardinal penitentiary, especially on marriage, and even exceeded them in some respects, notably concerning dispensations for uniting benefices and pluralism, which the chancery might issue but not the papal penitentiary. Admittedly, he might not issue the full range

[33]The Fourth Lateran Council (1215) had imposed an obligation on all adult Christians to confess their sins at least once a year at Easter to 'their own priest', generally understood to mean their parish priest (X 5.38.12). The subsequent popularity of friars as confessors encouraged growing demand for such papal licences from the mid 13th c.

[34]The interdict was a spiritual sanction suspending religious rites in certain places; it could be imposed by local ecclesiastical judges or 'ordinaries', notably bishops, and beneficiaries of these licences still had to observe it if they had occasioned it or it was imposed on them personally.

[35]Peter D. Clarke, 'Canterbury as the new Rome: Dispensations and Henry VIII's reformation', *Journal of Ecclesiastical History*, 64 (2013), 20–44, esp. 23–25.

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of graces in the penitentiary's gift, and the June bull expressly excluded some of them, particularly commutation of vows for the religious life and chastity.[36] Certainly the bulls of 1521 were still not enough to satisfy Wolsey: he continued to press for fuller legatine authority, doubtless conscious of the more extensive faculties other cardinals enjoyed.[37] Leo X's successor, Adrian VI, agreed in 1523 to confirm the five-year extension of Wolsey's legation (till 24 August 1524), but hesitated to renew it for life and refused any further faculties.[38] But Giulio de' Medici's election as Clement VII on Adrian's death in late 1523 raised Wolsey's hopes, for de' Medici had been cardinal protector of England and they had collaborated on allying England with the papacy and empire against France from 1522; in January 1524 Clement indeed confirmed his legation 'with all faculties' for life. Even this did not fully please Wolsey, who 'thought his bull of faculties somewhat restrained'. In particular he sought that his faculties to grant graces to familiars be extended to include non-familiars.[39] Although Clement VII issued further letters concerning Wolsey's legation, none are known to have added to his faculties of 1521.[40] Two of Wolsey's surviving letters of dispensation from the mid 1520s would claim to exercise new faculties granted by Clement, but no independent evidence supports this.[41] And Clement VII was reluctant to increase his powers, for he feared that they might deprive the curia of business and income from English or Welsh petitioners, a position that Wolsey's exploitation of his faculties would justify, as we will later see. Indeed, English agents reported that the curia opposed his demands in 1524 as it was 'in great misery' and 'totally impoverished' since its revenues from France and Germany had declined.

Wolsey's ambition for greater legatine power remained unabated, however, if the curious text in Appendix 1b is at all indicative. It takes the form of a *breve*, a kind of papal document that originated by 1389 'as an alternative to the traditional *bullae* of the chancery' and was

[36] On these and other graces issued by the penitentiary see *Supplications from England and Wales*, ed. Clarke and Zutshi, I. xxvi–xlvi.

[37] See the examples noted by Kelly, 'Canterbury jurisdiction', 169 n. 3. In 1519 Gigli had informed Wolsey that he pointed out to Leo X on Wolsey's behalf 'the ample legatine authority granted to Cardinal de Bussi' in France (*Letters and Papers*, III, no. 149).

[38] *Letters and Papers*, III, no. 2771 (letter of Thomas Hannibal, English ambassador in Rome, to Wolsey, 13 January 1523).

[39] *Letters and Papers*, IV, nos. 14, 15, 252 (letters to Wolsey, the first two dated 9 January and the third, 16 April 1524, from John Clerk, the first with two other English diplomats in Rome). Such faculties were doubtless those to dispense for plurality and unions of benefices noted above.

[40] e.g. his bull of 21 August 1524 edited by Rymer, *Foedera* . . ., VI. 9–10 (XIV. 18–20); on what follows see n. 39.

[41] Appendix 4. **31** and **56**, to be discussed below.

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drawn up by papal secretaries, who first appear under Benedict XII (1334–1342) and came to form new curial departments by the fifteenth century.[42] The text's format as a *breve* is signalled by its brief *intitulatio*, simply naming the pope as Clement VII, and by the address 'Dilecti filii'.[43] Though the addressee is omitted along with the greeting, it has long been supposed that Wolsey was the intended recipient.[44] First, the text occurs in a Cotton manuscript comprising a collection of letters and papers concerning Anglo-Papal relations in 1527. The text's date is omitted, but its references to the pope's captivity allude to the 'Sack of Rome' by imperial troops in May 1527, after which Clement VII and his cardinals remained captive in the Castel Sant'Angelo for months. Second, its addressee was apparently a legate whom the text appointed as papal vicar with unprecedented delegated authority during this crisis ('ut in inaudito casus eventu insolitam potestatem per delegacionem exerceas') and within the bounds of his legation ('infra terminos legationis tue'); in an English context Wolsey is the obvious candidate. But, several features of this text make its authenticity doubtful. It lacks the external appearance of a papal *breve*, being written not as a single-sheet parchment document sealed with the papal fisherman's ring but over six paper folios unsealed. It is probably not a copy of a *breve* either, even though its truncated address and dating clauses might suggest this, but appears more like a draft and a rather clumsy one at that. Passages of the text are crossed through, but this reads more like redrafting than correcting copyist's errors, notably on fol. 236r–v, where statements are deleted as redundant since they merely rephrase previous ones.[45] Its author was striving to imitate the curia's humanistic Latin and formulae but not always successfully, for example in the superfluous repetition of 'non obstantibus' at the end. Much more suspect than the text's style is its content, which purported to delegate power to concede all dispensations and other graces both within and beyond papal authority, even relaxing divine law, as if the pope could grant divine power outside his Petrine commission. This is all the more remarkable given that in 1527 Henry VIII began to seek

[42] K. A. Fink, 'Die ältesten Breven und Brevenregister', *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, 25 (1933–1934), 292–307; M. J. Haren, 'Papal secretariate and datary correspondence relating to Great Britain and Ireland in the fifteenth and early sixteenth centuries: Summary report of a survey in the Vatican Archives', *Analecta Hibernica*, 33 (1986), 1–14 (quotation on p. 3). I am indebted for advice here to Dr Patrick Zutshi and Professor Michael Haren, especially for the latter's detailed diplomatic and linguistic observations on this purported *breve*.

[43] Cf. G. Battelli, *Acta Pontificum*, fasc. III (Vatican City, 1965), nos. 28c and 28d.

[44] *Letters and Papers*, IV/2, no. 3401.2.

[45] Notably the passage '~~diuinas humanasve leges~~ remittendo, relaxando, limitando ~~aut moderando~~', though even here, as Prof. Haren has pointed out to me by email, the failure to omit 'remittendo, relaxando, limitando' upsets the syntax and sense.

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a divorce from Catherine of Aragon on the basis that their marriage and the papal dispensation permitting it contradicted divine law.[46] Presumably this text seeking unlimited dispensing power was drafted at Wolsey's request, with the aim of gaining papal approval for it, or a redrafted version, at the curia, and the drafter's imagination overcame his judgement. Certainly it is incredible that Clement VII issued such a commission, and there is no evidence that Wolsey received one or acted as if he had.

Even if we take this as proof of his continuing dissatisfaction with his dispensing powers, the evidence for Wolsey's use of them is, in fact, extensive; and what I have traced is collected in Appendices 2–4. This evidence comprises some of Wolsey's original letters of dispensation,[47] and copies of many others, all but one found in English episcopal registers.[48] The letters, over ninety altogether, date from between 12 August 1521 and 7 September 1529, which indicates that Wolsey began exercising his faculties soon after receiving them in the bulls of April and June 1521 and continued to do so until at least a month before his fall from grace in October 1529, which effectively ended his legatine activity. This body of evidence also suggests that he issued on average about a dozen such letters a year, but in fact it only represents the tip of the iceberg. A list survives, edited in Appendix 2, which records 110 graces that he issued in one year alone, between 10 July 1525 and 4 July 1526. And letters have been traced for only seven of these 110 graces,[49] which implies that the total number of his letters of dispensation was well over ten times higher than the ninety or so known to survive, that is over one thousand letters. The actual total was probably even higher than this, since the list of 1525–1526 appears to record only graces for which Wolsey had received payment. It is certainly incomplete since it omits as many as seventeen graces from the same year known from extant letters.[50] Likewise, another list, edited in Appendix 3, records some 174 graces which Wolsey issued in the three years to 23 October 1529, but this includes only those for which he was still owed payment

[46]See n. 3. Prof. Haren characterizes this as a 'dispensatory blank cheque' representing 'wishful thinking on the part of Wolsey or those close to him'.

[47]I have traced five, calendared in Appendix 4. **7**, **51**, **63**, **77**, **90**.

[48]These comprise the remaining calendar-entries in Appendix 4 not noted in n. 47, including **37**, which occurs in a diocesan visitation book (identified *pace* Houlbrooke, 185) rather than a bishop's register. Doubtless similar material can be found in other English visitation and church court records, but the sheer volume of these records and their distribution across many repositories made it impractical to gather such material systematically for this edition. All episcopal registers for England covering the 1520s were, however, searched for Wolsey's letters of dispensation; (no such registers survive for Carlisle, Durham or the four Welsh dioceses).

[49]Appendix 2. **9**, **14**, **18**, **20**, **35**, **61**, **88**.

[50]Appendix 4. **30**, **31**, **35**, **36**, **41–43**, **45–52**.

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at his fall.[51] Speculative as it is to extrapolate the full extent of his dispensing activity from such incomplete evidence, this activity was evidently substantial.

Its scale far exceeded, for example, the papal penitentiary's dealings with English and Welsh petitioners. Under Pope Alexander VI (1492–1503) the office approved about sixty petitions a year from England and Wales, according to its registers, but this figure had declined to only four in 1525–1526,[52] the same year when Wolsey approved at least 110 graces. Of these four two came from petitioners who were apparently visiting the curia, but it is less clear why the other two supplicants did not turn to Wolsey instead.[53] In any case most petitioners in England and Wales clearly found it more convenient to approach him rather than a distant curial office for favours that he and the penitentiary were equally competent to grant. It is harder to gauge the effect of Wolsey's activity on papal chancery business, since the calendar of entries for Great Britain and Ireland in its registers has not yet been published for the 1520s. However, English bishops' registers provide some indication, since papal dispensations were often copied there. When such registers record papal graces that the chancery issued during Wolsey's dispensing activity, these are largely favours which Wolsey was not competent to grant. Most authorized unions of benefices,[54] which Leo X had empowered him to grant only to certain beneficiaries. Moreover, episcopal registers generally contain many more graces issued by Wolsey than the chancery in this period;[55] clearly,

[51] Only four of these 174 graces have been identified, and only tentatively, with extant letters: Appendix 3. **132**, **144**, **153**, **166**. Some thirty-six other letters survive which Wolsey issued in the same period: Appendix 4. **55–64**, **66–82**, **84–90**, **92**, **93**.

[52] Rome, Penitenzieria Apostolica, Registra Matrimonialium et Diversorum, 74, fols 101r–v (Exeter dioc.), 224r–v (Bath and Wells dioc.), 244v (St David's dioc.), 246r–v (Bath and Wells dioc.). The register relates to the third year of Clement VII's pontificate; a second register should exist for this year, recording supplications for marital dispensations, but does not survive. Thus the number of supplications from England and Wales approved by the papal penitentiary was probably higher than four that year.

[53] The second and fourth petitions noted in n. 52 came from apostates who had doubtless fled their houses to the curia, since the penitentiary committed their absolution to bishops resident there. The first petition concerned a dispensation from *defectus natalium*, which Wolsey was competent to grant, but, as we will see, some suspected that his power to do so was restricted. The third regarded a runaway Benedictine who asked to be freed from the religious life and apostasy charges on the grounds that his profession was forced and under-age and thus invalid; it is unclear whether Wolsey made such grants under his faculty to absolve apostates.

[54] For example the three papal bulls for unions issued between 1522 and 1524 in *Reg. Veysey*, 1, fol. 26v; 2, fols 40v–41r, 49r–50r. Cf. *Reg. Blythe*, fols 11v–12r, 16v–17r, 114v: two bulls for unions and two others for plurality, where Wolsey's dispensing powers were similarly restricted; all four date from between 1522 and 1526.

[55] For example, *Reg. Blythe* contains twelve graces of Wolsey in contrast to the four contemporary bulls in n. 54.

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where Wolsey might issue the same graces as the chancery, English supplicants preferred to seek them from him. And such registers depict more starkly the effect of Wolsey's dispensing activity on English business at the papal penitentiary, even compared with the office's own registers. In fact, penitentiary letters virtually disappear from English bishops' registers, having appeared there in considerable numbers before his activity. Wolsey's own register as archbishop of York records numerous penitentiary letters sought by petitioners in his diocese from 1513 onward, but they stop dead early in 1521 and only copies of his own graces appear there from 1522 to 1528. The same pattern occurs in other episcopal registers, where penitentiary letters generally only reappear after Wolsey's fall forced English petitioners to turn back to Rome for most graces.[56] Nonetheless, Wolsey's dispensing activity during the 1520s rivalled that of Rome in Henry VIII's realm, and even eclipsed it in the case of the papal penitentiary. And this situation arguably became even more acute after the 'Sack of Rome' in May 1527 effectively paralysed papal government for months, if not years, after; the penitentiary, in particular, does not appear to have resumed normal activity until the early 1530s.[57] Indeed, Appendix 4 indicates the extent of Wolsey's activity in the aftermath of the 'Sack'. Even if Wolsey never obtained the unlimited dispensing powers which he appears to have coveted in these circumstances (see Appendix 1b), in effect he had replaced the curia as the source of dispensations in the English realm by the late 1520s, when chancery graces also all but vanish from English episcopal registers.

This development is all the more remarkable in that his dispensing activity penetrated into all twenty-one English and Welsh dioceses, despite the alleged clerical resistance to his legatine authority. At least one grace was obtained from him in each diocese, and many more in most dioceses.[58] Admittedly, the evidence is too patchy to give a complete picture, but the regional pattern that emerges is perhaps not altogether surprising. The larger dioceses understandably account for

[56]e.g. *Reg. Bothe ed.*, 93–94, 273–273: two penitentiary letters, one issued before Wolsey's activity, in March 1521, the other after, in 1533. *Reg. Veysey, 2*, fol. 12r–v, nevertheless records a penitentiary letter dated 7 August 1521 but it was probably requested before Wolsey's dispensing powers were generally known in England.

[57]See my 'Canterbury as the new Rome', 26–28.

[58]Entries in Appendices 2 and 4, but not Appendix 3, indicate the dioceses of his graces' beneficiaries, except for six entries in Appendix 2 which omit the beneficiaries' location. The entries for each diocese are indicated in the index, and the consolidated figures based on it are: Bangor (1); Bath and Wells (7); Canterbury (3); Carlisle (3); Chichester (1); Coventry and Lichfield (33); Durham (1); Ely (2); Exeter (9); Hereford (3); Lincoln (20); Llandaff (14); London (11); Norwich (11); Rochester (5); St Asaph (1); St David's (4); Salisbury (26); Winchester (12); Worcester (9); York (23). These figures count Wolsey's marriage dispensations twice where they concern partners from different dioceses, such as the five instances in Appendix 2.

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more of Wolsey's known graces than the smaller, notably the extensive Coventry and Lichfield, Lincoln and York dioceses compared with the tiny Ely and Rochester dioceses. Certain dioceses may be well represented because of their ecclesiastical wealth. Salisbury and Winchester dioceses were noted not for their size but their rich benefices; many of Wolsey's numerous graces for beneficiaries in these dioceses were indeed dispensations for plurality.[59] The number of graces in bishops' registers also partly depends on varied diocesan registration practices. The York archiepiscopal chancery had a long tradition of enregistering many of the papal graces obtained by petitioners in its diocese.[60] The large number of Wolsey's graces in his York register probably owes more to this, and the diocese's size, than the fact that he was the diocesan; he only spent significant time in York diocese after his fall, when his dispensing activity effectively ceased. By contrast, contemporary registers for Canterbury and Chichester record no graces secured from any source by petitioners in these dioceses. The small number of Wolsey's graces for Canterbury diocese might also reflect the fact that its archbishop held his own dispensing faculties as *legatus natus*, but even the exercise of these went unrecorded in Archbishop Warham's register (1503–1532). Nevertheless, Wolsey's activity does not appear to have been limited by others with papal faculties elsewhere; other episcopal registers record graces issued by papal agents before and after Wolsey's dispensing activity but virtually none during it:[61] further proof of how he dominated English trade in dispensations in the 1520s.

It remains to be seen how Wolsey exercised his dispensing powers: what kinds of graces did he grant, and how far were these within the limits of his known powers? The question matters not least because historians disagree on how he used his legatine authority generally. Pollard spoke of the 'ruthless vigour with which he used his legatine powers',[62] but Kelly and Gwyn have instead portrayed Wolsey as careful not to overstep the bounds of his legatine authority. In order to test the validity of such interpretations in relation to Wolsey and

[59] e.g. Appendix 4. **2**, **3**, **7**, **15**, **18**, **34**, **51**, **56**, **58**, **62**, **65**, **84**, **86**.

[60] P. D. Clarke, 'Central authority and local powers: the apostolic penitentiary and the English Church in the fifteenth century', *Historical Research*, 84 (2011), 416–442, at p. 419.

[61] e.g. *Reg. Fisher*, fol. 160r–v (cameral collector, 9 March 1530); *Reg. Veysey, 2*, fol. 9r–v (nuncio, 25 May 1521); *Reg. Nykke, 4*, fols 117r–v, 120v–121v (both of cameral collector, 27 November 1529 and 6 July 1530).

[62] Pollard, *Wolsey*, 215. Cf. Kelly, 'Canterbury jurisdiction', 201: 'The cardinal may have felt hamstrung by the undoubted limitations to his faculties – all the more so since he interpreted his powers conservatively and took no large moves without papal or episcopal acquiescence'; also Gwyn, *The King's Cardinal*, 338: 'It is important to grasp just how cautious and circumscribed was Wolsey's approach to the exercise of his legatine powers.'

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dispensations, we need to compare his dispensing activity with his faculties. In practice he granted a wide range of graces, both to clerical and lay beneficiaries, even if we do not have evidence for his use of each of his faculties. One of his major categories of business was marriage, hardly surprising given that roughly half the supplications approved by the penitentiary concerned marriage by Leo X's pontificate (1513–1521).[63] Indeed about half of Wolsey's graces from 1525–1526 listed in Appendix 2, that is 53 out of 110, regard marriage. Only eight graces relating to marriage feature among his letters of dispensation in Appendix 4, but his graces for clergy are generally better represented in episcopal registers than those for laity. None of Wolsey's graces from 1526–1529 listed in Appendix 3 are said to concern marriage, but the nature of most of these graces was unspecified, and it recorded 31 graces (out of 174, i.e. over a sixth of this total) issued to pairs of men and women, which most likely regarded marriage.[64] Most of his matrimonial graces in Appendices 2 and 4 were dispensations for the third and fourth degrees of consanguinity and, less often, affinity in various permutations (including the third and fourth degrees combined); several others dispensed from *cognatio spiritualis*; and a few were licences for solemnization without banns.[65] Almost all had been requested before marriage; only two were retrospective, but the couples in question claimed that they had been unaware of the impediment concerned and hence the need for a dispensation prior to marrying.[66] All of these graces, even these two, broadly fell within the terms of Wolsey's bull of June 1521. But two other graces did not, for both dispensed from the second degree of affinity.[67] One of them is known as a letter, and its preamble describes Wolsey's faculty to issue marriage dispensations as granted by Leo X and confirmed by

[63]This is evident from the office's system of registration, which changed under Leo from one annual register to two, one of which was devoted exclusively to marriage.

[64]Appendix 3. **15**, **16**, **18**, **20**, **22–24**, **34**, **36**, **37**, **41**, **46**, **49**, **63**, **65**, **66**, **71**, **84**, **89**, **90**, **98**, **100**, **112**, **114**, **120**, **147–150**, **154**, **157**.

[65]Fourth degree of consanguinity: Appendix 2. **6**, **10–12**, **17**, **41**, **43**, **51**, **53**, **73**, **74**, **78**, **81**, **95**, **99**, **100**, **108**. Third degree of consanguinity: Appendix 2. **52**; Appendix 4. **16**, **92**. Third and fourth degrees of consanguinity: Appendix 2. **7**, **33**, **39**, **76**, **94**, **106**, **109**; Appendix 4. **81**. Fourth degree of affinity: Appendix 2. **34**, **58**, **70**, **75**, **79**, **102**, **107**. Third degree of affinity: Appendix 2. **63**, **64**. Third and fourth degrees of affinity: Appendix 2. **3**, **48**, **77**; Appendix 4. **14**. Other, more complex permutations: Appendix 2. **13**, **25**; Appendix 4. **8**, **49**. *Cognatio spiritualis*: Appendix 2. **8**, **45**, **46**, **50**, **55**, **80**, **97**, **101**, **105** (unusually arising from confirmation); Appendix 4. **92**. Solemnization without banns: Appendix 2. **21**, **44**, **71**. The bull also authorized him to grant dispensations for public honesty, but none issued by Wolsey are known.

[66]Appendix 2. **3**, **72**.

[67]Appendix 2. **47** (combined with the fourth degree); Appendix 4. **53** (combined with the third).

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Clement VII, but even this does not mention the second degree and conforms to the terms of the bull.[68] Dispensations from the second degree were rare, and even the cardinal penitentiary often sought express papal approval for such grants since they apparently did not lie within his ordinary faculties.[69] Perhaps Wolsey had done likewise in these instances, but it is odd that his letter does not say so, as the penitentiary's letters normally do, especially given the disjunction between the faculty which it describes and its grant exceeding that.

Another major part of Wolsey's dispensing activity regarded *defectus aetatis*, which displays similar anomalies. Thirty-three such graces are known.[70] Twenty-five of them concern under-age ordination in most cases specifically to the priesthood but in a few others also to deacon's or even all holy orders.[71] Of this twenty-five, seven allowed such ordination at 24, seventeen at 23 and one at 22, the lowest age at which clergy might be dispensed by Wolsey to enter the priesthood, according to the bull, but provided that they were religious, which in this instance the ordinand was not.[72] Some of these dispensations made further concessions in relation to ordination, including promotion to two orders on the same day, *extra tempora statuta a iure*, or by any Catholic bishop, all of which also lay within the bull's terms.[73] In addition, two of Wolsey's dispensations for under-age ordination along with his eight other graces concerning *defectus aetatis* permitted tenure of a benefice with cure of souls. Half of these allowed this at ages ranging from 19 to 24, all above the youngest age of 18 at which Wolsey might

[68] Appendix 4. **53**; cf. **8**, **14**, **16**, **49**. The latter letters in describing this faculty also distinguished that Wolsey might dispense marriages retrospectively whether couples had prior knowledge of the impediment or not; this distinction is not made explicit in the bull, but implied.

[69] *Supplications from England and Wales*, ed. Clarke and Zutshi, I. xxviii.

[70] Appendix 2. **1**, **5**, **9** (= Appendix 4. **29**), **14** (= Appendix 4. **32**), **15**, **18** (= Appendix 4. **33**), **19**, **20**, **28**, **57**, **62**, **82**, **98**, **104**; Appendix 4. **12**, **21**, **25**, **27**, **30**, **31**, **35**, **42**, **47**, **61**, **64**, **66**, **68**, **71**, **72**, **75**, **82**, **88**, **89**.

[71] Deacon's and priest's orders: Appendix 4. **72**, **82**, **88** (understandably all three beneficiaries were subdeacons). All orders: Appendix 2. **104**.

[72] Priesthood at 24: Appendix 2. **19**, **20** (with benefice), **57**, **62**, **98**; Appendix 4. **71**. Priesthood at 23: Appendix 2. **1**, **9** (= Appendix 4. **29**), **14** (= Appendix 4. **32**), **15**, **18** (= Appendix 4. **33**), **28**, **82**, **104**; Appendix 4. **30**, **35** (with benefice at 20), **41**, **60**, **63**, **65**, **67**, **81**, **88**. Priesthood at 22: Appendix 4. **25**. He might dispense seculars to become priests only at 23.

[73] Two orders on the same day: Appendix 4. **42**, **66**, **68**. *Extra tempora statuta a iure*: Appendix 2. **62**; Appendix 4. **66**, **68**, **72**. Any bishop: Appendix 2. **82**; Appendix 4. **25**, **29** (= Appendix 2. **9**), **30**, **32** (= Appendix 2. **14**), **33** (= Appendix 2. **18**), **42**, **61**, **64**, **72**, **82**, **88**, **89**. In the case of the latter concession, about half of the beneficiaries are known to have taken advantage of it by receiving ordination outside of their home diocese (Appendix 4. **25**, **29**, **30**, **32**, **33**, **61**).

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dispense for this according to the bull.[74] The other half, however, allowed such benefice-holding below this age-limit, at 17 and even 16.[75] An incomplete letter of Wolsey, which must have granted a similar grace and probably in late 1525 (Appendix 4. **31**), includes a preamble claiming that Wolsey held a faculty from Clement VII to dispense men from the age of fifteen to obtain an incompatible benefice. This would have justified Wolsey's graces for benefice-holding below the age-limit set by Leo X in 1521, and they date from mid February 1525 onwards (i.e. from Clement VII's pontificate), but none of them invoke this faculty. Hence, it cannot be verified on the available evidence, and, as we will later see, more than one English petitioner doubted by Clement VII's time whether Wolsey possessed all the dispensing powers he asserted.

He also interpreted his dispensing powers broadly and likewise claimed that Clement VII had extended them in another key area: pluralism and unions of benefices. The bull of April 1521 authorized him to grant graces in these matters as part of his dispensations from 'irregularity'; but in practice he does not appear to have done so. Nonetheless, the bull of June 1521 further permitted him to dispense graduates, noblemen, and his familiars in these matters. He certainly used this faculty extensively; forty of his dispensations for plurality are known, and eighteen for unions of benefices. It is less clear that he restricted these favours in accordance with the faculty's terms. Of the forty recipients of his dispensations for plurality, sixteen are known to have been graduates, but it is unclear whether any of the other twenty-four were his familiars or noblemen, though it seems doubtful that all of them were.[76] Admittedly, it has not proved possible to identify these recipients fully, particularly those listed in Appendix 3 because of the minimal information which this provides about them, but graduates listed in Appendices 2 and 4 are generally specified as such in the sources edited there, which implies that others not so specified were not graduates. Wolsey did at least limit himself to dispensing for a plurality of two incompatible benefices in all but

[74]Appendix 2. **20** (at 24); Appendix 4. **12** (at 19), **30** (at 24), **35** (at 20), **75** (at 23). Two of these also dispensed the benefice-holders for seven years from the obligation to seek ordination as priests, provided that they became subdeacons within two years; which the bull had also authorized (Appendix 4. **12**, **75**).

[75]Appendix 2. **5** (at 16); Appendix 4. **21** (at 17), **27** (at 16), **47** (at 16), **71** (at 17). Four of the ten dispensations for under-age benefice-holding also comprised licences for non-residence (Appendix 4. **21**, **47**, **71**, **75**), to which we will return later.

[76]Graduates: Appendix 2. **49**, **54**, **88** (= Appendix 4. **44**); Appendix 4. **4**, **7**, **10**, **11**, **15**, **39**, **45**, **48**, **51**, **55**, **60**, **65**, **83**. Others of uncertain 'status': Appendix 2. **2**, **4**, **83**, **83**, **96**; Appendix 3. **3**, **5**, **6**, **8**, **10**, **11**, **167**, **169**; Appendix 4. **2**, **3**, **6**, **17**, **18**, **57**, **59**, **67**, **76**, **77**, **86**, **87**. For 'trialty' discussed below: Appendix 2. **54**; Appendix 4. **83**.

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two cases, which regarded three benefices, a 'trialty'; the bull of June 1521 actually permitted him to dispense for up to four. In the case of unions, eleven of the eighteen beneficiaries are known to have been graduates, and one of these was also a familiar of Wolsey's.[77] Their graduate status is again specified in most cases, doubtless because it mattered under the bull of June 1521. Those of uncertain status are mainly listed in Appendix 3, admittedly, but two of Wolsey's letters for unions implied that recipients of such graces were less restricted than the June bull stated in any case. The first letter was issued in April 1523 allegedly by virtue of a faculty granted by Leo X and confirmed by Adrian VI for uniting benefices, without specifying its restrictions. The second from November 1526 instead referred to a faculty of Clement VII to unite benefices for anyone in Wolsey's legation, even non-familiars provided that they were noblemen or graduates.[78] Certainly Wolsey had supplicated Clement in 1524 to extend his faculties for familiars to non-familiars; if Clement overcame the curia's reluctance to concede this, it seems on this evidence that Wolsey obtained nothing more than confirmation of Leo's original faculty in terms designed to make it sound wider than it really was. However, in practice Wolsey seems to have dispensed non-familiars not covered by the confirmed faculty. He also licensed non-residence in many of his dispensations for plurality, which Leo X's bulls did not explicitly authorize either.[79] Chancery bulls dispensing plurality routinely included a clause permitting non-residence, and Wolsey's dispensations may simply have followed this practice. But a few of them expressly omitted the clause, and Wolsey also issued some licences for non-residence separate from any dispensation.[80] Moreover, Wolsey permitted non-residence for the canonical reasons of university study or residence in another benefice held in plurality, in common with chancery bulls, but in a few cases he also allowed it for the worldly purpose of serving the King, Queen, or high nobility.[81] This seems contrary to canonical prohibitions against clerical involvement in

[77]Graduates: Appendix 2. **29**, **56**, **68**, **86**(?); Appendix 3. **166** (? = Appendix 4. **83**), **170**, **171**; Appendix 4. **13** (also Wolsey's familiar), **50**, **56**, **70**. Others of uncertain status: Appendix 2. **87**, **90**; Appendix 3. **2**, **4**, **7**, **9**, **173**.

[78]Appendix 4. **13**, **56**. Ironically both letters were addressed to graduates, one of them also Wolsey's familiar.

[79]Appendix 2. **83**, **86**, **96**; Appendix 4. **3**, **6**, **7**, **10**, **11**, **15**, **17**, **18**, **39**, **44**, **45**, **48**, **51**, **55**, **57**, **59**, **60**, **67**, **76**, **77**, **83**, **86**, **87**.

[80]*Absque clausa non residendi*: Appendix 2. **2**, **4**. Separate licences: Appendix 2. **22**, **27**, **35** (= Appendix 4. **37**), **37**, **84**, **85**, **103**; Appendix 4. **4**, **43**, **58** (for 2 benefices), **62** (with absolution for breaking oath of residence), **69**.

[81]Appendix 4. **37**, **39**, **45**, **51**. Canonical reasons: Appendix 4. **3**, **4**, **6**, **7**, **15**, **17**, **18**, **21**, **44**, **47**, **48**, **55**, **57**, **59**, **60**, **63**, **71**, **76**, **83**, **84**, **86**, **87**.

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secular affairs, but bishops had long disregarded these in England by entering royal service, as Wolsey himself demonstrated.[82]

Wolsey also seems to have interpreted his powers creatively in granting other kinds of graces. For example, the bull of June 1521 allowed him to license ordination *extra tempora statuta a iure*, by any Catholic bishop or to two orders on one day within his dispensations for *defectus aetatis*, but he also issued such graces, often in combination with one another, separate from these dispensations.[83] Indeed, he rarely appears to have granted these graces in the context of such dispensations.[84] Ironically, he attached them to at least three dispensations for *defectus natalium*, which Leo's bulls did not specifically allow either.[85] Indeed a recipient of one such dispensation later petitioned the chancery, since 'some' doubted whether Wolsey's faculties might authorize the ordination of illegitimate men *extra tempora statuta a iure* (Appendix 4. **40**); the petitioner obtained papal confirmation by January 1525 that he might still enjoy the benefits of his dispensation despite these doubts. Even Wolsey's own letters do not suggest that Clement VII had extended his faculty for dispensing from *defectus natalium*. One of his dispensations for this from mid 1525 simply states that Clement VII had confirmed Leo X's faculty to dispense men of illegitimate birth to receive all holy orders and two incompatible benefices, which defined more precisely but did not significantly add to Leo's concession in his bull of April 1521.[86] Though Wolsey clearly pushed his faculties to the limits and beyond on occasion, his dispensations for *defectus natalium* are remarkably few, especially compared with those for *defectus aetatis*; (and both had been major categories of Anglo-Welsh business at the papal penitentiary).[87] Maybe English and Welsh clergy perceived Wolsey's faculties in this area as restricted in more ways than one.

The only other graces that he conceded in significant numbers were capacities, and even here he exceeded the terms of his faculties. The bull of June 1521 authorized Wolsey to dispense non-mendicant male religious to hold a secular benefice. But Wolsey issued at least

[82] See, for instance, M. Gibbs and J. Lang, *Bishops and Reform, 1215–1272, with Special Reference to the Lateran Council of 1215* (Oxford, 1934; repr. 1962), 164–167.

[83] *Extra tempora statuta a iure*: Appendix 2. **31**, **32**, **42**, **60**, **91**. With ordination by any bishop: Appendix 4. **24**, **36**, **54**, **79**. With promotion to two orders on one day: Appendix 2. **26**, **92**, **93**. All three combined: Appendix 4. **38** (= Appendix 2. **61**), **46**, **74**, **80**, **91**. Two orders on one day: Appendix 2. **30**.

[84] Appendix 4. **66**, **68**, **72**.

[85] Appendix 4. **40**, **84**, **90**.

[86] Appendix 4. **28**.

[87] Appendix 2. **24**; Appendix 4. **28**, **40**, **41**, **84**, **90**. Cf. *Supplications from England and Wales*, ed. Clarke and Zutshi, I. xlii–xlv.

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five such dispensations to mendicants out of twenty-one which he is known to have granted.[88] The only other religious who apparently obtained more of these from Wolsey were regular canons. No doubt, the long-standing involvement of both the friars and regular canons in lay pastoral care made them especially predisposed to entering the parochial ministry. Wolsey dispensed some of them to go even further, however, by being non-resident from their benefice, wearing their habit under secular priest's dress, or even both, which again Leo X's bulls had not explicitly authorized.[89] He doubtless interpreted his power to issue such graces widely since he saw it as part of his mandate to reform regular clergy. Indeed he granted at least three capacities, and a licence to transfer to another order, to religious from houses which he suppressed in the mid 1520s.[90] Whether reform motivated Wolsey's pursuit and exercise of dispensing powers more generally will be discussed later.

As for his other graces, these were few and miscellaneous. Most were only loosely related to his faculties granted by Leo X, if at all. They included licences for religious bodies to collect alms and sell indulgences,[91] which might be associated with his faculties to license preaching and grant indulgences. Wolsey also dispensed from *defectus corporis* at least once (Appendix 4. **78**), which the April bull's faculty to dispense from all 'irregularities' might have covered. He used his faculty to license consumption of forbidden foods during fasting periods but in a way that the June bull did not intend, not for specific individuals but everyone resident in his legation.[92] Wolsey, moreover, licensed at least one priest to celebrate mass twice on Sundays (Appendix 2. **40**), which none of his known faculties authorized. Nevertheless, evidence has not been traced for Wolsey's use of several of his faculties, notably those to license personal confessors and portable altars, absolve apostates, and commute intentions in wills.

[88]Friars: Appendix 4. **52** (OCarm), **63** (OESA), **73** (OFM), **85** (OFM Observant), **93** (OFM). Regular canons: Appendix 2. **16** (OSA), **23** (OSA), **36**, **59** (OSA); Appendix 4. **1** (OSA), **19** (OSA), **20** (OSA), **26** (OPrem). Monks: Appendix 2. **69** (OSB), **110** (Cluniac); Appendix 3. **161** (OCist). Unspecified religious: Appendix 3. **12**, **28**, **30**, **31**, **32**.

[89]Habit under priest's garb: Appendix 2. **16**, **36**; Appendix 4. **19**, **20**, **52**. He also granted this favour outside of capacities: Appendix 4. **22** (OSB), **26** (OPrem). Non-residence: Appendix 4. **19**, **20**, **26**, **52**, **63**.

[90]Appendix 4. **19**, **20**, **22**, **23** (transfer). The June bull indeed authorized him to license transfers.

[91]Appendix 2. **65**, **66**; Appendix 3. **60** (cf. *ibid.* **163**).

[92]Appendix 4. **5**. The faculty described in this letter indeed specifies 'certain persons' as the intended recipients; the papal penitentiary normally granted such licences to individuals: *Supplications from England and Wales*, ed. Clarke and Zutshi, I. xxxvi. The June bull also authorized Wolsey to permit meat-eating in such licences only on medical advice, a qualification this letter ignores.

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But it does not mean that Wolsey never employed such faculties. More likely it reflects the nature of the evidence. The tenor of most of Wolsey's graces recorded in Appendix 3 is unspecified, while episcopal registers, the main source for Appendix 4, traditionally recorded only certain kinds of papal graces, principally marriage dispensations and dispensations regarding ordination or benefices.[93] The recipients of these graces doubtless had them copied into episcopal registers, in the case of married couples to prevent local church courts dissolving their unions because of the impediments requiring dispensation, and in the case of clergy to secure ordination and admission to benefices from local bishops. These beneficiaries probably had to pay for such copies, particularly because they were often made by notaries in Salisbury and other dioceses in order to guarantee their legal authenticity.[94] Doubtless to avoid such costs some clergy did not have dispensations from Wolsey copied but simply presented them on seeking ordination, hence these graces are only known from references to them in ordination lists.[95] This may be one reason why other graces of Wolsey's, notably many of those listed in Appendix 2, do not appear in bishops' registers. Another explanation is that Wolsey's graces do not seem to have required 'execution' by bishops. This was a procedure associated with letters of dispensation issued by the curia: these letters were issued in response to petitions, and petitioners receiving these had to present them to a commissary; the letters summarized their petition and required him to verify its claims; if he found these to be true, the letters authorized him to 'execute', or put into effect, the grace requested, but not otherwise.[96] The commissary, to whom the letters were addressed, was usually the petitioners' bishop or his vicar; hence such letters were often copied into bishops' registers, normally with the record of their execution, but no such record has been found alongside Wolsey's letters in episcopal registers. Not all papal graces required execution, admittedly, notably licences for personal confessors, but many of Wolsey's would have done if the curia had issued them. Nonetheless, his graces did not wholly escape official scrutiny. Some were shown at visitations, notably in 1537 when royal confirmation had to be sought for them lest they

[93]Clarke, 'Central authority and local powers'.

[94]Notarized copies: Appendix 4. **20**, **24**, **27**, **30**, **42**, **43**, **46**, **57–60**, **62**, **64**, **66**, **69**, **71**, **73**, **80**, **82–6**, **89**, **92**. The notaries who signed these copies were: P. Wyverne (**83**); Gregory Stonyng (**59**, **66**, **71**, **92**); Thomas Candell (all other copies above except **73**). Stonyng was a notary public by August 1517 and had studied civil law at Oxford (*BRUO, 1501–1540*, 543).

[95]Appendix 4. **25**, **32**, **33**. Likewise on admission to benefices: *ibid.* **50**.

[96]See Clarke, 'Central authority and local powers', esp. 430–431 regarding a case where the bishop refused to execute the grace since he found the petitioners' claims incorrect.

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were deemed void as papal graces following the break with Rome.[97] One dispensation issued by Wolsey on 1 June 1527 was even subjected to judicial inquiry in the same month.[98] Richard Pescod exhibited it before Winchester Consistory Court to justify his retention of a fellowship at Winchester College and rectory at Shaw (Berks.) in plurality, but the judge objected to the dispensation's implication that his fellowship was a compatible benefice when, as Pescod confessed, it required continual residence, and thus ordered Pescod to explain why he should not incur the canonical penalty on this account. No final judgement on the dispensation's validity was recorded, but Pescod had clearly erred by failing to ask for the right sort of dispensation, that is one specifying his benefice as incompatible and including a non-residence clause as Wolsey had given to others.[99] Gwyn goes too far in attributing failure here to Wolsey's legatine administration rather than Pescod,[100] but if the former had required execution of its graces, doubtless such errors would have been more systematically detected.

Little is known about Wolsey's legatine administration, but the documents edited below refer to the personnel concerned with his dispensations. The first known scribe to engross Wolsey's letters of dispensation was 'R. Toneys' (or 'Toneys'); between May 1522 and June 1526 his signature appears under the plica of two original letters on the right and his name is recorded below nine others in bishops' registers. He also kept a register of Wolsey's graces; this does not seem to have survived, but the list of 1525–1526 in Appendix 2 refers to it and was doubtless based on it.[101] He was probably Robert Toneys, a Cambridge graduate in civil law who held canonries at Salisbury and Crediton while in Wolsey's service.[102] Two other names regularly appear at the foot of Wolsey's dispensations from November 1526 (by which time Toneys had apparently died). One was a William 'Claiburgh' (or 'Claiburn'), who signed under the plica on the right in letters down to December 1528 as Wolsey's 'datarius', a title borrowed from the papal curia, which originally designated

[97]Appendix 4. **7**, **51**, **62** and **76** were exhibited for this purpose, at least one of them to royal visitors (**62**); cf. my 'Canterbury as the new Rome', 40. Appendix 4. **37** was presented at an episcopal visitation.

[98]Appendix 4. **65**. Hampshire Record Office (Winchester), 21M65/C1/3 (Winchester Consistory Court, Office Act Book, 1526–1528, 1529), fols 63v, 68v, 69v, 73v.

[99]e.g. Appendix 4. **3**; etc. On similar failings by penitentiary petitioners, see Clarke, 'Central authority and local powers', 421–422, 430.

[100]Gwyn, *The King's Cardinal*, 285. See also Houlbroke, 185–186.

[101]Appendix 2. **110**: 'cuius nomen remanet in registro magistri Toneys'. For letters signed by him, see under 'Robert Toneys' in the index.

[102]*BRUC*, 591. Toneys was also Wolsey's registrar of the joint-prerogative court (Gwyn, *The King's Cardinal*, 279, 301).

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the official who dated and sealed chancery documents.[103] His duties were doubtless similar and apparently included collecting taxes for Wolsey's graces.[104] He was doubtless William Claybrook or Clayburgh, another Cambridge graduate who was a doctor of canon and civil law by 1522–1523 and held various benefices from 1519, including the Worcester archdeaconry from 1531 until his death in 1534.[105] By May 1529, Edmund Bonner, DCL of Oxford, had replaced him as Wolsey's 'datarius', at least down to July and probably till the latter's fall in October; Bonner was also Wolsey's chaplain by 1529 till the cardinal's arrest in November 1530.[106] The other name that regularly appeared beside the datary's (and sometimes on its own) was John Hughes, who signed under the plica on the left in letters until mid 1529 as Wolsey's 'actuarius et registrarius'.[107] He succeeded Toneys not only as registrar of Wolsey's graces but probably also their scribe. Moreover, as his title 'actuarius' implies, Hughes kept accounts of taxes charged for Wolsey's dispensations, even before Toneys's death, as early as May 1525, and until Wolsey's fall.[108] After this event, his financial records as 'former receiver' (*receptor*) of income from Wolsey's 'faculties' served as the basis for the list edited in Appendix 3. He is presumably the John Hughes who was an Oxford graduate in both laws by 1514 and DCL by 1528.[109] Indeed all those involved in administering Wolsey's graces had relevant legal expertise, which is clearly why Wolsey engaged them. It also seems that they formed part of his household and travelled around with him, as Wolsey's graces are normally dated at his residence near Westminster but occasionally at others.[110]

The growing division of labour that this prosopography illustrates was doubtless necessitated by increasing demand for Wolsey's graces and the income which these generated. Some idea of the volume of business can be gained from the sources in Appendices 2 and 3, which were compiled primarily as financial records. The list in Appendix 2 recorded an income totalling £209 13s 4d from the 110 graces issued by Wolsey in the year following July 1525. Another account for a

[103]Only one original thus signed by him survives (Appendix 4. **77**), but his name is consistently recorded on the right below copies in bishops' registers (listed under 'William Claiburgh' in the index). He was also an official of Wolsey's legatine court of audience (Gwyn, *The King's Cardinal*, 282).

[104]Appendix 3. **161–64**, **172–74**.

[105]Venn, i. 350; Appendix 3 styles him 'Doctor'.

[106]Appendix 4. 88, 89, 91; his name similarly appears on the right below these letters. *BRUO, 1501–1540*, 57–58.

[107]On three originals: Appendix 4. **63**, **77**, **90**. His name normally appears on the left below copies (listed under 'M. John Hughes' in the index).

[108]*Letters and Papers*, IV, no. 4592.

[109]*BRUO*, II. 925.

[110]Hampton Court: Appendix 4. **35–7**. The More: *ibid.* **93**.

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longer, unspecified period circa 1525 refers to £334 received by John Hughes for Wolsey's dispensations.[111] By 23 October 1529 the arrears alone, recorded in Appendix 3, for Wolsey's graces granted in the previous three years amounted to £822 7s 5¼d. It is hardly surprising then that Clement VII complained of his curia's falling income from dispensations when resisting Wolsey's demands for greater faculties in 1525. It is, nevertheless, remarkable that Wolsey deprived it of business despite charging more for graces than its own offices. As I have noted elsewhere,[112] a comparison between the list of Wolsey's graces from 1525–1526 and a contemporary tax-list of the papal penitentiary shows that his fees were usually higher. Wolsey's charges for some graces may even have increased in the late 1520s; for example a licence for uniting benefices cost £4 in his list of 1525–1526, but between £5 and £15 in the list compiled in late 1529.[113] Despite such fees, English and Welsh petitioners still found it more convenient to approach Wolsey than the curia: its distance made the process of petitioning lengthier and arguably dearer given the hidden costs involved in engaging proctors and other intermediaries to relay requests to Rome.[114] The 'Sack' made the curia even less accessible in the late 1520s, leaving little choice but to petition Wolsey. However, whether his administration deliberately profiteered in raising its fees for some graces at this time is hard to judge.

This leaves the question of Wolsey's motives and intentions in seeking and using dispensing powers. One interpretation is that Wolsey exercised his legatine powers for the sake of 'self-aggrandizement'.[115] This is chiefly Pollard's view. It belongs to a 'Protestant' historiography which perceived the pre-Reformation church as corrupt; and, for Pollard, Wolsey epitomized this corruption. Revisionist scholarship has challenged this opinion of both the late medieval church and Wolsey as its nadir. Nevertheless, Wolsey always

[111] *Letters and Papers*, IV, no. 4592.

[112] 'Canterbury as the new Rome', 28–29.

[113] Appendix 2. **29**, **87**; Appendix 3. **2** (£5 5s 4d), **4** (£9), **7** (£8 10s), **9** (£13 6s 8d), **169** (£5), **170** (£15), **173** (£9). But comparison of fees in each list shows no similar inflation for capacities and dispensations for plurality: the former cost between £5 and £6 in Appendix 2, and between £3 15s 8d and £6 19s in Appendix 3; the latter, between £6 and £8 6s 8d in Appendix 2, and between £4 13s 4d and £6 15s 8d in Appendix 3 (though this might seem a price decrease, the average fee was around £6 in both lists). Fees for similar graces clearly varied even in the same list, and did so according to each grant's specific nature: dispensations for plurality cost more if they included a non-residence clause (Appendix 2. **49**(?), **83**, **88**) or concerned a 'trialty' (*ibid.* **54**; Appendix 3. **8**).

[114] P. D. Clarke, 'Petitioning the pope: English supplicants and Rome in the fifteenth century', in *The Fifteenth Century*XI*: Concerns and Preoccupations*, ed. L. Clark (Woodbridge, 2012), 41–60, esp. 48–49; 'Canterbury as the new Rome', 29–31.

[115] Houlbrooke, 10. See n. 28 on what follows.

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yearned for greater legatine authority than the papacy was prepared to concede, and the alleged *breve* in Appendix 1 hints at the scope of his ambition; there is little doubt that he strove to rival other contemporary cardinals in this regard. But, it is unlikely that the aim of Wolsey's dispensing activity was to dominate the English Church; its bishops had few if any dispensing powers, so dispensations had to be sought outside their jurisdiction in any case. And if Wolsey exceeded his dispensing powers on occasion, this was most likely in reaction to popular demand, since Wolsey, like the curia, conceded graces largely in response to petitions. Indeed popular anticipation of his legatine powers and their benefits existed as early as 1516.[116] Wolsey possibly lobbied for faculties to meet this popular expectation. It cannot be denied that he profited financially from granting dispensations, charging even higher fees for them than Rome itself, but he was nowhere near as dependent on them for income as the curia was, and the fees were partly necessary to cover the administrative costs of issuing such graces.[117] And he had, of course, claimed that his aim in seeking legatine powers was not monetary gain but church reform. His reforming intent is best illustrated by his dispensations for religious (and his dealings with religious houses more generally).[118] In particular, he used such graces in conjunction with his suppression of houses, notably by issuing capacities to the last two priors of Poughley and a transfer to the last prior of Daventry in 1525, both of which priories Wolsey dissolved in order to convert their assets for the use of Cardinal College at Oxford. This redirection of ecclesiastical resources to a new religious purpose can be interpreted as reform. And his activity would set a precedent for the dissolution of all monasteries over ten years later. Not coincidentally, Thomas Cromwell who oversaw it was a former protégé of Wolsey, and his suppression of religious houses was also combined with the granting of capacities to their former brethren.[119] The latter were issued by the Faculty Office, which Henry VIII had established in 1534 to replace the curia as a source of graces within his

[116] John Dodington's letter of 28 June 1516 to Sir Robert Plumpton in *The Plumpton Letters and Papers*, ed. J. Kirby, Camden Society, 5th series, 8 (1996), no. 215: 'yt is sayd of certayne þat they comes a lyget [i.e. legate] from Rome to my lord Cartdenall' & shall bring to my lord Cardenall the paypis with <full> authryty & power of all maner of things <in> the reame of England'.

[117] *Letters and Papers*, IV, no. 4592, refers to John Hughes's payments to Robert Toneys, the scribe engrossing Wolsey's graces, out of the revenues these generated.

[118] Gwyn, *The King's Cardinal*, 316–337; Brown, 'Wolsey and the ecclesiastical order'. See Appendix 4. **19**, **20**, and **22**–**3** on what follows.

[119] G. A. J. Hodgett, 'The unpensioned ex-religious in Tudor England', *Journal of Ecclesiastical History*, 13 (1962), 195–202; D. S. Chambers, *Faculty Office Registers, 1534–1549* (Oxford, 1966), xlii–lviii.

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realm, and it was arguably here that Wolsey's dispensing activity led the way most of all for religious change.

First, Wolsey's legatine administration probably bequeathed the new office's name. The list of arrears compiled in late 1529 (Appendix 3) misleadingly referred to most of his graces as 'faculties' (properly speaking his powers to grant them rather than the graces themselves) and thus called their financial administration 'officium receptionis facultatum'. Wolsey's 'Faculty Office' effectively closed on his fall, and this list is part of a dossier of inventories recording his assets seized by the Crown. Doubtless, the list impressed on royal government how great the demand for and income from dispensations were, and influenced Henry VIII's decision to allow them to continue through a new 'Faculty Office' and to share in its revenue.[120] At least one former employee of Wolsey's 'Faculty Office', John Hughes, appears to have joined the new office, and his past experience potentially influenced it; (another, Edmund Bonner, also became a fellow traveller with the Henrician Reformation, rising to the episcopate by 1538). Above all, Wolsey's 'Faculty Office' had established a model for a local, national source of dispensations, preparing the way for a remarkable continuity within a reformed church and a radical change, as contact with Rome as a 'well of grace' became redundant.

A Note on Editorial Method

Appendices 1a, 1b, 2, and 3 comprise documents printed in full, while further documents are calendared in Appendix 4. The transcription of the (Latin) texts printed in full preserves the spelling and capitalization of the manuscripts, while the punctuation is editorial. Line breaks in these texts are indicated thus /, except in Appendix 1a as this contains a copy of an original text, while the texts in Appendices 1b, 2, and 3 are all original documents. Editorial comments (in italics) on these texts, foliation and words or letters supplied by the editor appear in square brackets; uncertain extensions of abbreviations in these texts appear in curved brackets, while [] refers to blank spaces where text has been left out and [. . .] where text has been lost.Words added on the writing line in these texts appear between these symbols \ /; words added in the margin appear between these \\ //. The numbering (in square brackets and bold) of the multiple entries in the texts in Appendices 2 and 3 is editorial. The calendared documents are also numbered (in square brackets and bold), and the English

[120]Chambers, *Faculty Office*, lxii; see *ibid.* xviii, xvii on what follows.

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summary of these Latin texts seeks not only to convey their content but also to follow their formulaic wording as closely as possible. In these calendared documents Latin Christian names are given in their English equivalents, Latin forms of Welsh patronymics in their standard Welsh forms, and place names in their modern forms; surnames are given as they appear in the manuscripts, and any other original wording including place names appears in round brackets and italics. After the summary, the dating clause of the document is given with the date in the modern calendar form, followed by any annotations or endorsements to the document and its dimensions (if an original document, as opposed to a copy). Calendared documents end with their archival source (in italics) and, where applicable, folio numbers.

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