The Impediments to This Reconciliation, and How They Were Resolved

Thus it was that England’s return to the union of the Church was accomplished. It was regarded as a singular grace and gift of God that it had been done with such ease, putting an end to a matter so serious and so full of innumerable and thorny difficulties. For their part, the legate and the king’s other loyal servants used all their wisdom to manage these and by gentleness and kindness remove all the impediments that arose—not few nor insignificant—in the reconciliation. For when King Henry despoiled and seized the realm’s monasteries and appropriated their property for himself, many had been sold, or traded, or bestowed upon knights and powerful persons, who had thus augmented their estates and titles. With the reconciliation, these men feared losing the goods they unjustly possessed, that the pontiff would refuse to grant absolution until these were restored to the churches to which they belonged. This troubled them deeply, since besides losing such fat estates, acquired so cheaply and so easily, it was all already mixed and confused with secular properties, so completely absorbed that they could hardly be distinguished or separated. For this reason, those with such holdings (who were numerous and very influential) dreaded and opposed the reunion and reconciliation of the kingdom with the Apostolic See. Their fear grew at seeing the queen’s liberality and devotion in relinquishing all the income the royal treasury had collected from the tithes,

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1 Sander, *De origine ac progressu*, 348–51.
2 A Venetian agent in London reported on January 20, 1555, “On the Legate’s arrival the King, before stipulating the union, went in person to Pole, and told him in short that it was impossible to effect the return to the obedience, unless the holders of this Church property were allowed to retain its actual possession. To this, after much discussion, the Legate at length said that should the Pope have to condescend to some indulgence for the removal of the impediments to so holy and necessary a work, this would be done after the completion of the return to the obedience, and that then this indulgence might be used, ‘ob duritiam cordis illorum,’ but that with regard to that part of the Church property which was in the hands of their Majesties, they could not in honour allege these reasons; to which the King replied that they would occupy themselves with the conclusion of the union, and that as to the property held by the crown he believed their intention was not to retain any part of it, unless it was deemed that they could do so with a clear conscience, and that they would always refer themselves to the Pope and his Legate, and thus the matter rested.” *CSPV*, 6:14.
first fruits, and other church properties by the command of Kings Henry and Edward into the hands of the legate, for him to dispose of as he saw fit; as well as her concern and eagerness to restore (at the very least) some portion of the property of those ancient and illustrious monasteries, to the glory of God and the honor of the kingdom.  

In parliament, the legate was urgently petitioned to produce a public written instrument that, in the name and with the authority of the supreme pontiff, would absolve and free of the canonical penalties and ecclesiastical censures all those who since the beginning of the schism had held and possessed, or now held and possessed, any monastic property or goods whatsoever, and so it was done. Nevertheless, the legate did not refrain from warning such illegitimate possessors to reflect, keep before their eyes the dire penalties God our Lord inflicts upon those who sacrilegiously put their hands upon the goods of the Church (examples of which abound in Holy Writ and ecclesiastical histories), and look to their consciences, even if the Church did not make use of the rigor of the sacred canons or of its rights. This satisfied the unruly and malcontent. In the same document, the legate issued a dispensation for all those who had married within prohibited degrees—for these were innumerable and could not be separated without grave scandal and severe disruption—to continue in matrimony and to have legitimate children.

3 See the provisions in 1 and 2 Phil. and Mar. c. 8 relating to confiscated church property: SR, 4:1251.

4 The Venetian report of January 20 noted, “The kingdom having subsequently freely resumed its obedience, as known, promising to abrogate all the laws enacted at the time of the schism against the Pope and the See Apostolic, and whilst occupied with this repeal the Parliament having presented a petition to the King and Queen for that, amongst the other things, they should intercede for the renunciation of the Church property; and the bishops in like manner petitioning apart to the same effect, for the sake of the common weal, although contrary to their own private interest; the Legate having first of all endeavoured by several ways to recover as much as he could for the churches; at length, being unable to do otherwise, in order not to impede the completion of so important a work, and for the public welfare and quiet of England, condescended in such a way to the retention of this property that everybody might very easily perceive that his dispensation was a mere permission ob duritiam cordis illorum, as in this dispensation he never would consent to add the clause ‘quod absque aliquo conscientiae scrupulo possent hujusmodi bona relinere,’ although he was several times urged strongly to insert it; and this he did to leave in their minds a goad which in the course of time might move them to make some fitting and due acknowledgment, as some of them have done already.” CSPV, 6:14.

5 Pole’s diligent pastoral care is on full display in the examining of and granting of dispensations for technically invalid marriages; these were not issued in a blanket statement, but rather in more than three hundred individual legatine decisions. Pogson, “Reginald Pole,” 13–14.