

# Sir Edward Carne of Ewenni, c.1496-1561

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The Tudor Welshman, Sir Edward Carne (c.1496-1561), gained a wide reputation as an outstanding diplomat and lawyer. Chosen by Cardinal Wolsey to enter the service of King Henry VIII, he was sent to Rome as *excusator* in the process of annulment of the king's marriage to Queen Catherine of Aragon. After the Rota had refused to annul Henry's marriage, Carne returned to Glamorgan, and continued his career as a civil servant. He was appointed justice of the peace, master of requests and was made a member of the Council in the Marches of Wales. His next main appointment was as English envoy to the Holy See during the reign of Mary I. Carne was entrusted with the difficult task of restoring diplomatic relations between England and Rome. He remained in Rome until his death in 1561. His attachment to Wales and his staunch Catholic faith are evident in the burial memorial erected to his memory in a church in Rome by two Welsh friends.

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Edward Carne gained a wide reputation as a brilliant diplomat and lawyer. According to George Owen of Henllys, the famous antiquarian of the period, Carne, having 'greatly increased in learning and civility', belonged to that group of 'learned men and good members in the commonwealth of England and Wales.'<sup>1</sup> He was also accounted the last ambassador of the kings of England to the Pope until the arrival of Roger Palmer, Earl of Castlemaine, sent there by James II in 1687. A legislator and a staunch Catholic until his death, Sir Edward Carne also brought wealth and prestige to his family, which became one of the richest in Glamorgan, the Carnes of Ewenni outranking the senior branch of the Carnes of Nash.

The second son of Hywell Carne of Nash and Sibyl, daughter of William Kemys of Newport, Edward Carne was born at Nash, south

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<sup>1</sup> George Owen of Henllys, *The description of Pembrokeshire*, by George Owen of Henllys, *Lord of Keme*; edited, with notes and an appendix, by Henry Owen, 4 vols (London: Honourable Society of Cymmrodorion 1892-1936), 3: 56.

of Cowbridge, in the south-west of Glamorgan in 1495/96.<sup>2</sup> His surname *Carn* or *Carne* (sometimes *Karne* or *Kerne*) is probably derived from a place name in Monmouthshire, Pen-y-Carn or Pen-y-Garn (head or top of the cairn), where ‘Carn’ is likely to be from cairn, meaning a high spot.<sup>3</sup> His father, Hywell Carne of Nash, was a scion of a well-known family of Glamorgan landowners. The family motto was ‘Fyngo baithsydd Nuw’, ‘My hope is in God.’<sup>4</sup>

Educated at Oxford University, Edward Carne graduated B.C.L. in 1519 and D.C.L. in August 1524 and was subsequently admitted to Doctors’ Commons in London on 13 November 1525.<sup>5</sup> Both Richard Gwent, who graduated Doctor of Civil Law in April 1525, and William Benet, also D.C.L., moved to London to Cardinal Wolsey’s service. Stephen Gardiner too was drawn into Cardinal Wolsey’s orbit, becoming his secretary and Edward Bonner, who received his D.C.L. at Oxford in July 1526, became his chaplain.<sup>6</sup>

Although a cleric, Edward Carne never proceeded to major orders. At Oxford he was principal at Greek Hall from 1521 to 1525. We do not know whether it was at Doctors’ Commons or in Oxford that Carne knew the friends who would introduce him to Cardinal Thomas Wolsey, a man always in search of brilliant men to enter his service. According to Glanmor Williams, Richard Gwent or Edmund Bonner introduced Edward Carne to the cardinal.<sup>7</sup> Cleary’s opinion, on the contrary, was that it was thanks to Thomas Cromwell, Wolsey’s agent for the new Cardinal College in Oxford, which was funded by Wolsey.<sup>8</sup>

### *The papal annulment of Henry VIII’s marriage*

From about 1527 to 1533, English politics was dominated by Henry’s determination to divorce his first wife, Catherine of Aragon, the aunt of the Emperor Charles V, in order to marry Anne Boleyn, a maid of

<sup>2</sup> George Thomas Clark, *Limbus Patrum Morganiae et Glamorganiae* (London: Wynam & Sons, 1886), 376.

<sup>3</sup> Thomas John Morgan and P. Morgan, *Welsh Surnames*, (Cardiff: University of Wales Press, 1985), 67-8.

<sup>4</sup> Glanmor William, ‘Oxford, London, Ewenni, Rome: a Tudor Welshman’s Odyssey’, in Thomas Mowbary Charles-Edwards and Robert John Weston Evans, eds. *Wales and the Wider World: Welsh History in an International Context* (Donington: Shaun Tyas, 2010), 87.

<sup>5</sup> Alfred Brotherston Emden, *A Biographical Register of the University of Oxford A.D. 1501 to A.D. 1540* (Oxford: Clarendon Press, 1974), 103; George Drewry Squibb, *Doctors’ Commons: A History of the College of Advocates and Doctors of Law* (Oxford: Clarendon Press, 1977); William Philip Griffith, *Learning, Law and Religion: Higher Education and Welsh Society c. 1540- 1640* (Cardiff: University of Wales Press, 1996), xiv–xvi. Alongside Carne, Oxford produced other Welsh scholars, such as Leonard Cox, Roger Edgeworth, and Richard Gwent, who proceeded doctor of civil law in April 1525; see Glanmor Williams, ‘Gwent, Richard (d.1543)’, *Oxford Dictionary of National Biography* (hereafter *ODNB*), 61 vols (Oxford: Oxford University Press, 2004), 24: 341.

<sup>6</sup> Kenneth Carleton, ‘Bonner, Edmund (d.1569)’, *ODNB*, 6: 552.

<sup>7</sup> Williams, ‘Oxford, London, Ewenni, Rome: a Tudor Welshman’s Odyssey’, 88-9.

<sup>8</sup> J. M. Cleary, ‘Edward Carne: A Welsh Diplomat of the Sixteenth Century’, *The Illtydian*, 19, 3 (1947): 188.

honour to the queen. As a first step, Henry and his advisers supported the thesis of the inadequacy of the papal bull, issued by Pope Julius II on 26 November 1503, which had allowed the marriage between Henry and Catherine, the widow of Prince Arthur, Henry's elder brother. The second thesis against the validity of this marriage, the so-called Levitical prohibition, was in contrast with the Deuteronomy prescription, therefore Henry and his advisers had to reconcile Leviticus and Deuteronomy.<sup>9</sup>

In addition to the theological issues, politics ruined Henry's plans to obtain an easy divorce. In 1526 Clement VII joined the League of Cognac, which gathered France, Venice, Milan and Florence against Charles V. Henry VIII and Wolsey decided to remain neutral.<sup>10</sup> The League was easily defeated by the troops of the emperor, who marched on Italy, sacking Florence and Rome, among several cities. The sack of Rome in May 1527 hindered Henry's plans, because Clement VII became hostage of the emperor. Since imperial supremacy in Italy then influenced papal policy, Henry and his advisors decided to begin diplomatic negotiations with the Pope.

The legatine court, chaired in England by the papal legate, Lorenzo Campeggio, tried to come to an agreement between Henry and Catherine (1528-9). Its failure convinced the Pope that the case should be discussed in Rome.<sup>11</sup> In spite of all the attempts made so far, if Henry wanted to obtain the annulment, he was required to appear at the papal court in Rome, where his case would be decided. Unwilling to leave the realm and go '*ad loca tan remota*' (to a place as far away as Rome), Henry had consequently to choose an *excusator*, a royal envoy who would explain to the Roman Rota, the apostolic court of audience, why the King could not appear in person.<sup>12</sup> It was a hard task, since the *excusator* not only had to explain the serious motives preventing the King from appearing before the Rota in his own person, but also had to avoid his being declared contumacious, stubbornly or wilfully disobedient to authority.

Edward Carne's name was mentioned as a possible *excusator* for the first time in the summer of 1529, and he was chosen for his exceptional

<sup>9</sup> *The Interlinear NIV Hebrew-English Old Testament*, John R. Kohlenberger III ed. (Grand Rapids, Mich: Zondervan, 1987), *Leviticus*, 20:21, 331. The modern translation is: 'If a man marries his brother's wife, it is an act of impurity; he has dishonoured his brother. They will die childless.' *Ibid*, *Deuteronomy* (25:6), 554. 'When brethren dwell together, and one of them dieth without children, the wife of the deceased shall not marry to another; but his brother shall take her and raise up seed for his brother'.

<sup>10</sup> John Alexander Guy, *Tudor England* (Oxford: Oxford University Press, 1988), 109.

<sup>11</sup> Henry Ansgar Kelly, *The Matrimonial Trials of Henry VIII* (Eugene: Wipf and Stock Publishers, 2004), 88; J. J. Scarisbrick, *Henry VIII* (London: Yale University Press, 2<sup>nd</sup> edn, 1997), 224-7.

<sup>12</sup> British Library, London, Cotton Vitellius B/XIII f. 176, Benet and Carne to King Henry VIII, 23 March 1532; *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII*, 21 vols, ed. J. S. Brewer, J. Gardiner & R. H. Brodie (London, 1862-1910) (hereafter *L&PFD*), 5 (3), no. 892.

preparation in canon law.<sup>13</sup> Early in 1530 Carne was sent as legal adviser of Sir Thomas Boleyn, Earl of Wiltshire, Anne's father, alongside Thomas Cranmer, William Benet, Edmund Bonner and Richard Gwent in a mission to Bologna. There the Emperor Charles V had just been crowned Holy Roman Emperor by the Pope in front of San Petronio Church.<sup>14</sup> They tried to convince the Emperor to support Henry's cause, but their attempt was unsuccessful. The Emperor refused to discuss the divorce, and when the pontiff finally agreed to give the envoys an audience, they reached no appreciable agreement.

When Carne, Benet and Cranmer finally arrived in Rome, the English embassy was near St Peter's. We know that during his second mission in Rome, Carne lived in Trastevere, but upon his first arrival, he and the others were probably lodged in the English embassy.<sup>15</sup> The embassy, Palazzo Castellesi (now Giraud-Torlonia), was a jewel of architectural perfection. Conceived by Donato Bramante for the Cardinal Adriano da Castello (c.1461-1521), Palazzo Castellesi was then given by him to the English kings as a residence for their ambassadors.<sup>16</sup>

It is likely that they contacted Gregorio Casali (1496-1536), who rendered service to the English king, and Girolamo Ghinucci, bishop of Worcester and Auditor of the Papal Chamber, one of Henry VIII's most faithful and determined advocates for the King's Great Matter. Not only was Ghinucci Henry's reference and Cardinal Wolsey's agent in Rome, but he also played a part, alongside Adriano da Castello and others, in the so called 'Italian Renaissance' in England.<sup>17</sup>

Ghinucci, who was at the time the English representative in Spain, had been dispatched alongside Casali and Cardinal Uberto Gambaro to Rome by Wolsey in the summer of 1527. They had to provide Wolsey with a commission of Vice-Regency, given by Clement VII, still shocked by the sack, so that the divorce could easily be settled in England.<sup>18</sup> Unlike other countries, England neither had an established party in the Sacred College nor kept permanent residents. They preferred to rely on Italians, like Ghinucci, who as a reward for his services, obtained the bishopric of Worcester in England, and Gregorio Casali.<sup>19</sup> Being also Auditor of the Papal Chamber,

<sup>13</sup> *L&PFD*, 4 (3), nos. 5866-7.

<sup>14</sup> J. J. Scarisbrick, *Henry VIII*, 258-9.

<sup>15</sup> Kew, The National Archives, State Papers (hereafter TNA, SP) 69/19, f. 68, Sir Edward Carne to Queen Mary, 17 April 1557; W. B. Turnbull ed, *Calendar of State Papers Foreign Series Mary, 1553-1558* (hereafter *CSPF Mary*) (London: Kraus, 1967), 295.

<sup>16</sup> Arnaldo Bruschi, 'Edifici Privati di Bramante a Roma. Palazzo Castellesi e Palazzo Caprini,' *Palladio Rivista di Storia dell' Architettura e Restauro*, n. 4, luglio-dicembre (1989), 5-44.

<sup>17</sup> Michele Di Sivo, 'Ghinucci, Girolamo', *Dizionario Biografico degli Italiani*, 77 vols (Roma: Istituto della Enciclopedia Italiana, 1999-2012), 53: 777.

<sup>18</sup> Scarisbrick, *Henry VIII*, 202-3.

<sup>19</sup> *Ibid.*, 206.

Ghinucci had a part in all the legal manoeuvres to obtain the annulment, and therefore became a valuable mentor for Carne.<sup>20</sup> In one of his reports, Carne showed all his appreciation towards Ghinucci, calling him 'My Lorde of Worcester.'<sup>21</sup>

The assignments given by the king to Carne and Benet were extremely difficult, considering the circumstances of the papal court, under the influence of the Imperialists, and the ambiguity of Clement VII. A similar situation had been experienced only a few years earlier by the famous poet Sir Thomas Wyatt, who had accompanied Sir John Russell, 1<sup>st</sup> Earl of Bedford, Henry VIII's special ambassador to Italy in 1527. Although Henry and Wolsey had refused to join the League of Cognac, Russell and Wyatt were instructed to assure Clement VII, who declared himself to be 'bound' to Henry as 'ever Pope was to any Prince,' that the king remained a true *defensor fidei* and guarantor of the League.<sup>22</sup> Soon after Wyatt and Russell arrived in Italy, their mission turned into a nightmare, as they witnessed the fatal divisions between the Pope and the Emperor, which eventually ended with the sack of Rome. Henry and Wolsey's instructions had been unclear from the beginning, therefore Wyatt and Russell returned to England, after overcoming many hardships and hindrances, without a positive outcome for the king.<sup>23</sup> The mission to Italy marked Thomas Wyatt's life, as Carne's would mark his. After only a few years the theatre of conflict between Henry VIII and Charles V, who was a strong supporter of his aunt Catherine's rights, was still Rome and the papal court was headed by a weakened and frightened Pope.

Despite the missions of Ghinucci, Wyatt and Russell, and the permanent residency in Rome of Gregorio Casali, the lack of an English resident ambassador made the arrival of Edward Carne as *excusator* even more meaningful. Henry VIII had also given him the mandate as *proctor*, a professional who had status and staff to handle big business and, above all, the power to speak in the king's name at the papal court, but Carne was allowed to use the mandate only in exceptional circumstances.

In his role of *excusator* – from the Latin verb *excuso* meaning 'to excuse' – Carne had to convince the Pope that Henry was prevented from coming by a 'necessary, probable, temporary impediment', the impediment being the safety of the realm. Therefore the English *excusator* was instructed to insist on the fact that the case had to be heard in England and nowhere else.<sup>24</sup> Henry's tactic was clear: Carne,

<sup>20</sup> Kelly, *The Matrimonial Trials of Henry VIII*, 159.

<sup>21</sup> TNA, SP 1/68, f. 86; Carne to Benet, 17 December 1531, *L&PFD*, 5, 586.

<sup>22</sup> Susan Bridgen, *Thomas Wyatt: The Heart's Forest* (London: Faber and Faber), 105–6.

<sup>23</sup> *Ibid.*, 120–1.

<sup>24</sup> Scarisbrick, *Henry VIII*, 282.

Benet, Bonner, Benet's successor, and Cranmer had to delay the proceedings by whatever means, for the king was still assembling the opinions of learned scholars, professors and theologians. In a letter of 6 December 1530, addressed to Carne and Benet, Henry VIII stressed the importance of exercising a jurisdiction independent of the Pope: 'and where as by your letters written to our Secretary, ye Dr Kerne signifie unto Us that the lerned men, conducte on our consail there, have concluded that *locus not tutus*, so as in their opinion it shalbe a good perfite and substanciall delaye for processe there.'<sup>25</sup> Carne had known William Benet and Edmund Bonner since his university years and the mission to Rome was the second time that they had been entrusted to solve the King's Great Matter. They did achieve results, considering that the king did not always know what he wanted nor what he might be able to achieve. Moreover, as in Wyatt and Russell's mission, they had to face all sort of machinations, counterblows and dangers at the papal court.

### *The trial at the Papal Court*

Carne and Benet's first task was immense. They had to go through all the registers of all the Popes in the Vatican Library and search for bulls stating the validity of the *Privilegium Angliae*, which allowed England to enjoy legal autonomy, according to the king's words: 'ne extra Angliam litigare cogantur.' Furthermore, they were ordered to find out 'after what sort the Popes used Emperors in causes of matrimony and chiefly in the realm of England.'<sup>26</sup> The librarian, fearing some machinations of the English, did not allow them to copy anything and soon afterwards he announced that the registers had been lost during the sack of Rome.<sup>27</sup>

Having lost the chance to find a thesis issued by papal records stating the king's right to divorce Catherine, Henry turned to the most famous universities in Europe to gather the support he needed to win the case. Before Carne's arrival in Rome, Henry and his courtiers were already marshalling favourable opinions stating the invalidity of the marriage. On 13 July 1530 a letter to the Pope, pleading Henry's cause was presented by the most eminent men of England: the nobility of the realm together with bishops and abbots, Cardinal Wolsey, William Warham, Archbishop of Canterbury, the Dukes of Norfolk and the Earls of Northumberland, Shrewsbury, Essex and Worcester and many others. The letter underlined that the king could count on favourable statements on the invalidity of his marriage from famous

<sup>25</sup> TNA, SP 1/58 f. 87, King Henry VIII to Benet and Carne, 6 December [1530], *L&PFD* 4 (3), 3056.

<sup>26</sup> Scarisbrick, *Henry VIII*, 260-1.

<sup>27</sup> *Ibid.*, 260-1.

professors and legal experts of Oxford and Cambridge universities, as well as those of Paris, Orléans, Bourges and Antwerp.<sup>28</sup>

After this last attempt to strengthen Henry's position in the Pope's eyes, the case could eventually begin in early June 1530.<sup>29</sup> Carne and Benet had been instructed that they should 'avoide that they procede not there against Us, as contimaces; and in case of extremyte to use yourself soo, and soo to facion your allegacions, as by our owne acte We be not bounde further thenne We entende, in the knowleaging of the Popes lawe and iurisdiccion.'<sup>30</sup> In other words, in case of doubt, the king did not want to be deemed contumacious. The Imperialists responded that, as the respondent (the King) was contumacious, the appeal should be heard without him. Furthermore, being unable to use the mandate as *proctor*, Carne could not be admitted to the Rota's meetings. This was a convenient legal expedient: if the *excusator* was not present, the appeal could not be heard.

In his search for supportive statements to his case, Henry decided to consult the most important professors of the Italian universities. His envoys, John Stokesley, accredited as ambassador to the Emperor in 1530 (he would be appointed bishop of London in the same year), Richard Croke, Gregorio Casali and Henry's cousin, Reginald Pole, were sent to canvass for university opinions throughout the country.<sup>31</sup> Only a few years later, after having been so engaged in solving Henry's case, Pole would become one of the strongest opponents of the new religious settlement. Indeed, the break with Rome would deeply shatter Pole, who responded by publishing *De Unitate* (June 1536), a strong attack on Henry's divorce, leading to an irreparable breach between the King and his cousin.<sup>32</sup> We may assume that Carne and Pole, who would later both play a central role during Queen Mary I's reign, met for the first time in Italy, when trying to convince theologians and professors to write favourable judgements for Henry's case.<sup>33</sup> Many universities supported the king but, as the professors were paid just a few crowns a piece by Henry

<sup>28</sup> Vatican City, Archivum Secretum Vaticanum (hereafter ASV), A. A., Arm. I-XVIII, 498 r., Letter of the English Lords to Pope Clement VII. A copy of the letter is kept at the TNA, SP, E 30/1012a, *L&PFD*, 4, 6513. 'Nam quam tadem infelicitas, ut quod due academie nostre [Oxford and Cambridge], quod academia Parisiensis, quod multe alie academie in Gallia, quod passim doctissimi, eruditissimi et integerrimi viri, domi forisque, verum affirmant ac pro vero defendere, tam verbis quam calamo, se paratos ostendunt.'

<sup>29</sup> Scarisbrick, *Henry VIII*, 260.

<sup>30</sup> TNA, SP 1/58, f. 87, King Henry VIII to Benet and Carne, 6 December [1530], *L&PFD*, 4 (3), 3056.

<sup>31</sup> Catherine Fletcher, *Our Man in Rome* (London: Bodley Head, 2012), 149.

<sup>32</sup> Thomas Frederick Meyer, 'A Diet for Henry VIII: The Failure of Reginald Pole's 1537 Legation', *Journal of British Studies*, 26 (1987), 305.

<sup>33</sup> Scarisbrick, *Henry VIII*, 255.

while receiving rich benefices from the Pope, it was evident that the universities were prepared to support the Pope not only for political but for financial reasons. In spite of these hindrances, many universities sent tracts in favour of the king, in open contrast to the Pope's will. The scholars of the University of Orléans stated that: 'these forsaid mariages can not be attempted nor enterprised except a man do wronge and playne contrary to the lawe of god: yea and that all though it be done by the pardon and sufferance of the Pope'.<sup>34</sup> Also, the experts of the universities of Paris, Bourges, Padua and Bologna stated that not even the Pope had the power to give the dispensation for a marriage between a man and the widow of his departed brother.<sup>35</sup>

The cost of the professors' consultations was one of Edward Carne's pressing problems. In his letter to Benet of 17 December 1531, he asked for money to pay them:

We stayd for to send for the famows y best lerned men that be yn all Italy. [...] In as myche as you know thys thing requiryth great expensis, and more than a pore man ys able to susteyn [...] My Lorde of Worcester [Girolamo Ghinucci] hath send to Seyns for Deciouws [he refers to the University of Siena] office, to get money to offer to them, and conduct them, yf hyt be possyble, hither. Mayster Gregory [Casali] hath send to Bonony [Bologna] for Parisio, and to Padua for Corte and Sozino, and to Plesans [Piacenza] for Burla.<sup>36</sup>

Carne and the others would have summoned to Rome the most important professors of different Italian universities. 'The so lerned men of diverse partes of Italy, considering the justness of the maters wer contentyd to cum [come],' Carne stated in one of his reports. However they were prevented from doing so, both by the Emperor and by the other Governments loyal to the Pope:

They that be of the Universite of Padua dorst not cum, for the Dominion of Venice, at the instance of the Imperiales, hade chargyd them not to intromyt them yn Your Hyghnes great cause [...] and that Parisius of Bonomy sayd that he dorste not cum, for th Emperor hade wryten to hym two letters, and also hys Ambassadors had often tymes written to hym, that he shuld not be ageynst the Quens Grace.<sup>37</sup>

Despite the efforts of Carne, Benet and the other English envoys, the Pope seemed to be unimpressed by the arguments of the scholars, for he found that they stated only their opinions, not supported by the canons or the Holy Scriptures. Furthermore, Queen Catherine's lawyers brought the judgements of many learned men, who had

<sup>34</sup> *The Divorce Tracts of Henry VIII*, eds Edward Surtz and Virginia Murphy (Angers: Moreana, 1988), 6-7. The original text reads: 'Definimus praedictas nuptias citra divinae legis iniuriam, attentari non posse, etiam si summi Ponteficis accedat indulgentia, vel permissus.'

<sup>35</sup> *The Divorce Tracts of Henry VIII*, 12-25.

<sup>36</sup> TNA, SP 1/68, f. 86, Carne to Benet, 17 December 1531, *L&PFD*, 5, 586.

<sup>37</sup> TNA, SP 1/69, f. 55, Carne to King Henry VIII, 20 January 1532, *L&PFD*, 5, no. 731.



studied not only Latin but Hebrew sources.<sup>38</sup> Unable to convince the Pope on the basis of the scholars' statements and not having been admitted to the Rota, Carne found another way to delay the proceedings. In November 1531 he demanded and obtained a concession that the case should be publicly tried in a Consistory by experts called by both sides. Carne, an expert in canon law, had achieved his goal, for the Cardinals composing the Consistory were not canonists and could also be influenced and even bribed to give a favourable verdict. Nevertheless, the Rota was adamant and, in February 1532, decided that Carne should not be admitted, unless formally mandated by the king.<sup>39</sup>

### *The end of Carne's mission*

Henry VIII found that the refusal to admit Carne and to surrender the case to England was 'the great dishonor that ever might be imagined or compassed towards the dishonour and liberties of princes.'<sup>40</sup> Finally, in January 1532, one of the most important consistories in the English matrimonial case began:

(On) the 8(th) day of January 1532 the Consistory took place [...], when the ambassador of the Emperor, together with master Juan Aloisio, Advocate of the Queen of England, appeared and petitioned that after many peremptory Adjournments, (he) has set in front of his Holiness the end taken by the pleader of the King of England, towards the discussions made public, continuously, until the first court day after the feast of the Holy Epiphany, whereby (he) should approach, the opponents of his right cleaving asunder [divorce]. The pleas entered, he [Carne] should avoid by stratagem in order to impend the case (by) the campaign.<sup>41</sup>

This meant that both the Imperial ambassador and Queen Catherine's lawyer, after so many delays, wanted to fix a date to hear Carne as *excusator*. For three years Edward Carne had been struggling against all the obstacles that both the Pope and the Imperialists had placed in the way of obtaining a sentence of annulment from the Rota. The exclusion of the *excusator* from the meetings of the Rota, the delays of the Consistories, the refusal to consider the universities' judgements in favour of the king, the evident influence of the Imperialists on the Pope

<sup>38</sup> Kelly, *The Matrimonial Trials of Henry VIII*, 143-4.

<sup>39</sup> George W. Bernard, *The King's Reformation: Henry VIII and the Remaking of the English Church* (London: Yale University Press, 2005), 52.

<sup>40</sup> Scarisbrick, *Henry VIII*, 316.

<sup>41</sup> ASV, Arch. Concist., Acta Vicecanc. 4, ff. 80 v. The original Latin text reads: 'Die VIII Januarij MD XXX II fuit Consistorium [...] comparuit orator Cesaris [the ambassador of the emperor Charles V, Cardinal Juan Antonio Muxetola] una cum D. Johannes Aloisio Advocato Regine Anglie et petivit ut postquam Sanctitas Sua post plures dilaciones peremptorium terminum prefixerat, presente Regis Anglie excusator ad disputationes publicas faciendas ad primum diem iuridicum post Sanctissimum Epiphanie festum, qui cum instaret et Adversarij de suo iure diffici petitiones petitas subterfugerata deffectum impediendi causae expeditionem.'

were all signs announcing a sentence in favour of the queen. The King, lamenting the ‘malice’ of his adversaries, instructed Carne to: ‘crye unto the Pope and the Courte for justice to be ministred unto Us [...] And therefore, first of all youe shall sollicite and labour, by all meanes to youe possible, that yo, Master Karne, may be there admitted as our lawfull Excusatour.’<sup>42</sup> Eventually, on 16 February 1532, as Henry VIII wished, Carne was finally admitted as *excusator*, in order to discuss twenty-five conclusions concerning the impediments that prevented Henry VIII from leaving England and from reaching such a dangerous place as Rome. This was perhaps the best example of Carne’s delaying tactics.<sup>43</sup>

On Friday 25 February 1532, there was a Consistory dealing with the case of the marriage between the king and queen of England. During the proceedings the hearers of the Rota, other prelates, and men of letters were introduced, as well the lawyer of the queen, the ambassador of England and the excusator [Carne] and his lawyers. When they were not in agreement on a point of discussion, Carne proposed twenty-five conclusions to be discussed separately.<sup>44</sup> He insisted that the twenty-five conclusions should be discussed *singulariter*, and, as the Pope had promised him, that he also could have the faculty to choose which conclusion to be disputed at each meeting.<sup>45</sup> By delaying the final decision, Henry had more time to prepare his counterattack. Carne and Benet knew well how to keep wheels turning without going anywhere. On the other hand, the Imperialists, trying to speed up the proceedings, wanted the conclusions to be discussed at one session. After much disagreement between the Spanish party and Carne, Clement VII decided that they should be discussed three at a time.

From February to May 1532, when the final decision was made, Carne was so skilful in drawing out proceedings that most, if not all of the cardinals, were losing patience with the lack of progress: as one cardinal reported: ‘all the Consistory crieth out.’<sup>46</sup> Carne displayed his ability as a lawyer to explain the conclusions, and, the case being very intricate, the cardinals, after many months of debate, could tolerate no more delays. Carne’s behaviour roused the criticism of many cardinals. For example, Cardinal Osma complained against an Englishman who called himself an *excusator* and who claimed to

<sup>42</sup> TNA, SP 1/69, f. 125, King Henry VIII to Carne [and Bonner], [29 February 1532], *L&PFD*, 2, no. 836.

<sup>43</sup> L. E. Hunt, ‘Carne, Sir Edward (c.1496-1561)’, *ODNB*, 10: 184.

<sup>44</sup> ASV, Arch. Concist., Acta Misc. 31, ff. 259 v.-260 r. The original text reads: ‘Die Venerii XVI februarii 1532 fuit consistorium pro controversia matrimonii inter Serenissimum Regem, et Reginam Anglie ubi fuerunt introducti Auditores Rote et aliqui Prelati nec non viri litterati propterea Orator Cesaris una cum Advocatis Regine, necnon Oratores Anglie, cum excusatore et eius Advocatis, qui postquam non fuerunt concordés super quo Articulo disputandi, *excusator dedit conclusiones n 25 [proposuit] separatim disputare dictas conclusiones.*’

<sup>45</sup> *L&PFD*, 5, 892.

<sup>46</sup> Scarisbrick, *Henry VIII*, 284.

bring in to the public disputations of the Rota twenty-five conclusions, each to be argued *singulariter*.<sup>47</sup>

Whilst Carne carried out his difficult mission in Rome, in England Anne Boleyn took decisive action. At the end of 1532 she became pregnant, and thereupon urged Henry to act. After their secret wedding in January 1533, the king rejected papal authority. Soon afterwards, the Reformation Statutes (1533-35) stated the king's firm refusal to refer the divorce case to Rome.<sup>48</sup> From *difensor fidei*, Henry VIII claimed his Royal Supremacy over the Church in England. For years, Carne and Benet had sought to employ arguments, inducements and delays to convince the Pope that the case should be heard in England, and Clement VII had seemed always unwilling to take the final decision. Nonetheless Henry's threats against the papal powers obliged him to act. Eventually the Pope concluded the endless process of appeal by declaring the marriage of Catherine and Henry VIII valid and consummate on 23 March 1534:

[I, the Pope] pronounce, decree and declare in the appeal over the validity or the invalidity of the marriage consummated between Our beloved in Christ daughter Catherine and Our beloved in Christ son Henry VIII, Illustrious King of England [...] The marriage between Catherine and Henry, King and Queen of England, was consummated, and therefore was and is valid, and consummated.

The Pope concluded that: '[Henry] should take back Catherine to live with him, and treat her with marital affection and the honour due to her status of Queen.'<sup>49</sup> The Pope's sentence did not explain the verdict and most of all made no reference to the validity of the dispensations required for the marriage.<sup>50</sup>

Although Carne had been given a series of impossible assignments, his disappointment could not have been greater: 'The cause was fynsshed, and sentence gevyn 15 days past agenst your Hyghnes, *in causa principali*, wherby the Bysshopp of Rome pronuncyd the first matrimony to be good, and *prolem inde suseptam esse legitimam*.'<sup>51</sup> The Imperialist party had won, but Carne decided to appeal. He wrote

<sup>47</sup> *L&PFD*, 5, 892.

<sup>48</sup> Bernard, *The King's Reformation*, 68.

<sup>49</sup> ASV, Arch. Conciat., Acta Misc. 31, ff. 276 r.-v. The original text reads: 'Die XXIII Martii 1534 fuit Consistorium in quo fuit lecta sententia. In his sententis, pronunciamus, decernimus et declaramus in causa per appellationem Carissimam in Xsto filium Catharinam Reginam, et Carissimum in Xsto filium Henricum VIII Anglie Regem Illustrissimum super validitate et invaliditate matrimonii inter eosdem Reges contracti et consumati [...] Matrimonium inter ipsos Catharinam et Henricum Anglie Reges contractum et inde fuisse et esse validum, et consumatum [...] ad cohabitans cum dicta Regina eius legitima uxore, illamque maritali affectione, et Regio honore tractandam.'

<sup>50</sup> Kelly, *The Matrimonial Trials of Henry VIII*, 169.

<sup>51</sup> TNA, SP 1/83, f. 65, Carne and Revett to King Henry VIII, 7 April 1534, *L&PFD*, 7 (5), 552.

to Henry on 25 April 1534: 'I, Edward Karne, as Excusator and Yower Hyghnes subjecte, shuld appele *omni meliori modo* from the seyde Bysshopp of Rome, yll and wrongfully informed, and also in feare of the Imperiales the tyme of the sentence gevyn.'<sup>52</sup> In his appeal Carne stressed once more all the themes already debated during the various Consistories. He denied that Henry was contumacious, '*Regem absentem non contumacem*'. The record states: 'Holy Father, Edward Carne, lawyer and legal excusatory of the King of England, appeals to the sentence in presence of the illustrious men Sir Andrea Casali, doctor, and William Revett, venerable man and lawyer.'<sup>53</sup> Meanwhile, in England, Thomas Cranmer, as Archbishop of Canterbury, declared Henry's marriage to Catherine void and null. Clement VII responded by declaring invalid Henry's marriage to Anne and excommunicating the king on 11 July 1534.

In spite of his young age, Edward Carne had proven to be a brilliant diplomat. Only a skilled diplomat could navigate confidently among the different and sometimes hostile groups of cardinals forming the Rota, while facing the continued, opportunistic changes of the papal policy, and the pressures of the King, who anxiously expected a positive outcome for the case. Unfortunately for him, as Scarisbrick points out, he had to fight with old weapons. And old weapons were not enough to win this battle.<sup>54</sup>

### *Carne's offices in England*

On Carne's return to England after the break with Rome, which he had so strenuously tried to avoid, Henry recognized his talent and rewarded him with further service. Although unwilling to accept the religious changes that the royal supremacy implemented, he still found many Catholics like him taking an active part in political and cultural life. Persecutions and removals due to religious causes were yet to come. In October 1538 Carne married Anne, daughter of Sir William Denys of Dyrham, with whom he had a son, and four daughters.<sup>55</sup> His son, Thomas, would follow in the steps of his father in politics by becoming a member of parliament for Glamorgan.<sup>56</sup>

<sup>52</sup> *L&PFD*, 7 (5), 554.

<sup>53</sup> Andrea Casali was Gregorio Casali's cousin. Fletcher, *Our Man in Rome*, 13. ASV, Archivum Arcis, Arm. I-XVIII, 3265, ff. 97-8. The original text reads: 'Be<sup>m</sup> Pater [...] Eduardu Carne legali doctorem, ac dicti Sere.<sup>m</sup> Regis legitimum excusatorem [...] appello et permittitur in presentia clarissimi viri Doctori Andrea de Casalis, equiti aurati et Venerabilis viri Guielmi Revett [William Revett] legum doctoris.'

<sup>54</sup> Scarisbrick, *Henry VIII*, 317.

<sup>55</sup> Alfred Brotherston Emdem, *A Biographical Register of the University of Oxford A.D. 1501 to A.D. 1540* (Oxford: Clarendon Press, 1974), 104.

<sup>56</sup> Stanley Thomas Bindoff, ed. *The House of Commons, 1509-1558*, 3 vols (London: Secker and Warburg, 1982), 1: 86.

Like other Welsh and English families, Carne's Catholic faith did not prevent him from taking advantage of the Dissolution of the Monasteries.<sup>57</sup> Edward Carne was appointed by Thomas Cromwell as a commissioner for the visitation and dissolution process, alongside George Herbert and Sir Rice Mansel. Subsequently, along with other prominent Welsh families, like the Mansels, the Morgans, the Herberts and the Mathews, Carne richly increased his patrimony at the Church's expense. In 1537 Carne leased from the Abbot the priory of Ewenni, and its possessions, for ninety-nine years at a very favourable price. A few years later, in 1545, he purchased the priory, and Ewenni would become his main residence. Carne transformed Ewenni priory into a manor-house, with a hall, dining-room, three parlours, study, gallery, sixteen bedrooms, a cockloft and eight service rooms.<sup>58</sup> In 1536 he also bought Llandough, another great ecclesiastical centre in south Wales, including the monastery of St Dochwy, near Cowbridge, from Henry Somerset, 2<sup>nd</sup> Earl of Worcester.<sup>59</sup>

Edward Carne might have feared for his future on his return to England after his mission as *excusator*, but his prestige at court remained untouched. In 1534 Cromwell ordered the officers in Wales to apprehend any papist preaching, then moved to have to have new statutes passed through Parliament, in order to strengthen the hands of the president of the Council in the Marches of Wales. Cromwell and his draftsmen were probably helped by Rowland Lee, and other Welshmen at court, like William Herbert, later Earl of Pembroke, Sir John Price and Edward Carne.<sup>60</sup> Cromwell showed an evident appreciation of Carne and his work. He sent Sir Richard Morison, his secretary, to present him with a gift of money at his son's christening.<sup>61</sup> Furthermore, in accordance with the new legislation of the Acts of Union of 1536 and 1543, prescribing new administrative roles for Wales, Edward Carne was appointed a Justice of the Peace and the first sheriff of Glamorgan (1542-3).<sup>62</sup> By 1540 he was also knighted and appointed Master of Requests, an office that he held until his death.<sup>63</sup>

<sup>57</sup> Bernard, *The King's Reformation*, 245.

<sup>58</sup> Penry Williams, *The Later Tudors: England 1547-1603* (Oxford: Oxford University Press, 2010), 208.

<sup>59</sup> *An Inventory of the Ancient Monuments in Glamorgan, Vol. IV: Domestic Architecture from the Reformation to the Industrial Revolution, Part I: The Greater Houses*, ed. The Royal Commission on the Ancient and Historical Monuments in Wales (Cardiff: Her Majesty's Stationery Office, 1981), 420.

<sup>60</sup> Glanmor Williams, *Recovery, Reorientation and Reformation in Wales c. 1415-1642* (Oxford: Clarendon Press, 1987), 259.

<sup>61</sup> Tracey A. Sowerby, *Renaissance and Reform in Tudor England: The Careers of Sir Richard Morison, c. 1513-1556* (Oxford: Oxford University Press, 2010), 120-1.

<sup>62</sup> *The Dictionary of Welsh Biography Down to 1940. Under the auspices of The Honourable Society of Cymmrodorion*, eds. John E. Lloyd and Robert T. Jenkins (London, 1959), 67-8.

<sup>63</sup> George Thomas Clark, *Limbus Patrum Morganiae et Glamorganiae* (London: Wyman, 1886), 376.

*Carne under Edward VI*

When Edward VI was proclaimed king, Carne succeeded in holding important offices, notwithstanding his opposition to Edward's new religious settlement. Sir Edward was appointed to the quorum of the commissions of the peace for Cheshire, Gloucestershire, Herefordshire, Shropshire and Worcestershire from 1547 to 1554. He was a member of the Council in the Marches of Wales (1551) and was then appointed member of Parliament for Glamorgan in November 1554. His integrity and his attachment to his faith were evident when he spoke in favour of Stephen Gardiner, Bishop of Worcester, at Gardiner's trial before royal commissioners headed by Cranmer, on 15 December 1550. Carne had probably first met Gardiner during his mission in Rome.<sup>64</sup> Gardiner and Edward Fox had been dispatched to Rome by Wolsey early in 1528, on embassy to the Pope for the King's Great Matter.<sup>65</sup> In 1550, Carne did not hesitate to speak in Gardiner's defence.

As a legislator, Carne's greatest success was the making of the law for Welsh friezes, woolen cloths, committed to him on 28 November 1554.<sup>66</sup> The law on friezes constituted a milestone in English legislation of the mid-sixteenth century, as it was the only case in which a Welsh law was known to have been committed to a Welsh lawyer.<sup>67</sup> The choice of Carne as legislator proved that the Acts of Union had not deprived the Welsh of their powers, on the contrary they had given them a different, though important place in the English system of legislation and administration.

*The Marian Restoration*

After Queen Mary I's accession to the throne in 1553, Carne was called on again to carry out a difficult mission. It was indeed a strange irony for a man who had been sent first to Rome by her father to sue the annulment of his marriage with the queen's mother Catherine.<sup>68</sup> Mary chose him for his faith and for his well-known diplomatic skills. On 10 June 1555, Carne, as an eminent civilian, was dispatched to Rome with Thomas Thirlby, Bishop of Ely, on the part of the clergy, and Anthony Browne, Viscount Montagu for the lords, to assure Pope Paul IV of Mary's desire to return to the Catholic faith. While Thirlby and Montagu returned to England, Carne was appointed resident

<sup>64</sup> Hunt, 'Carne, Sir Edward', *ODNB*, 10:184.

<sup>65</sup> Scarisbrick, *Henry VIII*, 207-9.

<sup>66</sup> Bindoff, *The House of Commons*, 1:586.

<sup>67</sup> *Ibid.*

<sup>68</sup> Glamor Williams, *Wales and the Reformation* (Cardiff: University of Wales Press, 1997), 203.

ambassador in Rome.<sup>69</sup> Sir Edward was immediately acknowledged as the diplomat who had all the requirements to hold such an office:

Two ambassadors have been chosen to go to Rome: Mr. Thint and Mr Montagu; the third one is a doctor in common law, named Edward Carne, who will be permanent resident in Rome, where he was ambassador sent by King Henry at the time of Pope Clement. He can speak Italian and seems to be an expert in subjects related to Rome. He is a serious and prudent man.<sup>70</sup>

In this report sent to the Pope, Carne emerged as a dominant figure among his colleagues, having the necessary experience and the personal skills for this difficult and invidious post, being wise and prudent (*persona grave et prudente*), and, above all, well versed in the ways of Rome (*mostra essere ben pratico nelle cose di Roma*).<sup>71</sup> Since the Reformation, Palazzo Castellesi had been confiscated from the English kings, so Carne had to establish a household elsewhere. In a letter he reported that an important meeting with Cardinal Morone would take place in the area near Santa Maria 'trans Tiberim' (today Santa Maria in Trastevere), 'not farre from my Lodginge.' Therefore we may affirm that he had a house in Trastevere.<sup>72</sup>

Mary's first parliament was summoned in order to reform the religious policy of her predecessors and to restore Catholicism as the religion of the state.<sup>73</sup> After having married Prince Philip of Spain, Emperor Charles V's son and heir on 25 July 1554, Mary sealed the reconciliation with Pope Julius III, who appointed as papal legate to England Mary's cousin, Cardinal Reginald Pole. Pole eventually arrived in England in November 1554 and was consecrated Archbishop of Canterbury in 1556. In his speech to the Parliament on 28 November 1554, the legate stressed the important role of Mary Tudor, who had kept alive the Catholic faith during the years of the Reformation:

Now I am happy that finally God has moved to mercy and has turned His eyes towards us, because a woman neglected and surrounded by many dangers, who was the only one to hold the lighted candle of the true faith in this reign, has been raised by God, helped and put on such a high place, where now you can see her Queen and Mistress.<sup>74</sup>

<sup>69</sup> Emden, *Biographical Register*, 103.

<sup>70</sup> ASV, Segr. Stato Principi, 14, f. 172 v., Avvisi d'Inghilterra, Londra, 28 et 30 Gennaio 1555. The original in Italian reads: 'Doi ambasciatori eletti per andare à Roma Mons. Thint et il signor di Mont'Agusto [Anthony Browne, Viscount of Montagu], il terzo sarà un Cavaliere Dottore di Legge detto Herdrardro Kerne [Edward Carne] che rimarà residente in Roma, ove fu ambasciatore à tempo di P.P. Clemente mandato da Henrico, sa la lingua italiana, et mostra essere ben pratico delle cose di Roma, et persona grave et prudente.'

<sup>71</sup> *Ibid.*

<sup>72</sup> TNA, SP 69/19, f. 68, Sir Edward Carne to Queen Mary, 17 April 1557; *CSP, For., Mary, 1553-1558*, 295.

<sup>73</sup> Isabelle Fernandes, *Marie Tudor: la souffrance du pouvoir* (Paris: Tallandier, 2012), 185–6.

<sup>74</sup> ASV, Segr. Stato Principi, 14, f. 157 v., Esortazione di Mons. Ill. <sup>mo</sup> Legato al Parlamento, Londra, 28 Novembre 1554. The text in Italian reads: 'Hora mi ralegro con voi che finalmente il Signor Iddio si è mosso à misericordia, et ha voltato verso noi gli occhi suoi, perché una donna ch'era fra voi abbandonata, anzi travagliata da infiniti pericoli, et circondata da infinite miserie, nella quale solo era rimasto in questo Regno la candela accesa

Then Pole affirmed his gratitude and admiration for his cousin, stressing her ability to make alliances with the biggest powers in the world: with the emperor through her marriage and through his appointment as papal legate:

I am indebted to her for links of blood and inheritance, but much more for her goodness and her religion. Through this woman, God wanted to do wonderful works, and therefore He sent the two most powerful countries to help her. Firstly God has united her to the Emperor's son and then He has sent me here, with the authority of the Supreme Pontiff, who is the highest chief in religious subjects.<sup>75</sup>

While in England Pole began working to re-establish Catholicism, in Rome Carne was instructed by Mary and Philip to establish relations with the most prominent cardinals of the Roman curia: especially Cardinal Carlo Carafa (1517-1561), the Pope's nephew, Cardinal Giovanni Gerolamo Morone (1509-1580), Pole's closest friend, and Cardinal Rodolfo Pio da Carpi (1500-1564).<sup>76</sup> The queen's intention was to restore England as a prominent player at the papal court. The prestige lost for almost two decades, due to her father and half-brother's anti-papal politics, should be regained. Mary's marriage to Philip, however, brought her more problems than advantages. His power and influence on the queen and on the country's politics was evident. Carne's reports, which were addressed to both Mary and Philip, who even signed official documents with the queen, were further proof of how much Spain controlled and directed English politics.<sup>77</sup>

England's relations with the papacy further deteriorated when the newly elected Pope Paul IV, who came from a prominent Neapolitan family, the Carafa, realized that the Emperor Charles V would no longer defend the Holy See, especially after the Treaty of Augsburg in 1555. After September 1555, relations between Mary and the papacy became more and more tense, as Philip had been assigned by the emperor the Duchy of Milan and the regency of the dominions in the south of Italy, thus becoming an enemy of the Pope.<sup>78</sup> Paul IV aimed at liberating Naples and the south of Italy from the Spanish government. Already hostile to the Habsburgs, and encouraged by

del lume della santissima Fede, è stata da Sua Maestà sollevata et aiutata et posta in così alto loco, ove hora la vedete sedere Regina et Signora.'

<sup>75</sup> *Ibid.*: The original text reads: 'A lei debito per ragioni di sangue et di heredità, ma molto più per il valor bontà, et religion sua, con il mezzo di questa Donna volendo il Signor Dio fare opere mirabili ha mandato in Suo aiuto le due potenze maggiori del modo perché prima ha unito con lei l'Imperatore così potente principe, havendo operato che segua l'inaspettato ed admirabil matrimonio di Lei et del figlio di S. Maestà Cesarea et poi ha mandato me qui con l'autorità del sommo Pont. che nelle cose spirituali è il supremo capo.'

<sup>76</sup> TNA, SP 69/10, f. 108, *CSPF Mary*, 171.

<sup>77</sup> *Ibid.*, 170.

<sup>78</sup> David Michael Loades, *The Reign of Mary Tudor: Politics, Government and Religion in England, 1553-1558* (London: Longman, 2<sup>nd</sup> edn, 1991), 362.



his ambitious nephew, Carlo Carafa, he entered an alliance with France against the empire.

In September 1556 Carlo Carafa provoked a Spanish invasion of the papal states.<sup>79</sup> The French King, Henry II, dispatched to Italy an army led by François de Lorraine, Duke of Guise, to aid Paul IV. As the Spanish troops, led by the Duke of Alba, the Spanish governor of Milan and Viceroy of Naples, were approaching Rome, Carne reported a great fear of a new sack of the city, and the Pope began preparing the troops for its defence.<sup>80</sup> According to Carne's report, since the beginning of 1556

the Pope has fortified two of his castles, against which, being within the lands of the Church, his Holiness prepares men of war, [...] while the Count of Montorio, nephew of the Pope, [Carlo Carafa, raised to the Cardinalate in 1555], was invested with the generalship of the Church. At Genoa 13 Spanish ships and five galleys had arrived bringing thither 4,000 Spaniards and 500,000 crowns. The French had brought to Moncalvi [in Piedmont] 400 carts of all kinds of munition and four pieces of artillery; and it seemed that they intended to march to Felisiano, a town important for the safeguard of Asti [in Piedmont].<sup>81</sup>

Paul IV was conscious that, even supported by the French, he could not withstand an attack of the Spanish troops, which were each day closer to Rome: 'The Duke of Alba lies in Tivoli [just 25 km from Rome], and has taken the town of Vicovaro without resistance of the townsmen: so the Pope's soldiers there were compelled to leave.'<sup>82</sup> Carne had never before found himself in the middle of a war. On his previous mission to Rome, as Henry's *excusator*, he had faced the opposition of the Pope and confronted the Imperialists, but at the time life went smoothly in the Holy City. By contrast, as Mary's envoy, although representing a Catholic queen rather than an almost schismatic king, Sir Edward found himself in a dangerous position, worsened by the Pope's dislike for Cardinal Pole.

We cannot affirm that Mary drove England into a war against the Pope, but her desire to follow Philip's politics made her position suspicious in the Pope's eyes. Indeed, in March 1557, Philip II, having become King of Spain after Charles V's abdication in 1556, returned to England in order to persuade Mary and the council to join the Spanish against the French and the Pope. Eventually, the danger of a conquest of Rome by the Spanish army ceased. Indeed, after the French were defeated by the Spanish at Paliano in July 1557, Paul IV finally assented to sign a peace treaty. Nonetheless, the conflict between the Pope and Cardinal Pole continued. During the consistory

<sup>79</sup> Williams, *The Later Tudors: England 1547-1603*, 108.

<sup>80</sup> *CSP Mary*, 259.

<sup>81</sup> *Ibid.*, 202.

<sup>82</sup> *Ibid.*, 265.

of 9 April 1557, Paul IV announced his decision to withdraw his legates from Spanish dominions and to recall Pole from England. The man who had accomplished the reconciliation of the schismatic country to the papacy was profoundly disappointed to appear 'a dead man', according to the Count of Feria, the Spanish ambassador.<sup>83</sup>

Paul IV hated both Cardinal Pole and Cardinal Morone, named Vice-Protector of England. The antagonism between the Pope and Pole was longstanding. A few years earlier, Pole, Morone, the noblewoman and poetess Vittoria Colonna, Marchioness of Pescara, and Michelangelo Buonarroti, supported by Pope Paul III, had founded the circle of the *Spirituali*. The *Spirituali*, the so-called *Ecclesia Viterbiensis*, from the name of the town Viterbo, where Pole as legate had been sent to govern the Patrimony of St Peter, aimed at a dialogue with the Lutherans. Another cause of contrast between the Pope and Pole went back to the conclave of 1549, when Pole missed becoming Pope by just one vote. Cardinal Carafa (the future Paul IV) considered him to be a possible rival to the papacy.<sup>84</sup> Since then Carafa had accused him of heresy.<sup>85</sup> Actually, many doubted Pole's orthodoxy, as he left the Council of Trent in order to avoid the conclusion of the decree on justification. His decision implied that either he did not agree with the bulk of the cardinals or that he wanted to please the emperor.<sup>86</sup> Once he was Pope, Paul IV, being convinced of Pole's doctrinal unsoundness, used all his power to punish him. He willingly made the Inquisition instruct a process of heresy against Pole and Morone, who was imprisoned at Castel Sant'Angelo on 31 May 1557.

Therefore, the final years of Mary's reign were characterized by difficult relations with the Pope, who was unwilling to recognize the efforts undertaken by her and Pole to restore Catholicism in England. After the consistory recalling the legate from England, Carne's position became very precarious. Promptly he communicated the papal decision to the queen:

Yesterday a Consistory was kept in which the Pope has revoked all his ministers within the realm of his Majesty [...] This was done without any knowledge of the Cardinals until the very time that it was done in the Consistory. Had been to several of them to learn the cause, but they say they neither knew of it or could help it.<sup>87</sup>

<sup>83</sup> Williams, *The Later Tudors: England 1547-1603*, 108-9.

<sup>84</sup> Thomas Frederick Mayer, *Cardinal Pole in European Context: A via media in the Reformation* (Aldershot: Ashgate/Variorum, 2000), 15.

<sup>85</sup> Sergio Maria Pagano, Concetta Ranieri, *Nuovi Documenti su Vittoria Colonna e Reginald Pole* (Città del Vaticano: Archivio Vaticano, 1989), 26-29. The original quotation reads: 'Auditum est Theatinum [*Theatinum* refers to Cardinal Gian Pietro Carafa, as in 1503 he was appointed by Pope Jules II Archbishop of Chieti, the Latin and Greek name of the town being *Theate*] dixisse se Polo veluti de haeresi notato diem dicturum.'

<sup>86</sup> Pagano, *Nuovi Documenti*, 26-9.

<sup>87</sup> *CSPF, Mary*, 586.

Nevertheless, the Pope still wanted to preserve some relations with England, therefore he 'informed that he would do for her Majesty and her realm with all the favour he could, so that she came in her own name without specifying that of his Majesty [Philip], and would take England as a realm separated from the King's other dominions.'<sup>88</sup> Cardinal Morone, as Vice-Protector of England, and Carne, tried to plead for reconciliation between Paul IV and King Philip.<sup>89</sup> This was perhaps one of Morone's last acts before his imprisonment in Castel Sant'Angelo, where he spent two years until the election of Pius IV in 1559.

Queen Mary was firmly opposed both to the process of heresy against Pole and to the nomination of Cardinal William Peto as new papal legate to England. The relationship between the queen and Pole was one of mutual admiration and esteem. Sir Edward's comment on Pole's situation was bitter and sarcastic: 'If Pole comes he will be served as Cardinal Morone who is still confined in Castle St Angelo and has been four times examined and nothing found against him.'<sup>90</sup> In response to this, Mary, defying papal authority, ordered Carne to warn the Pope that Pole, being English, might have his case processed in Rome, but, if found guilty, could be condemned only in England.<sup>91</sup> In the wrangling Sir Edward had to maintain the balance between the Pope, who appreciated him but was unwilling to change his mind, and the Queen, who for the first time openly confronted papal authority. If the Pope persisted in his behaviour, Carne was ordered to leave Rome, after expressing his dissatisfaction to all the cardinals. Nevertheless, the cardinals suggested that Sir Edward should wait before returning to England:

Certain Cardinals who desire the welfare of the See Apostolic have requested Sir Edward Carne to use address, and to avail himself of time as possibly the present state of things will take some other form, causing this demand of his to take a better course; besides which, in certain cases, it is well to go always temporizing, by so much the more when one has to do with an old man [the Pope], 81 years of age.<sup>92</sup>

Furthermore, just a few days before the report of the Venetian ambassador, the Spanish victory over the French at St Quentin on 10 August 1557 put an end to all papal ambitions.<sup>93</sup> Eventually the charges against Pole were not made. Eleven months after the loss of Calais, Mary I, after having acknowledged Princess Elizabeth as her heir, died on 17 November 1558. Reginald Pole, her cousin, who had

<sup>88</sup> *Ibid.*

<sup>89</sup> *Ibid.*, 295.

<sup>90</sup> *Ibid.*, 641.

<sup>91</sup> Rawden Brown ed, *Calendar of State Papers and Manuscripts Relating to English Affairs Existing in the Archives and Collections of Venice and in other Libraries of Northern Italy*, vol 6 part 3, 1557-58 (London: Longman, 1894), no. 1248.

<sup>92</sup> *Ibid.*, 1249.

<sup>93</sup> Loades, *The Reign of Mary Tudor*, 312-4.

remained in England, survived the queen by only a few hours. The reconciliation with Rome, which had been their main concern, ended with their deaths.

### *Carne as Warden of the Venerable English College in Rome*

In her first parliament, on 25 January 1559, Elizabeth I began to re-establish and in some cases modify the religious reforms started by her father, continued by her half-brother and abolished by her half-sister.<sup>94</sup> Carne's position became complicated. On 31 December 1558, Carne wrote to the first secretary Cecil, offering his services to the new queen, and telling him that as his old commission had expired, he desired to be removed officially from his office.<sup>95</sup> He was then confronted with a difficult decision: to obey the queen and accept the new religious settlement, or to refuse and accept the confiscation of his property and separation from his family. Carne's Catholic faith was a major hindrance not to his career, almost at its end, but to a quiet life, which he wished to spend with his family in his mansion at Ewenni. His situation is well reported in a document kept in the Vatican Archive. This letter, apparently written by an Englishman living in Rome around 1559 or early 1560 is entitled *Sopra li Negotii d'Inghilterra (On the English political affairs)*. The author underlined that, notwithstanding the different religion professed by prominent diplomats and politicians both in England and abroad, Elizabeth I did not deprive them of their wealth. Concerning Carne's situation, the Englishman reported that:

Dr Karne, an Englishman, who is here for having been ambassador of the previous queen, will be obliged to go back to his country, where he left his wife and children as well as his revenues. But it seems that he was ordered not to leave Rome, and in that case the queen will be offended and therefore she will deprive him, his wife and children of their revenues. Nonetheless, His Holiness could help him by letting him go wherever he likes, as long as he does not go back to England. Thereby, the queen will be pleased that he is out of Rome, and will allow him to enjoy his revenues, as she has conceded to many others. All this will be put to the prudent judgement of His Holiness.<sup>96</sup>

<sup>94</sup> David Michael Loades, *Revolution in Religion: The English Reformation, 1530-1570* (Cardiff: University of Wales Press, 1992), 86-90 at 87.

<sup>95</sup> Joseph Stevenson, ed. *Calendar of State Papers, Foreign Elizabeth, vol 1:1558-1559* (hereafter *CSPF Elizabeth*) (London: H. M. S. O., 1863), 162.

<sup>96</sup> Arnold Oscar Meyer, *England and the Catholic Church under Queen Elizabeth* (London: Routledge & Kegan Paul 1967), 465-67. The original text in Italian reads: 'Il signor dottor Karne, Inglese, il quale si trova qui et è stato ambasciatore della regina passata, sarà forzato di doverse ne ritornare alla sua patria, dove ha lasciato moglie et figlioli et l' entrate sue di qualche importanza, et pare che habbia havuto commandamento di non doversi partire di Roma, la qual cosa potrebbe essere occasione che la regina si sdegenerà contro di lui, et lo priverà delle sue entrate, lui, la moglie et li figlioli. Imperò Sua Santità potrebbe rimediargli con lasciarlo andare dove meglio gli parerà, purché non ritorni in Inghilterra, et facilmente la regina si contenterà che, stando lui fuori di Roma, possa godere l'entrate sue, sicome ha

In this report the author suggested a solution to Sir Edward's case, through the Pope's intervention.<sup>97</sup> Indeed, when, in March 1559, Elizabeth officially recalled Carne, Pope Pius IV stopped Sir Edward from going back, by appointing him *custos* (Warden) of the Venerable English College in Rome on 31 March 1559. On 18 April 1559, Carne himself reported to the queen that 'he has been commanded by the Pope to take charge of the English hospital here, with the profits thereof to his necessary use.'<sup>98</sup> He was maintained with four servants by the hospice, but we do not know if he lived there or he preferred to remain in his house in Trastevere.<sup>99</sup>

Since 1350, the English and Welsh pilgrims, after leaving the first church built by King Ine of the West Saxons in 727, Santa Maria in Saxia, had acquired some property nearer to the other churches of the various foreign Catholic communities, specifically in via di Corte Savella (nowadays via del Monserrato). In 1362 a hospice dedicated to the Holy Trinity and to St Thomas of Canterbury was founded and supported by rents from properties in Rome, by donations from wealthier visitors, and by subscriptions collected in England. A Warden and two Chamberlains, elected annually, had the charge of administrating the hospice, which could offer board and lodging to pilgrims for eight days. The hospice also had a chapel, which was served by eight chaplains.<sup>100</sup>

After Elizabeth's religious settlement, it was clear that no more Catholic pilgrims would come from England; therefore the rector decided to transform the hospice into a college for Catholic exiles and students.<sup>101</sup> In March 1559 Carne was appointed Warden, but soon afterwards, on 24 April 1559, the appointment was revoked by a bull of Pius IV. Accordingly, Carne decided to renounce this charge, which was given to Bishop Goldwell.: 'Subsequently, the aforesaid Edward, of his own accord, and in presence of a notary and witnesses, testified that he did not wish to continue with the care of the government of the hospital, on the contrary he renounced to all legal title related to the hospital.'<sup>102</sup>

On 23 November 1560, Sir Edward drew up his will, which was signed among others by two Welsh friends living in Rome, Geoffrey Vaughan and Thomas Freeman, who was an auditor of the Venerable

concesso a molti altri. Et tutto ciò si dice per avviso, rimettendo il tutto nel prudentissimo giudizio di Sua Santità.'

<sup>97</sup> *CSPF, Elizabeth 1558-1589. Vol. 1: 1558-9*, no. 469.

<sup>98</sup> *Ibid.*, 219.

<sup>99</sup> George Bruner Parks, 'The Reformation and the Hospice 1514-1559', in *The English College in Rome* (Rome: Venerable English College, c 2012), 209-210.

<sup>100</sup> M. L. Clarke, 'English Visitors to Rome in the Middle Ages', *History Today*, 28 (1978): 647.

<sup>101</sup> *The English College in Rome*, 218-9.

<sup>102</sup> *Ibid.*, 272-3. The original text reads: 'Subsequenter vero prefatus Edouardus sponte coram Notario publico et testibus ad id adhibitis dixit et protestatus est se nolle quantum in se erat curam regimen et administrationem Hospitalis huiusmodi in persona sua admittere, seve in illis ullo modo intromittere quinimo id ipsum subire recusavit, omni iuri titulo et interesse sibi in illis vel ad illa competenti renunciando.'

English College.<sup>103</sup> Carne provided for his wife Anne and his children. Sir Edward died in Rome on 18 or 19 February 1561, and according to the epitaph on his tombstone ‘*cum magna integritatis veraeque pietatis extimatione decessit*’.<sup>104</sup> His friends, Geoffrey Vaughan – although there is a discrepancy in Vaughan’s name: Galfridus, or Geoffrey in the epitaph, but Griffith in the will – and Thomas Freeman, accomplished his desire to be buried in *loco sacro*, but Sir Edward left no instructions for his monument.<sup>105</sup> It was doubtless an idea of these close friends to build the monument which we can still admire in the forecourt of Ss Andrea e Gregorio al Celio. His burial monument was defaced by the French in 1798, and fifty years later restored by another famous Glamorgan man, John Montgomery Traherne (1798-1866), the well-known antiquarian.<sup>106</sup> Despite being an Anglican priest, he wanted such a famous Welshman as Edward Carne to be remembered in the Holy City. Therefore, he commissioned Dr Grant, rector of the Venerable English College, to restore it.<sup>107</sup> Traherne’s decision shows us once more the strong feeling which linked the Welsh, even of different religions, throughout the centuries. In the memorial’s epitaph, Carne is referred to as ‘Britanno’, a term used at the time as a synonym of Welshman.<sup>108</sup> Carne’s epitaph summarizes his life and missions as lawyer and diplomat, underlining his loyalty to the Catholic faith and his profound attachment to Wales:

To Edward Carne Britanno, knight, lawyer, ambassador, especially learned in all things pertaining to the King of England, and to the emperor and to [other] Kings. He was sent on two missions to the Roman and Apostolic See, one of which was the legation dispatched by those pious sovereigns, Philip and Mary. After the death of Mary he was recalled to schismatic England, but he sacrificed the love of his country for the sake of his true Catholic faith and chose to die in Rome, greatly esteemed for his reputation of integrity and genuine piety.<sup>109</sup> Having been written by two Catholics, Vaughan and Freeman, Welsh exiles in Rome like Carne, the epitaph stressed his sacrifice in choosing not to return to his country where he could have enjoyed his retirement, surrounded by his family.

<sup>103</sup> *The English College in Rome*, 270.

<sup>104</sup> *CSPF, Elizabeth, Vol. 3: 1560 -I*, 983.

<sup>105</sup> J. M. Cleary, ‘The Carne Monument in Rome’, *Reports and Transactions of the Cardiff Naturalists’ Society* 80 (1952), 14–5.

<sup>106</sup> *The Dictionary of Welsh biography*, 68.

<sup>107</sup> Williams, ‘Oxford, London, Ewenni, Rome: a Tudor Welshman’s Odyssey’, 87.

<sup>108</sup> J. A. Nice, ‘Being “British” in Rome: The Welsh at the English College, 1578-1584’, *The Catholic Historical Review*, 92, 1(2006): 1–24.

<sup>109</sup> The original Latin text reads: DOM/EDOARDO CARNO BRITANNO EQUITI AVRATO/IVRICONSVLTO ORATORI SVMMIS DE REBUS/BITANNIÆ REGVM AD IMPERATOREM AD REGES BISQ/AD ROMANAM ET APOSTOLICAM SEDEM QVARUM/ IN ALTERA LEGATIONE A PHILIPPO MARIAQ PIIIS/REGIBUS MISSUS OBORTO DEINDE POST MORTEM/MARIE IN BRITANNIA SCHISMATE SPONTE PATRIA/CARENS OB CATHOLICAM FIDEM CV MAGNA INTEGRIATIS VERÆQ. PIETATIS/EXSTIMATIONE VERÆQ. DECESSIT HOC MONVMENTUM GALFRIDVS VACHANVS/ET THOMAS FREMANNVS AMICI EX TESTAMENTO POSOBIIT/ANN SALVTIS M D LXI XIII CAL. FEBR.

Although prior to 1558 he had not encountered any serious obstacle to his career, even after the Reformation, at the end of his life, his loyalty to Catholicism obliged him to remain in exile. Carne chose not to return to *Britannia schismate*, instead to remain in exile *ob Catholicam fidem*. His decision was certainly made not only to safeguard his family's properties and the future of his children, but also to remain loyal to his religious principles until the end. Indeed, at Elizabeth's accession to the throne, Sir Edward Carne bitterly realized that his brilliant and uninterrupted career had come to an abrupt end.