

ARTICLES

ARDENT SUITOR OR RELUCTANT GROOM? Henry VII and Elizabeth of York Part 2: Reluctant groom

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In the first instalment of this two-part article (*Bulletin*, December 2019, pp 53–6) we traced the fluctuating progress of Henry Tudor's proposed marriage with Elizabeth of York. What began as a marital alliance in 1483, designed to overthrow Richard III, had completely disintegrated by the time Henry won the throne in 1485. The new king instead claimed the crown by right of Lancastrian descent, firmly rejecting the notion that his title depended on a matrimonial union with Edward IV's eldest daughter. In Part 2 we will follow the continuing story of Henry's 'courtship' during the early weeks and months of the reign as his Lancastrian agenda clashed with the expectations of his Yorkist supporters.

The reign begins

Shortly after his state entry into London on 3 September 1485, Henry held a council at which the principal topic for discussion was his marriage to Elizabeth of York. It was reported 'that the day was even named,'¹ and that Henry 'renewed his promise of marrying the Lady Elizabeth.'² Following the issue of writs on 15 September summoning a parliament to meet on 7 November,³ Henry 'publicly proclaimed ... he would take for his wife Elizabeth daughter of King Edward.'⁴ However, expectations of an immediate marriage followed by a joint coronation were quickly dashed. Instead of wedding Elizabeth and holding a double enthronement, as Richard III and Queen Anne Neville had done two years earlier, Henry attended his coronation on 30 October as a bachelor king conspicuously devoid of a queen consort. He was crowned God's anointed in a ceremony that made no reference to Elizabeth of York or his promised marriage. While many believed the matrimonial union of Lancaster and York provided 'whatever appeared to be missing in the king's title',⁵ Henry's coronation effectively repudiated any such claim. He was determined to establish his title in its own right, irrespective of the proposed union with Elizabeth. This did not, of course, accord with his earlier pronouncements or the wishes of many of his adherents.⁶

Henry's first parliament

On 7 November 1485 parliament met at Westminster. Two days later Henry addressed the lower house, 'demonstrating that his coming to the right and crown of England was as much by lawful title of inheritance as by the true judgement of God in giving him victory over his enemy in battle.'⁷ This, Henry's first parliamentary pronouncement, failed to acknowledge Elizabeth of York or the promised marriage. Instead, Henry asserted his Lancastrian right of inheritance, upheld in battle by verdict of the Almighty. Parliament then confirmed

Henry's royal title in a bill of breathtaking presumption, almost certainly composed on the king's behalf by the crown's law officers. The bill, which did not mention Elizabeth, declared, 'by authority of this present parliament', that the crown and royal dignity 'rest, remain and abide in the most royal person our present sovereign lord King Henry VII, and in the lawfully begotten heirs of his body, and in no-one else, thus to endure forever by God's grace'.⁸ The bill 'declared, but did not explain, the king's title'.⁹ In addition, an Act of Attainder against Richard III and his leading supporters included the pretence that Henry's reign began on 21 August 1485, the day before Bosworth.¹⁰

The parliamentary presentation of Henry's royal title did not meet with universal approval. The Crowland chronicler revealed that 'there were those who, more wisely, thought that such words should rather have been kept silent than committed to proclamation'.¹¹ Henry derived a disputed royal antecedence through his mother, Margaret Beaufort, a great-great-granddaughter of Edward III. Although the Beauforts sprang from John of Gaunt's extramarital relationship with Katherine Swynford, the couple's subsequent marriage, followed by a papal bull and an act of Richard II, legitimised their offspring. However, Henry IV modified Richard's act, barring the Beauforts from the line of succession.¹² While Henry himself clearly rejected any impediment in his royal pedigree, it is possible that the wider political community accepted Henry IV's amendment as a legal flaw in the Beaufort title.¹³ The Crowland chronicler certainly felt that Henry's claim was deficient, and that the remedy lay in the long-promised marriage with Elizabeth of York.¹⁴

Henry's marginalisation of Elizabeth of York provoked a dramatic confrontation. On Saturday 10 December 1485, as Henry prepared to prorogue parliament for Christmas, 'the commons of the realm of England' appeared before the king in the Painted



Pietro Torrigiano, Tomb of King Henry VII and Queen Elizabeth of York, 1512–18, gilt bronze, white marble and black touchstone. London, Westminster Abbey, Henry VII Chapel. Image reused under the Creative Commons Licence

Chamber at Westminster. Speaker Thomas Lovell, on behalf of the commons, reminded Henry that parliament had ‘decreed and enacted’ his royal title in the expectation that he ‘should take to himself that illustrious lady Elizabeth, daughter of King Edward IV, as his wife and consort’. As Lovell completed his address, ‘the lords spiritual and temporal being in the same parliament, rising from their seats and standing before the king sitting on the royal throne, bowing their heads, voiced the same request’. To this unanimous and unequivocal demonstration of parliamentary solidarity, Henry acquiesced, replying ‘that he was content to proceed according to their desire and request’.¹⁵ The language of parliament’s petition, it is argued, ‘implies a tacit understanding of Henry’s determination that his title should in no way depend upon that of the Yorkist heiress’.¹⁶ While this was certainly Henry’s view, the petition itself surely demonstrates that the Three Estates of the Realm had lost patience, and that Henry, in agreeing to marry, recognised he could no longer, with impunity, disregard Elizabeth of York and retain political support. Four days earlier, on 6 December, Giovanni de Gigli, papal collector of Peter’s Pence in England, wrote to Innocent VIII stating ‘it is positively asserted that the King is about to marry’.¹⁷ Gigli’s letter appears to reflect the marital promises made in the first weeks of the reign. The dramatic intervention of the Three Estates, however, suggests that Henry’s subsequent parliamentary announcements aroused a genuine fear that he intended to set aside those matrimonial commitments.¹⁸

Another dispensation and a marriage

In Part 1 of this article we noted that Henry and Elizabeth obtained a dispensation of marriage from the Roman Curia on 27 March 1484.¹⁹ Having agreed under pressure to wed Elizabeth, Henry inexplicably applied for a second dispensation. On 14 January 1486, the papal legate to England and Scotland, Giacomo Pasarella, Bishop of Imola, began examining the testimony of eight witnesses familiar with the prospective bride and groom.²⁰ On 16 January, he granted a ‘sufficient’ dispensation and the marriage finally took place two days later on 18 January.²¹ As this second papal judgement merely repeated the terms of the first dispensation,²² one is tempted to ask what Henry hoped to achieve. He had been free to marry Elizabeth since 27 March 1484. Perhaps he believed a second examination might uncover a further impediment, permitting a legitimate escape from the marital commitment he had given to parliament.

Second parliamentary session – repeal of *Titulus Regius*

There was one further potential obstacle to the marriage. Because ‘Elizabeth was, by the law of the land, stigmatised a bastard, it would not have done for Henry to marry a person of that status’.²³ In January 1484 parliament had ratified the royal title presented to Richard III by the Three Estates of the Realm in June 1483. The *Titulus Regius* declared Edward IV’s marriage with Elizabeth Woodville to be invalid and their offspring illegitimate, barred from the succession.²⁴ It has been argued that Henry therefore delayed marrying Elizabeth because he had first to establish his title, reverse Elizabeth’s bastardisation, and obtain a marriage dispensation.²⁵ But as we have seen, Henry obtained a dispensation in March 1484. Furthermore, a legal report in a Year Book for Hilary Term 1486 suggests that the repeal of *Titulus Regius*,²⁶ and thus the reversal of Elizabeth’s bastardisation, actually took place in the second session of parliament (after the marriage) and that Elizabeth remained illegitimate on the day of her wedding.²⁷

The Year Book states that on 23 January 1486, the date upon which parliament reconvened, the justices of the Exchequer Chamber, at Henry’s command, discussed the repeal of *Titulus Regius*. The act, they strongly advised, should ‘be annulled and utterly destroyed’, ‘taken out of the Roll of Parliament’, ‘cancelled and burnt’, and ‘put in perpetual oblivion’. In addition they urged Henry to take the unusual step (perhaps unprecedented) of repealing the act unread, so that the ‘falseness and shamefulness of it’, ‘should in no wise’ be ‘in remembrance always’.²⁸ The language employed by the justices of the Exchequer Chamber anticipates almost exactly the text of the official parliament roll. The enrolled annulment of *Titulus Regius* states that ‘the said bill be cancelled and destroyed’, and ‘taken and

removed from the roll and records' of parliament and 'burnt and entirely destroyed', so that 'all things said and rehearsed in the said bill and act may be forever out of memory and forgotten'.²⁹ The discussions of Henry's justices thus appear to predate the act repealing *Titulus Regius*, suggesting that Elizabeth's bastardy was overturned during the second parliamentary session beginning 23 January 1486. The annulment of *Titulus Regius* immediately post-wedding indicates that Henry was suddenly compelled to repeal the act because parliament unexpectedly forced him to marry. Ordering the destruction of the act was 'less about negating Richard's title than preventing uncomfortable questions about Elizabeth's status'.³⁰ Henry, as we shall now see, wished to leave the dangers of *Titulus Regius* undisturbed, to pretend they did not exist.

Bishop Robert Stillington and the precontract

The second point to emerge from the deliberations of the Justices of the Exchequer Chamber on 23 January 1486 concerned Robert Stillington, bishop of Bath and Wells.

Following the death of Edward IV, Stillington revealed that the late king, long before marrying Elizabeth Woodville, had secretly wedded Lady Eleanor Talbot (the precontract). Edward's bigamy bastardised his Woodville offspring, including Elizabeth of York, and Richard III ascended the throne as next in line. On 23 August 1485, the day after Bosworth, Henry issued a warrant for the immediate arrest of Stillington.³¹ When the Justices of the Exchequer Chamber presented their recommendations for the annulment of *Titulus Regius*, the Lords sitting in parliament expressed a wish to cross-examine Stillington, 'the person who had brought about this false bill'. Henry, however, 'said that he had pardoned him, and therefore didn't want any more to put it to him'.³² Although Stillington's offences against the king are described as 'horrible and heinous', 'plotted and committed', he was nevertheless pardoned and released by the end of November 1485.³³ Henry clearly wished to avoid bringing Stillington to trial. It was far too perilous to examine him in the parliament chamber, just as it was too dangerous to recite the full text of *Titulus Regius*. Stillington's rapid arrest and the king's subsequent refusal to permit his interrogation reveal the regime's fear of the precontract. Exposing *Titulus Regius* to the full glare of parliamentary scrutiny risked resurrecting the new queen's bastardy, Richard III's legitimacy, and Henry's tenuous hold on power.

Yet another dispensation and a papal bull

Although the second dispensation of 16 January 1486 (which duplicated the first dispensation of 17 March 1484) permitted the wedding to proceed, the couple nevertheless obtained a further dispensation on 2 March 1486. This third papal judgement predictably reiterated the previous impediment but added the possibility of a relationship in the fourth degree of affinity.³⁴ The

apparent fragility of these repeated dispensations becomes more intelligible in the light of an extraordinary papal bull issued by Innocent VIII on 27 March 1486. The pontiff threatened to excommunicate anyone 'challenging the marriage, or Henry's right to the throne which, it was stressed, did not depend on the marriage'.³⁵ The realm of England belonged to Henry 'by right of war' and 'right of succession', 'by the election and desire of all the prelates, lords, magnates, nobles and the people', and 'also by the decree, statute and ordinance of the three estates of the realm of England'. Elizabeth figured only to the extent that she had become queen at the request of parliament in order to unite Lancaster and York and bring peace to the kingdom.³⁶ The bull inadvertently revealed the real purpose of Bishop John Morton's visit to Rome in early 1485. Far from soliciting, as C. S. L. Davies suggested, a dispensation for Henry and Elizabeth, Morton instead secured papal approval of Henry's claim to rule in his own right.³⁷ The Pope's insistence that Henry's title was not reliant on Elizabeth suggests that Morton persuaded Innocent VIII to endorse Henry's Lancastrian credentials, insurance against the possibility that Elizabeth's illegitimacy might yet invalidate her standing as an appropriate royal consort. However, in mid-1487 the Lambert Simnel revolt finally brought about Elizabeth's long-delayed coronation. 'Henry's failure to endorse her status', it is argued, 'contributed to the rebellion'. The ceremony, which took place on 25 November 1487, formally acknowledged 'Henry's dynastic reliance on Yorkist blood'.³⁸

Conclusion

At the beginning of this two-part article, we asked whether Henry's matrimonial intentions towards Elizabeth of York were those of an ardent suitor or a reluctant groom. Henry's marital policy varied as his kingly fortunes fluctuated. Initially, in 1483, he committed himself to Elizabeth in a dynastic alliance designed to overthrow Richard III. The agreement collapsed in 1484 and by the time Henry arrived at Bosworth he had abandoned Elizabeth and presented himself as king *de facto*. However, in the euphoria of victory he resurrected his former promise to wed. While this undoubtedly played well with his Yorkist supporters, Henry retained his own ideas about the marriage. Instead of ordering an immediate wedding followed by a double coronation, Henry attended his enthronement as a bachelor king devoid of a queen consort. In parliament he devoted himself to establishing his royal title as heir of Lancaster, king in his own right. Elizabeth did not figure in these proceedings. Fears that Henry might evade matrimony altogether prompted the Three Estates to rise as one and compel the king to marry.

Henry began to seek an alternative means of extricating himself. Before the wedding took place he applied for a second dispensation, but this merely

confirmed the terms of the first obtained two years earlier. The fact that Henry did not require another dispensation suggests he hoped a further examination might uncover an insuperable impediment. There is an assumption that parliament repealed *Titulus Regius* before Henry married, but more precise evidence suggests the annulment took place afterwards. Elizabeth therefore remained illegitimate on the day of her wedding, compelling Henry to overturn the act because parliament unexpectedly forced him to marry. That Henry believed and feared the precontract is evident in his arrest of Bishop Stillington the day after Bosworth, his refusal to put the bishop on trial, the repeal of *Titulus Regius* unread, and his order to destroy all copies of the act. Elizabeth's true status was clearly an unwelcome complication and an undoubted worry.

Henry's third dispensation, followed by the pope's insistence that his title did not depend on Elizabeth, further evidenced his marital misgivings. Henry's determination to distance himself from Elizabeth might appear as retribution for her mother's rapprochement with Richard III in 1484. However, if punishment were intended Henry would have penalised Elizabeth Woodville, not her daughter.³⁹ The evidence indicates that Henry sought to avoid matrimony, and when it became inevitable, he searched for a way out. Moreover, Innocent VIII's papal bull confirms Henry's rejection of Elizabeth's royal lineage, again indicating that the precontract cast a long and dangerous shadow. Ultimately, however, the Lambert Simnel rebellion forced Henry's capitulation. In November 1487 Elizabeth's belated coronation confirmed Henry's official and inescapable reliance on Yorkist royal blood.

There can be little doubt that Henry was once an ardent suitor, and that, initially at least, he viewed Elizabeth as 'a matrimonial prize to bind her Yorkist relatives to the Tudor crown'.⁴⁰ However, the 'evidence of Henry's most affectionate feelings relate not to his relationship with his wife but his mother'.⁴¹ The collapse of the Beaufort/Woodville alliance and the political potency of the precontract forced Henry to project himself as king in his own right, heir of Lancaster. Although he ultimately failed to disentangle himself from Elizabeth, he went to enormous lengths to mitigate the potential danger. Despite Polydore Vergil's nostalgic panegyric recalling a marriage made in heaven, it is clear that the dynastic union of Lancaster and York owed more to the intervention of parliament than the intervention of the Almighty. The ardent suitor truly became the reluctant groom.

Notes and references

1. J. Gairdner, *Henry the Seventh* (1909 edn), p. 34.
2. F. Bacon, *The History of Henry VII of England* (1616), p. 10.
3. S. B. Chrimes, *Henry VII* (1972), p. 53.
4. D. Hay (ed.), *The Anglica Historia of Polydore Vergil 1485–1537*, Camden Series vol. lxxiv (1950), p. 5.
5. N. Pronay and J. Cox (eds.), *The Crowland Chronicle Continuations 1459–1486* (1986), p. 195.
6. It has been suggested that Henry, following Bosworth, made an offer of marriage to Princess Joanna of Portugal, sister of the Portuguese king, John II. While evidence for such an offer remains doubtful, it may, if true, help to explain Henry's delay in marrying Elizabeth of York. Barrie Williams, 'The Portuguese Connection and the Significance of "the Holy Princess"', *The Ricardian*, Vol. 6, No. 80, March 1983, pp 138–45.
7. 'Henry VII: November 1485, Presentation of the Speaker [3]', in *Parliament Rolls of Medieval England*, ed. Chris Given-Wilson et al. (Woodbridge, 2005), British History Online www.british-history.ac.uk/no-series/parliament-rolls-medieval/november-1485 [accessed 25 January 2019].
8. 'Henry VII: November 1485, The King's Title [5]'
9. P. R. Cavill, *The English Parliaments of Henry VII 1485–1504* (2009), p. 30.
10. 'Henry VII: November 1485, An Act of Conviction and Attainder [10]' R. L. Storey described the dating of Henry's reign to the day before Bosworth as 'transparent chicanery'. R. L. Storey, *The Reign of Henry VII* (1968), p. 59.
11. *Crowland Chronicle*, p. 195.
12. Chrimes, *Henry VII*, pp 3, 13 n. 1, 21, 50; J. Gairdner, *Henry the Seventh* (1909 edn), pp 2–3.
13. Jones and Underwood pointed out that Henry IV's 'insertion was made on the patent roll, and the wording of the act on the roll of parliament was left in its original form'. Thus, Henry IV's 'refinement of the original act of 1397' did not constitute 'a binding power on his successors'. It is readily apparent that Henry Tudor and his supporters firmly rejected the legality of Henry IV's intervention. M. K. Jones and M. G. Underwood, *The King's Mother* (1992), p. 24. I owe this reference to the kindness of Peter Hammond.
14. *Crowland Chronicle*, p. 195.
15. 'Henry VII: November 1485, Prorogation of Parliament [9]'
16. S. Angelo, 'The Foundation of the Tudor Dynasty: the coronation and marriage of Henry VII', *The Guildhall Miscellany*, vol. 2, no. 1, September 1960, (unpaginated).
17. *Calendar of State Papers Venetian, Vol. I, 1202–1509*, ed. R. Brown (London, 1864), No. 506.
18. Crowland stated that 'what had been desired from the beginning was brought about ... at the instance and humble request of the three estates of the realm'. *Crowland Chronicle*, p. 191.
19. P. D. Clarke, 'English Royal Marriages in the Papal Penitentiary in the Fifteenth Century', *English Historical Review*, vol. 120, no. 488 (September 2005), pp 1023–4.
20. J. A. Tremlow (ed.), *Calendar of Papal Registers to Great Britain and Ireland: Vol. 14, 1484–1492* (London, 1960), pp 14–28.
21. Gairdner, *Henry the Seventh*, p. 44.
22. Releasing, once again, Henry and Elizabeth from the impediment of consanguinity in the fourth degree on both sides. Clarke, 'English Royal Marriages', pp 1025–6.
23. Chrimes, *Henry VII*, p. 65.
24. 'Richard III: January 1484, Titulus Regius (The Royal

- Title) [5]', in *Parliament Rolls of Medieval England*, ed. Chris Given-Wilson et al (Woodbridge, 2005), British History Online www.british-history.ac.uk/no-series/parliament-rolls-medieval/november-1485 [accessed 19 April 2016].
25. Chrimmes, *Henry VII*, pp 65–6. Storey draws the same conclusion. Storey, *Reign of Henry VII*, p. 60.
 26. 'Henry VII: November 1485, Annulment of the Act [18]'
 27. The parliament roll for Henry's first parliament suggests that the repeal of *Titulus Regius* took place before the adjournment on 10 December 1485. However, the daily account of proceedings in the first session of the 1485 parliament, produced by the members for Colchester, demonstrates 'conclusively ... that the rolls of parliament do not represent the order – and sometimes the form – in which matters came before the Commons'. Thus, the parliament roll is not a reliable guide to the chronology of parliamentary business. Moreover, the Year Book for Hilary Term 1486 is very precise in dating the preliminary legal discussions by which *Titulus Regius* was subsequently annulled. N. Pronay and J. Taylor, *Parliamentary Texts of the Later Middle Ages* (Oxford, 1980), pp 177–8.
 28. Year Book. 1 Henry VII, Hilary Term, Plea 1. Hilary Term 1486 began on 23 January. C. R. Cheney and M. Jones (eds), *A Handbook of Dates for Students of British History* (2000), p. 116.
 29. 'Henry VII: November 1485, Annulment of the Act [18]'. Henry's orders were disobeyed and the text of *Titulus Regius* 'was not expunged from the parliament roll of 1484.' Cavill, *English Parliaments of Henry VII*, p. 31.
 30. S. Cunningham, *Henry VII* (2007), p. 48.
 31. L. C. Attreed, *York House Books 1461–1490* (1991), vol. 2, p. 737. It is also suggested, rather implausibly in the circumstances, that Henry ordered Stillington's arrest because he 'may have remembered that in 1475 the bishop had been involved in an unsuccessful attempt to have him extradited from Brittany'. R. J. Knecht, 'The Episcopate and the Wars of the Roses', *University of Birmingham Historical Journal*, vol. vi (1957–8), p. 128.
 32. Year Book. 1 Henry VII, Hilary Term, Plea 1.
 33. C. S. L. Davies, 'Bishop John Morton, the Holy See, and the Accession of Henry VII', *English Historical Review*, 102 (1987), p. 26.
 34. Clarke, 'English Royal Marriages', p. 1026.
 35. Davies, 'Bishop John Morton', p. 15.
 36. 'Rymer's Foedera with Syllabus: January–March 1486', in *Rymer's Foedera* Vol. 12, ed. Thomas Rymer (London, 1739–45), pp 280–299. British History Online www.british-history.ac.uk/rymer-foedera/vol12/pp280-299 [accessed 12 September 2019]. Latin translation provided by Shelagh Sneddon, University of York.
 37. Davies speculated, understandably, that such was the purpose of Morton's 1485 visit to Rome, before P. D. Clarke uncovered Henry's 1484 dispensation in the Vatican Archive. Davies, 'Bishop John Morton', p. 14.
 38. Cunningham, *Henry VII*, p. 58.
 39. In Henry's first parliament 'the act restoring Elizabeth Woodville to her possessions taken away by Richard III ... [was the] first item to come before the Commons immediately after the customary opening piece of business, the Subsidy Bill'. Pronay and Taylor, *Parliamentary Texts*, p. 178.
 40. Cunningham, *Henry VII*, pp 7–8.
 41. Cunningham, *Henry VII*, p. 7.