

CHAPTER XX.

AN ACTA restraynyng the payment of Annates, &c.

Recital of Statute
25 Hen. VIII. c. 20,
against Payment of
First Fruits, &c. to
the See of Rome;

WHERE sithen the begynnyng of this present Parliament, for repress of the exaccion of Annates and first Frutes of Archebysshopryches and Byshopryches of this Realme wrongfully taken by the Bisshoꝝ of Rome otherwyse called the Pope, and the See of Rome, It is ordyned and established by an acte amonges other thynges that the payment of the Annates or first frutes and all maner contribucions for the same, for any suche Archebysshopryche or Bisshopryche or for any bulles to be opteyned frome the See of Rome to or for the seid purpose or intent shulde utterly cesse, and no suche to be payd for any Archebysshopryche or Byshopryche within this Realme otherwyse then in the same Acte is expressed; And that no maner of person or persons, to be named elected presented or postulated to any Archebysshopryche or Byshopryche within this Realme, shulde pay the seid Annates or first frutes nor any other maner of some or somes of money pencions or annuytes for the same or for any other lyke exaccion or cause, uppon payne to forfait to our Sovereigne Lorde the Kyng hys heires and successours all maner hys goodes and cattalis for ever and all the temporall landes and possessions of the seid Archebysshopryche or Byshopryche duryng the tyme that he or they that shulde offende contrarye to the seid Acte shulde have possede and enyoe the seid Archebysshopryche or Bisshopryche; And it is further enacted that yf any person named or presented to the See of Rome by the Kynges Highnes or hys heires or successours to be Bisshop of any See or Dioces within this Realme, shuld happen to be [lettet '] delayed or deferred at the See of Rome frome any suche Bisshopryche wherunto he shulde be soo presented, by meane of restraynte of bulles of the seid Bysshoꝝ of Rome otherwyse called the Pope, and other thynges requysite to the same, or shulde be denied at the See of Rome uppon convenyent sute made for any bulles requysite for any suche cause, that then every person soo presentid mought or shulde be consecrated here in Englonde by the Archibisshoꝝ in whose pvynce the seid Byshopryche shalbe, soo alwayes that the same person shulde be named and presented by the Kyng for the tyme being to the seid Archebysshop; And yf any person being named and presented (as is before seid) to any Archebysshopryche of this Realme makyng convenyent sute as is aforesaid shuld happen to be letted delaid deferred or otherwyse disturbed frome the seid Archebysshopryche, for lacke of pall bulles or other thynges to hym requysite to be opteyned at the See of Rome, that then every suche person so named and presented to be Archebysshop mought and shuld be consecrated and invested after presentacion made as is aforesaid by any other ij Bisshoppes within this Realme, whome the Kynges Highnes or any hys heires or successours Kynges of Englonde wolde appoynt [ad '] assigne for the same, accordyng and after lyke maner as dyverse Archibisshoppes and Bisshoppes have byn here to fore in auncient tyme by sondre the Kynges most noble progenytours made consecrated and invested within this Realme; And it is further enacted by the seid acte that every Archibisshoꝝ and Bisshoꝝ being named and presented by the Kynges Highnes hys heires and successours Kynges of Englonde, and being consecrated and invested as is aforesaid, shalbe installed accordyngly, and shulde be accepted taken and reputed used and obeyed as an Archebysshoꝝ or Bisshoꝝ of the dignitie See or place wherunto he shalbe soo named presented & ons ecrated, and as other lyke prelatt of that provynce See or dyoces have byn used accepted taken and obeyed which have had and opteyned completlye their Bulles and other thynges requysite in that behalf from the See of Rome; and also shulde fully and entyerly have and enyoe all the spiritualties and temporalties of the seid Archibisshopryche or Bisshopryche, in as large ample and beneficiall maner as any of hys or their predecessours hadde [and '] enyoe in the seid Archebysshopryche or Bisshopryche, satisfyng and yeldyng unto the Kynges Highnes and to his heires and successours all suche duties rightes and investes as before tyme hath byn accustomed to be payd for any suche Archebysshopryche or Bisshopryche, accordyng to the auncient lawes and customes of this Realme and the Kynges prerogatyve Royall; as in the seid acte amonges other thynges is more at large mencioned:

The Pope informed
of the said Act;

AND all be it the seid Bisshopp of Rome, otherwyse called the Pope, hath byn enformed and certyfyed of the effectuall contentes of the seid Acte, to the entent that by some gentell wayes the seid exaccions myght have byn redressed and reformed, yet never the lesse the seid Bisshoꝝ of Rome hetherto hath made none aunswere of hys mynde therin to the Kynges Highnes, nor devysed or requyred any resonable wayes to and with our seid Sovereigne Lorde for the same; Wherefore hys most Royall Majestie of hys most excellent goodnes for the welthe and profett of this hys Realme and subjectes of the same, hath not only put hys most gracious and Royall assent to the forscid acte, but also hath ratyfyed and confirmed the same and evy clause and article therin conteyned, as by hys letters patentes under hys greate seale enrolled in the Parliament Rolle of this present parliament more at large is conteyned.

Royal Assent to,
and Confirmation
of the said Act.

II.
No Archibishop or
Bishop shall be
presented to the See
of Rome, nor
procure Bulles from
thence, nor pay
First Fruits there.

AND for as moche as in the seid acte it is not playnly and certaynly expressed in what maner and facion Archebysshoppes and Bisshoppes shalbe elected presented invested and consecrated within this Realme and in all other the Kynges Domynions: Be it now therefore enacted, by the Kyng our Sovereigne Lorde by thassent of the Lordes Spirituall and Temporall and the Comones in this present Parliament assembled and by the auctorytie of the same, that the seid acte and every thyng therein conteyned shalbe and stonde in strenght vertue and effecte; except only that noo person nor pones hereafter shalbe presented nomynated or comended to the seid Bisshoꝝ of Rome, otherwyse called the Pope, or to the See of Rome, to or for the dignitie or office of any Archebysshoꝝ or Bisshoꝝ within this Realme or in any other the Kynges Domynions, nor shall send nor procure there for any maner of Bulles breves palles or other thynges requysite for an Archebysshop or Bishop, nor shall pay any somes of money for Annott first frutes or otherwyse for expedicion of any suche Bulles breves or palles; but that by the auctorytie of this acte suche presentyng nomynatyng or comendyng to the seid Bisshoꝝ of Rome or to the See of Rome, and suche bulles breves palles Annott first frutes and every other somes of money heretofore lymytted accustomed or used to be payd at the seid See of Rome for

procuracion or expedition of any such bulles breves or palles or other thyng concernyng the same, shall utterly cease and no lēger be used within this Realme or within any the Kynges Domynions; any thyng conteyned in the seid acte afore mencioned, or any use custome or prescripcion to the contrary therof not withstanding.

AND FURTHER MORE Be it ordyned and established by the auctorytie aforesaid, that at every advoydaunce of [every] Archibishopriche or Bishopriche within this Realme or in any other the Kynges Domynions, the Kyng our soveran Lorde hys heires and successours may graunt unto the Pryor and Convent or the Deane and Chapytour of the Cathedrall Churches or Monasteries where the See of souch Archibishopriche or Bishopriche shall happen to be voyde, a lycence under the greate seale as of old tyme hath byn accustomed to pcede to eleccion of an Archibishoꝝ or Bishoꝝ of the See soo being voyde, with a letter myssyve conteynyng the name of the persone which they shall electe and chose; By vertue of which lycence the seid Deane and Chapytour or Pryor and Convent, to whome any suche lycence and letters myssyves shalbe directed, shall with all spede and seleritie in due forme electe and chose the seid person named in the seid letters myssyves to the dignitie and office of the Archebishopriche or Bishopriche soo being voyde, and none other; and yf they doo [or] deferre or delay their eleccion above xij dayes next after suche lycence and letters myssyves to them delyvered, that then for every suche defaute the Kynges Highnes hys heires and successours at their libertie and pleasure shall nomynate and present, by their tres patentes under their greate seale, suche a person to the seid office and dignitie soo being voyde as they shall thynke abyll and convenyent for the same. And that every such nomynacion and presentment to be made by the Kynges Highnes hys heires and successours, yf it be to the office and dignitie of a Bishoꝝ shalbe made to the Archebishoꝝ and Metropolitane of the provynce where the See of the same Bishopriche ys voyde, yf the See of the seid Archibishopriche be then full and not voyde; and yf it be voyde then to be made to suche Archebishoꝝ or Metropolitane within this Realme or in any the Kynges Domynions as shall please the Kynges Highnes hys heires or successours: And yf any such nomynacion or presentment shall happen to be made for defaute of suche eleccion to the dignitie or office of any Archebishoꝝ then the Kynges Highnes his heires and successours, by hys letters patentes under hys greate seale, shall nomynate and present such person, as they wyll dispose to have the seid office and dignitie of Archebishopriche being voyde, to one suche Archebishoꝝ and ij. suche Bishoppes, or else to iij. suche Bishoppes wythin this Realme or in any the Kynges Domynions as shalbe assigned by our seid Sovereigne Lorde hys heires or successours.

III.
All Elections of Archbishops or Bishops shall be made by the Deans and Chapters, &c. under the King's Licence and Letters missive naming the Person to be chosen; and in Default of such Election the King shall present by his Letters Patent.

IV.
Consecration of Archbishops or Bishops, on the King's Presentment.

Proceedings and Consecration on Election by Deans and Chapters, &c. Of Bishops.

Of Archbishops.

AND be it enacted by auctoritie aforesaid, that when soo ever any suche presentment or nomynacion shalbe made by the Kynges Highnes hys heires or successours by vertue and auctoritie of this acte and accordyng to the tenour of the same, that then every Archebishoꝝ and Bishoꝝ to whos handes any suche presentment and nomynacion shalbe directed, shall with all spede and seleritie investe and consecrate the person noiate and presentid by the Kynges Highnes his heires or successours to the office and dignitie that suche pson shalbe soo presented unto, and geve and use to hym all and all other benediccions ceremonies and thynges requisite for the same, without suing pcuryng or optaynyng hereafter any bulles or other thynges at the See of Rome for any suche office or dignitie in any behalf. AND yf the seid Deane and Chapyter or Pryor and Convent after suche lycence and letters myssyves to them directed, within the seid xij dayes do electe and chose the seid person mentioned in the seid tres myssyves, accordyng to the requeste of the Kynges Highnes hys heires or successours therof to be made by the seid letters myssyves in that behalf, then their eleccion shall stonde good and effectuell to all intentes; and that the person soo elected after certification made of the same eleccion under the comen and Covent seale of the electours to the Kynges Highnes hys heires or successours, shalbe reputed and taken by the name of Lorde elected of the seid Dignitie and office that he shalbe electid unto; And then makyng suche othe and fealtie only to the Kynges Majestie hys heires and successours as shalbe appoynted for the same, the Kynges Highnes by hys letters patentes under hys greate seale shall signifye the seid eleccion yf it be to the dignitie of a Bishoꝝ to the Archebishoꝝ and metropolitane of the provynce where the see of the seid Bishopriche was voyde, yf the See of the seid Archebishoꝝ be full and not voyde; and yf it be voyde, than to any other Archebishoꝝ within this Realme or in any other the Kynges Domynions, requyryng and comāundyng suche Archebishoꝝ to whome any suche significacion shalbe made, [to confirme the seid eleccion and] to invest and consecrate the seid persone so electid to the office and Dignitie that he is elected unto, and to geve and use to hym all suche benediccions ceremonies and other thynges requisite for the same without any suing pcuryng or opteynyng any bulles letters or other thynges from the See of Rome for the same in any behalf: And yf the person be elected to the office and dignitie of an Archebishoꝝ accordyng to the tenour of this acte, then after suche eleccion certified to the Kynges Highnes in forme aforesaid, the same person soo elected to the office and dignitie of an Archebishoꝝ shalbe reputed and taken Lorde electe of the seid office and dignitie of Archebishoꝝ wherunto he shalbe so elected; and then after he hath made such othe and fealtie only to the Kynges Majestie hys heires and successours as shalbe lymyted for the same, the Kynges Highnes by hys letters patentes under hys greate seale shall signifye the seid eleccion to one Archebishoꝝ and ij other Bishoppes or els to iij Bishoppes within this Realme or within any other the Kynges Domynions to be assigned by the Kynges Highnes his heires or successours, requyryng and comāundyng the seid Archebishoꝝ and Bishoppes with all spede and seleritie [to confirme the seid eleccion and] to investe and consecrate the seid person soo elected to the office and dignitie that he is elected unto, and to geve and use to hym suche palle benediccions ceremonies and all other thynges requisite for the same without suing pcuryng or opteynyng any bulles breves or other thynges at the seid See of Rome or by the auctorytie therof in any behalf.

V.
Such Elections,
Consecrations, &c.
declared effectual.

AND be it further enacted by auctoritie aforesaid, that every person and persons being hereafter chosen elected nomynate presented invested and consecrate to the dignitie or office of any Archebishop or Byshop, within this Realme or within any other the Kynges Domynions, accordyng to the forme tenure and effecte of this p̄sente acte, and suing their temporalties out of the Kynges handes hys heires or successours as hath byn accustomed, and makyng a corporall othe to the Kynges Hyghnes and to none other in forme as is afore rehersed, shall and may from hensforth be tronoynd or installed as the case shall require, and shall have and take their only restitucion out of the Kynges handes of all the possessions and profette spirituall and temporall belongyng to the seid Archebishoprliche or Bishopprliche wherunto they shalbe soo elected or presented, and shalbe obeyed in all maner of thynges accordyng to the name title degree and dignitie that they shalbe so chosen or p̄sented unto, and doo and execute in every thyng and thynges touchyng the same, as any Archebishop or Byshop of this Realme, without offending the prerogatyve Royall of the Crowne and the lawes and customes of this Realme, mought at any tyme heretofore doo.

VI.
All Persons who
shall neglect to
elect or consecrate
Bishops, &c. or
shall obey any
Censures, &c. for
so doing, shall incur
a Premunire under
Statutes 25 E. III.
stat. 5. c. 21 and
16 Ric. II. c. 5.

AND be it further enacted by the auctoritie aforesaid, that yf the Prior and Covent of any Monastery or Deane and Chapitour of any Cathedrall Church where the See of any Archebishop or Bishop is within any of the Kynges Domynions, after suche licence as is afore rehersed shalbe delyvered to theym, procede not to eleccion and signyfie the same accordyng to the tenour of this acte within the space of xx dayes next after suche licence shall come to their handes, or els yf any Archebishop or Bishop within any the Kynges Domynions, after any suche eleccion nomynacion or presentacion shalbe signyfyed unto theym by the Kynges tres patentees, shall refuse and do not [confirme¹] invest and consecrate with all due circumstance as is aforesaid every suche p̄son as shalbe soo elected nomynate or presented and to theyme signyfyed as is above mencioned, within xx dayes next after the Kynges tres patentees of suche signyficacion [or presentacion²] shall come to their hande; or els yf any of theym or any other p̄son or persones admytte maynteyne allowe obey doo or execute any censures excomunicacions interdiccions inhibicions, or any other p̄cesse [or acte³] of what nature name or qualitee soo ever it be, to the contrary or lett of due execucion of this acte, that then every pryour and particuler person of hys convent, and every Deane and particuler person of the Chapter, and every Archebishop and Bishop and all other persons soo offending and doing contrary to this acte or any parte therof and their aydours counaylours and abettours shall ronne into the daungers peynes and penalties of the estatute of the provysion and premunire made in (⁴) xxv. yere of the reigne of Kyng Edwarde the thirde, and in the xvj yere of Kyng Richarde the seconde.

CHAPTER XXI.

AN ACTE for the exolacion frome exaccions payde to the See of Rome.

Grievances by the
Exaccions and
Dispensations of
the See of Rome

MOST [humble besechyng⁴] your most Royall Majestie your obeydent and faithfull subjectes the Cōmons of this youre present Parliament assembled by your most dradde comzundement; That where your subjectes of this your Realme, and of other countres & Domynions being under your obeysaunce, by many yeres past have byn and yet be greatly decayed and impoverished by suche intollerable exaccions of greate somes of monay as have byn claymed and taken and yet continually be claymed to be taken out of this your Realme and other your seid Countres and Domynions, by the Bishop of Rome called the Pope and the See of Rome, aswell in pensious censes peter pence procuracions fruytes sutes for provysions and expedicions of Bulls for Archebishoprliche and Bishoppriches and for delegacies and rescriptis in causes of contencions and appeles juridiccions legatyne and also for dispensacions licencas faculties grauntys relaxacions writtys called perinde valere rehabilitacions abolicions, and other infynyt sortes of bulles breves and instrumente of sondre natures names and kyndes in great numbers heretofore practised and opteyned otherwise then by the lawes laudable uses and customes of this Realme shuld be pmytted, the Specialities wherof ben over long large in nombre and tedyous here particularly to be inserted; wherin the Bishop of Rome aforesaid hath not byn only to be blamed for hys usurpacion in the premisses but also for hys abusyng and begylyng your subjectes, pretending and p̄wadyng to theym that he hath full power to dispence with all humayne lawes uses and customes of all Realmes in all causes which be called spirituall, which mater hath byn usurped and practised by hym and hys p̄decessours by many yeres in great derogacion of your imperiall crowne and auctoritie royall contrary to right and conscience; For where this your Graces Realme, recognyngyng noo superior under God but only your Grace, hath byn and ys free frome subjeccion to any mannes lawes but only to suche as have bene devysed made and ordyned within this Realme for the welthe of the same, or to suche other as by sufferaunce of your Grace and your progenytours the people of this your Realme [have⁵] taken at their free libertie by their owne consente to be used amonges theym, and have bounde theym selves by longe use and custome to the observance of the same, not as to the observance of the lawes of any foren Prynce Potentate or Prelate, but as to the accustomed and auncient lawes of this Realme oryginally established as lawes of the same by the seid sufferance consentes and custome and none otherwise: It stonndith therfore with naturall equitye and good reason that in all and (⁶) every suche lawes humayne, made within this Realme or induced into this Realme by the seid sufferance consentes and custome, your Royall Majestie and your Lordes Spirituall and temporall and Cōmons, representyng the holle state of your Realme in this your most high Courte of Parliament, have full power and auctoritie not only to dispence but also to auctorise some electe person or persones to dispence

Independence of
this Realm upon
all Foreign Inter-
ference whatever

¹ Interlined in the Original Act.

² humbly besechen O. & nu. 28. See Note at the End of this Act.

³ the O.

⁴ hath O. & nu. 28.

⁵ in nu. 28.