

persones their heires and successours, the which nowe be or at any tyme frome hensforth shalbe seased in possession or in use of any manour londes or tenentes in anywise adjoynng to the seid high waies betwene the said Stronde Crosse and Charing Crosse, be it on the one side of the same waye or on the other, of any Estate of Fee symple Fee taile or for tyme of life, shall before the feaste of Seynt Michell tharchaungell the which shalbe in the yere of our Lorde God M' D xxxiiij^o sufficiently pave or cause to be paved with paving stone the said high waye alonge frome his or their Londes or Tenementes adjoynng to the seid High waye unto the myddes of the same way, in suche and like forme as the high strete betwene Temple Barre and Stronde Crosse aforesaid is paved; upon payne to forfait to your Highnesse, your heires and successours for evy yarde square not sufficiently paved by the said day lymytted and assigned in forme before exp^osed vj d.

AND be it also enacted by the auctorite aforesaid, That all and evy p^one and p^ones having any of the said Londes and Tenementes in possession or in use, in fee symple, fee taile, or for tyme of liff, adjoynng to the seid High waye, their heires and successours, shall frome and after the said feaste of Seynt Michell, the which shalbe in the said yere of oure Lord God, a thousande fyve hundred thirtie and three, sufficiently mayntene the pavement of the said waye against evy of their londes or tenentes in suche and like fourme as is above declared, upon payne to forfait to yo^r Highnesse for evy yarde square of the said pavement not sufficiently paved repaired and amended as often as any suche defaulte of any p^one shalbe p^onted before your Justices of the p^oles before your Highnesse to be holden, vj d.

AND that it be further enacted by the auctoritie aforesaid that yo^r seid Justices for the tyme beyng may have full power and auctorite to enquire, in evy tyme to be holden after the said feaste of Seynt Michell the which shalbe in the said yere of our Lorde God M' D xxxiiij^o by the othe of xij men of the said Countie as well of them that have not paved according to the p^ovision aforesaid, as also of them that remisly or insufficiently shall hereafter mayntene the same pavement according to the said p^ovision. And that the said Justices may have full power and auctorite after suche defaulte before them p^onted, to make p^ocesse by distresse or otherwise by their discrecion against the said offenders their heires and successours, as well for making repaying and amending of the said high waye as for the said penaltie so forfeited.

The Owners of Lands adjoining the said Highway shall pave the same: Penalty 6 d. per Square Yard.

II.
Such Owners of Lands shall keep the said Highway so paved.

III.
The Justices at every Michaelmas Term may enquire of Defaults; which shall be presented by a Jury; and the Penalty distrained for.

CHAPTER XII.

AN ACTE that the Appeles in suche Cases as have ben used to be pursued to the See of Rome shall not be from hensforth had ne used but wythin this Realme.

WHERE by dyvers sundrie olde autentike histories and cronicles it is manifestly declared and exp^osed that this Realme of England is an Empire, and so hath ben accepted in the worlde, gov^oned by oon Sup^ome heede and King having the Dignitie and Roiall Estate of the Imperiall Crowne of the same, unto whome a Body politike compacte of all sortes and degrees of people, devided in termes and by names of Sp^oualtie and Temporaltie, ben bounden and owen to here nexte to God a naturall and humble obedience; he beyng also institute and furnysshed by the goodnes and sufferaunce of Almyghtie God with plenarie hoole and intiere power p^oemynence auctoritie p^orogatyve and jurisdiction to rendre and yelde Justice and finall det^omynac^oion to all man^o of folke reseautes or Sub^ojectes within this his realme, in all causes maters debates and contencions happenyng to occurr insurge or begyne within the limittes therof without restraynt or p^ovacacion to any foreyn Princes or Potentates of the World: The Body Sp^ouall wherof having power whan any cause of the Lawe devine happened to come in question or of sp^ouall lernyng, [than^o] it was declared interpret and shewed by that parte of the said bodye politike called the Sp^oualtie nowe beyng usually called the Englishe Church, which alwaies hath ben reputed and also founde of that sorte that bothe for knowlege integritie and sufficiencie of nombre it hath ben alwaies thought and is also at this houre sufficiente and mete of it selfe, without the intermedlyng of any exterior p^one or p^ones, to declare and det^omyne all suche dubtes and to administre all suche offices and dueties as to their romes sp^ouall doth apperteyne; For the due admynstracion wherof and to kepe them frome corrupcion and synystrer affection the Kinges moost noble p^ogenitours, and the antecessours of the Nobles of this Realme, have sufficiently endowed the said Church both with honour and possessions: And the Lawes Temporal for triall of p^oprietie of Landes and Goodes, and for the conservacion of the people of this Realme in unitie and peace without ravyn or spoill, was and yet is administred adjudged and executed by sondry Judges and Administrators of the other parte of the said body politike called the Temporaltie, and bothe their auctorities and jurisdictions do conjoyne together in the due administracion of Justice the one to helpe the other: And where as the Kinge his mooste noble p^ogenitours and the Nobilitie and Comons of this said Realme at dyvers and sondry parlamentes as well in the tyme of King Edwarde the firste, Edwarde the thirde, Richard the seconde, Henry the fourth, and other noble Kinges of this Realme made sondrye ordenaunces lawes statutes and p^ovisions for the entier and [suer^o] conservacion of the p^orogatyves libties and p^oemynences of the said Imperiall Crowne of this Realme, and of the jurisdictions sp^ouall and temporal of the same, to kepe it frome the annoyaunce aswell of the See of Rome as fromme the auctoritie of other foreyne potentates attemptyng the diminucion or violacion therof as often and frome tyme to tyme as any suche annoyaunce or attempte myght be known or espied: And notwithstanding the said good estatutes and ordynaunces made in the tyme of the Kyng^o most noble p^ogenitours in p^oservacyon of the auctoritie and p^orogatyff of the said Imp^oeriall Crowne as is aforesaid, yet ne^otheles sythen the makyng of the sayd good statutes and ordenaunc^o dyvers and sondry inconveniences and

The Pre-eminence, Power and Authority of the King of England;

The Power, Learning, and Wisdom of the Body Spiritual;

Power, &c. of the Temporality.

Laws and Provisions by former Kings, Edward I. and III. Richard II. and Henry IV. against Intrusions of the See of Rome;

Appeals to Rome, and the Evils thereof;

daungers not pvided for playnly by the said formar Actes, Statutes and Ordynⁿces have risen and spronge by reason of appeales sued oute of this Realme to the See of Rome, in causes testamentarie causes of matrimony and dyvorces, right of tithes, oblacions and obventions, not onlie to the greate inquietacion, vexacion, trouble, costes and charges of the Kinges Highnesse and many of his Subjectes and Reseautes in this his Realme, but also to the greate delaye and lette to the trewe and speedy del^mynacion of the said Causes, for so moche as the parties appealing to the said Courte of Rome moost comonly do the same for the delaye of Justice: And forasmoche as the greate distaunce of waye is so farr out of this Realme, so that the necessarie proves nor the true knowlege of the cause can nether there be so well knowen ne the Witnesses there so well examined as within this Realme, so that the parties greved by meanes of the said appeales be moost tymes without remedye: In consideracion wherof the Kinges Highnesse his Nobles and Commons considering the greate enormities daungers longe delayes and hurtes that aswell to his Highnesse as to his said Nobles Subjectes Cōmons and Reseautes of this his Realme in the said Causes testamentarie, Causes of Matrimonye & Devorces, Tithes, Oblacions and Obventions, doo daile ensue, dothe therfore by his Roiall Assente and by the Assente of the Lordes Spirituall and Temporall and the Commons in this p^sente Parliament assembled and by auctoritie of the same, enacte establishe and ordeyne that all Causes tesamentarie, Causes of Matrimony and Divorces, rightes of Tithes, Oblacions and Obventions, the Knowlege wherof by the goodnesse of Princes of this Realme and by the Lawes and Customes of the same apperteyneth to the Sp^uall Jurisdiction of this Realme allredy cōmensed moved depending beyng happenyng or hereafter cōmyng in contencion debate or question within this Realme or within any the Kinges Dominions or Marches of the same or els where, whether they concerne the King our So^vaigne Lorde his heires or successours or any other Subjectes or Reseautes within the same of what Degree so e^v they be, shalbe frome hensforth harde examined discussed clerely finally and diffinityvely adjudged and del^myned within the Kinges Jurisdiction and Auctoritie and not elleswhere, in such Courtes Sp^uall and Temporall of the same as the natures condicions and qualities of the causes and matiers aforesaid in contencion or hereafter happenyng in contencion shall require, without having any respecte to any custome use or sufferance in hynderaunce lette or p^judice of the same or to any other thinge used or suffered to the contrarie therof by any other manⁿ psonne or psonnes in any manⁿ of wise; any foreyne inhibicions appeales sentences sommons citacions suspencions in^diccions excōdicacions restrayntes judgements, or any other p^ocesse or impedymen^t of what natures names qualities or condicions so e^v they be, frome the See of Rome or any other foreyne Courtes or Potentates of the Worlde, or frome and oute of this Realme or any other the Kinges Dominions or Marches of the same to the See of Rome or to any other foreyn Courtes or Potentates, to the lette or impedymen^t therof in any wyse notwithstanding. And that it shalbe lefull to the King our So^vaigne Lorde and to his heires and successours, and to all other Subjectes or Resiautes within this Realme or within any the Kinges Dominions or Marches of the same, notwithstanding that hereafter it shuld happen any excōmengemente excōdicacions in^diccions citacions or any other censures or foreyne p^ocesse oute of any outwarde parties, to be fulmyneate p^vulged declared or putt in execucion within [this] seid Realme or in any other place or places for any of the causes before referred, in p^judice dirrogacion or contempte of this said acte and the verrie true meanyng and execucion therof, may and shall nevertheless as well pursue execute have and enjoye the effectes pⁱttes benefites and cōmodities of all^suche p^ocesses sentences judgements and del^mynacions, don or hereafter to be don in any the said Courtes Sp^uall or Temporall as the Cases shall require, within the limites power and auctoritie of this the Kinges said Realme and Dominions and Marches of the same, and those only and none other to take place and to be firmly observed and obeied withiu the same: As also that all the Sp^uall Plates [Pastures] Ministers and Curates within this Realme and the Dominions of the same shall and may use ministre execute and doo or cause to be used ministred executed and don all Sacramentes Sacramentals Dyvine vⁱces and all other thinges within the said Realme and Dominions unto all the Subjectes of the same as Catholik and Cristen men owen to do; Any [formar] Citacions P^ocesses Inhibicions Suspencions Interdiccions Excōdicacions or Appeles for or touching (*) of the Causes aforesaid frome or to the See of Rome or any other foreyne Prince or foreyne Courtes to the lette or cont^rye therof in any wise notwithstanding. And if any of, the said sp^uall psonnes, by the occacion of the said fulminacions of any the same in^diccions censures inhibicions excōdicacions appeles suspensions sūmons or other foreyne Citacions for the Causes beforesaid or for any of, them, do at any tyme hereafter refuse to ministre or to cause to be ministred the said Sacramentes and Sacramentals and other Divine vⁱces in forme as is aforesaid, shall for e^vy suche tyme or tymes that they or any of theym do refuse so to doo or to cause to be done, have one yeres imprisonment and to make fyne and raunsome at the Kinges pleasure.

All testamentary and matrimonial Causes, and all Suits for Tithes, Oblations, &c. shall be adjudged by the King's Courts Spiritual and Temporal, without Regard to any Process of Foreign Jurisdiction, or any Inhibition, Excommunication, or Interdict, &c.

Prelates and Clergy shall administer the Sacraments and Service of the Church; notwithstanding such Interdicts, &c. on Penalty of One Year's Imprisonment.

II.
Persons procuring Process, Appeals, Sentences, &c. from or to the See of Rome, shall incur the Penalties of Premunire, under St. 16 Ric. II. c. 5.

AND it is further enacted by the Auctoritie aforesaid, that if any psonne or psonnes, inhabiting or resiaunte within this Realme or within any the Kinges saide Dominions or Marches of the same, or any other psonne or psonnes of whate estate condicion or degree so ever he or they be, at any tyme hereafter for or in any the causes aforesaid doo attempte move purchase or p^ure frome or to the See of Rome or frome or to any other foreyn Courte or Courtes oute of this Realme any maner foreyn p^ocesse inhibicions appellees sentences sommons citacions suspencions in^diccions excōdicacions restrayntes or judgements of what nature kynde or qualitie so e^v they be, or execute any of the same p^ocesse or do any Acte or Actes to the lette impediment hynderaunce or dirrogacion of any p^ocesse sentence judgement or del^mynacion hadd made done or hereafter to be had done or made in any Courtes of this Realme or the Kynges said Dominions or Marches of the same for any of the Causes aforesaid, cont^rye to the true meanyng of this p^sente acte and the execucion of the same, that [than] e^vy suche psonne or psonnes so doyng and their fautours comfortours abbetours p^ucers executers & counsaillours and e^vy of them beyng convicte of the same for e^vy suche defaulte shall incurre and ronne in the same peynes [penalites*] and forfaitours ordeyned and p^vided by the Statute of p^vision and

* the O.
* then O.

* Pastors O.
* penalites O.

* foreyn O.

* any O.

Prmunire, made in the xvj yere of the reigne of the right noble Prince Kyng Richard the Seconde ageynst suche as attempte pcurer or make pvision to the See of Rome or elles where for any thing or thinges to the dirrogacion or contrye to the Prrogatyve or jurisdiction of the Crowne and Dignitie of this Realme.

AND FURTHERMORE in eschuyng the said greate enormyties inquietacions delaies charges and expenses hereafter to be susteyned in pursuwyng of suche Appelles and foreyne pcesse for and condeynng the causes aforesaid or any of theym, doo therefore by auctorite aforesaid ordeyne and enacte that in suche Cases where heretofore any of the Kinges Subjectes or Resiautes have used to pursue pvoke or pcurer any appele to the See of Rome, and in all other cases of Appelles in or for any of the causes aforesaid, they may and shall fromehensforth take have and use their appeles within this Realme and not elles where in mat^r and forme as hereafter ensueth, and not otherwise; that is to saye, Firste frome the Archedeacone or his officiall if the mat^r or cause be there begunne to the Busschoppe Diocesan of the saide See, if in case any of the parties be greved; And likewise if it be commensed before the Byshope Diocesan or his Cōmissarie frome the Byshope Diocesan or his Cōmissarie within fiftene dayes nexte ensuyng the judgement or sentence therof there yoven to the Archebysschoppe of the pvynce of Caunturburye yff it be within his pvynce, And if it be within the pvynce of Yorke [than ¹] to the Archebischopp of Yorke; and so likewise to all other Archebischoppes in other the Kynges Dñions as the case by the order of Justice shall require; and there to be diffinityvely and finally ordered decreed and adjudged accordyng to Justice without any other appellation or pvocacion to any other psonne or psonnes Courte or Courtes: And if the mattier or contencion for any of the causes aforesaid be or shalbe cōmensed by any of the Kynges Subgittes or Reseautes before the Archedeacone of any Archebusschoppe or his Cōmissarie, [than ¹] the partie greved shall or maye take his appeale within fyvetene dayes nexte after judgemente or sentence there yoven to the Courte of the Arches or Audyence of the same Archebischopp (¹) Archebusschoppes, and frome the said Courte of the Arches or Audience within fyfene daies [than ¹] nexte ensuyng after judgement or sentence there yeven to the Archebusschoppe of the same pvynce, there to be diffinityvely and finally de^mynded without any other or furder pcesse or appeale theruppon to be hadd or sued.

III.
Appeals hereafter shall be made within the Realm; viz. from Archdeacons to the Bishops;

from the Bishops to Archbishops;

from Archdeacons to the Arches' Court, and thence to the Archbishop.

AND it is further enacted by the auctoritie aforesaid that all and e^vy mattier, cause & contencion now dependyng or that hereafter shalbe cōmensed by any of the Kynges Subjectes or Resiautes for any of the Causes aforesaid before any of the said Archebusschoppes, that [than ¹] the same matter or matters contencion or contencions shalbe before the same Archebusschopp where the said Matter Cause or Pcesse shalbe soo cōmensed diffinityvely de^mynded decreed or adjudged, without any other appele pvocacion or any other foreyne pcesse oute of this Realme to be sued to the lette or dirrogacion of the said Judgement, Sentence, or Decree otherwise than is by this Acte lymyted and appoynted. Saving alwaies the Prrogatyve of tharchebyschoppe and Church of Caunterburye in all the forsaid Cases of Appeles to hym and to his Successours to be sued within this Realme in suche and like wise as they have ben accustomed and used to have heretofore: And in case any cause mattier or contencion nowe depending for the Causes before rehersed or any of them or that hereafter shall cōme in contencion for any of the same Causes in any of the forsaid Courtes, which hath dothe shall or may touche the King his heires or successours Kynges of this Realme, that in all and e^vy suche case or cases the partie greved as before is said shall or may appelle, frome any of the said Courtes of this Realme where the said mattier nowe beyng in contencion or hereafter shall come in contencion touching the King his Heires or Successours as is aforesaid shall happen to be ventilate cōmensed or begunne, to the Spuall Prelatez and other Abbottes and Priours of the upper House assembled and convocate by the Kinges Writte in the Convocacion beyng or nexte ensuyng within the province or pvynces where the same matter of Contencion is or shalbe begunne; So that e^vy suche Appelle be taken by the partie greved withint xv. daies nexte after the judgement or Sentence theruppon yoven or to be yoven. And that what soe^v be done or shalbe done and affirmed determyned decreed and adjudged by the forsaid Prelates Abbotes and Priours of the upper House of the said Convocacion as is aforesaid, apperteynyng condeynng or belongyng to the Kyng his heires & successours in any of these forsaid Causes of Appeles, shall stonde and be taken for a finall decree sentence judgemente diffinicion and de^myndacion, & the same mattier so de^mynded never after to cōme in question and debate to be examined in any other Courte or Courtes: And if it shall happen any psonne or psonnes hereafter to pursue or pvoke any appele contrarie to the effecte of this Acte or refuse to obeye execute and observe all thinges comprised within the same, condeynng the said appeles pvocacions and other foreyne pcesses to be sued oute of this Realme for any the Causes aforesaid, that [than ¹] e^vy suche psonne and psonnes so doyng refusing or offending contrarie to the true meanyng of this Acte, their [pcurers ¹] fautours advocates counsaillours and abbettours and e^vy of them shall incurre into the peynes forfaitures and penalties ordeyned and pvided in the said Statute made in the said xvj yere of King Richard the Seconde, and with like pcesse to be made ayenst the said offenders as in the same Statute made in the said xvj yere more pleyntly apperythe.

IV.
No Appeal from Archbishops;

Saving for the Prerogative of Abp. of Canterbury. Appeals in Cases touching the King, shall be made to the Upper House of Convocation.

Persons appealing contrary to this Act shall incur Penalties of Premunire under St. 16 Ric. II. c. 5.

¹ then O.

¹ or O.

¹ procurers O.