(2) PROVYD THY wise and be yt enacted by autocraty of thys present parliament that this present acte or any thing or thynge therin contained shall not begynne to take effecte nor be put in executeyon till the feast of the Nativity of Seynt John Baptiste next comynge; Except the Kyng's Majestye on thysdaye the said Feast by his free patenst under his grete seale to be enrolled in the parlament rolle of this present parliament, do declare & expresse that yt is his pleasure that yt [shalbe'] begynne & take effecte as any tymne aforesayde the sayd Feast: And yt his Highnesse happen so to do, that then ymedly afer every declaracyon of his pleasure by the said free patenst in fouremonthes afterye the sayd acte shallbegyn & be put in executeyon afer the sayd feast accordyng to his sayd pleasure so to be declared by his sayd tese patenst; eny thynge in this provyse to the contr'y herof notwythstanding.

AND BE IT further enacted by autocraty aforesayde that the Kynges Majestye at all tymes on thysdaye the sayd feast shall have full power & autocraty, by his tese patenst under his grete seale to be enrolled in the parlament rolle of thys present parlament, to abrogat adnuel and utterely epele & make voyde this acte and eny thynge or thynge therin contained, or else amnoche & suche therof as shalbe declared & lynysted on thysdaye the sayd Feast by his sayd tese patenst to be voyde & repeled. And that all suche repele & adnuelcyon so to be made in fouremonthes aforesayd by his Highnes on thysdaye the sayd feast, shalbe as good & effectuall as it though be hade done & hadd by autocraty of parlament; eny thynge or thynge therin contained in thys present acte to the contr'y herof not wythstanding. And yt no suche repele be had or made by the Kynges Majestye on thysdaye the sayd feaste in foure as ye afores rehered, that then the sayd atce or amnoche & suche therof as shall not be repeled on thysdaye the said feast, shall ymedly after the sayd feast stonde fyrme good & effectuall & from thereforthe be put in due executeyon accordyng to the tenure therof; eny thynge in this atce or eny the pryvysa aforesaid to the contr'y herof notwythstanding. (*)

CHAPTER XXII
AN ACTE for the establisshment of the Kynges succession.

IN THEIRE mooste humble wyse shewen unto your Majestye your mooste humble and obedient subjectz the Lordes spiritual and temporall and the Commons in this present parliament assembled, that syns it is the natural inclination of every man gladly and wyllynyngly to gyde for the suerte of both bys title and succession all though it touche bys only pryvate cause; We therefor mooste rigthfully and dreedfully Soversigne Lorde reken our selves moche more bounden to besech and instant your Highnes, all though we doubt [not] of your pryncely harte and wysdome myxed with a natural affection to the same, to forse and provyde for the perfite suerte of both you and of your moose lawful succession and heeres, upoun which dependeth all our joye and welth, in whome also ye usuet and knytte the only mere true inheritance and title of this Realme without ane contradiction: Wherefore we your sayd mooste humble and obedient subjectz in this present parliament assembled, callyng to our remembraunce the greate dyvyson whiche in tymes past hath byn in this Realme by reason of several titles pretended to the imperiall Crowne of the same, which some tymes and for the most parte enaued by occasion of ambiguyete and doubte, then not soo perfertyly declared but that men myght upon frowarde intentes expound theyme to every man synypate appetite and afection after their sence, contrarie to the right legaly of the succession and posterity of the lawfull Kynges and Emperours of this Realme, wherof hath inued great effusion and destruction of man blode aswell of a great nothbre of the noblesz as of other the subjectz, and specially inheritors in the same; And the greatest occasion therof hath bryn by

1 This and the following Provioso are inserted in a second Schedule annexed to the original Act.
2 The last Two Clauses of this Act do not appear in any printed Edition previous to Cay's 1758. The Royal Assent was given by Letters Patent of 4 April 25 Hen. VIII. as appears by the following Entry in the Roll in Chancery:
   Le Roy le volt.
3 Memorando quod septimo die Aprilis anno regni Regis Henrici octavi vicecomito, Iden Dni. Rex per hos suas patentes sub magno sigillo suo sigillavit, ac summa plena ratificavit et confirmavit, et scilicet illius assentii subsequitutii regi dedit ut in eadem fuisse imitatione, ne regi dedit patentibus in ditione vicecomitis, ne in eandem assentium subsequentium regi dedit patentibus in imitatione vicecomitis.
5 A ratification of the Acte for the eschuation of ecclesiais payd to the See of Rome. 28.
cause no pyncke and substanciall provison by lawe hath bryn made within thys Realme of yt selwe, when doynt and questyons have lyn moved and propoen of the certaintie and lkeleyth of the succession and posterite of the Crowne; By reason wherof the Bishop of Rome and See apostolike, contrary to the grete and inviolable granties of jurisdiccons given by God ymmediatly to Emporers Kynges and Prynces in succession to theire heires, hath presumed in tymes past to investe whiche shulde pleaseth them to inherite in other membes Kyngdomes and Domynyon, whiche thynge we your most humble subjectes bothe spirituall and temporall doo mooste abhorre and deteste; And some tymes other foren princes and potentates of sondre degrees, mynyng rather dimension and discorde to continyue in the Realme to the utter desolation therof then charite equitie or unie, have many tymes [suborted] wronges tylle whereby they myght the more easilly and facely aspire to the suporitie of the same; The continyuaunce and sufferance wherof deeply considered and pondered were to daungerous and peryllous to be suffered any lenger within this Realme, and to moche contry to the untyme peace and tranquilitie of the same, being greatly reprochable and dishonorable to the hole Realme: In consideration wherof your seid more humble and obedient subjectes the Nobles and Cymons of this Realme calling further to their remembrance, that the good untyme peace and welche of this Realme and the succession of the subjectes of the same mosstly specially and principaly above all [wordely] thynge consistseth and restith in the ceretnie and suercie of the proccession and posterite of your Highnes, in whose most roysall person at this present tymse is noo maner of doubt nor question, doo therfore mooste humbly beseeche your Highnes that it may please your Majestie, that is may be enayted by your Highnes with the assente of the Lordes spirituall and temporall and the Cymons in this present parliament assembled and by authoritie of the same, that the marriage hertofore solennysed bywene your Highnes and the Lady Katheryne, being before lawfull wyf to prynce Arthure your elder brother, which by hym was carnally knowen as doth duely appere by sufficient proue in a lawfull proces had and made before Thomas by the suferance of [Good `] nowe Archebiskop of Canterbury and Metropolitane and prymate of all this Realme, shalbe by authoritie of this present parliament diffently clery and absoluetly declared demed and adjudged to be ataynt the laines of Almyghty God, and also accepted repeted and taken of noo value ne effete, but utterly veyde and adynchyded, and the sepcion therof made by the seid Archebiskop shalbe good and effectuall to all intentes and purposes, any licence dispensacion or any other ade or ades goinge afoire or insaying the same or to the contrary therof in any wyse not withstonden; And that every suche licence dispensacion ade or ades thynge or thynge hertofore had made don or be to done to the contrary therof shalbe veyde and of none effete; and that the seid lady Katheryne shalbe fronde hensforth called and repeted only Dowager to prynce Arthure and not Queene of this Realme. And that the lawfull matrimonie had and solennysed bywene your Highnes and your mosst doere and entierly beloved wyf Queene Anne shalbe established, and taken for undowable true syncere and pyncke ever hereafter, according to the jusse judgement of the seid Thomas Archebiskop of Cantbury metropolitane and prymate of all this Realme, whose groundes of judgement have hym confirmed awesell by the hole Clegre of this Realme in both the Convocacions, and by both the Universties thereof, as by the Universties of Bonny Padua Paris Orleance Toulouse Angiew and dyverse others, and also by the pryate wryntynge of many right excellent well lerned men; whiche groundes soo confirmed and judgement of the seid Archebiskop ensaying the same, together with your marraige solennysed bywene your Highnes and your seid lawfull wyf Queene Anne. We your seid Subjectes both spirituall and temporall doe purely playnly constandy and firmly aperse approve and ratifie for good, and consensu for the laines of Almyghty God without errore or defauete, mooste humble beseeche your Majestie that it may be soo established for ever by your mooste graucious and roysall assente.

And furthermore syns many inconveniences hath fallen awesell within this Realme as in others by reason of marrying within degrees of marraige prohibited by Godes lawes, that is to say, the son to marrye the mother or the stepmother, the brother the sister, the father his sonne daughter or his daughters dochter, or the son to marry the dochter of his father, procreate and borne by hys stepmother, or the son to marry his aunte being hys fathers or mothers sister, or to marry hys uncles wyfe, or the father to marry his sons wyff, or the Brother to marry his brothers wyfe, or any man to marry his wyves daughter or hys wyfes sonne daughter or hys wyfes doothers daughter or hys wyfes sister; whiche marriaiges allo se plenly probythet and deteted by the lawes of God, yet never the lesse at some tymes they have proceeded under colours of dispensacions by mannys power, which is but usurped and of right ought not to be graunted admityed ne allowed, for no man of what estate degree or condicon soo ever he be hath power to dispence with Godes lawes, as all the Clergie of this Realme in the seid Convocations and the most parte of all the famous Universities of Christendome and we also doo syffye and thynke:

Be it theryfore enaacted by authoritie aforesaid that no person or persones subjectes or recauntres of this Realme or in any your Domynyonys, of what estate degree or dignity soo ever they be, shall from hensforth marry within the seid degrees afore heresers, what pretence sooeuer shalbe made to the contrary therof; And in case any person or persons, of what estate dignity degree or condicon soo ever they be, hath byn hertofore mariied within this Realme or in any the Kynges Domynyonys within any the degrees above expressed, and by any the Archebiskopys Byshoppes or Mynysters of the Churche of Engleonde be separate from the [boudes] of suche unlawfull marriaige, that eyle souche sepcyone, shalbe good lawfull fyrmes and permanent for ever, and not by any power authoritie or meanes to be revoked or undone hereafter; And that the children procedynge & procrete under suche unlawfull marriaige shall not be lawfull be legitymaze; any foren lawes licences dispensacions, or other thynge or thynge to the contrary therof not withstonden.

And in case ther be any person or persones within this Realme or in any the Kynges Domynyonys alreadly marryed within any the seid degrees above specified, and not yet separe from the [boudes] of suche unlawfull marriaige, that then every suche person so unlawfully married shalbe separate by the diffinarye sentence and jugement of the Archebiskopys Byshoppes and other Mynysters of the Churche of Engleonde, and in other your Domynyonys within the lymynutes of
therein jurisdictions and authorities, and by none other power or authority. And that all sentences and judgments given to be given by any Archbishops, Bishops or other mysteries of the church of England, or in other the kynge's Domynions within the lymnytes of therein jurisdictions and authorities, shall be durnytyne forme good and effectuall to all intenteis, and be observed and obeyed woutruyng any provocations apelles prohibitions or other processis from the Courte of Rome to the derogacion thereof, or contrarie to the alde made syna the beynnyng of this present parlament for restrynte of suche provocations apelles prohibitions and other processis.

And also be it enacted by auctoritate aforesaid that all the issue hede and procreate, bywythe your Highnes and your seid moost dire and entertynely bryfed wyfe Quene Anne, shall be your lawfull chylde, and be inheritable and enherit accordyng to the course of enheritaunce and lawes of this Realme the ymperiall Crowne of the same, with all dignitites honours preheminences prerogatyves authorities and jurisdictions to the same annexed or belonging, as in large and ample maner as you Highnes [to *] this present tyme hath the same as kyng of this Realme, the enheritaunce thersof to be and remaynyng to your seid chyldren and right heires in maner and forme as heretofore shalbe declared: That is to sy, fyrst the seid ymperiall Crowne and other the Pynisses shalbe to your Majestie and to your heires of your body lawfully begotten, that is to sy to the first seone of your body between your Highnes and your seid lawfull wyfe Quene Anne begotten, and to the heires of the body of the same fyreste sonne lawfully begotten; And for defaulte of suche seones, then to the seone secondone of your body and of the body of the seid Quene Anne begotten, and to the heires of the body of the seid seconde sonne lawfully begotten; and soo to every seone of your body and of the body of the seid Quene Anne begotten, and to the heires of the body of every suche sonne begotten, according to the course of inheritaunce in that behalfe. And yf yt shalbe happen your seid dire and entertynely bryfed wyfe Quene Anne to decease without issue male of the body [of the body] of your highnes to be gotten (whiche God defende) then the same imperial Crowne and all other the Pynisses to be to your Majestie as is aforesaid, and to the son and heire [male] of your body lawfully begotten and to the heires of the body of the same sonne and heire male lawfully begotten; And for defaulte of suche issue then to the seone secondone of your body lawfully begotten and to the heires of the body of the same secondone sonne lawfully begotten; And soo frome sonne and heire male to sonne and heire male, and to the heires of the several bodies of every suche sonne and heire male to be gotten, according to the course of inheritaunce in luyke maner and forme as is above seid: And for defaulte of suche sonnes of your body begotten, and of the heires of the severall bodies of every suche sonne lawfully begotten, that then the seid ymperiall Crowne and other the premisses shalbe to the issue female between your Majestie and your seid moost dire and entertynely bryfed wyfe Quene Anne begotten. That is sy; fyrste to the eldest issue female, which is the Lady Elizabeth nowe prynce and to the heires of her body lawfully begotten, and for defaulte of suche issue then to the seone issue female and to the heires of her body lawfully begotten; And soo frome issue female to issue female and to the heires of their bodies one after another by course of inheritaunce accordyng to thier ages, as the Crowne of Englynde hath bryn accustomed and ought to goo in cases when there be heires females to the same: And for defaulte of suche issue then the seid ymperiall Crowne and all other the Pynisses shalbe in the highte heires of your Highnes for ever.

And be it further enacted by auctoritate aforesaid that on this side the fyrst day of Mai next commyng, all galmaciones shalbe made in all Shires within this Realme of the tenour and content of this Acte; And yf any persone or pones of whate estate dignitie or condicion so ever they be, subjekte or rescent within this Realme or els where within any the Kynges Domynions, after the seid fyrst day of Maye by wryntyng or impryntyng or by any exterieur acte or deede, maliciously procure or doo or cause to be procured or doo any thynge or thynges to the perpet of your mooste royall person, or maliciously [gave *] occasion by wryntyng prynct deede or acte whereby your Highnes myght be disturbed or interrupted of the Crowne of this Realme, or by wryntyng prynct deede or acte procure or doo acte or cause to be procured or doo any thynges or thynges to the prejudice Seluowter dysurbaunce or derogacyon of the seid lawfull matrmony seiplympyned between your Majestye & the seid Quene Anne, or to the pyll slaunder or disinhonour of any the issues and heires of your Highnes being lymyned by this Acte to enherite and to be inheritable to the Crowne of this Realme in suche forme as is aforesaid, whereby any suche issues or heires of your Highnes myght be destroyt disturbed or interrupted in body or title of inheritaunce to the Crowne of this Realme as theym is lymyned in this Acte in forme above reheresed, that then every suche persone and persones of what estate dignite or condicion they be, of subjekte or rescent within this Realme, and thier [saydowers *] censayours mayntenours and abbeyours and every of them, for every such syoffence shalbe adjudged high trayours, and every suche syoffence shalbe adjudged high treason, and the offendour and thier saydours censayours mayntenours and abbeyours and every of them, being lawfully conuerte of suche syoffence by presentyment verdyke confesson or proces according to the customes and lawes of this Realme, shall suffer paynes of death as in cases of high treason. And that also every suche offendour being convicte as is aforesaid shall lose and forffeete, to your Highnes and to your heires kynges of this Realme, all suche manors Landes Tenementes Rentes Annuities and Hereditaments which they hade in possession as owners or were sole ceasd of by or in any right title or mens, or any other person or persones had to thier use, of any estate of inheritaunce at the day of suche Tresasons and offences by them comytted and done; And shall also lose and forffeete to your Highnes and to your seid heires arwell almaner suche estate of frehold and interest for yeres of Landes and Rentes as all thier good cattals and debtes which they had at the tym of convyction or arrytery of any suche offence: Saying always to every person and persones and bodys politike to thiere Heires assignyes and succesours and every of thym, other than suche persones as shalbe so convyde and thiere heires and succesours and all other clamyng to thiere use, all suche right title use

Footnotes:
interest possession condition rent feoff offices a/oriies and [cowny's] which they or any of them shall happen to have in to of [upon] any suche Manors Land of Tenement Rentes a/oriies or Hereditaments that shall so happen to be lose & forffayte by reason of attaynyde for any the Treasons and offences above rehearsed at any tymbe before the seid treasons and offences commytted.

AND BE IT FURTHER ENACTED by authority aforseth if any person or persons after the seid first day of Maye by any wordt without wrytyng or any exterior deede or a/ke malicously and obstinately publish a/ori deuyl or utter any thynge or thynge to the perill of your Highness or to the slandering or prejudici of the seid matrmonyne solemnly bywtenve your Highness and the seid Queene Anne, or to the schamlender or dishonor of the isseis and heires of your body begotten and to be gotten of the seid Queene Anne, or any other your lawfull heires whiche shall be inhabitable to the Crowne of this Realme as is aforseth by this acte, that then every suche offende shall be taken and adjuged for mepsry of treason; And that every peon and persons of whate ever degree or condition soo ever they be, subjecte or resident within this Realme or in any the Kynges Domynyon soo doing and offenyng, and being [herof] lawfully convoyte by presentment verticde processe or confesyon, shall suffer imprisonment of their bodies at the Kynges wyll, and shall lose aswell all theire goodt a/oriis and deuet as all suche intereses and estates of freholde or for yeres which any suche offende shall have of or in any Londe Rent of Herediment what soo ever at the tymbe of convyccion and attaynyde of suche offence.

AND BE IT ALSO ENACTED by authority aforseth that noo person [or] persons offenyng in any of the Treasons or Mespriions contenynd and lymytted by this acte shall in any wyse have or enjewe the pruylige or immuyndy of any maner sancturaries, within this Realme or els where within any the Kynges Domynyon, but shall utterly [lose] and be excluded of the same; any use custome graut prescript conformation or any other thynge or thynge to the contrary thereof in any wyse nor withoutdoingy.

AND BE IT ALSO ENACTED by authority aforseth, that ye your Majestie shulde happen to desease, before any suche your issue and heire male which shuld inherite the Crowne of this Realme shalbe of bys age of xvij yeres, or before suche your issue and heire male which shuld inherite the Crowne of this Realme shalbe maried or be of the age of xvij yeres (which Almightye God defende), that then your seid issue and heire male to the Crowne so being within the seid age of xvij yeres, or your seid issue and heire male to the Crowne unmaried or within the seid age of xvij yeres, shalbe and remayne, unto suche tyne as suche issues and heires shalbe come to theire seid several ages afore lymytted, at and in the govenourship of their naturall mother, the lyvingyng, with suche others counsellours of your Realme as your Majestie in your lyff tyne shall depute and assigne by your wyll or otherwyse for the same without contracdication of any person or persons to the contrary thereof: And ye any peon or persones by wrytynge or exterior deede or a/ke procure or do or cause to be procured or done any thynge or thynge to the lett or disturbance of the same, that then every suche offende shall be high treason and the offendeer thereof convyct shall suffer suche paynes of deth and losses of inherittance frehold interett for yeres goodes a/oriis and debtes in suche maner and forme as is above specified in cases of treason aforseth.

And for the more sure establishemnt of the succession of your most Royall Majestie according to the tenour and forme of this acte, Be it further enacted by authority aforseth, that as well all the nobles of your Realme spirituall and temporall, as all other your subjectes now lyving and being or that hereafter shalbe at thire full ages, by the commandement of your Majestie or of your heires at all tymes hereafter frome tymbe to tymbe when it shall please your Highnes or your heires to appoynt, shall make a corporall othe in the presence of your Highness or your heires, or before suche other as your Majestie or your heires wyll depute for the same, that they shall truly and constandy without fraude o/gyle observe full flymynge defende and kepe to theyre cyning wytte and uttermoste of there powres the hole effect and contentes of this present acte; And that all maner your subjectes aswell spirituall as temporall, suynyng lyveray restitucions or oter le mayn out of the handes of your Highnes or of your heires or doing any fealde to your Highnes or to your heires by reason of tenure of thire Landes, shal be a lyke corporall othe that they and every of theyme wout fraude o/gyle to their cyning wytte and uttermoste of there powres shalbe truly fermently and constandy observe full flymynge defende and kepe the effectes and contentes contenynd and specified in this acte or in any parte thereof: And that they nor any of them shall hereafter have any lyverayes oter le mayn or restitucions out of your hand nor out of the handes of your heires, till they have made the seid corporall othe in forme above rehearsed. And ye any person or persons, being commandynd by authority of this acte to take the seid othe afore lymytted, obstainly refuse that to doo in contemp of this acte, that then every suche person soo doing to be taken and accepted for offendeir in mepsry of high treason; And that every suche refusall shalbe demed and adjuged mepsry of high treason, and the offendeer therin to suffer suche paynes and imprisionment losses and forfytures and also lose privileges of sancturaries in lyke maner and forme as is above mentioned for the mepsry of treasons afore lymytted by this acte.

PROVIDED always that the article in this acte contenynd containing prohibicions of mariaiges within the degress afore mentioned in this acte, shall always be taken interpreted and expounded of suche mariaiges where mariaiges were solemnnynd and carnall knowlidge was hade.