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## LIII.

ACT FORBIDDING PAPAL DISPENSATIONS AND  
THE PAYMENT OF PETER'S PENCE, A.D. 1534.

25 HENRY VIII, CAP. 21.

SEE introduction to document No. LI.

[Transcr. Statutes of the Realm, iii. 464.]

Most humbly beseeching your most royal majesty, your Prayer of  
obedient and faithful subjects, the Commons of this your the Com-  
present Parliament assembled, by your most dread com- mons  
against

1584.  
exactions  
at Rome.

mandment, that where your subjects of this your realm, and of other countries and dominions, being under your obeisance, by many years past have been, and yet be greatly decayed and impoverished, by such intolerable exactions of great sums of money as have been claimed and taken, and yet continually be claimed to be taken out of this your realm, and other your said countries and dominions, by the Bishop of Rome, called the pope, and the see of Rome, as well in pensions, censes, Peter-pence, procurations, fruits, suits for provisions, and expeditions of bulls for archbishoprics and bishoprics, and for delegacies, and rescripts in causes of contentions and appeals, jurisdictions legatine, and also for dispensations, licences, faculties, grants, relaxations, writs called *perinde valere*, rehabilitations, abolitions, and other infinite sorts of bulls, briefs, and instruments of sundry natures, names, and kinds, in great numbers heretofore practised and obtained otherwise than by the laws, laudable uses, and customs of this realm should be permitted, the specialties whereof be over long, large in number, and tedious here particularly to be inserted; wherein the Bishop of Rome aforesaid has not been only to be blamed for his usurpation in the premises, but also for his abusing and beguiling your subjects, pretending and persuading to them that he has full power to dispense with all human laws, uses, and customs of all realms, in all causes which be called spiritual, which matter has been usurped and practised by him and his predecessors by many years, in great derogation of your imperial crown and authority royal, contrary to right and conscience :

Recital  
that this  
realm is  
free from  
laws of  
man not  
devised  
within the  
same.

For where this your grace's realm recognizing no superior under God, but only your grace, has been and is free from subjection to any man's laws, but only to such as have been devised, made, and ordained within this realm, for the wealth of the same, or to such other as, by sufferance of your grace and your progenitors, the people of this

your realm have taken at their free liberty, by their own consent to be used amongst them, and have bound themselves by long use and custom to the observance of the same, not as to the observance of the laws of any foreign prince, potentate, or prelate, but as to the accustomed and ancient laws of this realm, originally established as laws of the same, by the said sufferance, consents, and custom, and none otherwise :

It stands therefore with natural equity and good reason, that in all and every such laws human made within this realm, or induced into this realm by the said sufferance, consents, and custom, your royal majesty, and your lords spiritual and temporal, and Commons, representing the whole state of your realm, in this your most High Court of Parliament, have full power and authority, not only to dispense, but also to authorize some elect person or persons to dispense with those, and all other human laws of this your realm, and with every one of them, as the quality of the persons and matter shall require ; and also the said laws, and every of them, to abrogate, annul, amplify, or diminish, as it shall be seen unto your majesty, and the nobles and Commons of your realm present in your Parliament, meet and convenient for the wealth of your realm, as by divers good and wholesome Acts of Parliaments, made and established as well in your time, as in the time of your most noble progenitors, it may plainly and evidently appear :

And because that it is now in these days present seen, that the state, dignity, superiority, reputation, and authority of the said imperial crown of this realm, by the long sufferance of the said unreasonable and uncharitable usurpations and exactions practised in the times of your most noble progenitors, is much and sore decayed and diminished, and the people of this realm thereby impoverished, and so or worse be like to continue, if remedy be not therefor shortly provided :

1534.

The power of the king and Parliament to dispense with, alter, or annul the human laws of this realm.

Remedy called for.

1534.

Payment  
of Peter's  
pence, or  
other im-  
positions,  
to Rome  
forbidden.

It may therefore please your most noble majesty, for the honour of Almighty God, and for the tender love, zeal, and affection that ye bear, and always have borne to the wealth of this your realm and subjects of the same, forasmuch as your majesty is supreme head of the Church of England, as the prelates and clergy of your realm, representing the said Church, in their synods and convocations have recognized, in whom consisteth full power and authority, upon all such laws as have been made and used within this realm, to ordain and enact, by the assent of your lords spiritual and temporal, and the Commons in this your present Parliament assembled, and by authority of the same, that no person or persons of this your realm, or of any other your dominions, shall from henceforth pay any pensions, censes, portions, Peter-pence or any other impositions, to the use of the said bishop, or the see of Rome, like as heretofore they have used, by usurpation of the said Bishop of Rome and his predecessors, and sufferance of your highness, and your most noble progenitors, to do ; but that all such pensions, censes, portions and Peter-pence, which the said Bishop of Rome, otherwise called the pope, has heretofore taken and perceived, or caused to be taken and perceived to his use, and his chambers which he calls apostolic, by usurpation and sufferance, as is abovesaid, within this your realm, or any other your dominions, shall from henceforth clearly surcease, and never more be levied, taken, perceived, nor paid to any person or persons in any manner of wise ; any constitution, use, prescription, or custom to the contrary thereof notwithstanding.

No person  
—king or  
subject—  
shall sue  
for any  
dispensa-  
tion or  
licence

And be it further enacted by the authority aforesaid, that neither your highness, your heirs nor successors, kings of this realm, nor any your subjects of this realm, nor of any other your dominions, shall from henceforth sue to the said Bishop of Rome, called the pope, or to the see of Rome, or to any person or persons having or pretending any autho-

rity by the same, for licences, dispensations, compositions, faculties, grants, rescripts, delegacies, or any other instruments or writings, of what kind, name, nature, or quality soever they be of, for any cause or matter, for the which any licence, dispensation, composition, faculty, grant, rescript, delegacy, instrument, or other writing, heretofore has been used and accustomed to be had and obtained at the see of Rome, or by authority thereof, or of any prelate of this realm; nor for any manner of other licences, dispensations, compositions, faculties, grants, rescripts, delegacies, or any other instruments or writings that in causes of necessity may lawfully be granted without offending of the Holy Scriptures and laws of God :

1584.  
from  
Rome.

But that from henceforth every such licence, dispensation, composition, faculty, grant, rescript, delegacy, instrument, and other writing afore named and mentioned, necessary for your highness, your heirs or successors, and your and their people and subjects, upon the due examinations of the causes and qualities of the persons procuring such dispensations, licences, compositions, faculties, grants, rescripts, delegacies, instruments, or other writings, shall be granted, had, and obtained, from time to time, within this your realm, and other your dominions, and not elsewhere, in manner and form following, and none otherwise; that is to say :

All such  
to be had  
within the  
realm.

The Archbishop of Canterbury for the time being, and his successors, shall have power and authority, from time to time, by their discretions, to give, grant, and dispose, by an instrument under the seal of the said archbishop, unto your majesty, and to your heirs and successors, kings of this realm, as well all manner such licences, dispensations, compositions, faculties, grants, rescripts, delegacies, instruments, and all other writings, for causes not being contrary or repugnant to the Holy Scriptures and laws of God, as heretofore has been used and accustomed to be had and obtained by your highness, or any your most noble pro-

Power of  
the Arch-  
bishop of  
Canter-  
bury to  
grant dis-  
pensations  
to the king,

1584. genitors, or any of your or their subjects, at the see of Rome, or any person or persons by authority of the same ; and all other licences, dispensations, faculties, compositions, grants, rescripts, delegacies, instruments, and other writings, in, for, and upon all such causes and matters as shall be convenient and necessary to be had, for the honour and surety of your highness, your heirs and successors, and the wealth and profit of this your realm ; so that the said archbishop, or any of his successors, in no manner wise shall grant any dispensation, licence, rescript, or any other writing afore rehearsed, for any cause or matter repugnant to the law of Almighty God.

and to the  
subject.

Be it also enacted by authority aforesaid, that the said archbishop and his successors, after good and due examination, by them had, of the causes and qualities of the persons procuring for licences, dispensations, compositions, faculties, delegacies, rescripts, instruments, or other writings, shall have full power and authority by themselves, or by their sufficient and substantial commissary or deputy, by their discretions, from time to time, to grant and dispose, by an instrument under the name and seal of the said archbishop, as well to any of your subjects, as to the subjects of your heirs and successors, all manner licences, dispensations, faculties, compositions, delegacies, rescripts, instruments, or other writings, for any such cause or matter, whereof heretofore such licences, dispensations, compositions, faculties, delegacies, rescripts, instruments, or writings, have been accustomed to be had at the see of Rome, or by authority thereof, or of any prelate of this realm.

No licence  
or dispen-  
sation shall  
be granted  
unaccus-  
tomed to  
be had at  
Rome,

And that the said archbishop and his commissary shall not grant any other licence, dispensation, composition, faculty, writing, or instrument, in causes unwont and not accustomed to be had or obtained at the Court of Rome, nor by any authority thereof, nor by any prelate of this realm, until your grace, your heirs or successors, or your

or their council shall first be advertised thereof, and determine whether such licences, dispensations, compositions, faculties, or other writings, in such causes unwont and not accustomed to be dispensed withal or obtained, shall commonly pass as other dispensations, faculties, or other writings, shall, or no, upon pain that the grantors of every such licence, dispensation, or writing, in such causes unwont, contrary to this Act, shall make fine at the will and pleasure of your grace, your heirs and successors; and if it be thought and determined by your grace, your heirs or successors, or your or their council, that dispensations, faculties, licences, or other writings, in any such cause unwont, shall pass, then the said archbishop or his commissary, having licence of your highness, your heirs or successors for the same, by your or their bill assigned, shall dispense with them accordingly.

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except by approbation of the king and council.

Provided always, that no manner of dispensations, licences, faculties, or other rescripts or writings hereafter to be granted to any person or persons, by virtue or authority of this Act, by the said archbishop or his commissary being of such importance, that the tax of the expedition thereof at Rome extended to the sum of 4*l.* or above, shall in any wise be put in execution, till the same licence, dispensation, faculty, rescript, or other writing, of what name or nature soever it be of, be first confirmed by your highness, your heirs or successors, kings of this realm, under the great seal, and enrolled in your chancery in a roll, by a clerk to be appointed for the same; and that this Act shall be a sufficient warrant to the Chancellor of England for the time being, or to him whom your grace, your heirs or successors, shall depute to be keeper of the great seal, to confirm in your name, your heirs or successors, the aforesaid writings, passed under the said archbishop's seal, by letters patent, in due form thereof to be made under your great seal, remitting as well the said writing under the

King's confirmation required, in some cases, before archbishop's dispensation can be put in execution.

1534. archbishop's seal, as the said confirmation under the great seal, to the parties from time to time procuring for the same :

What dispensations may be granted without such confirmation.

And that all such licences, dispensations, faculties, and other rescripts and writings, for the expedition of the which the said taxes to be paid at Rome were under 4*l.*, which be matters of no great importance, shall pass only by the archbishop's seal, and shall not of any necessity be confirmed by the great seal, unless the procurers of such licence, faculty, or dispensation desire to have them so confirmed ; in which case they shall pay for the said great seal, to the use of your highness, your heirs and successors, 5*s.* sterling, and not above, over and besides such tax as shall be hereafter limited for the making, writing, registering, confirming, and enrolling of such licences, confirmations, and writings under the said tax of 4*l.*

All acts done by virtue of any of the aforesaid licences shall be good and of force in law.

And that every such licence, dispensation, composition, faculty, rescript, and writing, of what name or nature soever it be, for such causes as the tax was wont to be 4*l.* or above, so granted by the archbishop, and confirmed under the great seal, and all other licences, dispensations, faculties, rescripts, and writings hereafter to be granted by the archbishop by virtue and authority of this Act, whereunto the great seal is not limited of necessity to be put to, by reason that the tax of them is under 4*l.*, shall be accepted, approved, allowed, and admitted good and effectual in the law, in all places, courts, and jurisdictions, as well spiritual as temporal, within this realm, and elsewhere within your dominions, and as beneficial to the persons obtaining the same, as they should have been if they had been obtained, with all things requisite, of the see of Rome, or of any other person by authority thereof, without any revocation or repeal hereafter to be had of any such licences, dispensations, faculties, rescripts, or writings, of what nature soever they be.

And that all children procreated after solemnization of any marriages to be had or done by virtue of such licences or dispensations, shall be admitted, reputed, and taken legitimate in all courts, as well spiritual as temporal, and in all other places, and inherit the inheritance of their parents and ancestors within this your realm, and all other your dominions, according to the laws and customs of the same; and all acts to be done, had, or executed according to the tenor of such licences, dispensations, faculties, writings, or other instruments, to be made or granted by authority of this Act, shall be firm, permanent, and remain in force; any foreign laws, constitutions, decrees, canons, decretals, inhibitions, use, custom, prescription, or any other thing had, or hereafter to be made to the contrary notwithstanding.

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Children born after marriages had by virtue of such licences held legitimate.

And be it further enacted, that the said archbishop and his successors shall have power and authority to ordain, make, and constitute a clerk, which shall write and register every such licence, dispensation, faculty, writing, or other instrument to be granted by the said archbishop, and shall find parchment, wax, and silken laces convenient for the same, and shall take for his pains such sums of money as shall be hereafter in this present Act to him limited in that behalf for the same; and that likewise your grace, your heirs and successors, shall by your letters patent, under your great seal, ordain, depute, and constitute one sufficient clerk, being learned in the course of the chancery, which shall always be attendant upon the lord chancellor, or the lord keeper of the great seal, for the time being, and shall make, write, and enrol the confirmations of all such licences, dispensations, instruments, and other writings as shall be thither brought under the archbishop's seal, there to be confirmed and enrolled; and shall also entitle in his books, and enrol of record, such other writings as shall thither be brought under the archbishop's seal, not to be confirmed, taking for his pains such reasonable sums of money as

Registration of archbishop's dispensations and king's confirmations.

1584. hereafter by this Act to him shall be limited for the same ; and that as well the said clerk appointed by the said archbishop, as the said clerk to be appointed by your highness, your heirs or successors, shall subscribe their names to every such licence, dispensation, faculty, or other writing that shall come to their hands to be written, made, granted, sealed, confirmed, registered, and enrolled by authority of this Act, in form as is before rehearsed.

Recital of existing grievances in fees for expediting business at Rome.

And forasmuch as the charges of obtaining the said licences, dispensations, faculties, and other rescripts or writings aforesaid, at the Court of Rome, by the losses and exchanges, and in conducting of couriers, and waging solicitors to sue for any such licences, dispensations, faculties, instruments, and other rescripts or writings, have been grievous and excessive to your people, and many times greater sums have been demanded for the speedy expedition in the Court of Rome, than be expressed in the old tax limited to be paid for the said expeditions, whereby your people have been brought to an uncertainty upon the payment for expeditions of such things, and by reason thereof have been constrained to pay more than they were wont to do, to the great impoverishing of this realm, as is aforesaid : and sometimes the speeding of such dispensations, faculties, licences, and other writings at Rome has been so long deferred, that the parties labouring for the same have suffered great incommodities and loss for lack of quick speed, which hereafter may be had within this your realm, to the great commodity of your people, whereby the charges of making exchanges, conducting of couriers, and solicitors, for the said dispensations, shall be abated, and your people so much relieved and eased ; to the intent that all ambiguity, and uncertainty of payments for dispensations, faculties, licences, and other rescripts and writings, may be taken away, that no fraud or exaction shall be exercised upon your people, by such officers as shall be appointed

To avoid these,

by this Act, to take pains in speeding such dispensations, faculties, and licences, but that your people may be sure and certain what they be appointed to pay for the same : 1534.

Be it enacted by this present Parliament, and by the authority of the same, that there shall be two books drawn and made of one tenor, in which shall be contained the taxes of all customable dispensations, faculties, licences, and other writings wont to be sped at Rome, which books, and every leaf of those books, and both sides of every leaf, shall be subscribed by the Archbishop of Canterbury, the Lord Chancellor of England, the Lord Treasurer of England, and the two chief justices of both benches for the time being ; to the which books all suitors for dispensations, faculties, licences, and other writings afore rehearsed, shall have recourse if they require it ; and one of the said books shall remain in the hands of him which shall be appointed to be registrar and scribe of the said dispensations, faculties, and licences, under the said Archbishop of Canterbury, in form as is beforesaid ; and the other book shall remain with the clerk of the chancery, which by your grace, your heirs or successors, shall be appointed, as is before rehearsed ; which clerk of the chancery shall also entitle, and note particularly and daily, in his book ordained for that purpose, the number and quality of the dispensations, faculties, licences, and other rescripts and writings, which shall be sealed only with the seal of the said archbishop, and also which shall be sealed with the said seal, and confirmed with the great seal, in form as is before said, that all fraud and concealment in this behalf may be avoided.

And be it enacted by this present Parliament, and by the authority of the same, that no man suing for dispensations, faculties, licences, or other rescripts or writings, which were wont to be sped at Rome, shall pay any more for their dispensations, licences, or rescripts, than shall be contained, taxed, and limited in the said duplicate books of taxes, only

fixed rates  
of payment  
are estab-  
lished and  
put on  
record.

The fees  
for dispen-  
sations,  
faculties,  
licences,  
&c.

1584. compositions excepted, of which, being arbitrary, no tax can be made, wherefore the tax thereof shall be set and limited by the discretion of the said Archbishop of Canterbury, and the Lord Chancellor of England, or the lord keeper of the great seal for the time being ;

The  
penalty for  
extortion.

And that such as shall exact or receive of any suitor more for any dispensation, faculty, or licence, than shall be contained in the said books of taxes, shall forfeit ten times so much as he shall so extortionately exact and receive ; the one half of the which forfeiture to be to the use of your grace, your heirs or successors, and the other half thereof to be to such of your subjects as will sue for the same by action, bill, or plaint in any of your grace's courts, wherein the defendant shall have none essoin nor protection allowed, neither shall be admitted to wage his law.

How the  
tax for  
every dis-  
pensation,  
faculty, or  
other  
writing of  
above 4*l.*  
shall be  
divided.

Be it also enacted by this Parliament, and authority of the same, that the tax or sum appointed to be paid for every such dispensation, licence, faculty, instrument, rescript, or other writing to be granted by authority of this Act, shall be employed and ordered, as hereafter ensues ; that is to say : if the tax extend to 4*l.* or above, by reason whereof the dispensation, licence, faculty, rescript or writing, which shall pass by the said archbishop's seal, must be confirmed by the appension of the great seal, then the said tax so extending to 4*l.* or above, shall be divided into three parts, whereof two shall be perceived by the said clerk of the chancery, to be appointed as is aforesaid, to the use of your highness, your heirs and successors, and to the use of the lord chancellor, or the keeper of the great seal for the time being, and to the use of the said clerk, in such wise as hereafter shall be declared ; and that the third part shall be taken by the said clerk of the archbishop, to the use of the same archbishop and his commissary, and his said clerk and registrar, in such wise as hereafter shall be ordained and limited by this Act ; that is to say, the said two parts shall

be divided in four parts, of which three parts shall be taken to the only use of your highness, your heirs and successors, and the fourth part shall be divided in three parts, whereof the Chancellor of England, or lord keeper of the great seal for the time being, shall have two parts, and the said clerk of the chancery the third part for his pains, travel, and labours that he is limited to write and do by virtue of this Act; and the said third part of the whole tax appointed to the said archbishop, and his officers, as is aforesaid, shall be divided into three parts, whereof the archbishop shall have to his use two parts, and his officers shall have the third part thereof; of which third part to be divided into two parts, the said clerk or registrar, which shall find parchment, wax, and silk, and shall devise and write the said dispensations, licences, faculties, rescripts, or other writings, and register the same, shall have for his said labour, and for receiving and repaying of the sums of money that shall come to his hands for dispensations, faculties, licences, and other rescripts aforesaid, the one moiety thereof, and the commissary of the said archbishop appointed to seal the said dispensations, faculties, licences, and other rescripts, shall have the other part. 1534.

And if the tax be under 4*l.* and not under 40*s.*, then the said tax shall be divided into three parts, as is aforesaid, whereof the king's highness, his heirs and successors, shall have two parts thereof, abating 3*s.* 4*d.*, which shall be to the said clerk of the chancery for subscribing, entitling, and enrolling the said dispensations, licences, faculties, rescripts, and other writings aforesaid, and receiving of the king's money so taxed; and the archbishop and his officers shall have the third part, which third part shall be divided into two parts, whereof the archbishop shall have the one entirely to himself, his scribe and commissary shall have the other part thereof, equally to be divided amongst them for their costs and pains in that behalf.

How if the tax be under 4*l.* and not under 40*s.*

**1534.** And if the tax be under 40s. and not under 26s. 8d., the same tax shall be divided into two parts, whereof the one part shall be to your grace, your heirs and successors, deducting thereof 2s. for the clerk of the chancery for his pains, as is aforesaid; and the other part shall be to the said archbishop and his officers, which other part shall be divided into two parts, whereof the archbishop shall have the one, and the commissary and scribe shall have the other, equally divided amongst them.

If the tax be under 40s. and not under 26s. 8d. and not under 20s.

And if the tax be under 26s. 8d. and not under 20s., the same shall be divided into two parts, whereof your grace, your heirs and successors, shall have the one part entirely, abating 2s. thereof to the said clerk of the chancery; and the archbishop and his officers shall have the other part, and the same other part shall be divided into three parts, whereof the archbishop shall have one, his commissary the second, and his scribe or registrar the third; and in case the tax be under 20s. the same shall be perceived to the use of the said commissary, clerk of the said archbishop, and clerk of the chancery, to be equally divided amongst them for their pains and labours by them to be sustained, by authority of this Act, as aforesaid.

Saving clause for the other prelates.

Provided always, that this Act shall not be prejudicial to the Archbishop of York, or to any bishop or prelate of this realm; but that they may lawfully, notwithstanding this Act, dispense in all cases in which they were wont to dispense by the common law or custom of this realm afore the making of this Act.

Dispensations by the guardian of the spiritualities, during vacancies.

Provided also, and be it enacted by the authority aforesaid, that if it happen the see of the archbishopric of Canterbury to be void, that then all such manner of licences, dispensations, faculties, instruments, rescripts, and other writings, which may be granted by virtue and authority of this Act, shall, during the vacation of the same see, be had, done, and granted under the name and seal of the guardian

of the spiritualties of the said archbishopric for the time being, according to the tenor and form of this Act, and shall be of like force, value, and effect, as if they had been granted under the name and seal of the archbishop for the time being. 1584.

And be it further enacted, that if the aforesaid Archbishop of Canterbury for the time being, or the said guardian of the spiritualties for the time being, hereafter refuse or deny to grant any licences, dispensations, faculties, instruments, or other writings, which they be authorized to do by virtue and authority of this Act, in such manner and form as is afore remembered, to any person or persons that ought, of a good, just, and reasonable cause, to have the same, by reason whereof this present Act, by their wilfulness, negligence, or default, should take no effect; then the Chancellor of England, or the lord keeper of the great seal for the time being, upon any complaint thereof made, shall direct the king's writ to the said archbishop or guardian denying or refusing to grant such licences, dispensations, faculties, or other writings, enjoining him by the said writ, upon a certain pain therein to be limited by the discretion of the said chancellor or keeper of the great seal, that he shall in due form grant such licence, dispensation, faculty, or other writing, according to the request of the procurers of the same, or else signify unto your highness, your heirs or successors, in the Court of Chancery, at a certain day, for what occasion or cause he refused and denied to grant such licences, faculties, or dispensations.

If the Archbishop of Canterbury, or guardian of the spiritualties, shall unreasonably deny dispensations, licences, &c.,

the king's writ shall issue to enforce the granting or compel the showing of cause to the contrary.

And if it shall appear to the said chancellor or lord keeper of the great seal, upon such certificate, that the cause of refusal or denial of granting such licences, faculty, or dispensation was reasonable, just, and good, that then [it] so being proved by due search and examination of the said chancellor or lord keeper of the great seal, to be admitted and allowed.

If refusal reasonable, to be allowed.

1534. And if it shall appear upon the said certificate, that the said archbishop or guardian of the spiritualities for the time being, of wilfulness in contemning the due execution of this Act, without a just and reasonable cause, refused or denied to grant such licence, faculty, or dispensation, that then your highness, your heirs or successors, being thereof informed, after due examination had, that such licences, faculties, or dispensations may be granted without offending the Holy Scriptures and laws of God, shall have power and authority in every such case, for the default, negligence, and wilfulness of the said archbishop or guardian, to send your writ of injunction under your great seal, out of your said Court of Chancery, commanding the archbishop or guardian that so shall deny or refuse to grant such licence, faculty, or dispensation, to make sufficient grant thereof, according to the tenor and effect of this Act, by a certain day, and under a certain pain in the said writ to be contained, and to be limited by your highness, your heirs or successors, kings of this realm.

Penalty. And if the said archbishop or guardian, after the receipt of the said writ, refuse or deny to grant such licences, faculties, or dispensations, as shall be enjoined him by virtue of the said writ, and show and prove before your majesty, your heirs or successors, no just or reasonable cause why he should do so; then the said archbishop or guardian that so shall refuse to put this Act in execution according to the said writ of injunction, shall suffer, lose, and forfeit to your highness, your heirs and successors, such pain and penalty as shall be limited and expressed in the said writ of injunction.

The king to empower two spiritual persons to grant such licences in cases of obstinate And over that, it shall be lawful to your highness, your heirs and successors, for every such default and wilfulness of the said archbishop or guardian for the time being, to give power and authority, by commission under your great seal, to such two spiritual prelates or persons to be named by your highness, your heirs or successors, as will do and

grant such licences, faculties, and dispensations, refused or denied to be granted by the said archbishop or guardian in contempt of this Act. 1584.  
refusal by  
the arch-  
bishop.

And be it further enacted by authority aforesaid, that the said two spiritual prelates or persons, to whom in such cases any such commission shall be directed, shall have power and authority to grant every such licence, faculty, dispensation, instrument, and other writings, so refused to be granted by the said archbishop or guardian for the time being, by an instrument under their seals, taking like fees and charges for the same as is before rehearsed, and not above, under the pains afore remembered. And that every such licence, faculty, and dispensation so granted for any cases or matters, whereunto any confirmation under the king's great seal is appointed by this Act, to be had in manner and form above declared, shall be had and obtained accordingly. And such licences and confirmations shall be had for like fees and charges as they are above specified, and not above, under the pains above mentioned. And that every such licence, faculty, dispensation, and other writing, to be granted by the said prelates or persons to be assigned by the king's highness, his heirs and successors, as is aforesaid, shall be of as good value, strength and effect, and as beneficial and profitable to the persons procuring the same, as if they had been made, granted, and obtained under the name and seal of the said archbishop. As to dis-  
pensations  
granted by  
such  
spiritual  
persons.

Provided always, that this Act, nor any thing or things therein contained, shall be hereafter interpreted or expounded, that your grace, your nobles and subjects, intend, by the same, to decline or vary from the congregation of Christ's Church in any things concerning the very articles of the Catholic faith of Christendom, or in any other things declared, by Holy Scripture and the word of God, necessary for your and their salvations, but only to make an ordinance by policies necessary and convenient to repress vice, and for The king  
and the  
realm do  
not mean  
to vary  
from the  
articles  
of the  
Catholic  
faith of  
Christen-  
dom.

1534. good conservation of this realm in peace, unity, and tranquillity, from ravin and spoil, ensuing much the old ancient customs of this realm in that behalf; not minding to seek for any relief, succours, or remedies for any worldly things and human laws, in any cause of necessity, but, within this realm, at the hands of your highness, your heirs and successors, kings of this realm, which have and ought to have an imperial power and authority in the same, and not obliged, in any worldly causes, to any other superior.

Visitation of monasteries, &c., exempt, shall be by commission from the king, and not by the pope.

Provided alway, that the said Archbishop of Canterbury, or any other person or persons, shall have no power or authority by reason of this Act, to visit or vex any monasteries, abbeys, priories, colleges, hospitals, houses or other places religious, which be or were exempt, before the making of this Act, anything in this Act to the contrary thereof notwithstanding; but that redress, visitation, and confirmation shall be had by the king's highness, his heirs and successors, by commission under the great seal, to be directed to such persons as shall be appointed requisite for the same, in such monasteries, colleges, hospitals, priories, houses, and places religious exempt; so that no visitation nor confirmation shall from thenceforth be had nor made, in or at any such monasteries, colleges, hospitals, priories, houses, and places

None shall go out of England to councils or assemblies.

Such to be in the king's dominions.

This Act shall not derogate from 21 Hen. VIII. c. 13, touching

religious exempt, by the said Bishop of Rome, nor by any of his authority, nor by any out of the king's dominions; nor that any person, religious or other, resident in any the king's dominions, shall from henceforth depart out of the king's dominions to or for any visitation, congregation, or assembly for religion, but that all such visitations, congregations, and assemblies shall be within the king's dominions.

Provided also, that this present Act, or anything therein contained, or any licence or dispensation hereafter to be made by virtue and authority thereof, shall not extend to the repeal or derogation of the late Act, made since the beginning of the present Parliament, for reformation of pluralities of

benefices, and for non-residences of spiritual persons upon their dignities or benefices, nor to anything contained or mentioned in the said Act; nor that this Act, nor anything to be done by authority thereof, shall not be taken, expounded, or interpreted to give licence to any person or persons to have any more number of benefices than is limited in the said Act; and that the same Act for pluralities and non-residences of benefices, and everything therein contained, shall stand good and effectual in all intents, according to the true meaning thereof; anything in this present Act, or any licence or dispensation to be had by authority thereof, in any wise notwithstanding.

And be it further enacted by authority aforesaid, that if any person or persons, subject or resident within this realm, or within any of the king's dominions, at any time hereafter sue to the court of Rome, or the see of Rome, or to any person claiming to have his authority by the same, for any licence, faculty, dispensation, or other thing or things contrary to this Act, or put in execution any licence, faculty, or dispensation, or any other thing or things hereafter to be obtained from Rome, or the see of Rome, or from any claiming authority by the same, for any of the causes above-mentioned in this Act, or for any other causes that may be granted by authority of this Act, or attempt or do any thing or things contrary to this Act, or maintain, allow, admit, or obey any manner of censures, excommunications, interdictions, or any other process from Rome, of what name or nature soever it be, to the derogation or let of the execution of this Act, or of any thing or things to be done by reason of the said Act; that then every such person or persons so doing, offending, and being thereof convicted, their aiders, counsellors, and abettors, shall incur and run into the pain, loss, and penalty comprised and specified in the said Act of Provision and Præmunire, made in the sixteenth year of your most noble progenitor, King Richard II, against

1584.

pluralities  
of bene-  
fices, &c.

Penalty  
for suing  
from  
Rome any  
licence,  
dispensa-  
tion, &c.,  
or for obey-  
ing any  
process  
from  
thence.

1534. such as sue to the court of Rome, against your crown and dignity royal.

Saving for grants and confirmations of liberties obtained from Rome.

Provided alway, that this Act, or anything therein contained, shall not hereafter be taken nor expounded to the derogation or taking away of any grants, or confirmations of any liberties, privileges, or jurisdiction of any monasteries, abbeys, priories, or other houses or places exempt, which heretofore the making of this Act have been obtained at the see of Rome, or by authority thereof; but that every such grant and confirmation shall be of the same value, force, and effect as they were before the making of this Act, and as if this Act had never been made.

But abbots, &c., shall pay no pensions to Rome, nor accept any visitation or confirmation from thence, nor make oath to the pope.

Provided always, that the abbots, priors, and other chief rulers and governors of such monasteries, abbeys, priories, and other houses and places exempt, shall not hereafter pay any pension, portion, or other cense to the see of Rome; nor admit or accept any visitation, nor any confirmation from or by the said see of Rome, or by authority thereof, of or for any person to be elected, named, or presented to be heads of any such monasteries, abbeys, priories, places, or houses exempt, nor shall make any corporal oath to the Bishop of Rome, otherwise called the pope, upon the pains limited in this Act; but that every such visitation, and confirmation of such heads elect—in any such monasteries, abbeys, priories, houses, or places exempt, where after their election they were bounden to have and obtain any confirmation of their election, or of the person named, presented, or elected—shall be from henceforth had, made, and done within this realm, at and within every such abbeys, monasteries, priories, and other houses and places exempt, by such person and persons as shall be appointed, by authority of the king's commission, from time to time, as the case shall require, and not by the see of Rome, nor by authority thereof; anything in this next proviso above specified to the contrary thereof notwithstanding.

Provided always, that in such monasteries, abbeys, priories, and houses exempt, where after election, presentation, or nomination of their heads, no such confirmation is requisite to be had, nor has been used to be taken by reason of such privileges as they have concerning the same, that in every such monasteries, abbeys, priories, and places exempt, they shall not be bounden to obtain, have, or take any confirmation for the same within this realm, by authority of this Act, but use their privileges therein as they have done before the making of this Act; anything in this Act, or any the provisions next above rehearsed, to the contrary thereof notwithstanding.

1534.

Saving for monasteries, &c., where no confirmation from Rome is requisite.

Provided also, and be it enacted, that this Act, or any thing or things, word or words therein, or in the preamble thereof mentioned or contained, is not intended or meant, nor shall be expounded nor interpreted, that any dispensations, licences, or confirmations for marriages, granted to any the king's subjects born under his obeisance, at any time before the twelfth day of March in the year of our Lord God 1533, shall be appaired, or of any less value, strength, force or effect, than they were at the said twelfth day of March; nor that this Act, or anything therein contained, shall not extend to the derogation, appairing, or annulling of any licences, dispensations, confirmations, faculties, or indulgences, at any time before the said twelfth day of March in the year of our Lord God, 1533, had or obtained at the see of Rome, or by authority thereof, to or for any subjects born in this realm, or in any the king's dominions, or to or for the hospital of the Prior of St. John of Jerusalem in England, or any commandries or members thereof, or to or for any other cathedral churches, hospitals, monasteries, abbeys, priories, colleges, conventual churches, parochial churches, chapels, fraternities, brotherhoods, or bodies politic within this realm, or in any other the king's dominions; but that every such licence, dispensation, con-

Licences and dispensations obtained at Rome before March 12. 1533. shall stand.

1534. firmation, faculty, and indulgence granted before the said twelfth day of March to any such subject, or to the said hospital of the Prior of St. John of Jerusalem in England, commandries or members thereof, or to any other cathedral church, hospital, monastery, abbey, priory, college, church conventual, parochial church, chapel, fraternity, brotherhood, or body politic, or to their predecessors or ancestors within this realm, or in any other the king's dominions, shall be of the same force, strength, value and effect, and may be from time to time put in execution at all times hereafter, by and to them that will use and have the same, as they might have been before the making of this Act, and as if this Act had never been had nor made; anything in the said Act to the contrary hereof notwithstanding.

But  
licences,  
&c.,  
obtained  
at Rome  
contrary to  
the laws of  
this realm  
shall not  
be put in  
execution.

Provided always, that such licences, dispensations, confirmations, or faculties heretofore obtained at the see of Rome, or by authority thereof, contrary to the express provisions of the laws and statutes of this realm heretofore made, shall not at any time hereafter be used or put in execution in any case, to the derogation, or contrary to the said laws and statutes of this realm, and the provisions of the same; anything in this proviso to the contrary thereof notwithstanding.

The king's  
power to  
reform in-  
dulgences.

And be it enacted by authority of this present Parliament, that the king our sovereign lord, by the advice of his honourable council, shall have power and authority from time to time, for the ordering, redress, and reformation of all manner of indulgences and privileges thereof within this realm, or within any the king's dominions, heretofore obtained at the see of Rome, or by authority thereof, and of the abuses of such indulgences and privileges thereof, as shall seem good, wholesome, and reasonable for the honour of God and weal of his people; and that such order and redress as shall be taken by his highness in that behalf, shall be observed and firmly kept upon the pains

limited in this Act for the offending of the contents of the same. 1584.

Provided alway, and be it enacted by authority of this present Parliament, that this present Act, or any thing or things therein contained, shall not begin to take effect nor be put in execution till the feast of the Nativity of St. John Baptist next coming, except the king's majesty, on this side the said feast, by his letters patent under his great seal, to be enrolled in the Parliament roll of this present Parliament, do declare and express, that it is his pleasure that it shall begin and take effect at any time afore the said feast; and if his highness happen so to do, that then, immediately after such declaration of his pleasure by his said letters patent in form aforesaid, this said Act shall begin and be put in execution afore the said feast, according to his said pleasure so to be declared by his said letters patent; anything in this proviso to the contrary hereof notwithstanding.

And be it further enacted by authority aforesaid, that the king's majesty at all times on this side the said feast shall have full power and authority, by his letters patent under his great seal, to be enrolled in the Parliament roll of this present Parliament, to abrogate, annul, and utterly repeal and make void this Act and every thing and things therein contained, or else as much and such part thereof as shall be declared and limited on this side the said feast by his said letters patent to be void and repealed; and that all such repeal and annulling so to be made in form aforesaid by his highness on this side the said feast, shall be as good and effectual as though it had been done and had by authority of Parliament; any thing or things contained in this present Act to the contrary hereof notwithstanding; and if no such repeal be had or made by the king's majesty on this side the said feast, in form as is afore rehearsed, that then the said Act, or as much and such thereof as shall not be repealed on this side the said feast, shall immediately after

Date of this Act coming into operation.

Power given to king to annul this Act or parts thereof.

1584. the said feast stand firm, good, and effectual, and from thenceforth be put in due execution according to the tenor thereof; anything in this Act or in any the provisions aforesaid to the contrary hereof notwithstanding.