

**DOCUMENTARY ANNALS**  
**OF THE**  
**REFORMED CHURCH OF ENGLAND;**

**BEING**  
**A COLLECTION**

**OF**  
**INJUNCTIONS, DECLARATIONS, ORDERS,**  
**ARTICLES OF INQUIRY, &c.**

**FROM**  
**THE YEAR 1546 TO THE YEAR 1716;**

**WITH NOTES HISTORICAL AND EXPLANATORY,**

**BY**  
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**A NEW EDITION IN TWO VOLUMES.**

**VOL. I.**

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**OXFORD:**  
**AT THE UNIVERSITY PRESS.**

**M.DCCC XLIV.**

*H. 7.*

BX 5151

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Republished in 1966 by  
The Gregg Press Incorporated,  
171 East Ridgewood Avenue,  
Ridgewood, New Jersey, U.S.A.

Printed in England

## LXIV.

Archiepisc Cant.  
MATTH. PARKER 4.

Anno Christi  
1563.

Reg. Angliæ.  
ELIZAB. 5.

*An admonition to all such as shall intend hereafter to enter the state of matrimony, godly and agreeable to laws.* (Bodl. Douce. A. 265.)

**F**IRST, That they contract **M**ARRIAGE is honourable not with such persons, as **M** among all men, and the

*An admonition to all such*] This table appears to have been set forth in the first instance in the year 1560, (Strype, Ann. vol. i. P. i. p. 332,) but was now (1563) published by authority, (Strype, Parker, vol. i. 5 p. 556,) and has ever since declared the law as to prohibited degrees; although some of the introductory regulations, such, for instance, as the permission to publish banns on festival days, (a permission repeated in the rubric for the solemnization of matrimony,) are no longer in force. The table is quoted in the Advertisements of the year 1564, and in the 10 canons of 1603, (can. 99,) as being the authorized interpretation of the laws of God upon the subject. The whole doctrine is derived from the 18th chap. of Leviticus, and the several instances of prohibited degrees contained in that chapter are cited in the Statutes 25 Henry VIII. cap. 22. and 28 Henry VIII. cap. 7. It appears however from a letter 15 addressed by archbishop Cranmer to lord Cromwell two years after the passing of the first act, that he suggested at the time the necessity of introducing into the statute many other instances not actually enumerated in Leviticus, but equally prohibited in principle. His words are: "By the law of God many persons be prohibited which be not 20 expressed, but be understood by like prohibition in equal degree. As St. Ambrose saith that the niece is forbid by the law of God, although it be not expressed in Leviticus, that the uncle shall not marry his niece. But where the nephew is forbid there, that he shall not marry his aunt, by the same is understood that the niece shall not be married 25 unto her uncle. Likewise as the daughter is not there plainly expressed, yet where the son is forbid to marry his mother, it is understood that the daughter may not be married to her father; because

be hereafter expressed, nor bed undefiled; but whoremongers and adulterers God will against the law of God, and the laws of the realm. Heb. xiii. 4.

5 they be of like degree. . . . And as touching the act of parliament concerning the degrees prohibited by God's law, they be not so plainly set forth as I would they were. Wherein I somewhat spake my mind at the making of the said law, but it was not then accepted." Strype, Cran. vol. i. p. 66. These views and the frequent applications made to  
 10 the archbishop for dispensations in cases prohibited in principle, but not forbidden by express words in the statute, led eventually to the formation of the table that was published by archbishop Parker in the year 1563, the principles on which it was drawn out being the following:  
 1. That the degrees which are laid down as to men, will hold equally as  
 15 to women in the same proximity. 2. That the husband and wife are but one flesh; so that he who is related to the one by consanguinity, is related to the other by affinity in the same degree. (Gibs. Cod. 412.) The case of marrying a wife's sister has been more disputed than others, inasmuch as the instance actually expressed in Leviticus merely forbids  
 20 the having two sisters at the same time; but it is held to be one of the cases prohibited in principle. So bishop Jewel stated the matter in a letter dated cal. Nov. 1561. (Strype, Parker, vol. i. p. 222. vol. iii. p. 57.) "Albeit I be not forbidden by plain words to marry my wife's sister, yet am I forbidden so to do by other words, which by exposition are plain enough. For when God commands me, I shall not  
 25 marry my brother's wife, it follows directly by the same, that he forbids me to marry my wife's sister. For between one man and two sisters and one woman and two brothers is like analogy or proportion." See Gibs. Cod. 412. Burn. Eccl. Law, vol. ii. p. 447. These canonical  
 30 disabilities however were understood with the following limitation: "Such marriages not being void ab initio, but voidable only by sentence of separation, they are esteemed valid to all civil purposes, unless such separation is actually made during the life of the parties. For after the death of either of them, the courts of common law will not  
 35 suffer the spiritual courts to declare such marriages to have been void; because such declaration cannot now tend to the reformation of the parties. And therefore, when a man had married his first wife's sister, and after her death the bishop's court was proceeding to annul the marriage, and bastardize the issue, the court of king's bench granted  
 40 a prohibition quoad hoc; but permitted them to proceed to punish the husband for incest." Blackst. Com. vol. i. p. 434. And such was the law of the case until the year 1835, when an act was passed (5 and 6

Secondly, That they make no secret contracts without consent and counsel of their parents or elders, under whose authority they be, contrary to God's laws, and man's ordinances.

Thirdly, That they contract not anew with any other, upon divorce and separation made by the judge for a time; the laws yet standing to the contrary.

To avoid fornication let every man have his wife, and let every woman have her husband: he that cannot contain, let him marry; for better it is to marry, than to burn. 1 Cor. vii. 2, 9.

Unto the married I command, not I, but the Lord, Let not the wife depart from her husband: but if she depart, let her remain unmarried, or be reconcoiled unto her husband: and let not the husband put away his wife. 1 Cor. vii. 10, 11.

I. It is to be noted, that those persons, which be in the direct line ascendent and descendent, cannot marry together, although they are never so far asunder in degree. 20

II. It is also to be noted, that consanguinity and affinity (letting and dissolving matrimony) is contracted as well in them and by them, which be of kindred by the one side, as in and by them which be of kindred by both sides. 25

III. Item, That by the laws consanguinity and affinity (letting and dissolving matrimony) is contracted as well by unlawful company of man and woman, as by lawful marriage.

IV. Item, In contracting betwixt persons doubtful, <sup>30</sup> which be not expressed in this table, it is most sure first to consult men learned in the law; to understand what is

Will. IV. chap. 54) which after legalizing certain former marriages, enacted that all marriages which should thereafter be celebrated between persons within the prohibited degrees of consanguinity or affinity, 35 should be "absolutely null and void to all intents and purposes whatsoever."

lawful, what honest and expedient, before the finishing of their contracts.

V. That no parson, vicar, or curate shall solemnize matrimony out of his or their cure, or parish church, or chapel, and shall not solemnize the same in private houses, nor lawless exempt churches, under pains of the law forbidding the same. And that the curate have their certificates, where the parties dwell in divers parishes.

VI. Item, The bands of matrimony ought to be openly denounced in the church by the minister three several Sundays or festival days, to the intent, that who will and can alledge any impediment, may be heard, and that stay may be made till further tryal, if any exception be made there against it upon sufficient caution.

VII. Item, who shall maliciously object a frivolous impediment against a lawful matrimony to disturb the same, is subject to the pains of the law.

VIII. Item, who shall presume to contract in the degrees prohibited (though he do it ignorantly) besides that the fruit of such copulation may be judged unlawful, is also punishable at the ordinary's discretion.

IX. Item, If any minister shall conjoin any such; or shall be present at such contracts making; he ought to be suspended from his ministry for three years, and otherwise to be punished according to the laws.

X. Item, It is further ordained, that no parson, vicar, or curate do preach, treat, or expound of his own voluntary invention, any matter of controversy in the scriptures, if he be under the degree of a master of arts, except he be licensed by his ordinary thereunto; but only for instruction of the people read the homilies already set forth, and such other form of doctrine, as shall be hereafter by authority published, and shall not innovate, or alter any thing in the church, or use any old rite or ceremony, which is not set forth by public authority.

None shall come near to any of the kindred of his

flesh to uncover their shame: I am the Lord. Levit. xviii. 6.

## A man may not marry his

## A woman may not marry with her

	Secundus gradus in linea recta ascend.				Secundus gradus in linea recta ascend.
Con. Avia.	1 Grandmother.	1 Grandfather.	Con. Avus.		Avus.
Aff. Avi relicta.	2 Grandfath.wife.	2 Grandm. husb.	Aff. Avis relictus.		Avis relictus.
Aff. Proocerus vel socrus magna.	3 Wifes grand-mother.	3 Hus. grandfath.	Aff. Proocerus, vel socrus magnus.		Proocerus, vel socrus magnus.
					Secund. grad. inaequalis in lin. transversa asc.
	Secund. gr. inaequalis in linea transversali ascendente.				
Con. Amita.	4 Fathers sister.	4 Fathers broth.	Con. Patruus.		Patruus.
Con. Matertera.	5 Mothers sister.	5 Mothers broth.	Aff. Avunculus.		Avunculus.
Aff. Patru relicta.	6 Fath. bro. wife.	6 Fath. sist. husb.	Aff. Amicus relictus.		Amicus relictus.
Aff. Avunculi relicta.	7 Moth. bro. wife.	7 Moth. sist. hus.	Aff. Matertera relictus.		Matertera relictus.
Aff. Amita uxoris.	8 Wifes' fath. sis.	8 Husb. fath. bro.	Aff. Patruus mariti.		Patruus mariti.
Aff. Matertera uxoris.	9 Wifes mo. sist.	9 Husb.moth. bro.	Aff. Avunculus mariti.		Avunculus mariti.
	Primus grad. in linea recta ascendente.				Primus grad. in linea recta ascend.
Con. Mater.	10 Mother.	10 Father.	Con. Pater.		Pater.
Aff. Noverca.	11 Stepmother.	11 Sepfather.	Aff. Vitricus.		Vitricus.
Aff. Socrus.	12 Wifes mother.	12 Husb. father.	Aff. Socer.		Socer.
	Primus grad. in linea recta descendente.				Prim. grad. in linea rect. descendente.
Con. Filia.	13 Daughter.	13 Son.	Con. Filius.		Filius.
Aff. Privigna.	14 Wifes daugh.	14 Husbands son.	Aff. Privignus.		Privignus.
Con. Nurus.	15 Sons wife.	15 Daughters hus.	Aff. Gener.		Gener.
	Primus gradus aequalis in lin. transversali.				Primus gradus aequalis in lin. transversa.
Con. Soror.	16 Sister.	16 Brother.	Con. Frater.		Frater.
Aff. Soror uxoris.	17 Wifes sister.	17 Husb. broth.	Aff. Levir.		Levir.
Aff. Fratris relicta.	18 Brothers wife.	18 Sisters husb.	Aff. Sororis relictus.		Sororis relictus.
	Secund. grad. in linea recta descend.				Secund. grad. in linea recta descend.
Con. Neptis ex filio.	19 Sons daughter.	19 Sons son.	Con. Nepos ex filio.		Nepos ex filio.
Con. Neptis ex filia.	20 Daughters dau.	20 Daughters son.	Aff. Nepos ex filia.		Nepos ex filia.
Aff. Pronurus, i. relic. nepotis ex filio.	21 Sons sons wife.	21 Sons daug. hus.	Aff. Progenger, i. relic. neptis ex filio.		Progenger, i. relic. neptis ex filio.
Aff. Pronurus, i. relic. nepotis ex filia.	22 Daughters sons wife.	22 Daughters dau. husb.	Aff. Progenger, i. relic. neptis ex filia.		Progenger, i. relic. neptis ex filia.
Aff. Privigni filia.	23 Wifes sons dau.	23 Husb. sons son.	Aff. Privigni filius.		Privigni filius.
Aff. Privignae filia.	24 Wif. daug. dau.	24 Husb. daug. son.	Aff. Privignae filina.		Privignae filina.
	Secundus gradus inaequalis in linea transversa descend.				Secundus grad. inaequalis in linea transversa descen.
Con. Neptis ex fratre.	25 Broth. daught.	25 Brothers son.	Con. Nepos ex fratre.		Nepos ex fratre.
Con. Neptis ex sorore.	26 Sisters daught.	26 Sisters son.	Con. Nepos ex sorore.		Nepos ex sorore.
Aff. Neptis ex frat. rel.	27 Bro. sons wife.	27 Bro. daug. husb.	Aff. Neptis ex frat. rel.		Neptis ex frat. rel.
Aff. Neptis ex sor. rel.	28 Sist. sons wife.	28 Sist. daug. hus.	Aff. Neptis ex sor. rel.		Neptis ex sor. rel.
Aff. Neptis uxor. ex fra.	29 Wifes brothers daughter.	29 Husb. brothers son.	Aff. Leviris filius, i. nepos mariti ex frat.		Leviris filius, i. nepos mariti ex frat.
Aff. Neptis uxor. ex sor.	30 Wifes sist. dau.	30 Husb. sist. son.	Aff. Gloris filius, i. nepos mariti ex sor.		Gloris filius, i. nepos mariti ex sor.