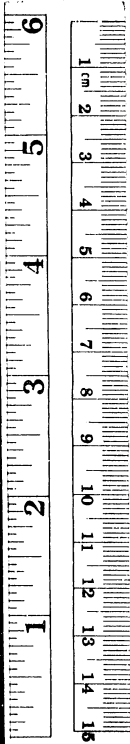


ANNO XXXII.
HENRICI OCTAVI.



IN THE PARLYAMENT begon
at westm, the. xxviii. of Apryl, the. xxxi. yere
of the reygne of the moste excellent, moste hygh, and
mooste myghty pynce HENRY the eyghte, by the
grace of GOD kynge of ENGLANDE and of
FRAYNCE, defendour of the fayth, lozde of Ire-
land, and in erthe vnder CHRISTE supream head of the churche
of englande, our most redoubted soueraine lozde, ther holden & after
continued by dyuers prorogacions, vnto the. xii. day of Apryl
the sayde yere. In the last session therof begon the same. xii. daye
of Apryl, and from the same holden vnto the. xi. day of Maye,
the. xxxii. yere of his maiesties moste prosperous reygne,
from the whiche it was by prorogacion conynued vntyll
the. xxv. of the same moneth of May, and holden
vntyll the. xxiiii. day of July, the sayd. xxxii.
yere: At the whiche day the sayd parliament
was by his graces auctorite finished and
dissolued. Amonges manye other the
actes folowynge by his highnesse,
with thallent of the lozdes spi-
rituall and temporall, and
the commons assembled
in the sayde parlia-
ment, haue bene
establisshed,
ordy-
ned
and enacted.

ANNO. M. D. XL.



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HERE THE KYNGES MOST ROYAL MAIESTEE in all the tyme of his mooste gracious and noble reigne hath euer ben mercifull lounge and benevolent and mooste gracious souerayne lord vnto all and singular his lounge and obedient subiectes, & by many tymes past hath not onely shewed and imparted to them generally by his many and often great and beneficiall pardons heretofore by auctorite of his parlyamentes graunted, but also by dyuers other wayes and means many greatte and ample grautes and benignities, in such wyse as all his sayde subiectes ben mooste bounden to the vttermoste of all theyr powers and graces by them receyued of god, to render and gyue vnto his maiestee, theyr most humble reuerence and obedient thankes and seruyces, with their dayly and continuall prayes to almyghy god for the continuall preferuacion of his mooste royal astate, in mooste kyngly honour and profperitee: yet all wayes his maiestee beyng replet and endowed by god with grace goodnes and liberalitee, mooste tenderly consideryng, that his sayde obedient and lounge subiectes, can not vse or exercise them selues accordyng to theyr estates degrees facultees and qualitees, or to beare them selves in such wyse, as that they may conveniently kepe and maynteyne theyr hospitalitees and families, nor the good educacions and byngyng bypof theyr lawfull generacions, whiche in this realme, laude be to god, is in all partes very great and abundant, but that in maner of necessite, as by dayly experyence is manifested and knowen, they shall not be able of theyr propre goodes cattals & other moueable substaunce to discharge theyr debtes, and after theyr degrees set forth and aduance theyr chyldren and posterity: wherfore our sayde souerayne lord mooste vertuously consideryng the moztaltee that is to euery persone at goddes wyll and pleasure mooste common and vnccertayne, of his mooste blessed disposicion and liberalitee being wyllyng to releue and helpe his sayde subiectes in their sayd necessities and debylitees, is contented and pleased, that it be ordeyned & enacted by auctorite of this present parlyamente in maner and forme as hereafter foloweth, that is to saye, that all and euery persone and persones, haunyng or whiche hereafter shall haue any manours landes tenementes or hereditamentes holden in socage, or of the nature of socage tenure, and not haunyng any manours landes tenementes or hereditamentes holden of the kyng our souerayne lord by knightes seruyce, or by socage tenure in chief, or of the nature of socage tenure in chief, nor of any other persone or persones by knightes seruice, from the xx. day of July, in the yere of our lord god. M. D. C. and forty, shall haue full and free libertee power and auctorite

sayde persone or persones dothe dye: Than he vnto whom the sayed rentes or fee ferme was due in fourme aforesayd, his executours and administratours, shal and may haue an action of dette agaynst the tenante in demene, that oughte to haue payed the same, whan it fyrste was due, his executours and administratours, and also distrayne for the same arerages bypon suche landes and tenementes, out of the whiche the sayd rentes or fee fermes were issunge and payable, in suche lyke maner and fourme as he oughte or myght haue done, if such person or persons, by whose deathe the aforesayde estate in the sayde rentes and fee fermes was determined and expired, had bene in full lyfe and not deade: And the auowry for the takyng of the same distresse, to be made in maner and fourme aforesayde.

An act concernyng precontractes of mariages and fourthyng degrees of consanguinite. Cap. xxxviii.



WHERE as heretofore the vsurped power of the byshop of Rome, hache alwayes entangled and troubled the mere iurisdiction and regalle power of this realme of Englande, and also vniquieted muche the subiectes of the same, by his vsurped power in their, as by makyng that vnlawfull, whiche by goddes word is lawfull, both in mariages and other thinges, as hereafter shall appere at moze lengthe, and tyll nowe of late in ourre soueraygne lordes tyme, whiche is otherwys by lernyng taughte, than his predecessours in tymes past of longe tyme haue bene, hath so continued the same, wherof yett some sparkes be lefte, whiche hereafter myght kyndell a greater fyre, and so remaynyng, his power not to seme bitteuly extyncte: Therfore it is thought moste conueniente to the kynge by his grace, his lordes spyrytuall and tempoꝛal, with the commons of his realme assembled in this present parliament, that two thynges specialy for this tyme be with diligence provided for, whereby many inconueniences hath ensuewed, and many mo elles mought ensuewe and folowe, as wher heretofore dyuers and many persones after longe continuances togyther in matrimonye withoute a ny allegation of eyther of the parties, or any other at their mariage, why the same matrimony shulde not bee good iuste and lawfull and after the same matrimonye soleimnised and consummate by carnall knowlege, and also sometime fruite of chyldren ensued of the same mariage, haue neuertheless by an vniust law of the byshop of Rome, whiche is, that vpon presence of a format contract made and not consummate by carnall copulation, for profe wherof two witnes by that lawe, were onely requyred, ben diuorced and seperate, contrary to goddes law, and so the trew matrimonye both soleimnised in the face of the churche, and consummate with bodily knowlege, and confirmed also with the fruite of chyldren had betwene the, clerely frustate and dissolued. Further also by reason of other prohibitions then goddes law admitteth, for their lucre by that court inuented, the dispensacion wherof they alwayes referued to them selues, as in kyngedoms

affinitee betwene cousten germaynes, and so to fourth and fourth degre, carnall knowlege of any of the same kynne or affinitee befoze in suche outward degrees, whiche els were lawfull and be not prohibited by goddes lawe, and all because they wolde get money by it, and kepe a reputacion to theyr vniuersite, wherby not onely muche discorde betwene lawfull married persons hath (contrary to goddes ordenance) arisen much debate and lute at the law, with the wrongfull vexacion and greate damage of the innocent party hath ben procured, and many iust mariages, broughte in doubte and dangere of vndoing, and also many tymes vndone, and lawfull heires distressed, wherof there had neuer elles, but for his hayn glorious vsurpacion ben moued any such question, tyns fredome in them was geuen vs by goddes lawe, whiche ought to be most sure and certayn. But that notwithstanding mariages haue ben brought into suche an incertapntee therby, that no mariage coude be so surely knitte and bounden, but it shuld lye in eyther of the parties power and arbiter, castyng awaye the feare of god, by meanes and compasses to pꝛoue a precontracte, a kyured, and allpauce, or a carnall knowlege, to defeate the same: and so vnder the pꝛetense of these allegations afoze rehered, to lye all the dayes of theyr lyfe in detestable adultery, to the vtter destruction of their owne soules, and the pꝛouocacion of the terrible wrath of god, vpon the places wher suche abhominacions were used and suffered. Be it therfore enacted by the kyng our souerayne lord, the lordes spirituall and tempoꝛal and the commons in this present parliamente assembled and by auctoritee of the same, that from the fyrst day of the moneth of July next commyng, in the yere of our lord god a thousande five hundred and fourtie, all and euerye suche mariages as within this churche of Englande shall be contracted betwene lawefulle persones, as by this acte we declare all persones to be lawefull, that be not prohibited by goddes lawe to mary, suche mariages beyng contracte and soleimnised in the face of the churche, and consummate with bodily knowlege or fruite of chyldren, or childe, beyng had therein betwene the parties so married, shall be by auctoritee of this present parliament aforesaid, demed iudged and taken to be lawfull good iust and indissoluble, not withstanding any precontract or precontractes of matrimony, not consummate, with bodily knowlege, whiche either of the persons so married or both shal haue made with any other person or persons befoze the tyme of contractyng that mariage, whiche is soleimnised and consummate, or wherof such fruite is ensued or may ensue as afoze: and not withstanding any dispensacion pꝛescripcion lawe or other thyng graunted or confirmed by acte or otherwys. And that no reseruacion or pꝛohypcion, goddes lawe excepte, shall trouble or impeache any mariage without the leuiticall degrees. And that no person, of what estate degre or condicion so euer he or she be, shall after the sayed first daye of the moneth of July aforesaid, be admitted in any of the spirituall courtes within this the kynge's realme, or any his graces other landes and dominions, to any pꝛocesse plea or allegation contrary to this foresaid acte.

Chc