

jurisdictions, privileges, authorities, immunities, profits and commodities to the said dignity of supreme head of the same church belonging and appertaining; (3) and that our said sovereign lord, his heirs and successors, Kings of this realm, shall have full power and authority from time to time to visit, repress, redress, reform, order, correct, restrain and amend all such errors, heresies, abuses, offences, contempts and enormities, whatsoever they be, which by any manner spiritual authority or jurisdiction ought or may lawfully be reformed, repressed, ordered, redressed, corrected, restrained or amended, most to the pleasure of Almighty God, the increase of virtue in Christ's religion, and for the conservation of the peace, unity and tranquility of this realm; any usage, custom, foreign laws, foreign authority, prescription, or any other thing or things to the contrary hereof notwithstanding.

Repealed by
1 & 2 Ph. & M.
c. 8. and re-
vived by
1 Eliz. c. 1.
5 Eliz. c. 1.

CAP. II.

The oath of obedience to the King and the heirs of his body be- gotten of Queen *Anne*. Any former oath made to be reputed vain and annihilate. The exposition of the oath, and who have and shall be bound to take it. Certificate shall be made into the King's bench of the refusers of the oath.

25 H. 8. c. 12.
28 H. 8. c. 7.
1 & 2 Ph. & M.
c. 8.
1 Eliz. c. 1.

CAP. III.

The bill for the first-fruits, with the yearly pensions to the King.

FOrasmuch as it is, and of very duty ought to be, the natural inclination of all good people, like most faithful loving and obedient subjects, sincerely and willingly to desire to provide, not only for the publick weal of their native country, but also for the supportation, maintenance and defence of the royal estate of their most dread benign and gracious sovereign lord, upon whom, and in whom dependeth all their joy and wealth, in whom also is united and knit so princely a heart and courage, mixed with mercy, wisdom and justice, and also a natural affection joined to the same, as by the great, inestimable and benevolent arguments thereof, being most bountifully, largely, and many times shewed, ministered and approved towards his loving and obedient subjects, hath well appeared, which requireth a like correspondence of gratitude to be considered, according to their most bounden duties; (2) wherefore his said humble and obedient subjects, as well the lords spiritual and temporal, as the commons, in this present parliament assembled, calling to their remembrance not only the manifold and innumerable benefits daily administered by his Highness to them all, and to the residue of all other his subjects of this realm; but also how long time his Majesty hath most victoriously, by his high wisdom and policy, protected, defended and governed this his realm, and maintained his people and subjects of the same in tranquillity, peace, unity, quietness and wealth; (3) and also considering what great, excessive and inestimable charges his Highness hath heretofore been at, and sustained by the space of five and twenty whole years, and also daily sustaineth, for the maintenance, tuition and defence of this his realm, and his loving subjects of the same, which cannot be sustained and born without some honour-
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First-fruits of
all dignities
spiritual shall
be paid to the
King, &c.
12 Co. 45.
Rep. 2 & 3 Ph.
& M. c. 4. and
revived by
1 Eliz. c. 4.
2 Ann. c. 11.

able provision and remedy may be made, found, provided and ordained for maintenance thereof; do therefore desire, and most humbly pray, that for the more surety of continuance and augmentation of his Highness royal estate, being not only now recognized (as he always indeed hath heretofore been) the only supreme head in earth, next, and immediately under God, of the church of England, but also their most assured and and undoubted natural sovereign liege lord and King, having the whole governance, tuition, defence and maintenance of this his realm, and most loving and obedient subjects of the same: it may therefore be ordained and enacted by his Highness, and the lords spiritual and temporal, and the commons in this present parliament assembled, and by authority of the same, in manner and form following:

The first-fruits and profits for one year of every spiritual living is granted to the King. By 27 H. 8. c. 8. s. 1. a deduction is to be made of the tenth part of the whole out of the first-fruits for the first year.

Every spiritual person shall be bound for his first-fruits before his actual possession of his benefice.

See 28 H. 8. c. 11. s. 3.

Commissioners to search for the value of benefices, and to compound for the first-fruits.

II. That is to say, That the King's highness, his heirs and successors, Kings of this realm, shall have and enjoy from time to time, to endure for ever, of every such person and persons which at any time after the first day of *January* next coming shall be nominated, elected, preferred, presented, collated, or by any other means appointed, to have any archbishoprick, bishoprick, abbacy, monastery, priory, college, hospital, archdeaconry, deanry, provostship, prebend, parsonage, vicarage, chauntry, free chapel, or other dignity, benefice, office or promotion spiritual within this realm, or elsewhere within any of the King's dominions, of what name, nature or quality soever they be, or to whose foundation, patronage or gifts soever they belong, the first-fruits, revenues and profits for one year of every such archbishoprick, bishoprick, abbey, monastery, priory, college, hospital, archdeaconry, deanry, provostship, prebend, parsonage, vicarage, chauntry, free chapel or other dignity, benefice, office or promotion spiritual afore named, whereunto any such person or persons shall after the said first day of *January* be nominated, elected, preferred, presented, collated, or by any other means appointed; (2) and that every such person and persons, before any actual or real possession, or meddling with the profits of any such archbishoprick, bishoprick, abbacy, monastery, college, hospital, deanry, provostship, prebend, parsonage, vicarage, chauntry, free chapel, priory or other dignity, benefice, office or promotion spiritual, shall satisfy, content and pay, or compound or agree to pay to the King's use, at reasonable days, upon good sureties, the said first-fruits and profits for one year.

III. And be it also enacted by authority afore said, That the chancellor of *England* and master of the rolls for the time being, jointly and severally, or such other person and persons as shall please the King's highness, his heirs or successors, from time to time, at his or their pleasure, to name and depute, by commission or commissions under the great seal, shall have power and authority, as well to examine and search for the just and true value of the said first-fruits and profits, by all ways and means that they can, as to compound and agree for the rate of the said first-fruits and profits, and to stall and limit reasonable days for payment thereof upon good and sufficient

cient ſurety or ſureties by writings obligatory by their diſcretions; (2) and if compoſition or agreement be had or made for the ſaid firſt-fruits before the ſaid lord chancellor or maſter of the rolls, that then the writings obligatory, or money taken for the ſame, ſhall reſt, remain and abide in the hanaper of the King's chancery, there ſafely to be kept to the King's uſe, and the money to be due of ſuch writings obligatory, or to be received in hand by reaſon of any ſuch compoſition, ſhall be paid in the ſaid hanaper to the clerk of the hanaper for the time being, and that the ſaid clerk of the hanaper ſhall make a true and juſt account thereof, like as he is bound to do of the money received of the profits of the King's great ſeal; (3) and if compoſition or agreement be had or made for the ſaid firſt-fruits, afore any other perſon or perſons to be deputed by the King's highneſs, his heirs or ſucceſſors, by commiſſion under his great ſeal, that then the writings obligatory, and money taken for the ſame, ſhall be delivered to the treaſurer of the King's moſt honourable chamber for the time being, or elſewhere to whom it ſhall pleaſe the King's highneſs, his heirs or ſucceſſors, to give authority by commiſſion under the great ſeal to receive the ſame.

The money taken for firſt-fruits ſhall be delivered to the treaſurer of the chamber,

IV. And it is alſo ordained and enacted by authority aforeſaid, That every writing of acquittance ſubſcribed with the hand and name of the clerk of the hanaper, and treaſurer of the chamber, or other commiſſioners aforeſaid, or any of them, witneſſing the receipt of the ſaid firſt-fruits or any part thereof, ſhall be as good and effectual againſt the King's highneſs, his heirs and ſucceſſors, to every perſon and perſons having the ſame, for ſo much money as ſhall be mentioned to be received and contained in every ſuch acquittance, as if ſuch acquittance were or had been lawfully had and obtained in the King's name, under the King's great ſeal, and ſo ſhall be admitted, accepted, allowed and taken in every of the King's courts; (2) and that all writings obligatory to be taken for payment of the ſaid firſt-fruits, by and afore the ſaid lord chancellor, or maſter of the rolls, or by and afore any other perſon or perſons to be deputed to compound and agree for the ſaid firſt-fruits as is aforeſaid, ſhall be of the ſame ſtrength, force, virtue, quality and effect, to all intents and purpoſes, as writings obligatory heretofore made by any lay perſon by authority of the ſtatute of the ſtaple been; (3) and that upon certificate hereafter to be made into the King's chancery, of any ſuch writings obligatory to be taken for payment of ſuch firſt-fruits, like proceſs and execution ſhall be thereupon made and had againſt any perſon ſpiritual and temporal, as hath been accuſtomed to be made againſt any lay perſon, upon certificate of writings obligatory of the ſaid ſtatute of the ſtaple; (4) and that no perſon ſhall be compelled to pay for any writing obligatory to be made for the ſaid payment of the ſaid firſt-fruits, above viii. d. nor for any acquittance to be made for receipt of ſuch firſt-fruits, above iv. d. (5) and that ſuch perſon and perſons as ſhall be deputed by the King's highneſs by commiſſion under the great ſeal, to compound and agree for the ſaid firſt-fruits, ſhall, at the end

Whoſe acquittance ſhall be ſufficient diſcharge for the firſt-fruits.

An obligation for the firſt-fruits ſhall be of the ſame ſtrength that a ſtatute of the ſtaple is.

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The penalty of commissioners concealing bonds taken for the payment of first-fruits.

Who so entrench upon his spiritual living before composition shall forfeit double the value of the first-fruits.

All first fruits payable to other persons shall cease, and be paid to the King. See 32 H. 8. c. 47. l. 3.

of every six months next after the date of their commission, and so from six months to six months, deliver or cause to be delivered unto the treasurer of the chamber for the time being, or elsewhere to such commissioners as shall be appointed as is aforesaid, to receive the same, as well all such money, as all such specialties and bonds as they shall have taken for the payment of the said first-fruits, by indenture to be made between them and the said treasurer, or other commissioners as is aforesaid, containing the certainty and number of the sums of money and specialties, and bonds by them taken and received; (6) and if any person or persons to whom any deputation shall be made by commission, to compound and agree for the payment of the said first-fruits, their heirs, executors or administrators, conceal or imbezzle any of the said specialties or bonds taken for the sure payment of the said first-fruits, and do not deliver them according to the tenor of this act, that then every such offender shall forfeit that office of deputation, and over that make fine and ransom at the King's own pleasure and will.

V. And it is also enacted by authority aforesaid, That if any person or persons, which at any time after the said first day of *January* shall be nominated, elected, preferred, presented, collated, or by any other means appointed to any of the dignities, offices, benefices or other promotions spiritual before-mentioned, do enter into the actual and real possessions thereof, or meddle with the profits thereof, before they shall have truly satisfied and paid to the King's use, the first-fruits and profits thereof for one year, or else shall have agreed or compounded for payment of the same at reasonable days upon good sureties, in manner and form as by this act is above specified, that then every such person and persons so doing and offending, and being thereof convicted by presentment, verdict, confession or witness before the said lord chancellor, or such other as shall have authority by commission to compound for the said first-fruits and profits as is aforesaid, shall be accepted and taken an intruder upon the King's possession; (2) and that they, their executors or administrators, shall pay to the use of the King's highness, for every such offence, so much sums of money as shall amount to the double value of the said first-fruits and profits of such dignities, benefices or other spiritual promotions wherein they shall so enter and intrude before the payment of the said first-fruits and profits for one year thereof, or before due agreement made for the same, in manner and form as is above rehearsed.

VI. And be it further enacted by authority aforesaid, That the first-fruits of benefices heretofore accustomed to be paid to the bishop of *Norwich*, within his diocese, and to the archdeacon of *Richmond*, within his archdeaconry, or to any other person or persons within this realm, or any other the King's dominions, shall from the said first day *January* cease, and be extinct, and no longer be paid, but only to the King's highness,

highness, his heirs and successors, in such form as is above mentioned in this act.

VII. Provided always, That archbishops and bishops, and all other having jurisdiction ordinary, may give and deliver letters of institution and induction, as they might do before the making of this act, without any offence of any article contained in this act; any thing in this act contained to the contrary thereof notwithstanding.

The bishops may give institution and induction.

VIII. Provided also, That where there be divers cells appertaining to monasteries and priories, and that the priors of such cells be named, and removeable from time to time, at the only wills and pleasures of their masters and sovereigns of the monasteries and priories whereunto such cells belong; that the priors of such cells shall not be compelled to pay any first-fruits by virtue or authority of this act; any thing in this act contained to the contrary thereof notwithstanding; (2) but that the first-fruits and profits of every such cell shall be paid to the King's highness, his heirs and successors, whensoever and as often as any person shall be nominated, elected, perfected or collated to the monastery or priory whereunto such cells belong.

Priors removeable shall pay no first-fruits.

IX. And over this be it enacted by the authority aforesaid, That the King's majesty, his heirs and successors, Kings of this realm, for more augmentation and maintenance of the royal estate of his imperial crown and dignity of supreme head of the church of *England*, shall yearly have, take, enjoy and receive, united and knit to his imperial crown for ever, one yearly rent or pension, amounting to the value of the tenth part of all the revenues, rents, farms, tythes, offerings, emoluments, and of all other profits as well called spiritual as temporal, now appertaining or belonging, or that hereafter shall belong to any archbishoprick, bishoprick, abbacy, monastery, priory, archdeaconry, deanry, hospital, college, house collegiate, prebend, cathedral church, collegiate church, conventual church, parsonage, vicarage, chauntry, free chapel, or other benefice or promotion spiritual, of what name, nature or quality soever they be, within any diocese of this realm, or in *Wales*; (2) the said pension or annual rent to be yearly paid for ever to our said sovereign lord, to his heirs and successors, Kings of this realm, at the feast of the nativity of our Lord God, (3) and the first payment thereof to begin at the feast of the nativity of our Lord God, which shall be in the year of our Lord God 1535. (4) And to be paid yearly by such as shall be appointed to have the collection thereof by this act, in such manner and form as shall hereafter be limited by this act, before the first day of *April* yearly next following after the said feast of the nativity of our Lord.

A yearly tenth of all spiritual livings given to the King.

The tenth must be paid at Christmas.

X. And it is ordained and enacted by authority aforesaid, That the said yearly rent and pension shall be taxed, rated, levied, perceived and paid to the King's use, his heirs and successors, in manner and form hereafter to be declared by this act; that

Commissions shall be awarded into every diocese to enquire of the

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value of every
spiritual
living.

Deductions to
be defalked
out of spiritual
livings.

The commis-
sioners shall
be sworn in-
differently to
execute their
commissions.

is to say, that the chancellor of *England* for the time being shall have power and authority to direct into every diocese in this realm, and in *Wales*, several commissions in the King's name, under his great seal, as well to the archbishop or bishop of every such diocese, as to such other person or persons as the King's highness shall name and appoint, commanding and authorising the said commissioners so to be named in every such commission, or three of them at the least, to examine, search and enquire by all the ways and means that they can by their discretions, of and for the true and just whole and entire yearly values of all the manors, lands, tenements, hereditaments, rents, tythes, offerings, emoluments and all other profits, as well spiritual as temporal, appertaining or belonging to any archbishoprick, bishoprick, abbacy, monastery, priory, archdeaconry, deanry, hospital, college, house collegiate, prebend, cathedral church, collegiate church, conventual church, parsonage, vicarage, chauntry, free chapel, or to any other benefice or promotion spiritual within the limits of their commission, (2) with a clause to be contained in every such commission, that the said commissioners, or three of them at the least, shall deduct and allow in the making and rating of the said yearly values of the premisses these deductions following, and none other; that is to say, the rents resolute to the chief lords, and all other annual and perpetual rents and charges, which any spiritual person or persons been bounden yearly to pay to any person or persons, to their heirs and successors for ever, or to give yearly in alms, by reason of any foundation or ordinance, and all fees for stewards, receivers, bailiffs and auditors, and synods and proxies, with another clause to be also contained in every such commission, that the said commissioners or three of them at the least, shall certify under their seals, at such days as shall be limited by the said commissions, as well the whole and intire value, as the deductions aforesaid, of every archbishoprick, bishoprick, abbacy, monastery, priory, archdeaconry, deanry, hospital, college, house collegiate, prebend, cathedral church, collegiate church, conventual church, parsonage, vicarage, chauntry, free chapel, and of all other benefits and promotions spiritual.

XI. And it is ordained and enacted by authority aforesaid, That the said commissioners that shall be so appointed, or three of them at the least, shall have full power and authority to do, accomplish and execute the effects and contents of their said commissions in every behalf; (2) and that every the said commissioners, before they shall execute their said commission, shall receive and take a corporal oath before the lord chancellor, or before such other as shall be appointed by the said chancellor by the King's writ of *Dedimus potestatem*, that they shall diligently and truly, without favour, affection, fraud, covin, meed, dread or corruption, do, fulfil and execute the whole effects and contents expressed in every such commission within the

the limits thereof, to their cunning, wits, and uttermoft of their powers.

XII. And it is ordained and enacted by authority aforefaid, That after fuch certificate made by the faid commiffioners, the faid yearly rent and penfion of the tenth part fhall be fet, taxed, rated and taken juftly and truly and indifferently by the treafurer, chancellor, chamberlain and barons of the King's exchequer, of and out of the clear yearly value of the premisses, that fhall be above the deductions afore-mentioned, and none otherwife. (2) And that every archbifhoprick, bifhoprick, abbacy, monaftery, priory, archdeaconry, deanry, hofpital, college, houfe collegiate, prebend, cathedral church, collegiate church, conventual church, parfonage, vicarage, chauntry, free chapel, or other benefice or promotion fpiritual, fhall be feverally and diftinctly taxed, charged and chargeable, in the proper diocefe where they been, for the payment of fuch portion of the faid tenth part as fhall be taxed and fet upon them by authority of this act; that is to fay, every of them by and for themfelves fhall be taxed, charged and chargeable in the proper diocefe where they been, for the tenth part of the yearly value of their poffeffions and profits to them belonging, wherefoever their faid poffeffions and profits fhall happen to be or lie in any part of this realm, or elfewhere in any of the King's dominions; (3) and that none of them fhall be charged or chargeable for the payment of the others charge or portion.

Every fpiritual perfon fhall be charged for his tenths in the diocefe where they be, though their poffeffions lie in other diocefes.

XIII. And it is alfo enacted by authority aforefaid, That after fuch certificate made into the King's exchequer, and tax be charged to the collection of their tenths in their diocefes. fhall be charged and chargeable to levy, collect and receive, within their proper diocefe, as well in places exempt as not exempt, all fuch fums of money wherewith the dignities, benefices and other promotions fpiritual afore mentioned within their diocefe, chargeable by this act, fhall be fet, taxed and charged towards the payment of the faid yearly penfion, (2) and fhall pay and content the faid fums of money yearly, before the faid firft day of *April*, to the treafurer of the King's chamber for the time being, or to any other perfon or perfons whom it fhall please the King's highnefs to appoint to receive the fame; (3) and that every of the faid archbifhops, and bifhops, their executors and administrators, and the poffeffions of their dignities and churches, fhall ftand charged and chargeable for the fure and true payment of fuch fums of money as they fhall collect and receive of the faid yearly rent and penfion.

Bifhops fhall be charged to the collection of their tenths in their diocefes. 12 Co. 45. 32 H. 8. c. 47. 34 H. 8. c. 17. 31 H. 8. c. 13. 27 H. 8. c. 28. By 3 G. 1. c. 10. the King is to appoint a collector to receive the tenths.

XIV. And that the treafurer chancellor, chamberlain and barons of the King's exchequer, fhall yearly caufe procefs to be made by their difcretions for nonpayment of the faid penfion or yearly rent, or any parcel thereof, againft every archbifhop and bifhop of this realm; that is to fay, againft every archbifhop and bifhop for fo much part and portion of the faid penfion and yearly rent, wherewith the dignities, benefices and other pro-

Procefs againft a bifhop for the payment of all tenths within his diocefe.

promotions spiritual afore mentioned within his diocefe shall be taxed and charged ; (2) fo that every of the faid archbifhops and bifhops shall be charged and chargeable for the rate and portion of the faid yearly rent and penfion fet and taxed within his own peculiar diocefe, and not otherwife.

By what means the bifhop shall levy the tenths of every fpiritual promotion.

32 H. 8. c. 22.

XV. And be it alfo enacted by authority aforefaid, That every archbifhop and bifhop shall have power and authority to levy, take and perceive, by authority of the censures of the church, or by diftreff or otherwife, by their difcretion, all fuch fums of money as shall be rated, taxed and fet to go out of the lands, tenements, hereditaments, profits and emoluments of any dignity, office, benefice or other place or promotion fpiritual within their diocefe, towards the payment of the faid yearly rent and penfion ; (2) and that no replevin, prohibition nor *superfedeas* upon any excommunication, nor any other writ or impediment shall be sued, allowed or obeyed, for any perfon or perfons making default of payment of fuch part and portion as they shall be rated and taxed unto by authority of this act, till fuch time as they have truly fatisfied their faid part and portion to them allotted of the faid yearly rent and penfion.

Who shall be collectors in time of vacation of a bifhoprick.

XVI. And it is alfo enacted by authority aforefaid, That whensoever and as often as any of the archbifhopricks or bifhopricks happen to be void, that then the dean and chapiter of the cathedral church, or the prior and convent, or chapiter or convent of the monastery or cathedral church, where the fee of fuch archbifhoprick or bifhoprick being void shall happen to be, during the time of the vacation thereof, and their executors, administrators and poffeffions, shall be charged and chargeable to do and caufe to be done all and every thing and things for the due execution of this act, within the diocefe of fuch archbifhoprick or bifhoprick being void, as the fame archbifhop or bifhop of the fee, being void, should have done, according as it is limited and appointed by this act, or by any thing therein contained.

The penalty for default of payment of tenths.

1 El. c. 4.
Moor 541. pl.
714.

XVII. And it is ordained and enacted by authority aforefaid, That if any fum of money being once due by any incumbent of any the dignities, benefices or promotions fpiritual afore fpecified, charged to the payment of the faid yearly penfion and annual rent, be reasonably demanded and required any time after the faid feaft of the nativity of our Lord, at their dignities, monasteries, priories, hofpitals, colleges, churches, chaunteries or houfes, by the archbifhop or bifhop, or fuch as shall be charged with the collection of any part of the faid penfion, or by any other their minifters, fervants or officers, to pay fuch portion of the faid penfion and yearly rent, as they shall be taxed and affeffed unto, be not truly contented and paid unto fuch archbifhop or bifhop, or their minifters and officers, and to fuch other perfon or perfons, or their minifters or fervants, as shall have the charge of collection thereof every year yearly, at the time of fuch request and demand thereof, or elfe within forty days next after every fuch request at the fartheft ; that then

then every incumbent making such default of payment, after such default thereof certified into the King's exchequer in writing under the seals of any archbishop or bishop, or of such as be limited and charged to the collection of the said pension by this act, shall be adjudged deprived *ipso facto* of all such dignities, benefices, pensions and promotions spiritual, as any such incumbent, making such default, shall have at the time of such certificate to be made, or at any time after; (2) so that all such dignities, benefices, pensions and promotions spiritual, which any incumbent, making such default of payment, shall have at the time of any such certificate to be made, or at any time after, shall be clearly void and destitute of incumbent in the law, to all intents and purposes, as if such incumbent, making such default of payment, were dead indeed.

Altered by 2
& 3 Ed. 6. c. 20.
f. 3.

XVIII. And it is ordained and enacted by authority aforesaid, That if any archbishop or bishop, or any other, limited and charged by this act to the collection and payment of the said pension and annual rent, do make a certificate unto the King's exchequer before the said first day of *April*, or at any time within four and twenty days next after the said first day of *April*, that they according to this act have reasonably required and demanded any incumbent of any dignity, benefice or promotion spiritual, chargeable by this act, to pay such part or portion of the said pension and annual rent, as they shall happen to be assessed unto, and that such incumbent, so being required, hath not paid his said part and portion according to the form and effect of this act; that then every such archbishop and bishop, and every other person having the charge by this act for collection and payment of the said pension and annual rent, upon every such certificate, shall be discharged and acquitted for ever against the King, his heirs and successors, of and for all such sums of money as any such incumbent, against whom such certificate shall be made, should or ought to have paid by this act; (2) and that then in every such case the treasurer, chancellor, chamberlain and barons of the King's exchequer, shall devise and direct, upon every such certificate, such process out of the King's exchequer against every such incumbent, against whom any such certificate shall be made, and their executors and administrators, or for insufficiency of them, against the successors of every such incumbent, whereby the King's highness, his heirs and successors, shall and may be truly answered, paid and contented of such portion and part as the incumbent against whom any such certificate shall be made, was taxed and assessed for his dignities, benefices or promotion spiritual chargeable by this act.

The bishop making a certificate of any incumbent omitting to pay his tenths, shall be discharged thereof.
7 Ed. 6. c. 4.
Savil 1.

Process shall be awarded against the refusers to pay their tenths.

XIX. And it is also ordained and enacted by authority aforesaid, That all manner of acquittances made by the treasurer of the King's chamber, or by any other such commissioners as shall be appointed as is aforesaid, to receive the said pension, or any part thereof, and subscribed with the name of the said treasurer, or any other such commissioner, for the payment of the

Whose acquittances shall be a discharge for the payment of the tenths.

said pension or annual rent, or any part thereof, to any such person or persons as be limited and charged with the collection thereof, shall be of as good strength, force, virtue and effect to the parties having the same, as if they were made in the King's name, under his great seal, and so shall be allowed, admitted and accepted in all courts of this realm; (2) and that the treasurer, chancellor, chamberlain and barons of the King's exchequer, shall, by virtue and authority of this act, as well admit and allow such acquittances, as all such certificates as shall be made against any incumbent for default of payment, as is above said, upon the account of every archbishop and bishop, and of every other person limited and charged by this act for the collection and payment of the said pension and annual rent, without any writ, bill or warrant, to be sued in or for that behalf.

Nothing shall be taken in the exchequer of a bishop or his collector for his account or *quietus est*.
Savil 38.

XX. And that no manner of officer of the King's exchequer shall take of any archbishop or bishop, or of any other person having charge with the collection and payment of the said pension or annual rent, any manner reward or thing for making their account or *quietus est* in the same exchequer, or for any manner of thing appertaining to the same, concerning the said pension and annual rent, upon pain of every officer, doing contrary to this act, to lose and forfeit his office, and make fine to the King at his will and pleasure.

XXI. And forasmuch as every incumbent of the dignities, benefices and promotions spiritual afore mentioned shall be charged by this act to the payment of the tenth part of the value of their dignities, benefices and promotions spiritual, without any deduction or allowance of such pension or pensions, wherewith some of them have been charged to pay to their predecessors during their lives, or to other persons to the use of such their predecessors during their lives: (2) it is therefore ordained and enacted by authority aforesaid, That it shall be lawful to every incumbent charged with any such pension payable to any his predecessors, or to any to his use, to retain and keep in his hand the tenth part of every such pension; (3) and that every such incumbent and his sureties shall from henceforth be acquitted and discharged of the said tenth part of every such pension, by virtue and authority of this present act; any decree, ordinance or assignment of any ordinary, or any collateral writing or security made for such pension to any spiritual person or persons, or to any to their uses for term of their lives, in any wise notwithstanding; (4) and that as well every incumbent, as such persons as stand bound for him for payment of any such pensions, shall plead this act in every of the King's courts, for the clear extinguishment and discharge of the tenth part of every such pension.

They which pay pensions to others out of their spiritual living may retain the tenth part thereof.

No pension shall be reserved upon the resignation of a benefice, above the value

XXII. And be it also ordained and enacted by authority aforesaid, That no pension shall hereafter be assigned by the ordinary, or by any other manner of agreement, by collateral surety, or otherwise, upon any resignation of any dignity, benefice or promotion spiritual, above the value of the third part of the dig-

dignity, benefice or promotion ſpiritual reſigned: (2) and if any of the third
 penſion amounting above the value of the third part of the dig- part. 13 El.
 nity, benefice or promotion ſpiritual heretofore reſigned, be al- c. 20.
 ready limited and made ſure to any ſpiritual perſon or perſons,
 by decree of the ordinary, or otherwiſe by any collateral ſurety,
 or hereafter ſhall happen to be aſſigned and made ſure to any
 perſon or perſons ſpiritual, or to any other to their uſe, by de-
 cree of the ordinary, or by any other collateral ſurety, upon any
 reſignation thereof; yet nevertheless the incumbent charged with
 ſuch penſion, nor his ſureties collateral, ſhall not be compelled
 to pay any more penſion than the value of the third part of
 his dignity, benefice or promotion ſpiritual ſo reſigned ſhall a-
 mount unto; (3) but ſhall by authority of this act be clearly
 acquitted and diſcharged of ſo much of the ſaid penſion as ſhall
 amount above the value of the third part of the dignity or benefice
 reſigned; any decree or aſſignment of the ordinary, or any colla-
 teral writings or ſureties heretofore made, or hereafter to be had
 or made for the ſame, to the contrary thereof notwithstanding.

XXIII. *And forasmuch as divers abbots and priors been charged* Abbots or pri-
to pay great penſions to fundry their predeceſſors yet living, to the great ors paying
decay of their hoſpitalities and houſekeeping; be it enacted by autho- penſions to
rity aforeſaid, That every ſuch predeceſſors of ſuch abbots or their prede-
priors, having any penſion made ſure unto them, or to any to ceſſors.
 their uſe, during their lives, amounting above the yearly value
 of xl. li. ſhall from henceforth be defalked and abated of the
 moiety and half-deal of every ſuch penſion; (2) and that every
 abbot, and all other perſons charged for the payment of ſuch
 penſion above the ſaid yearly value of xl. li. ſhall be clearly
 acquitted and diſcharged by authority of this act of the moiety
 and half-deal thereof for ever; any decree or aſſignment there-
 of by the ordinary, or any writing or ſurety collateral had or
 made for the ſurety thereof notwithstanding.

XXIV. *And forasmuch as the lord prior of Saint John's of Je-* The prior of
ruſalem in England, and his brethren, be not ſpecially named and St. John's of
expreſſed in this act, whereby ambiguity might ariſe, whether they Jeruſalem ſhall
ſhould be comprized within the limits of this act; it is therefore for pay firſt-
 plain declaration thereof enacted by authority aforeſaid, That fruits and
 every perſon and perſons which after the ſaid firſt day of tenths.
 January ſhall happen to be nominated, elected, collated, or
 by any other means appointed, to the dignity of the ſaid prior
 of Saint John's of Jeruſalem in England, or to any commandry
 appertaining unto the ſame, ſhall before their actual and real
 entry into the ſame dignity or commandry, or meddling with
 the profits thereof, ſatisfy and pay to the uſe of the King's
 highneſs, his heirs and ſucceſſors, the firſt-fruits and profits
 thereof for one whole year, or agree or compound for the ſame
 at reaſonable days, in like manner and form, and upon like
 pain in every behalf, as archbishops and bishops and other ſpiri-
 tual perſons be bound to do by virtue and authority of this act:
 (2) and that alſo the prior of St. John's now being, and his ſuc-
 ceſſors, and every of his brethren having any commandry, and
 their

their fucceffors, fhall contribute and pay yearly to the King's highnefs, his heirs and fucceffors, one yearly rent and penfion amounting to the tenth part of all their poffeffions and profits, as well fpiritual as temporal, and fhall be charged, rated, taxed and fet to the contribution and payment of the faid tenth part ; (3) and that alfo the faid tenth part fhall be levied, collected and paid, in fuch like manner and form, to all intents and purpofes, as the tenth part of other dignities and benefices fpiritual fhall be charged, taxed, fet, levied, collected and paid by authority of this act.

They which in one corporation have feveral poffeffions belonging to their dignities, fhall pay for their own poffeffions, and not for others.

XXV. *And forasmuch as in sundry and many cathedral churches colleges and hospitals of this realm, there is, and time out of mind hath been, certain ordinances instituted and made, whereby the dean, provost, master, or other chief governor of such churches, colleges and hospitals, hath a certain part and portion of the poffeffions and profits belonging to such churches, colleges and hospitals, all-only limited and belonging to their offices and dignities ; (2) and every prebendary, brother, vicar, fellow, petit canon, and other minifters fpiritual, in such churches, colleges and hospitals, hath another portion, all only and diftinctly limited, appertaining and belonging to their dignities and offices in such churches, hospitals and colleges : (3) it is therefore provided and ordained by authority aforefaid, That fuch perfon and perfons which at any time after the faid firft day of January fhall be nominated, elected, prefented, perfected, collated, or by other means appointed to be dean, provost, master, or other chief governor of fuch cathedral churches, colleges or hospitals, fhall be rated, compound and pay, for their firft-fruits, but only after the rate of the yearly value of the poffeffions and profits limited and belonging to their office and dignity.*

XXVI. And that every other perfon and perfons, that after the faid firft day of January fhall be nominated, elected, prefented, perfected, collated, or by any other means appointed to have any prebend, brotherfhip, fellowfhip, or to be any vicar or petit canon, or to have any other dignity or office fpiritual in any fuch cathedral churches, colleges or hospitals, fhall be rated, compound and pay, for their firft-fruits, after the rate of the yearly value of the poffeffions and profits limited and belonging to their dignities and offices, in fuch churches, colleges and hospitals, and none otherwife ; any thing in this act to the contrary hereof in any wife notwithstanding.

No firft-fruits fhall be paid for a benefice being not above the yearly value of eight marks. Altered by 1 El. c. 4. l. 29.

XXVII. Provided always, That fuch perfon or perfons, that after the faid firft day of January fhall be prefented or collated to any parfonage or vicarage, whereof the yearly value fhall not exceed viij. marks, fhall not be compelled to pay any firft-fruits for any fuch parfonage or vicarage whereunto they fhall be prefented or collated, not being above the faid yearly value of viij. marks ; except that the incumbent prefented or collated to fuch parfonage or vicarage, whereof the yearly value fhall not exceed viij. marks, do live three years next and immediately following after his institution, induction or collation to fuch parfonage or vicarage ; (2) and if fuch incumbent do live after the faid

said three years, then he or his executors or administrators, shall pay, at days to be limited after the said three years, upon sureties (as is aforesaid) the first-fruits of every such parsonage or vicarage: (3) and that in every obligation to be made by any incumbent of such parsonage or vicarage, and his sureties, for payment of the first-fruits of such parsonage or vicarage, there shall be contained a proviso, That if the said incumbent die within three years next after the date of the institution, induction or collation of the said parsonage or vicarage, that then the obligation shall be void and of none effect, any thing in this act to the contrary hereof notwithstanding.

XXVIII. *And over this where the clergy of the province of Canterbury, in their convocation, have granted unto the King's highness one hundred thousand pounds, and the clergy of the province of York eighteen thousand eight hundred forty pounds ten pence, to be paid by even portions in five years, and that which could not be levied thereof in the same five years, to be paid in the sixth year, as by the tenor of their several grants thereof made in their several convocations more plainly appeareth:* (2) it may please the King's majesty of his excellent goodness, in consideration that the said yearly pension and annual rent shall be yearly from henceforth duly paid and satisfied to his Highness and to his heirs and successors, according to the tenor, form, purport and effect of this present act, that it may be enacted by authority of this present parliament, That the clergy of the said province of *Canterbury*, and every of them, shall be discharged and acquitted against our said sovereign lord, his heirs and successors, of and for the twenty thousand pound, parcel of the said hundred thousand pound, which should be paid in the fifth year of payment limited by their grant: (3) and that the clergy of the said province of *York* shall likewise be discharged and acquitted of and for all such sums of money, parcel of the said eighteen thousand eight hundred forty pounds and ten pence, which should be paid in the fifth year of payment limited by their grant; any thing in their said several grants thereof made in any wise notwithstanding.

XXIX. Provided always, That all the residue of sums of money, which be yet to be paid, and not released nor discharged by this act, shall be truly paid and satisfied to our said sovereign lord, his heirs and successors, according to the tenor, form and effect of their said several grants.

XXX. Provided also, That all such fees, which any archbishop, bishop, abbot, prior or other prelate of the church is bounden yearly to pay to any chancellor, master of the rolls, justices, sheriffs or other officers or ministers of record, for temporal justice to be done or ministered within their diocese or jurisdictions, shall be allowed and deducted by the commissioners aforesaid, in and upon the valuation of the dignities, monasteries, priories or churches chargeable with such fees; any thing in this act to the contrary hereof notwithstanding.

How much the clergy of the two provinces of Canterbury and York shall be yearly discharged of, and wherefore.

Fees which any prelate is bound to pay for temporal justice.

26 H. 8. c. 17.

27 H. 8. c. 8.

32 H. 8. c. 22.

2 & 3 Ed. 6.

c. 20.

7 E. 6. c. 4.

1 Eliz. c. 4.

Y 3

C A P.

Ann. c. 11. 5 Ann. c. 24. 6 Ann. c. 27. 1 Geo. 1. c. 10. 3 Geo. 1. c. 10.