

and other the said chief justices, or by any five, four, or three of them; that then it shall be lawful to the mayor of the city of *London*, recorder of the same city, and two of the ancient aldermen of the same city, being no vintners for the time being, and the mayor, bailiffs, aldermen and other the head officers, or to any two of them, whereof the mayor, or chief aldermen or bailiff to be one, within all and every other city, borough and port town within this realm, wherein any wines now be or hereafter shall be to sell, to enter into the houses, cellars and places of all and every such owner and owners of the same wines, in any of the said cities, boroughs and port towns, and the same wines lawfully to sell to the use of the owners of the same wines, to any person and persons willing to buy the same, according to such prices and rate as by the said lord chancellor, lord treasurer, lord president, lord privy seal, and the said two chief justices, or by any five, four, or three of them is or hereafter shall be set, limited and assigned, according to the tenor of the said act made in the said eight and twentieth year of the King's majesty's reign.

CAP. XXIV.

A confirmation of a subsidy granted to the King by the clergy & Inst. 44. of the province of *Canterbury*, of six shillings in the pound, to be paid in two years.

CAP. XXV.

A subsidy by the temporality.

Anno primo EDWARD VI.

Statutes made in the parliament begun at *Westminster* the fourth day of *November* in the first year of the reign of our most dread sovereign lord *Edward* the Sixth, by the grace of God King of *England*, *France* and *Ireland*, defender of the faith, and of the church of *England*, and also of *Ireland*, in earth the supreme head: And from thence continued to the twenty-fourth day of *December* then next ensuing; that is to say, in the first session of the same parliament, as followeth.

CAP. I.

An act against such as shall unreverently speak against the sacrament of the altar, and of the receiving thereof under both kinds.

THE King's most excellent Majesty minding the governance and order of his most loving subjects to be in most perfect unity and concord in all things, and in especial in the true faith and religion of

The penalty for unreverent speaking against the sacrament of the body and

blood of
Christ, or
against the re-
ceiving thereof
in both kinds..

The King
mindeth to
have unity in
religion by
clemency.

The blessed
sacrament in-
stituted by
Christ himself,
and by what
words of his.

The causes of
the abuse of
the blessed sa-
crament.

God, and wishing the same to be brought to pass with all clemency and mercy on his Highness part towards them, as his most princely serenity and Majesty hath already declared by evident proof, to the intent that his most loving subjects provoked by clemency and goodness of their prince and King, shall study rather for love than for fear to do their duties, first to Almighty God, and then to his Highness and the common wealth, nourishing concord and love amongst themselves; (2) yet considereth and perceiveth that in a multitude all be not on that sort, that reason and the knowledge of their duties can move them from offence, but many which had need have some bridle of fear, and that the same be men most contentious and arrogant for the most part, or else most blind and ignorant: (3) by the means of which sort of men, many things well and godly instituted, and to the edification of many, be perverted and abused, and turned to their own and others great loss and hindrance, and sometime to extreme destruction: the which doth appear in nothing more or sooner, than in matters of religion, and in the great and high mysteries thereof, as in the most comfortable sacrament of the body and blood of our Saviour Jesus Christ, commonly called the sacrament of the altar, and in scripture, the (a) supper (b) table of the lord, the (c) communion and (d) partaking of the body and blood of Christ: (4) Which sacrament was instituted of no less author than of our Saviour, both God and man, when at his last supper amongst his apostles, he did take the bread into his holy hands, and did say, (e) Take you and eat, this is my body which is (f) given and (g) broken for you. And taking up the (h) chalice or cup, did give thanks, and say, (i) This is my blood of the new testament, which is shed for (k) you, and for (l) many, for the (m) remission of sins, that (n) whensoever we should do the same, we should do it in the remembrance of him, and to declare and set forth his death and most glorious passion, until his coming. Of the which (o) bread whosoever eateth, or of the which cup whosoever drinketh unworthily, (p) eateth and drinketh condemnation and judgment to himself, making no difference of the Lord's body. (5) The institution of which sacrament being ordained by Christ, as is before said, and the said words spoken of it here before rehearsed, being of eternal, infallible and undoubted truth: yet the said sacrament (all this notwithstanding) hath been of late marvellously abused by such manner of men before rehearsed, who of wickedness, or else of ignorance and want of learning, for certain abuses heretofore committed of some, in misusing thereof, have condemned in their hearts and speech the whole thing, and contemptuously depraved, despised or reviled the same most holy and blessed sacrament, and not only disputed and reasoned unreverently and ungodly of that most high mystery, but also in their sermons, preachings, readings, lectures, communications, arguments, talks, rhimes, songs, plays or jests, name or call it by such vile and unseemly words, as christian ears do abhor to hear rehearsed: (6) for reformation whereof, be it enacted by the King's highness, with the assent of the lords spiritual and temporal, and of the commons, in this present parliament

(a) 2 Cor. 11. 20. (b) 1 Cor. 10. 21. (c) 1 Cor. 10. 16. (d) 1 Cor. 10. 16, 17. (e) Mat. 26. 26. (f) Luke 22. 19. (g) 1 Cor. 11. 24. (h) Mat. 26. 27. (i) Mar. 14. 23. (k) Mar. 14. 24. (l) Luke 22. 19. (m) Mar. 14. 24. (n) Mat. 26. 28. (o) 1 Cor. 11. 29. (p) 1 Cor. 11. 26.

liament assembled, and by the authority of the same, That what-
soever person or persons, from and after the first day of *May*
next coming, shall deprave, despise or contemn the said most blessed
sacrament, in contempt thereof, by any contemptuous words, or
by any words of depraving, despising or reviling; or what person
or persons shall advisedly in any otherwise contemn, despise or
revile the said most blessed sacrament, contrary to the effects and
declaration abovesaid: that then he or they shall suffer impris-
onment of his or their bodies, and make fine and ransom at
the King's will and pleasure. (7) and for full and effectual exe-
cution of the premisses before devised, ordained and enacted by
this act, be it furthermore enacted by the authority of this pre-
sent parliament, That immediately after the first day of *May*
next coming, the justices of peace, or three of them at the least,
whereof one of them to be of the *quorum*, in every shire of this
realm, and *Wales*, and all other places within the King's domi-
nions shall have full power and authority by virtue of this act,
as well to take information and accusation by the oaths and de-
positions of two able, honest and lawful persons at the least,
(8) and after such accusation or information so had, to enquire by
the oaths of xii. men, in every of their four quarter-sessions yearly
to be holden, of all and singular such accusations or informations
to be had or made of any of the offences abovesaid, to be com-
mitted or done after the said first day of *May*, within the limits
of their commission: (9) and that upon every such accusation
and information, the offender and offenders shall be enquired of,
and indicted before the said justices of peace, or three of them at
the least, as is aforesaid, of the said contempts and offences, by
the verdict of twelve honest and indifferent men, if the mat-
ter of the said accusation and information shall seem to the said
jury good and true.

The penalty
for speaking
unreverently
of the most
blessed sacra-
ment.

Justices of
peace may en-
quire of of-
fenders.

II. And it is also further enacted by the authority aforesaid, That the said justices of peace, or three of them at the least, as is
aforesaid, before whom any such presentment, information and ac-
cusation shall be made or taken as is aforesaid, shall examine the
accusers, what other witnesses were by and present at the time of
the doing and committing of the offence, whereof the informa-
tion, accusation and presentment shall be made, and how many
others than the accusers have knowledge thereof, (2) and shall
have full power and authority by their discretions to bind by re-
cognizance to be taken before them, as well the said accusers,
as all such other persons whom the said accusers shall declare to
have knowledge of the offences by them presented and informed,
every of them in five pounds to the King, to appear before the
said justices of peace, before whom the offender or offenders shall
be tried at the day of trial and deliverance of such offenders.

Examination
of the ac-
cusers.

III. And it is further enacted by the authority aforesaid, That the said justices of peace or three of them at the least, as is above-
said, by virtue of this act, shall have full power and authority to
make process against every person and persons so indicted, by two
capias and an exigent, and by *capias utlagatum*, as well within the

12 Co. 103.
What process
shall be award-
ed against the
persons in-
dicted.

Justices of
peace may de-
termine the
offences.

Bailment of
persons indict-
ed.

A writ direct-
ed by the jus-
tices to the
bishop.

No indictment
but within
three months
after the of-
fence.

* Examined:

The defend-
ant may try
his innocency
by witnesses.

limits of their commission, as into all other shires and places of this realm, *Wales* and other the King's dominions, as well within liberties as without, and the same process to be good and effectual in the law to all intents, constructions and purposes; (2) and upon the appearance of any of the offenders, shall have full power and authority by virtue of this act and the commission of peace to determine the contempts and offences aforesaid according to the laws of this realm and the effects of this act: (3) and that the said justices of peace, or three of them at the least, as is abovesaid, shall have full power and authority to let any such person or persons so indicted upon sufficient sureties, by their discretions, to bail for their appearance to be tried, according to the tenor, form and effect of this act.

IV. Provided always, and be it enacted, That the said justices of peace, or three of them at the least, at their quarter-sessions, where any offender or offenders shall be or stand indicted of any of the contempts or offences abovesaid, shall direct and award one writ in the King's name to the bishop of the diocese where the said offence or offences be supposed to be committed or done, willing and requiring the said bishop to be in his own person or by his chancellor, or other his sufficient deputy learned, at the quarter-sessions in the said county to be holden, when and where the said offender shall be arraigned and tried, appointing to them in the said writ the day and place of the said arraignment; (2) which writ shall be of this form: *Rex &c. Episcopo L. salutem. Præcipimus tibi quod tu, Cancellarius tuus, vel alius deputatus tuus sufficienter eruditus, sitis cum justic. nostris ad pacem in com. nostro B. conservand. assignat. apud D. tali die, ad sessionem nostram, ad tunc et ibi. tenend. ad dand. consilium et advisament. eisdem justiciariis nostris ad pacem, super arranament. et deliberationem offendent. contra form. Statuti concernen. sacrosanct. sacramentum altaris.*

V. Provided always, and be it enacted by the authority aforesaid, That no person or persons shall be indicted of any of the contempts or offences abovesaid, but only of such contempts or offences as shall be done or perpetrated within three months next after the said offence or offences so committed or done.*

VI. And be it further enacted by the authority aforesaid, That in all trials, for any such offenders before the said justices, as is aforesaid, the person or persons being complained on and arraigned, shall be admitted to purge or try his or their innocency, by as many or more witnesses in number, and of as good honesty and credence, as the witnesses be which deposed against him or them or any of them.

VII. And forasmuch as it is more agreeable, both to the first institution of the said sacrament of the most precious body and blood of our Saviour Jesus Christ, and also more conformable to the common use and practice both of the apostles and of the primitive church by the space of 500 years and more after Christ's ascension, that the said blessed sacrament should be ministered to all christian people under both the kinds of bread and wine, than under the form of bread only: (2) and also it is more agreeable to the first institution of Christ, and to the usage of

of the apostles, and the primitive church, that the people being present should receive the same with the priest, than that the priest should receive it alone: (3) Therefore be it enacted by our said sovereign lord the King, with the consent of the lords spiritual and temporal, and the commons, in this present parliament assembled, and by the authority of the same, That the said most blessed sacrament be hereafter commonly delivered and ministered unto the people within the church of *England* and *Ireland*, and other the King's dominions, under both the kinds, that is to say, of bread and wine, except necessity otherwise require: (4) And also that the priest which shall minister the same, shall, at the least one day before, exhort all persons which shall be present likewise to resort and prepare themselves to receive the same. (5) And when the day prefixed cometh, after a godly exhortation by the minister made, (wherein shall be further expressed the benefit and comfort promised to them which worthily receive the said holy sacrament, and the danger and indignation of God threatned to them which shall presume to receive the same unworthily, to the end that every man may try and examine his own conscience before he shall receive the same) (6) the said minister shall not without a lawful cause deny the same to any person that will devoutly and humbly desire it; any law, statute, ordinance or custom contrary thereunto in any wise notwithstanding, not condemning hereby the usage of any church out of the King's majesty's dominions. 5 & 6 Edw. 6. c. 1. repealed by 1 Ma. sess. 2. c. 2. and revived by 1 Eliz. c. 1. s. 14.

The blessed sacrament shall be delivered unto the people under both kinds of bread and wine.

The usage of other churches not condemned.

CAP. II.

An act for the election of bishops.

FORASMUCH as the elections of archbishops and bishops by the deans and chapters within the King's majesty's realms of *England* and *Ireland*, at this present time, be as well to the long delay, as to the great costs and charges of such persons, as the King's majesty giveth any archbishoprick or bishoprick unto: (2) and whereas the said elections be in very deed no elections, but only by a writ of Conge d'eslire, have colours, shadows or pretences of elections, serving nevertheless to no purpose, and seeming also derogatory and prejudicial to the King's prerogative royal, to whom only appertaineth the collation and gift of all archbishopricks and bishopricks, and suffragan bishops within his Highness said realms of *England* and *Ireland*, *Wales*, and other his dominions and marches, &c.

A bishop collated by the King shall pay the usual fees. All processes ecclesiastical shall be in the King's name, but the teste in the bishop's name. Every bishop's, &c. seal of office shall have the King's arms engraven upon it. Usual fees shall be taken. The archbishop of *Canterbury* may use his own seal. In what cases other bishops may use their own seals. 31 H. 8. c. 45. Certificates into a court of record shall be in the King's name, teste the bishop. Repealed by 1 Eliz. c. 1. and 8 Eliz. c. 1. which revive 25 H. 8. c. 20.

25 H. 8. c. 20.
31 H. 8. c. 9.
1 M. stat. 2.
c. 2.
8 Eliz. c. 1.
1 Jac. 1. c. 25.
s. 48.
Elections of bishops belong only to the King.
None but the King shall collate to a bishoprick.